



វេទិកាសេដ្ឋកិច្ចសម្រាប់សង្គមស៊ីវិល កម្ពុជា
The NGO Forum on Cambodia

ធ្វើការរួមគ្នាដើម្បីការប្រែប្រួលវិជ្ជមាន
Working Together for Positive Change

Annual Progress Report

1st January 2011 - 31st December 2011



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CORE PROGRAMME

Key Achievements

2011 marks as the last year of the implementation of NGO Forum's Three Year Action Plan 2009-2011.. In 2011, the Core Programmes key priorities were to ensure the effective representation, governance and management of the NGO Forum and to coordinate the development of the next six years strategic plan 2012-2017. This includes the ability to represent members with stronger organizational skills, competencies and management systems. Major implementation efforts were made, focusing on the implementation of the evaluation recommendations, improving internal systems, staff management and strategic directions to ensure the achievement of the action plan. .

The NGO Forum's Executive Director continued to extend his representational efficacy at the regional and international level. He spoke on behalf of the NGO Forum at various national, regional and



Executive Director of the NGO Forum on Cambodia spoke at the Campaign on Prey Long Community at Freedom Park on 25 May 2011

international events. These included government-donor-NGO meetings, forums, workshops, press conferences, government meetings, development partner meetings as well as NGO meetings. Concerns of affected communities were heard regarding the impacts of Economic Land Concessions (ELCs), land grabbing, forced evictions, environmental and social impacts from hydropower dam constructions (both planned and under construction) and mining concessions, on occasions like the government-Economic Forum on Cambodia's Development Path "Drawing Experiences of East Asian Economies". Land issues were presented in Germany and on the European level to members of the European Parliament and

the European Commission. Amongst others, concerns on the draft law on Associations and NGOs were highlighted during the Global Assembly in Canada, the Global Assembly on Aid Effectiveness in Siem Reap and at the 4th High Level Forum on Development Effectiveness in Busan, South Korea. The round table discussion on the Xayabouri dam at TVK provided a good opportunity to express concerns of its negative environmental and social impacts which were also shared in the NGO/CSOs statement during 2nd National Forum on Climate Change. These messages were communicated to appropriate level decision-makers and other relevant institutions through the Forum's engagement in: publications, dialogue with government and donors as well as through effective communication and advocacy with national and international media organizations.

The professional relationship of the NGO Forum with other significant government actors has continued to improve. This includes relationships with the Ministry of Land Management, Urban Planning and Construction (MLMUPC); Ministry of Agriculture, Forestry and Fisheries (MAFF); Ministry of Planning (MoP); Ministry of Environment (MoE); Ministry of Economic and Finance (MEF); National Assembly (NA); and the Ministry of Interior (MoI). These improvements have seen ministries increased their participation, support and cooperation with the NGO Forum on significant advocacy activities. Some of these include supporting the NGO Forum to organize national consultation through the Lower Sesan II workshop, environment protection debates through the National TV of Cambodia, consultation on the draft NGOs & Associations Law, quarterly meetings between NGO Forum and representatives of the MLMUPC (to gather a more updated solution to land issues), national consultation on the contract farming sub-decree and campaigning for a further assessment of the proposed Xayaburi Dam with regional and international networks.



Executive Director of the NGO Forum on Cambodia provides open remarks at the National Consultation Workshop on “Lower Sesan 2 Hydropower Dam”

The NGO Forum delivered its mandate by coordinating concerns from NGOs and CSOs and facilitated the discussion with the MoI on the draft Law on Associations and Non-Governmental Organizations. In addition, the NGO Forum directly lobbied German Parliamentarian members and the European Union in Brussels to ensure that the NGO law will maintain an enabling working environment for Cambodia's civil society organizations. From efforts of the NGO Forum on Cambodia, CCC, MEDiCAM and other relevant NGO and network members, the Prime Minister publicly announced to extend the consultation process until 2014. The NGO Forum will continue to coordinate advocacy on this draft law to ensure that it serves the interest of our members and the Cambodian society as a whole.

To ensure effective internal coordination, it was agreed to merge the Coordinating Committee meetings with the Gender Focal Point meetings. Implementation will proceed in January 2012. The programme continued to effectively monitor its mandate with good participation from all staff. Some of the achievements, challenges and lessons identified across the different programme areas were shared in regular monthly Staff and Coordination Committee meetings. In addition, the inter-coordination plan was coordinated amongst all of the programmes of the NGO Forum and reviewed each month. This increased staff participation and engagement across the NGO Forum's policies and led to improvements in the staff capacity to implement the action plan.

NGO Forum strategically participates and continues to serve the interests of member organizations in a number of activities, including the organization of four regular Quarterly Membership Meetings in 2011. An average of one-hundred and thirty participants with a gender balance of approximately 35% female from the NGO Forum member organizations and provincial networks attended each meeting. Topics discussed at the meetings included emerging issues such as: Discussion on the draft Contract Farming Sub-Decree; NGOs/CSOs involvement in the process of drafting the Law on Associations and NGOs; sharing information from the National Budget website; discussion on the Resolution of Temporary Settlement on State Land Illegally Occupied in the Capital, Municipal, and Urban areas (Circular # 03); updating about the NGO Forum's Final Term Evaluation 2009-2011; the Global Movement for Budget Transparency; the Draft Procurement Law; Decentralization and Dis-concentration process in Cambodia; Sharing NGOF achievements and financial statement from July 2010 to June 2011; member and networks input for strategic development and discuss about the benefit to be a NGOF member. Moreover, members and networks identified priority issues which helped developing the next three years action plan 2012-2014.



Mr. Mey Narath, Deputy General Director of Politics of the General Administration Department of Ministry of Interior presented on the draft NGO law

In addition, two Management Committee (MC) members were elected to ensure effective governance and functioning of the NGO Forum on Cambodia. Minutes of these meetings in Khmer and English were circulated to all participants on time.

The NGO Forum continues to be effectively governed by the efficient functioning of its Management Committee (Governing Board). During the reporting period, six regular bi-monthly meetings of the Management Committee (MC) were conducted as planned on 14th of January; 11th of March and 5th of May, 21st July, 21st September and 18th November. The MC members were very active in providing direction and guidance on the management of the NGO Forum; approving revisions to the budget and action plans; approving amendments to the NGO Forum salary-scale review for Project Officer levels, NGOF engagement on NGOs & Associations Law, external evaluation & planning process, advocacy on the Xayaburi Dam, the draft procurement law, approving revisions to the Budget and Action Plans, approving amendments to the NGO Forum per-diem and accommodation rate, comment on final term evaluation report, strategic development process & plan. In addition, MC was strongly engaged in addressing the warning letter from Ministry of Foreign Affair, decided to change the NGOF registration to Ministry of Interior, and approved on the MC signing on the cheque from \$1,000 to \$3,000.

The NGO Forum's long term strategy from 2012 to 2017 was developed with high participation from members, government, development partners and other involved stakeholders. The strategy was informed by the findings w of the network study, staff retention study, strategic positioning study, final term evaluation. Further comments and essential inputs were given by members during network meetings and the Annual General Meeting. These inputs were integrated in the NGO Forum's strategic plan for 2012-2017. Consequently, the NGO Forum's vision, mission, goal and core values of organization have been reviewed accordingly. Five strategic priority areas were defined, including clear main objectives and strategies to address.

Based on the new strategic plan 2012-2017, the three years action plan 2012-2014 was developed in September including 5 programmatic areas. These are: Land & Livelihood Programme, Development

Issue Programme, Environment Programme, CORE programme and Research & Information Center. The concept of Result Based Management was used to develop the action plan which clear defined program goals, purposes and results (impact, outcome and output). The logical framework was set to monitor the results which clear baseline, indicators and targets for all levels of impact, outcome and output. The action plan was sent to donors on time and discussed at the annual donor partner meeting. As a result, about 85% of necessary budget to implement the plan for 2012 is secured.

To ensure improvements in the internal operation system, NGO Forum on Cambodia has engaged in a strategic partnership with CORD, assisting the NGO Forum in institutional capacity building. The capacities of staff have been supported by making internal and external trainings available. The NGO Forum staff trained on Monitoring and Evaluation on Result Based Management (10-12 May), attended a refresher training on the Basics of Gender Mainstreaming (24 February and 19 May) with 30 staff attending (including 10 females), facilitation skills (4 July) and advocacy strategies (5 September). Furthermore, 7 staff (3 female) built their capacity in an external training session with local and international participants on topics including aid management, development and natural resource management, climate change mitigation and adaptation, financial auditing, successful grant management, donor impact monitoring, climate change (REDD), TOT on FPIC, Timber Legality Assurance System and others. As a result of the training, staff felt they possessed more confidence and had developed skills that equipped them to effectively advance successful advocacy work on behalf of the NGO Forum. In addition, the staff capacity development plan (2012-2014), staff capacity development policy, staff appraisal form and recruitment tools were being reviewed and developed to strengthen the staff capacity development systems and to ensure staff is qualified and competent to support NGOF.



Group Training for NGO Forum staff on
Monitoring and Evaluation
10-12 May 2011

The annual report of income and expenditure, along with the annual audit report, was conducted by *PriceWaterHouseCooper* for 2010 and sent on time to donor partners and other relevant stakeholders. The results of the external audit report were mainly positive. Financial management continues to be effective and transparent for donors, members and all staff of the NGO Forum. The financial system and policy were reviewed by hiring an external consultant. As a result, findings of the report on financial policy & procedures review were taken to discuss with line management and it was agreed to implement parts in early 2012. As 2012 will be the first year of implementing the new action plan 2012-2014, NGO Forum decided to change the accounting software program from Peachtree to Quick Book from January 2012 on as it is more popular and helpful.

Gender mainstreaming is a continuing priority and has been constituted at the NGO Forum on Cambodia. Gender mainstreaming indicators were developed and shared to all staff. General knowledge on gender issues improved through engaging all staff in a celebration of the 100th International Women's Day. This event was jointly organized by the NGO Forum and CCC on 7 March, 2011. Two main activities were organized to raise awareness of mutual support between women and men for achievements not only at the family level but also within a broader society. Through these awareness raising activities, the majority of staff found out that women also have the potential to be strong partners with men by participating in all activities. In addition, gender equality in terms of women's involvement in the public



Self-reflection session between NGOF and CCC staff on the 100th Celebration of International Women's Day on 7 March, 2011

sphere is achieved when their husbands and female and male colleagues understand the obstacles and challenges women face both biologically and socially. At the same time, women themselves also play a very important role in how they perform and achieve support from their male partners and colleagues.

Gender inputs were provided to the research concept note on FPIC implementation, Impact of Climate Change on Agriculture, Prey Lang Situation Analysis and Food Crisis Survey. It highlighted that women are more vulnerable to impacts of climate change and food insecurity, negatively affecting their livelihood. Women face limited to access to information and have limited opportunities participating in social activities and decision making processes.

The mechanism to mainstream gender continues to be effective. During the reporting period, the TOR for the Gender Focal Point (GFP) was reviewed to include the Executive Director to be a member and the Deputy Director to be the Chairperson of the meeting. In addition, five GFP bi-monthly meeting were organized to share, discuss and identify issues, challenges, and constraints in the consistent application of gender mainstreaming principles. Moreover, the final draft of the Gender Mainstreaming Guidelines has been expanded to provide basic knowledge, methods and tools for NGO Forum project staff in order to implement gender mainstreaming principles into all activities such as policy development, action plans, research and advocacy, as well as monitoring these projects.

The foundation for good and professional advocacy work for members and non-members –maintaining advocacy based on evidence has improved through publications, which provide information about important issues and NGO Forum events, as well as about the achievements of some of the member organizations. The publications were widely disseminated to NGO members, donors and relevant government institutions, the National Assembly, Senate and the King. The publications were further developed and uploaded to the NGO Forum's website for a wider audience.

The NGO Forum on Cambodia is effective in managing and organizing events for their member organizations, such as the Quarterly Member Meetings, a press conference on Prey Lang, the National Consultation Workshop on "Lower Sesan 2 Hydropower Dam", Strategic Discussion on the Preparation for the Formulation of Mid-Term Review of the NSDP update 2009-2013 and the NGO Position Papers, a Film Show on the Xayaburi Dam, the 2nd National Farmer Forum and other events. Strong support was given to these events by the Research and Information Center.

Observed Impacts

There was significant growth and consolidation of the programme and organization during the implementation of the 2011 Action Plan. The benefits of this were that the overall representation, management and governance of the NGO Forum became increasingly effective and well balanced in terms of the following observed impacts:

- Through the effective planning process, the NGOF Strategic Plan 2012-2017 and its Action Plan 2012-2014 were developed with high participation from all stakeholders, responding to the needs of NGO members, networks and especially poor & vulnerable people.
- As a result of the new strategic plan 2012-2017 and action plan 2012-2014, NGO Forum will have funding secured for the next three year action plan. This reflects that the NGO Forum continues to deliver high quality work and plays a critical role in coordinating advocacy in Cambodia.
- NGOs & Associations Law- through advocacy strategies, influencing on both, local and international level and the expressed NGO/CSOs solidarity, the Prime Minister publicly announced on 28th December to extend the consultation process until 2014.. The extended consultation process will enable NGOs/CSOs to have more discussion and strategic comments to ensure the law will not limit provide democratic space for NGOs/CSOs to operate.
- The representation of the NGO Forum on Cambodia has extended its efficacy at the regional and international level on issues related to hydropower development plans, the NGOs and Associations law, democratic space, land and natural resources as well as others. The Executive Director was interviewed by the BBC and also carried out political dialogue with the EU through the support of Misereor and other NGO Forum donors. He also attended the 4th high level forum on development effectiveness in Busan, South Korean to highlight Cambodian issues – here in particular the concern on shrinking democratic space for civil society-, linking them to the global discussion.
- The engagement of NGOF with the government has greatly improved during the reporting period. through more invitations to government meetings, workshops and other events. In addition, NGO Forum staff was invited to attend two training courses organized by the Cambodian government on Aid Management and Social Safety Nets focusing on the Food Security & Nutrition strategy plan.
- The good reputation of the NGO Forum is still well recognized by government and development partners. Development Partner (GIZ) recognized NGOF role and reputation- as NGOF played fulfilled its coordination role amongst NGOs to influence the German Federal Ministry of Economic Cooperation and International Development (BMZ) to reconsider termination of funding GIZ activities in the Cambodian land sector. BMZ finally agreed to continue supporting the land sector reform in Cambodia through GIZ. Some NGOs complained that Germanys support to the land reform sector in Cambodia should stop because their project did not fulfill all human right principles i.e that forced evictions occurred, especially with regards to GIZs support to the LMAP project and the eviction of the Beung Kok community. To respond to this case, NGOF worked in coordination with other NGOs to submit an intervention letter to the Federal Ministry of Economic Cooperation and Development for their reconsideration and continued support on land reform in Cambodia with specific conditions set for the improvement on the human rights. NGO Forum will coordinate NGO network members to monitor closely on the implementation of their project to ensure the project will benefit to Cambodia people in particular the land affected community.

Key challenges and lessons learnt

- In last 2011, NGO Forum received a warning letter from the Ministry of Foreign Affairs accusing NGO Forum of producing false information and discredit government based on the letter that we sent to the Asian Development Bank President since 2010 although we have sufficient evidences from the video case study and article in the newspaper. However, NGO Forum has addressed this problem professionally through the response letter to the ministry, inform to all members and issues press statement.
- It takes considerable time to effectively recruit technical consultants to deliver much needed research and technical capabilities. In particular, the NGO Forum has not been able to attract a consultant to complete work on, for example: issues such as the effectiveness of NGO input for NSDP update mapping consent of IP policy implementation, and extractive industry revenue information tracking. As a result, we have incurred delays and NGO Forum staff has been required to allocate an increasingly larger portion of their time, which has resulted in slowing down technical aspects of their work.
- There has been a slight delay on NGO Forum's external evaluation due to delay in recruiting the external evaluation consultant and the rate of the respondents from the members and network members were low. We sent questionnaires to member for another round to fill, which helped the return rate to increase.
- Gender mainstreaming has still not yet fully expanded into all NGOF projects as the gender guidelines that we expected to develop as guidance for mainstreaming gender in all NGOF activities have yet to be finalized and the functioning of gender focal points is now less of a focus. These challenges are partly limited of the technical input and coordination of NGO Forum's Gender Officer.
- Through development of Strategic Plan 2012-2017 and Action Plan 2012-2014, staff more ownership and ability to implementing its. Staffs are involved in beginning step review keys documents, analyse the key finding and defined priority recommendation for discuss and setting up strategic. From this background, staffs feel more confident to develop their action plan with result based approach.
- During this reporting period NGOF received a warning letter from Ministry of Foreign Affair which requires time and ideal to consultation and find out respond strategy with member organizations, MC members and key stakeholders.
- The lesson learnt from the warning letter government, the NGO members and networks gained more understanding on working together and solidarity to produce a shared voice which very important advocacy strategy.

DEVELOPMENT ISSUE PROGRAMME

Summary

The Purpose of the **Development Issues Programme (DIP)** is that *'NGOs cooperate across sectors to influence government and development partner policy and practices so that they benefit poor and vulnerable groups'*. DIP has four projects; the Development Policy project is central to the NGO Forum's activities, as it has direct links with all projects in other programs of the NGO Forum as well as sector NGOs/Groups. DIP is staffed by a Program Manager and 4 Project Coordinators¹ who are responsible for 4 projects including Development Policy Project, Economic Development Policy Project, National Budget Project, and Aid Effectiveness Project.

In 2011, the DIP continues to suffer from staff turnover from the beginning till the end of the year. The recruitment of Aid Effectiveness Project Coordinator has been successful until May 2011. In August 2011, National Budget Project Coordinator resigned from his post and the recruitment of a new project coordinator has been successful until end of December 2011. The delayed recruitment has hampered the progress of the two project work. However, the programme has managed to influence the public debate about Cambodia's public debt, aid and budget transparency, formulation of the Mid Term Review of the National Strategic Development Plan (NSDP) Update and the formulation of the Joint Monitoring Indicators on key reforms and aid coordination. Moreover, all programme staffs have been kept busy with developing new strategic plan for the NGO Forum 2012-2017 and three years action plan 2012-2014 for each of the project under the programme from July to September 2011. The following are achievements of DIP advocacy work during this year. For details on publication of the programme in 2011, please visit this link: http://www.ngoforum.org.kh/eng/core/en_program_article.php?article=13

¹ Previously it was called 'Project Officer'. The change was made in May 2011 following request from staffs and approval of management committee.

Development Policy Project (DPP)

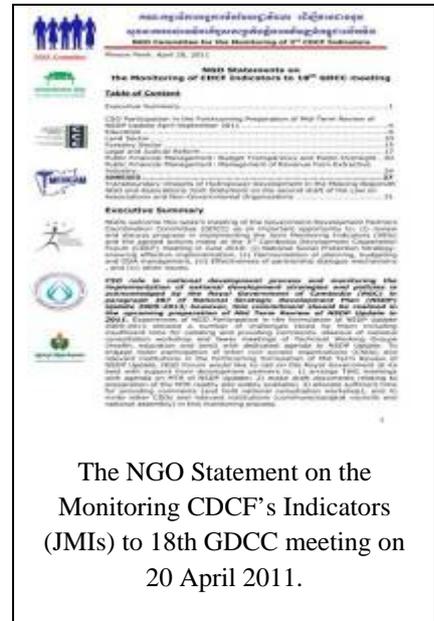
Project purpose: NGOs cooperate across sectors to influence government and development partners policies and practices so that they benefit poor and vulnerable groups.

Key Achievements

Sectoral NGO Concerns on the progress of JMI Implementation made by the Royal Government of Cambodia (RGC), with support from Development Partners (DPs), were heard and responded by the policy makers of the RGC and DPs during the 18th Government-Development Partner Coordination Committee (GDCC) meeting on 20 April 2011. 450 copies of nine compiled NGO monitoring statements on Implementation of CDCF Joint Monitoring Indicators (JMIs) in English & Khmer were printed and distributed widely to policy makers and decision makers of the RGC and DPs in 19 Technical Working Groups (TWGs), NGOs and media during the day of the 18th GDCC meeting and after the meeting.

Of the nine, the NGO Joint statement on concerns of CSOs on the current Draft Law on Associations and Non-Governmental Organizations was read and emphasized by the NGO Representative to the meeting. The Development Partners including World Bank and the USAID both showed their strong support to the concerns raised by the representative on the draft law. As a result, the Deputy Prime Minister Keat Chhon assured in his response to the concerns that those contrasting ideas/concerns on current NGO Draft Law will also be taken into account at the Council of Minister (CoM) meeting and discussion prior to endorsement. It is not the first time that such contrasting views on draft legislation have been raised. The dialogue on the draft Law on Associations and Non-Governmental Organization was widely covered by the media the day after the meeting including “State Officials Ready to Hold Talks with Donors” issued by Phnom Penh Post, “US Warned Reduce Aid to Cambodia” broadcasted by Radio Free Asia and “At Donor Meet, US Ties NGO Law to Aid” issued by The Cambodia Daily Newspaper. Following this, there was high profile consultation on the draft held between Deputy Prime Minister and Minister of Interior with NGO representatives in December 2011 while there was still disagreement over draft NGO Laws between the two parties. This disagreement was later made relieved by the Prime Minister in his public speech on 28 December 2011 which encouraged all NGOs and Associations to remain calm and continue consultation until agreement is reached between the two parties until 2014.

NGO Comments on format of monitoring indicators in the draft Mid-Term Review (MTR) of the National Strategic Development Plan (NSDP) Update was partly accepted by the Ministry of Planning and core monitoring indicators have been improved. With the release of draft MTR of NSDP Update 2009-2013 and follow up by NGO Forum, the ministry of planning confirmed that the four central agencies agreed to



The NGO Statement on the Monitoring CDCF's Indicators (JMIs) to 18th GDCC meeting on 20 April 2011.



DIF meeting on NGO Comments on Draft MTR of NSDP Update 2009-2013 and the Production of the NGO Position Paper to the 4th CDCF, 21 October 2011

include the core monitoring indicators and annexed selected sector monitoring indicators using the same format and this has been seen in the current draft MTR. Although more indicators were added and baseline and targets are included, it is observed that the indicators remains lack of breakdown into inputs, outputs, outcomes, and impact indicators. Most indicators were observed to be impact indicators. This absence of inclusion of measurable and assessable indicators in the MTR makes it difficult for civil society to conduct an effective monitoring on the implementation of the plan toward ending period of the plan. To address this further, the project provided comments on the format of the core monitoring indicators and links indicators to resource allocation to the four central agencies of the Royal Government including the MoP, Ministry of Economy and Finance (MEF), Cambodia Rehabilitation and Development Board (CRDB), and Supreme National Economic Council (SNEC); however, no response has been observed.

Although the 4th CDCF was postponed by the Government to an unspecified date, sector NGOs/Groups are still coordinated to produce monitoring reports on 3rd CDCF Joint Monitoring Indicators. As a result of the project coordination, nine out of eighteen sectoral NGO position papers have been received by the NGO Forum for consolidation as “NGO Position Paper on Cambodia’s Development in 2010/2011 to 4th CDCF”. Those contributed sectoral papers include: i) election and democracy, ii) child right, iii) fishery, iv) working together toward achieving country ownership over National Development Plan in 2013, v) access to information, vi) education, vii) health, viii) public financial management reform, and ix) aid transparency. The other nine sector papers are also committed by sector NGOs for sending to NGO Forum in January 2012 including: i) land, ii) housing right, iii) forestry, iv) indigenous people right, v) extractive industry revenue management, vi) legal and judicial reform, vii) agriculture development, viii) environmental protection and climate change and ix) hydropower dam development.

In 2011, the project has dedicated most of its time in producing key publications for distributing to the Royal Government of Cambodia, Development Partners and relevant stakeholders. Those English and Khmer publications included:

- Policy Brief on Rapid Assessment of Policy Announcements in the National Strategic Development Plan (NSDP) Update 2009-2013
- Policy Matrix of NSDP Update was posted on NGO Forum website as reference to the policy brief.
- Rapid Assessment of NGO Comments on Draft NSDP Update
- Guide to NGO engagement in aid coordination mechanism in Cambodia (finalized in 2011 and to be printed in 2012)

Key Challenges and Lesson Learned

- Timing for NGOs in providing comments on the draft MTR of NSDP Update has been very short; thus, some sector NGOs have not been able to coordinate their own members and provide comprehensive comments to relevant line ministries and agencies of the RGC. Some NGOs complained that some line ministries and agencies have responded that they have not been aware of the MTR of NSDP Update.
- The Government announced a delayed meeting of 4th Cambodia Development Cooperation Forum (CDCF) to an unspecified date raising the concerns relating to uncertainty of the Eurozone and US in its debt crisis and economic status. This hampered the process of the project coordination of the NGO Position Papers on Cambodia’s Development 2010-2011.



Policy Brief on Rapid Assessment of Policy Announcements in the NSDP Update 2009-2013

- Capacity building on ‘Monitoring Government Policy’ provided to sector NGOs increased their understanding and contributed to improvement in quality of NGO monitoring report.
- Timing for submission of NGO statements should be improved to influence the dialogue between Donors and RGC prior to the GDCC meetings.

Observed Impacts

It is a bit early to observe any impacts during this period as the final version of MTR has not been adopted by the Council of Ministers till end of 2011. With the adopted version, the project will be able to identify whether NGO comments on the draft MTR have been accepted. During this period, some considerable outcomes of the project work have been observed:

- The sector NGO/Groups took initiative to improve their member’s knowledge in monitoring government policy through cooperation with NGO Forum on providing training session to them.
- The project received positive response from Ministry of Planning to the concerns faced by sector NGOs/Groups and raised by the NGO Forum. Following several requests, the NGO Forum received the issued Guideline for LMs-LAs-Preparation Inputs for MTR of NSDP Update on 22 June 2011. *The guideline is key document for sector NGOs/Groups for engaging in the preparation of MTR of NSDP Update.*

Economic Development Policy Project (EDPP)

Project purpose: NGOs cooperate to influence economic development policies and practices so that they benefit the poor and vulnerable groups.

Key Achievements

Recently established NGO working group on food security and rural development has been engaged in monitoring the National Social Protection Strategy (NSPS) produced by the Technical Working Group on Food Security and Nutrition (TWG-FSN). In July 2011, the Council for Agriculture and Rural Development (CARD) released the NSPS in its website (www.socialprotection.card.gov.kh) prior to its launch in a National Forum presided over by the Prime Minister Hun Sen. The NSPS was circulated to all members of the working group for monitoring purpose. The working group will be engaged in discussion on identifying the key areas of engagement with CARD in 2012. In addition, CARITAS confirmed that it will play role as NGO representative in TWG-FSN while it sought to have more NGOs in the TWG.

Research report on mapping of public availability of information in extractive industry (EI) has been finalized. As a strategy, the project has repeatedly tried to access the Ministry of Economy and Finance (MEF), Ministry of Industry, Mine and Energy (MIME) and Cambodian National Petroleum Authority (CNPA) in confirming the findings of the study; however, there has been no response from these line ministries and agency. The report will be printed and launched in January 2012.



From left: H.E. Ros Seilava, H.E. Mey Kalyan, and Prof. Rajah Rasiah, Seminar on the Cambodia’s Economic Transformation: Drawing Experiences from East Asian

NGO call for release of Draft Petroleum Law, Draft Law on Petroleum Taxation and Draft Law on Mining Taxation for public consultation has been heard by the government via request letter and media. As the government is in its process of drafting these three laws, the NGO Forum is concerned that those draft laws may not include provisions that would ensure transparency and accountability in the management of revenue from extractive industry and that they should be publicly consulted. The project has sent at least two request letters for the copy of the draft law and request for public consultation of the draft laws prior to their approval. In addition, the project also made use of a radio talk show in October to voice out NGO demand for the government to release the draft laws, after which there is no response from MEF and the Council of Ministers to the NGO Forum request.

Senior government officials at the Supreme National Economic Council (SNEC) and Ministry of Economy and Finance (MEF) viewed positively toward the project initiative in contributing to the economic (industrial) transformation in Cambodia. As Cambodia is itself in early stage of industrial development and is also looking to diversify the sources of its economic growth, the project see that it is time to bridge the current gap between the government and NGO community relating to government economic (especially industrialization) policy i.e. granting economic land concessions as a way of attracting foreign direct investment. The project invited Professor Rajah Rasiah, a prominent industrial economist of University of Malaya, Malaysia, to share experiences of industrial transformation or development of East Asian economies and lessons that Cambodia should learn from. The project took the opportunity to raise its concerns on increasing gap between the rich and the poor following rapid economic growth in the last decade and call for more government intervention into the market to ensure that the poor and vulnerable group also benefits from the future growth. The initiative was strongly welcomed by senior government officials, who also participated in the policy discussion including H.E. Mey Kalyan, Senior Advisor to the RGC at SNEC, and H.E. Ros Seilava, Deputy Secretary General of MEF. These officials confirmed that the contents of the presentation and sharing of experiences really provided insightful resources for policy consideration given the fact that RGC is now in the process of drafting its industrialization policy.

Key Challenges and Lessons Learned

In 2011, the project faced a number of challenges as well as lessons learnt:

- CRRT has not been able to deliver its promise of implementing the recommendations in the external evaluation report and effective advocacy coordination for the coalitions. The new strategic plan that was supposed to be finalized during the strategic planning workshop has been revisited again and again resulting in members being occupied in dealing with internal issues of CRRT coordination. This also includes the delayed revision of the current bylaw. The project finds it worthwhile for CRRT to focus its efforts on advocacy strategies on current issues in EI.
- The delay of research reports and time needed to complete research process has led to delay of key advocacy events through using the research report findings. It is undeniably necessary that research based advocacy approach work well in Cambodia's political and economic context.
- Information on EI remains closed while the RGC especially political level in relevant ministries/agencies is not willing to engage in open discussion or engage with CSO/NGOs on EI revenues management and transparency. Hence, there was no response to the requests of the NGO Forum for the draft laws and regulations. At the same time, the research study on the EI information mapping has been constrained by limited information and no access to interview with and confirmation from CNPA, MIME and MEF. The extension of the research completion to the second half of 2011 led the project to be unable to timely produce a report and thus a brief for advocacy and organize a dialogue workshop with the RGC to discuss on EI information and transparency.

- Last but not least, the project and program staffs seem having limited knowledge and capacity in analyzing contents of the legal documents of other countries for providing its implication to Cambodia's petroleum taxation laws. This could lead to much time consumed in literature review and efforts to seek advices from experienced and international allies and NGOs working on EI such as revenue watch and publish what you pay. To deal with this challenge, the project will seek for assistance from Revenue Watch for capacity building and development on EI technical knowledge i.e. legal framework.

Observed Impact

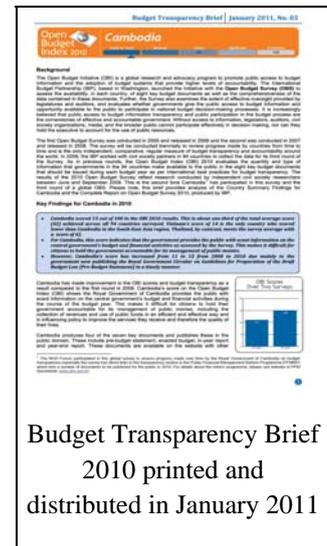
It is too early to observe the impact of the project since the project key advocacy activities relies on two undergoing researches on reviewing the government fiscal policies relating to increasing food price and mapping of public availability of information in extractive industry. However, the project notified a critical policy change which is the adoption of the National Social Protection Strategy (NSPS) by the council of ministers on 18 March 2011. We are not sure whether the adoption of the strategy this year is the result of the project research and advocacy work on impact of economic downturn on households and communities as we had only received the commitment from the Council for Agriculture and Rural Development (CARD) who drafted the NSPS that they would speed up the finalization of the NSPS during the workshop on economic downturn in July 2010.

National Budget Project (NBP)

Project Purpose: NGOs, CSOs and the Public cooperate and participate in the budget process to influence the National Budget to be more credible, transparent and fair so that it benefits poor and vulnerable groups.

Key Achievements

More budget documents and information have been published in the public domain following recommendations made in widely distributed Budget Transparency Brief 2010 for Cambodia. Budget Transparency Brief 2010 for Cambodia using findings of Open Budget Survey 2010 was produced and published in both Khmer and English, and distributed widely to stakeholders including MEF, National Assembly (NA), National Audit Authority (NAA), CSOs, and other line ministries in January 2011. The findings were also included into NGO Monitoring Report on Progress of Public Finance Management Reform Programme to 18th GDCC meeting in April 2011. Following distribution of the briefs, it was confirmed by a senior official – Director of Budget Department of the MEF – that the results and recommendations provided in the brief somehow reflected the current state of Cambodia's budget transparency; and were taken into account if they are found reasonable, beneficial and necessary, and reflecting its reality. A pre-budget statement informing macroeconomic projection for 2012 budget law preparation was published on MEF website in June 2011 in addition to publishing in the official gazette. In addition, the MEF also publishes more sub-decrees on transfer of budget credit from unexpected expenditure in its website in 2010 and 2011. Furthermore, there was also interest on the brief from the Technical Coordination Secretariat of the National Assembly by requesting more copies to be distributed to Members of Parliament.



In addition to the above positive change, the National Audit Authority established its website in 2010-2011 (www.naa.gov.kh) and published the audit report on 2007 budget implementation following recommendation made by the NGO Forum. This was made before and during the Mid Term evaluation of GIZ project which provided technical support to the NAA in 2011.

Recommendation related to “Objective 14 on Further Improve Public Procurement” of Public Financial Management Reform Programme (PFMRP) included in NGO statement on “PFM: Budget Transparency and Public Oversight” submitted to 17th and 18th GDCC meetings prompted the MEF to post announcements for public procurement biddings on the MEF webpage or website since February 2011. The project produced monitoring statement on progress of debt management, budget transparency and public procurement under PFMRP to 17th and 18th GDCC meeting. On public procurement, the project called for the MEF to finalize and operationalize Public Procurement website and to publish contract awards in other ways of communication with the public either via MEF website, which was stated as indicator in Objective 14 in PFMRP Phase II. Although it is observed this has not been achieved until first half of 2011, instead there has been substantial progress that through newspapers and its website the MEF has issued two notifications on announcement of public procurement biddings on a dedicated webpage of MEF website and urged the public and those who are interested in bidding to keep eyes on the MEF website. This initiative has not been seen in PFMRP Phase II and this was raised only by the NGO Forum in its monitoring statement on PFM JMI on delayed establishment of the website. Therefore, it is assumed that this is the impact of the NGO Forum initiative.



Meeting of TWG-PFM to monitor quarterly progress of PFM on 22nd March 2011 at Office of Ministry of Economy and Finance

Comments of NGO Working Group on Draft Public Procurement Law were included by MEF in the final draft which was adopted by the National Assembly (NA). As a result of project continuous advocacy and coordination effort, it was observed that the comments of the NGO Working Group on the criminal charges to offenders in the public procurement and transparency were included by MEF in the final draft Public Procurement Law which was adopted by NA on 03 January 2012. The changes were observed to happen after the submission of the comments of NGO working group to MEF in June 2011 and the joint call by the group with support of 20 sector and membership NGOs. With informal confirmation from official at MEF, MEF technical staff in department of public procurement held a meeting and reviewed immediately the comments sent by the working group. Prior to the adoption, the NGO Forum sent a letter to the second commission of the National Assembly to seek for further lobby on the joint NGO comments on the draft public procurement law; however, this was not successful.



Meeting of NGO Working Group on Public Procurement Law in April 2011 at NGO Forum Office

There has been increasing number of people using Cambodian budget website and made reference to Cambodian budget website as an important source of information on national budget. A few months after the launch of the website, it was observed that



www.cambodianbudget.org

there has been an increasing number of people accessing the website (from 1,000 to around 5,000 visitors at the end of 2011) and making reference to information on national budget to the website. This has been seen in different network group such as CAMPRO and Cambodian Economic Association. The website has also been made linked as priority web in other websites such as <http://campropost.org>. The project will continue to promote more public use of the website and information on national budget.

Research work to find out the gaps and benefits of Government and donor funded irrigation projects was completed and its findings were presented to relevant Ministries and Development Partners. The commissioned work to Cambodian Economic Association in conducting an assessment of 12 irrigation projects surrounding Tonle Sap Lake and Mekong downstream areas shows that there is an issue of inaccurate data being reported by Ministry of Water Resources and Meteorology (MoWRAM) relating to irrigated coverage areas and command areas as well as irrigation design and farmers accessibility to water usage which may suggest a wrong interpretation of irrigation coverage capacity and needed public expenditure to this sector. The report findings was presented and discussed with ADB representative during the workshop on “Aid Information Transparency and Development Result” on 13th October 2011 jointly organized by the project and aid effectiveness project in cooperation with Cambodia Cooperation Committee (CCC) and MEDiCAM.



Research Report on
“Learning from Irrigation
Projects in Cambodia:
Benefits and Challenges”
Printed in October 2011

The RGC has been becoming more open in dialogue with civil society organizations on sensitive issues such as debt and its transparency and made commitment to improving transparency in debt management. In cooperation with aid effectiveness project, the project has been able to engage senior official responsible for debt management at MEF into dialogue on the terms of assistance of foreign concessional loans to Cambodia through the workshop on 13th October. At the workshop, Director of Department of International Cooperation officially announced that MEF will produce a debt bulletin to inform the general public on information relating to external debt in Cambodia and MEF is the only source that could provide accurate information relating to debt. As a result of the project efforts in demanding for more information in the public domain relating to public debt, it was observed that the effort has prompted a lot of public debate especially via media coverage and reaction from the Chairman of the second commission of the National Assembly, National Bank of Cambodia, and the Prime Minister in making clarification and releasing information relating to increasing amount of China’s loans² to Cambodia. Latest development as a result of the publication on concession loans by aid effectiveness project and the workshop was the establishment of a Committee on Public Debt Management via the decision of the Royal Government dated 18 October 2011 of which deputy prime minister and minister of Economy and Finance is the chair.



From left: Mr. Chea Kimsong (NGOF), Mr. Soeung Saroeun (CCC), and Mr. Pen Thirong (Director of Department of International Cooperation of MEF), Workshop on Aid Information Transparency and Development Results, Imperial Garden Villa and Hotel, 13 October 2011

² Concessional loans from China offered the least favorable terms of assistance (highest interest rate and short grace and amortization period) compared to other lenders such as EU, Japan, South Korea, France and others.

Key Challenges and Lessons Learnt

- As the workshop on “Aid Information Transparency and Development Result” was organized during the period of severe flooding in 14 provinces of Cambodia, it led to the absence of invited representative of MoWRAM. At the end of October 2011, some irrigation schemes have reportedly been damaged by flood including those covered in the study; therefore, the report findings may unfortunately not have been presented in the right time. However, the project will continue to print the research report as a policy inputs for MoWRAM in the design of future irrigation schemes as well as their reconstruction.
- In order to have influence on the government decisions such as public procurement law, it required a shared voice and strong support of cross-sector NGOs and this add weight to the call made by the NGO Working Group for changes in the draft public procurement law.

Observed Impacts

It is still early to observe the impact of the project work as MEF has only made some promise that it will keep the general public informed of the information relating to debt. As for the project coordination work on draft public procurement law, it is not known whether NGO comments have been included in the final draft law. This requires further follow up with MEF.

- As recommended in NGO statement on “PFM: Budget Transparency and Public Oversight” to 17th and 18th GDCC by the project with relevance to finalization and functioning of the Public Procurement website as an indicator to the “Objective 14 on Further Improve Public Procurement” of PFMRP, it was observed that the MEF responded by publishing the announcements of public procurement bidding on its website since 01st February 2011.
- Guiding circular on preparation of draft law on financial management (draft budget law) 2012 or pre-budget statement which is one of the seven key budget documents produced by the government was published and posted on the MEF website in June 2011 in addition to publishing it in the official gazette of the government. Aside from this, it was also observed that MEF started publishing more of sub-decree on transfer of budget credit from unexpected expenditure to line ministries in its website.
- NAA established its website and publish audit report on 2007 budget implementation for public access.

Aid Effectiveness Project (AEP)

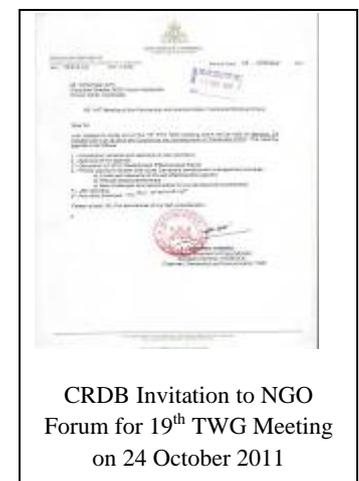
Project Purpose: NGOs cooperate across sectors to influence donor and government policies and practices so that foreign aid benefits poor and vulnerable groups.

Key Achievements:

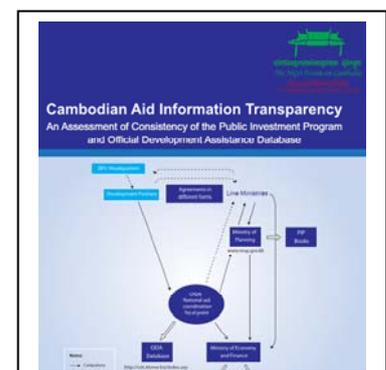
The Royal Government translated its commitment as stated in the revised Guidelines on Role and Functioning of the Technical Working Group (TWG) into practice. After the revised Guidelines endorsed by the 17th GDCC meeting in October 2010, the project use summary of the report on Assessment of NGO Participation and Representation in the TWG for printing into brief for distribution to all members of the 19 TWGs. The brief updated the commitment made by the Royal Government and Development Partners in accepting the NGO representative as full member in the TWG and include them in capacity building available at the TWG. As a result of this, the Cambodia Rehabilitation and Development Board of the Council for the Development of Cambodia CRDB/CDC invited the representative from the NGO Forum, CCC and MEDiCAM to participate in the TWG retreat and cross TWG meeting on ‘Promoting Use of Country System’ in Siem Reap in April and May 2011 accordingly. At both meetings, the representatives could understand in depth of issues across TWGs and space for NGOs to participate in the mechanism.



The NGO Forum on Cambodia was invited to participate in the meeting of TWG-Partnership and Harmonization (TWG-P&H meeting) for the first time as full member. This participation allows the NGO Forum to access to lots of information relating to arrangements of aid coordination mechanism both at the local and international level. The TWG-P&H meeting on 7th November 2011 discusses mainly on the Cambodia Development Effectiveness Report 2011 prepared by the CRDB/CDC, which reflects more explicit results rather than the concept of aid effectiveness. The copies of Cambodia Development Effectiveness Reports 2011 have been disseminated to sector NGOs and NGOs in TWGs to ensure that NGOs are fully engaged in the process of aid coordination mechanism.



NGO Forum recommendations in the research report on “Aid Information Transparency in Cambodia: Consistency between ODA Database and Public Investment Programme (PIP)” have been considered valid by CRDB/CDC for improving the ODA database further. The study on transparency of aid information is an effort to assess the donors’ interpretation of their commitments, made in the International Aid Transparency Initiatives (IATI). The results from comparison of the report findings with the IATI and discussion with NGO communities provide important inputs for the NGO Report to Busan 4th High Level Forum on Aid Effectiveness, held in South Korea from 28 November to 01 December 2011. Those important inputs were



discussed further in the Multi-stakeholder Consultative Workshop on “**Pre Busan 4th High Level Forum**” jointly organized by CCC, NGO Forum and MEDiCAM on 26-27 October 2011.

NGO Forum participation contributed to improvement in International Framework for CSO Development Effectiveness during the 2nd Global Assembly on international framework for CSO development effectiveness on 28-31 June 2011 in Siem Reap, Cambodia. The NGO Forum representative influenced the CSO group discussions in breakout sessions to revise the ‘Toolkit or Guide for Implementation of the Framework’ to two levels, at the global and country level for use by CSOs in applying the CSO Istanbul principles for ensuring CSO Development Effectiveness (see www.cso-effectiveness.org). Moreover, the issue of transparency of CSOs was also influenced by the NGOF representatives that minimum standards of the CSO transparency will be initiated toward reflecting the application of the principles. All these aimed to show a clear message to the donors and government that we all can translate our commitment into action.

The Royal Government and Development Partners viewed the findings of NGO Forum report on aid information transparency valid for improving further the ODA Database and reporting of aid information to the public domain. During the workshop on “Aid Information Transparency and Development Results in Cambodia” on 13th October 2011, speakers from UNDP and Cambodia Rehabilitation and Development Board (CRDB) viewed the report findings as valid for improving the Cambodia ODA database further. Both speakers and participants showed support to the seven recommendations of research report findings and together suggested both CRDB and DPs to take these recommendations into further consideration although the Cambodia ODA Database has been viewed as international good practice. A research report on ‘Transparency of Aid Information’, a factsheet on ‘Terms of Assistance of Foreign Concessional Loans to Cambodia’, an article on ‘Debt Management’, and a research report on ‘Learning from Irrigation Projects in Cambodia’ were used as inputs for dialogue with representatives from RGC and Development Partners during the workshop on “Aid Information Transparency and Development Results in Cambodia”. (see details on result of dialogue on project Factsheet on Terms of Assistance of Foreign Concessional Loans to Cambodia in NBP above on debt transparency). All project research reports were also listed in the Joint Cambodia NGO report to Busan 4th High Level Forum on Aid Effectiveness.



From left: EIC Researcher, UNDP Representative, CRDB Representative, Facilitator, and CCC Representative Workshop on Aid Information Transparency and Development Results, Imperial Garden Villa and Hotel, 13 October 2011

In addition to the above achievements, the project already printed and produced key outputs for its advocacy purposes including:

- Khmer Report of Agriculture Financing and Services for Smallholder farmers
- English and Khmer Brief Summary of the ‘Report on Assessment of NGO Participation and Representation in TWGs’
- Factsheet on Terms of Assistance of Foreign Concession Loans to Cambodia [Khmer]
- Cambodia Aid Information Transparency [Khmer, English]
- Research report on ‘Learning from Irrigation Projects in Cambodia’ [English, Khmer is being finalized for printing]
- Article on Debt Management in Cambodia.

Key Challenges and Lesson Learned:

- The RGC decision to delay the meeting of 4th CDCF has hampered the work progress of aid coordination at the TWG levels and thus raises a concern relating to its effects on the livelihoods of the poor and vulnerable groups who are benefiting and in high need of those aids. Although this is considerably a political game between RGC and DPs relating to some sector reform programs; the NGO Forum see that it is not suggesting a good sign for current development of Cambodia given the fact that RGC is biasing its funding source to seeking loans from China (see Factsheet on Terms of Assistance of Foreign Concessional Loans to Cambodia in NGO Forum website or via this link: <http://www.ngoforum.org.kh/eng/core/enpublications.php?docs=aepdoc>). Therefore, the project in cooperation with DPP will take lead in coordinating NGO across sectors to write up a joint letter or statement calling for both RGC and DPs to reach a compromise so that aid of traditional donors would continue to flow to help Cambodia achieve its reform programme and sectoral development goals.
- Delayed recruitment of the project coordinator (formerly called officer) for aid effectiveness project led to the delay of some activities of the project given the amount of time and existing workload invested in conducting research and printing publication for advocacy.
- Given the above reason, some of work related to international aid agenda and CSO global aid advocacy have been led by CCC which led to confusion over the role between the two NGOs working on the same aid agenda in Cambodia. It has been foreseen by the project that the role of CCC is to work on raising awareness among NGOs/CSOs on the international and Cambodia aid effectiveness and importance of NGOs in understanding and engaging in this agenda especially for NGOs at the provincial level. The NGO Forum will work on technical part of the aid effectiveness agenda at the national and international level looking at enabling environment, aid transparency, mutual accountability and accountability to development result.

Observed impacts:

As a result of last year and this year effort, it was observed that the NGO Forum comments on the revised Guidelines on role and functioning of TWG regarding recognizing full membership of NGO representative in the TWG and including them in capacity building available at TWGs level have been translated into practice. The NGO Forum was invited by Cambodia Rehabilitation and Development Board (CRDB) of the Council for Development of Cambodia (CDC) to participate in the retreat workshop of TWGs and workshop on promoting use of country system in Siem Reap in May and June 2011 accordingly. Moreover, the NGO Forum and MEDiCAM were also invited to participate in the TWG-P&H meeting for the first time after request made by the NGO Forum to the TWG chair via CCC.

Impacts of the project following some research report recommendations are too early to be observed as they have just been taken into consideration by CRDB and DPs while the realization of these recommendations in practice remains to be observed.

Case Study I:

OBI 2010 results and its recommendations prompted the Ministry of Economy and Finance to release more budget documents and information to the public domain

In its monitoring work on budget transparency and public oversight in Public Financial Management Reform Program (PFMRP), the NGO Forum's National Budget Project produced monitoring statement and provided recommendations on progress reports of PRMRP Phase II on section of budget transparency and public procurement under PFMRP to 17th and 18th GDCC meetings in October 2010 and April 2011. The project also published 1500 copies of Budget Transparency Brief 2010 for Cambodia in January 2011 in English and Khmer, and widely distributed the briefs to various stakeholders including MEF, NA, NAA, CSOs, and other line ministries and agencies. In the brief, key budget documents and information were recommended to the Royal Government for considering publishing them in the public domain. Two key budget documents and information among those recommendations include 1) publishing the bidding information in MEF website instead of waiting for publishing them in a separate public procurement website to be established by MEF; and 2) making other published budget documents widely and publicly available i.e. through website. The public procurement website was in Objective 14 of PFMRP Phase II.

Without reporting or highlighting in the progress report of PFMRP Phase II, the NGO Forum made explicit and constructive recommendations and calls for the MEF in its 17th&18th GDCC Statements to speed up the finalization of the separate public procurement website or to publish public bidding opportunities or contract awards in other ways of communication i.e. through existing MEF website. As a result of this recommendation as well as those in budget transparency brief 2010, the MEF posted announcements for public procurement biddings on the MEF websites since February 2011. In an attempt to inform the public of its announcements, the MEF through newspapers and its website issued two notifications on calls for public procurement biddings on the MEF website. The first one was made in February to advertize the dedicated webpage in MEF website for public bidding opportunities and the second one was made in June 2011 to update the total number of public procurement announcements. In addition to this, it was also observed that it was observed that the MEF also published the pre-budget statement (Circular on Guidelines for Preparation of the Draft Budget Law) for 2012 budget on its website in June 2011 following the recommendation provided in the OBI brief in addition to publishing in the official gazette. Latest development relating to increasing budget transparency, MEF has also been publishing the sub-decree on transfer of budget credit from unexpected expenditure to line ministries since 2010. Unexpected expenditure makes up 3 to 4% of total annual national budget. The use of this budget item is in the hand of the Royal Government base on sub-decree via request by MEF which was authorized by article 25 and 58 of the Law on Public Finance System.

Case Study II:

NGO Forum recommendation to National Audit Authority (NAA) for establishing its website for dissemination the audit report via the GIZ is put into practice

With the findings of 2010 Open Budget Survey published in budget transparency brief, it showed that audit report produced by NAA has not been made timely and widely available to the general public. As of October 2010 and September 2011, only audit reports on budget implementation 2006 and 2007 have been released accordingly. The time lag for publication of these two reports was more than three years after the fiscal year and based on international practice it should be published within two years after fiscal year. Based on the audit law, the audit report for 2008 and 2009 should have been produced after the 2008 and 2009 Budget Execution Laws were already adopted by the National Assembly, Senate and Promulgated by the King in April and May 2011.

As part of the NGO Forum advocacy objective and activities on budget transparency, the project took the opportunity granted by GIZ for providing inputs in its Mid Term evaluation of project which was dedicated to providing technical assistance to NAA. During the evaluation, the project strongly recommended GIZ to continue its support to NAA and ensure that NAA has a functioning website so that audit report will be made widely and publicly available. As a result of this, it was observed that NAA has established its website and made it operational in 2011.

Case Study III:

Government Commitment in the Revised Guideline on Roles and Functioning of the TWG has been being translated into practice

As a continued activity from 2009 and 2010, the project followed up the commitment of the Royal Government in the revised Guidelines on Role and Functioning of the Joint Technical Working Group (TWG) which was endorsed in 17th GDCC meeting on 18 October 2010. The follow up was made through the printing and distribution of the brief on report summary of the Assessment of NGO Representation and Participation in TWG in February and March. 500 copies of the brief in English and Khmer was produced and distributed to all TWG members in March 2011 and as a result the NGO Forum received feedback from DANIDA and UNDP on the report findings. Both expressed their efforts to promoting the participation of NGOs in the TWG-Forestry and Environment.

As a result of distribution, the Cambodia Rehabilitation and Development Board (CRDB) of the Council for Development of Cambodia (CDC) invited one representative each from the NGO Forum, CCC and MEDiCAM to participate in the TWG Retreat in April 2011 and Cross TWG workshop on Promoting Use of Country System in May 2011. This action reflected the translation of the commitment of the Royal Government as stated in the revised TWG Guidelines which promised to include NGO representative in TWG in the capacity building at TWGs. At the two meetings, the DIP manager took the opportunities to lobby the officials at the CRDB/CDC to consider expanding invitation to other sector NGO representative in the TWGs too for its future TWG events. This was taken into consideration by most of them. However, there remains other commitment to be followed up and monitored including the restructuring of the components of the TWG members, recognition of NGO representative in the TWGs and expanded inclusion of other sector NGO representative in the TWG in the future capacity building available.

ENVIRONMENT PROGRAMME

Summary

The goal of the Environment Programme is that “NGOs cooperate to influence government and donor policies and practices and community attitudes to ensure the rights of poor and vulnerable groups affected by environmental issues are respected”.

The Environment Programme deals with environmental issues, pesticides reduction and sustainable agriculture, in addition to impacts from dam developments in the Mekong Basin.

In 2011, the Environment Programme has substantially achieved their objectives, as can be seen in the following points:

- Good cooperation with Ministry of Environment (MoE), Ministry of Agriculture Forestry and Fishery, Ministry of Water Resource and Management, Ministry of Rural Development, Committee for National Mekong Commission (CNMC) and CARD for effectively and successfully implement the policy advocacy work of the environment programme.
- Joint statement of community concern on lower Sesan 2 was posted on the website of NGOF for raising awareness and requesting for addressing the problem of the proposed dam among public, policy and decision makers and development partners.
- CNMC recognized the involvement and the extensive work of NGO Forum through the community and national consultation on Xayaburi dam and other campaigns activity of the NGO Forum related to this controversial proposed dam along the mainstream of the Mekong River and actively involved in the first national conference on climate change, agriculture and energy on 01-02 December 2011.
- The Royal Government of Cambodia recognized the suggestions made from River Coalition Cambodia as a result of a meeting in December 2011 of the Mekong River Commission (MRC) have once again withheld approval for a controversial dam at Xayaburi in northern Laos.
- The issues of Coal fired power plant were raised and debated among students from different universities and broadcasted in national television station TVK.
- EFN, PRN-C and RCC members have been strengthened their capacity and expanded who can provide technical support related to climate change, forest management, agriculture, human rights, water governance issue which is the important component for EFN, PRN-C and RCC to do advocacy in the constructive manner with the professional and evidence based.

Environmental Issues Project

Project Purpose: The purpose of the Environmental Issues Project is for NGOs cooperate to influence in the conservation, protection and rehabilitation of natural resources and the environment to the benefit of people's livelihoods.

Key Achievements

Key messages on the negative impact of climate change and adaptive measure has been delivered to the general public and heard by government via effective use of media and dissemination strategy. To

ensure that key issues relating to negative impact of and adaptive measure to climate change has been translated to the general public and raised to the Royal Government, the project made use the space and cooperation offered by the Ministry of Environment such as radio talk show, first and second environmental youth debate at national TV programme, series of farmers forum and national conferences, article distribution, and information sharing via email. More specifically, NGO and community concerns on negative

impact of coal fired power plant and public awareness raising on climate change policy related to united nations framework on climate change (UNFCCC) and Kyoto protocol and clean development mechanism (CDM) were frequently dialogued between NGOs and community representatives and the government officials via radio talk show program. This is to ensure that NGO and community concerns and recommendations are voiced out to the general public and decision makers of the Royal Government.

The first environmental youth (University students) debate was on “ Coal Fired Power Plant, waste management, and environmental laws” in 27th May 2011 and the second was on “Impacts of Economic land concession (ELCs) on the natural resources and social, Large Dam development and climate change impact on agriculture’ in 27th December 2011. During the debate, students were provided with inputs on benefits and negative impact of ELCs to the environment, natural resource and social prospect in Cambodia. With messaged provided by advisor of the MoE, the Prime Minister often watched the TVK debate program; thus, it is effective for such debates to be organized. With commitment to contribute to

promoting public awareness on environment, the project financially and technically contributed to the organization of World Environment Day Campaign on 05-07 June 2011 led by MoE. During the campaign, key message on NGO concerns relating to environmental impacts relating to ELCs, Climate Change, Coal Fired Power Plant and Policy Implementation were raised to the public and policy makers through parade, comedy concert, NGOF executive Director's speech and publication distribution.



Mr. Chith Sam Ath, Executive Director provided welcome remark during youth debate in TVK studio on 27 December 2011. Topic: ELCs has positive impact on natural resource and social



H.E Ros Sovann, Deputy Secretary General of NCDM and Mr. Sam Chanthy EFN representative in the radio station to talk about climate change policy in Cambodia

The 2nd National Farmers Forum under the theme “Together Help Small Scale Farmers to adapt to climate change for sustainable livelihood” have influenced decision makers, development partners, and policy makers to showed their commitment in addressing climate change impact and environment issues in Cambodia. The Concerns and challenges of farmers and NGOs/CSOs on climate change impacts and environment issues were heard by government, Development Partners, policy makers and other stakeholders. The results of pre-consultative workshop from three zones in Cambodia were presented by farmers to the national workshop. The challenges, obstacles, opportunities, lesson learnt and climate change adaptation strategy were discussed in order to address climate change impact in Cambodia. The results of group’s discussion for climate change adaptation strategy were developed and the joint statement was prepared and accepted by high ranking government officials for policy respond to climate change in the closing speech of H.E Yim Chhaily, Deputy Prime Minister, Chairman of Councils for Agricultural and Rural Development (CARD) in which he has recognized and realized of the farmer concerns and considered to take action.



H.E Tav Senghour, Senior Minister and Deputy Director of CARD in the Opening remark of National Farmer’s Forum on 27 April 2011

The first national conference on climate change, agriculture and energy under the theme “Together adapt to climate change and sustainable development” was provide an opportunity for communities reprehensive, local and international NGOs, academic and research institution, DPs and government officials meet together to dialogues and debate on climate change policy of key government ministries and major concern of community on the climate change hazards in order to find out the alternative solution and take action in the next step of government policy practice. Common strategy related to climate change adaptation and mitigation measure was developed by communities, NGOs, academic, development partners and policy makers. Concerns of community and NGOs related to climate change impact in Cambodia were raised in the presentation of group discussion result and joint statement to the participants and relevant stakeholders for consideration and take action. All participants has been gained more knowledge and experiences on ministry and development partners strategy and policies, climate fund as well as good practice from other countries related to climate change adaptation measures.



Participant in the first national conference on climate change, agriculture and energy on 01-02 December 2011 at Phnom Penh Hotel

Concerns and suggestions from civil society organizations on climate change impact in Cambodia were raised and could take attention from the relevant government ministries, policy-decision makers, development partners, government donors, UN agencies, and diplomatic mission representatives, national and international NGOs. EU representative noted the concerns and suggestions raised during press conference and press release to public media. During 2nd National Forum on climate change on 03-05 Oct 2011 at Inter Continental Hotel Phnom Penh organized by Ministry of Environment (MoE), Environmental Issues Project of Environment Program coordinated many NGO/CSOs who are working on environment and climate change issues in Cambodia to provide inputs to NGOs/CSOs joint statement on climate change. At least 21 NGOs endorsed statement and 300 copies

of statement were distributed to all participants from government, development partners and UN agencies.

NGOs/CSOs concern and recommendation on Environment Management Plan (EMP) in 15 development projects environment impact assessment reports (EIA),) were heard by inter-ministerial representatives and accepted by Ministry of Environment. The Environment Issues project of the NGO Forum plays an important role to coordinate CSOs/NGOs comments on the Environmental Impact Assessment which was received from the Ministry of Environment. As result 15 CSOs/NGOs comments and recommendation on EIA were consolidated and submitted to ministry of environment (MoE). Among these, 5 NGOs comments were provided by Extractive Industry Social and Environment Impact (EISEI) and other 10 were provided by the project and its network members. In addition, the representatives of the NGOs were also invited to present and defend the comments at the government inter-ministerial consultative meeting on EIA. As a result, most of the NGOs/CSOs comments were accepted by the government and send to project owners for reviewing their project EIA report.

Comments and suggestion of NGOs/CSOs on environment management plan, law enforcement, especially five years strategic plan, and other environment issues were submitted to MoE for consideration and revision of National Environment Plan (NEP) 2011-2015 and Sustainable Development Strategy 2011-2015. Two documents of five years strategic plan of MoE were consulted with network members. The comments and recommendations were consolidated and submitted to MoE during the consultative workshop with inter-ministries. All comments and recommendations were heard by UN agency, development partners, NGOs, government officials.

EFN members have been strengthened and expanded. New action plan 2012-2014 was developed by network members. Three consultative meetings and some other informal discussions on the new action plan 2012-2014 were organized for network members. The invaluable inputs, strategy and recommendations were consolidated and incorporated into new action plan of the environment issues project.

Key Challenges and Lessons Learned

- Difficult in coordination and invite government to involve with project implementation. As lesson learns all key event related to policy advocacy which requires cooperated with government institution there should be prepare long time ahead where they could fully participate in the process.
- Project Coordinator has experienced in workload in each year due to many activities under each output. The plan of advocacy activity should be focused to ensure the impact and quality of advocacy and according to the capacity and time of the Project Coordinator.
- External works always jump into the environment issues project such as EIA, Environmental strategy and policy, meeting and workshops. Therefore, next year action plan of the project will allocated space and timing for this because it is very important to monitoring the progress of the government and DPs policy implementation and updating the information for our advocacy.

Impacts Observed

It is too early to observe impacts given project focus on climate change policy formulation and implementation has just been started more in 2011 while other awareness raising activities and policy change may require further assessments and researches. However, it was observed that MoE has been more open to engage NGOs in providing comments on EIA reports and environmental policy especially at the inter-ministerial consultative workshop on EIA reports and it was also confirmed by MoE officials that all NGO comments were sent to owners of development projects for reviewing their project

implementation. The level of impact the NGO comments may have on the development project implementation require further follow up researches and surveys to confirm the number of exact comments the project coordinated and provided on EIA reports being put into practice.

The comments and concerns of NGOs and farmer representatives in the climate change multi-stakeholder strategy development were re-enforced by H.E Yim Chhay Ly, Deputy Prime Minister in his closing speech during second national farmer forum. He acknowledged the concerns of farmers and supported their joint statement on climate change impacts and strategy for climate change adaptation by alerting the relevant ministries to ensure that these concerns and needs are discussed and taken into account in the design of future climate change adaptation policy or strategy.

Case Study on

“The Student Arguments on the Impacts of Coal Fired Power Plant is Strong at the National Television TVK”

Coal is a brownish-black rock formed by compression of decomposing plant material. Since it is primarily composed of carbon it is a useful energy source. In 2007, the total world coal production was more than 5.5 billion tons. Coal meets about 26 percent of the world’s energy needs and generates about 41 percent of the world’s electricity³. The youth debate have increased the awareness of general public, policy and decision makers, donors, and private sector. Environment issues project has proposed the topic under theme: “*Cambodia should not have coal power plant for fostering the development*” to H.E Dr. Mok Mareth, Minister of Ministry of Environment (MoE) for the debate among students. The Minister of MoE has approved this topic for 23rd Environment Youth Debate. The ballot method was used in the debate. It showed that the Asia-Europe University (AEU) stands for proposition group that was oriented by NGO Forum on Cambodia. The Chen La University (CLU) stands for opposition group who was oriented by Ministry of Environment (MoE).

The support group from AEU begun to addressing three main points related to: 1) Impact on the environment; 2). Impact on economy; 3). Impact on national development. They have raised many issues. The coal fire power plant caused a lot of environmental impact such as mercury, sulphate, carbon dioxide (100 MW of coal plant emit CO₂ around 672,000 tons to 787,000 tons per year)⁴, nitrogen oxide, radioactive etc. It also affected human health and increased green house gas emission which caused climate change and acid rains. The coal fired power plant consumed a lot of freshwater from Kbal chhay about 1500 M³/day and salt water about 16,000 m³/h which effected to freshwater supply in Sihanouk province due to limitation of water source. The heat water 35⁰ to 40⁰ could damage ecosystem around the coal fired power plant site, especially small aquatic life. The disposal of bottom ashes resulted soil contamination and affected to agricultural productivity. The group also raised bad case of coal fired power plant in Thailand and USA which effected to human health (Cancer, dead, women issues), ecosystem, water pollution, air



Proposition group from Asia Europe University (AEU)

³ <http://www.worldcoal.org/resources/Coal-statistics/>.

⁴ Based on EIA report on coal fired power plant 100 MW in Stung Hav district

contamination, agriculture production, and affect to tourism sector. Finally, the support group has recommended that other alternative energy sources can response to the requirement of energy issue, instead of coal fire power plant such as solar, wind, micro hydropower, and bio gas.

The opposition group from the Chenla university has rejected the above ideas and addressed three main points: 1) Options for power production in Cambodia; 2). Advantages of coal power plant 3). Environmentally sound management of negative impacts. The opposition group has raised many issues. They mentioned that most of electricity in Cambodia made by diesel, which increase the price of electricity. The current electricity production did not response to the energy demand. The electricity in Cambodia was imported the electricity from neighbour countries. Cambodia has depended on the small and medium hydropower plants, which could not produce and adequate supply of electricity during the dry season. Large scale of hydropower plant is not an energy development plan because it has greater impacts on social and economic. The support group said that the coal power plant was suitable to cover power supply equipment, especially during the dry season the coal power plan can be used as an alternative between hydropower plant and coal power plant. The price of electricity produced by coal power plant would be cheaper than the electricity produce by diesel. They argued that the investment in coal power plant would help to build infrastructure, mining and create demand for services. The opposition group said that more jobs opportunity will be increased due to investment opportunity from mining sector to production and services sectors. All pollution associated with coal power plant can be solved through the application of environmental measures including EIA, air controlling system, waste water treatment practices, and sound disposal of solid wastes. Finally, the opposition team concluded that by following the existing environmental legislation and guidelines is the most effective way to tackle all environmental issues.



Opposition group from Chen La

NGOF representative and lecturer observed that the scoring committees tend to favor the group that support government policy to the group that is contrasting the government policy although the audiences and NGOs saw the opposite result. This is a lesson learn that the project will take into seriously consideration while organizing such debate espically during its design with the Ministry of Environment to ensure that there is no political influence in the debate. The project also saw the consequence the MoE may face with the Prime Minister relating to the result of the debate. therefore, it requires more carefully use of wordings, references and tone in the debate.

Hydropower and Community Rights Project

Purpose:

The purpose of the Hydropower and Community Rights Project is for NGOs to cooperate to influence the policies and practices of governments, dam builders and key relevant stakeholders to ensure good governance, public participation of men and women, and accountability of present and future hydropower development, so that hydropower projects will be constructed and operated in a sustainable manner and the rights of men and women in affected communities will be respected and promoted.

Key Achievements:



RCC activities on Xayaburi Dam: Film show on “where have all fish gone?” on 26th April; Round Table Discussion and TV Talk Show in the “Equity” Program in June; “Youth Forum on Xayaburi” on 27th November, and 1st National Conference on Climate Change, Agriculture, and Energy on 1st-2nd December, 2011

The suggestion from RCC on the 10 year study more on the Mekong Mainstream Dam and the more assessment on trans-boundary impacts of Xayaburi dam were recognized by the RGC for the decision making whether to approve Xayaburi dam to be constructed in Lao among the four governments of Lower Mekong Countries. In the MRC council meeting from 7th-9th December, 2011 in Siem Reap Province, the decision of the governments was to consider for more study on Trans-boundary impact Assessment (Social, Economic, and Environmental aspects) which will be conducted and supported by Japan. It was a big achievement for RCC and Save the Mekong Coalition members who have worked on series activities in the Mekong Region Countries since 2009 focusing on providing comments to Strategic Environmental Assessment (SEA) report, lobbying MRC to released this report in 2010, using this comprehensive recommendation of this report including 10 years deferment of all proposed Mekong Mainstream Dams, and future studies should be conducted on the Mekong especially the trans-boundary impact assessment including the fishery lost, sedimentation, agriculture in the Mekong Delta, and livelihood of more than 60 million people living along the Mekong River before any decision made, especially focusing on the Xayaburi Dam case.



3S celebration event in Ratanakiri on 19th May; LS2 national consultation workshop in Phnom Penh on 31st May, 2011. Letter of H.E. Sun Chhay, National Assembly on 10 June, and responsive letter of Prime Minister on LS2 Dam on 28 July, 2011.

The Royal Government of Cambodia (GRC) has been influenced by RCC activities on LS2 Dam. Reaction of H.E Sun Chhay, National Assembly member and responsive of Prime Minister Hun Sen on Lower Sesan 2 Dam have been addressed after many media released and the national consultation workshop on LS2 on 31st May, 2011. The concern letter from H.E. Sun Chhay was addressed about the impacts of LS2 Dam which could be a consequence of local livelihood destructive and environment in order to call for postponement LS2 dam construction and resolution on the resettlement and

compensation issue should be made before the dam construction. Then, the letter from Prime Minister Hun Sen responded that this dam would bring negative impacts to environment as well as social, however, it would boost economic growth in the country due to the electricity generation by this dam for either large industrial or domestic consumption in Cambodia. It should be noticed that these both letters were released due to the concerns of 3S communities including water quality, fishery and biodiversity, culture of indigenous people, conflict on water, health issue on the Lower Sesan 2 Dam which supposed to be built in 2011 have been spread out widely through local and international media, and were aware to the LS2 investment companies including EVN and Royal Group, government and development partners in the LS2 national consultation workshop with 173 participants (25% female) on 31st May, 2011 in Phnom Penh.

Key challenges and lesson learned

- Even though, it is a positive sign on doing advocacy on Xayaburi Dam, RCC as well as Save the Mekong Coalition members still should continue pay attention to do advocacy on this issue as Lao still have ambition to push Xayaburi to go ahead as this country depend strongly on this kind of investment in order to boost her economic growth. Therefore, strategic and diplomatic advocacy plan on Mekong Mainstream Dam has to be considered for the future action in order to ensure the benefit of the dam will be shared equitably to the poor and vulnerable people in the Mekong countries.
- For LS2 Dam; it is still challenging even there have some influences to government on this. It is a political issue among the Cambodia and Vietnam country as this dam project was recognized as the government project which was signed MoU between RGC and Vietnamese government. Also, the different idea among the NGOs working on dam issue in Cambodia is another challenge. A consensus idea or a common strategy to do advocacy among RCC members has not yet reached which consequence to challenge for NGOF as the secretariat to facilitate those NGOs to work on hydropower issue in Cambodia. To cope with this, there should be a constructive advocacy on LS2 – the discussion among the core members of RCC in order to find the common strategy and also to minimize the risk on doing advocacy with high level government of Cambodia.
- Time constrain and inadequate staff of the Environment Program as well as limited capacity of network members understanding on the hydropower sector either in Cambodia or in the Mekong region has made difficulty for PC to facilitate the movement of the activities in order to reach each achievement. However, as majority of NGOs working on the national resource management and indigenous rights, the consensus idea to work on Xayaburi campaign was addressed in the fruitful manner.

Impact Observed

- Communities have increased knowledge on Climate Change with the link to the hydropower dam issue, especially the women. In the LS2 national consultation workshop, one female community representative raised her concern related to climate change and the negative impacts from the hydropower dam to the communities. Her statement was addressed that with the implication of climate change including drought and flood, how the hydropower dam can be developed and how the government deals with those negative impacts from hydropower dam development and response to the affected communities in Cambodia.
- Government officers, academic institute, students, show strong support with civil society and communities to call for Lao government to consider on the trans-boundary impact assessment of Xayaburi dam. The reason that make them to involve much on this issue because there were series activities of many agencies including academic people, NGOs in the regional and

international level (while in Cambodia, the RCC members have played an important role on these campaigns), international government such as EU and The United State government, as well as development partners in the world are considering and concerning about this dam development.

- The MRC regional council members which including Cambodia member decided to delay the construction of Xayaburi dam and allow more time to have further study on the environment, social and economical impacts. It is observed that the attitude of the Cambodian government official working on the hydropower issues in Cambodia have changed to realize the negative impact on the mainstream dam through the discussion at the Council meeting and strong cooperation with NGO Forum on awareness raising and other event relation to impact of the dam construction.

Case study: Decision made on Xayaburi Dam in the MRC Council meeting

7-9th December, 2011



Xayaburi dam was delayed for more study by Japan: Decision made in the MRC Council meeting on 9th December, 2011 at Siem Reap Province, Cambodia

Xayaburi Dam is one of the 11 proposed hydropower dams on the Mekong Mainstream River. It is the first dam which was proposed by Lao government and the electricity will be solved to Electricity Generating Authority of Thailand (EGAT) which will cost approximately USD 3.5 billion in the 8 years construction. If built, more than 2,100 people will be resettled and over 202,000 people living depend on aquatic resource of the Mekong River will directly affected (Xayaburi Factsheet). This information is the concern of the communities as well as the NGOs working on protecting the ecosystem of the river and the community rights.

In accordance with this, the Save the Mekong Coalition including the RCC based in Cambodia has set up agenda to focusing on the Mekong mainstream dam. We have involved since the beginning of the Strategic Environmental Assessment (SEA) study of MRC in July 2009 and the comments from the concerned stakeholders have been raised strongly in each meeting which organized by MRC. Finally the SEA report was released in October 2010 with the recommendation to delay the decision making on Mekong Mainstream Dam construction. With this report, civil society working on this issue has strong professional evidence to be used in the advocacy to postponement the Mekong Mainstream Dam. From early to end of 2011, RCC members with the technical support from the Save the Mekong Coalition especially International River (RI) have worked strongly to lobby government in the Lower Mekong Countries to reconsider on the Xayaburi Dam such as joint statements with Save the Mekong coalition to MRCs and their development partners to halt the current Procedures for Notification, Prior Consultation and Agreement (PNPCA), endorse SEA report, and commit to evaluate all options for Mekong Region's water and energy needs through a credible and objective public process, producing "Xayaburi Factsheet" and "SEA Factsheet" in Khmer version, joint meeting with relevant stakeholders in the public consultation on Xayaburi Dam, RCC letter concerning on Xayaburi dam to CNMC, MoE, and relevant ministries with the critical analyzing on the EIA of Xayaburi and support document from SEA report and research of IR, press conference, statement on trans-boundary impact from Mekong Mainstream to Cambodia for 18th CDCC, film show on "where have all fish gone?", Round Table discussion, TV talk show in the "Equity" program, Youth Forum on Xayaburi, 3208 Cambodian Community Thumbprint to Thai Prime Minister, and the 1st National Conference on Climate Change, Agriculture, and Energy to raise the concerns on the Mekong Mainstream Dam. Moreover, the concern on Xayaburi Dam also has been raised by development partners (according to the Cambodia Daily on 31 January, 2011 titled "Public Consultation lacking on Dams, Donors say") that the development projects on the Mekong Mainstream should be ensured the Prior Consultation and Agreement Procedures (PNPCA) of the 1995 Mekong Agreement go in the transparency, accountability. Another Joint Development Partner Statement for 18th MRC council meeting on 9 December, 2011 was to call for comprehensive study on sustainable management and development of the Mekong River.

As the result from this advocacy internationally, regionally, and locally, the decision making of the four high level governments of the four Lower Mekong countries in the MRC council meeting from 7th-9th December was decided to conduct future study on the trans-boundary impacts including social, economic, and environmental assessment with under technical and financial support by Japanese government. Therefore, this is the big achievement that NGOs working on hydropower issue has gained for the year of 2009-2011.

Pesticides Reduction and Sustainable Agriculture Project

Project Purpose: NGOs and government officials cooperate to build rural people's understanding of the effects of chemical pesticides on the environment and human health, and to build their understanding of sustainable agriculture practice in Cambodia.

Key Achievements

Increased awareness of the issues and impacts created by climate change were delivered in the Farmer Affected Forum on Climate Change and Sustainable Agriculture. The NGO Forum on Cambodia in collaboration with other NGOs such as Oxfam America, Catholic Relief Service, Oxfam GB, DCA, CEDAC, Srer Khmer, and Padek were jointly organized the Farmer Forum with the Ministry of Agriculture Forestry and Fishery with 408 participants (223 females) from different stakeholders including relevant government agencies, policy and decision makers, local and international NGOs, private sector, development partners, farmer representatives and local authority from 24 provinces in Cambodia. As a result, the participants in the forum increased the understanding on climate change related impacts on agriculture. After the workshop, there were 39 press released articles which all of them were shared with network members.

The Farmer Forum provided an opportunity to the farmers to meet the government officials, NGOs, DPs and private sectors to discuss about the challenges, obstacle, and lesson learnt on agriculture production such as crops diseases, lack of agriculture technique, infrastructure, drought and flood in Cambodia. All concerns were heard by national and sub-national government agencies, development partners, and UN agencies. The climate change adaption strategy was identified by farmers, NGOs, development partners, government officials to find out the alternative strategy for sustainable agriculture in climate change context. The results of group's discussion and joint statement were developed and accepted by high ranking government officials for policy respond to climate change in the closing speech of H.E Yim Chhaily. The input from the forum will be incorporated in the climate change respond policy of the Royal Government of Cambodia.

The first national conference on climate change, agriculture and energy under the theme "Together adapt to climate change and sustainable development" was provided an opportunity for community reprehensive, local and international NGOs, academic and research institutions, DPs and government officials meet together to dialogues and debate on climate change policy of key government ministries and major concern of community on the climate change hazards in order to find out the alternative solution and take action in the next step of government policy practice. There were 380 people (200 female) from different stakeholders including MAFF, MoE, MIME, MoWRAM, MRD and relevant ministries, ambassador, private sector, development partner, donor, local and international NGOs, farmer representative from 20 provinces in Cambodia, research institute and academic people to attend in National Conference of Climate Change, Agriculture and Energy on December 01-02, 2011 at Phnom Penh hotel. This conference co-organized by NGO Forum on Cambodia, CARD and Caritas.



H.E. Tao Seng Hour, provided remarks during conference.

The National Conference provided an opportunity to farmer from 20 provinces in Cambodia and NGOs to meet and raised their concern, challenge, lesson learn and experiences to government official, donor and decision maker base on disaster drought and flood from in this year effected to their rice production and livelihood. Their challenge of climate change adaptation in agriculture include lack of agriculture technical adapt to climate change, not well function of irrigation system and lack of good preparedness plan for disaster. They also discussed on the strategy respond to climate change adaptation on agriculture. Their concern and challenges were shared to decision makers, government official, donor and development partner through prepared statement and group discussed in conference. The series of activities to respond to this issue include second National Farmer Forum, published agriculture watcher bulletin on climate change link to agriculture and pesticide issue, network bi-monthly meeting, radio talk show and research on impact of flood and drought on rice production in 3 provinces in Cambodia.



PRN-C network reflection on 24-26 Oct, 2011 at Sihanuk Vill

During the annual network reflection, all network members showed high commitment toward working together to influence agriculture policies to ensure that they benefit to poor and vulnerable farmers. There were 25 participants (of which 4 are female) who were representative of key network members from the different provinces and participated in the network reflection workshop held on 24-26 October, 2011 at Sihanuk vill province. The workshop enhanced the relationships among network members and with the NGO Forum as well.

At the workshop, all participants reflected of last year activities and agreed on new priorities for 2012 action plan. The reflection focused on strengths, weaknesses and strategies for advocacy and strengthening network coordination. At the end to workshop, all network members endorsed the ToR, criteria for new network member selection, selected the steering committee of network by using method of one organization one vote.

The **No Pesticide Use Day Campaign** drew the attention to farmers and private sector on the negative impact of pesticide use in agriculture production, farmer health and environment and explored farmers on alternative options for sustainable agriculture. The NGO Forum on Cambodia in cooperated with Ministry of Agriculture, Forestry and Fishery (MAFF) and provincial Department of Agriculture to organize **No Pesticide Use Day Campaign** at Pras Sdach district, Prey Veng province. The campaign is part of the project effort to contribute to advocate for the enforcement of Pesticide and Fertilizer Management law which aims at eliminating the sales and use of banned pesticide. The campaign notably attracted around 560 (of which 250 are women) from different stakeholders such as NGOs, other departments of the Ministry

of Agriculture, Forestry and Fishery (MAFF), Ministry of Environment (MoE), provincial and district governors, local authorities, farmers representative from prey vieng province and other six provinces, teachers and students, pesticide vendors and the general public. The campaign also include a public forum for farmers to ask question and learnt about the good strategy, regulation and law enforcement for transporting and using pesticide in Cambodia by technical person from MAFF. The participants were able to deliver and handle over a written statement which highlight of the negative impacts of chemical pesticides and fertilizer on the environment, economic and most importantly on the human health and called for banned import of banned pesticide in Cambodia. The statement were shared to relevant ministries especially MAFF, local authority, participants and media.



Parade in No Pesticide Use Day Campaign on December 07, 2011

NGOs and farmer comments which was coordinated by the NGO Forum were incorporated in the Pesticide and Fertilizer management law which approved by national assembly on December 21, 2011 with total of 119 articles. The purpose of this law is to manage the pesticide and fertilizer in Cambodian market. The export and import pesticide and fertilizer would not allow by the law especially stop to import and use hazardous pesticide. It also reduced the impact of pesticide on social, environment and human health. The law also included some comments from NGOs and farmer representatives that have been coordinated by NGO Forum on Cambodia were incorporated in this law. The project is still play an important role to monitor the law enforcement the farmers poor and vulnerable people will benefits from this law.



Mr. Chhith Sam Arth Executive Director of NGO Forum on Cambodia delivered speech at No Pesticide Use Day Campaign

PRN-C network members have been strengthened and expanded. There were 5 NGOs including Farmer Development Association, World Vision Cambodia, Action aid, Krom Aphivat Phoum, Khmer Welfare Family Rural Association who can provide technical support related to health and community development issue which is the important component for PRN-C to do advocacy in the constructive manner with the professional and evidence based.

Key Challenges and Lessons Learned

- Activities co-organized with Ministry of Agriculture, Forestry and Fishery (MAFF) such as launching of pesticide law and agriculture debate was delayed because they're waiting for the enactment of the law from the Council Ministers and parliament.
- The final research report on climate change publication was delayed due to the research report not yet finalized.

Impacts observed

- The network members have gained knowledge on climate change impacts to agriculture by participated in other meeting, information sharing and discussion in network bi-monthly meeting and national farmer forum.
- The network members get more understanding and interest on climate change impact to agriculture by participated in other meeting, information sharing and discussion in network bi-monthly meeting and national farmer forum.
- The NGOF have built up good relationship with relevant ministries such as the Ministry of Agriculture, Forestry and Fishery (MAFF). This forged relationship evidently observed by involving NGOF in providing comments and inputs on legislation and policies, particularly on contract farming sub-decree as well as the draft pesticide and agricultural inputs law. The trust invested through the advocacy work has paved the way for NGOF to continue and strengthen its relationship and communication with relevant ministries.

Case Study: Empower farmer to raise their concern and challenge

This is the 2nd national farmer forum was organized on April 27th -28th , 2011 at Phnom Penh hotel with total participant of 408 people (223 female) came from different stakeholders including relevant government agencies, local and international NGOs, private sector, development partners, farmer representatives and local authority from 24 provinces in Cambodia. This forum focused on two main purposes:



Farmer representative from Bantey MeanChay province gave presentation of their concern, challenge and experiences on the impacts of climate change

- To create a platform for small-scale farmer to address together the challenges, constraint and best practice for developing common adaptive strategies of small scale-farmer.
- To create a space for policy dialogue between small-scale farmers and decision markers for promoting farmers' voice especially women farmers to influence policies markers and civil societies for addressing the negative impacts of climate change on their livelihoods.

Five pre-consultation workshops were conducted in the three regional zones. The farmers came together and discussed about their concerns, challenges and experiences on their agriculture issues such as increased pest and diseases, decreased agricultural production and they have spent a lot of money on agricultural farming. They mentioned that they have tried all their best to cope with climate change impacts on their agriculture and livelihood. These issues were impacted to their livelihood and economy. Total of 111 selected farmer representatives from each zone were actively involved in the forum. The farmers have played very important role to discuss about their concern, challenges and best practice related to agriculture issues and livelihood that they have affected by climate change impacts and their real experiences. The representatives of two farmers have presented their concerns, challenges and climate change adaptation strategies to policy and decision markers, relevant ministries and civil society and developed.

Moreover, they were discussed about adaptation strategy to cope with climate change and agriculture such as how to manage pest and diseases in their rice farming and vegetable cultivation and they need to learn more about alternative strategy and techniques to improve their agriculture.

The results of group's discussion for climate change adaptation strategy were developed and the joint statement was prepared and accepted by high ranking government officials for policy respond to climate change in the closing speech of H.E Yim Chhaily. The inputs from the forum will be incorporated in the climate change respond policy of the Royal Government of Cambodia.

LAND & LIVELIHOODS PROGRAMME

Summary

Goal of the Land and Livelihoods Programme⁵ is NGOs cooperate to influence government and donor policies and practices to ensure that the rights of poor and vulnerable groups affected by inadequate governance of land and natural resources are protected and promoted.

During this reporting period the programme activities resulted in the following key achievements: As stated in the 2011's action plan, the programme separated the Research Information Centre (RIC) from LLP to be more independent in terms of its management, whilst still supporting all projects within the programme. The separation aims to enable RIC to be supportive to the other NGOF programmes as well being a resource of information accessible by all stakeholders and to further ensure that evidence based information is effectively available for project advocacy. To combine all research and publication relevant units and to enable short communication lines, the IT and Publication unit were integrated into RIC. In addition, the structure of LLP was eased by sharing the responsibilities between the Land and Livelihoods Programme Manager and the RIC Manager. Now, after the recruitment of the new RIC Manger, tasks formally undertaken by the LLP Programme Manger were handed over to the RIC Manger.

Furthermore, both LAND and RAN continued to strengthen their network by reviewing and adopting its respective TOR to ensure *effective coordination* amongst network members. The TOR lays out specific roles and responsibilities of each member in order to enable the networks to steer in the right direction. LAND, RAN and the FLNP network successfully contributed to the empowerment of local communities, consequently enabling them to advocate on their own. As a result, some communities were able to negotiate independently and successfully with authorities on issues of resettlement and compensation. LAND member actively took part in policy dialogue and formulation as they commented on the draft Land Valuation Policy, thus strengthening the relationship with the Council of Land Policy which now sees NGOF as a reliable representative of the CSOs/NGOs working in the sector. The networks coordinated effectively its members to bring the concerns of the affected people and in order to discuss common appropriate strategies for land dispute resolutions. Various RGC representatives responded in expressing their commitment to intervene on land dispute cases and establishing a working group to address the raised issues. Furthermore, RGC officials announced to take legal and administrative actions on some land disputes.

As Economic Land Concessions (ELCs) are one of the main drivers of forest destruction in Cambodia, the FLP network raised this issue, in the Cambodian CSOs and NGOs concerns over the Cambodian Readiness-Proposal Preparation (R-PP)⁶, NGOs Statement to Support the Prey Lang Community and NGO Statements to 18th GDCC meeting⁷. As result of all these efforts, the Royal Government of Cambodia cancelled 12 ELC covering a total area of 48,657 hectare.

Land issues were highlighted and concerns of affected communities were brought forward to be heard by Development Partners as well as RGC representatives through the monthly Technical Working Group on Land (TWG-L) meetings. NGOFs participation in this body ensured that issues of concerns

⁵ In the following called "LLP"

⁶<http://www.forestcarbonpartnership.org/fcp/node/297> , 3d section

⁷ NGO statements to 18th GDCC meeting, April 2011, page 15

were discussed in a timely manner as well as it strengthened NGOs links and relationship with various donors.

Land Issue Project

The purpose of Land Issues Project (LIP) is that NGOs cooperate to influence the policies and practices of governments, donors, investors and relevant stakeholders to ensure that land rights and tenure security of the poor and vulnerable groups are recognized and respected.

Key achievements

Land network's functioning improved - Both national and provincial land networks increased communication with relevant government officials. As a consequence, more government official were willing to participate in events and direct dialogue with community members. After extending the scope of the provincial network to now 22 provinces to strengthen linkages between the Land Issues Project with others existing networks and to expand the breadth of LAND members to operate at the provincial and national levels, amongst others, the network consolidation process is ongoing. However, positive results appear as both provincial and national LAND members had capacity to coordinate meeting with members at provincial level in order to exchange information from national and provincial level and intervened in land dispute cases. Moreover, network members increased their participation in LAND activities and advocacy by raising Land issues in statements, radio programs, field investigations, land workshop or regional dialogues as well as they shared information on land issues and updated the land dispute database, thus shared information on land issues and solution with government sector and relevant stakeholders on communal, provincial and national level. LAND also strengthened itself by reviewing the ToR⁸, especially with a focus on defining the roles and responsibilities of each member. Furthermore, LAND member actively took part in policy dialogue and formulation as they commented on the draft Land Valuation Policy



Bi- Monthly LAND meeting 2011 in Phnom Penh

⁸ Terms of Reference



Workshop on “Current situation of Land issues and resolution Mechanism in Cambodia in May 2011, Cambodiana Hotel”

LAND improved its *coordination to engage and dialogue with the Government and Donors*. Land issues were brought forward to be *discussed; as a consequence they were heard* by relevant key stakeholders. For instance, LAND members discussed and updated the status of land issues in the quarterly meetings with MLMUPC. The Ministry responded positively on these efforts and expressed its willingness to work together on land issues. We see an increase in mutual understanding and confidence in communicating and consulting with each other.

LAND *coordinated* its members and affected communities in organizing the workshop on “*Current situation of land issues and resolution mechanism in Cambodia*”, and the regional dialogue on “*Good governance on land rights and effective land dispute resolution mechanism in Cambodia*”.

During both events, LAND efforts in empowering community showed results as they were able to advocate directly to government officials and donors by expressing precise concerns and knowledge of the legal framework in order to discuss common appropriate strategies for land dispute resolutions. As a result of these direct advocacy efforts, various RGC representatives responded in expressing their commitment to intervene on land dispute cases and establishing a working group to address the raised issues. Furthermore, RGC officials announced to take legal and administrative actions on some land disputes. In addition, the Cambodian Human Rights Committee expressed its willingness to work together with NGOs on the resolution of land disputes as well as their commitment to join field trips with NGOs to monitor and investigate disputes in efforts to ensure that disputes over land can be prevented and reduced. As another result, LAND members, amongst others, were invited by the provincial governors to join the land dispute resolution committee as an observer to monitor land dispute resolution progress in Battambang and Kratie. However, at this stage it is too early to see whether these efforts show positive results.



Regional Dialogue on “*Good governance on land rights and effective land dispute resolution mechanism*” in Siem Reap province

LAND *efforts* in advocacy dialogue were recognized by RGC, Development Partners and Donors by submitting the concerns of affected communities in the statement on land sector to 18th GDCC’s⁹ meeting. During the GDCC meeting, land issues were raised by the EU representative in an attempt linking these to the Social Safety Net programme (SSNP); however, the Deputy Prime Minister turned down this attempt by saying that this issue should be discussed within the relevant TWG¹⁰, not the GDCC. However, the implementation of SSNP is considered as a cross cutting issue and as such should be discussed at the GDCC. Moreover, LAND contributed comments to the draft Land valuation Policy, especially on the admission of Civil Society to the composition of the committee on immovable property valuation to ensure a transparent and just land valuation process. However, the latest draft has not been made public yet so we do not know whether these comments have been incorporated.

⁹ Government Development Partners Coordination Committee

¹⁰ Technical Working Group

The NGO Forum's annual report "Statistical Analysis on Land Disputes in Cambodia, 2010" was publicly launched, highlighting the current trends of land disputes, providing evidence based information to support all stakeholder concerns as well as to help identifying practical recommendations, especially to the relevant government bodies and to development partners to further improve land dispute resolutions.

The launching of publication "*Statistical Analysis on Land Disputes in Cambodia, 2010*" provided an important opportunity to facilitate and foster further dialogue amongst Civil Society, Development Partners and relevant authorities on the status of land disputes, its reasons and resolution mechanisms. The findings of the report draw attention from various Medias who subsequently covered it. The lively debate after the presentations illustrated the great interest of all stakeholders in this important topic, which "poses one of the main challenges for the Royal Government of Cambodia, related authorities and the judicial system" the current head of the Office of the High Commissioner for Human Rights in Cambodia pointed out. In addition, the media quoted: "This report could be used to improve and/or advocate for enhancing land tenure security of the poor and vulnerable people".



Launching of the Publication "Statistical Analysis on Land Disputes in Cambodia 2010", 20 October 2011, Phnom Penh.



From left, Mr Chhith Sam Ath, Executive Director, Mr Sorya Vody, United Nations Human Right Special Reporter to Cambodia at the International Human Rights Day on 10th December 2011, Freedom Park, Phnom Penh

LAND helped to raise awareness on the human rights situation in Cambodia by jointly organizing the International Human Rights Day with this year's topic "*Independent Judiciary and Freedom of Expression are Foundations of Social Justice and Respect for Human Rights*". Several thousand participants joined the celebration which was also covered by the media. The UN Special Reporter recognized NGO's speech during this event it specified the links between human rights and land rights.

The cooperation with various Ministries and their willingness to be involved in dialogue with civil society *improved*. At the annual 6th National Advocacy Conference (NAC), various RGC representatives were engaged with civil society and community representatives, discussing issues regarding good governance of natural resources, land disputes, compensation for loss of land, Economic Land Concessions and Indigenous Peoples issues.

The conference and its press conference on the joint statement were covered by media¹¹, bringing the concerns of various issues and suggestions of the affected people and NGOs to be heard by the public.

LAND *coordinated* its members and affected communities in organizing the workshop on "*Current situation of land issues and resolution mechanisms in Cambodia*", and the regional dialogue on "*Good governance on land rights and effective land dispute resolution mechanism in Cambodia*".

¹¹ TVK, Bayon, CTN and Sea TV. Newspaper: DAP, Cambodia Daily

During those events, LAND efforts in empowering community showed results as they were able to



Media interviewed H.E Om YinTeng during the workshop “*Current situation of Land issues and resolution, mechanisms in Cambodia* in May 2011, Cambodiana Hotel”

advocate directly to government officials and donors by expressing precise concerns and knowledge of the legal framework in order to discuss common appropriate strategies for land dispute resolutions. As a result of these direct advocacy efforts, various RGC representatives responded in expressing their commitment to intervene on land dispute cases and establishing a working group to address the raised issues. Furthermore, RGC officials announced to take legal and administrative actions on some land disputes. In addition, the Cambodian Human Rights Committee expressed its willingness to work together with NGOs on the resolution of land disputes as well as their commitment to join field trips with NGOs to monitor and investigate disputes in efforts to ensure that disputes over land can be prevented and reduced.

Challenges and lessons learned

Even though most LAND members do actively participate in regular network meetings, some National LAND members do not attend regularly which also affects information sharing between provincial and national level as well as between members at the provincial level. For some Provincial Land members, the importance of working together as a network needs to be stressed as they currently do not see any benefit in working as a network. Again, this negatively affects cooperation and information sharing. Based on suggestions of members, NGOF will attend P-LAND meetings to discuss on next steps overcoming the challenges. Furthermore, some LAND members are not fully aware about relevant advocacy strategies and policy monitoring. In addition to that, the capacity of provincial LAND members with regards to the English language is limited. Some members do not have the ability to access the internet regularly, which proved to be an obstacle in communicating.

RGC ministries are reluctant to share information on upcoming policies such as the Land Information Policy, Land Consolidation Policy or the Draft national strategy/policy on integrated urban/ city and rural development. For these, no public consultations are envisaged yet. Even if we see an increase in willingness in dialogue with civil society, not all ministries are willing to participate such as the Ministry of Agriculture, Forest and Fishery. With regards to the quarterly meeting with MLMUPC, the commitment of the MLMUPC to seriously address issued discussed needs to be proven. So far, we shared the findings of the Land Dispute Analysis in 2010 during the last meeting and now specific cases from these will be picked up to discuss for appropriate solutions.

Both events mentioned above brought together key stakeholders working on land issues, especially most of the relevant RGC representatives from the national and the provincial level were present and discussed directly with the affected communities which had a chance to discuss specific issues related to their provinces. As a lesson learnt, the project will organize more such multi-stakeholder events.

Impacts Observed

The communication and collaboration between LAND members, affected community and government officials has been strengthened. Coordination with Royal Government of Cambodia (RGC) has been improved both in participation and commitment from government officials on national and provincial level such as MLMUPC, CLP, Cadastral Commission, Ministry of Justice and the Governor of Pursat,

Oudor MeanChey and Siem Reap Province as well as the Human Rights Committee of Cambodia. The communication between affected communities and government officials was established and improved in order to bring the concerns of the communities directly to be discussed with key stakeholders to identify appropriate dispute resolution mechanisms, using NGOs as a bridge in establishing direct contacts. .

RGC *welcomed and recognized* the participation of NGOs in the policy consultation and land dispute resolution process. This was also expressed by the official role of NGOs as observers to the land valuation process which was stipulated in the 1st draft of the Land Valuation Policy and the land dispute resolution committee in the provinces of Battambang and Kratie.

LAND efforts helped solving a land dispute between the Prek Treng Community and a company. As a result of negotiations facilitated by LAND members, the community accepted compensation. In addition, the communities were able to successfully prevent the company in pressing for further charges on jailed community members. As a consequence, the imprisoned community members were released from prison

Resettlement and Housing Rights Project

Purpose: NGOs cooperate to influence the policies and practices of governments, donors, investors and relevant stakeholders to ensure that the rights of the poor and vulnerable people in settlements and those informal settlements to secure tenure are recognized, and that the government and donors are supportive of the process.

Key Achievements

The *engagement and dialogue* with the RGC, especially the MLMUPC¹² was *strengthened after the* regular quarterly meeting has been established. These meetings ensure that housing and resettlement issues are being discussed and that the voice of the affected communities is heard by the MLMUPC. The process of network strengthening further proceeded as RAN reviewed and adopted its ToR to ensure *effective coordination* amongst RAN members. The TOR lays out specific roles and responsibilities of each member in order to enable the network to steer in the right direction. RAN members *actively participate* in regular monthly meetings to *discuss, share and disseminate information* related to housing rights, resettlement and forced evictions, raised and brought up by affected communities.



Urban Housing Forum on Circular 03

RAN successfully coordinated stakeholders for the Urban Housing Forum on the Implementation of the Circular 03. NGOs, Development Partners and the Government Representatives were able to meet, communicate and understand each other's perspective on the Circular 03 implementation. The Battambang Municipality and the MLMUPC¹³ both show willingness to cooperate with NGOs to improve the Circular 03 implementation, also with regards to additional urban areas suitable for Circular 03 implementation.

¹² Ministry of Land Management Urban Planning and Construction

¹³ Ministry of Land Management Urban Planning and Construction

RAN *empowered* communities affected by the Second Mekong Bridge project¹⁴. With support from RAN, the communities *influenced* the negotiations and decision of the IRC on granting compensation. These efforts resulted in the successful negotiation between communities and IRC on any compensation. Finally, the communities received compensation for their loss of assets as needed.

RAN *coordinated* its efforts on the international level with the NGO Forum on ADB to *influence* decision-makers of the ADB on reviewing policies such as the ADB Accountability Mechanism¹⁵ and Public Communication Policy¹⁶. As a result, the ADB Board of Directors acknowledged the NGOs comments and suggestions and promised to discuss the issues during the upcoming board meeting for further consideration prior to the approval of the policy.

With regards to the Railway Rehabilitation project, RAN advocated for the improvement of the resettlement site. RANs efforts resulted in the improvement of the resettlement site as finally, water pumps, latrines and electricity were installed. After meeting with the ADB boards of directors in February 2011, an independent local resettlement expert of the ADB was sent to investigate complains brought up about the amount and process of granting compensation. Up to now, the investigation is still in progress, but both, the IRC and the ADB acknowledged the problems raised by the communities and NGOs.

The NGO Forum has been successfully *engaged in dialogue* with the RGC¹⁷, not only with the MLMUPC¹⁸ but especially with the Inter-Ministerial Resettlement Committee (IRC) under the Ministry of Economy and Finance (MEF). The MEF is responsible for resettlement issues and compensation for all development projects initiated by the RGC. Cooperation and communication between NGOs and the two Ministries but also between the MLMUPC and MEF was *strengthened* after establishing the regular quarterly meetings. The meetings aim to ensure that housing; compensation and resettlement issues are discussed with key decision makers prior to the implementation of resettlement plans in order to achieve a fair and just compensation and the development of proper resettlement plans ensuring to respect the needs of the affected communities. As observed in previous meetings, government agencies especially the IRC group *changed their working behavior* as they softened their stand towards NGOs and demonstrated their willingness to cooperate with NGOs in order to smoothly implement development plans to equitable benefit all Cambodians. Following the good engagement with MLMUPC, RAN was able to invite technical staff of the ministry to participate in a radio program debate on the legal framework and law governing housing such as: Expropriation Law, Circular 03 and Resettlement Sub-decree. As observed from listeners who called in and debated with the representatives from MLMUPC, listeners increased their knowledge about the regulatory legal framework and its scope of application.

In order to continue ensuring that concerns of affected communities related to housing issues are brought up to the national level, RAN members have a strong commitment and *actively participate* in regular monthly meetings to *discuss, share and disseminate information* related to housing rights, compensation, resettlement and forced evictions. RANs strategy is flexibility of *coordination and lobbying* with key different stakeholders ensuring the facilitation of direct communication between the poor and vulnerable and the decision makers.

¹⁴ which is funded by the Japanese Government through the Japan International Cooperation Agency (JICA)

¹⁵ <http://www.adb.org/accountability-mechanism/>

¹⁶ <http://www.adb.org/PCP-Review/>

¹⁷ Royal Government of Cambodia

¹⁸ Ministry of Land Management Urban Planning and Construction

The capacity of RAN members in terms of advocacy and knowledge about cooperation between NGOs and affected communities was strengthened. RAN successfully organized an international exposure trip to Jakarta, Indonesia and learnt in detail about the social, legal and political environment of advocacy in Indonesia as well as how NGOs can effectively support affected communities to be empowered and able to advocate on their own on issues of housing and resettlement issues agriculture land reform and network coordination. Lessons learnt from the exposure visit will be mainstreamed by network members in their action plan 2012, especially in regard on how to support and work with communities. Consequently, more efforts will be undertaken to on advocacy training and legal knowledge and most relevant on how to organize them to be independent in developing and initiating community based advocacy strategies.

After the crackdown on critical advocacy NGOs by the RGC in 2011, we see an *increase in participation* of non -NGOF members in RANs working group on the Railway Rehabilitation Project. This working group enables the coalition of NGOs to collaborate, share and update information for specific cases of the Railway Rehabilitation Project funded by the ADB¹⁹. Possible solutions on outstanding issues and complaints submitted by affected people to the IRC are going to be discussed and brought forward to the meeting between NGOs and MEF/IRC.

RAN successfully coordinated stakeholder's involvement in implementing the Circular 03²⁰ to meet, communicate and understand each other's perspective on the implementation process. Roles and responsibility of the NGOs involvement were mapped out and next steps of action were identified. In 2012, RAN will continue to coordinate and facilitate NGOs involvement, especially with a focus on the legal framework guiding and complimenting (C03) such as provisions relevant for on-site upgrading and resettlement as well as to the mapping of settlements eligible for the C03 implementation in Phnom Penh. In addition to this, RAN successfully coordinated two exchanges visits from Battambang authorities to Phnom Penh and Sihanoukville (SHV) authorities to Battambang were. Both visits contributed to the growing capacity of the relevant authorities to implement C03 in their areas. Moreover, RAN facilitated the participation of target communities during the exchange visit of the Sihanoukville authorities which contributed to an *increased direct dialogue* between authorities and communities from Battambang and Sihanoukville. Target communities from Sihanoukville increased their understanding and learnt from the experience of the Battambang community who initiated the implementation of C03 in their community themselves and were consequently supported by authorities and facilitated by NGOs. Ultimately, communication between government officials and target communities has been *created and strengthened*. In general, the trip provided an opportunity for the Sihanouk provincial governor to *increase his understanding* on how to initiate implementation of Circular 03 in a way aiming to avoid negative impact to local communities. RAN contributed to an *increased awareness* by *effectively coordination* between RAN and the CLP²¹ of MLMUPC 6,000 copies of C03 was successful re-printed and widely disseminated to network members, local relevant authority in many provinces and target communities for their documentation and action.

The voice of 14 informal settlement communities in Phnom Penh and their concerns regarding housing rights were made public under the theme on "City and Climate Change" on the occasion of the 26th World Habitat Day, which was successfully organized under collaboration from RAN members and NGOs partners working on housing rights. ***NGO Forum conveyed its message to the RGC to comply with the right to adequate housing for everyone*** which needs to be reflected in sustainable city development plan, preventing negative impacts from climate change. RAN further facilitated media

¹⁹ Asian Development Bank

²⁰ Circular on Resolution of the Temporary Settlement on State Land Illegally Occupied in the Capital, Municipal and Urban Areas

²¹ Council of Land Policy

interviews by community representative, highlighting their needs and challenges on housing issues. The key message was that they communities rather prefer onsite upgrading than relocation. Their message was quoted by media²².

Through strong efforts of RAN to intervene to protect vulnerable groups affected by the Airport Expansion project funded by the IFC²³ in SHV, a RAN member (CDCam)²⁴ was invited to be involved and take the lead on the income restoration program implementation of the projects Resettlement Action Plan (RAP). After a long process of working with the CAO²⁵ who is responsible to facilitate a complaint solution, RAP and compensational issues of the Zone A are almost completed. For Zone B will be start in early on 2012 as the government has enough financial support for compensation.

Key Challenges and Lesson Learned

Even though RAN likely successfully coordinated NGOs working together in a network or a coalition, we observed that some NGOs tend not to follow the decisions made by the majority of NGOs and initiate activities which were not consulted or discussed prior with the NGOs or coalition. RAN is concerned that uncoordinated, separate activities outside of the efforts of a coalition might spoil possible future benefits of the affected communities and contradict joint advocacy efforts.. However, RAN is committed to coordinate and join efforts with all NGOs working on the issue for the benefit of the communities.

The crackdown on NGOs had a negative impact to various NGOs, mostly based in the province. We observe that some do not take action protect the rights of the poor and vulnerable people due to the sensitiveness of the issue and possible retaliation of the RGC on critical comments or activities.

Not only the space for NGOs has been restricted but also the space for communities was limited in 2011. Community meetings were interrupted and suspended by armed forces as well as trainings on human rights and related issues to communities. Public events continue to be restricted. Authorities tend to demand prior approval of all events from authorities even if there is no legal basis for this request.

Impact Observed

People who were relocated due to the Airport development project received a proper plot of land and compensation package with better location for their future living, thus they have an *increased land tenure security*. An income restoration program implemented by RAN members will further contribute to restore and improve their livelihood in the future. People will received land certificate after 5 years permanently living on their land and will no longer facing eviction and landless.

NGOF/RAN has built its solid foundation of engagement with Ministry of Economy and Finance through regular meeting which are held to discuss on how to avoid and minimize negative impacts of development projects to affected people. RAN keeps its commitment and efforts of coordinating relevant stakeholders in order to work together contributing to sustainable livelihood development of Cambodian.

²² Media coverage such as: Phnom Penh Post, Cambodia Daily, Radio Free Asia and others online news in Cambodia

²³ International Financial Cooperation

²⁴ Conservation Development on Cambodia

²⁵ Compliance Advisor Ombudsman

The recent crackdown and warning to NGOs is a sign of limited space for NGOs to operate and voice their concern on sensitive issues related to the Development of Cambodia. In July 2011, one active RAN member has been suspended by the Ministry of Interior (MoI), followed by a warning letter issued by the Ministry of Foreign Affairs and International Cooperation (MoFA) to NGOF in September on a case of joint letter to the president of Asian Development Bank (ADB), highlighting negative impacts of the GMS Railway Rehabilitation project to local communities. A warning letter from MoFA accused that NGOF attempted to discredit the government in its letter to ADB.

However, we observed that after this warning letter, the dialogue with the RGC has not been interrupted; on the contrary it increased as this case highlighted the need for more intense dialogue between NGOs and the Inter-ministerial resettlement committee (IRC) and subsequently NGOF and MEF/IRC agreed to have regularly meetings to discuss resettlement and housing issues.

Case Study:

Second Mekong Bridge Project – Finally Affected Family Received Fair and Just Compensation

The Japanese Government granted USD 95.46 million to Cambodia to construct the 2nd Mekong Bridge, known as the Neak Leoung bridge. The money is channelled through the Japanese International Cooperation Agency. The bridge is located along the National Road N°01 which is a part of Asian Highway (A1). The project will connect two districts separated by the Mekong River²⁶. The RGCs Ministry of Public Work and Transportation acts as the implementing agency, whereas the bridge itself will be constructed by a Japanese company. The project shall be completed in March 2015.

The Ministry has setup a working group in order to minimize negative impact of the project on local communities. 83 households were reported to be affected by the project. The Inter-Ministerial Resettlement Committee (IRC) of the Ministry of Economic and Finance provided some compensation to these households. The IRC started to negotiate and discuss with affected people about the compensation in 2009 and subsequently provided cash compensation.

Mr. Tat Chhor was a landlord of 24x70m located in Ampil Teouk village, Kampong Phnom commune, Lerk Daek district. His entire residential land was affected by the development project. His family was entitled by the IRC to receive of 23,710.87 USD. This family refused to accept the proposed compensation as it was lower than the market price, making it impossible to buy a new land plot with the same size in the same area. The Chhor family submitted several complaints to relevant stakeholders requesting a better compensation. The Chhor family also asked the NGO Forum on Cambodia for support in late 2010.

Resettlement Action Network of the NGO Forum on Cambodia facilitated its network members to organize a meeting and field trip to the disputed area to collect first hand information. Subsequently, RAN provided legal support to the Chhor family to empower them to advocate on their own. Additional actions were taken by the affected family and NGOs network members as following:

On 02nd September 2010, the Chhor family submitted a letter to JICA in Phnom Penh, seeking for intervention on compensation rate proposed by IRC. JICA responded negatively and insisted that Mr. Chhor should only deal with IRC on the matter.

A first field investigation took place on 23rd November 2010 which participants from Mekong Watch, COHRE, and NGOF to meet with the affected household to gain more information from the ground. At that

²⁶ Kompong Phnom commune, Lerk Daek district Kandal province and Prek Ksay commune, Peamro district Prey Veng province.

time, the team had provided legal support to strengthen their advocacy effort. This issue, the concerns and demands of the affected household were brought directly to the attention of the JICA head office in Tokyo. The report from field investigation was developed and shared to RAN members during the regular monthly meeting, in addition, an article for the Land and Life Newsletter of the NGO Forum was written on the case.

A second field visit was taken on 24th January 2011 after receiving information that the affected family has been threatened by the authorities that they would bring the case to the courts if the offered compensation was still refused. Under coordination of the NGOF, RAN members strengthened the families' legal knowledge as well as their negotiation skills. Free legal representation was prepared for him in case of a law suit been brought to the court by the IRC.

As a result of the advocacy efforts of this family and RAN members, the IRC called for additional negotiations with the Chhor family.

During the negotiations, the IRC finally offered a plot of land 7x15m in addition to a higher cash compensation of 25.000 USD. On 28th March 2011, the Chhor family received the cash compensation as well as the land, which is located in the same commune.

Forest Livelihoods and Plantation Project

The purpose of Forest Livelihoods and Plantation (FLP) Project is that NGOs cooperate to improve the accountability of Cambodia's concession system and implementation of a supportive national policy framework related to land and natural resources, thereby improving tenure security for forest-dependent communities.

Key Achievements

Network functioning: The project further strengthened and improved *networking*; not only within FLP network members but also at the national and international level on specific advocacy issues, as well as on related forestry policies (both policy input and policy dialogue). For instance, during the 8th Forest Carbon Partnership Facility (FCPF) workshop in Dalat City, Vietnam, the project strengthened its links to international network members such as Focus on the Global South and KEPA via the Bank Information Centre (BIC). Under cooperation with BIC, FLNP met with key bilateral donors representatives from EU, UK, USA, Germany, Norway, Australia and the Facility Management Team of WB secretariat to report about the Cambodian CSOs and NGOs concerns over the Cambodia Readiness-Proposal Preparation (R-PP)²⁷ for REDD²⁸. As a result, the Facility Management Team (FMT) endorsed the concerns raised by CSOs and NGOs and consequently set up a list of 5 key issues which needs to be addressed by the Cambodian state before entering into a Readiness Preparation grant agreement with UNDP²⁹. In particular, the Participant Committee requests Cambodia to clearly identify Economic Land Concessions (ELC) as a driver of deforestation and forest degradation in the R-PP; and further elaborate during the REDD+ readiness phase on possible strategies to reduce rates of deforestation and forest degradation caused by ELCs³⁰.

²⁷ <http://www.forestcarbonpartnership.org/fcp/node/297> , 3rd section

²⁸ Reducing Emissions from Deforestation and Degradation

²⁹ <http://www.forestcarbonpartnership.org/fcp/sites/forestcarbonpartnership.org/files/Documents/PDF/Mar2011/Resolution%206%20Cambodia%20R-PP.pdf>

³⁰ See the conditions in Resolution PC/8/2011/4 available at <http://www.forestcarbonpartnership.org/fcp/node/297> , 7a section.

The local networking has been strengthened and improved; the project has linked its activities to forest dependent community networks such as the Prey Lang network³¹ to contribute towards the improvement of a social movement in Cambodia. For instance, FLP network members brought concerns on Prey Lang illegal logging and deforestation to the attention of the RGC, the Cambodian public and the international community under coordination with other network members³². Both local and international Medias reported about Prey Lang Case. FLNP continues to engage in their dialogue with the RGC and development partners to advocate for a halt to illegal logging and forest clearance activities in the Prey Lang area. The project strengthened its internal relationship between network members and build linkages to other networks and groups to undertake joint advocacy activities. For example, the project expanded its linkages to various groups such as the Independent Democratic of Informal Economic Association (IDEA), Community Peace Network (CPN), People Action for Change (PAC), Affiliated Network for Social Accountability in East Asia and the Pacific (ANSA-East Asia and the Pacific) This extended network was utilized to help raise public awareness on the issue of the Prey Lang Forest destruction. More than 400 IDEA members (tri-cycle motor drivers) supported the activities of the Prey Lang campaign such as a video screening, public praying and reflection and helped to publicly draw attention on the situation of the forest dependent communities of Prey Lang and their loss of access to Non Timber Forest Products due to the rampant forest destruction caused by granted ELCs and illegal logging.

Furthermore, the project cooperated with various organisations on the national and international level on specific advocacy issues as well as on related forestry policies (both policy input and policy dialogue). During the 8th Forest Carbon Partnership Facility (FCPF) workshop in Dalat City, Vietnam, the project strengthened its links to international network members such as Focus on the Global South and KEPA via the Bank Information Centre (BIC). Facilitated by BIC, FLNP met with representatives of key bilateral donors from EU, UK, USA, Germany, Norway, Australia and the Facility Management Team of the WB secretariat to report about the Cambodian CSOs and NGOs concerns over the Cambodia Readiness-Proposal Preparation (R-PP)³³ for REDD³⁴. As a result, the Facility Management Team (FMT) endorsed the concerns raised by CSOs and NGOs and consequently set up a list of 5 key issues which needs to be addressed by the Cambodian state before entering into a Readiness Preparation grant agreement with UNDP³⁵. In particular, the Participant Committee requests Cambodia to clearly identify Economic Land Concessions (ELC) as a driver of deforestation and forest degradation in the R-PP; and further elaborate during the REDD+ readiness phase on possible strategies to reduce rates of deforestation and forest degradation caused by ELCs³⁶.

³¹ Prey Lang community network consists of communities living in and around the Prey Long forest area in 4 provinces such as Kampong Thom, Preah Vihear, Kratie and Stung Treng

³² such as Community Peace Building Network (CPN), People Action for Change (PAC), Indigenous Rights Active Members (IRAM), Prey Lang Community Network, Boeung Kak Community Network, Cambodian Human Rights Action Committee (CHRAC) and Indigenous People NGOs Network (IPNN).

³³ <http://www.forestcarbonpartnership.org/fcp/node/297> , 3rd section

³⁴ **Reducing Emissions from Deforestation and Degradation**

³⁵ <http://www.forestcarbonpartnership.org/fcp/sites/forestcarbonpartnership.org/files/Documents/PDF/Mar2011/Resolution%206%20Cambodia%20R-PP.pdf>

³⁶ See the conditions in Resolution PC/8/2011/4 available at <http://www.forestcarbonpartnership.org/fcp/node/297> , 7a section.

Community ownership to advocacy on the issue of Prey Lang (PL). In cooperation with other networks, FLP provided financial and technical support to the Prey Lang Community Network on the issue of forest destruction in PL³⁷. Several joint activities about PL such as a community press conference, community public forum, and a campaign to save PL resulted in a wide media coverage in national and international Media³⁸ which lead to increased public awareness on the PL issue in particular on the community demands³⁹. The forest dependent communities around Prey Lang have been empowered by the efforts of the FLP network members. The communities clearly understand their legal rights to protect natural resources which lead them to mobilize their own community for the ongoing campaign to save Prey Lang by themselves.



25 May 2011: The Community Campaign to Save Prey Lang

The project intensified its efforts to support the Prey Lang Community Network in their aim to save the Prey Lang forest. The project observed that the Prey Lang Network is supported not only by Prey Lang Communities but also from communities and individuals from other areas, for instance the Beoung Kak Lake Community joined forces with the Prey Lang Network in its protest against forest destruction. As mentioned in the 6 month report, this is seen as an improvement of an extended social movement. Various joint activities such as community press conferences, community public forum, petitions, submissions, and a peaceful protest on both, national and grass-root level resulted in wide media coverage in both national and international level⁴⁰ leading to increased public awareness on the PL issue in particular on the community demands⁴¹. FLNP continued its dialogue with the RGC and development partners to advocate for a halt to illegal logging and forest clearance activities in the Prey Lang area.



More than 400 PL Community Network Members from 4 provinces joined two-week rally & campaign to save PL inside forest area in early Nov 2011.

³⁷ Detailed information about Prey Lang is available at <http://ourpreylang.wordpress.com/about/>

³⁸ National Media: National Television Kampuchea (TVK) in weekly equity program(<http://www.equitycam.tv/index.php/land-issues/900-prey-lang-forest-dispute.html>), Radio Free Asia(http://www.rfa.org/khmer/indepth/forest_activists_protest_against_deforestation-05252011234045.html, http://www.youtube.com/watch?v=R3-b53_v2HI&feature=player_embedded#at=14), Voice of America(), Phnom Penh Post(<http://www.phnompenhpost.com/index.php/2011052649361/National-news/call-to-preserve-prey-lang.html>); http://postkhmer.com/index.php?option=com_content), The Cambodia Daily. International Media: CNN-Ireport (<http://ireport.cnn.com/docs/DOC-613176?ref=feeds%2Flatest>), BBC and PRI radio (<http://www.theworld.org/2011/05/indigenous-protest-cambodia/>), Conservation (<http://allanmichaud.wordpress.com/2011/05/25/prey-long-protest/>).

³⁹ Community demand available at <http://www.ngoforum.org.kh/eng/core/eventview.php?id=4>

⁴⁰ National Media: National Television Kampuchea (TVK) in weekly equity program(<http://www.equitycam.tv/index.php/land-issues/900-prey-lang-forest-dispute.html>), Radio Free Asia(http://www.rfa.org/khmer/indepth/forest_activists_protest_against_deforestation-05252011234045.html, http://www.youtube.com/watch?v=R3-b53_v2HI&feature=player_embedded#at=14), Voice of America(), Phnom Penh Post(<http://www.phnompenhpost.com/index.php/2011052649361/National-news/call-to-preserve-prey-lang.html>); http://postkhmer.com/index.php?option=com_content), The Cambodia Daily. International Media: CNN-Report (<http://ireport.cnn.com/docs/DOC-613176?ref=feeds%2Flatest>), BBC and PRI radio (<http://www.theworld.org/2011/05/indigenous-protest-cambodia/>), Conservation (<http://allanmichaud.wordpress.com/2011/05/25/prey-long-protest/>).

⁴¹ Community demand available at <http://www.ngoforum.org.kh/eng/core/eventview.php?id=4>

As a result H.E. Chheng Kimsrun, the Head of Forestry Administration (FA) publicly acknowledged his commitment to save Prey Lang. In December another result of these efforts was observed as *the Sub-Decree on Prey Lang has been drafted* by the Forestry Administration. The draft aims *to establish a protected forest and biodiversity conservation area* covering approx. 615,306 hectares of land. However, the project will continue strengthening the collaboration among members and communities to advocate and consult on this draft sub-decree ensuring the rights and benefit of the communities are respected.

Policy advocacy: NGO Forum and its network members as well as communities frequently drew attention to the fact that Economic Land Concessions (ELC) are a main driver of forest destruction in Cambodia, as it was stated in the Cambodian CSOs and NGOs concerns over Cambodia Readiness-Proposal Preparation (R-PP)⁴², the NGOs Statement to Support the Prey Lang Community, the NGO Statements to 18th GDCC meeting⁴³ and it was acknowledged during TWG-FE meeting. As result of all these efforts, the Royal Government of Cambodia cancelled 12 ELC covering a total area of 48,657 hectare in 2011 as well as it created an inter-ministerial committee under leadership of MAFF to monitor all ELCs causing negative impact to communities and floristries.

Moreover, advocacy efforts to RGC, Development Partners as well as to the private sector have contributed to the establishment of a Sub - Technical Working Group of Forestry and Environment which

Specifically addresses the issue of ELCs in Cambodia. NGOF was mandated to represent NGOs in this Sub TWG, which is further comprised of Government representatives, Development Partners, Private Sector, and Academic Organisations. NGOF views this group as a good channel to dialogue, influence and address the cross-cutting issue of ELCs. However, the effectiveness of the group to influence any policies to grant and implement ELCs depends very much on the political will of the RGC and the participation of all relevant ministries. As the Sub Group had its initial meetings, it became already obvious that it is a challenge to involve relevant Ministries such as MAFF and MLMUPC. However, efforts to reach out to these are on going.

The project is involved in the policy consultation on the REDD Roadmap since 2009. In 2011, the project advocated on the national and international level to ensure that an implementation of REDD will not harm forest dependent communities. As a result of these efforts, we observed that the REDD roadmap consultation follows an increased participatory approach from CSOs and NGOs compared to other consultations. From all these efforts, NGOs and CSOs have more space in the process of implementing the roadmap during 2012-2014 to develop a national REDD strategy in terms of space in the advisor board, the consultation group, and the technical team. Due to the importance of REDD, NGOF initiated the creation of an additional project called “REDD Policy Monitoring Project” From 2012 onwards the REDD Policy Monitoring Project will work only on REDD, supported by the FLNP project who previously was engaged in the related consultations.

Impacts Observed

We observed a change in the government behaviour as the concerns of Prey Lang community were heard by the government who acted now and initiated the draft Sub-Decree on the Establishment of Prey Lang to be the Protected Forest and Biodiversity Conservation Area protection have been drafted to

⁴² <http://www.forestcarbonpartnership.org/fcp/node/297> , 3d section

⁴³ NGO statements to 18th GDCC meeting, April 2011, page 15

protect the Prey Lang. Moreover, the government recently publicly released the concern on recently reported illegal logging activities in protected forest and protected area⁴⁴. As a consequence, the Prime Minister nullified all land transactions in the Cardamon Mountains to stop illegal logging activities.

A more visible cooperation amongst Development Partners, NGOs, and responsible government ministries, -here especially the FA – developed as all shared the concerns on illegal logging and ELCs. This resulted in the mentioned creation of joint ELC sub-group to specifically address the ELCs issue in Cambodia.

Key Challenges and Lesson Learned

Inadequate timeframe was given by the government in order to comment on policies, in particular the RGC tended to inform on very short notice to comment on Environmental and Social Impact Assessments (ESIAs). Inadequate timeframe given also challenged network members in terms of their participation. For example on REDD, which a new concept to most of network members and it requires to have enough time to read and understand before giving input or comment.

Network members faced budget constraints. Some of the network members did no longer implement their activities in their respective target areas. This causes the inactivity of those network members' participation especially to link advocacy from grassroots to national level.

The project aimed to publish the “Statistical Analysis of ELCs in Cambodia in 2010” , but it was delayed due to the fact that the ELC issue is sensitive and requires more time to discuss both internally within the programme as well as with network members for further verification and explanation.

Indigenous Minority Rights Project

The purpose of the indigenous Minority Rights Project (IMR project) is that NGO cooperate to influence the policies and practices of governments, donors, investors and relevant stakeholders to ensure that the rights and need of indigenous people to land and natural resources is recognized, and that the government and donors are supportive of the process.

Key Achievement

Network functioning -The participation of IPNN members improved by actively participating in network activities. Network members actively shared information on IP related issues from the grassroots towards the national level via IPNN, thus the communication between these levels increased. In addition, both the IRAM committee and IPNN show ownership in organizing the upcoming IP day and IP forum. Especially with regard to the IP day, IRAM and IPNN contributed their ideas as well as technical and financial resources and their commitment which lead to an expansion of IP day festivities of previously one to now three provinces.

Network members are actively involved in joint network



IPNN members reflect on the implementation of Free Prior Informed Consent in Cambodia

⁴⁴ The Forestry Administration released a public concerns on illegal logging in protected forest and protected area on some newspapers such as The Cambodia Daily and Phnom Penh Post on 27 December 2011.

activities to influence the RGC policies at the national level. Coordinated by the project, they urged the RGC to increase its efforts to register IP communal land to ensure that indigenous peoples land is legally secured. Joint activities included petitions, statements, complaint letters, organizing of community forums and campaigns and we also observed an increased ownership of the indigenous community members regarding these activities and in exercising their rights of self –determination and to land and natural resources. Supported by the projects networks IRAM and IPNN, Indigenous peoples are increasingly able to organize public events such as the international IP Day themselves, drawing intensified public attention on effects of the current management of Cambodia’s natural resources they depend on.

Accelerate IP land security/registration -IPNN coordinated communities and ILO45 as well as assisted IP communities in their efforts to receive communal land titles, a process which requires a self identification of indigenous peoples and communities which has to be recognized by Ministry of Rural Development (MRD), secondly the registration of their community as a legal entity with the Ministry of Interior (MoI) and thirdly, a collective land titling procedure with the MLUMPC. So far, the self identification of 31 communities as IP communities was recognized by Ministry of Rural Development (MRD). Out of these, 20 IP communities were registered by Ministry of Interior (MoI) as a Legal Entity. The efforts of IMR in highlighting and demanding the need for IP interim protective measures contributed to the issuance of an inter-ministerial circular⁴⁶ which were supposed banning land transaction on land eligible for communal land registration. However, it is too early to identify the impact of those, especially since the inter ministerial notice reads broadly "The RGC agrees in principle to the putting in place of interim protective measures regarding lands of indigenous ethnic minorities that are target areas for community land registration."

Furthermore, IRAM have built their capacity on the *necessity and the process of conducting the steps towards the IP communal land registration*; that the network noticed that the communities linked to IRAM are able to organize and mobilize themselves for further preparation in order to meet with the requirement of requesting IP legality. Until now, IRAM mobilized almost 30 communities preparing to submit their request for being registered as legal entities from MRD and MoI.

IP representatives also showed their ownership during the joint consultation on the national REDD road map and articulated clearly their position that REDD needs to ensure to have no impact on the usage of their land and their rights. Under facilitation of IPNN, IP NGOs include IRAM, CIYA, HA and OPKC are increased their coordination and capacity to develop a coordination plan. Key national events such as international IP day in Sihanouk Ville in which cultural performance, traditional exhibition, and a parade was made possible by a join coordination of these members. The event has attracted government’s attention to respond to their issue and the public to support them for their rights to land and natural resources and cultures through a promise to raise IP issue as one of the priority agenda discussion for solution.

IP NGOs who able to address their own issue will soon become the arms of IPNN to advocate for IP rights to land and natural resources.

IPNN and IRAM continued to strengthen their members’ capacity through different activities including an international exposure visit. The network members learnt from the CSOs movement for IP and forestry rights in the Philippines. They reflected that the most important factor to advocate for IP rights is that IP communities are organized themselves at the grassroots level into solidarity communities

⁴⁵ International Labor Organization (ILO)

⁴⁶ dated 31.05.2011

within their own cultural and territory mapping. Strong linkages of the communities to the national and international level will contribute to strong and collective voice which is ensured to be heard. These reflected points have been contextualized and mainstreamed into IP advocacy strategies during the implementation of the next action plan.

Communal land registration- protecting IPs land- With efforts from the networks, the process of communal land registration for IP communities is accelerating for some communities in Mondulkiri, where the granting of large Economic Land Concessions led to negative impacts on IP in terms of loss of access to land, food security and traditional livelihood. In cooperation with network members, the project supported communities in the registration process. Finally, the three pilot communities *received their communal land titles* in December 2011. In efforts to speed up the registration of IP communities, the RGC announced to implementing three additional communities (O Rona, Seri Krum, and Gati) in Keo Seima district, Mondulkiri. Along with this, 31 IP communities were recognized identification legally by ministry of Rural Development, and 20 among the 31 of IP communities were registered by Ministry of Interior as legal entities.

The NGOs efforts to advocate for additional interim protection measures due to the lengthy process in communal land registration were successful as the government issued the inter-ministerial Circular No 001-No 004, 31May 2011, banning land transactions on indigenous lands as an interim protection measure. It will provide an opportunity for government officials to reaffirm the Cambodian government's recognition of indigenous peoples and commitment to protecting indigenous people's rights. However, the circular explicitly states that "*plots that the Royal Government has [already] agreed in principle for investment or development*" are excluded from the ban on land transactions which might weaken possible positive impacts of this circular.

The project contributed to increased tenure security for IPs. Case in Bousra, Modulhiri- Bousra commune is home of 300 indigenous Phnong families, covering 7 villages. The indigenous group is facing threats to their access to land, their food security and traditional livelihood due to the fact that several large scale economic land concessions at this commune were granted. The conflict subsequently erupted as people experienced that their land rights were violated. IPNN and UNOHCHR conducted a need assessment which revealed that community people want to continue to manage their resources together. UNOHCHR and IPNN coordinated with ILO to support their efforts in the process of communal land titling to receive communal land titles. As a result, the Ministry of Rural Development recognized the legal identity of 5 villages and 3 out of the 5 were already registered as a legal entity by the Ministry of Interior.

Case in Srae Char, Kratie- The case of the Stieng ethnic minority in Srae char and in Pi Thnou have been brought to attention of the provincial authorities and the national government. Both communities suffer from a land dispute. The project intervened in 2010, when the project facilitated a series of meetings among affected communities, local authorities and community representatives. By that time, local authorities were committed to solve this and respect the rights of the IP as well as granting fair and just compensation for any loss. However, the problem was not solved and the communities were not satisfied with the solution because the company gain more benefit from this solution. In 2011, the project facilitated a meeting again; and provincial authority agreed to issue official land titles for the disputed land to the affected communities. Furthermore, they agreed to allow IPNN to observe the land measurement. The disputed land was measured and local communities received official documents to request formalization of their land ownership through issuing of official land titles. Local authorities expressed their commitment to provide land to the communities upon receiving formal requests form to issue official land titles.

The concern of IP heard by the RGC and the public- The project contributed to successfully voicing out the concern of indigenous peoples regarding losing accessibilities to land and natural resources, land grabbing and development projects on the national and international level using local and international media. The project facilitated them to attend and contribute to international meetings, national dialogue with the government, petitions, statements, complaint letters and case studies. The media coverage of the international IP day draw attention by the RGC, and the government pays more attention to IP rights on land and natural resources.

Impacts observed

The project contributed to solving the land conflicts in Bousra and SREY Cha which is a step forward in increasing the tenure security of indigenous communities. The government has put more attention on communal land titling in disputed IP areas; this was not the case previously. The good collaboration and coordination with the Ministry of Rural Development (MoRD) and the Ministry of Interior (MoI) as well as the communities has led to a legal recognition by responsible ministries; this is seen as a step forward for communal land titling.

As mentioned above, the project contributed to tenure security and access to land for the three pilot communities who received communal land titles in December 2011. The UN Special Rapporteur, Prof. Surya Subedi, released a concluding observation, highlighting negative impacts of development activities in and around Prey Lang forest and the lack of implemented interim protective measures for IPs. The observation provided practical recommendations to RGC to overcome the problems. These issues have been highlighted followed by indigenous representative presenting their challenges and concerns during UNPFII in 2009. Although the RGC did not admit to the concern and lacks a reliable and comprehensive response, civil society still collected updated information to demonstrate to the international community and UN agencies that the RGC provided unreliable information in their first response to the concluding observation.

Challenges and lessons learnt

Network coordination remains a challenge as it's also dependent on the member's activity and budget contribution. Network member have to integrate their organizational activity plan with network's activity plan in order to jointly advocate. Since the activity plan of network has yet not included the members organizational plan, funding is a seriously challenge in terms of fund support to IP events. For example, the IP day should have been originally in three different regions; in one region it was planned to be co-organized with the Ministry of Rural Development (MRD); yet due to lack of fund, IP day was organized in only one region separately from MRD.

Although the inter-ministerial circular on IP interim protective measure to protect IP land before receiving communal land titles was adopted, we note with regret that the circular aims at interim protection of indigenous communities who already requested for collective titling as well as it excludes certain areas. Interim protection for indigenous land can only be achieved by interim protection of Indigenous peoples' land for all communities that are predominantly indigenous, *regardless* of whether or not they are registered. Applying interim protection only to registered communities disregards

international standards of respect for self-determination (a cornerstone of the UN International Declaration on the Rights of Indigenous Peoples)”.

Ownership empowered and organized communities are the most important aspects to strengthening advocacy strategies. IP community have to be organized and map their own territory so that they have documents available in any negotiations. As soon as a community has their territory document, they will unify, strong and able to speak their issue themselves.

Assessing communities’ demand is the most important point for solving land conflict. The good mechanism to maintain the solution realistic is to push for legal documents from RGC.

A well functioning network should have a joint strategic plan among all network members. Network action plans which do not include individual member action plan will not be implemented well.

Case Study:

The Indigenous Minorities Rights (IMR) Project has significantly contributed to the development of indigenous peoples’ networks and their representation at national and international levels. The project has coordinated NGOs in advocating on indigenous peoples’ issues and has increased indigenous peoples’ awareness of their rights.

In late 2011, the Stieng indigenous minority people of Sre Cha commune in Kratie province celebrated the success of several years’ lobbying against land concessions. In 2008, a Vietnamese investment company, CIV, was granted 796 hectares of land in an economic land concession (ELC) approved by the Governor.

The Stieng community lived off the natural resources of the land, using traditional farming techniques and moving from plot to plot. Indigenous people from three villages objected to the ELC. Their claim was recognized by the Cambodian Land Law 2001 and by traditional law. The government stepped in and asked the company to do an environmental impact assessment.

The Indigenous Peoples’ NGO Network (IPNN), coordinated by the NGO Forum, became involved in the dispute, gathering accurate information on the impact of the ELC on the community and seeking all the relevant legal documents. It was discovered that there had been no consultation and no environmental impact assessment. The NGO Forum and its networks did a field investigation and submitted a report to the Provincial Governor, H.E Kham Phoeun.

The IPNN provided legal advice to the community and held workshops to train the community in advocating for their rights. They then organized a workshop, inviting community members and provincial and national government representatives. The community people stated their case and advocated on their own behalf to have the land returned to them. The advocacy came from the grass-roots level, and while the NGO network assisted, it was the community people themselves who took up the fight.

Based on this workshop, the NGO Forum’s report and other meetings, the Provincial Governor assigned a group, consisting of NGO Forum members and government officials to go to the affected area and discuss a new demarcation zone. The community members only claimed title to the land they owned, and in November 2011 the governor withdrew the ELC and handed back 300 hectares of land, benefiting 207 families.

RESEARCH & INFORMATION CENTER (RIC)

Summary

The collating of information on land and forestry issues, data collection and the documentation of land and forest cases represents key elements of all four projects of the Land and Livelihoods Programme. The collated data and information supports project staff of the NGO Forum, partner organizations and networks of NGOs in improving their knowledge and analysis and developing appropriate advocacy strategies.

The main objectives of the Research and Information Centre (RIC) is to improve the effectiveness of information on land and forestry issues analyzed by NGO Forum project staff in collaboration with NGO networks; to actively seek additional sources of information and to make data and information available to wider group of users. The project also aims to provide more systematic and sustainable collection and management of land dispute information for advocacy strategies.

In the reporting period, RIC further separated from LLP to be more independent in terms of its management, whilst still supporting all projects within all LLP programmes. The separation aims to enable RIC to be supportive to the other NGOF programs as well being a resource of information accessible by all stakeholders and to further ensure that evidence based information is effectively available for project advocacy. RIC is now fully staffed and led by the RIC manager since January 2011. RIC has become more diverse as its now cooperating with other NGOF projects such as the Environment Programme and the Development Issues programme as well. The GIS officer as well as the Legal officers and the Research officer mainly support the LLP whereas both, the IT and Information and Publication officers contribute to an overall well functioning NGO Forum.

The cooperation with all NGOF programmes lead to an increase in available, analyzed and reliable data on land and natural resources which helped the projects to ensure their advocacy is supported by evidence based facts. RIC contributed to increased information sharing to the RGC, Development Partners as well as Media and network partners through its compilation on information on Land disputes and Economic Land Concessions, which has added to an increased public understanding and discussion. Thus, RIC contributed to bringing concerns regarding land issues to be heard by stakeholders.

Key Achievements

The **RIC webpage**⁴⁷ effectively supports data sharing and provides accessibility to information related to land and natural resources. On the webpage, accurate and comprehensive information, publications, reports, research and investigation findings as well as media tracks are being stored and available to be widely used by all stakeholders. The webpage also provides information on key events undertaken by relevant project coordinators and shares published articles via internet. From January to June 2011 9,536 individuals visited the website and downloaded documents.

The RIC's Databases and Documentation for Advocacy:

- Annual report of statistical on Land Dispute in Cambodia 2010 was produced and launched publicly on October 20, 2011 at Imperial Hotel and Garden where 108 representatives from NGOs

⁴⁷ <http://www.ngoforum.org.kh/eng/lic/>

network members, affected communities and officials from government institutions, senate and media participated. The report has brought a huge attention by many media both printed media and radio broadcasting as the information provided by the report was quoted and broadcasted right after the launch finished. Hundred copies of the publication was already distributed to NGOs, CSOs and different government agencies as well as local and international media. The report was also presented during meeting at World Bank office to Development Partner Land Group members. More importantly, the report has been heard by the decision-makers from land sectors and more engagement from MLMUPC and Cadastral Committee is noticed.

- Land dispute monitoring is well functioned. Statistic of the disputes recorded into database system and ready to be compiled and produced. The date set for report printing is on February 2012.
- Economic Land Concession “ELC” monitoring remains in well function. By date system recorded ELC from entire country up to 252. The recorded numbers are analysed and stored⁴⁸. RIC have compared to the statistic with different source of information including MAFF website, Opendevelopment website and from provincial NGO network members through monthly meetings to make sure that information reliable. Report on statistic of Economic Land Concession is scheduled to produce in March of 2012. The overlapping of ELCs and IP land as well as protected area will be also highlighted in the report.

Evidenced based Advocacy through researches and investigations

- **Research:** Six research projects are carried out in 2011. However technical discussion is on way for two researches: South Korea investment and Local communities benefit from Economic Land Concession. The four research projects in 2011 are underway in which two of the four are at report writing stage. The NGOs member and networks members or concerned advocacy actors will benefit from these researches as the information provided will help them to implement their advocacy.
- **The investigation:** Legal officers, through cooperation with NGOs network member and NGOs partner, conducted 18 cases investigations on issues related to land rights, resettlement, IP rights and forestry. Information collected through the investigation helps contribute to rapid advocacy and intervention at provincial level. As result, 4⁴⁹ land dispute cases affected to 707 families over 1,667ha of land were settled. The conflicted land was handed back to local communities recently. As part of the achievement made, RIC team and relevant project coordinators has built good cooperation with UNOHCHR and ILO and provincial government as well as with government ministries such as Ministry of Rural Development (MoRD), Ministry of Land



NGO representatives discussed with Provincial Government on adverse impact of the Land Economic Concession in Kirisakor, Kos Kong province.

⁴⁸ The ELC statistic is available on RIC webpage

⁴⁹ Refer to footnote 3

Management, Urban Planning and Construction (MLUPC) and Ministry of Interior (MoI) for land tenure security of IP communities.

NGOF Website and Publication:

- The NGOF website (www.ngoforum.org.kh) remains in well function. It has effectively provided information and accessibility to public as it is hit by a counted number of 22,458. Visitors to NGOF website has downloaded information related to land and natural resources. New articles from research publication have been uploaded into website visible to every visitor.

In the reporting period, five different investigation reports⁵⁰ have been submitted to key government officials and as an immediate impact, two disputes⁵¹ were settled at the provincial level.

⁵⁰One land dispute case in Battambang, one in Pursat, one in Koh Kong, one in Bantey Meanchey and another is a land dispute related to indigenous minorities in Snoul district, Kratie province.

⁵¹One land dispute case is in Toul Pongro, Malay district, Bantey Meanchey which 338 affected families were entitled two hectares of land for farming and were entitled to be ownership of the land, and another is a land dispute related to IP communities in TrapeangSrae village, 2-thnou commune, Snoul district, Kratie province which 36 families of Stieng ethnic minorities were affected by ELC of GPE company. The dispute been settled the provincial governor ordered to cut off at the conflict area from the company and offered to the affected 36 families.

List of Publication from Jan-December 2011

Description	Language	Qty	Date Public
<u>Core Programme</u>			
1. Minutes of Quarterly Member Meeting (copy only)	English and Khmer	150	Feb 2011
2. Annual Progress Report 2010 (copy only)	English	150	Jan 2011
3. Monitoring Report (copy only)	English	150	April 2011
4. Financial Report (copy only)	English	150	Jan 2011
5. Minutes of Quarterly Member Meeting (copy only)	English and Khmer	150	May 2011
6. Progress Report (copy only)	English	50	July 2011
7. Minutes of Annual General Meeting	English and Khmer	130	Oct 2011
8. NGO Forum's Magazine	Khmer	500	Ongoing
9. NGO Forum's Leaflet (for New Action Plan)	English	1000	ongoing
10. NGO Forum's Diary 2012	English and Khmer	1000	Dec 2011
<u>Land & Livelihoods Programme</u>			
11. Land and Life Newsletter Vol.14	Khmer	500	Mar 2011
12. Report on Land Grabbing & Right to Food Workshop	English	150	June 2011
13. Land is Life Report (Reprint)	English and Khmer	1000	June 2011
14. Land Disputes Report 2010	Khmer and English	1000	July 2011
15. Land and Life Newsletter Vol. 15	Khmer	1000	Aug 2011
16. South Korea Investment- 3 separate reports	Ongoing	600	Sep 2011
17. Circular 03 of Royal Government of Cambodia	Khmer and English	2500	Oct 2011
<u>Development Programme</u>			
18. Cambodia Development Watch Year 07 Vol.01	Khmer & English	500	April 2011

19. Policy brief of policy matrix of NSDP update	English	1500	Sep 2011
20. Policy brief of policy matrix of NSDP update	Khmer	1500	Oct 2011
21. Cambodia Aid Information Transparency	English	1000	Oct 2011
22. Cambodia Aid Information Transparency	Khmer	1500	Dec 2011
23. Learning from irrigation projects in Cambodia: Benefits and Challenges	English	1000	Dec 2011
24. Learning from irrigation projects in Cambodia: Benefits and Challenges	Khmer	1000	ongoing
25. A Brief Guide to Information on Extractive Industry Revenue Management in Cambodia	English	1500	ongoing
26. Guide to NGO Engagement in Aid Coordination			
27. Cambodia Development Watch Year 7 issue 2	English and Khmer	1000	ongoing
<u>Environment Programme</u>			
28. Agriculture Bulletin	Khmer	1000	Feb 2011
29. Report on Women and Pesticide Survey	Khmer	800	April 2011
30. Agriculture Bulletin	Khmer	1000	May 2011
31. Report on Women and Pesticide Survey	English	530	April 2011
32. Fact Sheet on Xaya Buri dam	Khmer	1000	April 2011
33. Fact Sheet on Xaya Buri dam - Reprint	Khmer	2000	Sep 2011
34. Agriculture Bulletin	Khmer	1000	Nov 2011



Publication distribution on National Advocacy Conference on 22-23 November 2011



Publication Distribution on 2nd National Farmer Forum on 27-28 April 2011

This year, the publications were distributed at the Quarterly Member Meetings to share produced publications to member organizations in order to support their work.

The advocacy based information is continue to effective through the effective research reports, publications and widely distribution to government, development partners, NGOs and other stakeholders.

Impacts Observed

Through the efforts of RIC team, some impacts have been observed. Engagement with government officials has been improved. RIC has been welcomed by ministry of justice (MoJ), MoRD, MLUPC, MoI in term of working cooperatively. Also, the provincial government recognized the role of the NGO as an equal working partner during the course of the activity implementation through the ongoing engagement made so far. One of the greatest efforts that finally responded by the government was

a decision made by the government evidenced by an official letter issued from Council Ministry withdrawal 12 ELCs⁵² granted to private companies.

Land tenure security and livelihoods of communities of four disputes⁵³ consist of 707 families within land size of 1,667ha were resolved and the communities are satisfied and appreciative as they are agreed officially to get their own land.

Investigation reports with legal-based analysis and research reports become very supportive documents for NGO to do advocacy and to do policy dialogue. Critical analysis and recommendations that have been highlighted are used as information to be used for advocacy via different channels including media, press releases, and press statement.

Key Challenges and Lesson Learned

Though good engagement with some government officials both at the national level and provincial are observed, RIC still experienced some difficulties working with authorities in Kampong Thom, Stung Treng and Kampot provinces from local to provincial level. These mentioned bodies showed up not so open for the presence of NGO activities. The difficulty is exemplified by a seeking for information of livelihood and other concern of the communities especially in the area or nearby ELC that have already been granted. NGO staffs were, all the time, questioned by local authorities during information collection from the affected communities and consequently we observed a lack of cooperation and discouragement of the local communities in supporting the NGO's work.

⁵² The ELCs been cancelled are 1-World Trista Entertainment Cambodia, 9.800ha in Chhouk district, Kampot province, 2-First Bio-tech Agricultural Cambodia 10.000ha in Chhouk district, Kampot province, 3-Agro Forestry Research 7.000ha in Keo Sema and Pich Chreada district, Mondulakiri province, 4-Heng Development 8.665ha in Andoung Meas, Rattanakiri province, 5-Heng Pheap investment 7.000ha in Oyada district, Rattanakiri province, 6-Heng Mean Investment 917ha in Santouk, Kg Thom province, 7-Kratie City Power 800ha, in Sambo district, Kratie province, 8-Gold Menthol II, 824ha in Kratie district, Kratie province, 9-Mekong S.C Development 834ha in Kratie district, Kratie province, 10-PSY 950ha in Sambo district, Kratie province, 11-Seal Development 950ha in Sambo district, Kratie and 12-TTY Cooperation 928ha in Snoul district, Kratie province.

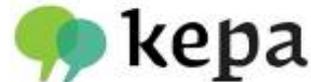
⁵³ The four land dispute cases that we settled are 1- case in Snoul, Kratie province involved with 207families, 2- case in Chantea, Svay Rieng involved with 48 families, 3- case in Prek Treng, Kandal involved with 114 families and 4- case in Malay district, Banteay Meanchey province involved with 338 families..



វេទិកាសេដ្ឋកិច្ចការងារសង្គមស្តីពីកម្ពុជា
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We would like to extend our greatest appreciation to all donor partners and supporters, who contribute to our work through financial support and technical assistance and we look forward for your continue supports for the action plan 2012-2014.



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