



NGO Committee

# គណៈកម្មាធិការអង្គការមិនមែនរដ្ឋាភិបាល ដើម្បីតាមដានលទ្ធផល សុខភាពរបស់វេទនិកាភិប្បសហប្រតិបត្តិការអភិវឌ្ឍន៍កម្ពុជាលើកទី៣ NGO Committee for the Monitoring of 3<sup>rd</sup> CDCF Indicators

Phnom Penh. April 20, 2011



អង្គការមិនមែនរដ្ឋាភិបាល កម្ពុជា  
The NGO Forum on Cambodia



គណៈកម្មាធិការ  
សហប្រតិបត្តិការ  
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Comité de Coopération  
pour le Cambodge



MEDICAM



NGO  
Education  
Partnership



CHRAC  
CAMBODIAN HUMAN RIGHTS ACTION COMMITTEE



អង្គការកម្ពុជា ដើម្បីធុនប្រាក់ចំណូលធនធាន  
CAMBODIANS FOR RESOURCE REVENUE TRANSPARENCY

## NGO Statements on the Monitoring of CDCF Indicators to 18<sup>th</sup> GDCC meeting

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### Executive Summary

NGOs welcome this week's meeting of the Government-Development Partners Coordination Committee (GDCC) as an important opportunity to: (i) review and discuss progress in implementing the Joint Monitoring Indicators (JMIs) and the agreed actions made at the 3<sup>rd</sup> Cambodia Development Cooperation Forum (CDCF) meeting in June 2010: (i) National Social Protection Strategy-ensuring effective implementation, (ii) Harmonisation of planning, budgeting and ODA management, (iii) Effectiveness of partnership dialogue mechanisms , and (iv) other issues. Below are summary of sector NGO statements above.

**CSO role in national development process and monitoring the implementation of national development strategies and policies is acknowledged by the Royal Government of Cambodia (RGC) in paragraph 387 of National Strategic Development Plan (NSDP) Update 2009-2013; therefore, this commitment should be realized in the upcoming preparation of Mid Term Review of NSDP Update in 2011.** Experiences of NGO Participation in the formulation of NSDP Update 2009-2013 showed a number of challenges faced by them including insufficient time for collating and providing comments, absence of national consultation workshop and fewer meetings of Technical Working Groups (health, education and land) with dedicated agenda to NSDP Update. To engage wider participation of other civil society organizations (CSOs) and relevant institutions in the forthcoming formulation of Mid Term Review of NSDP Update, NGO Forum would like to call on the Royal Government at its best with support from development partners to: 1) arrange TWG meetings with agenda on MTR of NSDP Update; 2) make draft documents relating to preparation of the MTR readily and widely available; 3) allocate sufficient time for providing comments (and hold national consultation workshop); and 4) invite other CSOs and relevant institutions (commune/sangkat councils and national assembly) in this monitoring process.

**NGOs monitoring JMI for education sector strongly recognize that with on-going effort of MoEYS and Development Partners, the progress of education field is remarkable, toward the achievement of Education for All by 2015; however, quality education is still a big concern for the future development of Cambodian human resources.** To solve this problem, both MoEYS and Development Partners need to ensure that: (1) there are enough qualified and motivated teachers for both rural and remote schools. Frequent in-service trainings and providing fair/livable salary for teachers are needed to be considered. In addition to this, a forum for teacher to express their views and concerns are also needed to be established. (2) Prakas to Ban Informal School Fees, which is a big barrier for access to, retention and quality education for students, need to be enforced. (3) There are enough complete schools adequately equipped with appropriate learning and teaching materials to ensure equal access to quality education for all. And (4) improved standardized test to evaluate students' learning outcome at least at grades 3, 6, 9 and 12.

**NGOs also appreciate the progress made by the RGC in continuing to strengthen the land policy framework; however, NGO also observed that further progress could be made to ensure land security for indigenous community and vulnerable people.** One significant progress observed was the acceleration of the data entry and distribution of land titles. Nonetheless, speeding up the registration process with a clear focus on urban and rural poor and vulnerable households is necessary to improve their land tenure security; especially urban poor who continue to be under the threat of involuntary resettlement. Collective titling of indigenous communities has further been delayed while the indigenous communities continue to be alienated from their land and natural resources. Consequently, NGOs encourage the RGC to achieve measurable and substantial progress to protect indigenous communities.

**While regarding to the JMI for forestry sector, it's found that during the reporting period, the RGC further proceeded in the reforestation of degraded lands, exceeding its foreseen target.** Nevertheless, these figures of reforested lands include areas which were "reforested" by the cultivation of monocultural and industrial agro-plantations. NGOs note with great concern that Forests are being rapidly converted to increase the space available for monocultures, thus making Economic Land Concessions (ELCs) one of the key drivers of deforestation in Cambodia. In addition, ELCs is a major hindrance for the Reduce Emissions from Deforestation and forest Degradation (REDD) to move forward in Cambodia as the protection of natural forests and natural resources is paramount to REDD and fundamental to achieving environmental sustainability.

**NGOs welcome the political will of government on legal and judicial reforms to enhance the justice system in Cambodia.** For the improvement of this area, the Cambodian government and Development partners have collectively agreed to set priority on fundamental laws which is pertaining to the functioning of judiciaries and the creation of four model courts. These fundamentals and model courts were put in the JMIs which showed a clear promise toward a tangible progress in this area. Cambodian Human Rights Action Committee – CHRAC acknowledged a number of progresses during the past months made by Ministry of Justice (MoJ) and Council of Ministers (CoM). However, while recognizing the achievements made by CoM and MoJ with the contribution from Development Partners, NGO Coalition – CHRAC who works to monitor the process of Legal and Judicial reform made several key recommendations for consideration by both the Royal Government and Development Partners. They include adoption of the three fundamental laws by 2011 and raising public awareness of these and other recently adopted laws, sufficient funding and technical support for model court project, and sustainable funding for NGOs working on legal issues relating to poor and vulnerable group.

**NGOs appreciate substantial progress made by the Royal Government of Cambodia on the reform of public finance (especially on budget transparency relating to debt management, public procurement and reporting and communicating with the public); and we believe that more could be done in 2011 to further improve transparency of the budget process.** Progress made by Ministry of Economy and Finance on public finance management reform programme (PFMRP) phase II as observed by NGOs up to March 2011 include publishing public procurement opportunities in MEF website, producing monthly, quarterly and annual debt monitoring reports, and releases of Mid Year

Review of 2010 Budget Implementation in MEF website and 2011 Draft Budget Law to the NGO Forum for analysis as inputs for parliamentary debate on the draft. NGOs believe that MEF and National Audit Authority could further improve transparency of the budget process by finalizing the public procurement website, publishing debt monitoring reports and contract awards, publishing breakdown of budget figures by line ministries in the TOFE, and publishing 2007, 2008 and 2009 audit reports in 2011.

***Cambodians for Resource Revenue Transparency (CRRT) appreciates the RGC for the substantial improvements in many facets of Extractive Industry (EI) development, in particular, EI legal regulatory framework and information disclosure; however, no public consultations and CSO engagement in the formulation of EI legal regulatory framework have been held.*** According to the PFMRP annual progress report 2010, a number of laws and regulations have been developed and finalized. However, none of these legal documents have been released to the public and CSOs/NGOs for consultation. Moreover, there has been no reported progress in the commitment on adoption of Extractive Industry Transparency International (EITI) principles beside the observed disclosure of EI revenue in an aggregate amount in TOFE in MEF website. Therefore, given the importance of the management of this resource revenue to the development of Cambodia, CRRT would like to call on the RGC with support from development partners to engage the public and/or CSO/NGOs in the process of drafting law on oil taxation, taxation law on mineral exploitation and petroleum law i.e. through the release of these draft legal documents for public consultation; and to consider EITI membership as one of the priorities in EI revenue management framework and also improve the frequency and comprehensiveness of current reporting EI revenue in the TOFE.

***Rivers Coalition in Cambodia appreciates the RGC for the substantial improvement in many parts of fishery and alternative energy development such as the fishery reform enforcement, the promotion of decentralized energy in Cambodia, and the response to the 1995 agreement on the Mekong mainstream hydropower dam development; however, the transboundary impacts of the proposed Mekong Mainstream Dam on Cambodia still have not yet been incorporated into the fishery sector of the NSDP update 2009-2013 as well as put as one of the agenda for discussion in the GDCCs and/or CDCFs.*** The proposed construction of Xayaburi dam in Laos may have negative impacts on Cambodia's ecosystem and biodiversity of Mekong and Tonle Sap river such as fishery, sedimentation flow, and people livelihood in the downstream countries of the Mekong river. Therefore, given the importance of sustainable development and fishery resource protection, Rivers Coalition in Cambodia would like to call on the RGC with support from the development partners to consider putting this issue in the main agenda of government and development partners meeting and to acknowledge the recommendation of the Strategic Environmental Assessment (SEA) report of Mekong River Commission (MRC) for deferment of decisions over the 11 dam projects for at least ten more years. Without the needed evidence which meet the international standard to address on fair compensation to dam affected communities, the plan of hydropower dam development in the Mekong Mainstream especially the Xayaburi dam should not be approved by the RGC.

***NGOs and associations appreciated the Royal Government of Cambodia for holding consultations with us on the first draft of NGO legislation; however, the second draft of legislation being submitted to Council of Ministers for adoption has three main concerns that we find hardly acceptable.*** These three main concerns include: 1) mandatory and complex registration instead of being voluntary and simple; 2) no appeal process for the denial of registration; and 3) undefined key terms in the law and vagueness of many sections. With this, today we all stand together: whatever our separate approaches in addressing our concerns about the proposed law, our opinion is united - the draft law we now see before us is unacceptable and we cannot support it in its current form. Therefore, we collectively and respectfully call on the Royal Government of Cambodia to reconsider our key asks (see details of the statement in the annex) and incorporate them in the third draft or final draft of the Law. We also ask that the third draft or final draft be shared publicly before it is approved by the Council of Ministers or by the National Assembly.

# CSO Participation in the Forthcoming Preparation of Mid-Term Review of NSDP Update April-September 2011

## 1. Introduction

The NGO Forum on Cambodia is a member of the Technical Working Group of Planning and Poverty Reduction (TWG-PPR) and play as a representing and coordinating body for lead cross-sector NGOs on the national planning and implementation process. This statement on JMI on planning and poverty reduction was prepared by the NGO Forum following consultation with CCC, MEDICAM and lead sector Non-Governmental Organizations (NGOs) as well as result of meeting of sub-working group on monitoring indicators of the NSDP Update under TWG-PPR.

## 2. Joint Monitoring Indicators

Coordinating Institution: PPR TWG/MOP				
Implementing Institution: MOP				
Immediate Outcome	Output	Output Indicator	Activities: milestone actions	Associated aid effectiveness actions
Improved MOP and line ministries and agencies capacity to monitor the implementation of NSDP Update 2009-2013 including the preparation of the MTR in 2011 following the participatory approach used in NSDP preparation.	1. MPSP 2009- 2013 2. NSDP MTR 2011	1. Aligned available resources of DPs and the Government to implement the MPSP in 2010-2011 confirmed by June 2010 2. NSDP MTR finalized by end Sept 2011	.... 5. Develop and finalize MTR by Sept 2011 supported by the monthly meetings of the TWG-PPR M&E sub-group during the MTR preparation period.	1. Finalize and Endorse Partnerships Principles in order to prepare a PBA for MOP by June 2010 2. Update PBA roadmap to support rollout of PBA for MOP.

## 3. Monitored progress on milestone actions

The mechanism used by the Royal Government for drafting the NSDP Update 2009-2013 and in engaging relevant stakeholders (including NGO representatives and Development Partners) was the 19 Joint Technical Working Groups (TWGs). Of these 19 TWGs, 16 TWGs currently have NGOs participating in this mechanism, thank to the revised Guideline on the Role and Functioning of TWG with recognition of full membership of NGO/CSO representatives in the TWG. NGOs recognized the importance and legitimacy of this mechanism in collecting inputs and comments on the formulation and monitoring the implementation of national strategic development plan (NSDP) 2009-2013. NGOs appreciated and congratulated the coordination role of Ministry of Planning in leading the preparation of NSDP Update and applauded the efforts of MoP and other line ministries in engaging NGOs in that process.

Recognizing the constraints faced by the coordinating agency and line ministries, NGOs also faced some challenges during the formulation of the NSDP Update including lack of sufficient time for collating and providing comments, difficulties in accessing government officials at line ministries/agencies who are responsible for preparing section for NSDP Update, absence of national consultation workshop, and fewer TWG meetings (health, education and land) on formulating section for NSDP Update. In addition, the mechanism used for NSDP Update formulation also did not engage wider participation of other civil society organizations and relevant institutions in the formulation process. They are community based organizations (CBOs), academic institutions, labor organizations, research institutes, communes/sangkat councils and the national assembly.

#### **4. Future direction for both Royal Government and Development Partners**

As stated in the Joint Monitoring Indicator on Planning and Poverty Reduction, the Mid-Term Review (MTR) of the NSDP Update will be prepared by the Royal Government during the period of April to September 2011 using the same participatory approach and mechanism in the formulation of NSDP Update. Base on the above challenges faced by CSOs and to make the preparation process as participatory as possible, NGOs would like to call on the Royal Government with support from Development Partners to consider the following recommendations:

- TWGs should arrange meetings with dedicated agenda to the preparation of MTR of NSDP Update to discuss inputs/comments from relevant stakeholders including civil society organizations for the draft MTR. With this, we would like to request Line ministries/agencies to allow open interaction and mutual understanding with inputs/comments from CSOs/NGOs i.e. by responding to or discussing their inputs and/or comments, which will help ensure meaningful consultation of the preparation process in place.
- Relevant line ministries/agencies and coordinating agency of the Royal Government should make draft documents relating to MTR of NSDP Update readily and widely available, and allocate sufficient time for comment.
- Beside NGOs, other relevant civil society actors including community-based organizations (CBOs), academic institutions, religious institutions, labor organizations and research institutes and (at least the relevant committees of) National Assembly should be invited to participate in the formulation process. As the national assembly adopted the NSDP Update 2009-2013 and given its oversight role, it is vital that the members of parliament be informed of and engaged in monitoring the progress of the implementation of the plan, which is part of the accountability mechanism to citizens who are their voters to ensure check and balance among the national institutions.

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# Education

## 1. Introduction

The new Education Joint Monitoring Indicator, endorsed at 3<sup>rd</sup> CDCF meeting on 02-03 June 2010, reflects the importance of addressing the enrolment rate in lower secondary school and promotion rate at primary school. However, a stronger, more coordinated and sustained effort is needed to ensure improved quality of education and access to education for marginalized children and other vulnerable populations – those with disabilities, HIV-AIDS, ethnic minorities and the very poor.

## 2. Joint Monitoring Indicators

Coordinating Institution: MOEYS				
Implementing Institution: MOEYS				
Immediate Outcome	Output	Output Indicator	Activities: milestone actions	Associated aid effectiveness actions
3. Enrolment rate in lower secondary education increased	Student promotion in primary education increased	Promotion rate in primary education increases from 82.8% in school year (SY) 2008-09 to 85% in SY 2010-11	<ol style="list-style-type: none"> <li>1. Reinforce implementation of the grade promotion regulation at all primary schools</li> <li>2. Deploy 95% of newly trained teachers to under-staffed schools and in remote areas</li> <li>3. Reduce the percentage of incomplete schools from 18% in SY 2009-10 to 15% in SY 2010-11</li> <li>4. Strengthen EMIS for evidence based decision making, e.g. in the context of availability of new population census data</li> </ol>	<ol style="list-style-type: none"> <li>1. Implementation of an analytical joint annual sector review and development of a timely, comprehensive and accurate annual operational plan (AoP)</li> <li>2. Coordination of capacity development initiatives</li> </ol>

## 3. Monitored progress on milestone actions

### i) The progresses made

**Activity 1:** In June 2010, MoEYS issued a guideline on the implementation of the grade promotion regulation at all primary schools. Primary students, who failed to pass, have chances to be tested at the end of the school year, and again at the beginning of the next school year if they still could not pass.

**Activity 2:** 95% of newly trained teachers have been deployed to under-staffed schools and remote areas.

**Activity 3:** Incomplete primary schools have been reduced to 17.2% by December 2010. 262 (out of 582) school building have been constructing.

**Activity 4:** With available population from NIS/MoP, two year projection, EMIS used it to formulate some key education indicators.

### ii) Shortfalls with clear evidence

**Activity 1:** The revised grade promotion regulation is important to reduce repetition and drop-out rate. Through these actions, the result of promotion rate in primary education increased to 84.2% in SY 2009-2010 comparing to the target set 85% in SY 2010-2011 (Education Congress Report 2011). While these figures do display some progress, there are significant regional differences. For example: in Ratanakiri the most recent available data from the Provincial Databook shows there are student-teacher ratios of 65 primary school children per teacher and that 44% of children 6-11 years old are not in school. The province has a total illiteracy rate of 51%. In 2009, 45.6% of all households in the province were categorized as poor.

Moreover, quality education is still a big concern, especially for grades 1, 2 and 3.

The data of students who sat for exams at the end of the same school year and early in next school year is still not available, so it is difficult for us to study in detail the trend of education quality.

The promotion of the grade promotion regulation is limited. It was not widely shared with NGOs and communities who work directly with school and the people. Moreover, some provinces have not yet implemented the regulation.

**Activity 2:** Teacher shortage is still a big issue for education in Cambodia. Teachers' ability to choose where to teach does not respond to the needs of local schools. There are still not enough teachers in remote areas, while there are more than enough teachers in urban areas. As a result, some schools have only one teacher who plays the role of a school director, a teacher and a librarian<sup>1</sup>.

In addition to this, teachers' motivation and quality is another concern for improving quality education. Due to low salaries, many teachers seek additional income-generation activities. According to a research done on "Valuing Teachers" conducted by NGO Education Partnership (NEP) and Volunteer Services Overseas (VSO), 93% of the teachers interviewed, had second jobs. This more or less affects their time to prepare lesson plans and doing research to upgrade themselves to a changing world. Another factor is that teachers do not have the adequate skills to provide engaging teaching to high standards. Child centre teaching methodology trainings are needed with on-going support to assist teachers to achieve the teaching standards and classroom management to ensure that pupils achieve the curriculum standards.

**Activity 3:** The numbers of incomplete schools is still high – 1,152 schools throughout the country, which need to be considered.

In addition to this, it is important to note that school construction alone is not a measure of success because not all schools operate on a full-time, daily basis and the current shortage of trained teachers continues to be a significant problem in Cambodia.

**Activity 4:** It would be of great interest to start using ethnicity as an indicator in the statistics to track the success of this marginalized group.

#### 4. Future direction for both Royal Government and Development Partners

- Promotion regulation:  
To ensure full and effective participation from all stakeholders, a broader understanding of different policies, for example the promotion regulation and guideline, should be promoted, not just for schools but also for NGOs and the communities. MoEYS can work more closely with NGOs in order to raise awareness on this.

The data of students who sat for exams at the end of the same school year and early in next school year should be available, so that we can study in detail the trend of education quality.

- Teacher deployment:  
Regarding newly trained teachers deployment, we recommended that existing policy on locally teacher recruitment be enforced. MoEYS and Development Partners, with assistance from NGOs and communities shall develop a clear strategy to maximize the local human resource. The MoEYS also needs to take action to enforce teacher deployment, to ensure that no school is over-staffed and/or under-staffed, as this will also help reduce unnecessary budget spending.

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<sup>1</sup> Education congress 2008-2009, primary education section

In indigenous areas deploy indigenous community teachers, and train more indigenous youths as fully qualified teachers. Clarify conditions and facilitate for contract teachers the possibility of being integrated as certified teachers after a certain number of years of service, training and assessment. Newly trained Khmer teachers in remote indigenous areas need much support: acquaint them with indigenous culture and practices, lend them a plot of land with a small house by the community.

Teachers in Cambodia need, and many of them express the wish for a forum to express their views and concerns, as well as a mechanism to make those views known to the Government. It is recommended that giving teachers the opportunities or mechanism for expressing teachers' views will help addressing teachers' concerns and will play a big role in the public arena.

MoEYS reallocates education staff funding to allow for fair/livable salaries for teachers to help reduce informal school fees and encourage them to pay more attention to their work and stay where they are sent to. As informal school fees are the big barrier for access to, retention of quality of education of the students, special attention should be paid to this issue, especially the enforcement of the Prakas to Ban Informal School Fees.

- School infrastructure:  
With the number of schools MoEYS and the Development Partners plan to build, Cambodia needs many more years to address the issue of incomplete schools. This more or less will affect the EFA goal by 2015. As such, MoEYS and the Development Partners accelerate the process of school building to ensure that all primary schools are complete schools in the near future.
- Strengthen EMIS  
Strengthen EMIS for evidence based decision making is very important to ensure quality and access to education for all. However, this cannot be done successfully without strong political will. As such we support this and we would like to recommend MoEYS and DP to have stronger political will, in order to achieve this.

Other issues MoEYS and the Development Partners need to consider in order to improve access to and quality of education for the students include:

- Build capacity of school directors to improve school management, as it will help increase teachers' motivation and community engagement. In addition to these, professional development for the teacher through frequent in-service trainings should also be considered. Clear monitoring and evaluation tools need to be developed and implemented.
- Improved standardized test to evaluate students' learning outcome at least at grades 3, 6, 9 and 12.
- The production of textbooks must be of good quality and timely distributed to the students and teachers. Additionally, the MoEYS/Government should deserve budget to overcome with serious lacking of additional reading materials for students in the rural remote areas.
- Increase the scholarship budget for poor children, and those who live in rural and remote areas: build safer and well managed dormitories, especially for girls throughout the country and in particular for the poor and marginalized children.
- MoEYS needs to improve the link with Ministry of Finance to ensure disbursements of PB money to schools come on a regular basis. Some schools complained the late disbursement of PB money that resulted in a shortage of operational funding to support fundamental activities in their schools.



- Empowerment of authority to school level in decision making remains unclear. School administrators are not confident in objective based decision making which impacts student achievement due to the lack of clarity of structure, particularly in their roles and responsibilities.

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# Land Sector

## 1. Joint Monitoring Indicators (endorsed at 3<sup>rd</sup> CDCF meeting on 02-03 June 2010)

Coordinating Institution: GS-SLC, MLMUPC, GDCG				
Implementing Institution: GS-SLC, MLMUPC/SNCDD, MOI, Inter-ministerial TWG for Land identification, classification and mapping for SLCs				
Immediate Outcome	Output	Output Indicator	Activities: milestone actions	Associated aid effectiveness actions
1. Improved Land Administration and Land Tenure Security	1. Policy for Land Administration, Distribution and Management Strengthened  2. Land Registration Strengthened with the focus on poor/vulnerable households	1. Draft Policy on Land Valuation 2. Draft on Housing Policy 3. Sub-sector Programs on Land Management approved 4. 1.7 million systematic land titles <u>distributed</u> 5. (Baseline: 1.2 million titles distributed) 6. Percentage of women with land titles exceed men with land titles 7. (Baseline: Cadastral Database) 8. 3 indigenous communities are communally titled	1. Internal discussions 2. Consultations with stakeholders 3. Revisions 4. Submission to CLP 5. Design LM-SSP 6. Implementation of LASSP's Land Titling Program in 15 Provinces	1. Strengthen M&E Mechanism (for land sector)
2. Increased equity in land distribution	3. Implementation of the Social Land Concession mechanism	9. From Jan 2010 to Dec 2011 number of communes that submitted approved land use plans increases to 20 (baseline 10 communes)  10. Sub-sector Program on Land Distribution approved  11. Stock taking on land available and suitable country wide for SLCs	7. Implementation of Social Land Concession Program  8. Design LD-SSP  9. Prepare maps with areas of land available and suitable for SLCs	2. As above  3. Prepare M&E Mechanisms for LDSSP

## 2. Monitored progress on milestone actions

i). Observed progress

Output 1

## 1.1 Draft Land Valuation Policy

The draft Land Valuation Policy was made public in late March, followed by a consultation workshop with relevant stakeholders, including representatives from ministries, development partner and NGOs. NGOs welcome CLPs effort to conduct this consultation and its commitment to take the participants comments into consideration for possible further changes in the draft as these comments were acknowledged by Ministry of Land Management, Urban Planning and Construction (MLMUPC) during the consultation.

NGOs appreciate the draft as another step to strengthen the land policy framework. They welcome the efforts to establish an inter-institutional forum to implement the valuation mechanism to ensure a participatory and transparent process. NGOs are looking forward for further constructive consultations on the draft as announced by CLP.

### ii. Observed pitfalls

However, prior to an accurate land valuation, a documented Land Classification and Land Use Planning are necessary. We call on the relevant institutions to implement such throughout the country before valuating the land. To strengthen the transparency of a land valuation, we recommend allowing competent NGOs to observe and monitor the implementation of such valuation.

The draft policy was shared to NGOs just 3 days in advance of the consultation, leaving insufficient time to consult with a wider audience on the draft, in depth study and comment by all relevant NGOs and CSOs.

### i). Observed progress

## 1.2. Draft National Housing Policy

The NHP has not been approved yet. We have been informed by the ministry that the draft will be sent to the Council of Ministers (CoM) for approval, after it suffered a delay due to an absence of a quorum at the Council of Land Policy (CLP) which approves the draft prior to the CoM. The draft will be sent to the CoM after reformatting in accordance to the layout provided by office of CoM.

### ii). Observed pitfalls

Up to now NGOs did not receive a final version of the draft which the ministry promised to share before sending it to CoM. We are still concerned whether the final version will include the NGOs submission or not.

At this stage, we would like to refer to our suggestions which have been submitted on the occasion of the 17<sup>th</sup> GDCC meeting.<sup>2</sup> Those include the adherences of Deconcentration and Decentralisation (D&D) principles as well as studying housing practices by the poor and middle income households to develop realistic and efficient mechanisms and institutions for receiving the expected results of the NHP, amongst others.

### i). Observed progress

Output 2.

2.4. 1.7 million systematic land titles distributed

2.6. % of women with land titles exceed men with titles

The Ministry reported that from September 2010 until January 2011, LASSP computerized data entry of 161,492 parcels, made public display of 179,621 parcels, signed 152,290 titles and distributed 1,518,964 titles (from starting) out of 1.7 million titles for end-2011. The percentage of female property is 23.12% and the percentage of male property is 10.15%. The percentage of common property of husband & wife is 62.34%.

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<sup>2</sup> Please see the NGO Statement to the 17<sup>th</sup> GDCC at:

[http://www.ngoforum.org.kh/eng/dip/olddipdocs/DPP\\_NGOStatementto17thGDCCmeeting.pdf](http://www.ngoforum.org.kh/eng/dip/olddipdocs/DPP_NGOStatementto17thGDCCmeeting.pdf) , Pg. 15

NGOs appreciate the efforts and progress which has been made by the MLMUPC, leading to a significant increase in data entry and signature and a moderate increase in the distribution of titles. NGOs welcome to support the Ministry in its plan to further publicly display data on land titling.

ii). Observed pitfalls

Nevertheless, from the available data we cannot clearly see a focus of the titling to poor and vulnerable households which are threatened by insecurity of land tenure and vulnerable to involuntary resettlement. Again, while the JMI call for a strengthening of land registration with a focus on poor and vulnerable households, the three indicators do not appear to measure this. NGOs call for a more pro-poor targeted approach to titling.

To improve the land tenure security of these households, we suggest alternative approaches to systematic land titling, resulting in speeding up the registration process.<sup>3</sup> Such alternatives include extending the titling process from the current top – down to a bottom – up process and mini – scale land titling by selecting areas on village/community level instead of a whole Sangkat. Furthermore, NGOs suggest extending the timeline for the distribution of titles. Some households were not able to collect their title within the foreseen timeframe.

i). Observed progress

2.8. 3 indigenous communities are communally /collectively titled

So far, NGOs do welcome the announcement by MLMUPC to issue an inter-ministerial circular between Ministry of Interior (MOI) and MLMUPC to freeze all land transactions in legally recognized IP communities.

ii). Observed pitfalls

Nevertheless, the collective titling which was expected to be issued by end of 2010 has been delayed, intensifying the concern of NGOs about the lengthy process to register indigenous communal land while no interim protective measures are being implemented yet.<sup>4</sup>

The three pilot projects of communal land titling have been implemented since 2008, but until now, those villages still do not have land titles, whereas Indigenous minorities continue to be alienated from land and natural resources; being particularly affected by the escalation of Economic Land Concessions (ELCs) and mining concessions in their area of residence. NGOs recommend accelerating the process of indigenous community's recognition to at least 35 communities per year as this recognition can provide legal protection prior to the communal land titling. Furthermore, NGOs suggest to increase number of communal land titling from the 3 existing pilot target to 15 indigenous communities which are already registered as a legal entity by the MoI. All stakeholders should continue to carry out the communal land titling and improvement in legal conflict resolution in order to implement Article 23 to 28, and Article 55 of the Land Law 2001, and article 11, 15, and 37 of the Forestry Law, as well as the Sub Decree on Procedures of registration of land of indigenous communities.

Output 3:

3.9. Number of communes that submitted approved land use plans increases to 20 (baseline 10 communes)

3.10. SSP-LD approved

The draft Land Distribution Sub-Sector Program (LDSSP) was then submitted to the General Secretariat for the Council for Land Policy (GSCLP) for approval.

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<sup>3</sup> A number of suggestions were already made in the NGO Statement to the 17<sup>th</sup> GDCC. Please see [http://www.ngoforum.org.kh/eng/dip/olddipdocs/DPP\\_NGOStatementto17thGDCCmeeting.pdf](http://www.ngoforum.org.kh/eng/dip/olddipdocs/DPP_NGOStatementto17thGDCCmeeting.pdf)

<sup>4</sup> Please see also the comments and suggestions made in the NGO Statement to the 17<sup>th</sup> GDCC at [http://www.ngoforum.org.kh/eng/dip/olddipdocs/DPP\\_NGOStatementto17thGDCCmeeting.pdf](http://www.ngoforum.org.kh/eng/dip/olddipdocs/DPP_NGOStatementto17thGDCCmeeting.pdf)

### 3.11. Stock-taking on land available and suitable country wide for Social Land Concessions (SLCs)

NGOs do welcome that, in the framework of the Land Allocation for Social and Economic Development (LASED) Project and with coordination between Government and NGOs, 6 communes in 2 Provinces are in the process of state land registration for SLC. The land use planning and allocation and the process on land recipients selection is ongoing.

This is also appreciable in the Cambodian context where there is still much need to develop capacities, institutions and delivery mechanisms for such initiatives to consider to the scale up implementation of commune social land concession countrywide. The sub-sector program of land distribution has been approved by the government to push its implementation. On the national and sub-national level, social land concession mechanisms are established to support the implementation process. With regards to Land Distribution Process, the selection of land recipients is in the process. Being an important stage, it requires more attention to ensure that the real poor and landless families are beneficiaries from the social land concession projects. Therefore, a follow up mechanism from relevant institutions is important. Additionally, more awareness on land law and other relevant regulations should be conducted to reduce conflicts which will slow down the entire process. NGOs are still concerned that the process to establish commune SLC takes overly long time until land can distributed to landlessness and land poor households within the target communes.

### 3. Future direction for both Royal Government and Development Partners.

This may include recommendations to both the government and its development partners. Other issues that are not covered by the JMIs can also be pointed out here as suggestion for attentions/actions.

- We recommend to the RGC to release all relevant policies or laws to all stakeholders with sufficient lead time before consultations to allow in depth study, thus contributing to constructive consultations and input. NGOs hope to be involved in a constructive and meaningful further consultation process on the draft of Land Valuation Policy
- NGOs suggest to MLMUPC to publicly release the actual number and location (villages, communes) of titling areas. Moreover, we would also like MLMUPC to display their post all of their achievements on website and keep updated to NGOs side.
- NGOs would like to see further discussions on the suggestions made to improve the efficiency of land titling.
- The MLMUPC role should be limited to facilitation/coordination at national level for land transfer/ re-classification of land as proposed by the sub national levels (Provincial to Sangkat). This will be easy to do criteria defined by the sub national level for the selection of available and suitable land for commune SLC. However, implementation from site selection to implementation of project to the decision making should be done at sub national levels, communities and NGOs.

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# Forestry Sector

## 1. Joint Monitoring Indicators

Coordinating Institution: Ministry of Agriculture, Forestry and Fisheries				
Implementing Institution: Forestry Administration				
Immediate Outcome	Output	Output Indicator	Activities: milestone actions	Associated aid effectiveness actions
Forest cover of country land area will be maintained by increasing of quality and quantity through better management of forest resources	NFP implementation in the planning and management of the forest sector improved	Promotion of the NFP implementation at both national and sub-national levels, at least 75% of all funds to forest sector should be aligned to NFP framework	<ol style="list-style-type: none"> <li>1. Reforestation of 25,000 ha of degraded lands.</li> <li>2. 750 Km of forest estate demarcated by FA, and 4 Protected Areas demarcated by MoE.</li> <li>3. 100 Community Forestry approved by MAFF and 7 Community Protected Areas approved by MoE.</li> <li>4. Cambodia REDD Readiness Road Map approved and started implementation</li> </ol>	<ol style="list-style-type: none"> <li>1. Consolidate annual work plan to support the national and sub-national level</li> <li>2. Approval of mapping of two millions Ha CF areas of forestland by MAFF</li> <li>3. Produce Legal procedures and legislations for REDD.</li> </ol>

## 2. Monitored progress on milestone actions

### 2.1 Reforestation of 25,000 ha of degraded lands

NGOs working on forestry sector congratulate on the progress made by the RGC in its efforts to reforest up to 26,775 ha of degraded lands, exceeding the foreseen target of 25,000 ha, although most of the reforested areas consist of rubber trees in Economic Land Concessions (ELCs) as well as Acacia and Eucalyptus.

NGOs suggest to the RGC/FA to disaggregate the data of reforestation based on planted rubber trees from original reforestation activities. A reforestation by planting rubber trees cannot fully be seen as an achievement by the FA as private companies are responsible for planting these.

Again, NGOs suggest to the government to consider defining forest as only natural forest, not including rubber plantations or other industrial or/and agro-plantations, as monocultural trees are not sufficient in substituting primary forest since it holds no biodiversity, no NTFP and in particular, cannot be a wildlife habitat.

### 2.2 750 Km of forest estate demarcated by FA, and 4 Protected Areas demarcated by MoE

We appreciate the government's achievement on the demarcation of forest estate and protected area as planned. However, NGOs and community are very concerned about the ongoing trend of granting ELCs in most of the protected areas in Cambodia such as Bokkor, Botumsakor, Virakchey, Oral, Boeng Per, Lormpath and Snoul.

NGOs and CSOs see ELCs as the key driver of deforestation in Cambodia. Most recently, in the last remaining primary forest of Cambodia, Prey Long, located in 4 provinces including Kampong Thom, Preah Vihea, Kratie and Stung Treng and covering an area of ca. 250,000.00 ha, two ELCs were granted and followed by forest clearance activities in almost

20.000 ha. These activities cause not only forest destruction, but also the loss of land and resources that are providing local populations with incomes, medicines, and basic necessities such as game and firewood.

### 2.3 Cambodia's Programme to Reduce Emissions from Deforestation and Forest Degradation (REDD)<sup>5</sup> Readiness Road Map approved and started implementation

NGOs and CSOs acknowledge that more visible efforts (as compared to previous forestry policy processes) have been made to be inclusive in the REDD roadmap development, which formed the basis of the Readiness Preparation Proposal (R-PP) presented. National level consultations have been conducted and especially the consultative workshop for Cambodian CSOs and indigenous communities opened the way for communities and NGOs to comment on R-PP. Albeit more visible and comparatively more open than others, the process was constrained by a tight timeline and insufficient debate on the governance-related concerns and the principles that should ground REDD readiness and piloting.

NGOs and CSOs released its joint statement about the concerns over Cambodia R-PP; see the detailed information in the statement at <http://www.ngoforum.org.kh> or <http://www.forestcarbonpartnership.org/fcp/Node/166>.

### 3. Future direction for both Royal Government and Development Partners

- Economic Land Concessions are considered as the driver of deforestation in Cambodia; it has to be addressed prior to the R-PP implementation. We call upon the RGC to stop granting new ELCs and also call on the cancellation of ELCs, especially immediately those that are impinging on existing community and/or protected areas. The protection of natural forests and natural resources is paramount to REDD+ and fundamental to achieving environmental sustainability.
- We encourage the Forest Administration to effectively combat illegal logging activities in forest areas. <sup>6</sup>
- The RGC should not include monocultural plantation crops in its reforestation activities, since these plantations cause the clearance and destruction of the natural forest prior to the planting of industrial crops.

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<sup>5</sup> For more information, please visit <http://www.forestcarbonpartnership.org/fcp/node/30>

<sup>6</sup>Please see also the Prime Ministers speech on 7<sup>th</sup> April at Royal University of Agriculture, urging to stop illegal logging, asking for an intervention from competent authorities  
[http://www.postkhmer.com/index.php?option=com\\_content&view=article&id=55903:2011-04-07-09-51-29&catid=58:online-edition&Itemid=102](http://www.postkhmer.com/index.php?option=com_content&view=article&id=55903:2011-04-07-09-51-29&catid=58:online-edition&Itemid=102)

# Legal and Judicial Reform

## 1. Introduction

The Cambodian Human Rights Action Committee (CHRAC) is a coalition of 23 NGO members working to promote the respect for human rights, democracy and rules of laws in Cambodia. CHRAC is interested in monitoring the legal and judicial framework that is being implementing by the Royal Government of Cambodia (RGC). Legal and judicial issues are very significant in ensuring proper functioning of the rule of law and respect for human rights in Cambodia. CHRAC, in collaboration with other NGOs, is working on these issues very closely by monitoring the progress as specified in the Joint Monitoring Indicators (JMIs) and also in the National Strategic Development Plan (NSDP).

For details regarding comments made on these issues below, please contact CHRAC's contact persons as listed in the last page of this statement.

## 2. Joint Monitoring Indicators

<b>Coordinating Institution: Technical Working Group - TWG/Legal and Judicial Reform – TWG</b>				
<b>Implementing Institution: Council of Ministers - COM, Ministry of Justice - MOJ</b>				
<b>Immediate Outcome</b>	<b>Output</b>	<b>Output Indicator</b>	<b>Activities: milestone actions</b>	<b>Associated aid effectiveness actions</b>
Improved Court Functioning	1. Completion of fundamental laws pertaining to the judiciary	1. Approval by the Council of Ministers of the fundamental laws pertaining to the judiciary, being: a). The Law on the organization of the Courts, b). The Statute on Judges and Prosecutors, and c). The Law on the Amendment of the Organization and Functioning of the Supreme Council of Magistracy	1. Review status and prioritize order of technical review for the three drafts by CLJR. 2. Drafts reviewed by special working group led by Council of Jurists 3. Submission of drafts to Inter-Ministerial Meeting (IMM) 4. Adoption by COM	
	2. Implementation of the model court concept in 4 courts	2. Implementation of priority activities for 2011 including functioning court registers for all 4 model courts	5. Completion of the 4 model court activity plans 6. MoJ and the 4 model courts agree on priority activities for 2011 & 2012 7. Budget submissions for funding the plans in 2011 & 2012 prepared in the MEF required format	3. RGC and DP funding to be made in line with Courts Strategic Plans and activity 4. Harmonization of development partner support



### 3. Monitored progress on milestone actions

#### **JMI 16.1:** Completion of fundamental laws pertaining to the judiciary

- 16.1.1. Law on the organizing of the court has been drafted by the Ministry of Justice. It has already been reviewed and commented by the general Secretariat of the Supreme Council of Magistracy. This draft law has already submitted to the Office of Council of Ministers and currently this draft law is being technically reviewed and commented by Council of Jurists of Council of Ministers.
- 16.1.2. Law on Statute of Judges and Prosecutors has been drafted by Ministry of Justice and has already been submitted to Office of Council of Ministers. Currently, this draft law is being reviewed and commented by the council of Jurists of Council of Ministers.
- 16.1.3. Law on the Amendment of the Organization and Functioning of the Supreme Council of Magistracy has been drafted by Ministry of Justice. The draft law has already been submitted to Council of Ministers and it is technically reviewed by Council of Jurist as well.
- 16.1.4. Until this moment, the three fundamental laws have not yet been adopted by the Office of Council of Ministers. However, according to the government official, it has made known that the government has committed to adopt these three fundamental laws within its committed timeframe of 2011.

#### **JMI 16.2:** Implementation of the model court concept in 4 courts

16.2.5. Cambodia has taken the first instance courts of Phnom Penh, Kandal, Kampong Cham and Banteay meanchey province as model courts. Council of ministers has given a mandate and copy of Cambodia's model court project document to Ministry of Interior (MOJ) for the implementation of Model court project. Since the received of this mandate for the implementation of model courts, the ministry of interior has created a working group which composes of officials of MOJ and judicial officers of those four model courts. *Since its existence, the Working group has developed a three-year strategic plan and one-year action.*

16.2.6. Through its working group, Ministry of Justice and the four model courts have agreed on setting of priority activities for the implementation in 2011 and 2012. There are eight points of priority activities such as:

1. Holding of monthly, quarterly, semester and annual meeting on model courts
2. Designing of one-year action plan and three-year strategic plan
3. Develop registry book of criminal and civil cases for all four model courts
4. Designing of monthly trial schedule
5. Designing of case file tracking books for President of courts.
6. Designing of case registration in database
7. Provision of training to focal persons for case registration in registry book and in database
8. Preparing of budget for sending of document of criminal case file, for translation and for forensic expertise.

16.2.7. With the achievement for the development of those priority activities, the Ministry of Justice has created a budget and already submitted to Ministry of Economic and Finance for funding the plans. According to a senior official of Ministry of justice, the proposed budget is under the consideration of Ministry of Finance and Economic (MEF). However, the pilot project of model court is being gradually operated as having fund support by Cambodian Criminal Justice Assistance Project (CCJAP).

#### 4. Future direction for both Royal Government and Development Partners

- The Royal Government of Cambodia shall fasten the adoption of the three above-mentioned fundamental draft laws within its committed timeframe of 2011 by allowing the participation from relevant sectors, especially, Civil Society organizations.
- The Ministry of Economy and Finance should allocate funding for the Ministry of Justice to implement some pilot projects that deal with model courts which indicate some good examples for the properness and effectiveness of the court system in Cambodia.
- Ministry of Justice should work closely with Development Partners to launch numerous education and awareness campaigns about the laws, especially newly adopted laws. The campaigns should also adopt a strategy that is capable of delivering information to local levels.
- Development Partners should continue funding to support activities of the civil society organizations, especially legal NGOs that have worked extensively to support the poor and vulnerable groups.
- Development partners should provide both full technical and financial supports for Cambodia's model court project.

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# Public Financial Management: Budget Transparency and Public Oversight

## 1. Joint Monitoring Indicator 19: Public Financial Management (endorsed at 3<sup>rd</sup> CDCF meeting on 02-03 June 2010)

Coordinating Institution: MEF/PFM Reform Steering Committee/PFM TWG				
Implementing Institution: MEF and line ministries/Institutions (39)				
Immediate Outcome	Output	Output Indicator	Activities: milestone actions	Associated aid effectiveness actions
Sustaining and strengthening budget credibility and improving financial accountability	Cash and Debt Management Policy, Systems and Capacity strengthened	<p>3. Enhanced transparency achieved with regards to tax and non-tax revenue</p> <p>4. Arrears as defined be kept at no more than 2% of total expenditure</p> <p>5. Mid/end year expenditure profile not to be less than:</p> <p>2<sup>nd</sup> Quarter: 45%</p> <p>4<sup>th</sup> Quarter: 96%</p> <p>...</p>	<p>3. Strengthen Revenue forecasting, collection systems, and capacity.</p> <p>4. Further Improvements in recording Payment Order due</p> <p>5. Strengthen efficiency of existing semi-manual systems, de-concentrate responsibility</p> <p>...</p>	<p>1. Implementation of PFMRP is on-going and comprises an important component of the overall contribution to aid effectiveness ( PFMRP Consolidated Action Plan)</p> <p>2. Consultations and Program monitoring have been implemented through formal TWG meetings, annual review Meetings.</p>

This statement was prepared by the NGO Forum on Cambodia who is member of Technical Working Group on Public Finance Management (TWG-PFM). NGO Forum and its network members monitored the objective 12 on debt management, objective 14 on public procurement and objective 25.4 on reporting and communication with the public.

## 2. Monitored progress on milestone actions and key targets in the PFMRP Phase II

Since the 2010 JMIs endorsement in the third CDCF meeting, the Royal Government of Cambodia (RGC) has made substantial progress in the Public Financial Management Reform Program (PFMRP). As can be observed by NGOs up to March 2011, significant progress has been seen on sections (activities & key targets) relating to budget transparency in Public Financial Management Reform Programme (PFMRP) Phase II **monitored by NGOs specifically in Objective 12 on “further improve debt management”, Objective 14 on “further improve public procurement”, and Objective 25.4 on “improve forms of reporting to and communication with the public”.**

In addition to the JMIs and PFMRP Phase II activities, NGOs highly appreciate and congratulate the recent initiative and significant step in increasing transparency in the budget process taken by the Ministry of Economy and Finance (MEF) through timely publishing the Mid Year Report (Review) of 2010 Budget Implementation in its website in September 2010, and its release of the Draft Budget Law 2011 in November 2010 to the NGO Forum for conducting analysis on the draft law. The analysis served as inputs for discussions in parliamentary workshop at the National Assembly Palace on the draft law before its adoption. Another progressive step noted is that MEF dedicated a webpage on public procurement for RGC as a whole by publishing budding opportunities to the public. We hope that this positive step and commitment should be continued and expanded to other targets in the above objectives.

Monitored progress below is heavily based on progress reports produced by the PFM Secretariat and the experience of NGOs trying to access budget information from the Royal

Government and MEF website. Each of the sections along with their monitored progress is included in the table below:

*Objective 12: Monitored Progress on Debt Management*

**Part 1. Platform one Activities to be strengthened in Stage 2**

<b>OBJECTIVE 12: Further Improve Debt Management</b>				
<b>Objective/Activity</b>	<b>Key Performance Indicators (PEFA Reference)</b>	<b>Key Targets</b>		
		<b>2008</b>	<b>2009</b>	<b>2010</b>
12.1... 12.2. Develop and implement debt management strategy.	... Production of Annual Debt Management Strategy	... Annual Debt Strategy Preparation Started	... Annual Debt Strategy Produced	... Review of Annual Strategy Produced
12.3. Enhance use of debt databases.	Quality of Domestic and Foreign debt Records and Reporting improved.	Production of Quarterly and Annual Debt Monitoring Statements initiated.	Production of complete, updated and reconciliation of Quarterly and Annual Debt Monitoring Statements	Fully Functional Debt Management and Monitoring System Established with comprehensive management and statistical reports.

Source: PFMRP Phase II, Page 28 (English Version)

According to the PFMRP annual progress report for 2010 (accessed via [www.pfm.gov.kh](http://www.pfm.gov.kh)), it mentioned further improvement have been made in preparing legal framework and building capacity and the monthly, quarterly & annually debt monitoring reports were regularly produced; however, there was no mentioning of the progress made regarding publishing these debt monitoring reports in the public domain. Similarly, NGOs also observed that these reports were also not made publicly available in MEF & PFM websites or official gazettes, except the information on terms of assistance of the loan projects being published in the Official Development Assistance (ODA) Database in the website of the Cambodian Rehabilitation and Development Board (CRDB) of the Council for Development of Cambodia (CDC). Moreover, based on progress reported by PFM Secretariat in TWG-PFM meeting on 22 March 2011, 8<sup>th</sup> draft sub-decree on public debt management was developed and consulted within the MEF and the final draft debt management strategy was also developed and reviewed for internal consultation in the MEF. **NGOs hope that provisions on publishing debt information to the public domain will also be included in the sub-decree.**

The NGO Forum analysis on available information relating to Terms of Assistance (interest rate, grace period and amortization period) on Concessional Loans to Cambodia using information available in the ODA database in the website of CRDB/CDC shows that 35 projects or 34% of 104 concessional loans projects retrieved in June and July 2010 do not have information on either grace or amortization periods. Moreover, 22 out of 104 projects do not have information on their starting and completion dates. Recognizing challenges faced by the Royal Government especially MEF (and CDC/CRDB) on continued improvement in Debt Management and Financial Analysis System (DMFAS) & debt sustainability analysis, **NGOs would like to suggest the Royal Government at its best to prioritize the publication of debt monitoring reports for public access in the second half of 2011.** In addition, NGOs would like to call on MEF, CDC and DPs to engage in dialogue and raise public awareness via future workshops with civil society organizations on transparency of aid information and debt management.

Objective 14: Monitored Progress on Public Procurement

OBJECTIVE 14: Further Improve Public Procurement				
Objective/Activity	Key Performance Indicators (PEFA Reference)	Key Targets		
		2008	2009	2010
... 14.5. Increase competitiveness and transparency in the procurement process through enhanced publicity and disclosure.	Procurement website Operationalized	...	Website Developed	50% of bidding opportunities and contract award information published

Source: PFMRP Phase II, Page 30 (English Version)

Based on PFMRP annual progress report distributed at TWG-PFM meeting in March 2011, it was reported that commitment to finalizing procurement website and its testing by end of 2010 has not been implemented as planned due to pending process of Hardware bidding. Although with this delay, MEF showed high commitment to this by posting procurement bidding information on its website. Given the fact that this target has not been met in 2010 and first quarter of 2011 and recognizing other requirements relating to procedures, trainings and law on public procurement (first draft law on public procurement was put for consultation with line ministries, development partners and private sector on 24 March 2011), **NGOs believe that with MEF high commitment and support from Development Partners this website could be achieved within the second half of 2011.**

Objective 25.4: Monitored Progress on improving forms of reporting to and communication with the public

PART 2. PLATFORM TWO ACTIVITIES TO BE IMPLEMENTED IN STAGE 2

OBJECTIVE 25: IMPROVED ACCOUNTING, FINANCIAL REPORTING AND TRANSPARENCY				
Objective/Activity	Key Performance Indicators (PEFA Reference)	Key Targets		
		2008	2009	2010
... 25. 4. Improve forms of reporting to and communication with the public.	Availability of key Fiscal Information • Budget Documentation • In year Budget Reports • Year End Financial Statements • External Audit Reports • Contract Awards • Resources Available to Primary Service Units (PEFA Indicator 10)	At least 3 of these reports made available	At least 4 of these reports made available	At least 5 of these reports made available

Source: PFMRP Phase II, Page 38 (English Version)

NGO Forum appreciates the MEF in publishing the monthly TOFE on its website and recently releasing the Budget Documentation (the four volumes of the State's General Budget) following our request to the Budget Department of the MEF. According to the TWG-PFM meeting in March 2011, NGOs are aware of recent progress, challenges and commitment to achieving concrete milestones and steps ahead. However, through our observation, the contract awards or resources available to primary service unit that should be published in 2010 in addition to other four published documents has not yet been reported or seen in the public domain. *Through our understanding, the contract awards to be published should be in line with readiness of public procurement website; however, while the website is still under development and to show level of Royal Government commitment to transparency in the budget process, those awards could also be published in other ways of communication with the public with low cost (i.e. via MEF website within public procurement webpage or official gazette).*

In addition to the achievement of the National Audit Authority and the National Assembly in publishing the 2006 audit report in October 2009, NGOs would like to seek their continued commitment on publishing the Audit Reports on 2007, 2008 and 2009 budget implementation in 2011 or at least within two years after closing the fiscal year following

international good practice<sup>7</sup>. Besides, *while regular publishing of TOFE on MEF website has been observed, emphasis of TOFE should also be put on improving the quality of the existing information especially the inclusion of the breakdown figures by line ministry in monthly, six-monthly & annual TOFE.* The inclusion of this breakdown information will allow the public and relevant stakeholders including civil society organizations to measure how credible it is for line ministry budget in comparison to the commitment in the budget law.

### **3. Future direction on Improving Transparency in Public Finance Management**

To further improve transparency of public finance in Cambodia, NGOs would like to call on the Royal Government (especially MEF) with support from its Development Partners to prioritize the achievement of the following in the second half of 2011 especially prior to 4<sup>th</sup> CDCF meeting:

1. Publish Quarterly and Annual Debt monitoring statements or simply by including this in the monthly, mid year or annual report on state budget implementation and Table of Government Financial Operation (TOFE) or publishing them in MEF website;
2. Finalize and make functioning of the Public Procurement website;
3. Contract Awards should be published in other ways of communication with the public either via MEF website (similar to public procurement bidding information) or official Gazettes.
4. The National Audit Authority should publish the 2007, 2008 and 2009 audit reports within this year;
5. Include breakdown figures by line ministry in Monthly, Mid Year reports and Annual TOFE.

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<sup>7</sup> This is recommended by International Budget Partnership. International Good Practice suggested by IMF Manual on Fiscal Transparency (2007) is even shorter which is within one year after fiscal year.

# Public Financial Management: Management of Revenue from Extractive Industry

## 1. Joint Monitoring Indicators

The relevant Joint Monitoring Indicator (JMI) for resource revenue transparency is the JMI on the implementation of the Public Financial Management Reform Programme (PFMRP) II. The Cambodians for Resource Revenue Transparency (CRRT) is a Cambodian coalition that exists for monitoring the transparent and accountable management of revenue (collection and expenditure) from extractive industry (oil, gas and mining) to ensure that these revenues are used efficiently and effectively to benefit all Cambodians (for details about CRRT, please see contact information below). CRRT monitors the Extractive Industry (EI) revenue section in the PFMRP II.

Coordinating Institution: MEF/PFM Reform Steering Committee/PFM TWG				
Implementing Institution: MEF and Line Ministries/Institutions				
Immediate Outcome	Output	Output Indicator	Activities: milestone actions	Associated aid effectiveness actions
19. Sustaining and strengthening budget credibility and improving financial accountability	1. Revenue policy, forecasting and collection systems, transparency and capacity strengthened  .....	.....  2. Extractive Industry regulatory framework enacted and implemented  3. Enhanced transparency achieved with regards to tax and non-tax revenue...	.....  2. Develop draft taxation law on oil and gas  3. Strengthen revenue forecasting, collection systems and capacity...	1. Implementation of PFMRP is on-going and comprises an important component of the overall contribution to aid effectiveness (PFMRP Consolidated Action Plan) 2. Consultations and program monitoring have been implemented through formal TWG meetings, annual review meetings

## 2. Progress in Extractive Industry Revenue Management Framework

Activity	Key Performance Indicator	Key Targets		
		2009	2010	2011
11.2. Develop and implement oil/gas/mining revenue policy, mechanisms for transparent management of related revenue flows including EITI, and revenue assessment and collection capacity.	Oil/Gas/Mining Fiscal Regime Clarified & Legal Framework Enacted & Implementation Commenced	Fiscal regime clarified; EITI study finalized  Policy Options For Oil/Gas/Mining Revenue Management presented and agreed	Initiate implementation of EITI  Oil/Gas/Mining Revenue Management Framework Developed	EITI Implemented  Oil/Gas/Mining Revenue Management Legal Framework Implemented

Source: PFMRP (Consolidated Action Plan (CAP) Stage 2): Progress Summary Matrix

CRRT noticed that there have been significant progresses in the implementation of the Public Financial Management Reform Programme (PFMRP) in particular the development of Extractive Industry (EI) legal regulatory framework and improvement in information disclosure. According to the PFMRP annual progress report 2010 released in the meeting of Technical Working Group on Public Finance Management (TWG-PFM) at the Ministry of Economy and Finance (MEF) on 22 March 2011, the RGC has made substantial improvements in many facets of extractive industry development and is to be congratulated on the positive developments, which include:

- Finalized Revenue Policy timely in March 2011 in both English and Khmer;
- Developed economic model for forecasting revenue distribution from oil and gas;
- Developed second draft law on oil taxation; draft Trust Law, First draft taxation law on mineral exploitation;

- Drafting Prakas on collection of tax from oil exploitation

Other related developments in addition to the progress report of TWG-PFM include an upgraded website for the Cambodian National Petroleum Authority (CNPA – the country's de facto liaison between government and corporate interests in EI), improvement of website of Ministry of Industry, Mines and Energy, Draft Law on Petroleum Exploitation and Management prepared by Cambodian National Petroleum Authority (CNPA) and an improvement in the recording of EI revenue in the Table of Government Financial Operation (TOFE) on the Ministry of Economy and Finance (MEF) website. Upon these developments, CRRT members appreciate a substantial improvement and positive preparation advancing toward the commencement of oil exploitation set by the RGC in 2012. However, along the line of these developments, some pitfalls were also observed in the report and in practice including:

- Implementation plan of revenue policy to be developed by September 2010 and the draft policy and strategy framework for non-tax revenue to be prepared by December 2010 have not been achieved as scheduled.
- Second draft law on oil taxation, First draft taxation law on mineral exploitation, and Draft Law on Petroleum Exploitation and Management have not been released for public discussion or consultation.

### **Further Improvement on Actions on Public Consultation and EITI Principles**

The important role of CSO/NGOs in promoting transparency has been noted in the work plan of the inter-ministerial working group for mobilization and management of revenue from oil, gas and mineral resources and by the CNPA's recognition of the Cambodians for Resource Revenue Transparency (CRRT) coalition by its inclusion of CRRT homepage on its website. However, as observed, there has been no public consultation held or engagement of CSO/NGOs provided by the RGC on important EI related draft legal documents despite consistent requests made by CSO/NGOs. Since these laws and regulations will create the standing framework for how licenses and concessions will be granted, how, where and under what circumstances revenues will be paid to and reported by the RGC, and a host of other economic and social issues that will affect Cambodia for years to come, the release of the draft laws and regulations for public consultation will give a space for the public and NGOs to contribute to the development process of this sector and thus further improve transparency in the management of these public resources revenues.

Moreover, according to the 2009 progress report on the implementation of the PFMRP, the inter-ministerial technical working group to mobilize and manage revenue from oil, gas and other mineral resources is in charge of studying and implementing Extractive Industry Transparency Initiative (EITI) principles. However, further progress has not yet been reported on the implementation of EITI principles in Cambodia by the inter-ministerial working group since its establishment on 4 February 2009 and/or the TWG-PFM. Even so, the committed adoption of the EITI principles stated in the PFMRP shows little, if not at all, progress in making revenue information publicly available, except the one-line revenue recording in TOFE and superficial contents of CNPA's new website. If EITI membership is not considered, NGOs would like suggest that RGC release what principles that have already been endorsed or planned to endorse to ensure transparent and accountable management of revenue from EI. With this, it would allow the public to define the level of RGC commitment to transparency and accountability in the management of the revenue.

### **3. Future direction on Management of Revenue from Extractive Industry**

With monitored progress and concerns raised above, CRRT would like to call for the RGC's actions (especially MEF and CNPA) with support from its development partners to address the above constraints and pitfalls by:

- 1) Engaging the public and CSO/NGOs in the process of drafting Law on Oil Taxation, Taxation Law on Mineral Exploitation and Law on Petroleum Exploitation and Management, i.e. through the release of these draft legal documents and providing sufficient time for public consultation.



- 2) Considering EITI membership as one of the priorities in the work plan of the inter-ministerial working group while adopting EITI principles by improving the frequency and comprehensiveness of current EI revenue reported in the TOFE in MEF website.

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# **ANNEXES**

# Transboundary Impacts of Hydropower Development in the Mekong Region

## 1. Background

The Mekong River is an international river which flows through six countries, including China, Myanmar, Thailand, Laos, Cambodia, and Vietnam. Four of the six countries including Thailand, Laos, Cambodia, and Vietnam have signed the 1995 Mekong Agreement on 5 April 1995, in order to cooperate for the sustainable development of the Mekong River Basin<sup>8</sup>. This indicates that the RGC has expressed commitment towards the protection of the sustainability of the Mekong and to cooperate regionally in all proposed projects on the Mekong River mainstream, including on hydropower dams. The cascade of eleven proposed hydropower dam developments on the Mekong mainstream is one of the most critical contents of the government agenda given the environmental and social risks involved and the commitment of the RGC to eliminate poverty and minimize environmental impacts.

The Mekong River and Tonle Sap River is the inter-linked river system which has been recognized since the ancient time. The flow of the Mekong will impact to the ecosystem of the Tonle Sap Great Lake, especially in terms of fish migration between these two rivers. As Tonle Sap river is the largest freshwater fishery in Southeast Asia and Mekong river is ranked as the second most biodiverse river in the world, 70% of the river's fish migrate from Tonle Sap to Mekong and from Mekong to Tonle Sap<sup>9</sup>. Based on hydrological system of the Mekong River, more species increase downstream – specifically in Cambodia those including 284 species in Tonle Sa, 214 in Sekong, 204 in Mekong from Stung Treng to Kratie, 204 in Srepok river, and 133 in Sesan river<sup>10</sup>. About 1.25 million people living around Tonle Sap can earn 233 million dollars annually by including the poorest people who depend directly on fishery and other aquatic resources of the river can generate income less than 1,000 dollars per year<sup>11</sup>, and more than 70% of Cambodian depend on Cambodia's fishery resources in term of food, income, and safety net to various degrees<sup>12</sup>.

Experiences and lesson learnt from the large hydropower dam development in the world was analyzed that those dams have brought more impacts to the environment and humanity. According to the study of the world commission on dams on the 125 large dams in the world, it illustrated that the cost is outweighed the benefit. This including the compensation to the environment and the compensation to the affected communities, as well as the unacceptable and unfair benefit distribution among the energy beneficiaries and the dam affected people, and the difficulties in the transparency and accountability in the public consultation process<sup>13</sup>. In fact, the first proposed Mekong Dam, the Xayaburi Dam in northern Laos, is expected to block fish migration from between 23 to 100 fish species, which will result in reduced fisheries in Cambodia. The dam will also threaten the extinction of more than 41 fish species, including the critically endangered Mekong Giant Catfish. Important sediment flows necessary for bring important nutrients to Cambodia's floodplains and Tonle Sap lake system will be reduced, thus impacting agricultural productivity in Cambodia<sup>14</sup>.

According to the NSDP update 2009-2013, "the objectives of the Royal Government are to maintain sustainability and to ensure regeneration of natural resources including preservation of fish resources in order to contribute to economic development, as well as to

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<sup>8</sup> MRC. (1995). Agreement on the cooperation for the sustainable development of the Mekong River Basin 5 April 1995.

<sup>9</sup> MRC. 2010. Strategic Environment Assessment of Hydropower on the Mekong Mainstream. <http://www.mrcmekong.org/ish/SEA.htm>

<sup>10</sup> ICEM. 2010. Mekong fishery and mainstream dams: Fishery section of the strategic Environmental Assessment of Hydropower on the Mekong Mainstream for MRC. 10 pp.

<sup>11</sup> Hap Navy, Seng Leang, Chuenpagdee R. 2006. Socioeconomics and livelihood values of Tonle Sap lake fisheries. WorldFish Center and Inland fisheries research and development institute, Phnom Penh, Cambodia. 24 pp.

<sup>12</sup> MRC. 2010. Strategic Environmental Assessment of Hydropower on the Mekong Mainstream. <http://www.mrcmekong.org/ish/SEA.htm>

<sup>13</sup> The World Commission on Dam. (December,2001). Dams and Development: A new framework for decision-making.

<sup>14</sup> MRC. (2011). Prior Consultation Project Review Report for the Proposed Xayaburi Dam Project-Mekong River. 24 April 2011. (published on 24 March, 2011)

ensure the livelihoods of fishing communities”<sup>15</sup>. However, if the Xayaburi Dam is approved to be constructed by the four governments, the commitments of the RGC would face challenges. This is due to the significant negative impacts the dam will have on the fishery resources of the Mekong River and the Tonle Sap Great Lake, and the livelihood and food security impacts of the Cambodian people, especially the poor living along the Mekong and Tonle Sap Lake.

Despite the importance of energy and fishery sector in the NSDP update 2009-2013, no specific indicators on the transboundary issue has been included in the agenda of national government meeting such as CDCF and/or CDCC. Therefore, the issue of Mekong Mainstream Hydropower Development should be taken into account for consideration in the national decision making level.

In terms of legal framework related to EIA, Cambodia has enacted several regulations that show the slow movement of legal reform or update. Since 1966-2011, those regulations have played an important role in deciding the costs and benefits of development projects. While these regulations are a main actor in Cambodia's current situation; Cambodia still faces an insufficient legal framework particularly in regards to transboundary Environmental Impact Assessment (EIA), Health Impact Assessments and EIA Law.

## **2. Recommendations**

In light of the above mentioned concerns and in order to strengthen commitments to poverty reduction, sustainable development and public participation in governance, Cambodian NGOs call upon the Government to:

1. As a member of the Mekong River Commission, the RGC should carefully consider the findings and recommendations of the MRC's 2010 Strategic Environmental Assessment (SEA) process on the Mekong mainstream dams, which points to the enormous risks and impacts associated with the 11 planned Mekong mainstream dams and recommends the deferment of decisions over projects for at least ten more years due to the risks involved, the unequal distribution of costs and benefits between and within countries, and the need for further studies to be done.
2. The EIA report for the Xayaburi Dam failed to consider transboundary impacts or compensation for Cambodians who would be affected by the dam. There were also no public consultations on the EIA report in Cambodia. Without the needed evidence to address on the cost-benefits of the dam, including the benefits and fair compensation to communities affected by dam construction, the plan of hydropower dam development in the Mekong Mainstream should not be approved by the RGC, especially the Xayaburi dam.
3. Promote decentralized and sustainable energy options to the Mekong countries by improving energy policies and creating incentives to allow alternative energy investors to compete fairly with the large hydropower companies, by removing barriers that currently prevent alternative energy investment and by developing an energy policy based on efficiency, environmental protection and the needs of Mekong Sub Region's riparian people. As large hydropower dams emit large quantities of methane in tropical countries like Cambodia, the RGC should seek alternative sustainable energy technologies that reduce carbon emissions, which are the cause of the global warming and/or climate change.
4. Incorporate the Tonle Sap and Mekong River into the fishery sector of the NSDP update 2009-2013 by also focusing on the transboundary disputes which could occur if there is any hydropower dam development in the Mekong Mainstream as those impacts might extend to the Tonle Sap Biosphere Reserve which was established in December, 2001 by Royal Decree with the three core zones including Prek Toal (21,342 ha), Boeng Chhmar (14,560 ha) and Stung Sen (14,560 ha)<sup>16</sup> and the other parts of the Tonle Sap river.

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<sup>15</sup> NSDP update 2009-2013. (June, 2010). Chapter IV: key policy priorities and action: 2009-2013.

<sup>16</sup> <http://www.wcscambodia.org/saving-wild-places/tonle-sap-lake-and-floodplain/the-tonlesap-biosphere-reserve.html>

5. The sufficiency of legal frameworks is required for development projects. RGC should enact regulations related to transboundary EIA as well as EIA Law in order to control and monitor all development projects. Besides, RGC should be independent and committed to implement those regulations.

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## **NGO and Associations Joint Statement on the second draft of the Law on Associations and Non-Governmental Organizations**

We, civil society organizations including Associations and Non-Governmental Organizations, highly appreciate that state-civil society cooperation has been a key factor in the development of Cambodia from a war-torn country to a peaceful vibrant developing country. Many times government and civil society organizations have had different opinions but met in constructive discussions, and more frequently still, government and civil society organizations have met in good cooperation.

The proposed NGO legislation indicates a departure from this successful path. Civil society organizations, including associations and NGOs, are very concerned that the law in its second draft gives far-reaching power to the authorities to control the rights of citizens to organize and express themselves. These rights are set out in the Cambodia Constitution (article 31, 35, 42) and international treaties that Cambodia has signed, such as the Universal Declaration of Human Rights (article 2(1)) and the International Convention on Citizens and Political Rights (ICCPR) (article 14, 22).

Civil Society in Cambodia is diverse; there are different types of organizations, associations, groups, interests and positions. This diversity is our strength, and demonstrates the important range of perspectives the sector contributes to Cambodia's development. We have now collectively drawn together voices from this broad base into all our discussions on the NGO Law, and there have been many responses. Some organizations decided they would make a strong case that there was no need for the law, some organizations decided to engage with the government consultation in an attempt to improve the law, some organizations chose to lobby on behalf of their specific issues within the law. All these organizations have kept a dialogue throughout, respecting each other's perspectives – this is what democracy is about.

Today we all stand together: whatever our separate approaches in addressing our concerns about the proposed law, our opinion is united - the draft law we now see before us is unacceptable and we cannot support it in its current form.

We understand that a sovereign state such as Cambodia has the right to promulgate laws, regulations and practices in accordance with international democratic principles. However, the process of enacting laws must respect those democratic principles. Moreover the Law itself must not infringe upon the fundamental rights of the people, including their rights to freedom of association and freedom of expression. The social and economic development of Cambodia in recent years would never have happened if the opportunities to freely organize and express opinions had been curtailed. Successful development of societies worldwide goes hand-in-hand with increased openness.

The second draft Law on Associations and Non-Governmental Organizations in its current form fails to respect these fundamental rights.

We would like to point out three main areas of concern in the current second draft Law:

1. Registration is mandatory and complex, rather than voluntary and simple
2. There is no appeal process for the denial of registration
3. Key terms in the law are left undefined, and many sections are vague

Article 6 on Prohibiting Provisions of the second draft law remains effectively unchanged. It continues to prohibit any activity conducted by unregistered associations and NGOs. Registration is thus mandatory and unregistered groups are banned. The draft law's mandatory registration requirements constitute restrictions on the freedom of association which violate the principles Cambodia has promised to adhere to under Article 22 of the ICCPR. Under Article 22, as well as other major international conventions, "freedom of association is a right, and not something that must first be granted by the government to citizens."

Articles 17 and 32, which deal with applications for registration and requests for memoranda of understanding, lack important safeguards (objective standards for review and denial of registration and the right to appeal to a competent and independent court). These articles undermine Article 65 of Civil Code.

During the consultation process, the civil society organizations have clearly pointed out these weaknesses but to no avail. We are deeply disappointed that the second draft fails to address these main areas of concern.

We, the undersigned NGOs and Associations therefore collectively and respectfully call on the Royal Government of Cambodia to reconsider our key asks and incorporate them in the third draft of the Law. We also ask that the third draft be shared publicly before it is approved by the Council of Ministers or by the National Assembly.

NGOs and Associations stand ready to use our democratic rights to express our discontent through democratic and peaceful means.

*Note: List of NGOs and Associations supporting the concerns and common position raised in this statement is attached in next page.*

**A**

1. ADHOC
2. Asian Hope Organization
3. AIESEC in Cambodia
4. AMARA Organization
5. AAD Association
6. Asian Outreach Cambodia
7. ACR/Caritas Australia
8. AEC Cambodia
9. Actual Khmer Association for Development
10. American Friends Service Committee
11. Association for Human Resource Development and Health Education
12. AARR Organization
13. API Institute
14. Asia Cambodia Ministries
15. Alliance for Conflict Transformation
16. AFD Organization
17. ANAKOT KUMAR

**B**

18. BTF Organization
19. BNSD Organization
20. Buddhism Development Association and Supporting
21. Build Your Future Today Center
22. Bandos Komar
23. Baptis Missionary Association of the Philippines
24. Broederlijk Delen
25. Buddhism For Development Kampong Thom
26. Bayon Learning Tree
27. BCV

**C**

28. Cooperation Committee for Cambodia
29. Center for Advance Study
30. Christian Learning Circle for Development Association
31. Children Better Future
32. Catholic Relief Services/Cambodia Program
33. Cooperation for Social Services and Development
34. Cambodian Association for Orphan Development
35. Cambodian Vision in Development
36. Cambodian Community Development
37. Christian Reformed World Relief Committee-Cambodia
38. Cambodian Population Community
39. CIDC Organization
40. CWARS Organization
41. CESO Organization
42. CDA Organization
43. CUF Organization

44. CRDT Organization
45. Community Council for Development
46. Community Capacity Development-Kratie
47. Community Support Improve Development
48. Cambodian Union Federation
49. Cyclo Conversation and Careers Association
50. Community Poverty Reduction
51. Center for Development Service
52. Children Development Association
53. Cambodian League for the Promotion and Defense of Human Rights
54. Cambodian Youth Development Center
55. Cambodian Youth Development
56. Cambodian Rural Development Team
57. Cambodia Population Community
58. CWDA
59. Cambodian Development Veteran Association
60. Christian Center for Cambodia
61. Cambodian Health Education Development
62. COSECAM Organization
63. CNRO Organization
64. CEA Organization
65. CARAM Cambodia
66. Community for Transformation
67. CANDO Organization
68. CPR Organization
69. Cambodian Organization for Children and Development
70. Cambodia Center for Human Right
71. CSSD Organization
72. Cambodia Trust
73. Cambodian Association for Development of Economy Together
74. Cambodian Association for Orphan Development
75. Cambodian Community Development
76. CAFOD Organization
77. CLHO Organization
78. CCFD Organization
79. Cambodian Association for Development of Economy Together
80. CIVICUS
81. CDCAM
82. Cambodian Organization Women Support
83. Cambodian Human Rith Action Committee
84. Chetthor in Prey Veng
85. Children for Development Service
86. CCD Organization
87. CYDSO
88. Child Hope Organization
89. Cambodian Defenders Project
90. Cambodia Woman's Development Agency



91. Child Rights Foundation  
 92. Cambodian Center for the Protection of Children Right  
 93. Child Assistance for Mobilization and Participation  
 94. Cambodian Hope Organization  
 95. CONCERN WorldWide  
 96. CDRCP Organization  
 97. Center for Development Service  
 98. Charity Foundation for Children  
 99. Cambodian Family Economic Development Association  
 100. Children and Life Association  
 101. Community for Transformation  
 102. Children Friend for Development  
 103. CJR Organization  
 104. CCPRC  
 105. CHHRA
- D**
106. Development in Partnership and Action  
 107. Don Bosco Foundation of Cambodia  
 108. Democratic Service Organization  
 109. DKK Organization  
 110. Dai Kou Kaksekor  
 111. DS Organization  
 112. Development in Cambodia  
 113. Drug Addict Relief Association of Cambodia  
 114. Development Organization for Children  
 115. Development Association Resource Economic  
 116. DARE Organization  
 117. DDSP Organization  
 118. Diakonia Cambodia
- E**
119. End Child Prostitution, Abuse and Trafficking in Cambodia  
 120. Education and Development of Cambodian Skills  
 121. Environment and Health Education  
 122. ECPAT-Cambodia  
 123. Epic Arts Cambodia  
 124. ETEA Foundation  
 125. East Meet West Foundation  
 126. Empowerment Advocates International
- F**
127. Far East Broadcasting Cambodia  
 128. Future of Khmer Children Organization  
 129. Family Economic Development Community for Cambodia  
 130. Federation for Integrated Development of Agriculture in Cambodia  
 131. Future of Khmer Children Organization
132. Farmer of Cambodia Organization  
 133. Fundamental Building Organization  
 134. Freedom Cambodia  
 135. Foundation for International Development/Relief  
 136. FH Cambodia  
 137. Foundation for Developing Cambodian Communities  
 138. Farmer Development Association  
 139. FIDAC Organization  
 140. FDCC Organization  
 141. Fundamental Building Organization  
 142. FOC Organization  
 143. Family In Development
- G**
144. Gender and Development for Cambodia  
 145. Gospel For Children Organization  
 146. Genesis Community of Transformation  
 147. Goutte D'eau-Cambodia  
 148. Generation Hope  
 149. Generous
- H**
150. HAPO Organization  
 151. Housing Rights Task Force  
 152. Human Inborn Freedom  
 153. Health Education  
 154. HAGAR International  
 155. HRECO Organization  
 156. Health Care Center for Children  
 157. Homeland (MPK)  
 158. Happy Tree  
 159. Human Resource Education Center Organization  
 160. HROTP  
 161.
- I**
162. Ideal Family Federation  
 163. Indigenous Community Support Organization  
 164. IDEA Association  
 165. Institute for Development of Education and Agriculture  
 166. Istituto per la Cooperazione allo Sviluppo  
 167. ICC Organization  
 168. Intervida Cambodia  
 169. Indratevi Association
- J**
170. Japan International Volunteer Centre  
 171. Japan Lay Missionary Movement
- K**
172. Khmer Cultural Development Institute  
 173. Khmer Vision for Development  
 174. KVD Organization  
 175. KMR Organization

176. Khmer Angkor Development Organization  
 177. KADRA Organization  
 178. Khmer Community for Agriculture Development  
 179. Komar Rikreay Association Center  
 180. KWRA organization  
 181. Komar Rik Reay  
 182. Kumar Ney Kdey Sangkheum  
 183. Kokkyo naki Kodomotachi  
 184. Khmer Kampuchea Krom for Human Right and Development  
 185. Khmer Kampuchea Krom Women Organization  
 186. Kumnit Thmey Organization  
 187. KKEV Cambodia
188. Khmer for Khmer Organization  
 189. Kone Kmeng Organization  
 190. Khmer Student Association for Social Development  
 191. Khmer Saving the Poor Children  
 192. KIND  
 193. KID  
 194. KYA  
 195. KKKHRA
- L**
196. Legal Aid of Cambodia  
 197. Life and Hope Association  
 198. Life New of Unity  
 199. Legal Support for Children and Women  
 200. Lighthouse Organization  
 201. Land Mind Disability Support  
 202. Live and Learn Environmental Education  
 203. IDA
- M**
204. Mekong Plus  
 205. Medical Teams International  
 206. My Village  
 207. Mennonite Central Committee  
 208. Mission of Generous Cambodia Alliance  
 209. Manos Unidas  
 210. Marist MISSION AUSTRALIA  
 211. M'lop Tapang  
 212. MEDECINCE DE L'SPORT CAMBODGE
- N**
213. NGO Forum on Cambodia  
 214. NGO CRC  
 215. NGO Education Partnership  
 216. Neak Poan Orgazation For development  
 217. National Prosperity Association  
 218. NOMAD Recherche et Soutien International  
 219. Non-Timber Forest Products
220. NGOs advocacy network  
 221. NGO DKKP  
 222. NLF Cambodia Organization  
 223. National Prosperity Association  
 224. New Initiative for Livelihood and Health  
 225. Nature and Youth Development Organization
- O**
226. Our Home Cambodia Organization  
 227. Operation Enfants du Cambodge  
 228. One World Action  
 229. OKADA Organization  
 230. Organization for Economic Cooperation and Development in Cambodia
- P**
231. People's Forum on Cambodia, Japan  
 232. Ponlok Khmer  
 233. Partners for Development/Cambodia  
 234. People Improvement Organization  
 235. People to people Diplomacy  
 236. Partnership for Development in Kampuchea  
 237. PADV Organization  
 238. PTEA TEUK DONG-Cambodia  
 239. Pioneering Partner in Cambodia  
 240. Prom Vihearhor  
 241. Phum Baitong  
 242. Protection of Juvenile Justice  
 243. PNKS Organization  
 244. Peace Family Organization  
 245. PDP
- Q**
- R**
246. Room to Read-Cambodia  
 247. READA Organization  
 248. Rescue Khmer Famers Organization  
 249. RCEDO Organization  
 250. Rural Aid Organization  
 251. Rural Community and Environment Development Organization  
 252. RiverKids Foundation  
 253. RKF Organization  
 254. RCSCD  
 255. Rain Water Organization  
 256. Rural Animal Health Development Organization  
 257. Rachna Strie Organization  
 258. Road Safety Coalition
- S**
259. Siem Reap NGO Advocacy Networks  
 260. Save the Earth Cambodia  
 261. SAO SARY FOUNDATION  
 262. Suo Sdei Cambodia Association  
 263. Sustainable Cambodia  
 264. SAFE HOUSE CENTER

265. SEA Organization STREY KHMER Organization  
266. Sun Moon Organization  
267. SSCA Organization  
268. Sprouting Knowledge Orphans  
269. Sustainable Social Organization  
270. Support Rural Children Organization  
271. Support Association for Rural Farmer  
272. Santaphana Chivit Organization  
273. Save Incapacity Teenagers  
274. Sovann Phoum Organization  
275. 3SPN Coalitions  
276. SECEA Association  
277. Sevakapea Komar  
278. Street Families Center  
279. Social Service of Cambodia  
280. Saving Aid and Cambodia International Worker for Human Right

**T**

281. Tekdey Sovanaphum  
282. This Life Cambodia  
283. The Center of Miltenberg-Cambodia  
284. The Lake Clinic  
285. The Future for Cambodian Children  
286. Tourism Federation (CTSWF)  
287. Terra Renaissance in Cambodia  
288. Terre de Hommes  
289. TDSP Organization  
290. The Center for Advanced Study  
291. The Center of Miltenberg Cambodia  
292. Takao Community Forestry Integrated Development Association  
293. The Cambodian Woman's crisis Center

**U**

**V**

294. Village Economic Support Organization  
295. VSA Cambodia  
296. Village Economic Support Organization  
297. Vulnerable Children Assistant Organization

**W**

298. Women Association For Community Development  
299. Women Service Organization  
300. Welt Hunger Hilfe/German Agro Action  
301. WED Cambodia  
302. Worker's Information Center-WIC  
303. World Toilet Organization  
304. Welthungerhilfe Regional Office  
305. WOSO Organization  
306. WACD Organization  
307. World Eight Direction Cambodia  
308. Who Will Village  
309. Welthaus Graz  
310. World Vision Cambodia

311. Wathnak Pheap

**X**

**Y**

312. Youth With A Mission  
313. Youth Resource Development Program  
314. Youth for Peace  
315. YOUTH WITH DISABILITIES

FOUNDATION FOR  
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**គណៈកម្មាធិការអន្តរការ្យនៃមេនាដ្ឋានភិបាល ដើម្បីតាមដាននូវ**  
**សូចនាកររបស់វេទិកាភិប្រតិបត្តិការអភិវឌ្ឍន៍កម្ពុជាលើកទី៣**  
**NGO Committee for the Monitoring of 3<sup>rd</sup> CDCF Indicators**



This NGO Statement on the Monitoring of CDCF Indicators (known as JMIs) to this 18<sup>th</sup> GDCC meeting on April 20, 2011 was compiled by the NGO Forum on Cambodia and can be accessed through the website of The NGO Forum on Cambodia: <http://www.ngoforum.org.kh/eng/core/dppdoc.php>.