

CHECKS AND BALANCES

OUTCOME EVALUATION 2006-2009



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UNDP CAMBODIA

GOVERNANCE

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Executive Summary

One of five outcomes of UNDP Cambodia's Country Programme Outcome for 2006-2010 is that '**legislature and civil society are able to improve checks and balances of the executive branch**'.

The **parliament is now not better able to provide checks and balances of the elected government than in 2005**. There are five reasons for this judgement: a) Although improved, with the Senate now selected by people's representatives, there continue to be significant shortcomings in the **technical aspects** of elections to the National Assembly; b) The **election administration** has limited independence; c) The executive branch retains **supremacy over legislature**; d) As a consequence, the **legislative branch is not legislating**; e) The **opposition** does not make use of the limited democratic space it has.

Further, there is **little evidence that civil society is better able to directly provide checks and balances to the executive power today, compared to five years ago**. Advocacy through elected representatives leaves room for improvement. Access to information is still limited. Civil society has, however, been successful in raising political awareness and improving monitoring of the executive branch.

There are **five key factors** which worked against the outcome being achieved over the past five years:

- **a tradition of one party rule**
- the election of a **landslide majority in 2008**
- the **dominance of the party over the state institutions**
- **decreasing political will** for election reform
- **waning external involvement and pressure**

As a means to achieve the outcome, **UNDP assistance** has focused on two aspects over the past five years: support to the **electoral processes** and support to the **parliament**.

In support of the electoral process, UNDP has supported the **National Election Committee**, advocated for improvements in the **electoral legal frameworks and processes**, promoted the development of a **culture of democracy and civic participation** and coordinated donor assistance for the **commune elections 2007** and **national elections 2008**.

To support the parliament, UNDP has developed the capacity of **Members of Parliament**, strengthened the capacity of the **Secretariats** of both Houses of Parliament and developed the capacity of the **Technical Coordination Secretariat** to manage and coordinate all donor assistance to the Parliament.

Introduction

As part of UNDP's efforts to manage for development results, UNDP Cambodia decided to undertake an evaluation of UNDP's Country Programme Outcome for 2006-2009, which relates to **checks and balances of the executive branch**.

Outcome evaluations¹ assess how and why an outcome is or is not being achieved in a given country context, and the role that UNDP has played.

The Cambodian political system is set up to function as a **liberal democracy** in which the **three branches of government** (executive, legislative and judiciary branch) act as limit and check on power of the other branches.² For the country programme 2006-2010, UNDP defined one out of five planned outcomes as '**Legislature and civil society are able to improve checks and balances of the executive branch**'.³

To better describe and analyze the current status of outcome, the following terms need to be further defined in the specific context of Cambodia:

- '**Legislative branch**' in Cambodia refers to the Parliament. The Parliament consists of two houses: the **National Assembly** (*Radhspeha Ney Preah Recheanachakr Kampuchea*) and the **Senate**.
- '**Executive branch**' in the Cambodian context consists of the **head of government** (prime minister) the **Council of Ministers**, and the **head of state**, the King.
- '**Civil society**' generally refers to organized groups in the space between the family and the state.
- '**Checks and balances**' is a political concept based on the division of power (typically executive, legislative and judiciary) which allows one branch to limit the power of another branch.

It is hoped that UNDP will be able to incorporate the findings of this evaluation into its **new country programme 2011-2015**.

¹ The Evaluation team consisted of Dara Khlok (national consultant), Samuel De Jaegere (UNDP Regional Center Bangkok), Dr. Thomas Winderl (Senior M&E Advisor, UNDP Cambodia) and Dr. Elobaid Ahmed Elobaid (Team Leader). The Team carried out a 12-day evaluation mission in Cambodia in December 2009 and extensive desk reviews before and after the mission. The evaluation team used a mix of desk review and semi-structured interviews for the analysis.

² Cambodian Democracy, Elections and Reform, COMFREL, February 2010, p.9

³ The present formulation is an amendment of the original CPAP outcome ('Increased participation of civil society and citizens in decision making for the development, implementation and monitoring of public policies').

Development Context⁴

Cambodia is at a cross-roads **in its development** as it moves away from a post-conflict situation towards a more stable development paradigm. Several decades of isolation and conflict devastated much of Cambodia's physical, social and human capital.

Following the Paris Peace Agreements of October 1991 and multi-party elections in July 1993 a new Constitution was adopted, which envisaged the Royal Government of Cambodia as a **multi-party liberal democracy** under a constitutional monarchy. The new Constitution explicitly incorporated the Universal Declaration of Human Rights and the international human rights treaties to which Cambodia is party.

The Cambodian Government and its development partners agree that **democratic governance** is essential for sustainable development. Such governance encompasses free and fair elections, the rule of law, access to justice, accountability of elected representatives, and inclusion of marginalized groups.

The **establishment of democratic institutions** functioning under the rule of law has been slow. Civil society organizations and Cambodian citizens continue to face significant challenges, such as accessing information, establishing dialogue and developing participatory processes. Institutions and capacities for responsive governance remain weak, especially at the local level. Corruption remains a major challenge recognized by the Government. Inequality and exclusion extend to the justice system and society in general, with the poor, women, youth, people with disabilities and indigenous peoples at a disadvantage in exercising their legal and civil rights.

In 2004 the Government adopted the **Rectangular Strategy** for growth, employment, equity and efficiency. The strategy aimed to improve and build capacity of public institutions, strengthen good governance, and modernise national economic infrastructure.

In support of the Rectangular Strategy, the UN country team identified, in its **United Nations Development Assistance Framework** (UNDAF 2006-2010), areas of cooperation where the UN can collectively make a difference.

⁴ based on: UN, Country Information, 2010, <http://www.un.org.kh/>

Findings and Conclusions

1. STATUS OF THE OUTCOME

Chapter 1 describes and analyzes the **current status of the outcome compared to the beginning of the current UNDP country programme in 2005.**

More concretely, this chapter attempts to answer the following **question:**

Are the Cambodian legislature and the civil society now better able to provide checks and balances to the executive branch?

The Cambodian Parliament

SUMMARY: Compared to 2005, the Cambodia Parliament enjoys reasonable legitimacy. The National Assembly was elected in 2008 through a technically more sound election. In 2006, the Senate was elected – if indirectly - for the first time. However, the evidence suggests that **the parliament is now not better able to provide checks and balances of the elected government than in 2005.**⁵

There are five key arguments to demonstrate why the Cambodian Parliament is not better able to provide checks and balances compared to 2005:

- a) Although improved, with the Senate now selected by people's representatives, there continue to be significant shortcomings in the **technical aspects** of elections to the National Assembly.
- b) The **election administration** has limited independence.
- c) The executive branch retains **supremacy over legislature.**
- d) As a consequence, the **legislative branch is not legislating.**
- e) The **opposition** does not make full use of the limited democratic space it has.

⁵ A recent report by COMFREL, a network of NGOs, comes to a similar conclusion: '[...] The National Assembly is failing to act as a check and balance against the executive branch of government, as it should under the principle of separation of powers'. (Cambodian Democracy, Elections and Reform, COMFREL, February 2010, p.4)

a) SHORTCOMINGS IN TECHNICAL ASPECTS OF ELECTIONS

Free and fair elections are a **prerequisite** for democratically elected parliaments to provide checks and balances to the government. Active voter participation and a perception of fairness enhance the **legitimacy** of national parliaments, thus laying the cornerstone for providing checks and balances to the government.

Since 2005, three elections to the Cambodian legislature took place:

- **Senate** elections in 2006
- **Commune Council** elections in 2007
- **National Assembly** elections in 2008

Prior to 2006, the **Senate** consisted of 61 members *appointed* in 1999 by the King and the political parties in proportion to their seats in the National Assembly. During the elections on January 22, 2006, the members of the Senate were **elected by indirect vote** to serve a six year term.⁶ 11,261 commune councillors and 123 members of the National Assembly elected the future Senators.⁷ The Senate is led by a permanent commission (bureau) with 12 members and is chaired by the President of the Senate. Although the election to the Senate was criticized as being undemocratic, it was a significant step from appointed body to an elected – albeit not universally elected - House of Parliament.

The 2007 **Commune Council Elections** have been generally acknowledged as a significant step forward in strengthening the democratic process in Cambodia.⁸

Observers of the elections to the **National Assembly** on July 27th, 2008 generally agree that the elections were technically reasonably sound. *Public opinion* shows that Cambodian citizens perceive the national election in general to have been conducted well in terms of *technical* administration of regulations and procedures inside polling and counting stations.⁹ Further, the elections were marked by a drastic reduction in political violence with only one death attributable to politically motivated killing.¹⁰

However, although technically sound, the elections in 2008 were generally perceived as heavily skewed in favour of the Cambodian People's Party (CPP).

⁶ Cambodian People's Party (CPP) 45 seats, United National Front for an Independent, Neutral, Peaceful and Co-operative Cambodia (FUNCINPEC) 10 seats, Sam Rainsy Party (SRP) 2 seats. Nine out of 52 Senators are women.

⁷ an additional 2 Senators are nominated by the King; 2 are elected by the National Assembly

⁸ Report on the 2007 Commune Council Elections in Cambodia, UNDP, 11.04.2007

⁹ Survey Report on Voter List and Registration, COMFREL, July 2009, <http://www.comfrel.org/>

¹⁰ Project Review, SDEP, 12.11.2008, p. 10

In this sense they fell - to some degree - short of international standards. There were serious issues with the registry, leading to people losing their voting rights, and there were problems with the issuance of the identity form.¹¹ 'Opposition parties, including the Sam Rainsy Party and the Human Rights Party, questioned the electoral results and raised formal charges against the CPP on widespread electoral misconduct, including voter impersonation, harassment and vote buying.'¹² The observers from the European Union, for example, concluded that the governing party dominated the media and the National Election Committee (NEC), and that 50,000 registered voters were disenfranchised. These shortcomings, however, were found not to have affected the overall result of the election.¹³

b) ELECTION ADMINISTRATION HAS LIMITED INDEPENDENCE

The main body for administering elections in Cambodia is the **National Election Committee** (NEC). The NEC is tasked with electoral management.

The **technical capacity** of the NEC and its sub-national offices has somewhat improved since 2005 in terms of organizing and arranging the election process.

However, the NEC remains **dependent on the executive branch**. In line with the current legal framework, the members of the NEC are **nominated by the Ministry of Interior**. They are subsequently approved by the National Assembly through the request of the Council of Ministers.

The delays in improving the **complaints procedure** contributes to the negative perception of the independence of NEC.

Compared to 2005, the NEC now interprets its **mandate** and the **rules** governing their work in a very limited and restrictive way. After the elections of 2008, the NEC regards **electoral legal reform** as solely within the jurisdiction of the Ministry of Interior.

c) EXECUTIVE BRANCH DOMINATES LEGISLATURE

Prior to 2008, the Cambodian People's Party (CPP) held an absolute majority in the National Assembly (73 seats out of 123). However, the CPP was obliged to form a coalition government because the 1993 constitution stipulated a two-thirds majority for a vote of confidence in the government.

In July 2008, the CPP won a land-slide victory in the **legislative elections** and controls 90 out of the 123 seats. With a two-thirds majority in parliament, the CPP

¹¹ Survey Report on Voter List and Registration, COMFREL, July 2009, <http://www.comfrel.org/>

¹² National Democratic Institute - <http://www.ndi.org/cambodia?page=0%2C0>

¹³ EU criticises Cambodia election, BBC, 29.07.2008, <http://news.bbc.co.uk/2/hi/asia-pacific/7531184.stm>

can now govern alone. Due to its overwhelming majority, the CPP **dominates both the legislative** as well as the **executive branch**.¹⁴

The absolute majority obtained by the CPP during the 2008 elections and the general CPP's consolidation of power in the country has led to more **concentration of power** in the hands of the **executive branch**. This results in the **supremacy** of the executive power over the legislature.

In its relation with the legislature, the 2008 elections led to a **voluntary reduction of institutional independence of the parliament** (and electoral management institutions like the NEC), which reinforced the dominance of the executive power over the legislature.

d) PARLIAMENT DOES NOT LEGISLATE OR PROVIDE OVERSIGHT

The domination of the government over the legislative branch leads to a **parliament** that does **not legislate** (initiate and shape laws) or **provide** significant **oversight**. Currently, it does not carry out two out of three functions which are typical for parliaments (legislation, oversight, representation).¹⁵

Parliamentary **legislative initiatives** are still non-existent. '[...] parliamentarians are very cautious in fulfilling their mandates, hardly using the power of legislative initiative that the 1993 Constitution gives them and most often are content with approving projects decided upon by joint agreement by the government and the majority party.'¹⁶ Currently, however, it appears that most draft laws originate and are shaped initially within party organs among senior members of the Cambodian People's Party.

Substantive **debates** on draft laws do not usually take place in the plenary or commissions of the parliament. In 2005, for example, 10 of 63 laws were initiated by Parliament, and there is little indication that this has improved.¹⁷

In 2009, Members of Parliament sent **requests** to the government to **answer questions** on only three occasions. The government complied on two requests and sent representatives to appear in the National Assembly. In one case, the government sent a letter referring the National Assembly to the government's website.

¹⁴ Following recent constitutional and legal amendments, a two-thirds majority is no longer required for the formation of a government.

¹⁵ The representative role is the only area where Members of Parliament and Senators are allowed some independence, mostly at the local level.

¹⁶ Needs assessment report for the National Assembly, UNDP

¹⁷ Evaluation of Programme to Support Capacity Development of the Cambodian Parliament, and Options for Future Programmes, UNDP, March 2006, p.25

e) OPPOSITION DOES NOT MAKE FULL USE OF LIMITED DEMOCRATIC SPACE

Following the 2008 elections, multiparty democracy is further strained in Cambodia by the refusal or inability of **opposition parties** to fully **use the limited democratic space** available to them.

In parliament, the democratically elected opposition does not take part in the **parliamentary commissions**. The opposition argues that membership selection in the commissions is not fair and demands that a minimum number of commission chairperson positions should be allotted to them.¹⁸ Membership in the parliamentary commissions - where most of the debate takes place - is determined by the majority vote. Further, the ability of a Member of Parliament to raise questions is contingent on the approval of the Speaker.¹⁹ As a result, all the nine commissions of the National Assembly are presided and composed by ruling party members.

Cambodian Civil Society

SUMMARY: There is **little evidence that civil society is now better able to directly provide checks and balances to the executive power today compared to five years ago.**

To expect that civil society can, over the course of five short years, become fully able to provide check and balances to the government appears, especially in the Cambodian context, to be highly **unrealistic**. Even in countries with a long tradition of civic organization, high levels of transparency and accountability and a firm rule of law, civil society is limited in its ability to *directly* provide checks and balances to the executive power.

¹⁸ "The National Assembly shall elect separately Members of the Commissions of the National Assembly. Each Commission is to elect one Chairman, two vice-Chairmen and one Secretary by voting", Principle 10 of the Internal Regulations of the National Assembly of the Kingdom of Cambodia

¹⁹ see Principles 10, 19, 20, 32 and Chapter 10 of the Internal Regulations of the National Assembly

The ability of civil society and civil society organizations (CSOs) to provide checks and balances to the executive power is linked to the relative **level of organization of civil society** itself. The level of organization in Cambodia can be characterized as:

■ **HISTORICALLY WEAK**

In Cambodia, civil society in Cambodia is historically weak: 'The traditional forms of civil society were destroyed and the general socio-economic situation, characterised by great poverty, low literacy levels, gender inequality, etc., function as a serious [hindrance] for the development of a strong civil society.'²⁰

■ **STRONGLY CONNECTED TO EXTERNAL DONORS**

In the Cambodian context, most civil society organisations are Non-Governmental Organizations (NGOs). During the 1990s, Cambodia underwent an 'associational revolution' with an explosion of newly founded NGOs. However, the rising number of NGOs does not necessarily reflect a stronger civil society: the origin, structure and objectives of many NGOs are strongly reliant on external donors.²¹

■ **LITTLE VOLUNTARY PARTICIPATION**

Despite the high number of NGOs, they generally show low degrees of voluntary participation and limited sustainability.

A recent analysis sums up the status of civil society and its ability to counter-balance the executive branch: 'Civil society is relatively weak in Cambodia, in spite of the international community's efforts to support the development of a vibrant civil society. [Civil society organizations] frequently experience government restrictions and are **not free to criticise the government and its policies.**'²²

²⁰ Civil Society and Democracy in Cambodia, Changing roles and trends, The Fifth Report of the Sida Advisory Team on Democratic Governance, March 2003

²¹ Civil Society and Democracy in Cambodia, Changing roles and trends, The Fifth Report of the Sida Advisory Team on Democratic Governance, March 2003

²² Overview of Corruption in Cambodia, Anti-Corruption Resource Centre www.U4.no, p.3, www.u4.no/helpdesk/helpdesk/query.cfm?id=197

Overall, observers agree that the current Cambodian political system provides **few opportunities for public participation**.²³ Because participation and *direct* checks and balances of civil society remain limited, it is useful to look at **indirect ways** for civil society to exercise this power (through elected representatives) as well as at two **prerequisites** for such check and balance (the access to information and the tracking of current events):

- a) **Advocacy through elected representatives**
- b) **Limited access to information**
- c) **Political awareness and monitoring**

a) **ADVOCACY THROUGH ELECTED REPRESENTATIVES**

Apart from interacting with the parliament as an institution, civil society organizations can enhance checks and balances to the government through direct, repeated **contacts with elected Members of Parliament**.

A recent sample survey²⁴ has highlighted the extent members of civil society are knowledgeable about and engaged with their elected representatives:

- Generally, **interest** in direct involvement in political activities is reasonable: 50% of citizens say they are interested in political activities.
- **Knowledge** of the work of Members of Parliament is reasonable, too: 28% of citizens know and can name the Member of Parliament who represents them (36% of male citizens, 23% of female citizens; 24% of 18 to 23-year-olds, 29% of those older than 30 years). 73% of citizens, however, have no clear idea on what Members of Parliament have been doing.
- The level of **engagement** in political activities appears to be comparably high: 19% of citizens say they have ever done any kind of voluntary work for any political party or electoral candidate on election campaigning or observation (20% of over-18-year-olds)
- The **outreach** of Members of Parliament could be improved: currently, 4% of citizens say they have contacted their Member of Parliament directly.

²³ International Foundation for Electoral Systems, <http://www.ifes.org/Content/Projects/Europe-Asia/Cambodia/About.aspx>

²⁴ Cambodian Democracy, Elections and Reform, 2009 Report, COMFREL, February 2010; a similar survey was carried out in 2007/2008 by the International Republican Institute (IRI) in Cambodia.

b) LIMITED ACCESS TO INFORMATION

Access to accurate and updated information on the legislative and executive power is a **prerequisite** for checks and balances. Potential sources for information for civil society organizations are a) the media and b) the legislative branch.

- In a country with limited literacy and difficult logistics, **broadcast media** dominate over print media. The ruling party, the CPP, exerts tight control over the broadcast media. The licensing of TV and radio frequencies is reportedly subject to political influence. As a result, coverage of the CPP dominates the media landscape. The Press Law stipulates that the media should not publish anything that may harm political stability and national security, leaving room for abuse. State censorship²⁵ as well as self censorship are common practices.²⁶
- The **National Assembly** has made some initial progress in opening its doors. For example, it recently celebrated the International Human Rights day with the participation of 200 students from 6 schools. The recent publication of a newsletter is a step in a similar direction. In general, however, the National Assembly remains mostly closed off to the public. There is limited access to information and little engagement with civil society organizations. The current (physically and conceptually) 'closed' parliament does not facilitate the creation of a demand side of accountability and prohibits more transparency in the legislature's business. To obtain copies of draft laws, for example, official written requests have to be submitted and approved by the President of the National Assembly.

A recent report on Cambodia concludes: 'Access to information in Cambodia is difficult in reality, not only for the ordinary citizen, but even for legislative members, public officials (officials from one ministry cannot easily access information from other ministries), NGO employees, etc.'²⁷

²⁵ 'State censorship for example has prohibits rebroadcasts of Voice of America and Radio Free Asia reports, censored live telecast of National Assembly sessions and banned the sales of some publications. Cambodia is ranked 85 out of 169 countries on the 2007 Press Freedom Index by Reporters without Borders.', Overview of Corruption in Cambodia, Anti-Corruption Resource Centre www.U4.no, p.6, www.u4.no/helpdesk/helpdesk/query.cfm?id=197

²⁶ Overview of Corruption in Cambodia, Anti-Corruption Resource Centre www.U4.no, p.6, www.u4.no/helpdesk/helpdesk/query.cfm?id=197

²⁷ Global Integrity Scorecard 2008: Cambodia, <http://report.globalintegrity.org/Cambodia/2008/scorecard>

c) POLITICAL AWARENESS AND MONITORING

Despite shortcomings, civil society organizations in Cambodia have – over time – managed to indirectly influence democratic governance in the country: through a) increasing political awareness and b) monitoring of political power.

- For years, civil society organizations have **increased awareness** by training (and possibly empowering) sectors of the public and civil servants in issues related to good governance, human rights and democracy, by supporting communities to organize themselves and by recruiting and training new political leaders.
- Despite the CPP's consolidation of political power, civil society organizations continue to **monitor political developments**. This includes large-scale sample surveys on political issues and legislative watchdog functions.

EXAMPLES OF POLITICAL MONITORING

The **Committee for Free and Fair Elections in Cambodia** (COMFREL) is an organization which – among other things – monitors and reports on transparency of elections and the soundness of the election process. It also started to monitor the performance of elected government. COMFREL also conducts large-scale surveys, among them a survey on 'Voters List and Registration', on 'Women's Participation in Politics and 2008 National Assembly Elections' and on 'Participation and Democratic Governance'.

The **Center for Social Development** (CSD), a non-profit organization and think-tank - acts as an objective reporting service and legislative watchdog. CSD also monitors all sessions of the National Assembly and Senate.

2. FACTORS AFFECTING THE OUTCOME

This chapter identifies the **most significant factors which affected the outcome** over the past five years.

More concretely, this chapter attempts to answer the following **question**:

What factors prevented the Cambodia parliament and civil society organizations from serving more effectively as checks and balances of the elected government?

There are **five key factors** which worked against the outcome being achieved over the past five years:

- a **tradition of one party rule**
- the election of a **landslide majority** in **2008**
- the **dominance of the party** over the state institutions
- **decreasing political will** for election reform
- **waning external involvement**

2.1. A Tradition of One Party Rule²⁸

The political party culture in Cambodia is shaped by a combination of the **Khmer Rouge** period, **traditional** elements of patron-client relationship and the nature of **allegiances** within urban and rural settings. The more recent history of the Khmer Rouge and the People's Republic of Kampuchea is characterized by a **tradition of one-party rule**.²⁹

During the People's Republic of Kampuchea single party state machinery was put to work. This party, the **Kampuchean** (or Khmer) **People's Revolutionary Party** (KPRP), was headed by a political bureau with a secretariat and a general secretary in charge. It also had a central committee with a control commission to handle day-to-day affairs.³⁰

²⁸ See, for example, Craig Etcheson, *After the Killing Fields: Lessons from the Cambodian Genocide* (Praeger: Westport, 2005)

²⁹ Dararith, KIM YEAT, 2006, *Cambodia: The Challenges of Adjusting a Post-Conflict Parliament to Liberal Parliamentary Culture*, UNDP Initiative on Parliament, Crisis Prevention and Recovery, 2006.

³⁰ See David Chandler, *A History of Cambodia* (Westview: 2000), especially pages 209-239. An interesting view on Cambodia's path to democracy is offered in David W. Roberts, *Political Transition in Cambodia 1991-1999: Power, Elitism and Democracy* (Curzon Press, UK: 2001) especially, the section on "Elite Challenges

2.2. The Election of a Landslide Majority in 2008

Following the 2008 national elections, the Cambodian People's Party (CPP) holds a two-third majority of the seats in the National Assembly, controlling 90 out of the 123 seats. The Sam Rainsy Party (SRP) holds 26 seats and other parties hold the other 7 seats.³¹

The results of the 2008 elections have led to the overwhelming **dominance of a single party** in parliament and subsequently in the legislative branch. Although the CPP obtained this dominance through a technically reasonably sound election, the clear two-third majority impedes the National Assembly from enhancing checks and balances of the government.

2.3. Dominance of Party over State Institutions

Historically, party and government were highly **intertwined** during the People's Republic of Kampuchea. The same individuals held concurrent leadership positions in both institutions. The Council of State was the highest government body. A Council of Ministers exercised cabinet functions and was responsible to a National Assembly elected from KPRP members. The National Assembly heard reports from ministers and from the rest of national leadership, but exercised little legislative authority.

Further, a system of **patronage** is deeply embedded in Cambodian society. This system also extends to the relationship between the ruling party and its parliamentarians. A report in 2006 concluded that the parliament 'is [...] viewed by the majority of Cambodians as servants of their party structures and not of their constituents'.³² Reportedly, candidates in the 2008 elections had to pay a certain amount to be included in the political party's list of candidates.³³

to Transition – the CPP", at pp 104-120. See also: M. Slocoms, *The People Republic of Kampuchea 1979 - 1989: The Revolution After Pol Pot* (Silkwom Books, Bangkok: 2003), especially chapter 6 on "Political Society" at pp. 125 – 160.

³¹ The Cambodian People's Party (CPP) increased the number of seats from 73 to 90 in 2008. The Sam Rainsy Party (SRP) increased their seats from 24 to 26. After the ousting of its party leader, the National United Front for an Independent, Peaceful, and Cooperative Cambodia (FUNCINPEC) dropped from 26 to 2 seats. The newly formed *Norodom Ranariddh Party* (NRP) and the Human Rights Party (HRP) obtained 2 and 3 seats respectively. See <http://www.electionguide.org/election.php?ID=1188>

³² Evaluation of Programme to Support Capacity Development of the Cambodian Parliament, and Options for Future Programmes, UNDP, March 2006, p.29

³³ Overview of Corruption in Cambodia, Anti-Corruption Resource Centre www.U4.no, p.3

This system of patronage is partially reinforced by the election process. According to the Election Law, parliamentary seats are allocated in accordance with the descending order of priority as determined by a political party. Therefore, the membership in the National Assembly is – to a large extent – determined through **party lists**. Further, the loss of party membership can lead to loss of parliamentary membership,³⁴ a system which is prone to abuse as a tool for a party to dominate the legislative branch. From 2003 to 2008, at least 13 members of the National Assembly were reportedly removed from their position because they held viewpoints in conflict with their political party on policy issues, as a recent report concludes.³⁵

For CPP members in the Cambodia parliament, it remains very difficult to openly question or openly criticize the policies and decisions of their own party and its senior officials. As a result, Members of Parliament can **hardly be expected to carry out any meaningful external oversight** on the executive branch in the current political environment.

It remains unclear to what extent Members of Parliament from the CPP provide some sort of **internal oversight** over the government through internal party procedures outside the public eye.

Overall, the current political system in Cambodia does put emphasis on the **accountability to the party** rather than the voters. It fosters an allegiance between Members of Parliament to their party leadership, which in turn is largely answerable to the executive.

2.4. Decreased Political Will for Election Reform

Especially after the 2008 election, the importance and the **political will** to reform the **voter registration process** and the related systems has **sharply decreased**.

The CPP appears to regard electoral reform as a **secondary issue**, and clearly has no strong incentive to change an electoral process which brought it to power. The National Election Committee has merely shown limited commitment to spearhead electoral reform and limits itself to implementation of the electoral law.

³⁴ see articles 38 and 120 of the Amended Law on the Election of the National Assembly; see, also Principle 83 of the (amended) Internal Regulations of the National Assembly of the Kingdom of Cambodia

³⁵ Cambodian Democracy, Elections and Reform, COMFREL, February 2009, p4

2.5. Waning External Involvement

International donors and partners of Cambodia appear **less willing or able** to focus on governance issues. Donor commitment and funding to governance in Cambodia seems to be on the decline.

Some donor countries are **withdrawing their support to governance**. Canada's parliamentary support, for example, will cease in 2010 with Governance no longer a priority in CIDA's global areas of development assistance. As a result, CIDA plans to close its office in Cambodia. The Canadian Embassy is already closed, with effect from 2008.

Others donors are **focusing on other areas** at the expense of their support to governance in Cambodia. Some important international partners of Cambodia like China, South Korea and Japan are currently not engaged in good governance programmes in the country.

3. UNDP'S CONTRIBUTIONS TO THE OUTCOME

This chapter describes and analyzes what UNDP has contributed to the achievement of the outcome through delivering goods and services over the past five years (outputs).

More concretely, this chapter attempts to answer the following question:

What has UNDP done to support the parliament and civil society organizations in providing checks and balances of the elected government?

To achieve the outcome, UNDP assistance has focused on two aspects over the past five years:

- Support to the **electoral processes**
- Support to the **parliament**

Table: UNDP projects from implemented from 2006 to 2009 which contribute to the outcome

| Project title | Years | Expenditure (2006-2009) | Implemented by | Key activities |
|---|-------------|-------------------------|----------------------|--|
| Strengthening Democracy and Electoral Processes in Cambodia (SDEP) | 2006 - 2010 | USD 7.3m | UNDP | <ul style="list-style-type: none"> • support the National Election Committee • improve electoral legal frameworks and processes • promote the development of a culture of democracy and civic participation • coordinate donor assistance for the Commune elections 2007 and National Elections 2008 |
| Legislative Assistance Project (LEAP) | 2007- 2010 | USD 1.2m | Cambodian Parliament | <ul style="list-style-type: none"> • develop the capacity of the commissions of the Parliament • strengthen the Secretariats General of both Houses of Parliament • develop the capacity of the Technical Coordination Secretariat of the Parliament |

3.1. UNDP's Support to the Electoral Processes

UNDP's support to the elections builds upon a **long history** of UN support to elections in Cambodia, including three national elections (1993, 1998, and 2003) and one commune-level election in 2002.

For the period under review (2006 – 2009) UNDP planned to provide support to the electoral processes in Cambodia through **four sets of activities**:

- a) support the **National Election Committee** in the preparation of free, fair, transparent and sustainable elections
- b) improve **electoral legal frameworks and processes**
- c) promote the development of a **culture of democracy and civic participation**
- d) coordinate donor assistance for the **commune elections 2007** and **national elections 2008**³⁶

UNDP's support to the electoral process was originally intended to **commence immediately after the national elections of 2003** through the project 'Strengthening Democracy and Electoral Processes in Cambodia' (SDEP). It was intended to help prepare the ground over the long term for the 2007 commune council and the 2008 national elections. The activities were originally designed not as a one-off support to elections, but as a more comprehensive and more sustainable '**between-the-ballot-boxes**' initiative.

However, due to a number of factors, UNDP took longer than expected to start implementation and directly addressed preparations for the **commune council elections in 2007** and the **national elections in 2008**. The timing **distracted attention from the longer-term support to laws, institutions and processes** that was originally intended.

Following the elections results in **2008, UNDP reacted** to the changing circumstances. The project SDEP was extended for two more years. The activities in 2009 and 2010 focused on strengthening democratic multi-party system and enhancing the democratic space and participation in Cambodia. It also included support to the creation and coordination of youth voice into the political process and increased capacity of political parties to engage constructively in electoral and political process.

³⁶The description and analysis of these activities in this chapter are mostly based on Project Review, SDEP, 12.11.2008 and Annual Project Report, SDEP, 2009

a) Supporting the National Election Committee

During the period up to the national elections 2008, UNDP provided the National Election Committee (NEC) with advisory, printing, broadcasting and production services for **voter education**. With UNDP's support, commune clerks were trained and supported to **register voters**. Provincial and Commune Election Committees were trained and supported to handle **complaints** and **appeals**.

After 2008, however, the NEC re-defined itself increasingly as mere **implementer** of the electoral law (rather than actively advocating for electoral reform). In UNDP's view, this approach left **little room for constructive engagement**. UNDP now limits its support mostly to coordination with the NEC and advocacy for electoral reforms.

b) Supporting the electoral framework and processes

UNDP supported the **voter registration process** for the national elections, set up an **ID card system**, funded a **voter registration audit** to assess how many names had been improperly deleted from the voter list (ca. 57,000), and provided legal advisory services to the NEC. In 2009, UNDP supported the 'Committee for Free and Fair Elections in Cambodia' (COMFREL), a Cambodian network of NGOs, in conducting an innovative **sample survey of voters** to identify problems with the voter registration process.

However, **UNDP could not deliver** a majority of the activities originally planned to improve the electoral framework and processes in Cambodia. The **legal framework** for the election process has not been enhanced. No **interface** exists yet between the database of the Ministry of Interior and the NEC voter registry database. Two national **ID card data bases** are still not unified.

c) Promoting participation and democratic culture

Already prior to the current country programme, UNDP had been supporting activities to promote participation and a culture of democracy in Cambodia. Since 2006, UNDP has focused mostly on three aspects:

- UNDP facilitated **Conflict Prevention in Cambodian Elections** (COPCEL) meetings. These meetings provide a platform for discussions among the government, political parties and civil society at national and local levels.
- The **Equity News and Equity Weekly** programmes are intended to increase independent and balanced television news coverage through the National Television Kampuchea (TVK). With UNDP's support, 48 weekly shows of 45 minutes each were produced from

2008 and broadcasted three times a week. During the 2008 national election campaign, the programme covered campaign activities of all eleven parties through a formula of proportional or equitable coverage. Equity News is widely praised for critical and balanced journalism, providing a stage for members of opposition parties in a legal and political climate which is becoming increasingly restrictive.

- More recently, UNDP increased its support of the '**Committee for Free and Fair Elections in Cambodia**' (COMFREL), a Cambodian network of NGOs, to organize local public forums, voter benchmark shops, radio programmes, TV stops, and monitoring of the work in the Cambodian parliament ('Parliament Watch').

d) Supporting the funding for elections

During the **national elections of 2008**, UNDP supported the **resource mobilization and management and helped coordinate donor activities**.

UNDP supported the **training** of grass-root electoral stakeholders and NEC staff in election procedures and impartiality. Further, it helped in the production of **current affairs programmes** and election **campaign news** for national television. UNDP also provided **direct budget support** to the National Election Committee. UNDP helped to mobilize 40 percent of the total election budget, and held briefing meetings and briefing sessions for international observers.

Overall, UNDP received positive feedback for its role in coordinating activity around the national elections of 2008, particularly from the diplomatic community and development partners.

Summary

UNDP's support since 2006 has contributed to **technically more sound elections**. It successfully contributed to a prerequisite of checks and balances: the existence of an elected, legitimate legislative branch. UNDP was also successful in creating **platforms for information sharing and greater participation** in the elections and political discourse in general.

However, UNDP's support to the National Election Committee and its work to reform the electoral framework and processes was severely **hampered**. UNDP recently concluded that its 'long term engagement of the NEC [...] did not result in any progress. [...] The lack of institutional independence and the particular political climate [means] that no technical progress on any form of electoral reform could be made in the absence of political will.'³⁷

Also, because UNDP was not able to conduct a significant proportion of the planned activities, the **delivery** of this output appears **fragmented and incomplete**. A project review in 2008/2009 concluded that '[UNDP] has produced a very high number of outputs and implemented many activities [...]. However, there was [...] too much of a focus on activities and outputs without the necessary link to the larger development outcomes [...].'³⁸

³⁷ Annual Project Report, SDEP, 2009, p.16

³⁸ Project Review, SDEP, 12.11.2008, p.2

3.2. UNDP's Support to the Parliament

UNDP began to support the capacity of the Cambodian Parliament to deliver its three core functions only in 2008. It planned to provide support to the parliament in **three ways**:

- a) Develop the capacity of **Members of Parliament**
- b) Strengthen the capacity of the **Secretariats** of both Houses of Parliament
- c) Develop the capacity of the **Technical Coordination Secretariat** to manage and coordinate all donor assistance to the Parliament

a) Develop the capacity of parliamentarians

While initially focused on the parliamentary commissions, UNDP has **broadened** its activities towards the **parliamentarians** at large. This was a sensible move following the 2008 national elections, after which all nine Commissions of the National Assembly are presided by, and composed of, members of a single party, the CPP. It allowed UNDP to work across political party boundaries and serve all Members of Parliament, irrespective of their affiliations.

Since 2008, UNDP has developed the capacity of parliamentarians through a number of **activities**:

- With UNDP's support, parliamentarians of both houses have engaged with around 1,800 constituents during 13 **field trips**. So far, 109 parliamentarians have participated in these field trips and visited 17 provinces throughout the country.
- UNDP supported two **public hearings** on draft bills (Law on Penal Code and Inter-Country Adoption) for consultations with civil society organizations and the government. Neither led, however, to a change in the legislation.
- So far, 11 **regional forums** were organized where 64 parliamentarians had an opportunity to build the capacity of commune councillors and learn from them about the challenges and needs at the commune level.
- With UNDP's support, **women parliamentarians** of the National Assembly agreed to work together across parties.
- The Parliament now has a draft **Code of Conduct** which promotes a culture of ethic behaviour among Members of Parliament. The draft is not yet approved by the National Assembly.
- With UNDP's support, the Cambodian parliament now has a draft **communication strategy** in place.³⁹

³⁹ not yet approved; for details see Legislature Assistance Project, Annual Project Report 2009

b) Strengthen the secretariats of both Houses

- With UNDP's support, 80 officials of both houses (40 staff, 36 middle managers, 4 support staff) completed a three-week **course on secretariat management and planning skills**.
- 28 mid-level and support staff completed a one-day **course on media and communication**.
- 28 key staff learned and completed a test following a six-month training of Khmer **Shorthand** ('Hansard') for improved record keeping.

c) Strengthen the Technical Coordination Secretariat

- UNDP supported the capacity of the growing staff of the Technical Coordination Secretariat directly through funding additional human resources and indirectly through training, on-the-job mentoring and expertise.
- With UNDP's support, the secretariat organized for the first time a meeting of the **Parliamentary Steering Committee**, which will help to increase donor coordination to the Cambodian parliament.
- The secretariat distributed a first **newsletter** to 100 stakeholders on the current business of parliament and the parliamentary calendar.

Summary

UNDP has shifted its support to Members of Parliament rather than commissions. However, it has remained difficult for UNDP to **engage** with Members of Parliament from the **opposition**. There is a predominant view among CPP parliamentarians that the opposition should not systematically be associated with UNDP project activities. This is why, for example, every activity's agenda and participants list need to be approved by the Secretary General of the National Assembly. Invariably, the question of opposition participation arises and proves contentious.

Partially related, the Technical Coordination Secretariat faces **significant difficulties in planning** and timely **implementing** many of the planned activities. A recent report laments that '[...] a number of activities were unfortunately not approved or significantly delayed at the very last moment despite being part of

the approved [Annual Work Plan] and a substantial amount of work invested in them'.⁴⁰

An additional difficulty is that due to the nature of UNDP's support and the political sensitivity of the work involved, **monitoring** and subsequent reporting on the results of many activities remains a challenge. That might contribute to the fact that currently, there is **little credible evidence** that UNDP's activities have led to **better oversight** by the parliament.

So far, UNDP's support has not led to **public questioning** of a government member in parliament, a traditional oversight mechanism used by parliaments. No inquiry commission has been established so far to follow up on an issue raised by constituencies of members of parliament.

The **field trip** reports describe very well the details of the trip (the delegation, constituencies, issues raised, and recommendations for follow-up). In one instance, a field trip led to a delegation's intention to amend or review legislation, notably to lobby to amend the law on commune/sangkat councils to include one woman councillor in each council. It is unclear to what extent these missions have been followed-up with action by the MPs and what results they have achieved.

This does not, of course, exclude the possibility that UNDP's support to the parliament might have invoked **internal** discussions with the ruling party. Some parliamentarians have pointed out that they prefer to question things within the party than publicly.

⁴⁰ Annual Project Report 2009, LEAP, p.6

4. HAS UNDP WORKED WITH THE RIGHT PARTNERS?

UNDP implemented activities to achieve the outcome in different ways, and with different partners:

- UNDP's key partner for its support to the legislative branch is the **Technical Coordination Secretariat (TCS) of the Cambodian Parliament**. The related project 'Legislature Assistance Project' (LEAP) is nationally implemented by the TCS.
- UNDP's partners for its work on democracy and electoral processes is the **National Election Committee, the Ministry of Interior, the Ministry of Education, the Ministry of Information, the political parties in Cambodia and various national international organizations**. The related project 'Strengthening Democracy and Electoral Processes in Cambodia' (SDEP) is implemented directly by UNDP.

Overall, UNDP has been **working with the right partners** to progress towards the outcome. UNDP has forged strong partnerships over the past few years and has **adjusted** the partnership strategy **appropriately** following the national elections of 2008, and the significant changes in the operational and political environment will require adjustments in the partnership strategy. To remain flexible, it helped that some of the activities on electoral processes are directly implemented by UNDP.

Since the outcome relates to the Cambodian legislature and the civil society to be able to provide checks and balances to the executive branch, key partners of UNDP to achieve the outcome must necessarily include both **Houses of Parliament** and **civil society organizations**:

- UNDP has been right in working with **both houses of parliament** (the National Assembly and the Senate). Engagement with the **National Assembly** - the stronger arm of the bicameral parliament - has become increasingly challenging. Although it may have been easier to work with the Senate only after the national elections in 2008, UNDP decided to continue working with both houses to work towards better checks and balances.

- The **National Election Committee** was a natural partner for UNDP to work on election processes. However, the results of the 2008 national elections led to a change in the NEC's role in electoral reform. Recently, members of the NEC came to consider electoral reforms to be the responsibility of the Ministry of Interior.
- UNDP has correctly partnered with **civil society organizations** which continue to play a vital role in the promotion of democratic rights in Cambodia. Civil society organizations have often a depth of experience that allows them to work with the government and assist with the delivery of development of assistance activities. An impressive example of this partnership is a survey of public opinion on voters list and registration⁴¹ conducted by COMFREL, a network of NGOs.
- Few international organisations are actively engaged in governance issues in Cambodia. The **Konrad Adenauer Foundation** is engaged in a small-scale parliamentary support programme which focuses primarily on the Senate. The **National Democratic Institute** and **International Republican Institute** were engaged in supporting electoral activities, political parties and parliamentarians. The **Canadian International Development Agency** has supported the development of democratic institutions in Cambodia since 1991, but plans to end support to governance in the country.

⁴¹ Survey Report on Voters List and Registration, COMFREL, Phnom Penh, July 2009, www.comfrel.com

Lessons Learned

1. The outcome has clearly not been achieved.

Over the past four years, the Cambodia Parliament continues to have certain legitimacy through a technically sound election and slightly improved structures. However, there is **no evidence that the Cambodia Parliament or the Cambodian civil society is now better able to provide checks and balances of the elected government than in 2005.**

Despite the – at least partial - delivery of planned outputs, UNDP will not achieve the outcome defined in its current country programme. The reasons are a) a **too ambitious definition** of the outcome in 2005 and b) **external developments** completely outside the control of UNDP.

2. Setting an unrealistic and unclear outcome can backfire

By definition, UNDP should have a **reasonable degree of influence** over the achievement of the desired outcome. UNDP should define outcomes 'at a level where UNDP and its partners (and non-partners) can have a reasonable degree of influence'.⁴² This is not the case with the outcome under evaluation.

In addition, the formulation of the outcome is not as clear and logical as it could be, which leads to unrealistic expectations and difficulties to evaluate success. It was **overly ambitious** to expect that with UNDP's support, **civil society** in Cambodia would be able to provide checks and balances over the government. This is something even established liberal democracies find difficult to achieve and appears unrealistic in Cambodia over the time span of a few years.

⁴² Handbook on Planning Monitoring and Evaluation for Development Results, UNDP, 2009, <http://www.undp.org/evaluation/handbook/>

3. UNDP's outputs only partially contribute to the intended outcome.

UNDP's support to the **electoral process** – a key activity over the past years - does only **indirectly** promote checks and balances of the government. UNDP's support instead addresses the pre-requisite of checks and balances: a properly elected parliament with high legitimacy.

The result chain evaluated appears to be the **result of bottom-up planning** (from projects to an overarching outcome) rather than a planning process which starts with the planned outcome to identify the outputs needed to achieve the outcome.

4. Technical assistance does not necessarily lead to democratic reform.

With UNDP's support, Cambodia is now able to conduct **technically relatively sound elections** in an environment largely free of political violence. Technically sound elections are a prerequisite of a political system of checks and balances but can cement a political environment which is heavily skewed in favour of a well-organized political party in government.

The past few years have demonstrated that technical improvements in elections do **not necessarily lead to meaningful democratic reforms** and better checks and balances on the executive power.

5. The identification of risks and assumptions helps to prepare for alternative and/or exit strategies.

During the planning for the Country Programme, UNDP did not sufficiently take into account (or document sufficiently) the **inherent political nature** of the National Assembly⁴³. Nor was UNDP able effectively to adapt to the situation brought about by the 2008 national elections on the political dynamics and the environment of UNDP's work with the parliament. There is little evidence of proper identification and monitoring of **risks and assumptions** as well as a definition of **alternative** and/or **exit strategies**, especially with regard to the 2008 national elections.⁴⁴

⁴³ see e.g.: Political Competitiveness and Civil Society Assessment, USAID Cambodia 2008, p. 41

⁴⁴ The project document for LEAP, for example, fails to identify the results of the 2008 national elections as a risk (LEAP project document, 2007, pp. 18-19). The project document for SDEP is more forward-looking, but remains equally vague with regard to an exit strategy: '[...] Should there be changes to the NEC rendering it less, rather than more independent, the component would need to be carefully reviews in order to assess whether it should still be implemented' (SDEP project document, 01/2006, p.7).

6. The project-based approach has reduced UNDP's flexibility to adjust to a changing environment

Mostly due to the gradual contraction in the democratic space following the 2008 national elections, it was **not possible for UNDP to fully deliver all planned outputs**. Activities relating to voter registration, electoral legal reforms and oversight planned for 2008 and 2009 could not be carried out. UNDP, however, reacted to the changing circumstances and adjusted UNDP's activities to some degree.

The **need to respond to short-term needs** (as in the case of electoral assistance) has **distracted** UNDP from its long term development objectives. This is especially true in the case of UNDP's support to the democratic and electoral process, where much energy was devoted to the 2008 elections and additional related activities at the expense of the implementation of activities relating to voter registration and electoral legal reforms.

The project approach in a politically challenging environment like Cambodia is not ideal. UNDP's new approach based on a commitment over five years and **Annual Work Plans** will provide more flexibility while retaining a sharp focus on the intended outcome and the planned broad outputs.

Recommendations

It is recommended⁴⁵ that UNDP and its partners

1. **clearly communicate to the Government of Cambodia that UNDP makes a long-term commitment to develop the capacity of Cambodians at large on democratic practice;**
2. **do not confine themselves to technical capacity building of democratic institutions, but focuses instead on creating a democratic space in which citizens can form groups that give voice to their concerns;**
3. **shift their focuses to the fundamental problem that civil society is not strong enough to make their voice count, by nurturing independent civil society organizations with financial and technical support, and support reforms that can create larger, democratic space;**
4. **more realistically define the new Country Programme outcomes related to governance in a way that UNDP and its partners have a reasonable degree of influence over their achievement of it;**
5. **agree on clear outputs and an outcome for 2011-2015, but actively adjust activities (and – if necessary outputs) annually to reflect changes in the political environment;**
6. **analyze and track risks and assumptions based on the political realities of the country, and build in clear alternative and exit strategies in case the risks increase above a certain threshold, or the assumptions UNDP's work is built upon drastically change.**

With regard to UNDP's support to **elections**, it is recommended that UNDP:

7. **focus on long-term objectives such as electoral reform, enhancing women's participation in the electoral process and civic and voter education**
8. **does not engage in voter registration unless and until there is a clear, high-level consensus with the National Elections Committee and the Ministry of Interior how to proceed**
9. **continue focus on access to information, especially electoral information, building upon UNDP's work with media like Equity Weekly**

⁴⁵ some recommendations were first formulated in Assessment of Development Results, Evaluation Office, UNDP, 2010, pp. 29-34

10. strengthen UNDP's capacity to supervise and implement existing recommendations for electoral legal reform and the technical aspects of voter registration by hiring senior project staff with substantive background in these areas

With regard to UNDP's support to the **parliament**, it is recommended that UNDP and its partners:

11. discuss at senior level (Country Director and President of the National Assembly) and sign a Memorandum of Understanding with the National Assembly which defines principles of engagement, notably multi-party participation and participation by civil society organizations in UNDP-funded activities

12. pilot support to selected parliamentary commissions⁴⁶ based on requests for support⁴⁷

13. support national and regional public hearings on draft legislation with a view to promote democratic space and start influencing legislation

14. continue support to gender equity in the parliament⁴⁸

15. enhance the research capacity and legal expertise of Members of Parliament, , including officers in the commission of the parliament ⁴⁹

⁴⁶ Since commissions are staffed exclusively with CPP, a UNDP engagement risks excluding opposition Members of Parliaments and raises an issue of principle of engagement for inclusiveness. However, as one of many UNDP-supported activities, re-engaging with the parliamentary commissions could become an effective means to influence policies (e.g. with Commission 1 handling human rights violations).

⁴⁷ UNDP could pilot to help define the role and responsibilities and their key priorities during the tenure of a limited number of commissions. One possible beneficiary is Commission 1 (responsible for handling complaints related to human rights violations). The commission receives a considerable number of complaints and the procedures for complaints handling are not yet well established or formalized.

⁴⁸ e.g. work on gender equity within the two secretariats, train women leaders, gender budgeting, support gender equity in political parties and local authorities, etc.

⁴⁹ Even if debates do not take place in parliament itself, Members of Parliament of the ruling party may better influence discussions within party structures and shape legislature. UNDP should avoid duplicating work by other organizations and/or closely collaborate with them.

ANNEX

ANNEX 1: List of Individuals Met

UNDP Cambodia

- Jo Scheuer, Country Director
- Sophie Baranes, Deputy Country Director (P)
- Lea Tamayo, Assistant Country Director (Governance), a.i.
- Heng Socheath, Programme Analyst, Governance Cluster
- Sophat Chun, Programme Officer, MSU
- Seeta Giri, Management Specialist, MSU
- Phat Phy, Programme Assistant, Governance Cluster
- Aamir Arain, Project Manager, SDEP
- Susan Cowley, Senior Parliamentary Advisor, LEAP
- Georg Eichhorn, Operations and Management Advisor, LEAP
- San Tea, M & E Officer, LEAP

UN Agencies

- Aida Nejad, Human Rights Officer, OHCHR
- Laure-Anne Courdesse, Human Rights Officer, OHCHR

Local NGOs

- Koul Panha, Executive Director, Committee for Free and Fair Elections in Cambodia (COMFREL)
- Neb Sinthay, Director, Advocacy and Policy Institute (API)
- Chhum Sarany, Advocacy and Capacity Building Programme Coordinator, API
- Gijs Koop, Programme Advisor, The NGO Forum
- Naly Pilorge, Director, Cambodia League for the Promotion and Defense of Human Rights (LICADHO)
- Thun Saray, President, Cambodian Human Rights and Development Association (ADHOC)
- Thida Khus, Executive Director, Committee for the Promotion of Women in Politics

International Organisations:

- Rabea Brauer, Country Representative, Konrad Adenauer Stiftung
- Wagner Matthias, Senior Advisor, National Assembly
- Dararith Kim-Yeat, Project Manager, Cambodia-Canada Legislative Support Project
- Sothearayuth Lee, Senior Program Officer, NDI

Governmental Partners:

- Leng Peng Long, Secretary General, National Assembly
- Yos Sokhemrin, Deputy Project Manager, LEAP
- Son chhay, MP and Party Whip of SRP
- Un Ning, MP and Chair of Commission 4
- Khuon Sudary, MP and Chair of Commission 1
- Saleh Sen, MP and Member of Commission 1
- San Inthor, MP and Member of Commission 1
- Kong Sareach, Senator and Chair of the Commission on Interior and Defence
- Ty Borasy, Senator and Chair of the Commission on Foreign Relations and International Cooperation
- Kong Korm, Senator Chair of the Commission on Education, Youth, Sports, Religious Affairs, Culture and Tourism
- Men Maly, Senator and Chair of the Commission on Human Rights, Complaint Reception and Investigation.
- Acting Chair, MP and member of Commission 6 on Legislation and Justice
- Ouk Damry, MP and member of Commission 6 on Legislation and Justice
- Ich Sarou, MP and member of Commission 6 on Legislation and Justice