EXTERNAL EVALUATION OF UNDP SUPPORT TO THE NATIONAL PROGRAMME FOR ADMINISTRATION REFORM (NPAR)
CMB/99/01 1/01/99
(Capacity Development for the Implementation of the National Public Administrative Reform)

LEONARD JOY
June 5, 2001

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(1) EXECUTIVE SUMMARY

The principle focus of this mission has been the recommendation of "actions that are necessary to reinforce Government leadership ownership and its capacity to articulate its own vision of the reform as well as ensure its implementation".

Project relevance

- Without question, support for the capacity development of the CAR Secretariat is potentially one of the most significant areas for UNDP support to Cambodia at this time. It is one that is especially appropriate to UNDP's role and mission. However, the realization of its full potential requires that a number of prerequisites be met.

- The programme document fails to cast the CAR as the convenor of a consensus process that places responsibility for the design of change with those that have to make the change and live with consequences of change. It gives the CAR, and external experts, responsibilities for both the design and the implementation of change, that should properly belong with the

ministries and provinces and with civil society.

- It further focuses on the efficiency of public sector management. In so doing, it fails to discuss the nature of policy formulation and policy management in a participatory democracy and the choices to be made with regard to the role of the state: specifically, the choice between the administration as a mediator of conflicting interests and the administration as a facilitator of a public forum on norms and how these might be reflected in policies and programmes. It therefore fails to take account of how these considerations need to be reflected in the roles and responsibilities of individuals, for-profit and not-for-profit organizations, and the various branches and levels of government. In short, while it notes that public sector reform should be seen as part of overall governance reform, it fails to support reflection on a vision of Cambodian governance as the foundation of the administrative reform task or to provide TOR for consultants that sensitize towards this.

- It reflects no understanding of the management of complex systems change and its need to be approached strategically and with an eye on constituency building. Instead, it addresses a series of discrete administrative efficiency-enhancing (and cost-cutting) reform tasks. Each of these tasks may be needed to underpin the reform. But treating them separately, and as unrelated to the larger task of governance system reform (as

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Cambodian ownership and leadership

- Consultants are playing key roles in advancing the reform but it is essential that the reform should become more directly country-driven and that, over time, leadership be developed within the Secretariat. While the use of

expatriates taking major responsibilities, especially for design and implementation, has allowed things to move, this becomes increasingly inappropriate.

- The degree of RGC ownership is, and will be, indicated by its responsiveness to the demands placed upon it by the reform process. The desire for administrative effectiveness is yet to be fully challenged by its implications in reality. Constituencies of support will need to emerge or be developed for every step of the reform process. This will be especially the case when the reform indicates substantial shifts in roles and threatened loss of power by some, as it inevitably will. The reform strategy depends for its success on providing acceptable roles for those that might resist change or the ability of authority to require the indicated changes. There are likely to be times when change is successfully resisted and delayed. Strategic change management capacity needed for successfully meeting inevitable challenges has yet to be developed. This should be a focus of concern to UNDP.
- Willingness to support the realization of the immediate objectives listed below will be further indication of the degree of RGC ownership and support of the programme.

The ***immediate objectives***

1. Reframe the task of the Secretariat to reflect concern for more than administrative management efficiency.

2. **Reassert the role of the Secretariat as a change process management body and its role in the coordination of the work of the Reform Councils.**

3. Recruit a potential Secretariat Team leader.

4. **Develop the Secretariat Team and its leadership.**

5. Develop a new CAR work plan informed by a strategic sense of the interdependence of the work of the Reform Councils and its role in their coordination.

6. Secure RGC support for this.

7. Explore with RGC steps needed to make the reform country-driven.

that of service delivery. Such a vision has yet to be developed. At this stage in the reform process, it is probably best that this not be tackled head-on but by raising key issues as they emerge in specific contexts.

- While the UNDP programme concept and design had value for the first phase of the NPAR, a new programme document is now needed.
- It is especially important that the new document should acknowledge the critical significance of the public administration in reflecting the values embodied in the governance system and the need for administrative reform to reflect these values and the vision of governance for Cambodia. Administrative reform is not simply a technical matter.

Donor coordination

- Lessons learned with regard to donor participation are reviewed in this report. Principles for donor partnership need to be observed to secure country-driven assistance programmes. These principles are clearly articulated in the RGC paper A *New Development Cooperation Partnership Paradigm for Cambodia. RGC* should be invited to consider the creation of its own "partnership forum" based on explicit understandings of the expectation of the parties, with UNDP taking the role requested of it by the RGC.

TC objectives

- TC for capacity building of the CAR Secretariat through on-the-job training should be immediately pursued. Among the consultant tasks would be:

- To support the selection and recruitment of a Deputy Secretary-General to head the Secretariat Team.
- To support the reframing of the nature of the Secretariat's task to address `front office' capacities.
- To support an informed sensitivity to the role of the administration in a democracy.
- To come to grips with the central task of defining `who does what' in the process of deconcentration/decentralization and of the coordination of the work of the various Councils with concerns in this.
- To help establish mechanisms for in-depth coordination between the Councils.
- To provide an assessment to guide next steps and future UNDP assistance.

Other tasks

- Discussions are needed with the CAR to consider bridging provision to provide adequate remuneration for Secretariat Team members from the end of June.
- The anomalous position of the UNDP Special Adviser[s] should be resolved.

[1] Formally designated as Special Adviser to the Cabinet Office of the Senior Minister.

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governance capacity building programme. In this sense the objectives were not consistent with stated goals, though they can readily be reformulated to be so.

More explicitly, and bearing in mind that the programme documentation contains several somewhat different statements of objectives, and that the TOR provided for this mission state them, in part, differently again, the immediate programme objectives (as stated in my TOR) are:

(i) To increase the capacity of the CAR Secretariat to support government in the design, implementation and coordination of PAR programme

The rationale for this is clear and unexceptionable if seen in the following light: The CAR Secretariat is given a key role in leading the reform process. At present, given the lack of capacity of the Secretariat team, the programme is to a large extent consultantdonor driven. Therefore the capacity of the CAR Secretariat needs to be developed.

In this light, a programme that provides coaching assistance to nationals exercising responsibility for change management tasks is what is required to support capacity development. This is not emphasized in the programme document. The concept of, and TOR for, a Programme Manager, especially, would have been drafted differently had this perspective been taken.

(ii) To mobilize donor funding and facilitate coordination of donor activities with respect to the government PAR.

This is appropriate especially inasmuch as Government has asked UNDP to act as the lead partner in mobilizing and coordinating donor assistance.

A performance criterion and success indicator is offered for this objective. But the performance indicator is not satisfactory. The requirement of "additional funding secured for PAR programme from other donors" begs many questions. Is any amount of additional funding evidence of success? Could there be too little or even too much? The programme document estimates an additional need for $2.4m but should we conclude that the programme has failed if this amount is not raised in the course of the life of the programme? Clearly, the funding requirements of the reform and its sustainability are ultimately far in excess of what is now available. What is important is that there should be funding assured to meet clearly defined and justified need in a timely manner. This sense of assurance was not experienced.

(iii) Facilitate the implementation of priority reform initiatives and sub programmes as well as development of implementation plans. (This is also Immediate Objective 2 as stated in programme document.)

This needs elaboration especially with regard to the meaning given to "facilitating".

Without this elaboration, this objective is not clear.

The specification of UNDP inputs as "experts", "advisers", "specialists", and "short-term consultants" does not indicate the use of retained non-resident consultants working in a coaching mode for local capacity development. Nor is the need for expertise in overall public administration systems or complex systems change indicated as necessary. The

Management

The following aspects of management are considered:

- The direction of the project based on the understanding of the change management task.
- The internal management of the Secretariat team.
- The management of relations to Government, to donors, and other stakeholders.

Direction: Reform of the governance system in the Cambodian context is essentially a restatement of national identity. Instead, it is approached to a large extent as a list of tasks for building management capacity according to rules of efficiency. This will indeed create an identity but it is unlikely to be an identity that is expressively Cambodian. While the task is guided by value concerns-stability, consensus...-it is not geared to a consensus vision of the future of Cambodian society, nor to the exploration of such a vision, nor even to an explicit awareness of such a vision held by those who are, in effect, designing the future. Indeed, the designs of the separate tasks of deconcentration, decentralization, financial management, human resource management, and the drafting of the legal framework that contains them, are drawn from a variety of Western visions that are themselves in process of becoming outdated in the western world. The interdependence of these various aspects of the governance system is not taken account of in the process by which the design of the parts is brought into overall coherence. The role of the state and the state-citizen relationship receive little explicit consideration. Awareness of the need for coordination is not reflected in an adequate design for harmonizing political, economic, social, legal, and administrative developments. Managing the change process involves managing the sequence in which the elements of the governance system interactively evolve. There seems to be no account taken of this. Instead, there is a checklist of discrete tasks and the challenge is seen to be that of checking these off as fast as possible.

Most significant is the failure reflected in the seeming marginalization of the **CAR** from the decentralization process. This is an extremely serious matter. The coordination of deconcentration and decentralization-and these in turn with the work of the financial and legal reform councils, and now the National Council for Support of the Communes, should have been the key role of the CAR. Since it declined the opportunity to act in this area, its coordinating role is now in question. Lacking a breadth of understanding, CAR/Secretariat management has put the role of the CAR, its process convening and oversight function, and

the NPAR itself, in jeopardy.

As the programme embarks on the next phase of establishing systems for decision making and action, the interdependence of financial management and budgetary systems with the design of deconcentration and decentralization needs to be understood and accounted for, and the process by which these are together designed becomes critical. The rationalization of the ministries, too, is dependent on the new roles and responsibilities assigned to them and present attempts to redesign them other than in the context of these developments is likely to be counterproductive. There is evidence that

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External management: The management of relations with the UNDP office is entirely unsatisfactory with little accountability or even routine progress reporting. The expert has responsibility for being personally accountable to the UNDP Resident Representative. This responsibility has not been met. The Secretary-General has responsibility for accountability for use of UNDP support, and for reporting on the programme's progress, to UNDP. This has been delegated to, but not met by, the expert. This is unsatisfactory.

Donors are also uneasy and unsatisfied by progress reporting, and by the programme's inability to specify its needs, for which a key responsibility is being taken by the expert. This reflects a management weakness. A major concern here is that the expert has been given what are, taken together, inappropriate roles. Of no less a concern is that these roles are not satisfactorily performed.

Donors seem dissatisfied with the reporting of the Secretariat even though an inordinate percentage of the team's energy and time is taken up with this activity. Donors' perceptions of the programme, as inferred from their verbal comments in donor meetings and in one-on-one interviews, reveal a high degree of skepticism about the progress of the programme, and the record of assistance is not strong. There may be a need for a specialist function within the Secretariat for collating and disseminating reports that meet donors' needs.

Mobilizing donor support requires building trust, which in turn requires that donors feel confident that they know what is going on-that the information they have reliably addresses their concerns. While the Secretariat bears the responsibility for earning that trust, UNDP has a key role to play in supporting and prompting the CAR to report in ways that meet donors' needs, in ensuring that the information is received, in acting as guarantor of the information supplied, and as advocate for the programme. The expert should play a key role in briefing the Resident Coordinator, but this has not happened. There is clearly more to be done to mobilize donor support.

So, too, with donor coordination. Donor coordination starts with Government's own ability to present a coherent strategy with compatible programme components appropriately sequenced. It requires that donor support responds to Government- defined needs. Bilateral negotiation on assistance to components whose designs are not coordinated leads to fragmented and uncoordinated interventions. Both donors and Government need to be held to understandings necessary to promote coordination. UNDP has a role to play in clarifying the requirements for coordination and supporting all parties to meet those requirements. Again, the expert has a key role in briefing in this regard and, again, this role has not been played.

A second function that is not satisfactorily performed is that of "coordination of the agenda and outputs of the Seven Councils"-a task assigned to the expert. This should require a sensibility with regard to the larger issues of governance, the role of the state and its public administration, and the need for administrative reform to reflect these values and the vision of governance for Cambodia. This sensibility seems to have been lacking. Administrative reform is not simply a technical matter. Nor is it simply about `back office'-'housekeeping'-functions.

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the breadth of issues in the management of complex change for governance self-reorganization.

TC that coaches Secretariat capacity while leaving responsibility with Cambodians is urgently needed.

Particular attention needs to be paid to the development of a governance vision, to external management functions, and to resolving anomalies in the position of the resident expert. The UNDP Country Office has an important role to play in holding the Secretariat to its reporting obligations and to maintaining close contact with what is going on in the Secretariat at all levels.

Government support

The Government clearly values UNDP's role and TC in support of the NPAR. Not least, there is appreciation for UNDP's neutrality and multiple perspectives. However, UNDP's effectiveness depends also on the assertiveness and clarity of Government's own needs, as well as Government's responsiveness in taking actions called for by the change process. UNDP has a role in supporting government to be clear, and to present clearly, its needs to donors. Regular capacity building TC should support the Country Office in this.

Government needs to give high priority to the recruitment to the Secretariat of high calibre personnel, and to providing clear directives to ministries to which they are held accountable.

The Ministry of the Interior is clearly taking a lead in decentralization and this is an area where the Secretariat's role should be one of supporting that lead and associating it with parallel and interdependent changes. This is a role that now needs asserting and clarifying. TC should assist in this.

Gender considerations have not been effectively addressed and this is now a matter for attention.

Mid-term evaluation

The achievement of the census in identifying "ghosts", in providing a public sector personnel database, in initiating automatic payroll management, and in providing a basis (through the data base and statuts particuliers) for a human resource management system is fundamentally significant. While the World Bank funded much of this, its direction and execution was by the Secretariat with UNDP support and may be claimed as an achievement of the programme.

There are UNDP achievements, too, in contributing to laying the basis for a safety-net programme, developing the proposals for civil service career paths, facilitating the preparation of the Government Action Plan, and some applications of functional analysis. Earlier recommendations on safety nets and deconcentration have yet to be assimilated.

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- the role of the Secretariat as a change process management body and its role in the coordination of the work of the Reform Councils should be reasserted
- a potential Secretariat Team leader should be recruited
- the position of the UNDP resident Special Adviser should be reviewed

- It should address the question of the role of the CAR in relation to the coordination of deconcentration and decentralisation and related issues. Formally, it should especially be supporting NCSC in convening the process of design that takes account of the relation of these twin goals and the implications for finance, and the roles of the various agencies-at central, provincial, district, and Commune levels. Should the CAR not have its designated convening role in this aspect of the reform, its significance would be greatly diminished and the NPAR would be seriously jeopardized..

- TC should in future be in the form of coaching that leaves responsibility with the Secretariat. Secretariat capacity will not be developed unless this is so. At the same time, the immediate potential of team members for taking responsibility is low. It is necessary to recruit to the team members with higher immediate potential. The primary skill requirement is the ability to encapsulate and communicate meaning.

- The Secretariat needs more people with experience and leadership potential. These should be recruited from outside the public sector as necessary. Intelligence, maturity, personality, dedication, and breadth of vision are more important than specific skills other than those referred to above.

- TC should be appropriate to supporting the evolution of the role of the Secretariat into a process management and facilitating role with no direct responsibility for design or implementation of the reform. This view of the Secretariat's role should relieve concerns about recruitment of Secretariat members from outside the public service.

- The coordination of the initiatives of the Reform Councils (especially Administrative, Fiscal and Legal Reform Councils) and other related initiatives outside the PAR (e.g. Seila), becomes critical. It must rest on a vision of governance and the role of the administration as more than that of service delivery. Such a vision has yet to be developed. At this stage in the reform process, it is probably best that this not be tackled head-on, but by raising key issues as they emerge in specific contexts. Deconcentration/decentralization, especially, is an area that pre-eminently raises such issues.

- While the UNDP programme concept and design had value for the first phase, a new programme document is now needed. Most particularly, the statements of objectives were unrealistic given the time-frame of the programme. Even more fundamentally, it did not effectively address capacity development. In a capacity development programme, it is important to include benchmarks of progress not simply output indicators. However, their development is primarily a task for the Secretariat team

its own appraisal of the recommendations offered-their substance and ownership. Key to its leadership role is its ability to manage the process and coordination of its various strands and their outcomes into a coherent design and implementation programme. In the implementation phase, the Secretariat will manage the monitoring and assist in responding to constraints on implementation-perhaps by getting key parties together, perhaps, also, by

securing directives needed from COM. As before, delivery will be the responsibility of the agency concerned and the Secretariat will be responsible for promoting accountability.

The Secretariat will also have leadership responsibilities in relating to external agencies. It will have responsibility for identifying and defining needed TC and for being accountable to donors. The team's capacity needs to be built to take on these responsibilities.

2. **Leadership capacity development**

This calls for a specific strategy and programme to develop leadership qualities of Secretariat team members. This should be primarily on-the-job coaching in what it takes to perform its various roles. This should include confidence building and orientation to what it means to take a leadership role. As such leadership is developed and clearly designated, it will become imperative to be clear about the line of accountability. The team leader would be designated Deputy Secretary-General, and the line of accountability should be from the DSG, to the SG, to the Senior Minister and Chairman of the COM.

However, there is need to recruit into the Secretariat people of greater depth of experience and leadership potential. It seems necessary to look for such people from outside the public sector.

3. A vision of the governance system for Cambodia

The PAR still lacks a clear, explicit vision of the governance system that Cambodia seeks. Such a vision is essential to guide the reform work of the Secretariat. It needs to be developed with full understanding of choices and their implications for Cambodia. An appropriate task of the Secretariat would be to manage a fully informed reflection process that generated that vision. While, ideally, this would be done by organizing an inclusive national dialogue, this seems quite impracticable at present. Yet such reflection should at least take place among those making decisions and implementing the reform. The capacity of the Secretariat needs to be developed for it to be able to play a role in promoting this.

Among the concepts poorly grasped is that of a policy management *system*. Key policies (e. g. with regard to livelihood, HIV/AIDS, or malnutrition) should not be simply formulated by single ministries. Nor is policy management the province of a single ministry. Policy management requires the allocation of responsibilities for monitoring/analyzing signals that then become the triggers for action assigned to various entities-they are information-response systems where responsibilities are spread over

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introduction of the priority group scales for Secretariat members or by other means. Members of ministry workgroups and others explicitly engaged in reform tasks also need

such inducement.

It would be appropriate, for example, to provide task-defined allowances prior to initiating "priority groups" to attract and motivate the best people[6] for both the Secretariat and workgroup members. Alternatively, Secretariat team members might appropriately be taken on leave from their parent ministries and paid from TC programme funds.

5. Team building/orientation

With the restructuring of the Secretariat team, there should be an investment in team building and orientation to the change management task, and a strategy and workplan newly developed and owned by the whole team. This orientation should include consideration of the coordination of the work of the various councils with recommendations to the Secretary-General in this regard. Facilitation and process management skills would be imparted on-the-job in the course of the team building/ orientation programme.

6. Capacity for strategic analysis

The capacity to plan strategically for systemic coherence should be a central concern of the capacity building programme. It should include: ability to apply critical path analysis to identify what to focus on and how to integrate the parts; ability to analyze the interdependence of NPAR programme components (priority group implementation, functional analysis, public sector census, safety net/redeployment, the development of a human resource management system; and deconcentration-decentralization) for determining how they should each proceed and in what task sequence so that they build to a coherent whole.

7. **Management capacity**

This requires instituting regular team management meetings (engaging members so that each understand where they fit; using these meetings to develop meeting management skills of team members, and regular management routines). On-the-job coaching in the application of critical path analysis should be used to determine effective sequencing of tasks and coordinating resource allocations between areas of activity. An essential management skill to be imparted is the ability to relate the work plan to the budget.

8. HRD

Personnel management practices (job specification and review, performance reviews, personnel development programmes...) intended eventually to apply throughout the

[6] **It seems that pay inducements are currently funded out of a programme that is due to end in June. The need to put the matter onto a regular footing-or at least to find some bridging provision-is urgent.**

be doing. This, of course, has implications, too, for political structures. In defining `who does what,' it is also essential to take account of the interests of the Assembly and Senate, of national and local politicians and the impact that new processes have on their powers and their claims on constituency support. These are issues that the current reform discourse in the CAR seems apparently to neglect. Yet these are the very issues that point to the central role of the Secretariat in the deconcentration/decentralization programme.

What needs to be understood is that the Secretariat is under pressure to produce and that it is seriously stretched. Because of this, the idea of taking time off for re-orientation is simply infeasible, however desirable this might be. All capacity development coaching must be on-the-job and designed not to slow the pace of the work.

Previous evaluations have noted the need for the development of computer skills and English language competency. I conclude that:

On computer competency: The important thing is to have at least one person who is fully computer competent to service the team with trouble shooting and advice. Individuals will develop working skills as they use the computer and as they are supported with help as needed. Specific training is needed mainly for non-standard software. There is a UNDP staff member now providing computer services in the Secretariat. The idea is good but the discrepancies in the pay of the Secretariat members and the UNDP staff member is unsupportable.

On English language competency: Provision is already made for team members to attend courses. Consideration might be given to a special allowance paid for tested English proficiency (at various levels?).

Lessons learned with regard to the coordination** of the work of **the Councils and overall coherence** of **the NPAR

There has been only one joint meeting of the Councils. Coordination of the work of the Councils has not proceeded far. No doubt, this is in part due to the fact that not all Councils have themselves become fully engaged in the development of their own work plans.

Coherence of the overall NPAR requires coordination of the strategies and work plans of the Councils. Ideally, this requires orientation of the Councils *separately and together so* that there is a coherent overall strategy and a generally agreed critical path analysis that integrates their work plans. This is an urgent and timely matter as several Councils are now beginning to become active. It has implications for the scope of the work of TC recruited to support the CAR Secretariat.

As noted above, coordination for a coherent governance system implies a coherent vision of the desired governance system. There is no such vision at present. Thus, should the various councils be recognized as going off in different directions there would need to be reconciliation. It would be disastrous if this were to be based simply on the relative power

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to shift energies into one specific activity, thus slowing down progress in an area that may interest them more. directly. It could be inappropriate for a donor to engage in special pleading, imposing an implied conditionally on sustained support in such circumstances. Knowing what not to do at any time is an indicator of good performance not poor performance. UNDP should be in a position to take an informed, appropriate, and emphatic view should such cases arise. This would be supported from insights drawn from UNDP's TC engagement in capacity development for critical path analysis and strategic prioritizing.

There is some concern about donors who wish to assert particular areas of TC as exclusively their own. Some aspects of TC might apply generally over the whole range of areas of work. Communications and training activities, for example, are likely to be required in each area of the reform programme. Moreover, some areas of work might benefit from TC from more than one donor. It is not appropriate that any one donor presume to provide *all* communications TC, or *all* training for the NPAR or *all* support for "priority groups". This should be a matter for common understanding (ideally, developed in a partnership forum).

Donor support seems inhibited in the absence of CAR capacity to define its own needs in terms and formats that donors require.

(4) RECOMMENDATIONS

Meeting the need

The following are proposals on how best the project could support national efforts towards a national strategy to greater coherence and cohesion:

- The role of the Secretariat team should evolve from a prescriptive and implementation role to a convening, support and monitoring role, as proposed above (Item 1).
- TC support for on-the-job team building, task orientation and skills development is needed to build the capacity of a restructured Secretariat as indicated above (Items 1-12).[10]
- The core of the Secretariat should be reduced in size. A tentative estimate of the needed size is a team of ten people. Consultants charged with supporting the development of Secretariat capacity should review this and recommend amendment as necessary. Present members not needed in the Secretariat team

should return to their ministries to become focal points for reform implementation. It would be wise initially to retain more that the estimated requirement of ten members. This would allow a final selection of members and it would allow for retaining more than ten, if found necessary. Moreover, there are many more routine tasks that may still be necessary. (The Census could not have been carried out by leaving the ministries to do their own.) The

[10] TA **arrangements and elements** of TOR **for this are appended.**

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elements of a TOR, are attached, Annex 2. This implies TC for on-the-job support. Experience on capacity development in the area of deconcentration/decentralization and the design of planning, programming, and budgeting processes, defining roles and responsibilities in these is highly desirable. These are also areas of work that have been identified by the CAR as in need of TC support.

- proposals that provide for adequate salaries for those engaged in the reform pending the operation of priority group scheme and secure funding as necessary for these (consideration should be given to paying Secretariat members as UNDP personnel on leave from their ministries, if public servants, or payment for reform tasks performed that are not part of their regular duties)
- provision for logistic support necessary for Secretariat operation

A support package covering TC and provision for the support of the Secretariat team pending inception of the "priority groups" scheme is an urgent matter.

It should continue to provide support for computer servicing, advice and training. But the present arrangement with a UNDP computer specialist in CAR, paid at UNDP rates, causes resentment and alternative means need to be found for providing the needed support. UNDP should move on immediate procurement of the equipment for a LAN in the new offices.

Other areas for TC support

UNDP should consider capacity development support in the area of Human Resource Management Systems development. This is now discussed in the context of:

Support for priority groups implementation: There is understandable concern for the need for quality control on the implementation of the priority groups programme. This should really be part of the HRD programme. TC for the determination of priority group status is tricky because of the limitations of external experts' judgments that depend, in the absence

of established performance reviews and required profiles, on the assessment of somewhat intangible personal qualities'[2]. (And can we simply leave the ministries to assess the significance of different posts? Should the expert be able to challenge a ministry's determination that a specific responsibility, held by a specific person, commands priority group entitlement? Whose job should it be to determine this?) No doubt the ADB report will make recommendations on the implementation of the priority group scheme. But there remains a serious danger of external experts being coopted and presented as objective arbiters when they are not. However, dangers or not, the right person could be invaluable in this task. At least, they should reduce the risk of misallocations.

[12] Effective HRD, generally, is a counter to patronage and it will encounter resistance. Some countries have resorted to the computer, points scoring, and "objective" selection criteria. This should be resisted so long as the system generally works well.

Complementary UNDP programmes

Other UNDP projects are potentially complementary to the NPAR. Seila is an obvious example. I suggest that there is one further area in particular that might be considered for the future if and when the timing is right. It is *support for the development of a National Human Rights Action Plan.* If the scope and method for this is suitably defined, it would be highly complementary to governance development and public administration reform. Especially, should there be progress in the establishment of a national Human Rights Institution, there will be a need for the development of the larger system that makes this effective. This includes both the development of accountability-response routines and protocols that link the NHRI with the branches of government (and capacities for operating these), and for the development of the subsystem of civil society entities on which the NHRI's effectiveness depends. A National Human Rights Action Plan that outlined steps necessary to building this system (including the establishment of a national HRI) presented for endorsement by (a coalition) government could have substantial impact. If the plan further elaborated expectations of participatory democracy and drew attention to (but did not attempt to propose or press specifics) economic and social rights-in the process promoting public HR education-this should do much to generate momentum for HR mainstreaming.[13] Such a project could possibly be funded from HURIST rather than TRAC or CDF funds. There is growing experience of NHRAP projects to be drawn upon.

Recommendations with regard to donor coordination

- RGC has requested UNDP to act as lead agency for donor coordination. UNDP should continue to be active in taking up that role. The following recommendations provide an agenda for discussion with CAR on how UNDP's role as convenor of the group of donors might be expressed.
- UNDP should support CAR in the practice of maintaining complete openness in the exploration of TC proposals and the avoidance of unilateral negotiation.

Once this happens, all donors will be tempted to follow and donor coordination is lost. It is suggested, too, that some, possibly inappropriate, TC would not have proceeded had it been open to general consideration. There is a need for donors' meetings to discuss CAR needs and donors' interests. UNDP might undertake to convene these on the initiative of the CAR, allowing also individual donors to propose such a meeting.

- The establishment of such a practice could be the basis for introducing in time understandings with regard to more comprehensive mutual expectations by CAR and donors, perhaps embodied in formal MOUs or informal but explicit understandings.
- The draft MOU offered suggests some of the areas in which such understandings might be developed.
- UNDP should strongly advocate against the use of loan funding for NPAR TC. Loans are appropriate only when there is expectation of direct generation

[13] Brian Burdekin would be a very persuasive advocate for a NHRAP.

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- Awareness of longer-term implications for stakeholders is essential to strategic action. It is important to be aware of the implications of decentralization for national politicians, for example, and to have strategies for anticipating their possible resistance. The point to be made is that all these considerations imply the need for a deepening of professionality and close engagement with what is going on. This makes increasing demands on the contribution made in CO-RGC dialogue to counter the fragmenting impact of assistance from a variety of donors each with a focus on their own concerns. UNDP needs to hold the big picture.

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NEX

Financial accountability has been reported as being weak. This should not lead to the abandonment of NEX. Support is needed to assist in meeting accountability requirements. It is important that this should not be perceived as auditing. It requires establishing trust by sitting in the Secretariat, *with an assigned responsible counterpart*, and making it clear that the person assisting is part of the team and truly helping not simply to meet accountability requirements (or to frustrate expenditures not explicitly authorized) but to support financial management showing how properly justified flexibility in budget allocation can be approached legitimately. Mutual expectations of both government and UNDP should be made contractually clear and held to.

Leonard Joy
June 19, 2001

Annex 2 ***Notes towards:***

TECHNICAL ASSISTANCE

CAR SECRETARIAT-CAPACITY DEVELOPMENT

CONSULTING TEAM

Terms of Reference

DRAFT

Background.....

Whereas there is a need to..... [leave responsibility with Secretariat, yet maintain close support... provide coaching in a wide range of skills ... + +]

TC is therefore proposed as follows:

I. A team of three consultants, whose members will, between them, cover a range of expertise required. The team will be non-resident and, save, perhaps, for the initial mission, they will come separately but will sustain the work through periodic visits with individual members' presence being determined by specific needs and availabilities. At the end of each visit there will be agreement on the timing and required team member for the next visit. The frequency of visits will be determined as needed subject to overall commitments made regarding the team's availability. The intention is to leave full responsibility with the Secretariat while providing the needed continuity of coaching support.

2. Initial visits should be understood as probationary to confirm mutual compatibility.

3. The team will serve the Secretary-General of the CAR, working directly to support the Deputy Secretary-General Head of Secretariat team (as designated), the Deputy Secretary-Generals heading the different activity teams of the Secretariat, assisting them, as appropriate, to support the Special Adviser.

4. The consultants' task is:

(a) To provide process consultation and on-the-job coaching support for the management and guidance of the NPAR programme.

(b) To assist the Secretariat in:

r. developing its strategy and workplan
rr. building its capacity to implement its workplan and process management tasks
in. recruiting consultants and procurement of materials

ANNEx 3:

PROGRAMME PERFORMANCE

OUTPUTS AND OUTCOMES WITH RESPECT TO IMMEDIATE OBJECTIVES AND OUTPUT

As **at May 2001**

The analysis that follows offers summary assessments of the outputs and outcomes realised against those proposed in the programme document and presented in tabular form in Annexes 2 and 4. It is not appropriate to expect that all outputs and outcomes supported by the programme will be realised within the span of this programme. However, there should be a sense of strategy and critical path that defines the order in which incremental steps in the reform process should be achieved. Many of the indicators of progress should be in the form of indicators that the process is working well and leading up to the realisation of the desired outcomes.

What is disturbing about the current situation is not that so few of the desired outcomes have been achieved, but that the management of the reform process is ineffective to the point that serious problems can be foreseen in the need to reconcile conflicts between aspects of the reform tackled in isolation.

Fundamental to this is the failure of the Secretariat to perform its strategic coordinating management function. Development of the capacity of the Secretariat to play its critical role is an urgent matter. The support provided for this has been engaged instead on the management of necessary fragments of the reform while lacking a sense of direction or of the whole to which these contribute.

Donor concern to encourage rigor in management has diverted energy into the production of workplans that are largely nominal and lacking in strategic awareness of the
relationship of administration to governance or the nature of the task of redefining roles and responsibilities and of managing the consequential shift in the distribution of power.
At the same time, appropriate accountability requirements have not been met, which goes some way to explaining the lack of credibility that donors apparently feel about reported achievements and their lack of enthusiasm for further support.

Intended Outcomes:

1.1 Enhanced capacity of Secretariat of Council of Administrative Reform
Three-Year Corporate plan and annual workplan for Secretariat 1.1.1

Staffed and fully functioning Secretariat operation 1.1.2 Trained internal Secretariat and other key staff 1.1.3 Secretariat internal management systems/practices 1.1.4 Project reporting and monitoring mechanisms

Performance;

- The capacity of Secretariat was not adequately developed.
- The Secretariat was neither adequately staffed nor properly functioning.
- The Secretariat had not developed and was not observing internal management systems.

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2.2 2.2.1 2.2.2 2.2.3 2.2.4 2.2.5

Human resource management policies, practices and standards strengthened Operational personnel database in all ministries Civil service census completed

Personnel management policies and procedures

A revised package of remuneration and career development Sub programme plans and proposals developed

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2.3 2.3.1 2.3.2 2.3.3

Performance:

CD of HRD system awaits strategy and workplan.

- There now exists a personnel data base in all ministries.
- The civil service census is due for completion within weeks.
- Personnel management policies and procedures are yet to be developed.
- A revised package of remuneration and career development is prepared for approval.

Intended Outcome:

Performance:

- Core group not yet identified.
- No provision as yet for supervision of core group.
- No specific provision as yet for HRD for core group

Intended Outcome:

Performance:

- The development of the State's administrative legal regime is being approached piecemeal in a way that is extremely unsatisfactory. There is inadequate coordination of the redesign of the roles

of ministries, provincial administrations and communes or of the policy-planning-programming-budgeting system that underpins it.

- The MIS has still to be developed. However, to a large extent this, too, is dependent on the redesign of roles and responsibilities.

A core group of civil servants established
Government wide commission for supervision of core group Trained core group
Sub programme plans and proposals developed
2.4 2.4.1 2.4.2 2.4.3

2.4.4
The State's administrative legal regime rationalised Reformed and codified legal texts
Official legal journal
Management information system and inter-ministerial communications process on transparency, neutrality and rule of law Sub programme plans and proposals developed

Intended Outcome:

Annex 4

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Amendments needed to the Programme Document

It has become apparent that while in Cambodia I was working from and early draft of the programme document. The version sent me by e-mail is significantly different from this and requires much less amendment.

In addition to the changes implied as needed by thdxt of the report (see pages 9-11 especially), the principle changes required relate to the nature of the consulting assistance envisaged.

Proposed amendments to statements of output and activity: [highlighted areas indicate deletion from prodoc]

Output 1.1.3: Trained internal CAR Secretariat and other key staff (immediate

requirement)

Activities

1) Provide on-the-job coaching and related skills training for Secretariat team members.
2) Support the development of the Secretariat as a team.
3) Recommend, and support where appropriate, study tours as needed for selected staff.
4) Facilitate internal training needs analysis for Secretariat staff (and other national staff involved in the project, including members of CAR itself), and develop a training plan and schedule. Ensure incorporation of on-site training and coaching (provided by international experts) in key aspects of PAR. This may involve study tours for selected staff. Update training plan on an annual basis. Carry out identified training according to plan.
5) Evaluate competencies of Secretariat members and monitor and report on their development. training and maintain corporate memory of training and evaluations.
6) Support carry out annual employee appraisal and career development planning for Secretariat staff for the next year.
7) Report on action as needed to further develop the capacity of the Secretariat.

Gender balance should be aimed at in team building and gender awareness should form part of team development.

Output 1.3.2: Global reform strategy and integrated implementation plan. (N.B. This is task of Secretariat. Consulting team should provide needed expertise.) (immediate requirement)

Activities

1) Work plan, developed by Secretariat team under coaching, for the development/ validation of a governance and global reform strategy. 2) CAR consideration and endorsement of strategy and work plan.

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experience, and perspectives. However, it needs to be a team that works well together with a shared practice and orientation to the consulting role.

What is important is that responsibility should rest with the client system. The task of the consultants is to help the Secretariat and its leadership to take up their roles and responsibilities. Part of the consulting function, however, is to provide quality control and situation assessment. This supports both RGC and UNDP. This, however, is the extent of its advisory function.

A team such as is proposed would provide for the functions also required of the PAR Process Facilitator previously proposed..

The experience required by the original TORs is entirely appropriate to the new TOR.

The idea of the consultants serving a probationary period is sound. While it serves all parties to have the predictability about the continuing future of the relationship that a retainer contract provides, it should also be understood that the contract might be ended if

not satisfactory to either party.

Amendment needed to programme document Annex 10-Short Guidelines on the Use** of **Short-term International Consultants

The guidelines include:

4. the terms of reference for international recruitment should, to the extent possible, allow for

the provision of transfer of know-how and training of government staff (as an important byproduct of the engagement)

To the extent possible, there should be a person assigned with the responsibility for implementing the decisions that the consultant is contracted to advise on (e.g. how to proceed to develop a HR Management system). In such a case, a team of 2-3 people may be assigned the task. The consultant would, ideally, work with the team (or individual) to assist in preparing recommendations, and providing on-the-job training. The expert would accompany the team on interviews and field investigations and guide the inquiry as necessary. There should be no question of an expert providing advice except in the form of commentary on the recommendations prepared by those assigned responsibility.