

Checks and Balance Outcome Evaluation

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.

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 of the Checks and Balance Outcome Evaluation Report

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 flexibly 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.