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**An Evaluation of the
Cambodian Democracy and Law Project**

**(Administered by the Asia Foundation pursuant to
a grant from the US Agency for International Development)**

(July 30, 1997)

Authors:

**C. Stark Biddle
Frederick Z. Brown**

Executive Summary

This is an evaluation of the Democracy and Law Project in Cambodia managed by the Asia Foundation pursuant to an \$8.1 million grant (cooperative agreement) from USAID for a three year period that ends in September, 1988. This is the second grant to the Asia Foundation (TAF) in this area. The purpose of the evaluation was to examine impact, management effectiveness, basic strategy and the "fit" with USAID/Cambodia priorities. The evaluation took place in July, 1997 and coincided with a military conflict between the two political factions. As a result, the evaluation team could not leave Phnom Penh and this report was drafted in Bangkok.

The Project supports activities in 4 basic areas: grants to human rights groups, grants to women's groups and public policy NGOs, support to a staff unit at the National Assembly and support for training to strengthen the independence and professionalism of the media.

The bulk of funds under the Project goes for sub-grants to NGO. The emphasis is on large grants for core support to a relatively small number of organizations. The legislative program involves training and payment for salaries and administrative expenses. The media program involves support to two professional groups and media training at the University.

TAF/Cambodia has strong management capacity, very good local staff and a distinctive low profile approach to management of a democracy activity that is quite appropriate to Cambodia. Relations with USAID/Cambodia are very good - - despite some inclination to over-manage - - and the basic strategy of using large core grants to a few key NGOs has been a wise choice given Cambodia's situation.

While the USAID and TAF/Cambodia planning frameworks are compatible, more needs to be done to bring them into conceptual harmony. For example, TAF seems to be emphasizing civil society which is not echoed in the USAID framework. The problems appear to be terminological, not substantive. In a related vein, the indicator structure is too complicated and may be misleading. Simplification is needed and some basic social science research on attitudinal change may be warranted. The so called Customer Service Plan did not seem particularly helpful in the current Cambodian context.

The Cambodian NGO sector is dependent on foreign donors. Short term prospects for local or private support is poor. While the NGOs supported by TAF tend to be run by very competent and sophisticated leader/founders who often have dual US/Cambodian citizenship, middle management capacity is thin and executive transitions will be difficult. Program content tends to be very good but NGOs are excessively dependent both financially and psychologically on foreign donors, have generally not been able to diversify their funding base and have a negative and perhaps self defeating attitude

toward their ability to raise funds privately. Their governance structures are weak and most do not have a long term strategic plan.

The Project has been effective in supporting very valuable programs and in establishing a core of competent organizations. However the NGO sector is not self sustaining and impact (replication) has been limited. A staff capacity at the National Assembly has been established but under-utilized due to the difficult political situation. The media program has been hampered by political in-fighting between the two groups supported by the Project. *structural reform before political*

Continued operations will obviously be heavily influenced by political events. Although the current situation appears difficult, especially for human rights NGOs, it is important to "stay the course" and find points of leverage with the new regime. TAF seems well adapted to this role. The independent sector is sufficiently established to have some influence over its own future and the NGO sector is clearly needed by government. However, there is a danger that either the donors will pull out prematurely or that they will pump in too much money, exceed absorptive capacity and exacerbate the dependency of NGOs. *who?*

Over the long haul, the evaluation team believes the democracy program should be governed by the following principles:

Consolidation of the significant gains that have been made to date through the building of sustainable institutional capacity.

Emphasis on design of structures and approaches that will replicate or multiply results so that impact ripples out beyond the relatively small core group of organizations that TAF/Cambodia is assisting.

A general shift toward localization of the Project involving greater emphasis on building indigenous capacity, using indigenous talent and gradually shifting greater responsibility to local TAF/Cambodia staff.

Strengthening in general the intellectual and philosophical sinews of what is happening through the Project, in Cambodia and as a result of the emergence of the independent sector.

Designing an approach and a style of operation that is workable under the new political realities.

Recommendations include: more joint planning with USAID; more TAF staff development and inclusion in policy planning; adding greater emphasis to training; a more proactive approach to sub-grantees with greater emphasis on performance and conditionalities; designing a small grants program; helping NGOs in the areas of board

development, fund raising, strategic planning and leadership transition; supporting studies that would identify strategies for building a culture and practice of charitable giving..

Finally, the team concludes that TAF is "strategic" in its approach in the sense that program elements are sensible, workable and appropriate to the context.

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I. Introduction

This Report constitutes a mid-term evaluation of an \$8.1 million grant from the Agency for International Development (USAID) to the Asia Foundation (TAF or the Foundation) to support a Democracy and Law Project (the Project) in Cambodia during the three year period October, 1995 through September, 1998. The purpose of the evaluation is twofold: to assess the results to date against anticipated objectives and to make recommendations with respect to Project implementation during the remaining period of the grant. This Report is thus backward looking in that it attempts to determine what has happened in comparison to plan and forward looking in that it examines future strategic choices in the context of a rapidly changing political situation.

The evaluation was conducted during the month of July, 1997 with background discussions in Washington during the prior month. It was originally intended that the Evaluation Team conduct field work, prepare a draft Report for comment by USAID and the Foundation's Cambodia Office (TAF/Cambodia) and proceed to complete the Report while in Cambodia. It was also intended that as part of the field work the Team would visit project sites outside of Phnom Penh and observe sub-grantee activity in order to develop a first hand understanding of the work being carried out under the grant. Unfortunately, a week after the evaluation team arrived in-country, hostilities between political factions erupted. As a consequence, the team was precluded from traveling outside of Phnom Penh and the evaluation Report was drafted in large part in Bangkok, Thailand and without the interactive involvement of USAID and TAF/Cambodia staff. Despite these difficulties, the Team was able to visit most of the organizations funded under the grant at their Phnom Penh headquarters and to interview a broad array of NGO officials, donors and members of government. In addition, the Team had preliminary discussions with USAID officials prior to the outbreak of hostilities and was able to schedule meetings with the USAID Mission Director in Cambodia and with the Democracy and Governance Program Officer in Washington just prior to preparation of the final report.

The Cambodia Democracy and Law Project

The grant that is the subject of this mid term evaluation is the second to the Asia Foundation since resumption of a bilateral USAID program that followed the 1991 Paris Peace Accords and the administration of the country by the United Nations Transitional Authority for Cambodia (UNTAC). The first grant for a *Program in Democracy and Law* was for a three year period , 1992 through September, 1995. That grant was initially for \$11.4 million but was restructured and revised downward to \$9.3 million in mid-1994 because of a decision by USAID to directly fund some of the grantees that had been previously funded through the Foundation.

The second grant - - the subject of this evaluation - - was for the period 1995 through September, 1998. It was awarded as an extension of the initial grant and on the basis of a three year Work Plan that outlined a Program with the title *Legislative Development and the Development of Civil Society* and which listed sectoral priorities, identified goals and objectives and described an implementation strategy. As implied by the change in titles, the second grant shifted from an emphasis on strengthening the legal and judicial system and a

rather broad program in support of democratic values to a more focused emphasis on human rights, public policy, strengthening the legislative process and assistance to the media. The integrating theme, as noted in the 1997 Work Plan, is the rights of individuals.

In recognition of the volatile political situation and quickly changing conditions, both grants to the Foundation have been in the form of cooperative agreements" which permit a greater degree of USAID involvement in review of Work Plans and administration of the funded program than would normally be the case under a straightforward grant arrangement to an American private voluntary organization (PVO).

The current grant has been amended several times including several narrative changes to the Work Plan to reflect program adjustments, the addition of roughly \$100,000 for support to the Cambodian Defenders activity and the addition of approximately \$500,000 for additional funding for activities related to the anticipated May, 1998 elections in Cambodia.

The USAID/Cambodia Program in Democracy and Governance

The TAF grant falls conceptually within USAID/Cambodia's first strategic objective which is to Strengthen Democratic Processes and Respect for Human Rights. As currently presented, progress toward this objective is accomplished through three intermediate results:

Citizen's rights are upheld through courts and dispute resolution mechanisms.

A System is established for transparent multi-party elections.

The outreach and impact of organizations promoting human rights is strengthened.

The bulk of the activities funded by TAF fall primarily under the third intermediate objective, although the elections project falls obviously under the second. All of the TAF grant is broadly related to the rights of citizens and strengthening the democratic process.

Indicators of progress for the Strategic Objective as a whole include: the holding of multi-party democratic elections; increased awareness of human rights and democratic processes; greater accountability of the military, police and civil servants and increased professionalism of the judiciary.

The Purpose of the Evaluation

As noted, this evaluation is intended to look at performance against expectation and future strategies. Specifically, the evaluation team was asked to assess:

Progress against initial goals, target outputs and the effectiveness and efficiency of different techniques and approaches employed by the Foundation.

The performance of program sub-categories against a specific set of sub-objectives e.g. the performance of the Legislature, the effectiveness of human rights organizations.

The conceptual "fit" between Project goals and objectives and USAID strategy.

The effectiveness of coordination structures, relations with USAID/Cambodia, project management and the monitoring and evaluation system used by TAF.

More generally, the evaluation team was asked to consider two fundamental questions:

Is the Project designed and implemented in a strategically coherent manner?

Does the Foundation have the basic institutional (technical, managerial, organizational) to manage an activity of this complexity, diversity and sensitivity?

Approach

The principal challenge in conducting an evaluation is the selection of an appropriate benchmark against which to measure results. This can be difficult when the goal of the activity is something as nebulous as building democracy or strengthening a society's inclination to respect human rights. Judgments about progress toward democracy tend to be subjective, culturally biased and made without reference to larger political, social and economic trends. In the case of the current evaluation, the necessity of taking a long term perspective was made painfully clear because the evaluation coincided with a military change in government that destroyed the short term prospects for representative democracy and undercut efforts to build the institutions of a civil society. The assessment was therefore conducted in the shadow of a fundamental doubt as to the viability of democracy in Cambodia and a growing skepticism regarding the continuation of any type of assistance designed to further that cause.¹

Our approach to this evaluation has been from the following perspective:

Focus on intermediate outcomes. Rather than grapple with the important and fundamental long term question of whether democracy can mature in Cambodia, *can it?*
we have adopted an intermediate optic and focused on second level questions such as whether or not the organizations that are assisted under the grant are effective *the program was mediated and assumption that can. this is the assumption this is now undergoing review.*
at what they say they are trying to do and whether the money that TAF is giving these organizations is given in a way that maximizes its usefulness. Thus, we have accepted the implicit premise of the grant to the Asia Foundation that if one is interested in supporting open, free and representative societies it is a good thing to have an informed and capable legislature, a network of human rights organizations devoted to the protection of the individual, public policy groups that advocate

¹ Importantly, a defining institutional attribute of the Asia Foundation is that they believe one should continue to work on democratic governance issues even in difficult, even oppressive circumstances - - the effort however must be "up stream" in terms of the movement toward democracy. See later discussion in this Part.

constituent concerns, a responsible and well trained media and a coherent structure of laws and regulations that are administered equitably and consistently.

A flexible standard of original intent. Our initial benchline for developing our assessment of *past performance* is derived primarily from the three year Work Plan that was the basis for the grant to the Foundation. That document specified for each basic program area a set of purposes and expected outcomes and we have referred back to these in our discussion of accomplishments which is contained in Part V of the Report. However, while we use the original Work Plan as a departure point, we have not been rigid with regard to compliance and have incorporated the need for adaptive modification of program direction in our assessment.

Analogues with other countries. Our benchline for our judgments regarding the *future* shape and direction of the Project is derived from our interviews with grant recipients and observers of Cambodia and the NGO sector in Cambodia but it has also been influenced by our experience with democracy and governance programs in other parts of the world and in particular with sub-grant programs designed to build civil societies by strengthening the independent sector.

An eventual return to normalcy. For purposes of this assessment, we made the basic assumption that a USAID program of some sort would continue and that the Foundation would be able to operate.

More specifically, we have assumed that human rights and public policy NGOs would be allowed to continue to function but that their capacity to influence structural reform would be seriously circumscribed. We have also assumed that in due course the National Assembly would convene and that while the deliberations and debate would be much less open, members of the Assembly would continue to have need for technical assistance and wise counsel from a well trained staff. We have assumed that public policy NGOs that advocate for important social causes such as women's rights would continue to operate much as they now do.

They haven't
needed it in
the past.

With regard to the media and operations of the press, our unfortunate operating assumption for the medium term is that the climate will be oppressive and that press freedoms will be limited with the continued likelihood of physical intimidation.

With regard to the independent sector in general, we are forced to the unfortunate conclusion that funds will be extremely tight, that donor support will decline but not disappear, that the formation of voluntary associations in general will plateau and probably decline and that the leadership cadre will be forced to reassess their ability to maintain their personal commitment in this difficult operating environment.

Caveats

There are several important caveats:

Because of the outbreak of hostilities, the evaluation team was not able to leave Phnom Penh and was therefore unable to observe NGO programs in operation. Our assessment of the capability and impact of the NGOs that are supported under the TAF/Cambodia grant is therefore based on headquarters visits and on quarterly reports.

Because it was not possible to obtain reactions to a draft report, the evaluation process did not benefit from the interactive exchange that had been anticipated in the scope of work. An evaluation is always a give and take building process but in this instance the process was cut short by the deteriorating political situation.

The evaluation team did not have time or opportunity to visit with several former grantees or to talk extensively with other donors or with other PVOs operating in Cambodia. These perspectives would have been valuable.

The volatile political situation has made it very difficult to form balanced and objective judgments. We are acutely aware that had this evaluation been conducted six months or even six weeks prior to the events of July 5 and 6 our judgment with respect to Project performance and impact would have been more positive. At the same time, our recommendations with respect to the need for future changes in Project direction would have been more dramatic.

II. The Cambodian Context

The Political Situation

The Asia Foundation's presence in Cambodia dates back to 1955, and the operation of its current democracy and governance program to 1993. The program is rooted in two documents. The first is the 1991 Paris Agreements on a Comprehensive Political Settlement of the Cambodian Conflict, which were designed to bring peace to a country torn by revolution, civil war, and outside intervention -- in effect a "failed state". The Agreements declared that "Cambodia will follow a system of liberal democracy, on the basis of pluralism", with provisions for periodic elections and universal suffrage. The Agreements created the United Nations Transitional Authority in Cambodia (UNTAC) which fielded 21,000 peacekeepers at a cost of \$1.9 billion over a period of two years, and meticulously conducted national elections. The second is the Constitution of the Kingdom of Cambodia, drawn up after the May 1993 elections, which stated explicitly that Cambodian society would be based on "a multi-party liberal democratic regime guaranteeing human rights, [and] abiding by law...".

These documents are the spiritual underpinning of TAF/Cambodia's program.

The promotion of the genuinely revolutionary (for Cambodia) ideas embodied in these documents has not been easy. *Protection of human rights and the installation of democratic practices and the rule of law have not been a matter of rebuilding something damaged but, rather, one of putting into place what was not there before.* Under UNTAC, Cambodia's political actors competed for power under rules that turned traditional Cambodian culture on its head. The concept of a "loyal opposition" was alien to most Cambodians, as was the concept of participatory governance by entities other than the authoritarian elites. This zero-

sum political syndrome dated back to the Angkorean period. It existed during the 1950s under then-Prince Sihanouk. It was reinforced by the brutality of the Pol Pot era, and following a brief respite under the United Nations, appears at least momentarily, to have returned.

Politics in Cambodia have been a matter of client-patron relationships based on money and personal security. Nonetheless, a significant number of Cambodians in 1993 seemed to accept the basic concepts of participatory governance as embodied in the UNTAC elections (Cambodians no doubt saw the UN as a protective patron). The surprise victory of Norodom Ranariddh's National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia (FUNCINPEC) over the dominant Cambodian People's Party (CPP) demonstrated, if somewhat simplistically, the attractiveness of a participatory political process even to rural people living in rudimentary circumstances.

Our Evaluation Team conducted its assessment in the midst of a violent realignment in Cambodia's politics and a veritable trashing of the principles that TAF is attempting to promote as a USAID grantee. On our arrival, the FUNCINPEC/CPP coalition was already in a state of paralysis because of manifold disagreements between second prime minister Hun Sen and first prime minister Ranariddh. Political tension had been running high for many months and particularly since the March 30 grenade attack on a demonstration by the Khmer National Party and the June 17 Phnom Penh shoot-out between CPP and FUNCINPEC militias. On July 5, using the pretexts of Ranariddh's negotiations with a Khmer Rouge faction and an alleged attempt to import weapons "illegally", Hun Sen staged a military overthrow and ousted Ranariddh. In subsequent weeks, an undetermined number of Ranariddh's associates and other non-CPP politicians were executed, forced underground or obliged to flee the country (the number of confirmed executions stands at 37 as of July 21). The July developments have all but destroyed the environment of reconciliation and moderation encouraged by the Paris Agreements. During our three week stay, an atmosphere of grave uncertainty existed in Phnom Penh and elsewhere in Cambodia, and this translated into a sense of political intimidation for anyone suspected of opposition to the CPP.

We take it as given that the precepts of liberal democracy and pluralism set forth in the Paris Agreements and stipulated in the 1993 Cambodian Constitution have been seriously jeopardized. Can they be resurrected? Much depends on the attitude of the international community regarding continued financial and material support (full or partial) through bilateral and multilateral programs--and the manner of their delivery. It is far from clear whether external pressure will be able to move the regime in the direction of honoring the goals of Paris and the Constitution. Analysts we talked to believe that it would be several months before withholding of World Bank/IMF assistance to the government would have a significant impact, even assuming that ASEAN and other major international players agree to such pressure.

Characteristics of the Non-Governmental Sector in Cambodia

With the exception of the program in legislative strengthening, the bulk of the TAF/Cambodia program involves the non-governmental (NGO) sector either in an implementing capacity, as is the case with the election project, or for more general purposes of organizational capacity building. For this reason, a general understanding of the current attributes of that sector is relevant to an assessment of Project performance and to a discussion of future directions.

The following observations are based on anecdotal and admittedly subjective comments from observers and NGO officials. They do not derive from a comprehensive analysis of the sector or draw on previous studies, which in fact are either non-existent or not readily available to the TAF/Cambodia field office.

Background. In the 1980s foreign humanitarian non-governmental organizations were virtually the only link to western expertise and resources available to Cambodia's communist regime, then sustained by Vietnam and the Soviet Union. During UNTAC, with more than 140 foreign NGOs operating on the ground, indigenous Cambodian non-governmental organizations began to spring up. At the same time, bilateral donor agencies such as USAID sought out accountable executing organizations with the technical and administrative talent lacking in the Government. In 1993 the Foundation, along with a number of other foreign NGOs, began to engage embryonic Cambodian groups to create the rudiments of a civil society. Many of these new organizations were founded by Cambodian/Americans who had returned to their homeland from the United States. While there are currently upwards of several thousand voluntary associations of one type or another in Cambodia, there are approximately 200 that are staffed, have established institutional structures and some prospect for long term sustainability.

Human Rights groups. There are approximately 40 NGOs that are involved in human rights activities in some way or another although only nine of these have a primary focus in this area. According to the March, 1997 Human Rights report, human rights organizations have experienced little overt intimidation although many expressed concern that the nature of their work required that they exercise extreme caution.

Financial dependence on foreign donors. The growth and maturation of Cambodian NGOs has been financed and supported almost entirely through official bilateral or United Nations related donor assistance. Although some funds have come from private foundations, particularly in Europe, the amounts from these sources appear to be relatively modest. As a consequence, the emergence of NGOs in Cambodia has not yet taken on the automatic self generating characteristics of NGO grass roots "movements" in other countries. *The NGO sector in Cambodia is growing from the top down rather than from the bottom up and as a consequence the growth of the sector is not cultivating a community based framework of habits, values and charitable giving and support that in the long run will be essential for survival of the sector.*

Limited current opportunities for private support. There is broad agreement that the prospects for private sector financial support for NGO activities either from local or foreign based companies or from individual giving is very limited. The constrained prospects for corporate giving reflects the emergent state of the commercial sector and modest profit performance to date. The limited prospects for individual giving reflects a perception that Cambodians are too poor to support charitable activities. The recent political events, the likely disruption of the economy that will ensue and the pervasive atmosphere of fear and intimidation is

likely to further discourage the emergence of any significant support for NGOs at least in the medium term.

Uncertain long term prospects for individual giving. The view with respect to the *long term* prospects for individual giving is mixed. This is an important issue because in virtually all societies where the independent sector has taken root, the growth has been fueled through personal support and individual giving. While there appear to be the remnants of a culture of voluntary association, self help and mutual support at the village level, these traditions may have eroded as a consequence of 15 years of regimentation under communism. Whether and to what extent they can be resuscitated in order to support the emergence of an indigenous and uniquely Cambodian independent sector is unclear and warrants further study.

"First generation" organizations. The successful Cambodian NGOs, many of whom were interviewed for this assessment, tend to be "first generation organizations" in the sense that they are still managed by their founders who are highly competent, strongly motivated and sometimes charismatic. These leaders also frequently carry dual citizenship and have extensive overseas training. First generation organizations have not yet gone through management transitions and tend to have a clear and well integrated sense of purpose and identity that derives from the strong vision of the leader/founder. Because of the strength and dominance of the leader, first generation organizations are also characterized by centralized and personalized decision making, thin middle management structures, lack of technical depth and the absence of a long range strategic plan. Inevitably, financial support for these organizations tends to be developed through personal contacts and on the basis of the fund raising ability of the leader. These characteristics are by no means problematic during this formative stage because of the strength of the leader/founder. They can obviously present difficulties as the organization grows and matures and when the leader/founder leaves or retires.

Poorly developed governance structures. The governance structures of Cambodian NGOs has not been regularized by statute and although the NGOs that were interviewed for this report generally have some type of oversight "board" or executive committee, these entities do not appear to perform the same formal fiduciary role that boards perform in the United States. In part for this reason, board oversight appears to be differential, informal, personalized and relatively light handed. Boards tend to be composed of friends and working associates, include the director and sometimes staff of the organization and meet infrequently. The existence of a board charter, a written set of by-laws or a board operating procedures and a sub-committee structure is rare. Most interviewees concurred with the view that the role and function of board is inadequately understood particularly when it came to the important issue of long term policy direction and fund raising.

Infrequent strategic planning. Most NGOs interviewed for this assessment had not engaged in a systematic process of long range strategic planning. On the one hand this is understandable in view of the founder/leader syndrome discussed above and the immensely difficult task of developing any sort of forward

projections in the current volatile environment. At the same time, the emergence of an autonomous and uniquely Cambodian NGO sector will be heavily dependent on the capacity of these organizations to identify their own personality, cultivate a local constituency and carve out a clear niche for themselves. If this process is to begin it is very important that individual NGOs embark on the task of thinking about their future not so much for purposes of prediction but in order to develop a greater sense of autonomy, identity and self worth.

Attitudinal dependence on foreign donors. Finally, while it is difficult to be empirically conclusive on the basis of a small number of interviews necessarily restricted to Phnom Penh, Cambodian NGOs themselves currently believe and accept the hypothesis that they are dependent on foreign donors for their existence. As a consequence there is an inevitable tendency to look to donors for technical and managerial expertise and to think first of expatriate assistance to deal with a challenge or an issue that might be more effectively resolved through local competence. Secondly, the programs and priorities of Cambodian NGOs tend to reflect the programs and priorities of the donor community. From the donors perspective this is an intended and desirable state of affairs. However *in the long run there is growing risk that Cambodian NGOs will become increasingly out of touch with the inclinations and priorities of their constituents and fail to nourish the potential long term base of indigenous financial support.* Thirdly, Cambodian NGOs are very reluctant to initiate a process of attempting to cultivate local sources of private support and negative about the prospects for success - - an attitude which is unfortunately shared and reinforced by the donor community. While independent fund raising would be immensely difficult under current circumstances, *it is a process that will have to begin at some point if the NGO sector is to be financially sustainable.*

Summary Conclusions

General Characteristics of NGO Sector

1. The NGO sector is at an early and fragile stage of development, dependent on foreign donors and responsive to donor priorities. The recent political crisis has made the sector even more vulnerable. While inevitable in the short term, there is a significant risk that the long term sustainability of the sector will be seriously impeded unless alternative sources of support are cultivated.²
2. NGOs are highly dependent on the capacities of their leader/founders. Despite the impressive credentials and experience of these individuals, the depth of middle management is thin and there will be significant transition problems unless a cadre of competent successors can be developed.

² At the same time and as discussed in various sections of this Report, there have been solid successes in nurturing and establishing a core group of competent organizations in the human rights and public policy areas. The programs supported by these groups are effective and have had a positive impact on the lives of Cambodians.

3. Governance structures are inadequately developed and an understanding of the role and function of boards of directors is poor. Strong, motivated and focused boards are critically important to the implementation of long range efforts to become financially viable.
4. In general, Cambodian NGOs need to embark on more disciplined and systematic strategic planning efforts in order to more clearly identify their areas of comparative advantage and think through tactics for becoming financially sustainable.
5. Much more needs to be learned about the structure and values of the Cambodian NGO sector. In particular, research should be initiated that focuses on those traditions and practices that are at the bed rock of developing a culture of charitable giving. This should include the role of the Buddhist religion, commitments and affiliations toward extended family and the social structure of community obligations. A better understanding of both the legal and cultural factors that shape the operation of board of directors is also needed.
6. While short term prospects for private sector financial support are extremely limited, Cambodian NGOs need to be gently but persistently encouraged to think about ways of broadening their fund raising efforts and constituent contacts in order to become financially sustainable in the long run. A special effort needs to be made to encourage the development of voluntary associations at the local level in order to catalyze the latent habits and culture of charitable giving. It is essential that these gradual efforts continue despite the short term political uncertainties.
7. A conscious effort needs to be made to ensure that the growth of the NGO sector is uniquely Cambodian and that it reflects the values and particular inclinations of Cambodian society. The reasons for this are not only based on a respect for cultural independence, but reflect the very practical reality that NGO sectors that are not indigenous will be unable to generate local financial support over the long run.

Specific implications of the current political situation

1. In a general climate of increased repression, relations between government ministries (notably state security forces) and Cambodian NGOs seem likely to change. NGO programs in the field will have to be conducted with even greater probity than before.
2. If the US Government continues to declare, in effect, that the new regime is illegitimate, USAID support to TAF and its sub-grantees will come under heightened scrutiny. While TAF believes that it can and should continue to operate under this "new reality", it will clearly necessitate considerable flexibility and adaptiveness which may be inconsistent with the style of the joint USAID/TAF/Cambodia collaboration to date.
3. Some existing NGOs supported by TAF/Cambodia may find it expedient (or imperative) to change their organizational make-up or divide into incompatible groups, as has been the case of the League of Cambodian Journalists and the Khmer Journalists Association. In a

politically intolerant atmosphere, it is unlikely that NGOs that are out of step with the regime would be able to survive.

4. It is doubtful that new Cambodia NGOs dedicated to human rights or democratization will emerge under present political conditions. And human rights organizations, especially those with investigative functions (LICADHO), could well be forced out of business or become so coerced that their activities become meaningless.
5. Looking at the likely evolution of the non-governmental sector of Cambodian society, it is difficult to believe that the citizenry in the relatively near future will be inclined to form voluntary groups in pursuit of social causes as was the case during and immediately after UNTAC. This suggests that in the short run, TAF will have to concentrate on maintenance of its existing NGO sub-grantees.
6. Finally and importantly, it is critical that the current political crisis be seen as an opportunity not an irreversible set-back and that the donor community continue to engage the NGO community in a constructive dialogue about future directions and the importance of self reliance rather than respond to the recent difficulties with a further infusion of additional assistance that will inevitably be concentrated on a small core group.

is civil society still alive?!

III. Management and Administration of the Grant

This section discusses TAF/Cambodia's managerial capacity to administer the grant, the overall TAF/Cambodia approach and strategy with respect to Project implementation and the conceptual structure and integrity of the current grant with particular reference to USAID's strategic focus.

TAF/Cambodia's Institutional Capacity

The management of a large sub-grant program in as complex a subject area as democracy and human rights is difficult in the best of circumstances, doubly so in the volatile Cambodian context and in a country so sorely lacking in human capital. The management challenge is further complicated by the difficulty of translating between the language and approach of a large government bureaucracy that is itself responding to externally imposed objectives and the special needs and characteristics of small and fragile indigenous organizations.

While the Scope of Work for this evaluation did not ask for an extensive management assessment - - and these brief comments do not provide that in any case - - it is important and perhaps self evident to stress the fact that regardless of the most elegant conceptual design, the effectiveness of a sub-grant program to intermediary organizations depends significantly on the training, experience, insight and intuition of the grants management staff.

The Asia Foundation's office in Cambodia is composed of 26 professional and 5 support staff. The professional staff includes one American - - the Country Representative - - and three third country nationals - - the Assistant Representative, the Director of Finance and

Administration and a Grants Officer. The balance of the staff are Cambodian. Most of the professional Cambodian staff worked with UNTAC prior to the 1993 elections and most were refugees during the Vietnamese occupation and residents of Site #2 on the Cambodian/Thai border where they received their basic education and training in English.

The following comments are a synthesis of personal observations and comments from NGOs and donors and observers:

Strong institutional capacity. TAF/Cambodia staff have a good understanding of program objectives and excellent knowledge about the grants that are under their jurisdiction. They have a solid knowledge of English and are well trained in their particular technical area. The staff are politically sophisticated and have an impressive array of senior level contacts within the NGO sector and at senior levels within the government. Internal staff relations and communications within TAF appear to be excellent. In general, morale appears to be good and staff turnover is remarkably low.

Good respect in the donor community. Senior TAF/Cambodia management have established solid professional credentials in the donor community and good respect from sub-grantees. They have also developed a strong, open and constructive working relationship with USAID and have managed to work through previous differences which had arisen during the first grant and which had clouded communications and left some residue of bad feelings.

Effective systems and procedures. TAF/Cambodia has put in place a strong set of the necessary systems and procedures necessary to manage a complex, USAID funded grant. The reporting, monitoring and financial oversight mechanisms appear to function smoothly and in fact there was a rather surprising absence of significant complaint from sub-grantees with respect to the reporting burden. TAF has trained and established a special unit for helping recipients work through US Government financial management requirements and while the workload for this unit seems to have slackened to the point where its continuation in its current form is questionable, there is broad agreement that it has performed a needed and valuable service. The TAF/Cambodia filing and documentation system is excellent.

Supportive headquarters/field relations. TAF/Cambodia and TAF/San Francisco relations appear to be open and supportive and based on the principle of maximum delegation of decision making authority within the context of overall budget constraints and the inevitable tensions between headquarters interest in pursuing a set of integrating sectoral concerns and field interest in orienting program priorities to country conditions.

Distinctive operating style. Finally, and as described and amplified below, TAF as an organization has a distinctive identity and particularized approach to what it does and how it operates. This is important in fluid and difficult situations because a distinctive operating style can provide stability, a point of reference and a degree of continuity that would be otherwise unavailable.

The following remarks and suggestions need to be read within the appreciative context of the preceding and in relation to the conclusions and recommendations set forth in Part IV of this Report with regard to future program directions and with respect to the need for greater lucidity between USAID and TAF on program objectives.

Need for systematic staff development program. One of the integrating themes of this Report is that TAF and donors in general need to give greater emphasis to the development of indigenous capacity and the need for growing autonomy of local NGOs. While TAF has made a strong commitment to staff training as reflected in the provision of overseas tours and ad hoc training courses, a greater effort could be made to develop professional development programs that are tailored to the long run growth and development of individual local staff.

One of the difficulties that implementing PVOs sometimes face when they attempt to allocate funds from a cooperative grant agreement to the development of their own staff is that USAID feels this is beyond the intent of the grant because the benefits accrue to the intermediary. Given Cambodia's current situation, the evaluation team believes it would be legitimate to make an augmented investment in the development of local staff.

Importance of organizational development skills. A central recommendation of this Report is that TAF/Cambodia give more attention to helping the organizations that are supported under this grant achieve a greater degree of organizational and financial autonomy and sustainability. This in turn suggests that the TAF program officers will need to be armed with a "toolbox" of instruments to help an institution including, for example, a basic understanding of fund raising techniques, a familiarity with non-profits strategic planning procedures, a rudimentary feel for the principles of organizational development and some experience in putting together financial strategies. These are not difficult or arcane skills at least to the extent that grants officers are trained to recognize need and act as a referral source to help grantees identify resources and develop effective solutions. These skills exist to differing degrees in the current staff and could be upgraded at reasonable cost.

Increasing reliance on local staff. In a related vein, a more deliberate attempt should be made to prepare the very capable local staff for the responsibilities of managing the TAF/Cambodia program. This is not to suggest that local staff should "take over" the program in the near term but it is important to recognize the long term desirability of that fact as a matter of basic principle as well as the possible recurrence of unexpected interruptions that require a withdrawal of expatriate personnel, as in fact happened as a consequence of the events of July 5 and 6. Accordingly, a more conscious and deliberate attempt should be made to delegate responsibility, include staff in policy discussions (as amplified below) and identify a back-up personnel structure so that the long term intent of phasing down expatriate oversight can be given tangible form.

Greater involvement of local staff in policy and planning. In part because of the difficulty of translating USAID terminology and as a result of the alien nature

of much of the language pertaining to results based performance management, the preparation of strategic documents within TAF is done primarily by senior management without a lot of staff interaction. The consequence is that staff are missing an opportunity to annually engage in a process of planning and strategic thinking which is important both because it could influence outcomes and because a better understanding of the conceptual framework would inform daily operating decisions. In general the evaluation team believes that the TAF/Cambodia staff in tandem with USAID, should engage more deliberately in staff retreats and in planning exercises that would place individual activities into a more meaningful pattern.

More systematic approach to evaluation. TAF/Cambodia has, to its credit, sponsored two internal evaluations of two program categories - human rights and legislative strengthening. Despite the inherent weakness of any internal evaluation, both studies produced useful insights and recommendations. At the same time, it was the perception of the evaluation team that evaluations are not initiated on a routine basis at either the program or sub-grant level. This is unfortunate because a good evaluation program can be very useful tool in working with grantees and in helping program managers make informed choices about priorities and basic direction. It is particularly important to approach impact evaluations as routine and ongoing opportunities for learning and to help managers rather than one shot "do or die" efforts to determine whether a program will be funded. Basic evaluation techniques are straight forward and easy to learn and a methodology with some core training could be easily developed at modest cost. At the sub-grant level TAF/Cambodia should consider the development of a systematic evaluation plan that might, for example, initiate relatively simple impact evaluations of half a three to four sub-grantees each year on a scheduled basis.

Increased intellectual focus on Cambodia's unique path to democracy. The subject matter of democracy, human rights, the empowerment of women and the building of institutional capacity are intellectually demanding and fraught with ambiguities and uncertainty. Our understanding of these matters is perilously thin and culturally biased. The challenge in the implementation of any program as complex as a democracy activity is to get beyond the weight of procedure and the burden of reporting and monitoring into the heart of what is happening in the society with respect to shifting values and attitudes and the maturation of institutions that will reflect and perpetuate these developments.

TAF's principal responsibility is to implement an activity for USAID and the evaluation team believes they are doing this in a responsive, professional and effective manner. At the same time, the evaluation team believes that more attention should be paid by TAF to the deliberate cultivation of a climate of intellectual debate, discussion and exploration not only about the Project and questions of priority and performance but, more importantly, about the inherent and unique nature of human rights, representative government and democracy in Cambodia. This is particularly the case in view of the donor driven growth of the NGO sector and a tendency for Cambodian NGOs to defer to donor approaches and solutions. While internal discussion certainly does occur, it needs to be

encouraged, better organized, elevated in importance and gradually expanded to include outside resource people and institutions. We believe that TAF/Cambodia would provide an ideal locale for an ongoing forum on these matters and that this can be done at minimal cost and without compromising TAF's standing as neutral and non-partisan and the important principle of staying engaged and "at the table". What we have in mind could be as simple as more structured internal discussion groups, brown bag lunches with a visiting scholar, guest speakers with a group composed of NGO representatives or topical debates including NGOs, donors and government officials on subjects which would be politically benign in order to enlist their participation.

TAF's Approach to Management of the Grant

The following comments address several distinctive characteristics of the way TAF/Cambodia has approached the management of the grant. These remarks are not intended to be comprehensive but to focus on those aspects of project management and strategy that have a significant effect on the achievement of long term goals.

Long term neutral engagement. TAF/Cambodia brings a set of institutional values to bear on management of the Project that stress long term engagement, political neutrality, an insider perspective, a low public profile, cultivation of and access to key decision makers and a sophisticated understanding of political dynamics. While to some degree this approach is characteristic of any effective grant making institution that is operating in a developing country, the strength and consistency of application in this instance is distinguishing. In general, the evaluation team believes that an engaged, neutral style - - as opposed to a more public position of advocacy - - is appropriate in the current situation.

Close collaboration with USAID/Cambodia. The Democracy and Law Project is funded under a cooperative agreement mechanism which anticipates and permits a greater degree of oversight from USAID than is normally the case with a grant. The grant itself was awarded against a detailed three year Work Plan and amendments to the grant are very specific with respect to precisely what TAF/Cambodia is expected to do and how they are to do it. TAF/Cambodia on its part prepares an annual Work Plan which lays out in some detail a proposed program and budget for the year and this document is reviewed and approved by USAID/Cambodia. Significant deviations from plan are brought back to USAID for approval.

The appropriate degree of USAID oversight in a grant relationship is almost always a matter of some concern. This is particularly the case with cooperative agreements because there is ample opportunity for the parties to disagree on what constitutes an appropriate level of involvement in grants management. (And in fact during the first grant period there was considerable tension between USAID and TAF/Cambodia over precisely this issue.) The question of institutional independence goes beyond the simple issue of organizational turf. Organizations like the Asia Foundation are chosen to implement projects for USAID because it is believed that they are cost effective and bring unique capabilities to project management. To the extent that the oversight system hamstring the adaptive or creative capacities, it undercuts the rationale for using these organizations in the first place. On the other hand, private voluntary organizations bid on projects in very much the same fashion

as private sector consulting firms and it is fully appropriate to establish a set of expectation and hold these organizations accountable for achieving them. It is particularly important to be very clear with respect to performance obligations when there are significant foreign policy interests at stake. With these rather general observations in mind, the evaluation team has the following comments with respect to the current state of the TAF/Cambodia/USAID/Cambodia relationship:

Close alignment of objectives. TAF/Cambodia is very clear in their understanding that they are implementing a Project for USAID and performing a project management responsibility analogous in some ways to a contractual relationship. While TAF/Cambodia would understandably like modest additional resources to pursue independent interests, there is acceptance of the fact that their primary responsibility is to pursue the goals and Project objectives worked out with USAID.³

Good cooperation. As a consequence, USAID/Cambodia perceives the relationship with TAF as “excellent”, “open” and “mutually rewarding”. While the USAID mission has substantive questions (discussed below) there was no fundamental question regarding the collaborative nature of the relationship.

Pros and cons of joint work planning. The use of an annual Work Plan is a reasonably effective way of ensuring close operational collaboration. It allows the original scope and content of the grant to be modified on a yearly basis and generates a document that can bring USAID/Cambodia and TAF/Cambodia together to discuss strategy and approach.

The inherent disadvantage to a tightly integrated work planning process is that it can discourage the very innovative and adaptive qualities that USAID was seeking when it made the determination to work through a private independent entity so that implementation thus proceeds in a pro forma and perfunctory manner without a great deal of creative energy. This is particularly likely to be true if available resources are fully programmed in an inflexible manner.

The evaluation team applauds the constructive working relationship between the two parties, believes the Work Plan process should continue but raises a caution flag with regard to the latent danger of micro-management and makes, in this Report, several suggestions that are designed to give TAF/Cambodia greater operational latitude and encourage innovative thinking.

Sub-grantee training and institutional development. A defining characteristic of USAID funded NGO sub-grant programs is whether and in what form training is provided. Models range from mandatory provision of basic management training as a condition of eligibility for grant funds, to discretionary voucher systems, to tailored training programs for each sub-grantee, to no training whatsoever plus a considerable

³ While this observation may seem quite obvious, the evaluators have seen numerous instances where implementing organizations have viewed a cooperative agreement grant as a source of resources to pursue their own institutional objectives without reference to USAID priorities.

array of alternatives in between. In those cases where the intent is to build the broad capacities of the entire sector, core management training is considered important. In those instances where the emphasis is primarily on the delivery of a particular service or to meet a need, the tendency is to work with established institutions that do not need basic training.

Aside from the services provided by FRECOM (the internal staff unit) and periodic use of expatriate advisors and technical consultants, TAF/Cambodia is currently providing relatively little training support of either a managerial or technical nature to its sub-grantees. This reflects the fact that:

By and large the limited number of Cambodian NGOs supported by TAF have reached a point where they do not require training in the basics of accounting, financial management and the reporting and monitoring requirements that are attached to the receipt of US federal funds.

The past focus of the TAF sub-grant program, despite the heavy emphasis on funding core administrative expenses, has been on getting services to the people and institutions of Cambodia rather than building institutional capacity.

The availability of good training trainers and training institutions within Cambodia is very limited and the cost of expatriate consultants is very high.

The evaluation team believes that this situation is changing and that management training should be an increasingly important part of the sub-grant program. The basis for this conclusion is threefold:

As pointed out in Part III of this report, despite strong leadership from a handful of leader/founders, Cambodian NGOs face a number of critical transitional challenges including the necessity of diversifying their funding base, building coherent long range strategies and developing strong and committed boards of directors. These issues are likely to become particularly acute during the leadership transitions which will occur in the next few years.

There is a critical shortage of middle tier management capacity that will need to be developed in the next few years if the NGO sector is to continue to develop and if the NGOs now supported by TAF are to continue to function. Training can address this gap.

The capacity to provide management training will enable TAF to begin to reach out and support emergent NGOs and respond to innovative proposals and energetic young organizations that have long run potential but short term deficiencies in their management systems.

In general and over the long run the evaluation team supports a strategy of building on what has already been accomplished and consolidating the institutional capacities of the core of NGOs that TAF has been working with for five years. In order to do this, TAF will have to be able to provide training support either

through in-country institutions, from its own staff or from expatriate advisors. It is important that they begin now to build the capacity to provide this type of support.

The evaluation team recognizes that there are practical impediments to increasing provision of competent management training services particularly in the areas of fund raising, board development, strategic planning, leadership development and executive transition. These tend to be soft or "flaky" areas and solid professionalism can be difficult to come by. The team suggests that consideration be given to the following approaches:

Support for establishment (or strengthening) of an NGO support center that could be independent of or attached to one of the two existing NGO umbrella groups.

Deployment for (say) six months of a skilled management trainer to work with TAF/Cambodia staff on the core essentials of organizational development to help staff identify, diagnose and make recommendations to deal with the organizational needs of sub-grantees.

Preparation of a country (or regional) roster of trainer/consultants coupled with a fast track voucher system that would make small grants to sub-grantees on a cost sharing basis to use these services.

A structured series of "training for trainers" workshops that would upgrade the skills of local trainers to work with NGOs.

Guiding principles for provision of training should include: the tailoring of training to the identified needs of the organization as opposed to ad hoc participation in training courses; adoption of a fee for service policy albeit at nominal rates; the linking of training to the award of grant funds; avoidance of mandatory training; the bunching of staff of comparable experience for purposes of mutual learning.

In general, the evaluation team discourages reliance on expatriate consultants, trainers and advisors except in those rare cases where the need is absolutely critical and local competence is limited or non-existent. The reasons for this caution are rooted in traditional concerns regarding the very high cost of outside advisors, the difficulty of making cultural transitions, the problem of exiting from a bad choice and the fact that foreign advisors take their accumulated knowledge and expertise with them when they leave. To the extent that TAF continues to use expatriate advisors, it is absolutely essential that they be teamed with local trainers so that their skills and knowledge can be replicated. TAF/Cambodia has done precisely this in the case of the contract law certificate program and, as a consequence, has developed a highly skilled cadre of legal trainers who can repeat the training course that was given by foreign legal experts.

Internal review and approval of grant awards. In the case of the TAF/Cambodia Project, funds are allocated to sub-grantees on the basis of a close working relationship rather than in response to a project application or proposal. Review and approval of sub-grant awards is made internally. This approach is in sharp contrast to the open or public approach to grant making which might for example use a public announcement of program

criteria, an open and transparent selection process and peer panel review to rank and choose meritorious activities.

There are pros and cons to both styles of operation and both have been used by USAID to support programs in democracy and governance.⁴ The closed selection process is appropriate where there is likely to be lobbying and controversy associated with the public award of grants, where it is important to maintain a long term funding relationships and where the objective is to work through a small number of organizations rather than build a broad sectoral capacity. The open process is appropriate if the objective is high public exposure to the activities of the NGO sector, where there are a relatively large number of NGOs and if the intent is to attract new entrants or shift sectoral priorities. The open approach has the added advantage of publicly demonstrating the merits of a transparent award process.

Under current circumstances, a closed selection process appears to be appropriate. It is consistent with TAF/Cambodia's basic operating style, allows a flexible response to the needs of sub-grantees and avoids the spotlight of public controversy. Moreover, from a practical point of view it is difficult to imagine how an open award process could be managed in the current coercive political climate.

However, it is important to be clear with regard to the fundamental deficiencies of a closed selection process. These include exclusive dependence on the knowledge and expertise of TAF staff, the danger of an institutionalized client relationship with recipients (which has occurred to some extent), excessive dependence of the chosen few on a single source of support and a lost opportunity to fund innovative projects and the entry of new NGO talent. In the long run and based on the premise that the political situation in Cambodia stabilizes, the evaluation team believes that USAID and TAF/Cambodia should consider creation a small grants window that would be managed along traditional foundation lines that include a public notice of program criteria and a competitive selection and award process based on an objective assessment of merit.

Large Grant Strategy. TAF/Cambodia Project is based on a practice of making relatively large grants to a limited number of NGO recipients. In a number of instances, TAF support serves as the primary sometimes exclusive source of support for these organizations. This approach, gives the Foundation considerable leverage in dealing with sub-grantees and allows a more focused pursuit of program objectives than would be the case if TAF were a minority donor. A large grant approach is effective if the purpose is to get a small number of NGOs up and running in a reasonably short period of time- - which has certainly been the intent and benefit of the TAF/Cambodia program. On the other hand a large grant approach runs the risk of establishing dependency relationships. It has also has the potential disadvantage of establishing perceived client relationships and, more fundamentally, can be very wasteful if the funder makes a wrong institutional choice and supports an organization that is ineffective.

⁴ See for example the Democracy Network Project in Central Europe which relies heavily on an open, transparent and competitive selection process using a peer panel of local experts and final decision by a "Democracy Commission" comprised of designated members of the US Country Team. While implementation has been difficult, the principles underlying this approach to grant making have generated considerable respect and admiration.

Generally, conventional wisdom argues against dependency relationships and the creation of client relations. Clearly, an organization is likely to be much healthier over the long run if it has a diverse base of financial support and a multiple range of mentors and advisors. In discussing this issue with TAF/Cambodia management and with USAID staff there is recognition in principle of the desirability of a diverse funding base and the problems inherent in a large grant strategy. However, the practical rationale for continuation of a large grant strategy is that a core of organizations have been established in Cambodia and if their programs are to continue it is necessary to maintain a generous level of financial support. While the evaluation team is comfortable with this explanation in the short term and in particular during the current period of intense political activity with a very real threat that some of the human rights organizations could be closed, the team believes that over the long haul TAF/Cambodia needs to work with their grantees to reduce dependency on a single source of support.

Leverage and conditionality. TAF/Cambodia does not as a matter of routine practice establish performance conditions or append a list of expected organizational or managerial improvements to its sub-grant awards. This is not to say that the staff do not work with sub-grantees or make suggestions or provide advice but this is done informally and explicit performance conditions are not attached to the sub-grant itself. This reflects the fact that in most instances TAF has worked with these organizations for a considerable length of time and is supporting ongoing activities and not attempting to engineer organizational reforms or start new ventures.

Ongoing large grants to traditional recipients can be the sign of a tired relationship. If grant making is to have a multiplier effect it needs to involve more than just writing a check. The evaluation team has not spent enough time in Cambodia to determine with great confidence if grant making has become so routinized as to lose its potential for synergy. However, given dependence on pliant donors, this is not an unreasonable point of concern. The important point in this discussion is that TAF/Cambodia needs to have a clear conception of the institutional and programmatic strengths and weaknesses of its clients and needs to be aggressive and proactive in moving grantees in directions that it feels are appropriate. It should be emphasized that this is not a recommendation that the evaluation team would make to a novice. TAF/Cambodia has the depth of staff, the experience and the sophistication to make insightful and valid judgments about its sub-grantees and should be encouraged and given the flexibility to proceed accordingly.

Program breadth and coverage. The Democracy and Law Project covers a very broad sectoral sweep including the legislative process, the community of human rights NGOs and public policy NGOs, (the independent sector), support for media programs (the "fourth estate") and to a limited degree, assistance to the legal system. And as noted below, this programmatic coverage appears even more capacious when conveyed through the various planning vehicles that tend to touch all the important bases in order to convey comprehensiveness.⁵

⁵ For example, this from the draft 1998 Work Plan: The Asia Foundation's Fiscal Year 1998 program will continue to support local efforts to develop a sustainable democratic culture in Cambodia premised on societal commitment to the fundamental rights of all citizens; responsible exercise of public authority;

The evaluation team has mixed views as to whether or not the breadth of Project coverage and managerial scope is excessive. On the one hand, TAF staff are knowledgeable in these areas and have strong connections with key decision makers. The individual components of the Project are all very important and the evaluation team is reluctant that any of them should be terminated solely to achieve a more manageable span of control. On the other hand it is not clear that in each of these separate areas TAF has the institutional and financial resources that are needed to leverage the type of structural impact that is sustainable in the long run.⁶ In addition, the broad scope of activities makes it difficult for TAF/Cambodia to construct Project framework that appears to be strategically coherent and forces the Project to package their program under labels that are intended to imply compatibility such as the term "civil sector".⁷

The issue of excessive Project breadth is particularly relevant in the context of a theme that runs through this assessment that argues that TAF needs to strengthen the substantive interaction with sub-grantees, become more pro-actively engaged in their institutional problems and cultivate a richer debate on program content and the shape of democracy and government in Cambodia.

The Conceptual Structure of the Project, the USAID Results Framework.

The following comments address the conceptual integrity of the USAID results framework in so far as it applies to the Project, the utility of the so called TAF Customer Service Plan, the use and choice of performance measures and the broad and fundamental question of whether the Project is conceived and implemented in a strategically coherent manner.

The USAID results framework. As part of reengineering, USAID is in the process of adopting a programming system that attempts to focus the resource allocation process on performance and results with an indicator system to measure progress toward intended outcomes. Whether this is "new wine in old bottles" is beyond the scope of this Report. Certainly, the importance of performance and results and the ability to know if a project is going in the right direction is of undeniable importance. However, one of the problems in implementing this new approach is that the language of performance management and the constant process of developing, amending and refining the results framework can have the unintended consequence of complicating what would otherwise be a fairly straightforward set of program objectives.

development of a broadly inclusive civil society; public access to reliable information on national issues; and respect for the rule of law. The program will focus on three program areas: legislative governance, human rights and civil society; and on three cross-cutting themes: elections, women's empowerment and rule of law.

⁶ For example, with regard to legislative support the evaluation team concludes that support for the Research unit is important and that the program is operating effectively - - provided of course that the National Assembly reconvenes. On the other hand it is not clear that this modest intervention will have the institutional impact that is required to professionalize staff operations and improve the quality of legislative decision making.

⁷ The question of whether a program is "strategic" is both popular and difficult. The litmus test for strategic coherence is not whether the various elements of a program fit together horizontally but whether they integrate vertically with the situation in-country and with the conditions in the field.

The TAF Project falls primarily under USAID/Cambodia's Strategic Objective #1: Strengthened Democratic Processes and Respect for Human Rights. (This is a recent modification of the previous wording of this objective which called for "expanding access to higher quality public services which strengthen democratic participation and the rule of law.") This Strategic Objective is subdivided into 3 intermediate results which in theory are critical to the achievement of the objective. These intermediate results are: Citizens' rights upheld through courts and dispute resolution mechanisms; System established for transparent, multi-party elections; Strengthened outreach and impact of organizations promoting human rights. The large bulk of the TAF grant is funded under intermediate result #3 (strengthened human rights impact) while the TAF election activity falls under #2 (transparent elections).

The TAF Project framework and current program structure. The TAF Customer Service Plan (June, 1996) and the TAF Work Plan for 1998 both state that the integrating focus of the various activities is on "strengthening the rights of citizens". The Customer Service Plan establishes four strategic objectives which correspond to the original budget categories for the Project i.e. legislative programs, human rights, public policy and the media. The current draft Work Plan for FY 1998 follows these categories except that it subsumes the media program under strategic objective #3, improved public policy dialogue. That document also proceeds to identify a series of sub-objectives under each primary objective.

For purposes of comparison, the strategic framework for the Project as contained in the 1998 Work Plan splices into the current USAID strategic objective tree as follows:

Project Structure Compared to USAID's Strategic Framework

<u>TAF/Camb.</u>	<u>USAID</u>		
	<u>Strengthened Democratic Processes/Respect for Human Rights</u>		
	<u>Citizens Rights Upheld through Courts & Dispute Resolution</u>	<u>System Established for Transparent Multi Party Elections</u>	<u>Strengthened Outreach and Impact of Organizations Promoting Human Rights</u>
Legislature Has Greater Role in the Policy Process	<i>No</i>	<i>Indirect Link</i>	<i>Distant Link</i>
• Improved Support Services	<i>No</i>	<i>Indirect Link</i>	<i>Distant Link</i>
• Commissions More Effective	<i>No</i>	<i>Indirect Link</i>	<i>Distant Link</i>
More Effective Advocacy and Promotion of Human Rights	<i>Indirect Link</i>	<i>Indirect Link</i>	<i>Yes</i>
• Increased awareness of gov't and public about human rights issues including domestic violence	<i>Indirect Link</i>	<i>Distant Link</i>	<i>Yes</i>
Increased Space for Dialogue on Public Policy and Democ. Issues	<i>Indirect Link</i>	<i>Possible strong link</i>	<i>Possible strong link</i>
• Increased awareness of gov't and public about accountability and electoral issues	<i>Indirect Link</i>	<i>Yes</i>	<i>Long term Indirect Link</i>
• Increased understanding of gov't and public about public policy effect on women	<i>Indirect Link</i>	<i>Indirect Link</i>	<i>Yes</i>
• Increased professionalism of the media and respect for freedom of press	<i>Long term Indirect Link</i>	<i>Indirect Link</i>	<i>Indirect Link</i>
Comment			

Structures not fully compatible. The USAID strategic objective tree does not appear to capture the full range of activities supported under the Project or, to the extent that these are catalogued, the fit is an uncomfortable one. Thus, for example, the Project's support for public policy and/or media organizations is only indirectly reflected in the strategic framework and assistance to the National Assembly is rather awkwardly shoehorned under strengthened impact of human rights organizations.

Some program elements do not fit the USAID structure. In particular, there appears to be some degree of tension between the emphasis given in the TAF program to public policy dialogue, issues of accountability and the impact of public policy on women and the absent of explicit reference to these matters in the USAID structure. This is further complicated, because TAF lumps these activities under the rubric of the "civil sector" which is not mentioned in the USAID structure. Whether this reflects a divergence of fundamental priorities or an oversight is not clear.

TAF's "Civil Sector" approach not echoed in USAID structure. In general the TAF program appears to have a breadth and coverage which is not echoed in the USAID structure. USAID priorities appear to exclusively emphasize human rights organizations, the elections and the courts. TAF priorities include the strengthening of the "civil sector".

Loose and misleading terminology. A particular problem is that intended results are stated in open ended or expandable terms rather than with regard to discreet results. Terms like "strengthened outreach", "increased capacity" may convey either minimal or very dramatic change depending on the perspective of the reader.

In general and to outside observers not steeped in the language of objective trees and results frameworks, the descriptive language seems to be mushy and at times downright misleading. Phrases such as "increased space for dialogue on public policy", the "civil sector" (as opposed to civil society), "rule of law", and "strengthened outreach and impact" are used without definitional support. The structures are made doubly confusing because they have been prepared at different times using slightly different formats and terminology. While loose terminology will not in and of itself have a negative impact on project performance, a reading of the several documents that comprise the conceptual architecture of the Project suggests that there is a latent *possibility* of a significant misunderstanding about basic purposes between USAID and TAF/Cambodia.

Need for clarification and joint planning. In summary, it is the conclusion of the evaluation team based on a review of planning documents that more needs to be done to clarify program purposes and to integrate the Project's conceptual framework with USAID's Results framework. The team does not believe that

there is a fundamental incompatibility but does believe it is important to get the terminology and the structure straight if later differences are to be avoided.⁸

The most effective way of ensuring conceptual compatibility would be to engage in a joint planning retreat with assistance from a skilled facilitator who is familiar with objective tree methodology.

Measuring progress - - the choice of indicators.

There are two sequential aspects of performance measurement. The first is to be very clear with regard to what the activity or program is attempting to accomplish and to state this in measurable terms that can either be quantified or stated in way that make it palpably clear when it has been accomplished. The second is to construct indicators of progress toward these anticipated outcomes that can be collected in cost effective manner.

As suggested in the previous section, there is currently some ambiguity with regard to basic Project purposes at least in so far as reflected in current planning documents. It is therefore recommended that TAF/Cambodia and USAID/Cambodia need to sit down and bring their planning documents into harmony and articulate a set of interlocking goals that fit comfortably together. Until this is done it is difficult to develop a useful structure of indicators that will measure progress. The following comments regarding TAF/Cambodia's and USAID/Cambodia's efforts to develop indicators for the Project are therefore made on a preliminary basis.

USAID/Cambodia and TAF/Cambodia are using different sets of indicators to measure progress.⁹ While the differences are not great, there is sufficient dichotomy of approach to cause confusion and create unnecessary paperwork. To some degree these differences reflect the fact that both are employing slightly different Project objective structures.

In part for this reason there are an excessive number of indicators that are being monitored. In the 1997 Work Plan TAF lists a total of 32 indicators and if the USAID/Cambodia indicators that are not included in this list are added, the total reaches 38. In addition, USAID/Cambodia has developed an ambitious list of "customer survey" studies which are designed to determine if the Project is having a positive impact. The result of this multiplicity of measures organized along slightly different purpose frameworks is a pervasive sense of monitoring overload.

At least to the evaluators who are not experts in indicator methodology, there appears to be occasional confusion between means and ends or between an indicator of progress and a statement of result. For example, is increased

⁸ This could be complicated by the possible need to fit much of the Project under the broad interpretation of "humanitarian assistance".

⁹ Thus, in the area of human rights, USAID Cambodia uses percent of human rights abuses reported, investigated and resolved and increased sustainability of human rights organizations. TAF/Cambodia uses, number of cases reported (as above) and number of districts in which human rights organizations are operating.

awareness of human rights issues and improved effectiveness of the National Assembly a measure of progress or a result of progress?

Several of the indicators that have been chosen are extremely difficult to measure in a convincing way. For example, "increased sustainability" is a problematic indicator because the term has multiple meanings and many of these are subjective.

Finally, some of the indicators particularly in the human rights area may provide misleading information. The most commonly cited example is the reporting of human rights abuses where the increase in reported violations may in fact indicate an improvement in the overall climate and a greater willingness of individuals to take action.

The summary conclusion from this brief discussion is that the indicator structure needs to be rationalized and simplified and that both parties need to agree on a core group of perhaps a half dozen indicators of progress that can be monitored on a regular basis. In addition, it is clear that in the area of democracy and human rights, where the intent is to change attitudes and perceptions, simple off the shelf trend data will have limited utility and may need to be supplemented with sophisticated social science research.

The Customer Service Plans

The Scope for this evaluation requested an assessment of the so called "customer focused approach" and TAF's adherence to the "customer service plan". USAID/Cambodia's Customer Service Plan was prepared in April, 1996 and TAF/Cambodia's Plan was prepared two months later. As such both Plans predate the revised USAID objective tree for Strategic Objective #1: Strengthened Democratic Processes and Respect for Human Rights which was prepared in March of 1997.

The TAF/Cambodia Customer Service Plan is essentially a synopsis of the annual Work Plan with the terminology changed to incorporate reference to "customers". The Plan adds a brief description of Customer Surveys which will be initiated in order to measure the impact of the program. These customer surveys include: a survey of members of the National Assembly to measure the effectiveness of TAF support to the Research Center; quarterly reports from assisted human rights and public policy groups plus and an annual survey evaluating the services provided by these groups.

Inappropriate terminology. The concept of "customer service" comes out of the popularity of so called total quality management (or TQM) which was popular in the commercial sector several years ago and emerged in partial response to a growing fear that Japanese management practices would lead to a competitive burial of American industry. TQM has certainly been an instrumental paradigm for improving customer service and focusing attention on finding out what the customer wants. While it is conceivable that a customer service perspective will help identify techniques for more effective marketing, packaging and presentation of the program, the awkwardness of the metaphor in Cambodia's currently precarious situation is almost startling.

Obscures substantive discussion. The problem is not only that the language is off-putting and almost embarrassingly inappropriate in the Cambodian context but that the deployment of cliché labels tends to mask the really difficult task of thinking through effective approaches to behavioral change. In fact, it is critically important to understand, for example, the psychology of spousal abuse, the impact of a legacy of violence on a society, the nature of cultural mores that determine a culture's operating definition of "human rights" or the conditions that incline a particular group toward authoritarian structures. These are issues that are very much at the heart of the design and implementation of a democracy and human rights activity and that need to be constantly at the front and center about discussions of effectiveness and measures of impact..

It is presumably for these reason that the customer survey plans appear to have been prepared in a rather perfunctory and routine manner, drawing on the language but not the substantive intent.

Summary Conclusions

Institutional Capacity

1. TAF/Cambodia has good organizational and managerial capacity as manifest by experienced staff, solid understanding of program objectives, good access to key decision makers, sophisticated appreciation of the political, social and economic context and broad respect in the NGO and donor community.
2. TAF/Cambodia has put in place a strong set of the necessary systems and procedures and monitoring and financial oversight mechanisms needed to manage a complex USAID funded grant.
3. In its operations, TAF has a distinctive identity and approach characterized by long term engagement, political neutrality, an insider perspective, a low public profile, cultivation of and access to key decision makers and a sophisticated understanding of political dynamics. This approach is well suited to Cambodia at this time.
4. TAF/Cambodia needs to make a more deliberate and systematic effort to augment the capacities of their capable staff and to prepare them for eventual full managerial responsibility. This should include both a tailored program of long term training together with provision of a "tool box" of skills to help sub-grantees. USAID should be responsive to an allocation of grant resources for these purposes An effort should also be made to more actively engage staff in the policy and strategic thinking process
5. TAF/Cambodia should make a greater effort to sponsor performance evaluations of sub-grantees on a regular basis and to train staff in the use of rapid appraisal techniques that will help them make informed judgments about the progress of their sub-grantees.

6. An effort should be made to stimulate greater internal substantive discussion and debate with respect to program content and direction. In addition, TAF should use its auspices and connections to establish a forum for discussion and exchange on the larger issues of democracy, representative government and human rights in Cambodia. This can be done gradually and in a manner that does not compromise TAF/Cambodia's reputation for neutrality.

Grant Management

1. TAF/Cambodia has established a strong collaborative working relationship with USAID and understand fully that their role is to implement the Project pursuant to USAID priorities. While this is a positive finding, there is a latent danger that TAF/Cambodia will become so closely aligned with the USAID perspective that they will lose their capacity to provide wise alternative counsel.
2. Over the long run, the training component of the program should be augmented and efforts should be made to increase the quality and quantity of locally based training particularly in the areas of strategic planning, board development, leadership training and organizational development.
3. The Team concludes that for the short run the large grant, closed decision making, limited recipient, core support approach to grant making is acceptable. However there are very real deficiencies to this approach including the danger of dependency client relationships and the foregone opportunity to work with emergent groups and support innovative proposals. Had the events of July 5/6 not occurred, the Team would have recommended a shift toward diversification, smaller grants and a more transparent selection process. This is not now feasible. However, the Team concludes that gradually and on the assumption of political normalcy, the program should move to smaller grants, new entrants, a more open and transparent decision making process and a shift away from core to project support.
4. In general, the evaluation team concludes that Project managers should be more proactive in diagnosing organizational needs and asking for appropriate modifications in connection with the award of a sub-grant.

Conceptual framework

1. The USAID strategic objective tree does not appear to capture the full range of activities supported under the Project or, to the extent that these are catalogued, the fit is an uncomfortable one.
2. In general the TAF program appears to have a breadth and coverage which is not echoed in the USAID structure. USAID priorities appear to exclusively emphasize human rights organizations, the elections and the courts. TAF priorities include the strengthening of the "civil sector".

3. There are a number of conceptual and terminological problems which appear to get in the way of coherent program planning, aggravated by the fact that planning documents have been prepared at different times and are modestly incompatible.
4. It is the conclusion of the evaluation team based on a review of planning documents that more needs to be done to clarify program purposes and to integrate the Project's conceptual framework with USAID's Results framework.
5. The indicator structure is complex and overweighted. USAID/Cambodia and TAF/Cambodia are using different sets of indicators and too many indicators. The result is potential confusion.
6. There appear to be some conceptual problems with the choice of some indicators such as confusing means, using measures that are highly subjective, getting accurate data and picking indicators that may measure the wrong thing.
7. The evaluation team concludes that the indicator structure needs to be rationalized and simplified and that both parties need to agree on a core group of perhaps a half dozen indicators of progress that can be monitored on a regular basis.
8. The evaluation team finds that both customer service plans are of limited utility and that the language of customer service is inappropriate and counterproductive in the current Cambodian context.

IV. Program Assessment

The Purpose of this Part is to briefly compare performance against initial plan and to identify interventions and techniques that have worked particularly well. The discussion in this Part is keyed to the Asia Foundation's FY 1996-FY 1997 Work Plan for the Program in Legislative Development and the Development of Civil Society which established baselines for performance. Since its adoption in 1995, the Work Plan underwent several reorganizations, with fresh ideas or emphases added and programs dropped. The evaluation team, conscious of the new post-July 5 environment and curtailed time in-country, chose to concentrate its attention on TAF/Cambodia's individual and active sub-grantees and to extrapolate larger lessons from these examples.

The Comments in this Part are necessarily brief because the evaluation team did not have an opportunity to observe NGO programs in action.

Legislative strengthening

The initial objectives were to enhance the ability of legislative commissions to contribute to the policy process and to strengthen legislative support services. Anticipated outcomes included:

Increased capacity of Legislative Commissions to interpret and amend legislation, hold hearings and organize work; greater understanding of political systems in other countries and the functioning of the National Assembly in Cambodia; adoption of a uniform drafting style and a system of analysis and codification of laws; development of an information request system and a research capacity; reorganization of the secretariat and a better trained staff.

Discussion

The evaluation teams believes that TAF/Cambodia's advisory assistance to the Research Center of the National Assembly through short term consultants was useful in establishing a competent staff unit. The orientation visit to the US by seven female National Assembly members in May-June 1996 was well planned and appeared to accomplish the objective of demonstrating the role women can play in legislatures. Although the members cooperated well while in the US, they reverted quickly to their parties' thinly veiled political hostility on return. The reticence of women members to speak out on the floor was apparently not altered during the period.

As Assembly business effectively ground to a halt in early Fall, 1996 and the Assembly did not meet again after March 1997, it is difficult to assess impact. The team verified that the Human Rights Commission, under BLDP chairman Kem Sokha was active at various times through 1996 and showed exceptional courage in pursuing its responsibilities. The fact remains that with several chairmen of the Assembly's commissions (Kem Sokha of Human Rights, Om Radsady of Foreign Relations, among other key legislators) forced to flee the country after July 5, it is – and will be for an undetermined period in the future -- impossible to "enhance" the legislative commissions ability to affect policy.

With regard to use, the number of requests from legislators to the Center for Legal Services rose in the six months ending March 1997 from the previous period despite the fact that the Assembly was stalled.

The evaluation team met with the staff of the Center and the Office of General Research and International Affairs. Asked what their needs were, they replied: internet access, new computers, English language training, orientation trips to other Asian countries, legal documents from other countries, and better library resources generally. The staff are earnest, relatively well educated individuals who are ready to provide much needed assistance to a functioning parliament. They are also very pessimistic about their future at the Assembly, since they know that without TAF/Cambodia and UNDP support, they would not be there. Some day (soon, one hopes) the Assembly will function again, and they will be needed.

It is the evaluation team's view that the TAF/Cambodia's legislative program may have greater significance in 1998 than previously. The actions (or inaction) of the National Assembly will be viewed by the international community as a litmus test of how faithfully the new regime (i.e. Hun Sen) is honoring its word to respect the spirit of the Paris Agreements and the Constitution. If the National Assembly is ignored or rendered impotent, the legitimacy of the regime will be further undermined. Assuming the CPP leadership understands this, the Assembly will begin to function again. It is therefore important that TAF/Cambodia protect its investment in the legislative program and continue financial support for CLS and OGIRA so that their skills can be maintained.

Summary conclusions

A legislative support capacity has been designed and installed although not yet fully utilized.

The "expected outcomes" outlined in the 1995 Work Plan could not have anticipated the deteriorating political situation. Nevertheless, in any meaningful sense, these outcomes have not been yet realized.

CLS and OGIRA were used to some extent by members during the program's first year and appeared to have gained the confidence of an appreciable number of members. It is likely that their use will continue and grow when and if the Assembly reconvenes.

The cost-benefit ratio of short term consultants is questionable. Such funding might be better used to upgrade the staff CLS and OGIRA, to provide training in other Southeast Asian countries, and to upgrade computer access and Khmer/English library facilities.

TAF/Cambodia-funded overseas orientation trips by Assembly members are cost effective only if targeted carefully to specific members for specific purposes.

Until the July 1997 events, the Human Rights Commission was as active as political paralysis permitted and held promise of significant future activity in the human rights field.

The competence of the current Research Center staff is good however the basic structure and size of the unit needs attention, the mix of technical skills needs to be reviewed, and a systematic staff development and training plan needs to be put in place and funded.

The Research Center needs to prepare a long range development plan that would include a workload estimate, a projection of skill requirements and a training plan keyed to anticipated needs.

Human Rights¹⁰

¹⁰ In its Work Plan, TAF uses the rubric of Civil Society to encompass its grants to public policy, human rights and Women's rights and empowerment programs. The grantees with largest TAF/Cambodia financial support as of July 1997 are the Cambodian League for the Promotion and Defense of Human Rights (LICADHO), the Cambodian Institute of Human Rights (CIHR), the Center for Social Development (CSD), and the Khmer Institute of Democracy (KID). In women's affairs, TAF/Cambodia supports other organizations active in human rights and gender issues: Project Against Domestic Violence (PADV); Women for Prosperity (WFP); and two media organizations (discussed under Media Professionalism): Women's Media Center (WMC) and Khmer Women's Voice Center (KWVC). These organizations provide a mutually reinforcing programs, some emphasizing human rights and gender issues (LICADHO, CIHR, PADV, WMC, KWVC), other democratization and public policy (KID, CSD, WMC, KWVC.). Media programs supported are the League of Cambodian Journalists (LCJ), the Khmer Journalists Center (KJA), and the Royal Phnom Penh University's (RPPU) journalism curriculum. These organizations fall under the rubric of "rule of law" or "civil society" – however defined – and were assigned objectives for accomplishment over the three year grant period. Among

The baseline objective was to strengthen and advance the training and monitoring skills of public-interest no-governmental organizations. Anticipated outcomes were:

Broad network of institutions and contacts established at the local level, better coordination among human rights NGO's, better public understanding of human rights issues and principles and duties of citizenship, more reporting of human rights violations, greater awareness of domestic violence, strategy to create a public defenders association, citizen access to legal aid, more supportive official attitude toward human rights, collection of data and analysis of laws which impede progress toward human rights.

Discussion

The evaluation team interviewed LICADHO, CIHR and PADV.

LICADHO: The League has a dual human rights mission of education/training and the investigation of reported human rights abuses. Participation in preparations for the national elections scheduled for May 1998 has been added. LICADHO has a small Phnom Penh staff and more than 70 district-level offices in 13 provinces where the bulk of its work is done. Its provincial offices generally have four staff members including two investigators. In our view, the provincial focus is needed and appropriate since human rights awareness particularly in target groups such as police, government officials, and the military is badly needed in the provinces.

The number of violations reported to human rights monitors, mainly LICADHO, rose sharply beginning in 1996 and no doubt have climbed even more since the July 1997 events. The ratio of cases investigated to cases resolved was about three to one; to improve this record under current circumstances will be very difficult. Moreover, no one can estimate how many human rights violations go unreported because of fear of reprisal. LICADHO no longer provides legal counsel to victims but steers them toward appropriate assistance (the International Human Rights Law Group's Defenders project is one source).

LICADHO receives funding from Australia, Canada, and the Scandinavian countries but TAF/Cambodia is by far the largest donor--52% in FY 96 and 37% in the first half of FY 97. We asked why LICADHO had not made greater efforts to diversify support or engage in long term planning. The reply: "first things first", perhaps not unreasonable in view of recent events. While LICADHO may represent a case where heavy reliance on TAF/Cambodia has created unwise dependence, it is equally arguable that TAF/Cambodia is making possible a uniquely valuable service by a nationwide organization.

TAF/Cambodia received a FY 97 grant to coordinate pre-election activities by two NGO umbrella organizations, the Committee for Free and Fair Elections (COMFREL) and the Coalition for Free and Fair Elections (CÔFFEL), and money has been programmed for FY 98.

the NGOs dropped from the Work Plan were the Cambodian Human Rights Coordination Committee (CHRCC) and Khmer Kampuchea Krom Human Rights Association (KKKHRA).

Both organizations were active in the first half calendar 1997 and had detailed plans for 1998. Additional grants will go to individual NGOs which have already begun rather elaborate programs in the provinces. LICADHO has an ambitious teacher training program in anticipation of the elections. Seventy-five trainers will receive two weeks instruction; they in turn will teach 3,000 volunteers to do voter education in 15,000 sessions in 21 provinces including local monitors. The aim is to reach 1.5 million voters (about 25% of the electorate) voting in 12,000 polling stations nationwide. LICADHO also hopes to engage in voter registration.

Mme. Kek Galabru impressed the evaluation team as an energetic leader of considerable competence and with solid connections to the relevant security offices. We were told by several sources that Mme. Kek has a keen sense of when to push the system and when to lay off. She felt it necessary, however, to depart the country soon after July 5, leaving her daughter, Eva, to help LICADHO's field reps who had taken refuge in Phnom Penh or were attempting to flee the country. Our second meeting with Eva after the July events revealed graphically the danger felt by laborers in the human rights vineyard in isolated districts.

LICADHO has for the most part accomplished the goals established for the first two years of the current Work Plan. It has devised and carried out successfully broad training programs in its designated target provinces. We were not able to establish whether it has been able to carry out the planned research on public understanding of human rights and civics. How effective LICADHO can be in its third year is an open question because of the events of July 1997. It is possible that the investigative function may have to be curtailed for the time being. Another factor is possible redundancy in TAF/Cambodia's human rights program. The evaluation team advises TAF/Cambodia to work with LICADHO during the difficult months ahead and to maintain funding for FY 1998. USAID and TAF/Cambodia should examine where LICADHO fits into future activities in this sector.

Cambodian Institute of Human Rights: CIHR conducts 1) specialized training of primary school teachers, 2) mass media projects, and 3) a variety of seminars and focused training. In second quarter of calendar 1997 CIHR trained 1,176 primary school teachers in the methodology of teaching human rights in the classroom as part of a three year project designed to train 35,000 primary and secondary school teachers, or 50% of the total. The Institute has the goal of reaching 100% of Cambodia's teachers, and the Ministry of Education includes the goal in its five year plan. Supplementing the teacher training program are seminars and instruction for provincial governors/vice governors, Interior Ministry officials, members of the armed forces, Buddhist monks, and Khmer Rouge defectors through cooperative arrangements with the Khmer Institute of Democracy.

CIHR's mass media projects (funded by the National Endowment for Democracy) have given it a significant multiplier effect nationwide. These include weekly radio and TV panel discussions, a daily radio quiz, a weekly newspaper series, all covering human rights, democracy, and public policy. The media series has prompted a demand for CIHR materials in the provinces, which in turn buttress the formal training carried out with TAF/Cambodia support.

As one of TAF/Cambodia's top recipients, much should be expected of CIHR and much has been achieved; in the evaluation team's judgment, these have been money's well spent. CIHR has accomplished the objectives set forth for the first two years of the Work Plan and

diversified its skills and products in ways not envisioned at the outset. Although it derives more than half its total funding from TAF/Cambodia, CIHR has been able to find supplementary funding from UNDP, the Netherlands Embassy, the Konrad Adenauer Foundation, and the NED, among others. The Institute's director, Kassie Neou, is well known in foreign NGO circles. He coordinates very actively with other human rights/democracy NGOs (COFFEL, CHRCC, CEDAW). The evaluation team believes that CIHR and KID (see below) are uniquely important contributors to the NGO human rights/democracy sector as resourceful coordinator-catalysts well beyond their prime roles as managers of rice-roots program managers. It may be that these are their most important value to the program.

Project Against Domestic Violence: PADV is an example of successful bottom-up NGO growth based upon "customer demand". In 1994, it consisted of one expatriate; in 1997, it has a staff of 20 with programs that reach the countryside through traveling teams; there are no field offices. PADV provides research data on domestic violence, resources and information to organizations that work with abused women. It provides referral and follow-up services to women but not defender-activity. Its education teams train other NGOs and governmental officials. Public awareness teams organize media campaigns to change public attitudes by making domestic abuse a public concern rather than a private family matter.

PADV has a board of directors and a long range plan, and some other donors (OXFAM, Netherlands, Germany) to complement TAF/Cambodia's core support. It coordinates but does not program with Women For Prosperity. TAF/Cambodia is PADV'S major supporter and considers PADV one of the Foundation's most effective sub-grantees to date. The evaluation team has no reason to question that judgment and was favorably impressed by PADV personnel (and TAF/Cambodia project officers) in its interviews. PADV attracts considerable women volunteers, but it certainly has plenty of work left to do, given the government's indifference to domestic abuse.

Summary conclusions

An essential core of professional, well managed, highly motivated human rights organizations has been nurtured and established.

The human rights programs managed by these organizations and supported by TAF have been of significant direct benefit to those individuals who have been assisted or trained. There is broad consensus that these organizations have made a real contribution to the protection and advancement of human rights and have acted as a counterweight to excesses that might have otherwise occurred.

Human rights groups get particularly good marks for their capacity to target and reach out to pivotal groups such the police, military, teachers and civil servants.

The "expected outcomes" outlined in the 1995 Work Plan were extremely ambitious and should have been viewed as generational goals rather than as criteria for a modest set of programs begun almost from scratch and conducted over a three year period.

Partly because of inflated expectations and partly because of the downturn in the political situation, the long list of anticipated outcomes has not been accomplished in any fully meaningful way. This is particularly with respect to the intent of establishing a broad base of local human rights groups. A start has been made, but only in Phnom Penh, Battambang, and a handful of other areas. They are by no means broadly based, comprehensive civic organizations. Where they exist, they must "challenge authority" only with great caution.

The events of July 1997 will make realization of the goals of the 1995 Work Plan more difficult to realize. Future iterations TAF/Cambodia Work Plans should reflect this reality.

While human rights NGOs are in much better institutional shape than they were in 1993, they are still embryonic and incapable of standing on their own two feet alone and will require generous infusions of donor assistance for some time to come.

Institutional characteristics that should shape future donor strategy and approach include:

Strong, politically sophisticated and experienced first generation senior management coupled with thin, relatively inexperienced tier of middle management.

Weak or undeveloped governance structures or structures that have not fully realized their potential.

Narrow funding base, excessively reliant on donors and on a few sources of donor support.

Poorly developed international contacts and surprising absence of "sister" relationships with similar organizations in the US and Europe.

Interest in strategic planning but (to date) absence of developed long range strategic plans.

Near full dependence on donor funding, limited funding diversification, negative attitudes toward reliance on the potential for local support.

Limited capacity to replicate or leverage impact.

Performance indicators show remarkable number of training courses being conducted and students attending but much more needs to be done to perfect and expand statistical gathering and analysis and to measure effective impact.

Thorough base-line social surveys are needed to understand popular attitudes on democracy and human rights issues.

The baseline objectives were to enhance public policy research, advocacy, and the leadership skills of public interest NGOs and provide core administrative and program support to public policy NGOs. The anticipated outcomes included:

Increased public/private debate on policy issues, greater access by NGOs to the policy process, development of resource materials on policy issues, increased public fora and public demand for data and information, passage of legislation dealing with corruption, increased public interest in good governance

Discussion

The evaluation team met with CSD, KID, KWVC, WMC and WFP.

Center for social development: CSD conducts its activities under three programs. The theme of "Transparency and Accountability", code name for anti-corruption advocacy, has been championed by director Pok Than since 1993. He has managed to keep this concept in fairly high media profile through his writings, particularly CSD's monthly newsletter which is said to be read widely by government officials and enjoyed for its amusing cartoons. Until July, Pol Than believed he had satisfactory relations with the government and participated in drafting of the anti-corruption and assets declaration laws which, like so many others, were stalled in the ministries by FUNCINPEC-CPP disputes. His drafting advice and persistent advocacy have been a genuine contribution to the embryonic public policy debate. The CSD newsletter is being expanded to cover topics beyond corruption. The "National Issues Forum" has done TV and radio shows three times per month on controversial issues.

It is the third program addressing the issues and conduct of the 1998 national elections, part of TAF/Cambodia's new program from USAID, that is beginning to occupy CSD's attention. CSD will address the parameters of domestic and international election monitoring, guidelines for election workers, codes of conduct for candidates. These are very important elements of a free and fair election. A Voter's Guide inspired by the (US) League of Women Voters will be produced. As president of COFFEL, Pol Than intends to play as active a role as possible during the registration, campaign period, and actual election, and also in the critical drafting of the elections laws.

the TAF/Cambodia-CSD relationship seems generally sound. The evaluation team senses that CSD has relied too heavily on its monthly newsletter as its main product and anti-corruption as its predominant theme. The added mission of election coordination and materials production should become a much larger aspect of CSD. CSD is financed almost entirely by TAF/Cambodia, which has urged CSD to seek other sponsors to protect its future. As noted elsewhere in this report, the team is also concerned that the bulk of TAF/Cambodia's funding is being concentrated in a small number of NGOs who target the same audiences and sound the same themes. While repetition and message focus is no doubt useful in human rights/civic society advocacy, CSD does not appear to have varied its programming approach with the creativity shown by KID and CIHR. Nor has CSD put down on paper a long range strategy, perhaps because it is uncertain about future funding.

Khmer Institute of Democracy: KID's purpose, in the words of its director Dr. Lao Mong Hay, is to inculcate democratic values, the rule of law, and market economics into Cambodian society through training, debate in public programs targeted at grass roots officials who deal with the daily problems of the rural population. KID is proud of its cost-effectiveness, having returned \$10,000 to the Foundation last year through various economies.

KID believes in prudent cooperation with the ministries of Interior, Education, and Defense in order to accomplish its missions, and has deposited its detailed course plans and study materials with them. KID's standard ("full curriculum") course is six days and includes topics taught by several different trainers from other NGOs: civic education, human rights, humanitarian law, rule of law, market economics, democracy, Buddhism, elections, moral and ethical values. The cooperation between KID and CIHR is commendable in this respect. A day of testing drives home the lessons; generally only about half the attendees pass but KID believes the exposure to ideas remains valuable to those who do not. There are three day versions in seminar format with an abbreviated curriculum, and various specialized lectures. There is special training directed toward Khmer Rouge defectors. KID also produces a variety of media programming: "The Future Visions" and the "Problems and Solutions" TV series are supported by TAF/Cambodia.

The Interior Ministry has urged local officials to attend KID training for "human resource development" (an influential Interior official is a member of KID's Board). Just the week before the July events, attendees at a KID course in Phnom Penh included Royal Cambodian Armed Forces officers from captain through colonel, and a week earlier KID was asked to do training for 50 officers in Battambang. A constant question from students is "How can I command soldiers if they think they have human rights", a perspective that Dr. Lao and his trainers tackle through dialogue. In view of the fact that such delicate topics could not even be mentioned three years ago, we find KID's programs innovative and well conceived. KID conducts impact tests on the spot after each session, but measurement of attitude-changing, KID admits, can only be judged over the long run. Dr. Lao believes his programs tends to reduce abuses at the rice-roots level where judges become aware of the concept of habeas corpus.

The KID pragmatic philosophy, shared by CIHR and CSD, is to establish a non-threatening presence of local NGOs. This has been accomplished in many provinces but varies widely according to the military commander or local party chief. Step two is to gain the actual cooperation of the local authorities and support for training programs, which takes time and is always subject to reversal when political tensions rise. Step three involves human rights monitoring; this takes longer still and can never be perfect, since it challenges the authority of local power elites.

KID intends to stick to what it does best, and has turned down offers to do environmental and AIDS programs (Dr. Lao rejects condom distribution programs as encouraging permissiveness). "We do not want to become big. We want to consolidate ourselves as the tail that wags the dog..." Dr. Lao intends to grow KID in the future, but for now he is most concerned with sustainability (at the moment, survival might be the accurate term). He has a five year strategic plan up to the year 2000. He sees KID as an advocacy and educational organization, not as a think-tank. TAF/Cambodia and the Konrad Adenauer Foundation are the two largest donors. KID plans to raise revenue on its own through fee-based training and consultancies.

Since KID's legal framework is based on the Paris Agreements, Dr. Lao is extremely worried however, about the steady erosion of this framework. He cites the lifting of parliamentary immunity of opposition MPs, selective amnesty of Khmer Rouge leaders, and the Easter grenade attack on Sam Rainsy. The evaluation team met Dr. Lao for a second interview after the July events. Outside his office were two Ministry of Interior officials whom Dr. Lao had not seen in two years; they had come "to check on his health". Dr. Lao said he expected more thinly veiled intimidation of this sort in the future. KID's philosophy remains, "We have been promised rights and freedoms, they are ours to lose -- use it or lose it...we have the Paris Agreements as internal interference. A lot depends on sticking together". On cutting US support to hurt Hun Sen, Dr. Lao quotes a legendary Khmer businessman: "If you attack the Chinese, you strangle the Khmer".

The evaluation team believes that KID has clearly accomplished the objectives of the first two years of the Work Plan--and probably exceeded them through outreach via radio and television, and through its work with Khmer Rouge defectors. Like other NGOs in this sector, KID's future is uncertain. The evaluation team recommends That TAF/Cambodia maintain financial support for KID and coordinate with the Konrad Adenauer Foundation and other donors to sustain KID during the next difficult years.

Khmer Women's Voice Center: KWVC grew out of an earlier UNTAC women's program. It now has three branches (research, advocacy, media) to promote public awareness of gender issues and specifically women's rights in domestic and public affairs. KWVC targets especially the Ministries of Education and Women's Affairs through meetings, training courses in the provinces, and lobbying the government. The evaluation team found it one of the most active public interest/human rights NGOs we interviewed in getting its messages to the public via radio and TV. Its leadership is largely from the non-expatriate Cambodian community.

Women's media Center: WMC has virtually identical goals with KWVC (from which it split amicably in 1995) but concentrates on the delivery of the messages of the women's movement. Core and some program support is From TAF/Cambodia. It enjoys broad local volunteer support WMC's five organizational components are: a weekly TV show broadcast in Phnom Penh and in the provinces; a similar radio show on women's issues; a "media campaign" providing technical services to NGOs; networking workshops on monitoring the portrayal of women in the media; and a very professional technical radio and TV capability which allows WMC to serve a variety of NGOs and provides it income to supplement foreign donors. WMC plans to be active in election work; its director is a member of COMFREL's board.

Women for Prosperity: WFP is the leading organization engaged in training women for political campaigning and eventual office-holding. The vision of its director, Nanda Than, is to build a women's leadership capacity, to involve women in politics, and to give women the "image of power" now lacking, thus reversing the exclusive power of men in Cambodian society. WFP's "Women's Participation in Public Affairs" (TAF/CAMBODIA funded) offers a detailed instructional plan to women politicians and is taught widely in the provinces. Courses on leadership, self-esteem, political networking are also taught in Phnom Penh. The evaluation team found WFP's leadership strong and its program organization and materials of impressive quality.

Summary Conclusions

A small but competent core group of public policy NGOs has been nurtured and established.

These groups are almost entirely dependent on foreign donor funding and manifest the same institutional characteristics noted above i.e.:

Very competent leadership but weak middle management.

Weak governance structures.

Poorly developed international contacts.

Limited exposure to long term strategic planning .

Negative attitudes toward the potential for local support.

Limited capacity to replicate or leverage impact.

As with human rights groups, the "expected outcomes" projected in 1995 Work Plan were extremely ambitious and should have been viewed as generational expectations rather than as criteria against which to judge a set of three year programs.

However, the programs administered by these groups appear to be well designed, managed and effective and are moving toward the outcomes that were originally projected, albeit at a slower rate. .

Continued efforts to nurture the development of counterpart organizations in the provinces is important if these groups are to eventually have broad systemic impact.

Grantees seem willing to stick up for their rights under the Constitution and some will push the envelope whenever feasible. But they remain basically scared by the July events and are unlikely to take unwise risks. TAF/Cambodia's continued presence has been encouraging; USAID assurances of continued support for the NGO sector will be extremely important.

Media professionalism

The objective of the media program is to support the development of a free and responsible press. Expected outcomes included:

Development of English training modules and a sustainable training program, conduct of training seminars and workshops, increased knowledge and skills of journalists, improved standards of professionalism, provision of ethics training, a self sustaining professional journal, establishment of KJA as an internationally known professional organization with greater KJA self sufficiency.

TAF supports the two professional journalism associations in the country, the League of Cambodian Journalists (LCJ) and the Khmer Journalists Association (KJA). The LCJ and the KJA split over differences in political perspective after six months, which is perhaps indicative of the tense media atmosphere. Fifty papers or magazines were published in Phnom Penh before July, of which three were in English and one in French. The second prime minister has stated that the media is free to criticize his government and that no one will suffer, but just how many papers will choose to reopen after the events of July is not yet clear. With the departure of foreign business advertisers and the demise of FUNCINPEC's financial backing of papers critical of the CPP, a much smaller print media sector is expected.

The LCJ president is a close friend of Hun Sen who immediately showed his colors after July 5, when he published an open letter to the UN Secretary-General and the International Federation of Journalists in support of Hun Sen's actions. This act, which was not approved by the LCJ's other leaders, has politicized the LCJ. The KJA has been shaken by the events; it well understands the hazards of opposition journalism in an environment where four journalists have been assassinated in the past two years and many more assaulted or threatened into silence.

TAF/Cambodia in 1995 took the difficult decision to provide equal core support to both associations in an effort to encourage the continued flowering of a lively free press that started during UNTAC. It recognized that to support the KJA but not the LCJ would raise the hackles of the CPP and imply partisanship. For a while it worked. In the current circumstances, there seems to be small chance of a free press, and the KJA may well go out of business, which would end the rationale for a balanced program.

TAF/Cambodia also supports the journalism curriculum at the Royal Phnom Penh University to provide professional training to budding journalists in a regular academic program. TAF also has funded an American journalism adviser to the university and to the two associations to promote overseas connections.

Summary conclusions

With freedom of the press on the wane for the foreseeable future, there is little to be gained by continued support for the two journalists associations (particularly if the KJA folds).

In a perfect world, the RPPU project would probably still make sense but with the departure of the journalism adviser and with resources at a premium, this project should be put on the shelf until a better day arrives.

The evaluation team believes that continued support for an independent media and high quality, professional press is desirable in principle. The difficulty is to find an appropriate and workable point of intervention.

Election Project: The evaluation team was instructed to not devote extensive time to an assessment of the add on election activity. However, since some funds for election training were in the initial grant and since several of the major grant recipients were already engaging in some form of election assistance, it was felt that brief comments would be appropriate.

There are many unknowns and variables regarding the circumstances of the election(s).

Whether local and national elections are to be held simultaneously or ad seriatim. The implications of simultaneous election are many, as are the critical unanswered questions about the political circumstances surrounding them:

Simultaneous elections would make TAF/Cambodia's and the sub-grantees' job easier in one respect (only one electoral period instead of two) but vastly harder in several others - - the number and style of voter education materials and codes of conduct will have to be printed in a more concentrated period and then distributed "just-in-time". The logistics of such an exercise are mind-numbing.

Despite two years of arguing between FUNCINPEC and the CPP, the elections laws have not emerged from the Ministry of Interior.

The role of the international community is not yet clear nor is it clear what parties will be allowed to run or who will be the candidates.

Parties critical of the CPP could well be barred, namely Sam Rainsy's Khmer Nation Party and the Son Sann faction of the Buddhist Liberal Democratic Party. Just as likely will be the enfranchisement of ex-Khmer Rouge Ieng Sary's party that controls the border area in Battambang and cooperates for now with Hun Sen.

If the Sary's party is approved and Rainsy and Son Sann's representative are not, should the United States participate in any way in the election process? What attitude should the USG take regarding other governments that ignore such a travesty?

Will the international community (or the UN or ASEAN) pony up the money to help the government run the election?

Even with competent monitoring, and assuming no change in Hun Sen's dominance, the odds will be in favor of a CPP victory at the 1998 polls. Then the central questions are: 1) will the CPP tolerate a "loyal opposition" and 2) will FUNCINPEC be able to gain enough seats to affect legislation.

Some of these tough questions of policy are perhaps beyond USAID's purview, but at some point the USG will have to ask itself: Is the 1998 election a process that is taking place for the sake of appearances designed to get the Cambodian question off our political plate through the cure-all of "free, fair and open elections"? UNTAC 1993 proved that an election is democratic only if the loser agrees to leave power. The USG could well be facing a lose-lose situation.

Regarding TAF/Cambodia's role and COMFREL and COFFEL's competence, having watched the massive UNTAC electoral machine in operation (3,000 civilians protected by 18,000 soldiers), we find it difficult to imagine Cambodian NGOs being able to replicate the combined expertise and resources of UNTAC's electoral component and its Information and Education unit, not to mention a number of foreign NGO election workers advising various parties, and not to mention the 1,000 international polling station officers scattered around the districts.

Perhaps the vigorous spirit of LICADHO, CIHR, KID and others united under COMFREL and COFFEL could pull it together – if the government lets them.

In summary, the intent of carrying off a free, fair and open election is laudable but USAID might be well advised to hold off establishing detailed instructions until the situation becomes clearer and the policy issues noted above come closer to resolution.

V. Conclusions and Recommendations

This Part sets forth primary conclusions and a related set of recommendations. Most of the conclusions have been discussed in the body of the Report and are repeated in synoptic form below. The conclusions and recommendations are divided into three sections:

Conclusions and *recommendations* that emerge primarily from external events.

Conclusions and *recommendations* that relate to past performance.

Conclusions and *recommendations* that pertain to future directions.

Recommendations are grouped under conclusions and are shown in *italics*.

Trends and External Conditions

Uncertain outlook. As of this writing, it is impossible to predict how current political tensions in Cambodia will play out over the coming months or how TAF/Cambodia's operations will be affected by the CPP coup against FUNCINPEC. We take it as given, however, that the *status quo ante* July 5, 1997, cannot be replicated. In the short term, the NGOs - - particularly the human rights groups - - will face difficulties. Over the longer term the evaluation team believes there are positive pressures that will allow the NGO community to continue to develop.

NGOs constrained. The activities of human rights NGOs and NGOs that are active in subject areas that have political coloration are likely to be constrained and difficult over the near term. Even under the most optimistic scenario, CIHR, KID, LICADHO, and CSD will have to adopt a low profile in program activities in the provinces and conduct their planning and coordination work in Phnom Penh with utmost discretion.

Assistance politicized. The provision of assistance to NGOs will continue to be perceived as a form of politically relevant activity. Donors will increasingly have to weigh their support for civic education, human rights, voter education and other similar activities in relation to their dialogue with the new regime.

Uncertain impact on donor funding. The impact of July 5/6 on the flow of external donor funds is uncertain. While some donors may withdraw or reduce their aid programs, others may increase the flow of moneys to the NGOs and for human rights activities. It is likely that the composition of funding sources will

change and that some NGOs will face a disruption in assistance and a depletion of funds.

Short term plateau of growth of NGO sector. In general, the growth of the NGO sector is likely to plateau or decline during this period of instability. Foreign NGOs will almost certainly re-assess their commitment to Cambodia and some may withdraw or curtail activities thereby further limiting opportunities for international networking and collegial relationships.

Pressure on NGO leadership. The increased difficulty of conducting operations, the threat of intimidation and the possible erosion of financial support will present a difficult psychological environment that could discourage the already thin NGO leadership base. At some point, the executives of these organizations will be forced to review the wisdom of a continuing commitment.

Increase in human rights workload. The volatile political situation is likely to stimulate a significant increase in human rights abuses and in the monitoring and investigatory work load of the human rights NGOs supported by the Project.

Significant opportunities remain. While the short term operating context for NGOs is likely to be difficult, important opportunities and openings for effective leverage still exist and need to be exploited. Thus, as a consequence of support from donors like TAF/Cambodia, NGOs themselves have become a factor on the political scene and to a greater extent than before are in a position of shaping their own destiny. While difficult to perceive in the shadow of the events of July 5/6, within the new regime there will be strong pressures for legitimacy, outreach to the west and a return to business as normal. NGOs not only represent a political thorn, they also constitute an extremely valuable resource that the government needs to tap if it is to perform credibly. While the NGOs and the donors will need to be subtle and adroit and respectfully neutral, it is by no means clear that the development of an independent sector in Cambodia will wither or terminate.

Danger of overreaction. Because the events of July 5/6 appeared on their face to dramatically undercut much of the progress that had been taking place in Cambodia, there is the inevitable danger that donors will overreact by either pulling out and ending support to the NGO sector on the premise that it cannot continue to flourish in this climate or that, alternatively, the donors will unleash an infusion of new funds that will be beyond the absorptive capacity of the sector and that will reinforce tendencies of dependency that have been discussed in this Report. What is needed - - and what TAF/Cambodia is competent to provide - - is, to use a medley of TAF metaphors, a steady capacity to operate upstream, read the political tea leaves and stay in the game for the long haul.

National Assembly. On a positive note, it appears that the National Assembly will reconvene and the process of legislative review will continue and that the valuable work of the Research Unit will be able to continue.

During the current political crisis, TAF Cambodia working in tandem with USAID Cambodia should take the necessary budgetary steps to ensure continuation of core support to NGO that are potential adversely effected.

Programs that should be maintained in priority order are: assistance to human rights groups; assistance to public policy organizations particularly the women's groups; support to the Research Center at the National Assembly.

The wisdom of continuing the media programs should be reviewed. (Consideration should be given to "projectizing support if maintenance is deemed essential.)

Ancillary services such as the provision of technical expatriate advisors should be tabled until it is certain that there are adequate core funds to sustain sub-grantees. However, the contract law activity should be completed and USAID/Cambodia should be responsive to the continuation of training programs in the areas of criminal law and or and human rights law employing the model used for contract law.

Overall Project Performance To Date

Programs effective. The individual programs and activities of NGOs funded by the Project have been effective, well coordinated and well managed. Although of limited scope, they have had a direct positive benefit on the lives of Cambodians.

Core group of essential institutions supported. The evaluation team believes that the Project has effectively supported the emergence of a critically important core infrastructure of institutions that are of central long term importance to the strengthening of democracy, the rule of law and the protection of human rights in Cambodia. These organizations have the potential to have a multiplier impact on the broad growth of the independent sector and, as a consequence, on Cambodia's gradual evolution toward democracy. The institutions that were surveyed for this evaluation are dedicated and professional and led by motivated and highly competent individuals.

Limited replication. The Project has had limited success to date in cultivating the replication of human rights and public policy NGOs or at building broad sectoral capacity. The implication in the original Work Plan that the Project would lead to or enhance the emergence of a "civil sector" has not been realized and in retrospect these projections of impact seem optimistic. At the same time, the groundwork has been laid for the emergence of a self sustaining independent sector. There are enough NGOs with sufficient political weight, public recognition and access to decision makers to begin to have an influence on the shape of their own future.

Need for consolidation. While significant progress has been made in terms of delivering services through NGOs and establishing a basic infrastructure, most NGOs are quite fragile and institutionally unsustainable over time. This suggests a gradual shift toward a strategy of capacity building that is outlined in the third section of this Part.

Training activities effectively targeted. Public policy and human rights NGOs supported by the Project have been particularly effective in targeting their training and education activities on important sub-groups such as the military, the police, teachers and local public officials.

Effective coordination. A network of informal coordinating mechanisms has been developed that provides reasonable assurance that donor funds will be allocated among NGOs in a coherent manner.

Emphasis on core support appropriate. The decision to concentrate primarily on core support has been appropriate in view of the importance of maintaining the activities of several key human rights and public policy NGOs and in the context of limited or non-existent administrative funds for these organizations.

Emphasis on a few organizations appropriate. The concentration on a limited number of lead NGOs at this point in the development of the Cambodian NGO sector was appropriate in view of limited available human and financial resources and the necessity of getting programs up and running in a hurry - - however, it will be critically important to help these organizations diversify funding support in the long run. (See below.)

National Assembly activity essential. The Project has been successful in creating a staff support capacity at the National Assembly. The services and professional staff skills of the Research Center are important and needed. The fact that hoped for outcomes have not been accomplished is a function of factors beyond control of that program and is not a rationale for disbanding it. An effective and professional legislative body will not develop unless these capacities are supported.

TAF/Cambodia should continue support to the Research Unit of the National Assembly. Appropriate adjustments in the funding structure should be made to clarify the fact that this does not constitute direct support to the current regime.

Development plan for Research Center. The competence of the current Research Center staff is good however the basic structure and size of the unit needs attention, the mix of technical skills needs to be reviewed, and a systematic staff development and training plan needs to be put in place and funded.

The Research Center needs to prepare a long range development plan that would include a workload estimate, a projection of skill requirements and a training plan keyed to anticipated needs.

Media program a limited success. The evaluation team concludes that efforts to strengthen the freedom and professionalism of press and media have been damaged by the politicization of the participating institutions and the pervasive atmosphere of intimidation which makes the development of professionalism more difficult. The Team believes that in theory TAF should continue to support the development of a free and more professional press and media but concludes that these attempts have been compromised in the short run.

The wisdom of continuing the media program in the short term should be reviewed. If maintenance is deemed essential, consideration should be given to "projectizing" the assistance.

Women's projects impressive. The evaluation team was highly impressed with the institutional quality of the women's organizations that are supported by the Project. By and large, these groups are professional and well managed, have a clear and well defined mandate and have been quite successful in diversifying their funding base. The intersect between TAF's thematic emphasis on the empowerment of women and the activity line in the Project seems to have been very productive.

Strong management capacity. TAF/Cambodia management capacity is strong: staff are highly competent, well trained, understand Project goals, have excellent relations with grantees and at senior levels within the government. Necessary systems, procedures and oversight mechanisms have been designed and installed. TAF is a fully competent steward of federal funds.

Management style appropriate. TAF/Cambodia's management philosophy - - long term, neutral engagement with an emphasis on "staying at the table" - - is appropriate for Cambodia under the current circumstances because it will be essential to maintain a broad range of public and private contacts. Relations between TAF/Cambodia and USAID/Cambodia are open and constructive and TAF/Cambodia is responsive to USAID policies and concerns.

USAID/Cambodia oversight. There is modest indication that some of the potential benefits of working with a private, independent organization may not be fully realized because of the degree of oversight from USAID/Cambodia and the inclination to specify precise and detailed expectations of performance that has the consequence of reducing managerial discretion. A conclusion of this assessment is that TAF/Cambodia has developed the institutional capacity and mind set to responsively implement USAID activities.

USAID/Cambodia needs to exercise discretion in imposing detailed specifications that will undercut creative adaptation.

Conceptual framework deficiencies. On the basis of a document review, the evaluation team concluded that the conceptual fit between the Project and USAID's strategic framework is imperfect and deserves attention. There are a number of terminological differences and points of differential emphasis that need to be

straightened out to ensure that both parties are speaking the same language. Both structures require some degree of modification if they are to be mutually supporting.

Both parties should organize a one day retreat to work through the conceptual fit between the USAID strategic framework and the Project format. In general, the Project format should be simplified and the USAID structure should be broadened to better fit the current array of activities.

Indicators too many and complex. The indicators of progress structure appear to be unnecessarily complex and occasionally misleading and the “customer service plans” have marginal utility.

The list of indicators should be reviewed and simplified. If possible the human rights indicators should be similar or identical to the ones used in the Human Rights Report. No more than two indicators should be developed for each major program category. One of these should measure activity performance (e.g. reported human rights abuses) and one should measure institutional sustainability (e.g. diversification of funding sources.) Additional surveys and social science research should be tabled at this time. However, both parties should agree on a list of supplemental studies to measure attitude change and the timing and terms of reference for these studies should be established.

Overall strategic approach. In response to the question as to whether TAF/Cambodia has taken a “strategic” approach to Project management, the evaluation team concludes that implementation of individual components has been very effective and “strategic” in the sense that, by and large, TAF chose the right organizations to work with, pursued an appropriate approach involving large grants for administrative support and stuck with a small core of NGOs over a relatively long period of time. More broadly, the Project architecture is “strategic” in the sense that it focused the Project in the correct sectoral areas: human rights, public policy, the legislature and the media. Over the long run the question of strategic positioning will become more complex in the context of the new political realities. The following conclusions and recommendations suggest a somewhat altered strategic approach.

See below

Future Directions

Primary themes. The evaluation team believes that there are five thematic elements that should influence the evolution of the Project over time. The rate of transition will depend significantly on how the current political dynamic unravels. In general, the following thematic emphases apply to the third grant round i.e. post September, 1988, although the conceptual groundwork can begin to be constructed now.

Consolidation of the significant gains that have been made to date through the building of sustainable institutional capacity.

Emphasis on design of structures and approaches that will replicate or multiply results so that impact ripples out beyond the relatively small core group of organizations that TAF/Cambodia is assisting.

A general shift toward localization of the Project involving greater emphasis on building indigenous capacity, using indigenous talent and gradually shifting greater responsibility to local TAF/Cambodia staff.

Strengthening in general the intellectual and philosophical sinews of what is happening through the Project, in Cambodia and as a result of the emergence of the independent sector.

Designing an approach and a style of operation that is workable under the new political realities.

Relations with sub-grantees. A central conclusion of this evaluation is that if this Project is to have lasting sustainable impact, TAF/Cambodia will have to concentrate more of its resources and energies on institutional capacity building. While the organizations that have been nurtured and supported by the Project are competent and their programs are having a significant impact, they do not have the financial, executive or (in some cases) strategic capacities stay in business for the long haul.

The evaluation team recommends a shift in the content of relations with sub-grantees to more strongly emphasize, mutual agreement on long range institutional sustainability and implementation of an organizational development plan. Special emphasis should be given to the process of strategic planning, strengthening of the governance structure, fund raising and leadership transition. The tone of the relationship should incorporate performance expectations and sub-grants should identify benchmarks and establish conditionalities.

A systematic effort needs to be made to diversify the sources of support for those organizations that are excessively dependent on TAF/Cambodia and identify and exploit new sources of core funds. This should be done strategically and on the basis of individualized marketing and fund raising plans for each organization and not in a top-down formulaic manner. A high priority should be given to the reversal of the current prevalent and negative attitude that foreign donors will always be the only source of NGO support.

Greater emphasis should be given to the incorporation of training support as an element of sub-grants and a related effort should be made to nurture the development of an indigenous training capacity in the key areas of strategic planning, fund raising, board development and executive

transition. Expatriate training and technical assistance should be accorded a lower priority than the development of local capacity and overseas advisors should never be brought in unless they are systematically "twinned" with a local counterpart.

TAF/Cambodia should consider support for or design of an initiative that would focus on executive development of NGO middle management and that would be intended to build a cadre of executives to replace the current leader/founders.

TAF/Cambodia should support studies that would begin to identify emerging sources of private sector financial assistance and research aimed at understanding the potential for the emergence of a practice of charitable giving. Eventual consideration should be given to support for publication of directories of potential donors and provision of short term assistance to help NGOs construct marketing plans.

More deliberate efforts should be made to establish international connections and mentoring relations with "sister" organizations in the United States or Europe.

Civil Society Program. A conclusion of this Report is that the NGO sector is very fragile, growth is not broad based and the short term prospects for sustaining financial support are limited and donor based with all the negative difficulties that foreign funding entails. If the independent sector is to develop, it is essential to begin to identify and nurture grass roots voluntary groups and support their maturation.

TAF/Cambodia should consider the design of a "civil society" sub-grant program explicitly focused on stimulating the generic growth of the NGO sector in Cambodia.

This program should involve small grants to emerging organizations awarded on a competitive and transparent basis and should be given wide publicity and public exposure.

The program should concentrate on small, local organizations outside of Phnom Penh that work in such areas as environmental protection, mental health, civic education, women's rights, alcoholism and drug abuse and problems facing teenagers and youth.

TAF/Cambodia's Shifting Role. The style, operation and skill mix of the competent TAF/Cambodia staff will need to be modified to accommodate this shift in approach.

TAF/Cambodia staff need additional exposure to the basics of organizational development including fund raising tactics, the role and function of the board of directors, strategic planning and executive

development and transition. They should be armed with a "tool box" of management techniques to use in their relations with sub-grantees.

Because of the difficult environment, the need for flexibility and adaptability and in view of staff capacity and demonstrated competence, TAF/Cambodia should be given greater flexibility to administer the program in the context of agreed objectives. The emphasis on institutional strengthening, the recommendation to establish a civil society initiative coupled with the pervasive difficulty of operating in Cambodia in the first place underscore the need for flexibility and the inappropriateness of micromangement.

TAF should make a concerted effort to cultivate a climate of intellectual debate, discussion and exchange and to offer its facilities and expertise to catalyze such an effort. While TAF needs to preserve its neutral identity to the greatest feasible extent, it can serve a valuable role by engaging concerned Cambodians in substantive discussion about these matters.

TAF/Cambodia should make a more concerted and systematic effort to design individual professional development plans for its core staff and USAID/Cambodia should be supportive of an allocation Project resources for this effort.

Finally, TAF/Cambodia should design a transition plan that would gradually and systematically vest full managerial responsibility in the hands of local staff.

LIST OF INDIVIDUALS INTERVIEWED

In Washington

Rudi Jeung, The Asia Foundation, former TAF Assistant Representative, Cambodia
Charles Costello, Deputy Assistant Administrator for Democracy and Governance, USAID
Margaret Carpenter, Assistant Administrator, USAID
Anthony Doggett, USAID Cambodia Desk
Michael Miklaucic, USAID Global Bureau
Marie Hutala, Director, EAP/BCLTV, Department of State

In San Francisco

Richard Fuller, Regional Director, The Asia Foundation
John Karr, Project Officer, The Asia Foundation

In Phnom Penh (official Americans)

Hon. Kenneth Quinn, American Ambassador
Gordon West, Mission Director, USAID
Sue Nelson, Elections Advisor, USAID
Norman Olson, Elections Advisor, USAID
Sos Kem, Senior Political Advisor, American Embassy

The Asia Foundation/Cambodia

Jon Summers, Representative
Kim McQuay, Assistant Representative
Cathy Zimmerman, Research Advisor, PADV
Dominic Gomes, Finance and Administrative Mnager
Doris Thaw, Grants Officer
Margaret Bywater, Library Resource Advisor
Tim Meisburger, Elections Advisor
Susan Barnwell, Women's Economic and Legal Rights Project
Robert Thayer, Consultant
Ashley Barr, KWVC
Harry Summers, American Bar Association (ABA), Legal Advisor to Ministry of Commerce
Jeffrey Falt, In-Country Representative, ABA, and Legal Advisor to Cambodian Bar Association (CBA)
Isaiah Gant, Technical Advisor, Cambodian Defenders Program (CDF)
Sam Borin, Senior Program Officer
Moul Samneang, Program Officer (Women's Program)
Khut Inerey, Program Officer (Legislative Program)

Koy Neam, Program Officer (Contract Law)
Sok Ry, Program Officer (Human Rights and Elections)
Seng Phally, Program Officer (Human Rights)

Cambodians

Lao Mong Hay, Executive Director, Khmer Institute of Democracy (KID)
Pich Kim Yoeun, Gead of Administration, KID
Pung Chhiv Kek Galabru, President, Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
Eva Galabru, LICADHO
Kassie Neou, Executive Director, Cambodian Institute of Human Rights (CIHR)
Kao Kim Hourm, Executive Director, Cambodian Institute for Cooperation and Peace (CICP)
Pok Than, President, Center for Social Development (CSD)
Pol Nanda, Executive Director, Women for Prosperity (WFP)
Ok Serei Sopheak, Advisor and Director of Cabinet to Deputy Prime Minister Sar Kheng
Sean B. Chin, ADB, Program Coordinator/Advisor to Ministry of Agriculture, Forestry and Fisheries
Tive Sarayeth, Director of Network Program, Women's Media Centre of Cambodia ((WMC)
Koy Veth, Director, Khmer Women's Voice Centre (KWVC)
Sar Samen, Director, Project Against Domestic Violence (PADV)
Var Sim Samreth, Rector, Royal University of Phnom Penh (RUPP)
Ouk Chhieng, Director of Computer Sciece Department, RUPP
Sok Sam Oeun, Director, Cambodia Public Advocates (CPA),
Cambodian Defenders Project (CDP), International Human Rights Law Group
Chum Canal, President, League of Cambodian Journalists (LCJ)
Om Chandara, General Secretary, LCJ
Tath Ly Hok, Co-President, Khmer Journalists Association (KJA), and Deputy Editor, Kampuchea newspaper
Ouk Kim Seng, 2nd Vice Pres. LCJ; chief editor, Cambodia Today
Khema Tek Peng, Chhun Peou, Kim Ly, Than Bory, Sun Chan Daravuddh, Khlang Oudam, Chay Chanarvan, and Sim Kim Sea; legal assistants and policy analysts at the Center for Legal Service (CLS) and Office of General Research in International Affairs (OGRIA) of the National Assembly

United Nations

Keith Hargreaves, Project Coordinator (Human Rights and Elections), United Nations Development Programme (UNDP)
David Hawk, Officer-in-Charge, Office of the United Nations Centre for Human Rights in Cambodia (UNCHRC)
Brad Adams, Chief, Legal Assistance Unit, UNCHRC
Balakrishnan Rajagopal, Senior Fellow, Harvard Law School (with UNCHRC)

Other Expatriates in Cambodia

Mark Pierce, Country Representative, Catholic Relief Service (CRS)
Rand Robinson, Assistant Country Rep, CARE International
Kate Frieson, Researcher Scholar at KID
Jeffrey Gallup, Consultant to CIHR
Kathleen Hayes, Managing Editor, Phnom Penh Post
Nate Thayer, correspondent, Far Eastern Economic Review
Murray Hiebert, correspondent, Far Eastern Economic Review

In Bangkok

Son Soubert, Second Vice President of the National Assembly, Buddhist Liberal Democratic Party (BLDP)
Son Chay, National Assembly member, BLDP
Police General Pol Lyda, chief, FUNCINPEC anti-crime unit
Major Paul Fenoglio, ass't defense attache, American Embassy Bangkok

**The Program in Legislative Development and the Development of Civil Society:
Progress to date**

This Attachment provides *factual* information about the grant, describes the basic structure and briefly enumerates activity to date.

Structure of the grant: the Original TAF proposal

The original program proposal for the second TAF grant was set forth in three year Work Plan. The program was divided into the four program categories: legislative development; promotion of human rights; strengthening of advocacy and the public policy process; supporting development of a free and responsible press and media. The last three program categories were bulked for descriptive purposes under the rubric "Development of Civil Society". The basic outcomes under each of the four program categories were to be as follows:

Legislative Development

Increased capacity of Commissions to interpret and amend legislation, hold hearings and organize work; greater understanding of political systems in other countries and the functioning of the National Assembly in Cambodia; adoption of a uniform drafting style and a system of analysis and codification of laws; development of an information request system and a research capacity; reorganization of the secretariat and a better trained staff.

Promotion of Human Rights

Broad network of institutions and contacts established at the local level, better coordination among human rights NGO's, better public understanding of human rights issues and principles and duties of citizenship, more reporting of human rights violations, greater awareness of domestic violence, strategy to create a public defenders association, citizen access to legal aid, more supportive official attitude toward human rights, collection of data and analysis of laws which impede progress toward human rights.

Strengthening of Advocacy and Public Policy Process.

Increased public/private debate on policy issues, greater access by NGOs to policy process, development of resource materials on policy issues, increased public fora and public demand for data and information, passage of legislation dealing with corruption, increased public interest in good governance

Supporting development of a free and responsive press and media.

Development of basic journalism and radio training modules, training workshops for editors and journalists, improved professional standards, ethics training and

establishment of a complaints assessment system, financially sustainable professional journal, international recognition of journalists association, establishment of a women's media network.

Commitments Against Plan

Although the structure of the program has changed slightly, the following table gives an approximate picture of actual and estimated commitments against the initial budget for the three year period:

Commitments Program Element Against Plan (\$ thousands)

	Original Budget			
	1996 act	1997 est.	1998 est.	Total
Legislative Develop.				
	\$785			
Human Rights	\$2, 226			
Public Policy NGOs				
	\$801			
Media Program	\$723			
Election Project	\$875			
Program Service and Indirect Costs				
	\$3, 899			
Total	\$8, 572			

Program obligations are also organized and tracked by strategic objective. The following table shows commitments by nature of assistance provided and by strategic objective. As indicated, the large bulk of Project funds are spent in support of human rights and public policy NGOs (86%) and most of this money is spent in the form of general administrative support (63%).

Assistance Under the TAF Grant by Type of Support and by Strategic Objective (\$ thousands)

Project Activity	General Admin. Support	Consult's and Advisors	Tours and Conferences	Other	Total

SO. I: Effective Legis- lature	\$8.5	\$103.9	\$155.4	-	\$28.6	\$296.4
SO. II: Human Rights	-	\$997.2	-	-	\$7.1	\$1,004.3
SO. III Public Policy	\$604.7 ¹	\$636.8	\$99.3	\$24.7	\$4	\$1,365.9
SO. IV: Law and Legal Procedure	\$23.8	-	-	-	-	\$23.8
Other	-	-	-	-	\$68.1	\$68.1
Total	\$637.0	\$1,737.9	\$254.7	\$24.7	\$104.2	\$2,758.5
%of Total	23%	63%	9%	.9%	4%	100%

Pattern of Commitments to Date

A brief review of program obligations to date indicates the following:

Through June, 1997 (roughly 60% of the way through the life of grant) TAF/Cambodia had obligated \$2.7 million in *program* funds (i.e. exclusive of overhead and program support costs) or 57% of the amended program budget for the Project.

Of this amount, \$2.1 million (or 80%) was awarded directly to private sector NGOs and the balance was spent on the legislative program (9%) and on a range of miscellaneous program support, training and consultancy services.

The number of NGO grant recipients has been relatively small. Counting only private sector institutions, through mid CY 1997, organizational grants had been made to 15 organizations.

Within the list of 15 recipients, sub-grant funds tend to be highly concentrated and a few organizations receive the bulk of the funds. Through June of 1997, three organizations received 48% of *total* program funds and 60% of funds allocated to NGOs. (These three organizations are LICADHO, CIHR and CSD.)

¹ Election Project.

During this period, the average level of support to recipient organizations was \$142 thousand while the average size of each individual sub-grant was \$69 thousand - - although the effective level was higher since this computation includes a number of very small incremental commitments.

Comment

Based on the experience of the evaluation team and in comparison to other democracy and governance programs in other countries, the degree of concentration on a relatively few number of Cambodia NGOs is considerable. In addition, the level of funding going to a small group of NGOs is very high both on a cumulative basis and with respect to the average size of the grant award. This is neither "good" or "bad" but rather a defining attribute of the Project that needs to be judged with reference to goals objectives.