

# Non-Partisanship

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## A Curriculum for NGOs

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on behalf of the  
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# Preface

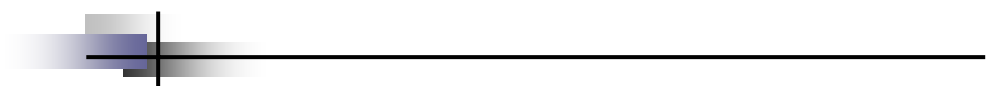
Pact has been supporting the development of Cambodian NGOs (CNGOs) through the Cambodia Community Outreach Program (CCOP) since 1991. During this period, we have witnessed CNGOs develop from a handful of inexperienced organizations to the increasingly mature and broad-based sector that exists today. CNGOs are now at the forefront of Cambodia's new civil society.

Over the years, CNGOs have played a significant role in promoting democratic participation in Cambodia's development. As facilitators that can explain and mobilize citizen participation in the affairs of development, CNGOs have encouraged grassroots democracy. As agencies that can represent the interests of constituents and vulnerable groups to government, CNGOs have played an important intermediary role. Finally, as partners with government in social development activities, CNGOs have helped to ensure that the benefits of peace and development are extended to all citizens.

To better coordinate the different kinds of assistance needed to develop the CNGO sector and to help NGOs address the challenges resulting from this development, Pact was instrumental in the formation of the Cambodian NGO Support Network (CNSN) in the mid-1990s. CNSN initiated a series of NGO-Donor "Partnership" workshops, produced CNGO resource directories, compiled a glossary of development terms in Khmer and English, conducted research into issues affecting NGO sector development, and organized a workshop on political neutrality in 1998.

As Cambodian NGOs grow in number and capacity, they are increasingly engaged in various civil society roles described above. However, this engagement raises the stakes and presents challenges for maintaining non-partisanship in a political process such as electoral campaigning or working with elected government officials.

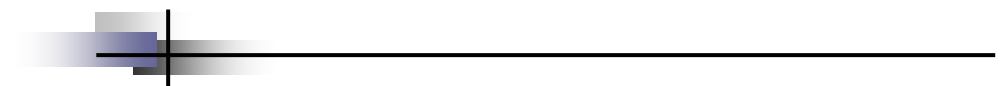
Pact developed this curriculum in non-partisanship on behalf of CNSN members to respond to the lessons learned from the 1998 elections. There is a difference between political neutrality and non-partisanship that NGOs need to understand in order to participate effectively in the electoral process. This curriculum was designed to be used as a "how to" manual and can be modified for use in a variety of contexts. We hope that user organizations and their partners will benefit from this curriculum and play a full and



constructive role in promoting non-partisanship in Cambodia's development and the opportunities offered by decentralization.

We acknowledge the contribution of CNSN members and the participation of CNSN representatives and other NGO stakeholders in the project Steering Committee. Finally, we thank Ms. Ana Clamor for her insight and creativity in the development of the curriculum.

Steven Sharp  
Pact Country Representative



# Introduction

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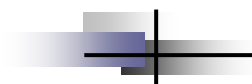
The Cambodian NGO Support Network (CNSN) is an informal network of donor, capacity-building, training, and technical assistance agencies that support Cambodian NGOs. It started on September 1995 when CIDSE, Pact, Oxfam, and Canada Fund met to discuss the needs and possibilities for coordination among agencies supporting local NGOs. Open to all agencies committed to strengthening the capacity or providing resources to Cambodian NGOs, CNSN members continue to meet every third Monday of each month

CNSN's first activity was the funding of the **Cambodian NGO Resource Directory** that was published in early 1996. The Directory provides local NGOs with information about donors, services, volunteers, and networks. It was updated in late 1999.

CNSN also organized a series of workshops on issues that concerned Cambodian NGOs (CNGOs). Among these was a one-day Workshop on Political Neutrality held on March 1998. The topic came out of the monthly discussions among CNSN members as the 1998 Cambodian national election drew near. It was felt that the situation of feverish political party campaigning presented dangers that NGOs would be manipulated or hijacked for partisan purposes and undermine their status as non-partisan organizations.

The workshop enabled participating NGOs to better understand the meaning of "political neutrality," and discuss the topic to learn from each other's experiences. While the workshop was felt to be useful, participants expressed the need to extend the workshop to reach other province-based NGOs and to have more practical guidelines and skills through training. They also acknowledged that raising awareness about non-partisanship among NGOs remains an important issue before, during, and after elections.

This curriculum is a response to those needs.



# Objectives of the Curriculum

1. To arrive at a common understanding of what is meant by non-partisanship.
2. To raise awareness about the importance of non-partisanship for NGOs.
3. To formulate common strategies for maintaining NGO non-partisanship.
4. To understand the changes that will result from the implementation of the Laws on Commune Elections and Commune Administration.

# Curriculum Topics

1. Non-Partisanship
  - a. What is the meaning of political non-partisanship with regards to NGOs?
  - b. What are citizens' rights under the Cambodian Constitution?
  - c. What are the provisions concerning non-partisanship in existing draft NGO Laws?
  - d. What does the NGO Code of Ethics say about non-partisanship?
  - e. What is the difference between politics and activism?
2. The Importance of Non-partisanship
  - a. What are the roles of NGOs?
  - b. What are the roles for NGOs?
3. Strategies for Maintaining Non-partisanship
  - a. What are some of the pitfalls?
  - b. What are some strategies?
4. Understanding the Commune Elections and Commune Councils
  - a. Overview of the two laws
  - b. Threats to NGO non-partisanship and independence
  - c. NGO involvement in local governance

**A**t the end of Chapters 2, 3, 4, and 5 is a set of handouts that can be photocopied and distributed to workshop participants.

# Non-Partisanship

## 2

### What is the meaning of political non-partisanship with regards to NGOs?

Political Non-Partisanship versus Political Neutrality CNSN used the term “political neutrality” in 1998 to refer to the stance of NGOs to “be in the middle and not take sides.” Ms. Chea Vannath of the Center for Social Development was one of the speakers during the Workshop on Political Neutrality. She explained that being “neutral” means putting oneself in the middle, not bending to one party more than another. She said that for NGOs, political neutrality means not belonging to any one party and taking any political party’s side over another one.

However, when NGOs do the work of advocacy and lobbying, they inevitably get involved in political processes and activities especially when they try influence policy formulation and governance. For instance, NGOs that fight for the rights of women and children may advocate for policies promoting the education of girls and micro-enterprise development for poor women. Or NGOs that help poor farmers whose land was illegally taken by powerful people may file a case in court or organize a peaceful demonstration in front of the National Assembly for farmers to air their grievances. And when NGOs do advocacy, they cannot remain “neutral” because they are pursuing a cause or an objective.

Advocates have a clear stand or position on particular issues.

Thus, the term “political non-partisanship” is now used to refer to NGOs’ non-involvement, non-affiliation, and non-support for a political party. Non-partisanship, however, does not preclude involvement in political processes and activities, such as policy advocacy, legislative lobbying, peaceful demonstrations and marches, filing of petitions to authorities, and issuing a statement on specific issues or concerns. It simply means independence from political parties.



The Advocacy NGO should be non-partisan and ensure that the cause which it is advocating is advanced without favours to any political party. This will protect it from accusations by other stakeholders that it is pursuing a party political agenda in its advocacy campaigns, or that it is 'anti' the government of the day. If its advocacy work is politicized, this may severely limit its ability to persuade both politicians and civil servants (as well as other stakeholders) of its integrity and credibility in pursuing a particular issue.

From *Establishing and Running an Advocacy NGO*, page 41  
by Richard Holloway of Pact  
Lusaka, Zambia, August 1998

## Other Definitions of Non-Partisanship

Below is a list of how NGOs in Kompong Cham and Battambang understand non-partisanship:

- Neutrality
- Being independent from political parties
- Not siding with or supporting any political party
- Impartiality with all political parties
- Not serving political parties
- Not taking money from any political party
- Not campaigning for any political party during elections
- Not interfering with the internal policies of political parties
- Rendering service not for profit but to serve the community
- Not adopting or taking into account the perspectives of political parties to promote democracy, freedom, and justice



## What are citizens' rights under the Cambodian Constitution?

The 1993 Cambodian Constitution has an entire chapter devoted to the rights and obligations of Khmer citizens (Chapter 3). It has 20 articles that promote civil and political, social and cultural, and economic rights. (These 20 articles are presented and classified in Annex A.)

The articles that have relevance on non-partisanship are as follows:

**Article 35.** Khmer citizens of either sex shall have the right to participate actively in the political, economic, social and cultural life of the nation.

Any suggestions from the people shall be given full consideration by the organs of the State.

**Article 37.** The right to strike and to non-violent demonstration shall be implemented in the framework of a law.

**Article 41.** Khmer citizens shall have freedom of expression, press, publication and assembly. No one shall exercise this right to infringe upon the rights of others, to affect the good traditions of society, to violate public law and order and national security.

The regime of the media shall be determined by law.

**Article 42.** Khmer citizens shall have the right to establish associations and political parties. These rights shall be determined by law.

Khmer citizens may take part in mass organizations for mutual benefit to protect national achievements and social order.

The Cambodian Constitution upholds Khmer citizens' right to actively participate in the political, economic, social, and cultural life of the nation. It also upholds citizens' right to express themselves and form organizations – whether NGOs or political parties. However, the right to establish organizations is subject to legislation.

In the case of NGOs, there is no law yet.

## What are the provisions concerning non-partisanship in existing draft NGO Laws?

The Royal Government of Cambodia has drafted several bills concerning NGOs and associations. However, to date, no NGO Law has yet been passed. The changes in the different drafts could indicate the government's thinking regarding what NGOs can and cannot do.

Two of the earlier drafts contain provisions that refer to NGO non-partisanship. They are as follows:

Draft # 2 (June 1998)	Draft # 3 (December 1998)
Chapter 4, Article 20	
Foreign associations may, in no case, intervene in the international relations of Cambodia, and cause any harm to the politics of the Royal Government of Cambodia	
Chapter 5, Article 23	
Local non-government organizations may carry out any service activities in the field such as election, health, education, culture, arts, environment, social aid, public authority aid and human rights. Their activities shall absolutely be aiming at assisting the people spiritually as well as materially. Local non-government organizations may neither be as representatives for any type/group of citizens nor replace legitimate public authority in the fulfillment of their duties.	
Chapter 6, Article 27	Chapter 6, Article 28
<b>Associations or non-government organizations should not conduct political activities or provide financial support to any political party or any election candidate.</b>	

The relevant provisions in these draft laws clearly prohibit NGOs from engaging in any "political activity" or providing financial support to a political party or election candidate. However, the definition of "political activity" is not very clear.

Nonetheless, it is curious to note that more recent drafts – such as the September 2000 (2) version and another undated version – do not contain any articles prohibiting NGOs from partisan or political activities. In fact, both contain a provision that states that NGOs can carry out a service activity in the field of elections

(see table below). Whether that means NGOs can engage in partisan activities is debatable.

September 2000 (2) version	Recent but undated version
Chapter 4, Article 19	Chapter 4, Article 20
<b>A non-governmental organization may carry out a service activity in any field such as election, health, education, culture, arts, environment, social aid, public authority aid, protection of human rights and other fields which serve the public interests.</b>	

## What does the NGO Code of Ethics say about non-partisanship?

The Code of Ethics for Social Development NGOs and People's Organizations in Cambodia was signed by more than 150 staff and representatives of NGOs at the NGO Fair in Phnom Penh on January 1997. It consists of 5 sections and 32 articles (see Annex B). The relevant articles are as follows:

1. Social development NGOs and people's associations are organizations:
  - 1.3 That are not aligned with or affiliated to any political party.
  - 1.5 Whose activities are carried out without discrimination on the basis of race, ethnicity, political loyalties, skin color, national origins, age, religion, handicap or sex.
2. Through their programs, NGOs and people's associations:
  - 2.8 Are non-partisan in any advocacy, public policy and lobbying activities with which they are involved.

Clearly, the NGO Code of Ethics specifies that Cambodian NGOs involved in social development

- must be independent of any political party and
- must be non-partisan when doing advocacy and lobbying.



## Statement on Non-Partisanship

During the politically volatile months leading to the 1998 elections, it was reported that one political party was targeting Cambodian NGOs (CNGOs) to be vehicles of support in its election campaign. CNSN members felt that to be used and manipulated by political parties posed as a serious threat to Cambodian NGOs. Feeling the urgency of the issue, they wrote the statement below to underline the importance of non-partisanship as a fundamental value of NGOs and to outline what they considered as unacceptable for NGOs. Sixteen (16) support organizations signed it.

To reach as many NGOs as quickly as possible, this statement was released during the 1998 Workshop on Political Neutrality.

### Statement

We, the signatories of this statement, recognize that democracy and civil society are developing in Cambodia. This is reflected in the increasing number of NGOs. However, there is still some confusion about the roles and responsibilities of NGOs, especially in the run-up to the 1998 national election. We are of the strong idea that NGOs must remain politically neutral, which is very important in the society in transition from civil war to democracy.

Many NGOs will play an active and appropriate role in educating voters about their rights and responsibilities and monitoring the election process.

In our capacity as the national and international organizations who are supporting Khmer NGOs, we declare that we will not interfere in the internal affairs of Cambodia and will not be involved in any political activities for any political party. We, therefore, will not support any organization who are involved in these political activities, or who are deemed involved.

We would like to declare our position as follows:

For any organization and for whatever purpose, if they

- used to receive or agree to receive financial assistance from any political party or individual who might represent a political party
- have demonstrated a connection with any political party, or
- join in a campaign to support any political party or politician

We, who are the following signatories, shall:

- terminate all the projects and agreements as is provided in the letters of agreement;
- reject all new proposals for assistance before the election;
- carefully check the reputation of those organizations before considering assistance to them after the election;
- recommend other organizations to do likewise.

Signed by:

Australian Catholic Relief (ACR), Cambodian Health Education Development (CHED), Cambodian Migration and Development Committee (CMDC), Christian Outreach (COR), Church World Service (CWS), Coopération Int'l pour le Développement et la Solidarité (CIDSE), Diakonia, Handicap International (HI), Japan International Volunteer Center (JVC), Oxfam GB, Pact Cambodia, Partnership for Development in Kampuchea (PADEK), Redd Barna, Save the Children Fund-UK (SCFUK), Sor Sor Troung (SST), Star Kampuchea

The statement made clear that NGOs should not:

- Receive or agree to receive financial assistance from any political party or individual who might represent a political party
- Demonstrate a connection with any political party
- Join in a campaign to support any political party or politician

Failure to do so would mean that the signatories, most of whom were donor agencies, would reject further requests for assistance or terminate their support to the NGOs concerned.

## What is the difference between politics and activism?

The dictionary has many definitions of **politics**:

1. The science or art of government.
2. The use of strategy or intrigue in obtaining power or status.
3. Maneuvering for power or advantage within a group or organization.

With its many definitions, politics has many connotations which can either be neutral, positive, or negative. **Politics broadly refers to a field of endeavor involving governance and the use of power. How that power is used is what bestows politics its positive or negative undertones.** It is commonly associated with political parties that vie for power in government or people who wield power in government. However, political parties or politicians are not the only ones who can get involved in politics. Active participation in the political life of the nation is a right of every Khmer citizen as enshrined in the Constitution (Article 35).

On the other hand, **activism refers to the doctrine or practice of vigorous action to achieve political or social goals**, such as low-cost housing for the poor or agrarian reform. Individuals or groups involved in activism are called activists or advocates. They are often associated with individuals or groups that are not part of government but are actively pursuing social or political causes. Their causes are sometimes at odds with what the government or the powers-that-be are doing. Activists or advocates are often part of civil society, that conglomeration of formal and informal organizations that are not part of or controlled by the formal institution of government. Their political or social goals are varied – promotion of human rights, protection of the environment, reduction of arms and weapons, etc.

However, people in government or political parties can be activists or advocates, too, particularly when they are vigorously pursuing a cause that may be against the prevailing political culture. For instance, the centerpiece program of the Ministry of Women's and Veterans Affairs – *Neary Rattana* – is actively promoting the role and status of Cambodian women. This challenges the current male-dominated and hierarchical set up of government and Cambodian society.

**Politics and activism are similar in that both involve the use of power or political action. However, activism refers to a particular way of practicing politics.**



# Suggested Process

## Option 1

1. The facilitator divides participants into groups of 8 to 10 members.
2. Each group brainstorms on words or phrases that they associate with the term “non-partisanship”.
3. They cluster their responses into groups with similar meaning or connotation and come up with a common definition of non-partisanship.
4. Representatives of each group report the results of their discussion.

## Option 2

1. The facilitator asks participants to think of words or phrases that they associate with the term “non-partisanship”.
2. Each of the participants writes each word or phrase on a meta card (or a 5 x 8 inch index card) and pastes it on the board. Markers and multi-colored meta cards must be prepared before the session.
3. The facilitator groups the meta cards with similar meaning or connotation and asks the participants to come up with a common definition of non-partisanship.

## Synthesis and Input

The facilitator synthesizes the participants’ responses and explains the following points:

- Definition of political non-partisanship
- Political non-partisanship versus political neutrality
- Rights of citizens under the Cambodian Constitution



- Relevant provisions of existing draft NGO Laws
- Relevant provisions in the NGO Code of Ethics
- Difference between politics and activism

# The Importance of Non-Partisanship

## 3

**A**dhoc President Mr. Thun Saray thinks that if Cambodian NGOs support a political party, it will cause division and damage Cambodian civil society. He was also one of the speakers during the 1998 Workshop on Political Neutrality. He said it is particularly important to be non-partisan during elections when NGOs act as monitors: “When we monitor the elections, we have to act as a referee. If we are biased, we are like a football player [also acting as] a referee. If we acted like this, no one will listen to us because we are not neutral.... If we are really [non-partisan] we will gain credibility from both the national and international community.”

Political non-partisanship is a way to establish an NGO’s credibility and trustworthiness. Non-partisan NGOs are less likely to be suspected of serving the aims of a political party or of having a self-serving agenda. Maintaining independence from political parties helps NGOs preserve their integrity as organizations and prevents them from deviating from their vision, mission, and goals.

### Credibility

The credibility of an organization refers to how much it can be believed or trusted, for example, whether its information is seen as reliable, its programs and services sound, or its staff viewed as having integrity. It also refers to the organization’s link to its constituency or client group, the size of its constituency, and how accountable it is to that constituency or client group.

The dictionary defines credibility as “the ability to have one’s statements accepted as factual or one’s professed motives accepted as the true one.” Some NGOs are seen as lacking both credibility and legitimacy. For example, certain organizations profess lofty community development goals but in reality are nothing but money-making scams for an elite few who take advantage of the poor. Other NGOs and grassroots groups may be seen as having legitimacy and benefiting their members, but they provide unreliable information or arguments that do not hold up

to scrutiny. In most cases, groups like these will not be taken seriously by policymakers or the public.

Besides using reliable information, groups can increase their credibility by associating themselves with highly respected individuals or organizations who have achieved solid reputations in their fields of work. They can ask them to join in coalitions or become Board members thus adding prestige and status to their efforts. Factors such as age, size, wealth, efficiency, and financial transparency of an organization as well as its contacts with government officials, agencies, political parties, international donors and other NGO or grassroots networks can also contribute to credibility, as can the perception of independence a group maintains. The quality of research and publications and the extent to which an organization or coalition is recognized for its theoretical or practical expertise in a given field are other factors that further credibility, factors which, in turn, can affect other manifestations of credibility such as the quality of media exposure a group receives and the name recognition it attains with the public. Organizations can gain credibility if they are seen as operating on behalf of the larger public interest or the 'common good' as opposed to narrow self-interests.

*From Advocacy Sourcebook: Frameworks for Planning, Action, and Reflection* by Valerie Miller and Jane Covey  
Institute for Development Research  
Boston, MA, 1997

Once an NGO loses its credibility, it also loses its reputation. It will always be regarded with suspicion and distrust. As such, this NGO will find it difficult to function effectively.

Non-partisanship helps build the emerging civil society in Cambodia for it enables NGOs to be effective guardians of democracy, free from the influence of any political party. Non-partisanship makes Khmer NGOs a compelling voice in the struggle for justice and peace and effective intermediaries for the poor and powerless in society.

## What are the roles of NGOs?

NGOs in Cambodia can be classified into three broad groupings according to the work that they do:

1. Those involved in capacity-building or providing grants and other forms of technical assistance (e.g. training institutes).
2. Those involved in direct service delivery (e.g. community development, HIV/AIDS awareness and prevention).
3. Those involved in advocacy and governance (e.g. policy formulation and lobbying, promotion of human rights and democracy-related issues).

These NGOs can be working in various sectors or issues such as agriculture, credit, education, environment, health, and urban poor.

## NGO Roles

During the Pact Program Unit Team Day on Community Development and Community Organizing on March 1998, the staff came up with the following roles of NGOs in civil society:

1. **Service delivery** – providing welfare or relief services, or delivering basic services, complementing government services.
2. **Community mobilization and organizing** – mobilizing grassroots resources and action and organizing community-based organizations.
3. **Research and innovation** – developing and testing innovative approaches to development problems or conducting research as a support to development work.
4. **Human resources development** – providing education and training to communities, government and NGO staff, or other target groups.
5. **Public information, education, and advocacy** – building public awareness and influencing decision-making of government or donor agencies.



## Future Directions for CNGOs

On September 4, 1998, representatives of the NGO community and key stakeholders reviewed the history of NGO development in Cambodia and envisioned future possibilities for Cambodian NGOs (CNGOs). Outputs of that workshop in table format are in Annex C.

One of the issue clusters that CNGOs would like to respond to concerned relations with government. This included advocacy, civil society, corruption, civic education, land issues, NGO neutrality, and transparency. This issue cluster identifies concerns that have bearing on NGO-government relations. It also defines what should be the nature and character of NGOs – non-partisan and transparent. With the creation of Commune Councils after the elections, NGOs definitely need to seriously figure out how they are going to relate with this new governing body. (More about this topic in Chapter 5.)

### What are the roles for NGOs?

Possible roles for NGOs, especially in the context of the commune elections, could include the following:

1. Voter education – Educating voters about citizens' right to vote and how that right can be exercised within existing laws and regulations.

There are three existing election monitoring groups in Cambodia – Committee for Free and Fair Elections in Cambodia (COMFREL), Coalition for Free and Fair Elections (COFFEL), and Neutral and Impartial Committee for Free Election in Cambodia (NICFEC). Prior to the elections, they conduct voter education trainings in different parts of the country so that citizens understand what the elections are all about. They also educate citizens about the steps they should take when voting – when and where they should go to register and vote, how they should vote, how an election ballot looks like.

Prior to voter education trainings, these election monitoring groups conduct training of trainers (TOT) workshops to equip their facilitators with the necessary knowledge and skills to conduct voter education trainings. For instance, a TOT course for COFFEL facilitators in Pursat province covers a wide range of topics such as democracy, gender equality, conflict resolution, management, and voter education.



A Catholic Church-based group, *Simbahang Lingkod ng Bayan\** (SLB), prepared a voter education curriculum composed of three modules for the May 2001 local and national elections in the Philippines.

The curriculum consisted of three modules that lead participants to REFLECT on:

- their VOTING BEHAVIOR
- CHANGES that they want to happen as a result of the elections
- CHARACTERISTICS OF CANDIDATES that they should and should not vote for
- their RESPONSIBILITIES as citizens

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\* *Literally means "Servant Church of the Nation"*

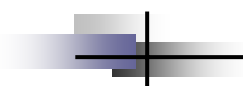
Voter education can include pointers on how citizens can be vigilant during the election period such as:

- Checking if they are properly registered in their respective polling areas
- Making sure they have a voter's ID and other identification documents
- Reporting to authorities or relevant NGOs if they have observed election irregularities

2. Election monitoring – Observing the electoral process to ensure that it is free and fair. It goes hand in hand with voter education.

All three election monitors – COFFEL, COMFREL, and NICFEC – are deploying volunteer observers in a number of polling areas all over the country to monitor the electoral process – from voter registration, voting, counting, canvassing of ballots, and proclamation of winners. However, for them to be official election monitors with access to the voting centers, they need accreditation.

Election monitors and observers act as citizens' watchdogs to prevent or report electoral violations such as "flying voters" or people who vote in different polling centers using different names,



disenfranchisement of legal citizens, intimidation and harassment, politically-motivated killings, vote-buying, etc.

**G**OONS, GUNS, and GOLD sum up what Philippine NGOs refer to as threats to the integrity of the electoral process. But they may well be the same threats to the integrity of the work of NGOs.

3. Publicizing issues – Raising public awareness on relevant issues so that citizens can exercise their rights judiciously and take appropriate action. Below are possible ways to publicize issues:

- Holding conferences, seminars, forums, or workshops where the different sides of an issue can be presented and discussed. For a wider reach, these gatherings can be broadcast in television and radio and written about in the newspapers. For instance in 1995 and 1996, the Center for Social Development (CSD) organized two conferences to advocate for effective anti-corruption laws. As part of its continuing anti-corruption program, CSD also conducted a survey on Cambodian attitudes to corruption in 1998 that was widely publicized.
- Putting up posters and distributing leaflets that provide information in short and simple language. Posters and leaflets also make use of images or pictures that render a piece of information understandable. They should be placed or distributed in strategic areas where many people could read and understand the intended message.
- Publishing newsletters and bulletins that provide updates or examine the ramifications of an issue. Relevant examples are: the Legislative Newsletter published by Star Kampuchea's Legislative Development Program and the Commune Council Support Project\* (CCSP) Bulletin. The CCSP Bulletin explores the possible need and role of NGO support to the Commune Councils after the elections and the implications of Commune Councils on the role of NGOs. The Legislative Bulletin, on the other hand, presents information regarding legislative developments in Cambodia.
- Holding "Candidate Forums" where political parties can present their electoral platforms. To prevent accusations of partisanship, it is important to invite all political parties even if some of them will decline. The Candidate Forum can also be an occasion for NGOs to ask those vying for public office about their positions on

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\*CCSP is a project co-sponsored by CIDSE, COMFREL, Concern Worldwide, Forum Syd, NGO Forum, Oxfam-GB, SEDOC, WVI-C, and ZOA.



issues such as domestic violence, women's political participation, corruption, etc.

**I**n 1998 before the Cambodian national elections, the Women Working Group and the Environment Working Group of the NGO Forum on Cambodia organized a Panel Discussion with electoral candidates. They invited all thirty-eight (38) political parties vying for votes but only twenty-five (25) participated and presented their policies concerning gender and environment issues. The Women Working Group published the political parties' policies on women in a booklet that they distributed to seminar participants, local authorities, NGOs, and community groups. This one-day panel discussion was broadcast on national television and radio in the week prior to the national elections.

PEOPLE'S ALTERNATIVE was an electoral initiative launched a month and a half before the Philippine local elections of 1998 by three major NGO coalitions in Cebu City. The proponents started with consulting people about their problems, concerns, and proposals to the next city administration. A program committee collated and synthesized these into a seven-point local government agenda called the *People's Program of Governance for Cebu City*. Envisioned to uplift the living conditions of the city's populace, especially the urban poor, this program was presented and approved in a convention attended by delegates from 20 urban poor organizations.

A working team, mainly composed of urban poor leaders, organized campaign rallies in the different areas of Cebu City. These rallies were intended to provide a venue where candidates could be asked about their political platforms to enable the urban poor electorate to make an intelligent choice. Initiated and sponsored by people's organizations (with some logistical and financial support from NGOs), these rallies were also aimed to help reduce campaign spending which puts poor candidates at a disadvantage. It was hoped that with less campaign expenses, those voted into office would have less need to "recover" the costs they would have incurred, thus minimizing corruption.

For a period of four weeks, a total of 11 joint campaign rallies were held in the most depressed areas in the city. All the candidates were invited regardless of party affiliation. Not all of them,





however, showed up in these gatherings. In contrast to the usual political assemblies where the congregation is but a mere spectator and cheering squad, any one in these rallies could question the candidates after the latter had presented their political platforms.

Political mudslinging and debate were disallowed. Whenever they reared their ugly heads, organizers would promptly remind the candidates that these rallies were the people's and not theirs and that they should conduct their debates elsewhere.

Candidates were allowed to bring campaign leaflets but the distribution had to be channeled through a committee which put together and collated all the leaflets in order to provide equal exposure to candidates who were present. Excess propaganda materials were given back to the candidates and were not allowed to be scattered around the premises.

The highlight of these rallies was the presentation of the seven-point *People's Program of Governance* to the candidates. All the candidates who attended, except for one, expressed support for the program. In front of the assembly, they signed a covenant pledging to implement the program if they were elected.

From *NGO and PO Electoral Experiences: Documentation and Analysis*,  
*PULSO Monograph No. 23* by Ana Maria O. Clamor  
Institute on Church and Social Issues  
Manila, Philippines, December 1993

4. Community education about decentralization and commune councils – NGOs can educate the public about the political changes that will be taking place when commune councils are elected. They can help people see the potentials and threats of decentralization to local development and people empowerment. NGOs can even encourage the community leaders that they have trained to run for office and be actively involved in local governance (More on decentralization and commune councils in Chapter 5).
5. Lobbying and policy advocacy – Using a range of strategies to influence governance, policy formulation, and other political outcomes.

The commune elections mark one further step in the process of democratization in Cambodia. However, it remains to be seen whether or not the change in political structures on the local level will actually redound to the benefit of the people. Nonetheless, NGOs can play a critical role in the success of commune reforms through lobbying and policy advocacy. NGOs can make policy proposals or project recommendations to the members of Commune Councils that will be elected in early 2002.

Lobbying and advocacy can also be done through Information and Communication Technologies (ICT) such as the Internet\* and other digital or electronic tools and mediums (e.g., mobile phones and email). ICT not only helps publicize issues but also facilitates the process of influencing governance and policy formulation.

ICT in Cambodia may be at its infancy stage, but its power to influence outcomes has been demonstrated in many parts of the world. The International Campaign to Ban Landmines (ICBL) attributes its success in the ratification of the Mine Ban Treaty to the extensive use of information technology in their campaigns. The recent ouster of former Philippine President Joseph Estrada through a popular uprising has been facilitated, among other things, by mobile phone text messaging that summoned thousands to rally on the streets of Manila.

Nonetheless, a number of CNGOs and international organizations in Cambodia have developed their own websites\*\* to present their programs in cyberspace\*\*\*. Comfrel, in particular, is actively using email to publicize election-related information. Almost daily, it sends various information to organizations and individuals that are included in its comprehensive electronic mailing list.

Below are the websites of some of the NGOs working in Cambodia:

- Adhoc [www.bigpond.com.kh/users/adhoc/](http://www.bigpond.com.kh/users/adhoc/)
- Center for Social Development [www.bigpond.com.kh/users/csd/](http://www.bigpond.com.kh/users/csd/)
- Coffel [www.camnet.com.kh/coffel/](http://www.camnet.com.kh/coffel/)
- Comfrel [www.bigpond.com.kh/users/comfrel/](http://www.bigpond.com.kh/users/comfrel/)
- Khmer Institute of Democracy  
[www.cambodia-hr.org/kid/default.htm](http://www.cambodia-hr.org/kid/default.htm)

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\* Internet refers to the worldwide network of computer networks. It all began as a network of computers for the United States Defense Department called the Defense Advance Research Projects Agency Network (DARPA NET). It has since expanded to a wholly non-governmental and ungovernable network of networks, not managed by any one group. It is a source of a huge amount of information in digital form.

\*\* A website is like a magazine or brochure in electronic or digital form that provides information about an entity (i.e. person, organization, idea, product, or services).

\*\*\* Cyberspace is a term that refers to the realm of electronic communication and exchange of information.



- Khmer Youth Association  
[www.cambodia-hr.org/youthcamp/introduction of kya.htm](http://www.cambodia-hr.org/youthcamp/introduction%20of%20kya.htm)
- NGO Forum on Cambodia <http://go.to/ngoforum>
- Reproductive and Child Health Alliance [www.racha.org.kh/](http://www.racha.org.kh/)
- Lutheran World Service [www.bigpond.com.kh/users/lwscam/](http://www.bigpond.com.kh/users/lwscam/)
- Save the Children Norway-Cambodia Office  
[www.bigpond.com.kh/users/RB.CAMBODIA/](http://www.bigpond.com.kh/users/RB.CAMBODIA/)

Links to these NGOs can also be found in <http://go.to/ngoforum> and <http://www.cambodia-hr.org>

DIGITAL GOVERNANCE is a popular term to focus on the new, evolving forms of governance – Electronic Governance. Good governance rests on the pillars of knowledge and recognition of this set of knowledge by the decision-makers. Digitisation of this entire set of knowledge within a network which links every individual including the decision-makers and gives democratic freedom to everyone to access and make use of this knowledge paves the way for Digital Governance.

Introduction of Digital Governance is a way to ensure that common citizens have equal right to be a part of decision-making processes which affect them directly or indirectly, and influence them in a manner which best improves their condition and the quality of their lives. The new form of Governance will ensure that citizens are no longer passive consumers of services offered to them and would transform them to play a decisive role in deciding the kind of services they want and the structures which could best provide the same.

*From [www.digitalgovernance.org](http://www.digitalgovernance.org), a website that explores some innovative ICT-models through which civil society can play an influential role in decisions which affect their lives.*

Advocacy and lobbying using ICT mobilizes human resources and information by overcoming geographical, institutional, and bureaucratic barriers and targets them for concerted action through electronic campaigns that reach a wider public domain. For instance, the website <http://www.ukonline.gov.uk/> enables individuals to contribute to government policy-making through official consultations, and discuss views with other citizens. Citizens can also find information about their elected representatives and get information on elections, or how to vote and how to make complaints about public services.



# Suggested Process

After the participants have come up with a common understanding and definition of non-partisanship (see Chapter 2), the facilitator divides them into groups of 8 to 10 members.

## Option 1

1. Each group thinks of specific situations when non-partisanship is called for and lists reasons why it is important.
2. Each group identifies roles that NGOs can play or behaviors that NGOs should adopt during those situations that they mentioned.
3. Each group writes their answers using the table format below:

Situations	Reasons	NGO Roles or Behaviors
1.	•	•
2.	•	•
3.	•	•

4. Representatives of each group report the results of their discussions.

## Option 2

1. The facilitator asks each group to think of reasons why non-partisanship is important for Cambodian NGOs especially in the context of the commune elections.
2. Each group brainstorms on roles that CNGOs can play before, during, and after the commune elections.

## Synthesis and Input

The facilitator synthesizes all the responses, highlights why non-partisanship for Cambodian NGOs is important, and discusses NGO roles that were not mentioned in the group reports.

# Strategies for Maintaining Non-Partisanship

## 4

### What are some of the pitfalls?

In the course of their work, NGOs are sometimes faced with dilemmas that compel them to examine their priorities and values. The choices they make have implications on the integrity of their work, the sustainability of their programs, even the security and well being of their staff and the communities they serve.

Below are some of the dilemmas and problematic situations:

1. An NGO working with underprivileged children operates three offices – two in the provinces and one in Phnom Penh. Like most NGOs, sustained funding for its programs is a constant concern. Recently, the government offered to fund one of its major programs. The NGO accepted the offer, arguing that the money was not from a political party anyway; the fund could go a long way in helping their program beneficiaries.
2. Recently, representatives of a political party organized villagers into groups and promised the people gifts if they will register and vote for their candidates. Later, the staff of a community development NGO working in that village explained that no one should pressure them to vote for any candidate. They can accept the gift but it is their right to vote for candidates of their choice in a secret ballot. Afterwards, the party started accusing the NGO of supporting the rival political party. To prevent any untoward incidents, the NGO staff postponed some of their activities for a while and then went to all the political parties to explain the nature and objectives of their work and continued their community education program in the said village.
3. The director of an NGO was invited to the wedding of a close friend. However, that friend is an active member of the ruling political party. To avoid creating the impression that he is supporting that political party, the NGO director declined the invitation.

4. Article 148 in the Law on Commune/Sangkat Council Election provides for the creation of the Coordinating Committee of Election Monitoring NGOs (CCEMNGO) which will be under the National Election Commission (NEC). However, the three election monitoring coalitions – COMFREL, COFFEL, and NICFEC – have refused to join that committee to preserve their right to monitor the elections independently as they did in the 1998 elections.
5. Two to three months before the election in 1998, five new NGOs of unclear origins and objectives started operating in a province. There were rumors that these NGOs were used as fronts for political parties to spy on other NGOs.
6. In the aftermath of the failed attack of the Cambodian Freedom Fighters (CFF) on November 2000, some government officials started linking this group with NGOs and accusing them of destroying the government.
7. A small NGO helping poor disabled, widows, and orphans obtained permission from the provincial governor to work in a remote area. However, this NGO failed to inform local authorities about its activities. Later on, the local authorities demanded to have the land where it was operating, burned the office, threatened the staff at gunpoint, and arrested them arbitrarily.
8. Global Witness, a London-based NGO which serves as the Cambodian government's independent forestry monitor, was threatened with expulsion when it released a report to the media ahead of an international donor's meeting. The move angered Prime Minister Hun Sen who accused Global Witness of embarrassing the government and "defaming the honor of local authorities and the competence of the government."
9. Invited to the inauguration of an NGO-sponsored project, a provincial governor in his speech started to campaign for his party and claimed that the project was his own.
10. Staff members of an NGO had differing political opinions and favored different political parties. With the upcoming election, relationships started getting strained because of their differences and it was beginning to affect the quality of their work.
11. The director of an NGO was openly supporting a political party and even encouraged the staff members to follow suit, arguing that it was in the organization's best interest to do so.

12. A group of NGO staff joined a rally against land grabbing that was initiated by an opposition political party. Later on, these people were suspected of partisan involvement.

## What are some strategies?

There are no cut and dried strategies that will work in all occasions as the context in which NGOs operate changes; sometimes significantly. The evolving political culture, legislative framework, and available democratic space determine whether or not certain actions are acceptable and regarded as legitimate.

## Some Considerations

When formulating strategies for non-partisanship, there are certain questions that NGOs must ask before implementing them. The questions are as follows:

1. What are the implications of the strategies on the work that you are doing?
2. Do the strategies uphold the values, principles, or priorities of your organization?
3. What are the short term and long term benefits of the strategies?
4. What implications do the strategies have on civil society as a whole?
5. What implications do the strategies have on strengthening democracy?





## Possible Strategies

**T**RANSPARENCY Being clear and truthful about the aims and objectives of your organization help prevent other groups from accusing your organization of partisanship. Transparency also means conducting your financial transactions and your professional dealings openly and according to the law.

**O**BSERVING PROTOCOL Informing and asking permission from relevant authorities at the different levels of governance before initiating a project. This establishes an open relationship and builds goodwill with the different levels of government.

**H**AVING A CLEAR ORGANIZATIONAL CODE OF ETHICS This will guide NGO staff in what is proper behavior in the line of duty and in deciding when confronted with difficult situations. The NGO Code of Ethics is one such example. It clearly states that NGOs must be independent of any political party and must be non-partisan when doing advocacy and lobbying.

Corollary to this strategy, aid agencies can clearly state in their agreements with NGO partners what activities grantees cannot engage in and the consequences if they do.

Below is an excerpt from the grant agreement between the United States Agency for International Development (USAID) and the Center for Social Development (CSD) that Ms Chea Vannath mentioned in her presentation during the 1998 Workshop on Political Neutrality:

### USAID SPECIAL GRANT PROVISIONS

#### 1. Political Neutrality

To assure compliance with Section 116(e) of the Foreign Assistance Act, AID funds may not be used to influence, directly or indirectly, the outcome of any election or to support the electoral campaign of a specific political party or parties. No funds provided under the grant will be used to:

- A. Finance campaigns or candidates for public office
- B. Directly appeal for support to the electorate on behalf of, or by, any political party or candidate for public office.

- C. Make payments to individuals that are intended to influence their votes
- D. Provide a direct contribution to a political campaign
- E. Pay any salary, wage, fee, honoraria, or similar payments to candidates, political party leaders or campaign officers
- F. Arrange public meetings that endorse or feature a candidate for public office
- G. Conduct private polls (survey research) designed to develop political campaign strategies in favor of a candidate, political party, or alliance.
- H. Conduct activities relating to elections during the final thirty days preceding an election.

**S**EPARATING THE PERSONAL FROM THE PROFESSIONAL Making a clear delineation about what constitutes work-related activities and personal activities and when it is allowed to carry out those activities. This separation between personal and professional is particularly important in developing democracies, like Cambodia, where elections are politically charged events. By making this delineation, individual staff will be able to express their political beliefs without being constrained by their professional affiliations and organizations need not be associated with the individual political choices of their staff.

During the 1998 local election in the Philippines, many NGO staff volunteered to campaign for particular candidates they believed would advance the cause of democracy and development. In the province of Negros, those who campaigned for Daniel Lacson for governor took extra care not involve their respective organizations in overtly partisan activities. Thus, they took a leave of absence from their NGO work and campaigned in their personal capacities to help Lacson and his team win.

*From NGO and PO Electoral Experiences: Documentation and Analysis, PULSO Monograph No. 23 by Ana Maria O. Clamor  
Institute on Church and Social Issues  
Manila, Philippines, December 1993*

**D**ISCUSSING AND DECIDING WHAT IS ACCEPTABLE NGO BEHAVIOR DURING ELECTION This could mean a review and enforcement of the NGO Code of Ethics in its current or modified form.

# Suggested Process

After the participants have jointly understood the meaning and importance of NGO non-partisanship (see Chapters 2 and 3), the facilitator divides them into groups of 8 to 10 members.

## Option 1

1. The facilitator gives each group copies of a set of 3 dilemmas (see pages 25-27). Each group will have a different set. For instance, Group 1 will receive Set A, Group 2 will receive Set B, and so on (see Handouts 9 to 12).
2. Leaders of each group read each dilemma and facilitate discussion on how they would deal with each situation to maintain non-partisanship.
3. Each group comes up with strategies to maintain non-partisanship.

## Option 2

1. Each group makes a list of 3 dilemmas or problematic situations that they have encountered or are likely to encounter.
2. For each identified dilemma or problematic situation, they think of possible strategies. For each strategy, they answer the following questions:
  - What are the implications of the strategies on the work that you are doing?
  - Do the strategies uphold the values, principles, or priorities of your organization?
  - What are the short term and long term benefits of the strategies?
  - What implications do the strategies have on civil society as a whole?

- What implications do the strategies have on strengthening democracy?
3. Based on their responses to the five considerations above, they choose the best strategies.

## Synthesis and Input

1. Representatives of each group report the results of their discussion.
2. The facilitator synthesizes the group reports and presents the Possible Strategies for Maintaining Non-Partisanship on pages 28-29 as points to consider when NGOs are confronted with similar dilemmas or situations.

# Understanding Commune Elections and Commune Councils

5

## Overview of the two laws

**T**he Law on Commune/*Sangkat* Council Elections and the Law on Administration of Communes (*Khum/Sangkat*) are two pieces of legislation that have recently been passed in order to implement the government's policy of decentralization. This policy seeks to give more public decision-making powers to citizens, and those elected to the Commune Councils.

The Law on Commune/*Sangkat* Council Election determines the organization, administration and conduct of the commune election, which is scheduled to be held in early 2002. On the other hand, the Law on Administration of Communes (*Khum/Sangkat*) determines the structure, role, functions and powers of commune administration.

The election of Commune Councils will significantly alter the character and dynamics of local governance in Cambodia.

Maximizing the potential of these two laws to increase democratic space and reduce poverty especially in the rural areas requires understanding the concept of decentralization and the opportunities available in existing legislation.

## Decentralization

Decentralization is broadly defined as the process of distributing the powers or functions of a central authority throughout local or regional divisions and branches. Decentralization operates under the principle of subsidiarity, which posits that any function or responsibility of government should be assumed by the lowest possible level unless there is good reason for a higher level of government to do it.

The extent of decentralization takes many forms – political, administrative, fiscal, or economic. However, at the core of Cambodia’s Laws on Commune Elections and Administration is political decentralization, which gives citizens more power in public decision-making. It also broadens the authority and responsibilities of those elected as citizens’ representatives in local governance.

The Royal Government of Cambodia has chosen to refer to the two main branches of its overall decentralization agenda as decentralization and deconcentration.

Decentralization, as was suggested at a recent NGO Workshop on the subject by Secretary of State at the Ministry of Interior, Prum Sokha, is a political process whereby an additional “*level of democratically elected government*” will be formed to “*give ordinary people greater opportunities to determine their future.*”

Deconcentration, on the other hand, is a modest form of administrative decentralization which attempts to bring public service functions closer to the people. It refers to the process where the government hands over responsibilities for the provision of certain services to elected Commune Councils.

While they are both forms of decentralization, the differences between the two branches of the government’s agenda are stark. The government’s political decentralization program will see elected Commune Councils replace government appointed commune chiefs. The Commune Council, in this respect, will be accountable to the citizens of the commune. At the other end of the spectrum, deconcentration will see the Commune Councils serving as agents of the central government, and they will therefore also be responsible to Phnom Penh.

What still remains unclear is how these accountabilities down to the citizens of the commune and up to the government in Phnom Penh will affect the relationship between the communes (and their councils) and district (*srok*) and provincial authorities (*khet*), which remain state appointees.

From *CCSP Bulletin, Issue 1, December 2000/January 2001*  
By Dr. David Ayres and Mr. Puch Sothon  
c/o CIDSE, Phnom Penh

# Advantages and Disadvantages

There is no substantial evidence to prove that decentralization **automatically** results in wider democratization and poverty alleviation. Nonetheless, decentralization presents more opportunities to make government closer and more accountable to the people. Below are some reasons:

- A local government will know the situation better than the central government and will most likely make decisions based on the needs or demands of its constituents.
- The constituents will have more face-to-face knowledge of members of its local government better because the responsible authorities live within the area and not in some faraway capital city. As such, it will be easier for the people identify to advocacy targets.
- A local government is more likely to be accessible to the people because of its proximity in location.

However, decentralization also presents some potential disadvantages or threats:

- Instead of broadening democratic space, it can lead to the consolidation of the power base of local elites who will most likely be elected to the local government because of their huge resources and influence.
- It can cause conflicts of priorities between the national and local levels and result in fragmented and divergent directions in development.

## Basic Facts

### Structure of the Commune Council

- 5 to 11 councillors to be determined by sub-decree following the proposal of the Ministry of Interior based on the demographic and geographical situation of each commune.

**I t must be noted that candidates to the Commune Councils are required by law to be members of political parties.**

### Roles of the Commune Council

- To serve the interests of the commune and its citizens in its local affairs (decentralization function)
- To represent the State subject to the assignment or power delegated to it by State authorities (deconcentration function)

## Powers of the Commune Council

- Legislative
- Executive

The legislative and executive powers may be applied only within the territorial jurisdiction of its commune.

## Duties of Commune Administration (Article 43)

- Maintain security and public order.
- Manage the public services as necessary and be responsible for the good process of those services.
- Encourage the creation of contentment and welfare of the citizens.
- Promote economic and social development, upgrade the living standard of citizens.
- Protect and conserve the cultural property and the national patrimony, the environment and natural resources.
- Coordinate the citizens' views in order to promote tolerance and mutual understanding.
- Perform general affairs in response to the needs of citizens.

**The Commune Councils will act as the primary agents of local development in each commune.**

However, the commune administration has no authority over the following areas (Article 45):

- Forestry
- Postal services and telecommunications
- National defense
- National security
- Monetary policy
- Foreign policy
- Fiscal policy
- Other areas as stipulated in the law and relevant norms and standards.

During recent years it has been easy for NGOs to say 'we do development work and the local authorities do government work' and also to say that 'we do development, which is different from politics: we do not do politics'. If Commune Councils are to be responsible for the planning of development and the provision of services in their communes, the division of responsibilities will be less clear. If Commune Councils are to be elected in multi-party elections then the divisions between politics and development will also be less clear.

From *Decentralisation and Commune Council Reforms: Immediate Opportunities for Cambodian NGOs*  
By Robin Biddulph  
Oxfam GB, Phnom Penh



## Threats to NGO non-partisanship and independence

As the distinction between local development and local politics becomes blurred, NGOs are faced with threats to their independence and non-partisanship. Thus, NGOs should seriously reflect on the following points:

- Commune Councils will be primarily responsible for the planning of development and provision of services in their communes.

As the primary agent of local development, Commune Councils may assume that its authority extends to directing and controlling NGOs in their respective communes.

- Elected Commune Councils will be composed of councillors belonging to political parties.

If NGOs choose to get involved in local governance, their non-partisan stance will be tested because they will be working with Commune Councils that are partisan.

There are going to be changes in the roles and behavior of local authorities and therefore there will be changes in the relations between NGOs and local authorities. Recent academic literature on governance throughout the world suggests that local governance is not just the responsibility and power of local governments, but is the responsibility and power of local governments and local NGOs and People's Organisations working together.

*From Decentralisation and Commune Council Reforms: Immediate Opportunities for Cambodian NGOs*

By Robin Biddulph  
Oxfam GB, Phnom Penh

## NGO involvement in local governance

Notwithstanding the threats to NGO non-partisanship and independence, decentralization opens a lot of opportunities for NGOs to push for the genuine development and empowerment of local communities. As already stated on page 34, decentralization does not automatically result in wider democratization and poverty alleviation. But NGOs can play a crucial role in the success of commune reforms in Cambodia.

**D**ecentralization has been successful when governments and civil society have worked together to form effective partnerships in an atmosphere of mutual cooperation.\*

## Maintaining Non-Partisanship

In Chapter 4 (page 27), it is mentioned that there are no cut and dried strategies that will work in all occasions as the context in which NGOs operate changes. Nonetheless, five possible strategies to maintain NGO non-partisanship are presented. They are as follows:

1. Transparency
2. Observing protocol
3. Having a clear organizational code of ethics
4. Separating the personal from the professional
5. Discussing and deciding what is acceptable NGO behavior during election

**I**n the context of decentralization, however, NGOs need to clarify their role\*\* in local governance and the nature of their relationship with the party-oriented Commune Councils. In doing so, they should remember the importance of maintaining their non-partisan and independent stance.

NGOs can start thinking about the following:

- What can we do as organizations?
- What can we contribute to the process of local governance?
- How can we collaborate with the Commune Councils?

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\* CCSP Bulletin, Issue 3, February 2001.

\*\* Drawing on international experiences, the Commune Council Support Project is exploring roles that NGOs might play after the formation of commune councils.

# Suggested Process

1. The facilitator asks participants the following:
  - What changes are happening in your commune as a result of the commune elections?
  - What do you think are the implications of having elected Commune Councils?
  - What do you understand about decentralization?
2. The facilitator acknowledges the participants' responses and provides an input on the following:
  - The concept of decentralization, its advantages and disadvantages
  - Overview of the Laws on Commune Elections and Administration and their implications on NGO non-partisanship and independence.
3. The facilitator divides the participants into groups of 8 to 10 members.
4. Each group discusses the questions below and reports the results of their discussion to the other participants:
  - What can NGOs contribute to the process of local governance? What roles can they play in local development?
  - How can NGOs maintain their non-partisanship and independence as they involve themselves in the process of local governance?
5. The facilitator provides a synthesis of all the group reports.

# Workshop Designs

## 6

Parts of this curriculum can be used for different workshops ranging from one to three days. Below are suggested designs:

### One Day Workshop

#### Objectives

1. To arrive at a common understanding of what is meant by non-partisanship.
2. To raise awareness about the importance of non-partisanship for NGOs.

#### Process and Schedule

##### Morning

Option 1	Option 2
<ol style="list-style-type: none"><li>1. The facilitator divides participants into groups of 8 to 10 members.</li><li>2. Each group brainstorms on words or phrases that they associate with the term "non-partisanship".</li><li>3. They cluster their responses into groups with similar meaning or connotation and come up with a common definition of non-partisanship.</li><li>4. Representatives of each group report the results of their discussion.</li></ol>	<ol style="list-style-type: none"><li>1. The facilitator asks participants to think of words or phrases that they associate with the term "non-partisanship".</li><li>2. Each of the participants writes each word or phrase on a meta card (or a 5 x 8 inch index card) and pastes it on the board. Markers and multi-colored meta cards must be prepared before the session.</li><li>3. The facilitator groups the meta cards with similar meaning or connotation and asks the participants to come up with a common definition of non-partisanship.</li></ol>

## Synthesis and Input

The facilitator synthesizes the participants' responses and explains the following points:

- Definition of political non-partisanship
- Political non-partisanship versus political neutrality
- Rights of citizens under the Cambodian Constitution
- Relevant provisions of existing draft NGO Laws
- Relevant provisions in the NGO Code of Ethics
- Difference between politics and activism

## Afternoon

After the participants have come up with a common understanding and definition of non-partisanship, the facilitator divides them into groups of 8 to 10 members.

Option 1			Option 2		
<ol style="list-style-type: none"> <li>1. Each group thinks of specific situations when non-partisanship is called for and lists reasons why it is important.</li> <li>2. Each group identifies roles that NGOs can play or behaviors that NGOs should adopt during those situations that they mentioned.</li> <li>3. Each group writes their answers using the table format below:</li> </ol>			<ol style="list-style-type: none"> <li>1. The facilitator asks each group to think of reasons why non-partisanship is important for Cambodian NGOs especially in the context of the commune elections.</li> <li>2. Each group brainstorms on roles that CNGOs can play before, during, and after the commune elections.</li> </ol>		
Situations	Reasons	NGO Roles or Behaviors			
1.					
2.					
3.					
<ol style="list-style-type: none"> <li>4. Representatives of each group report the results of their discussions.</li> </ol>					



### Synthesis and Input

The facilitator synthesizes all the responses, highlights why non-partisanship for Cambodian NGOs is important, and discusses NGO roles that were not mentioned in the group reports.

## Two Day Workshop: Option A

### Objectives

1. To arrive at a common understanding of what is meant by non-partisanship.
2. To raise awareness about the importance of non-partisanship for NGOs.
3. To formulate common strategies for maintaining NGO non-partisanship.

### Process and Schedule

#### Day 1: Morning

Option 1	Option 2
<ol style="list-style-type: none"><li>1. The facilitator divides participants into groups of 8 to 10 members.</li><li>2. Each group brainstorms on words or phrases that they associate with the term "non-partisanship".</li><li>3. They cluster their responses into groups with similar meaning or connotation and come up with a common definition of non-partisanship.</li><li>4. Representatives of each group report the results of their discussion.</li></ol>	<ol style="list-style-type: none"><li>1. The facilitator asks participants to think of words or phrases that they associate with the term "non-partisanship".</li><li>2. Each of the participants writes each word or phrase on a meta card (or a 5 x 8 inch index card) and pastes it on the board. Markers and multi-colored meta cards must be prepared before the session.</li><li>4. The facilitator groups the meta cards with similar meaning or connotation and asks the participants to come up with a common definition of non-partisanship.</li></ol>

## Synthesis and Input

The facilitator synthesizes the participants' responses and explains the following points:

- Definition of political non-partisanship
- Political non-partisanship versus political neutrality
- Rights of citizens under the Cambodian Constitution
- Relevant provisions of existing draft NGO Laws
- Relevant provisions in the NGO Code of Ethics
- Difference between politics and activism

### Day 1: Afternoon

After the participants have come up with a common understanding and definition of non-partisanship, the facilitator divides them into groups of 8 to 10 members.

<b>Option 1</b>	<b>Option 2</b>												
<ol style="list-style-type: none"> <li>1. Each group thinks of specific situations when non-partisanship is called for and lists reasons why it is important.</li> <li>2. Each group identifies roles that NGOs can play or behaviors that NGOs should adopt during those situations that they mentioned.</li> <li>3. Each group writes their answers using the table format below:</li> </ol>	<ol style="list-style-type: none"> <li>1. The facilitator asks each group to think of reasons why non-partisanship is important for Cambodian NGOs especially in the context of the commune elections.</li> <li>2. Each group brainstorms on roles that CNGOs can play before, during, and after the commune elections.</li> </ol>												
<table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th style="width: 33%;">Situations</th> <th style="width: 33%;">Reasons</th> <th style="width: 33%;">NGO Roles or Behaviors</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1.</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">2.</td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">3.</td> <td></td> <td></td> </tr> </tbody> </table>	Situations	Reasons	NGO Roles or Behaviors	1.			2.			3.			
Situations	Reasons	NGO Roles or Behaviors											
1.													
2.													
3.													
<ol style="list-style-type: none"> <li>4. Representatives of each group report the results of their discussions.</li> </ol>													



## Synthesis and Input

The facilitator synthesizes all the responses, highlights why non-partisanship for Cambodian NGOs is important, and discusses NGO roles that were not mentioned in the group reports.

## Day 2: Morning

After the participants have jointly understood the meaning and importance of NGO non-partisanship, the facilitator divides them into groups of 8 to 10 members.

Option 1	Option 2
<ol style="list-style-type: none"><li>1. The facilitator gives each group a set of 3 dilemmas (see pages 25-27) that are printed on paper. Each member is given a copy of the same set of dilemmas.</li><li>2. Leaders of each group read each dilemma and facilitate discussion on how they would deal with each situation and maintain non-partisanship.</li><li>3. Each group comes up with strategies to maintain non-partisanship.</li></ol>	<ol style="list-style-type: none"><li>1. Each group makes a list of 3 dilemmas or problematic situations that they have encountered or are likely to encounter.</li><li>2. For each identified dilemma or problematic situation, they think of possible strategies. For each strategy, they answer the following questions:<ul style="list-style-type: none"><li>• What are the implications of the strategies on the work that you are doing?</li><li>• Do the strategies uphold the values, principles, or priorities of your organization?</li><li>• What are the short term and long term benefits of the strategies?</li><li>• What implications do the strategies have on civil society as a whole?</li><li>• What implications do the strategies have on strengthening democracy?</li></ul></li><li>3. Based on their responses to the five considerations above, they choose the best strategies.</li></ol>



## Day 2: Afternoon

Representatives of each group report the results of their discussion.

### Synthesis and Input

The facilitator synthesizes the group reports and presents the Possible Strategies for Maintaining Non-Partisanship on pages 27-29 as points to consider when NGOs are confronted with similar dilemmas or situations.

## Two Day Workshop: Option B

### Objectives

1. To arrive at a common understanding of what is meant by non-partisanship.
2. To raise awareness about the importance of non-partisanship for NGOs.
3. To formulate common strategies for maintaining NGO non-partisanship.
4. To understand the changes that will result from the Commune Elections and Commune Administration Laws.

### Process and Schedule

#### Day 1: Morning

Option 1	Option 2
<ol style="list-style-type: none"> <li>1. The facilitator divides participants into groups of 8 to 10 members.</li> <li>2. Each group brainstorms on words or phrases that they associate with the term "non-partisanship".</li> <li>3. They cluster their responses into groups with similar meaning or connotation and come up with a common definition of non-partisanship.</li> <li>4. Representatives of each</li> </ol>	<ol style="list-style-type: none"> <li>1. The facilitator asks participants to think of words or phrases that they associate with the term "non-partisanship".</li> <li>2. Each of the participants writes each word or phrase on a meta card (or a 5 x 8 inch index card) and pastes it on the board. Markers and multi-colored meta cards must be prepared before the session.</li> <li>3. The facilitator groups the meta cards with similar meaning or</li> </ol>



group report the results of their discussion.	connotation and asks the participants to come up with a common definition of non-partisanship.
<b>Synthesis and Input</b>	
<p>The facilitator synthesizes the participants' responses and explains the following points:</p> <ul style="list-style-type: none"> <li>• Definition of political non-partisanship</li> <li>• Political non-partisanship versus political neutrality</li> <li>• Rights of citizens under the Cambodian Constitution</li> <li>• Relevant provisions of existing draft NGO Laws</li> <li>• Relevant provisions in the NGO Code of Ethics</li> <li>• Difference between politics and activism</li> </ul>	

### Day 1: Afternoon

After the participants have come up with a common understanding and definition of non-partisanship, the facilitator divides them into groups of 8 to 10 members.			
<b>Option 1</b>		<b>Option 2</b>	
<ol style="list-style-type: none"> <li>1. Each group thinks of specific situations when non-partisanship is called for and lists reasons why it is important.</li> <li>2. Each group identifies roles that NGOs can play or behaviors that NGOs should adopt during those situations that they mentioned.</li> <li>3. Each group writes their answers using the table format below:</li> </ol>		<ol style="list-style-type: none"> <li>1. The facilitator asks each group to think of reasons why non-partisanship is important for Cambodian NGOs especially in the context of the commune elections.</li> <li>2. Each group brainstorms on roles that CNGOs can play before, during, and after the commune elections.</li> </ol>	
<b>Situations</b>	<b>Reasons</b>		<b>NGO Roles or Behaviors</b>
1.			
2.			
3.			
<ol style="list-style-type: none"> <li>4. Representatives of each group report the results of their discussions.</li> </ol>			



## Synthesis and Input

The facilitator synthesizes all the responses, highlights why non-partisanship for Cambodian NGOs is important, and discusses NGO roles that were not mentioned in the group reports.

## Day 2: Morning

After the participants have jointly understood the meaning and importance of NGO non-partisanship, the facilitator divides them into groups of 8 to 10 members.

Option 1	Option 2
<ol style="list-style-type: none"> <li>1. The facilitator gives each group a set of 3 dilemmas (see pages 25-27) that are printed on paper. Each member is given a copy of the same set of dilemmas.</li> <li>2. Leaders of each group read each dilemma and facilitate discussion on how they would deal with each situation and maintain non-partisanship.</li> <li>3. Each group comes up with strategies to maintain non-partisanship.</li> </ol>	<ol style="list-style-type: none"> <li>1. Each group makes a list of 3 dilemmas or problematic situations that they have encountered or are likely to encounter.</li> <li>2. For each identified dilemma or problematic situation, they think of possible strategies. For each strategy, they answer the following questions:               <ul style="list-style-type: none"> <li>• What are the implications of the strategies on the work that you are doing?</li> <li>• Do the strategies uphold the values, principles, or priorities of your organization?</li> <li>• What are the short term and long term benefits of the strategies?</li> <li>• What implications do the strategies have on civil society as a whole?</li> <li>• What implications do the strategies have on strengthening democracy?</li> </ul> </li> <li>4. Based on their responses to the five considerations above, they choose the best strategies.</li> </ol>
<p>Representatives of each group report the results of their discussion.</p>	



## Synthesis and Input

The facilitator synthesizes the group reports and presents the Possible Strategies for Maintaining Non-Partisanship on pages 27-29 as points to consider when NGOs are confronted with similar dilemmas or situations.

## Day 2: Afternoon

1. The facilitator asks participants the following:
  - What changes are happening in your commune as a result of the commune elections?
  - What do you think are the implications of having elected Commune Councils?
  - What do you understand about decentralization?
2. The facilitator acknowledges the participants' responses and provides an input on the following:
  - The concept of decentralization, its advantages and disadvantages
  - Overview of the Laws on Commune Elections and Administration and their implications on NGO non-partisanship and independence.
3. The facilitator divides the participants into groups of 8 to 10 members.
4. Each group discusses the following questions and reports the results of their discussion to the other participants:
  - What can NGOs contribute to the process of local governance? What roles can they play in local development?
  - How can NGOs maintain their non-partisanship and independence as they involve themselves in the process of local governance?
5. The facilitator provides a synthesis of all the group reports.

# Three Day Workshop

## Objectives

1. To arrive at a common understanding of what is meant by non-partisanship.
2. To raise awareness about the importance of non-partisanship for NGOs.
3. To formulate common strategies for maintaining NGO non-partisanship.
4. To understand the changes that will result from the Commune Elections and Commune Administration Laws.

## Process and Schedule

### Day 1: Morning

Option 1	Option 2
<ol style="list-style-type: none"> <li>1. The facilitator divides participants into groups of 8 to 10 members.</li> <li>2. Each group brainstorms on words or phrases that they associate with the term "non-partisanship".</li> <li>3. They cluster their responses into groups with similar meaning or connotation and come up with a common definition of non-partisanship.</li> <li>4. Representatives of each group report the results of their discussion.</li> </ol>	<ol style="list-style-type: none"> <li>1. The facilitator asks participants to think of words or phrases that they associate with the term "non-partisanship".</li> <li>2. Each of the participants writes each word or phrase on a meta card (or a 5 x 8 inch index card) and pastes it on the board. Markers and multi-colored meta cards must be prepared before the session.</li> <li>3. The facilitator groups the meta cards with similar meaning or connotation and asks the participants to come up with a common definition of non-partisanship.</li> </ol>
<b>Synthesis and Input</b>	
<p>The facilitator synthesizes the participants' responses and explains the following points:</p> <ul style="list-style-type: none"> <li>• Definition of political non-partisanship</li> <li>• Political non-partisanship versus political neutrality</li> <li>• Rights of citizens under the Cambodian Constitution</li> <li>• Relevant provisions of existing draft NGO Laws</li> <li>• Relevant provisions in the NGO Code of Ethics</li> <li>• Difference between politics and activism</li> </ul>	

### Day 1: Afternoon

After the participants have come up with a common understanding and definition of non-partisanship, the facilitator divides them into groups of 8 to 10 members.

<b>Option 1</b>			<b>Option 2</b>		
<ol style="list-style-type: none"> <li>1. Each group thinks of specific situations when non-partisanship is called for and lists reasons why it is important.</li> <li>2. Each group identifies roles that NGOs can play or behaviors that NGOs should adopt during those situations that they mentioned.</li> <li>3. Each group writes their answers using the table format below:</li> </ol>			<ol style="list-style-type: none"> <li>1. The facilitator asks each group to think of reasons why non-partisanship is important for Cambodian NGOs especially in the context of the commune elections.</li> <li>2. Each group brainstorms on roles that CNGOs can play before, during, and after the commune elections.</li> </ol>		
<b>Situations</b>	<b>Reasons</b>	<b>NGO Roles or Behaviors</b>			
1.					
2.					
3.					
<ol style="list-style-type: none"> <li>4. Representatives of each group report the results of their discussions.</li> </ol>					
<b>Synthesis and Input</b>					
<p>The facilitator synthesizes all the responses, highlights why non-partisanship for Cambodian NGOs is important, and discusses NGO roles that were not mentioned in the group reports.</p>					



## Day 2: Morning

After the participants have jointly understood the meaning and importance of NGO non-partisanship, the facilitator divides them into groups of 8 to 10 members.

<b>Option 1</b>	<b>Option 2</b>
<ol style="list-style-type: none"> <li>1. The facilitator gives each group a set of 3 dilemmas (see pages 25-27) that are printed on paper. Each member is given a copy of the same set of dilemmas.</li> <li>2. Leaders of each group read each dilemma and facilitate discussion on how they would deal with each situation and maintain non-partisanship.</li> <li>3. Each group comes up with strategies to maintain non-partisanship.</li> </ol>	<ol style="list-style-type: none"> <li>1. Each group makes a list of 3 dilemmas or problematic situations that they have encountered or are likely to encounter.</li> <li>2. For each identified dilemma or problematic situation, they think of possible strategies. For each strategy, they answer the following questions:               <ul style="list-style-type: none"> <li>• What are its implications on the work that you are doing?</li> <li>• Does it uphold the values, principles, or priorities of your organization?</li> <li>• What are the short term and long term benefits?</li> <li>• What implications does it have on civil society as a whole?</li> <li>• What implications does it have on strengthening democracy</li> </ul> </li> <li>3. Based on their responses to the five considerations above, they choose the best strategies.</li> </ol>

## Day 2: Afternoon

Representatives of each group report the results of their discussion.

### Synthesis and Input

The facilitator synthesizes the group reports and presents the Possible Strategies for Maintaining Non-Partisanship on pages 27-29 as points to consider when NGOs are confronted with similar dilemmas or situations.



### **Day 3: Morning**

1. The facilitator asks participants the following:
  - What changes are happening in your commune as a result of the commune elections?
  - What do you think are the implications of having elected Commune Councils?
  - What do you understand about decentralization?
2. The facilitator acknowledges the participants' responses and provides an input on the following:
  - The concept of decentralization, its advantages and disadvantages
  - Overview of the Laws on Commune Elections and Administration and their implications on NGO non-partisanship and independence.

### **Day 3: Afternoon**

1. The facilitator divides the participants into groups of 8 to 10 members.
2. Each group discusses the following questions and reports the results of their discussion to the other participants:
  - What can NGOs contribute to the process of local governance? What roles can they play in local development?
  - How can NGOs maintain their non-partisanship and independence as they involve themselves in the process of local governance?
3. The facilitator provides a synthesis of all the group reports.



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The 1993 Constitution of the Kingdom of Cambodia.

The Code of Ethics for Social Development NGOs and People's Organizations in Cambodia.



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<http://www.bigpond.com.kh/users/>

<http://www.cambodia-hr.org>

<http://www.DigitalGovernance.org>

<http://www.knownet.org>

## Annex A. Classification of the Rights and Obligations of Khmer Citizens under the 1993 Cambodian Constitution

Political Rights	Social and Cultural Rights	Economic Rights
<p>Art. 31. The Kingdom of Cambodia shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human Rights, the covenants and conventions related to human rights, women's and children's rights.</p> <p>Every Khmer citizen shall be equal before the law, enjoying the same rights, freedoms and fulfilling the same obligations regardless of race, color, sex, language, religious belief, political tendency, birth origin, social status, wealth or other status.</p> <p>The exercise of personal rights and freedom by any individual shall not adversely affect the rights and freedom of others. The exercise of such rights and freedom shall be in accordance with the law.</p>		
<p>Art. 32. Every Khmer citizen shall have the right to life, personal freedom and security.</p> <p>There shall be no capital punishment.</p>		
<p><b>Art. 35. Khmer citizens of either sex shall have the right to participate actively in the political, economic, social and cultural life of the nation.</b></p> <p><b>Any suggestions from the people shall be given full consideration by the organs of the State.</b></p>		
<p>Art. 45. All forms of discrimination against women shall be abolished.</p> <p>The exploitation of women in employment shall be prohibited.</p> <p>Men and women are equal in all fields especially in marriage and matters of the family.</p> <p>Marriage shall be conducted according to conditions determined by law based on the principle of mutual consent between one husband and one wife.</p>		
<p>Art. 48. The State shall protect the rights of children as stipulated in the Convention the Rights of Children, in particular, the right to life, education, protection during wartime, and from economic or sexual exploitation.</p> <p>The State shall protect children from acts that are injurious to their educational opportunities, health and welfare.</p>		

Political Rights	Social and Cultural Rights	Economic Rights
<p>Art. 33. Khmer citizens shall not be deprived of their nationality, exiled or arrested and deported to any foreign country unless there is a mutual agreement or extradition.</p> <p>Khmer citizens residing abroad enjoy the protection of the State.</p> <p>The Khmer nationality shall be determined by law.</p>		<p>Art. 44. All persons, individually or collectively, shall have the right to ownership. Only Khmer legal entities and citizens of Khmer nationality shall have the right to own land.</p> <p>Legal private ownership shall be protected by law.</p> <p>The right to confiscate possessions from any person shall be exercised only in the public interest as provided for under law and shall require fair and just compensation in advance.</p>
<p><b>Art. 41. Khmer citizens shall have freedom of expression, press, publication and assembly. No one shall exercise this right to infringe upon the rights of others, to affect the good traditions of society, to violate public law and order and national security.</b></p> <p><b>The regime of the media shall be determined by law.</b></p>		<p>Art. 50. Khmer citizens of either sex shall respect public and legally acquired private properties.</p>
<p><b>Art. 37. The right to strike and to non-violent demonstration shall be implemented in the framework of a law.</b></p>	<p>Art. 46. The commerce of human beings, exploitation by prostitution and obscenity which affect the reputation of women shall be prohibited.</p> <p>A women shall not lose her job because of pregnancy. Women shall have the right to take maternity leave with full pay and with no loss of seniority or other social benefits.</p> <p>The State and society shall provide opportunities to women, especially to those living in rural areas without adequate social support, so they can get employment, medical care, and send their children to school, and to have decent living conditions.</p>	

Political Rights	Social and Cultural Rights	Economic Rights
<p>Art. 34. Khmer citizens of either sex shall enjoy the right to vote and to stand as candidates for election.</p> <p>Citizens of either sex of at least eighteen years old, have the right to vote.</p> <p>Citizens of either sex of at least 25 years old, have the right to stand for election.</p> <p>Provisions restricting the right to vote and to stand for election shall be defined in the Electoral Law.</p>	<p>Art. 40. Citizens' freedom to travel, far and near, and legal settlement shall be respected.</p> <p>Khmer citizens shall have the right to travel and settle abroad and return to the country.</p> <p>The right to privacy of residence and to the secrecy of correspondence by mail, telegram, fax, telex and telephone shall be guaranteed.</p> <p>Any search of the house, material and body shall be in accordance with the law.</p>	<p>Art. 36. Khmer citizens of either sex shall have the right to choose any employment according to their ability and to the needs of society.</p> <p>Khmer citizens of either sex shall receive equal pay for equal work.</p> <p>The work by housewives in the home shall have the same value as what they can receive when working outside the home.</p> <p>Every Khmer citizen shall have the right to obtain social security and other social benefits as determined by law.</p>
<p>Art. 36. Khmer citizens of either sex shall have the right to form and be members of trade unions.</p> <p>The organization and conduct of trade unions shall be determined by law.</p>	<p>Art. 43. Khmer citizens of either sex shall have the right to freedom of belief.</p> <p>Freedom of religious belief and worship shall be guaranteed by the State on the condition that such freedom does not affect other religious beliefs or violate public order and security.</p> <p>Buddhism shall be the State religion.</p>	<p>Khmer citizens of either sex shall have the right to form and be members of trade unions.</p> <p>The organization and conduct of trade unions shall be determined by law.</p>

Political Rights	Social and Cultural Rights
<p>Art. 38. The law guarantees there shall be no physical abuse against any individual.  The law shall protect the life, honor and dignity of citizens.  The prosecution, arrest, or detention of any person shall not be done except in accordance with the law.  Coercion, physical ill-treatment or any other mistreatment that imposes additional punishment on a detainee or prisoner shall be prohibited. Persons who commit, participate or conspire in such acts shall be punished according to the law.  Confessions obtained by physical or mental force shall not be admissible as evidence of guilt.  Any case of doubt shall be resolved in favor of the accused.  The accused shall be considered innocent until the court has judged finally on the case.  Every citizen shall enjoy the right to defense through judicial recourse.</p>	<p>Art. 47. Parents shall have the duty to take care of and educate their children to become good citizens.  Children shall have the duty to take good care of their elderly mother and father according to Khmer traditions.</p>
<p>Art. 39. Khmer citizens shall have the right to denounce, make complaints or file claims against any breach of the law by State and social organs or by members of such organs committed during the course of their duties. The settlement of complaints and claims shall reside under the competence of the courts.</p>	

Political Rights

**Art. 42. Khmer citizens shall have the right to establish associations and political parties. These rights shall be determined by law.**

**Khmer citizens may take part in mass organizations for mutual benefit to protect national achievements and social order.**

Art. 49. Every Khmer citizen shall respect the Constitution and laws.

All Khmer citizens shall have the duty to take part in the national reconstruction and to defend the homeland. The duty to defend the country shall be determined by law.

Art. 50. Khmer citizens of either sex shall respect the principles of national sovereignty, liberal multi-party democracy.

## Annex B. Code of Ethics for Social Development Non-Governmental Organizations and People's Organizations in Cambodia

### **1. Social development NGOs and people's associations are organizations:**

- 1.1. Whose purpose is to work in partnership with the people of Cambodia for the development of a society based on justice and equality;
- 1.2. Whose policy and outlook is determined independently from that of any donor or government agency;
- 1.3. That are not aligned with or affiliated to any political party;
- 1.4. That are not-for-profit organizations in that no profits of the organization are distributed for private gain;
- 1.5. Whose activities are carried out without discrimination on the basis of race, ethnicity, political loyalties, skin color, national origins, age, religion, handicap or sex; and
- 1.6. That operate within the laws of the Kingdom of Cambodia.

### **2. Through their programs, NGOs and people' associations**

- 2.1. Respect the dignity, values, history, religion and culture of the communities they serve;
- 2.2. Facilitate self-reliance, self-help, popular participation and sustainable development so as to avoid dependency;
- 2.3. Seek to strengthen the institutional and human resources of Cambodia;
- 2.4. Have, as their fundamental concern, the well-being of those affected by the program;
- 2.5. Seek to promote the advancement of the status of women and their empowerment;
- 2.6. Seek to ensure that any material assistance provided by them is appropriate and meets internationally accepted standards and is, if possible, purchased in Cambodia;
- 2.7. Seek to ensure that all development and relief assistance provided by them is guided and informed



by internationally recognized and professional standards; and

- 2.8. Are non-partisan in any advocacy, public policy and lobbying activities with which they are involved.

**3. Partnership and cooperation between NGOs and people's associations:**

- 3.1. Partnership between NGOs will be on the basis of equality and mutual respect;
- 3.2. International NGOs recognize that a long term commitment to Cambodia is necessary and aim, where possible, to rely on and develop Cambodian expertise and staff and to operate in partnership with Cambodian institutions (both governmental and non-governmental);
- 3.3. NGOs will share relevant project information with each other, will refrain from competing with each other, and will cooperate at the field to avoid duplication and disruption of each other's projects;
- 3.4. Funding partners will recognize and respect the independence and autonomy of recipient organizations and clarify and share their own development priorities with their partners;
- 3.5. All organizations will ensure that their relations with funding agencies are honest and above board. Under no circumstances will activities such as double funding for one plan, diverting resources to non-project related activities, overstatement of achievements or capabilities or distortion of facts be carried out or condoned by NGOs or people's associations.

**4. In their relations with the Royal Government, NGOs and people's associations shall:**

- 4.1. Strive to work in collaboration with the Cambodian people and government to rebuild the country and to improve the quality of life of the people;
- 4.2. Strive to create an atmosphere of mutual respect and openness based on the perspective that NGOs and people's associations are important components of any democratic society;
- 4.3. Coordinate with the different branches of government as is necessary in order to promote the interests of the communities they serve.

**5. Within their own organizations, NGOs and people's associations shall:**

- 5.1. Be governed fairly, impartially, and responsibly by an independent Board of Directors and its duly constituted Executive Committee;
- 5.2. Have non-violence as a foundation for all problem solving and conflict resolution;
- 5.3. Prohibit direct and indirect conflicts of interest by members of the Board, employees, or volunteers;
- 5.4. Conduct their affairs with integrity and truthfulness. Their activities shall be open and accessible to scrutiny by their donors, except for personnel matters and proprietary information;
- 5.5. Oppose and take no part in any wrongdoing, corruption, bribery, other financial impropriety, or illegal acts;
- 5.6. Recognize that all of their activities impact on the public perception of the community of NGOs and people's associations, and that they share a significant responsibility to enhance the public trust;
- 5.7. Provide avenues for individual growth and development of staff, particularly for Cambodian staff;
- 5.8. Provide just compensation and promote the rights and welfare of all employees;
- 5.9. Ensure the accountability of managers and leaders to their staff and members; and
- 5.10. Strive to promote participatory and democratic management practices.

This Code of Ethics was signed by more than 150 staff and representatives of NGOs at the NGO Fair in January 1997.

## Annex C. Outputs from the Workshop on Future Directions for Cambodian NGOs, 4 September 1998

Issue Clusters	What NGOs Should Do to Respond to these Issues	Resources NGOs Need to Help Each Other	External Resources NGOs Need
<p>1. Human Resources Development (networking, civil society, civic education, skills &amp; knowledge, economic inequality, literacy, advocacy)</p>	<p>NGO staff need to have their own capacity increased</p> <ul style="list-style-type: none"> <li>▪ Accept all ideas both negative and positive</li> <li>▪ NGOs need to have clear vision, mission, goals and objectives</li> <li>▪ NGOs should have proper structure</li> </ul>	<p>Participate in NGO forums which have common strategy to share experiences</p> <ul style="list-style-type: none"> <li>▪ Collaboration</li> <li>▪ Stronger NGOs to help improve the capacity, knowledge and skills of weaker NGOs</li> </ul>	<p>Learn how to write proposal on:</p> <ul style="list-style-type: none"> <li>▪ Aid assistance</li> <li>▪ Technical assistance</li> </ul>
<p>2. Health Education (domestic violence, child care, child development, disabled persons, reproductive health, AIDS)</p>	<ul style="list-style-type: none"> <li>▪ Provide health education through health educators and community education</li> <li>▪ Disseminate through radio, TV, posters, video, games, drama, comedy, etc.</li> <li>▪ Train people on disease prevention and care</li> <li>▪ Educate people to change their bad habits and destructive beliefs and practices</li> </ul>	<p>--</p>	<p>--</p>

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<p>3. Food Security (disaster/flooding, micro lending, skills &amp; knowledge, land issues)</p>	<p>Build small scale irrigation system</p> <ul style="list-style-type: none"> <li>▪ Repair existing irrigation system</li> <li>▪ Train farmers on appropriate agricultural techniques (farming systems, rice production, compost fertilizers, seed improvement, integrated pest management)</li> <li>▪ Animal production (feeding, care prevention and treatment)</li> <li>▪ Credit and grain banks, animal banks</li> <li>▪ Focus on the very poor</li> <li>▪ Home gardening</li> </ul>	<p>Technical skills and knowledge</p> <ul style="list-style-type: none"> <li>▪ Sharing experiences, exchange training experiences</li> <li>▪ Study tours</li> <li>▪ Secondment of staff</li> <li>▪ Information sharing</li> <li>▪ Cooperation and collaboration</li> <li>▪ Solidarity, support each other</li> <li>▪ Advocacy</li> </ul>	<p>Report and proposal writing</p> <ul style="list-style-type: none"> <li>▪ Technical training</li> <li>▪ Funding</li> <li>▪ Solidarity</li> <li>▪ Material assistance</li> <li>▪ Advisor (technical, management and advocacy)</li> <li>▪ Long term commitment and partnership</li> </ul>
<p>4. Relations with Government (advocacy, civil society, corruption, civic education, land issues, NGO neutrality, transparency)</p>	<ul style="list-style-type: none"> <li>▪ Ask permission from the Ministry of Interior</li> <li>▪ Contact involved ministries</li> <li>▪ Create and strengthen networking with NGOs in order to contact the government</li> <li>▪ Provide training on advocacy, democracy, human rights and the constitution</li> </ul>	<ul style="list-style-type: none"> <li>▪ Share experience with each other</li> <li>▪ Document, fund, and technical support</li> </ul>	<ul style="list-style-type: none"> <li>▪ Funding</li> <li>▪ Materials</li> <li>▪ Technical</li> <li>▪ Moral</li> <li>▪ Advisor</li> <li>▪ Support and management</li> <li>▪ Community participation</li> </ul>

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5. *Peace and Law Enforcement	--	--	--
6. Funding Issues/ Sustainability	<ul style="list-style-type: none"> <li>▪ Project design</li> <li>▪ Proposal development</li> <li>▪ Contacting resources, donors/funders outside the country</li> <li>▪ Mobilization of other resources</li> </ul>	<ul style="list-style-type: none"> <li>▪ Exchange experiences, fundraising, etc.</li> <li>▪ Develop standards of accountability and transparency</li> <li>▪ Develop indicators of program sustainability</li> </ul>	<ul style="list-style-type: none"> <li>▪ Stable financial resources for core and program costs</li> <li>▪ Consultations and technical assistance</li> <li>▪ Help develop and strengthen internal funding</li> <li>▪ Training institute (pagodas)</li> </ul>
7. Environment (land rights, disaster/ flooding, illegal logging, mines, local migration, irrigation)	<ul style="list-style-type: none"> <li>▪ Participate in policy development and implementation</li> <li>▪ Promote environmental rehabilitation</li> <li>▪ Provide environmental awareness to communities</li> </ul>	<ul style="list-style-type: none"> <li>▪ Environmental group networking, information-sharing, exchange case studies</li> <li>▪ Coordination/ collaboration on a larger scale (national, provincial, commune)</li> <li>▪ Sharing of technical expertise in the area of environment</li> </ul>	<ul style="list-style-type: none"> <li>▪ Technical</li> <li>▪ Funds</li> <li>▪ Material</li> <li>▪ Linkages</li> </ul>

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\* None of the workshop participants chose to discuss this issue cluster.

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8. *Gender Issues (women's literacy, women's rights, reproductive health, prostitution, women in crisis, domestic violence, child care, skills & knowledge, child rights, political awareness among women)	--	--	--
9. Human Rights Issues (women's rights, child rights, child trafficking, land issues, refugee issues)	--	<ul style="list-style-type: none"> <li>▪ Coordinate with other organizations to get information on the abuse of human rights, children and women</li> <li>▪ Collaborate with human rights, child and women organizations to form a group to solve the abuse of power</li> </ul>	<ul style="list-style-type: none"> <li>▪ Transportation, telephone, training budget, human rights activists, networking in village and communes, etc.</li> <li>▪ Need budget to help victims go to the hospital, buy medicine, and offer food during a limited period of time</li> </ul>

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