

**FORMAT 3:  
PROJECT COMPLETION SHEET<sup>1</sup>**

104.Cambodia.1.MRD.27

File Number

**1. BASIC PROJECT DATA**

Country:	Cambodia			
Name of project	Support to Improved Access to Information			
Budget account number <sup>2</sup> :				
UMF account number:				
Purpose code <sup>3</sup> :	172			
Project period:	Planned	01/01/2011- 31/12/2011	Actual	01/01/2011 - 31/12/2011
Total Danida contribution (DKK)	Planned		Actual	
Date of agreement:	18/02/2011			
Date of project end:	31/12/2012			
Project manager:	Sinthay Neb/Micheal Engquist			
All national partner organisations (incl. local government):	The Advocacy and Policy Institute (API)			
Other development partners (donors):	Brithish Embassy, EED, ICCO, TAF, UNDEF			
Date of completing PCR:	31/01/2012			

<sup>1</sup> Project Completion Sheets are prepared for projects where the Danida contribution is less than DKK 5 million.

<sup>2</sup> Budget account number is 'finanslovskonto' in Danish.

<sup>3</sup> The five-digit purpose code specifies the Development Assistance Committee (DAC) code.

## 2. FULFILMENT OF PROJECT OBJECTIVES

*Assess the extent to which the project has achieved its objectives as defined in the project document, and discuss the contribution by Danida to achieving the objectives*

<i>Objectives</i>	<ul style="list-style-type: none"> <li>• Promoting access to information by encouraging open dialogue and increasing the disclosure of public information in the eight target communes.</li> <li>• Increasing support for the access to information campaign by strengthening networks to mobilise, support and build the capacity of civil society organisations, the media and the private sector.</li> <li>• Coordinating and supporting advocacy campaigns for the passage of an Access to Information Law and the development of a policy framework and action plan for its implementation.</li> </ul>
<i>Rating<sup>4</sup></i>	a <input type="checkbox"/> b <input checked="" type="checkbox"/> c <input type="checkbox"/> d <input type="checkbox"/>
<i>Assessment</i>	<p>1. Increased commune council capacity to disclose public information, especially related to natural resources, and demanding information from district councils to enable councillors to undertake their duties more effectively.</p> <p>To ensure the Commune Councillors in six communes have the ability to disclose information to citizens and demand information from district councils, a set of activities were suggested to them. These included: capacity building of the sub-national administration's roles and responsibilities, raising awareness of the right of access to information, information management and documentation. These activities took the form of both materials and technical support on the best ways to articulate information to citizens. The knowledge of Commune Councils and relevant stakeholders increased: on average, 57% of 84 respondents participated in an access to information workshop and now clearly know what kind of information they can disclose and access. All the commune councils' note books for information flow in six communes are functional, the minutes and achievement of activities in 2010 and 2011 are well documented and publicised. They confirmed that access to information is very important for their community as it allows them to learn useful information, make the right decisions and participate in development projects. Some participants said that it could help them to see the wrong doing of the authorities while some Commune Councillors said that it helped them to understand the concerns of the community regarding development plans and respond to them accordingly. These achievements contributed to the following results:</p> <ul style="list-style-type: none"> <li>• 70% of commune councils in target communes have re-set and improved their filing systems as well as displaying information and a list of available services. A</li> </ul>

<sup>4</sup> The assessment system has the following categories:

- a. *Very satisfactory*: No need to adjust plans and strategy.
- b. *Satisfactory*: Minor problems may arise and small adjustments may be necessary.
- c. *Less satisfactory*: Adjustments to plans and/or strategy are necessary.
- d. *Very unsatisfactory*: The sustainability of the activities is questionable. Major adjustments/re-organisations will be necessary in a possible new phase or in the follow up by partner organisations.

visitor to the Sethey commune said that he had never seen a commune have materials, documents, and be in a clean state like the Sethey commune. The commune financial reports and minutes were kept in a public cabinet, which is accessible at any time whilst the commune hall is open.

- 80% of Commune Councils were able to mobilise relevant resource persons to clarify and respond to the concerns of the community with regard to natural resource management and protection. 65% of commune councils in cooperation with relevant stakeholders articulated information related to natural resource protection and management to community people through meetings, fishery day and right to know day. However, people expressed: “such information is available in the relevant departments not in the commune hall.”
- 80% of commune councils have requested the information from district and provincial levels regarding contracts on water supply, the price to charge when selling goods in the market, information on air and water pollution and road construction. These contracts have been confirmed from District and Provincial levels (after a long waiting period) and were articulated to the public as soon as the Commune councils received notification.

2. Strengthened and increased access to information, public participation and interaction among commune councillors, government line agencies and local communities.

To increase access to information and public participation at the commune level, access to information tools and forums were offered by incorporating access principles to commune frameworks and encouraging the Commune Councils to organise forums to solve commune issues. These forums also regularly disseminate information to citizens and outreach activities. It was founded with the following results:

- Community people increased their understanding about and exercised their rights of access to information with their Commune Councils. In 2011 on average, 5 to 8 people per day in the existing six target communes, approached commune offices to seek commune information. Commune Councillors demonstrated to be proactively disseminating information even when there was no demand from their citizens. 60% of all community people in six communes who participated in the A2I campaign received a lot of information regarding: commune investment plans and achievements, commune services, vehicle taxation, election registration, education registration, health care, natural resource information. Only 30% of NRM CBOs demanded natural resource information from the commune councils through meetings. Around 26% of the community directly received NRM information regarding: land law, air and water pollution, climate change, forestry and fishery conservation and protection from different events such as the right to know day, fishery day, information disseminating meetings and forums.
- 49 CBOs representatives and community people were given space to express their concerns through commune events including meetings, workshops, and

public forums. More people increased their contribution and input into the Commune Investment Plans for 2011 and 2012, with their proposal/concerns incorporated. 67% of issues regarding natural resources management and transparency issues were solved including reducing the number of illegal fishing and logging cases, and corruption. It was confirmed that people paid from 0-8000 Riels where previously they were charged 0-30,000 Riels for a civil certificate registration. However, this is still higher than the regulation which is from 400-4000 Riels. Child delivery services were reduced from 120,000 to 50,000 Riels while regulation states the cost at only 30,000 Riels. This indicated that people keep monitoring and dared to question sensitive information from the local authorities where previously they kept silent. Commune Councils have taken more accountability than the other local authorities.

- People were satisfied with the responses of Commune Councillors (CCs) especially the action taken by those who demanded information from the provincial level regarding investment contracts and other relevant information to release to the public. Interaction and relationships amongst the authorities and the community representatives on issues resulted in a mutual understanding. The commune councils, district representatives and relevant cantonments took action to solve problems. These responses built trust between citizens and elected representative as well as district councils, which contributed to an increase in public participation, people's livelihood and people's access to education and health services. Gambling and gangster crime was reduced as well as illegal fishing and logging cases.

3. Improved NGO cooperation leading to increased support for advocacy campaigns.

To support an Access to Information advocacy campaign, a series of activities were carried out at a national level including; mobilising the NGO network and media to promote access to information, capacity development of NGO networks, and leading the FOIWG to analyze the Access to Information law. The following results were achieved:

- A new fishery sector network "Fishery Action Coalition Team (FACT)" partnered with API to promote Access to information on fishery issues. They joined hands to promote access rights by integrating an access to information agenda in the celebration of Fishery Day.
- A group of NGOs working on a political finance campaign incorporated the access principle.
- A legal analysis on access to information policy framework was produced by a group with legal backgrounds from the Access to Information (A2I) Working Group in consultation with civil society organisations, the media, private sector, political parties, local and national government. The Ministry of National Assembly-Senate Relation and Inspection (MoNASRI) intended to finalise their access to information policy framework before submitting to Council of Ministers. In the meanwhile, the proposed law on access to information was

analysed by API and Article 19 and recommendations were submitted to the government as well as publicised in local and international areas. Additionally, the FOIWG group is developing an access to information law, which is expected to be the foundation document for the government when they step forward to draft the Cambodian law on Access to Information.

- 88 articles and 23 radio talk shows on the importance of access to information were publicised via 16 local and international mass media outlets. The Cambodian media came together to celebrate the Press Day by raising awareness about the challenges of the media as well as demanding an access to information law for development and free flow of information. H.E. Khiev Kanharith, Minister of Information Ministry supports an access to information law in Cambodia and added that the government has been going to establish a mechanism to make information easily accessible by creating public communication roles at the sub-national level. So far the regulation is established. The Cambodia Institute for Media study expressed their great interest through the Cambodian Daily in seeing a law on access to information in Cambodia. It called for the law to be passed because it will not only benefit the above group it will also help the government to promote transparency, good governance and social accountability, which are deemed the best weapons to fight corruption in Cambodia.

4. Increased public dialogue on access to information to support the passage of an Access to Information Law.

To support the passage of access to information, a set of activities have been carried out including lobbying and meeting the policy makers, consulting on policy framework with civil society and the government and developing policy papers on access to information. This is demonstrated by the following:

- 64 of 184 (30%) senators and Members of Parliament support the need for an access to information legislation and the need for more information disclosure. Positive indications from the government have also been observed to promote transparency, particularly, a regulation on disclosing all public service information.

- The Ministry of National Assembly-Senate Relations and Inspection (MoNASRI) engaged with API along with the Freedom of (Access to) Information Working Group and UN agencies (UNDP, UNESCO and UNOHCHR) to lobby and to discuss the future cooperation with MoNASRI to move forward on an access to information policy framework and/or law. They demonstrated the will to support and finalise the access to information policy framework.

Recommendations for Access to Information policy were made for MPs to discuss and take actions to develop an access to information law and to enforce the existing Cambodian legal provision on information disclosure. They were published and submitted to Members of Parliament from both houses for their

internal technical review. A group with legal backgrounds from the FOI working Group and interested organisation analysed and reviewed the access to information policy framework while the Ministry of National Assembly-Senate Relation and Inspection (MoNASRI) intended to finalise their access to information policy framework before submitting to the Council of Ministers. The recommendations for this policy framework were produced in consultation with civil society, the media and the government during the Access to Information National workshops held in cooperation of UNDP, UNOHCHR, UNESCO and FOI working group on 8 April 2011 with 143 participants from the Senators, the administrative branch, political parties, local and international organisations, donors, embassies, media, private sectors and effected people. The recommendations have not been submitted to MoNASRI as yet due to MoNASRI taking no action to move forward on this. API still maintains and continues its strong support of the existing working groups; CSLG and FOIWG, in building strong communication and networks within the two houses, government officials and other relevant institution that continue to push for the passage of the Access to Information law. 78% of the 108 government officials and members of civil society (senators, provincial governors and officials, District and Commune Councillors, civil society organisations and community people) in the Kampot province understand that the existing legal framework related to the area of work provides better information disclosure and some access principles. More than 90% of 143 of national stakeholders representing 99 institutions who participated in A2I access to information workshop expressed their support of civil society to push for an A2I policy framework to ensure the need for transparency and the realisation of citizen's rights as spelled out in the Cambodian Constitution, however the proposed law by Members of Parliament from the opposition political party was not successfully passed due to the limited voices of the opposition political party in the National Assembly and the quality of the technical contents. Three responsible commissions of the National Assembly led by H.E. Mr. Pen Pangna, a chairperson of the 6th Commission, H.E. Ms. Khoun Sodary, a chairperson of the 1st Commission and H.E. Mr. Chheang Vun, a Chairman of the 5th Commission with all members of Commission and two Government Representatives from the Ministry of Information and Ministry of National Assembly, Senate Relations and Inspections were responsible and reviewed the proposed law on access to information.

- Increased willingness and the action of the some members of parliament to demand for access to information. Members of parliament who proposed the access to information law are committed to resubmitting the second proposed version after making improvements based on the recommendations from the National Assembly and NGOs Freedom of (Access to) Information Working Group. This is expected to mobilise more support and voices from members of parliament from different political parties who indicated their interest. They also keep raising these issues during public debates.

### 3. LESSONS LEARNED

1. It was found that access to information through open meetings effectively contributes to commune development processes. The local authorities were satisfied with the commune forums because they see it is one of the mechanisms to reduce and solve problems rather than increasing them. Particularly, the CCs in Kirivoan expressed: “the commune forum is a means for me to get updated information from the community. It can reduce rumours and help my community to understand the development processes”. The CCs in Svay Rumpea commune stated that after the forums have taken place, more and more people participate and contribute resources in the commune development process. Budget contributions from the community for a school building increased as they learnt how the budget would be allocated.
2. Good collaboration with specialised offices as well as an invitation to expert guest speakers to the commune forums is an effective way to respond to the needs of the people.
3. There is no formal system or mechanism that exists for providing information at the sub-national and national levels. People are unaware of their rights, have a reluctance to request sensitive information which as a result has a negative effect on the preconditions for citizen participation in public discussions on local policies and practices.
4. Public hearings on critical issues that affect the community gave a space for problem solving and brought the local government close to the people which built trust in the development process. The systematic and strategic interventions from the local government need to be in place and policy improved.
5. Most Members of Parliament and the Government have limited knowledge and experience on an Access to Information law and are not well informed of its status. It was great that civil society organisations met with Members of Parliament to update them about access to information in Cambodia. It would be beneficial if civil society organisations to analyse the existing policies/laws relevant to access to information, research the best practices and the need of access to information in Cambodia to prove that strong action will be taken on this.
6. The commissions of National Assembly, Senate and the Members of Parliament showed their openness to consider recommendations from civil society and strong commitment to push for the A2I law if three qualifications are met: 1.) political will, 2.) having expert advice and 3.) having enough budgeted to ensure the law is addressed. Government and MPs expect and require financial and technical support from the Development Partners and/or civil society organisations to finalise policy framework or to propose an access to information laws with international standard. Throughout discussions with both the Parliament and government officials, API and the UN agencies viewed and acknowledged that the Minister of Information Ministry is a key to the advancement of the access to information law. The MoNASRI has limited knowledge on access to information and they only act because the government officially assigned them to do the job.
7. An absence of legal framework for access to information means serious restrictions are placed on freedom of expression.

### 4. DOCUMENTATION

*List all relevant documents prepared during the lifespan of the programme (details in annex).*

<b>Title</b>	<b>Date</b>	<b>Where to be found</b>
<i>1. Progress report</i>	<i>01 January 2011- 31 June 2011</i>	<i>API office/ DANIDA office</i>
<i>2. Progress report</i>	<i>01 July-31 September 2011</i>	<i>API office</i>
<i>3. Annual report</i>	<i>01 January - 31 Dec 2011</i>	<i>API office</i>
<i>4. Assessment report on the status of A2I in commune level.</i>	<i>December 2011</i>	<i>API office</i>
<i>5. Activity reports</i>	<i>01 January - 31 Dec 2011</i>	<i>API office</i>
<i>6. National workshopt on access to informaiton with Parliament members, government, private sector on the need of access to information law in cambodia.</i>	<i>04 April 2011</i>	<i>API office</i>
<i>7. Memorandum On the Draft Law on Access to Information of Cambodia by Article 19 and API</i>	<i>June 2011</i>	<i>API office</i>

## **ENDORSEMENT<sup>5</sup>**

Ambassador/Head of Department *(name)*

*(date)*

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<sup>5</sup> A paper version with the signature is filed in the Representation, while an electronic version (including names and dates of signatories) is uploaded in the Programme and Project Data Base (PDB).