



OXFAM-MONASH PARTNERSHIP: ACCOUNTABILITY SERIES IV

CONSTRAINING AND ENABLING FACTORS WORKING ON ACCOUNTABILITY IN CAMBODIA

When deciding on strategies to employ to demand accountability from decision makers, community members often lack vital information about which decision makers are in charge of the decisions that most affect them, and the benefits and risks entailed in possible efforts to influence these decisions. NGOs can provide communities with important sources of information and analysis. Because of restrictions on civic freedoms in Cambodia, this information is particularly important. The timing of campaigns in

relation to electoral cycles, opportunities to gain the support of international investors and attract media attention were all important factors influencing the relative success of the cases considered in our study. Existing understandings of accountability and the ability to build widespread and sustainable involvement of community members in campaigns further influenced degrees of success. NGOs can help communities analyse shifting political climates and opportunities.

INTRODUCTION

Limited civic freedom in Cambodia continues to reduce the ability of citizens to participate in or influence crucial political decisions that change the course of their lives and livelihoods. The concentration of power, wealth, and opportunities in the hands of a small number of closely aligned elites, together with a willingness by the government to use authority of different types to protect the interests of these elites, presents considerable challenges to those demanding greater governmental and bureaucratic accountability.

These are not the only constraining factors for those attempting to foster greater accountability in Cambodia, however. Existing community beliefs and practices surrounding accountability and the extreme livelihood vulnerability of many citizens also limit the possibilities for effective fostering of accountability. This paper explores the enabling and constraining factors for community-centred accountability strategies in Cambodia, looking first at constraints in the form of lack of civic and political freedoms

and the centralisation of government power, before turning to the role of livelihood vulnerability, community beliefs and practices, and geographical location. Finally, the analysis considers potential enabling factors for accountability work drawing on examples of community capacity, international investment, party politics, and the role of the media.

While well placed to analyse these external constraining and enabling factors in Cambodia,

NGOs are not always well placed to influence them. Therefore, approaches to fostering accountability need to be flexible—recognising that, in certain contexts and moments, shifts in power structures and decision-making processes may be unlikely, while at other times there may be “windows of opportunity”. The ability to expand, or contract, the scope of accountability strategies according to the prevailing environment is crucial.

CONSTRAINTS ON CAPACITY TO DEMAND ACCOUNTABILITY

In order to effectively assert accountability, citizens require substantive capacity to access information about bureaucratic and political decisions that affect them. Likewise, the capacity of citizens to influence government decision making through lobbying, participating in government hearings, and consultation processes, or formally appealing government decisions that adversely affect them, is often an important aspect of accountability.

The capacity of citizens to question and criticise decision making of government, bureaucracies, and the judiciary in public forums or media is also often an important precondition for accountability. Restrictions of freedom of political speech and freedom of information, coupled with limits on rights of administrative appeal and judicial review for citizens, were recurring themes of our research.

CONSTRAINTS	ENABLERS
<ul style="list-style-type: none"> • Limits on freedom of information about government decisions • Limits on the capacity of citizens to influence government and participate in decision-making processes • Limits on freedom of information about government decisions • Limits on the capacity of citizens to influence government and participate in decision-making processes • Limits on freedom of political speech • Poverty and vulnerability heightens lack of capacity to demand accountability • Fear and lack of faith in government accountability undermined active citizenship • Geographical isolation 	<ul style="list-style-type: none"> • Internal capacity of communities • Established long-term partnerships with NGOs • Ebb and flow of party politics and elections shifting norms of decision-making • The role of media • The influence of investors

LIMITS ON FREEDOM OF INFORMATION ABOUT GOVERNMENT DECISIONS

Especially in cases where major government-supported projects threatened communities, lack of government transparency hampered the capacity of citizens to make decisions about their lives. For example, citizens in the Lower Sesan lacked accurate information about whether they would have to move and where they would be moved to following the building of the dam. Lack of transparency also stopped citizens from being able to contest the accuracy of calculations of compensation in the Lower Sesan case. When companies collected information about local communities—in order to establish compensation levels for those affected by the Lower Sesan dam—in some cases the information was only recorded in Vietnamese language. This meant that the information could not be verified by local community members and leaders.

Worse, even, in the Lower Sesan and Boeung Kak Lake cases, some government and company officials used out of date information or mistranslated the information in order to undermine resistance to development projects. In Boeung Kak, authorities initially stated that only households living on the lake, and not on land around the lake, would be evicted. Yet as the project continued, those with property on land also began to be evicted. In Lower Sesan, thumbprints of villagers who were opposed to the construction of the dam were collected by community groups. Yet when the thumbprints were presented to the company, company representatives argued that they were thumbprints in support of the dam.

LIMITS ON THE CAPACITY OF CITIZENS TO INFLUENCE GOVERNMENT AND PARTICIPATE IN DECISION-MAKING PROCESSES

In all case studies the centralised nature of government decision-making power was a major constraining factor. While the Cambodian government has undertaken decentralisation reforms, these cases revealed that local authorities and communities were seriously constrained in their capacity to influence decision-making that affected them. A staff member from a local NGO reflected on why there have been failures in programs to foster accountability, saying it is “because of the context in our country—they call it ‘decentralisation system’...[but] it’s not yet successful”.¹ Importantly, decentralisation reforms have not served to devolve significant decision-making power to lower levels.

As described in the other papers in this series, local authorities often assumed that the commune or village

level of government was unable to influence higher-level government decision making on development issues. In relation to the Lower Sesan 2 dam project, a senior staff member of the fisheries department in the area said that before the project was approved, there had been no consultation with his department. Even though the impact of the dam on fisheries would be considerable, he heard about the dam’s approval on television news.² Despite the need for formal “sign off” of decisions at the lower levels of government, often the district or commune level staff felt they did not have any material influence. At other times, formal processes were openly disregarded. In one commune in Kratie, local logging commenced despite local commune chiefs not having signed the logging agreement.

LIMITS ON FREEDOM OF POLITICAL SPEECH

There were also many examples of intimidation from authorities after citizens had publicly questioned government decisions or the impact of government sanctioned company behaviour on community livelihoods and well-being. This curtailing of civic freedoms was in some cases overt—for example in arrests of activists in Boeung Kak, or in threats to community members in Lower Sesan who were then forced to flee to another province. NGOs responded to intimidation in subtle ways. Staff from one NGO changed the name of their advocacy meetings to “round table discussion forum”. The lack of civic freedoms meant that NGOs needed to use, as one program officer concluded, “soft words”.

Though the civic campaigns we studied had nothing to do with party politics, community leaders were often cautious about associating their demands of government with opposition party politics. One community leader in Lower Sesan suggested that the government often attempted to undermine advocacy activities. This made it challenging for him to mobilise people for events related to the Lower Sesan 2 dam project.

POVERTY AND VULNERABILITY HEIGHTENS LACK OF CAPACITY TO DEMAND ACCOUNTABILITY

There were significant challenges within communities to the uptake of new ideas and practices of accountability. Most obvious was that in all case studies, community members often faced considerable livelihood vulnerability. A common theme amongst villagers and leaders was that community organising, which was at the heart of all efforts to heighten accountability, was time consuming. Facing challenges to their own livelihoods, community members often lacked time to commit to meetings or advocacy activities. Moreover, many community

members were particularly vulnerable in the face of government or company intimidation, possessing few reserves to fall back on in case of arrest—or as for example for residents of Boeung Kak lake—poor compensation outcomes. It can be very challenging for NGOs and local community leaders to mobilise community members toward time consuming advocacy work, or even greater participation through community meetings, if their basic livelihoods are insecure.

FEAR AND LACK OF FAITH IN GOVERNMENT ACCOUNTABILITY UNDERMINED ACTIVE CITIZENSHIP

With the exception of community leaders in Boeung Kak, local community members and leaders often expressed their concern that demanding rights from government would undermine the ability of the village to protect itself—due to the risk of backlash from the government or companies. There was little confidence that local action could influence higher-level decision-making. As noted in Paper One of this series, part of the challenge to changing systems of accountability is the entrenched nature of community beliefs and practices that serve to support current personalised and paternalistic systems of local governance. Acting outside of established patterns of deference to authority, for example through protest, entails significant risk in a context where individuals and their families are already vulnerable.

Geographical influences were important not only in explaining variation between cases, but also within them. In the Oxfam program villages, community members reported that those living on the edges of the village were much less likely to receive information or be involved with community organising. Meanwhile, engagement with commune level leaders varied according to opportunities for personal interaction. In villages where commune council members lived, or villages close to commune offices, there was greater interaction between community members and local authorities and deeper understanding of local issues, while in more geographically distant communities this connection was more limited.



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ENABLING FACTORS FOR DEMANDING ACCOUNTABILITY

Due to the various constraints outlined above, the odds are often stacked against citizens attempting to assert accountability for decisions that affect their lives. Yet this does not mean that there are not also enabling factors, and “windows of opportunity”, that can facilitate accountability work. In particular, while we have suggested that existing community beliefs and practices can be a constraining factor, the internal capacity of communities—through their solidarity, organisation, and connections—can also be a significant enabling factor. For example, despite some community tensions that have been noted in this series of papers, the Boeung Kak community showed remarkable resilience and solidarity in their long-term campaigns for land concessions or improved compensation. Across all the cases, strong local decision-making structures existed within communities—for example through village development committees or rice bank committees. These committees often had relatively strong participation from women, mobilised broad engagement of the ideas and commitment of local residents, and enjoyed the trust of many community members.

Where they exist, established long-term partnerships with NGOs were shown to be important enabling factors—allowing communities to engage in valuable exchanges of ideas or knowledge, and connect with wider networks outside their communities. For example, the Oxfam development program had worked with many of the communities for more than a decade, enabling strong connections of trust and sharing of information and ideas. Taken together, local community capacity—encompassing solidarity, organisation and external connections—can be a significant enabling factor for accountability work.

As highlighted earlier, party politics in Cambodia can be a constraining factor on efforts by NGOs and communities to demand accountability at different levels of government, with government able to frame any advocacy efforts as “party politics” rather than legitimate concerns from communities affected by

government projects. Yet the ebb and flow of party politics and elections can also bring opportunities for shifting norms of decision-making. Any explicit association with “party politics” was in most cases avoided by community leaders and activists in the cases studied.

At least in urban areas, the role of media was also shown to be an enabling factor for accountability work. Where there are considerable constraints to raising citizen voice in Cambodia, the pervasiveness of local media and social media, particularly in the Boeung Kak case, was crucial in gaining the attention of other citizens, international governments, UN agencies and local authorities about the campaigns.

Finally, investment in Cambodian development projects is often from international sources, meaning that external accountability mechanisms can be drawn on. In the case studies we examined, international investors ranged from financial institutions such as the World Bank, to Vietnamese and Chinese companies. These investors all have their own specific reputational and organisational vulnerabilities. The example of Boeung Kak Lake and appeals to the World Bank demonstrated that international norms can be drawn on in campaigns for better concessions. Meanwhile, an international NGO worker who was involved with Boeung Kak Lake campaigns claimed that activist pressure on Chinese company Erdos—which had particular reputational vulnerability in China due to recent changes in laws on forced eviction and its retail presence in the West—may have been significant in gaining land concessions from the Cambodian government.⁴ The government remains in a powerful position to accept, or reject, the approaches of international investors. And between different kinds of investment, for example between the World Bank and Chinese company Erdos, particular vulnerabilities may contrast significantly. Yet the influence of investors sometimes remains an important enabling factor in accountability work.

CONCLUSION

Critics of Cambodia's governance frequently point to the constraints of lack of civic freedoms and the centralisation of elite political and economic power. This study echoes that analysis, revealing extremely limited progress toward decentralisation of government power to commune and district level. This study also revealed constraints located within communities: livelihood vulnerability limited the ability of community members to become more engaged in community organising activities, and there was widespread lack of confidence that elite decision-making power in Cambodia could be shifted. Despite these entrenched constraints, the cases also highlighted some enabling factors for accountability work through existing community capacity, party politics, the role of media, and international investment.

How NGOs working on accountability in Cambodia understand and respond to these constraining and enabling factors is crucial. NGOs are well placed to analyse these factors, though they may not always be well placed to influence them. For example, the challenge of limited civic freedoms in Cambodia is significant, yet is unlikely to change without considerable macro political shifts. The decision to engage in campaigning involving public advocacy and protests that challenge elite government power structures will involve an assessment of the risks that community members will face.

Our case studies show that there are contexts—for example with involvement of particular investors in a development project, or when an issue gains media traction—where it may be possible to connect local level community voices with high-level decision makers and influence subtle shifts in elite decision making.

ENDNOTES

- 1 Lower Sesan case interview, February 2013
- 2 Lower Sesan case interview, November 2012.
- 3 Oxfam staff, Oxfam integrated community development case, 23 May 2012.
- 4 Boeung Kak case interview Aug 2012

THE OXFAM–MONASH CAMBODIA COMMUNITY DRIVEN ACCOUNTABILITY PROJECT

Oxfam worked with Monash University on a 3-year research project in Cambodia, studying communities impacted by development projects, including large scale projects such as dams and urban infrastructure. The research team was hosted by Equitable Cambodia who provided valuable assistance. The research focussed on three case studies: communities around Boeung Kak lake in Phnom Penh, who are known for their activism to keep their homes and land in the face of a luxury urban development project; remote villages situated along the Mekong River in the provinces of Kratie and Stung Treng who were part of the Oxfam integrated community development project; and villages in Sesan district who faced imminent resettlement as the Lower Sesan 2 dam project

moved ahead. There are four briefing papers in this series exploring different dimensions of accountability work in Cambodia: understandings of accountability; strategies and impact of attempts to foster and demand accountability; enabling and constraining factors for accountability work; and reflections on what explains differences in strategies and impact of accountability work across contexts. In these reports accountability refers to the responsiveness of decision makers—whether in government, companies, or the non-profit sector—to the voices of people affected by those decisions.

Research for these reports was concluded in late 2014 and the analysis and findings reflect the status of the case studies at this point in time.

ABOUT THE AUTHORS

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