



OXFAM-MONASH PARTNERSHIP: ACCOUNTABILITY SERIES I

HOW DOES CONTEXT INFLUENCE ACCOUNTABILITY STRATEGIES AND THEIR IMPACT?
THREE CONTRASTING CASE STUDIES OF ACCOUNTABILITY IN INTERNATIONAL DEVELOPMENT.

This paper introduces the three case studies of international development projects explored through this research, and describes the very different contexts of the three cases, illustrating the crucial importance of carefully considering context when designing accountability strategies. Discussion explores the impact of different contextual factors including the degree of threat to communities, the connection of projects

to elite political or economic interests, power differentials, geographical distance from media and government, and poverty and livelihood vulnerability amongst communities. Such varying conditions give rise to different possibilities for fostering accountability. What may be possible in one particular moment, or location, or development project, may not be possible in another.

INTRODUCTION

This paper introduces the three case studies of international development projects explored through this research, and describes the very different contexts of the three cases, illustrating the crucial importance of carefully considering context when designing accountability strategies. Discussion explores the impact of different contextual factors including the degree of threat to communities, the

connection of projects to elite political or economic interests, power differentials, geographical distance from media and government, and poverty and livelihood vulnerability amongst communities. Such varying conditions give rise to different possibilities for fostering accountability. What may be possible in one particular moment, or location, or development project, may not be possible in another.

BOEUNG KAK LAKE

Boeung Kak is an area in Khan Daun Penh and Khan Toul Kork centrally located in the capital city of Cambodia, Phnom Penh. In 2005, residents living on and around the lake were informed that the area was going to be redeveloped. There was initial support for this redevelopment, as many community members initially believed that it would lead to improved services in the area, and greater security over their land. Importantly, during this period the World Bank supported a Land Management and Administration Project (LMAP) in Cambodia, which was designed to establish a system for land title, including issuing titles to existing landholders and resolving disputes. However, the land claims made by residents from Boeung Kak under this project were rejected in early 2007 on the basis that the land was part of a “development zone”.

At the same time, the Phnom Penh municipality entered into a lease with a private developer, Shukaku Inc—which became a joint venture between a Chinese company and a Cambodian company

chaired by a senator of the ruling Cambodian People's Party in early 2011. The 99-year lease covered the entire 90-hectare lake plus a further 43 hectares of surrounding land. The developer's plan was to fill in the lake and build a luxury apartment and office precinct on the site.

Work began at the site in August 2008 and the lake began to be drained and filled with sand. Households received formal eviction notices between 2007–2009, offering them either cash compensation, relocation to a resettlement site outside Phnom Penh or temporary resettlement and housing in the new developed site after it was completed. While some residents accepted some form of compensation, many refused to leave and soon evictions were forced as homes were flooded.

Supported by NGOs, activist leaders and many community members began a protracted, and increasingly high profile, campaign to seek better outcomes for the residents of Boeung Kak. Given



A set of loud hailers in preparation for a protest against the Boeung Kak Lake area.
Photo: Pol Touristwww

imminent threat to communities, NGOs and activists often took a confrontational approach to advocacy. The campaign, at times, used strategies that operated outside formal mechanisms or procedures including street protests, which resulted in the arrests of many prominent female activist leaders by Cambodian police. On the other hand, advocacy strategies also involved formal institutional mechanisms for claiming citizen rights—through the Cambodian courts, and via formal claims to the World Bank Inspection Panel that the World Bank had failed to comply with its safeguard policies by not adequately appraising and supervising the Cambodian government's Land Management and Administration Project, which it had supported. After a review from the World Bank Inspection Panel, the Bank admitted responsibility for inadequate safeguarding of resident rights and demanded that the Cambodian government meet its obligations to Boeung Kak residents under the loan agreement concerning displacement. It also offered resources for the proper resettlement of the

communities. According to interviewees to our study, the World Bank also changed its investment and loan policies after the Inspection Panel decision and the controversy around the World Bank's connection to the displacement of Boeung Kak lake community members.

Failing to gain cooperation from the government, the World Bank placed a moratorium on all new lending to the country in August 2011, freezing some \$180 million in pipeline loans. A week later a concession of 12.44 hectares of land around the lake was granted to Boeung Kak residents and over the course of the next two years, some 650 remaining families were granted land titles. This was a significant concession resulting in a \$24 million parcel of land being removed from a powerful developer and given back to the poor families who owned it. It was an unprecedented victory in any land rights struggle in modern Cambodian history. On the other hand, it benefited only a fraction of the original 4000 families who had been living on and around the lake.

LOWER SESAN 2

Lower Sesan 2 dam is the largest of the planned hydropower projects in the Cambodia part of the 3S basin—which is the river basins of the Sesan, Srepok and Sekong rivers in Cambodia's northeast. The proposed dam will be located on the Sesan River 25 km upstream from the provincial centre of Stung Treng. Although the project does not directly impact any protected areas or wildlife sanctuaries, an environmental impact assessment found that it will have considerable impact on the biodiversity of the area, and on fish stocks and the quality of water.

The dam will cover an area of approximately 335 square kilometres, and will displace almost 5000 people from villages in the area and impact tens of thousands of people downstream. Many of the affected community members are from ethnic minority groups. At the time of this study there was some uncertainty about the scale of the dam and which villages would be forced to relocate. Plans for relocation were also uncertain, with a range of potential sites being discussed. At the time our study concluded, the only certainty in the public fora was that the dam was to be built and plans were well underway. However, there was little transparency about details.

Affected communities, with the support of NGOs, have engaged in long term advocacy campaigns.

Some have pursued efforts to gain better compensation and relocation conditions, while others have sought to stop the dam project itself. There have been contrasting advocacy strategies from NGOs and communities. Some groups have taken confrontational approaches—though of a less direct kind than those adopted in Boeung Kak. For example, communities in Lower Sesan organised a river spirit ceremony to raise awareness of dam issues, as opposed to protesting directly against authorities. Meanwhile other groups have taken a more engaged approach to advocacy, attempting to liaise with government to improve the conditions of community resettlement and compensation. Another relevant dimension of the context of Lower Sesan region was that some community members were supportive of the opposition Cambodian National Rescue Party, which had achieved success in one commune in the previous elections. This complicated accountability tactics in some respects, providing the government with the opportunity to raise doubts as to whether the campaign was politically motivated.

In contrast to the urban Boeung Kak case, Lower Sesan was a case where rural, ethnic minority communities faced an uncertain threat to their communities, and lacked widespread media or international attention.

OXFAM INTEGRATED COMMUNITY DEVELOPMENT PROGRAM

Since 1993, Oxfam has implemented an integrated community development programme in Cambodia—an approach originally developed to address the basic needs of rural communities who had experienced years of conflict, trauma, and displacement. The first project was set up close to Phnom Penh in 1993, but as security improved, the programme expanded to remote areas in the northeast of the country, to Kratie province in 1995 and Stung Treng in 1997 and was a common approach throughout the region. Some communities faced uncertain and distant threats such as that posed by the proposed Sambor dam project. In some cases, land concessions granted to commercial agricultural interests reduced community access to established parcels of land. Yet in the majority of cases, in contrast to the Boeung Kak and Lower Sesan cases, the villages involved in the project in these provinces did not face large scale threats to their villages and farmland. Importantly, over time the objectives of the Oxfam project shifted, from focussing mainly on livelihood-related goals, toward an increasing emphasis on accountability and rights.

The Oxfam programme adopted a system where the activities were designed and implemented by communities with the support of Oxfam and government counterparts at district level. Along with tangible development outcomes, the aim of the project was to facilitate interaction between the local authorities and communities—strengthening community access to government services and decision-makers and enabling the local government to have an improved understanding of the needs of rural communities. To achieve this, local government staff counterparts were involved directly in the program,

with Oxfam providing part of their salary, providing technical support and facilitating their involvement in all stages of the project implementation.

The program emphasised bottom-up participatory processes where community members were involved in identifying and explaining their specific needs. Oxfam facilitated the establishment of community committees to manage and oversee development activities such as rice banks, buffalo banks, savings groups, livestock associations, community fisheries, village health support groups, and women's self-help groups. Local people were trained to manage and run the committees and project activities, encouraging community ownership and self-reliance. Village development committees, part of the government structure in each village, were also strengthened to oversee the preparation and implementation of the village development plans. In this sense, the emphasis of Oxfam was on both building direct citizen participation in project communities, and strengthening the responsiveness of local government. In mid-2012, Oxfam Australia phased out its community development programmes in Stung Treng and Kratie, moving to focus on a regional programme on Mekong water governance.

The Oxfam integrated community development project had significant contrasts from the others, being located in a remote area where there was considerable poverty, and yet no imminent large scale threat to the community which would result in their displacement, and also where accountability strategies were embedded in wider, long-term livelihood activities.

HOW DID THE NATURE OF DIFFERENT DEVELOPMENT PROJECTS INFLUENCE ACCOUNTABILITY STRATEGIES AND THEIR IMPACT?

TIMEFRAMES OF PROJECTS

One clear difference between the cases was the timeframes of projects and therefore the degree of tangible threat to the continued existence of communities. In the Oxfam integrated community development project there was no imminent threat from external development projects. Potential future projects plans, such as for the construction of the Sambor dam, were still uncertain. In Lower Sesan there were tangible, though still unclear at the time of our study, plans for the relocation of villagers due to the construction of the Lower Sesan 2 dam and significant impacts for citizens located downstream. Meanwhile in Boeung Kak, community members were

being actively evicted, or their homes intentionally flooded. Across, and within the cases, the degree of threat profoundly influenced the ways that accountability was discussed and what strategies were taken.

The flooding and evictions in Boeung Kak led to engagement of many community members and leaders in advocacy strategies and opposition to the plans of government authorities. Yet this was not uniform across all Boeung Kak communities. Several participants pointed to the challenge of gaining participation of community members in advocacy work unless the threat was imminent in that area.

One female activist from Boeung Kak said that “During the night time, we tried to find the time to go from house to house...in order for them to stand up. And they said that ‘It’s our house. If we don’t leave, they wouldn’t dare to do anything to us’”. It was not until the first of the Boeung Kak villages was flooded that community members became more engaged. An international NGO worker said, “It was very hard to organise people and to get people to wake up until... August 2008 when they started pumping sand... People don’t really want to see the writing on the wall...literally until the bulldozers turn up.”

In Lower Sesan, there was also variation amongst different villages involved in the case. In villages such

as Sre Sranok and Kbal Romeas there was clear plans for relocation, as the area would be flooded with the new dam construction. In these villages there was some degree of community organising and advocacy related to the dam. However, in the village of Krabei Chrum, where it was more uncertain whether they would have to move or not, there was a less active response. Community members were more inclined to “wait and see” what happened. One insight from these cases is that external threats to communities can be a catalyst for affected community members and leaders to adopt new ideas and strategies toward accountability. Nonetheless, these threats often need to be imminent before such shifts occur.

“IT WAS VERY HARD TO ORGANISE PEOPLE AND TO GET PEOPLE TO WAKE UP UNTIL... AUGUST 2008 WHEN THEY STARTED PUMPING SAND...PEOPLE DON’T REALLY WANT TO SEE THE WRITING ON THE WALL...LITERALLY UNTIL THE BULLDOZERS TURN UP.”

A further influence on strategies taken by NGOs and communities, and the impact of those strategies, was the degree of elite interests associated with development projects. The most obvious example of projects being connected to elite interests was in the development of Boeung Kak lake site as a luxury apartment and office precinct. The private developer of the site is Shukaku which is a joint venture involving Chinese investors and a Cambodian company owned by Lao Meng Khin, a senator from the Cambodian People’s Party. Similarly, the Lower Sesan 2 dam project is a joint venture involving Cambodia’s Royal Group. The Royal Group has investments in a range of industries including telecommunications, media, banking, and property and is chaired by Kith Meng who has received the honorific title of neak oknha. As highlighted in other papers in this series, some community members in both Lower Sesan and Boeung Kak felt that it was impossible to resist “powerful people”. Over time, a significant group of community activists in the Boeung Kak case became more confident, and became vocal in their criticism of the governor of Phnom Penh and relevant government agencies. The clear connections of these projects to the interests of Cambodian political and business elites may have conditioned these at times pessimistic outlooks, and also catalysed the government’s heavy-handed response to community opposition that did emerge.

In contrast, the effective actions of local communities in the Oxfam integrated community development project to monitor fisheries in the area were oriented toward enforcing existing government laws at the local level. In focussing efforts on local fisheries governance and aligning actions with existing law, these activities did not threaten elite Cambodian political or business interests in the same way as the campaigns in Boeung Kak. Therefore there may have been a higher chance of gaining sustainable changes that could benefit the lives of community members. In Lower Sesan, while there were significant constraints to advocacy about the dam project, local communities were successful in negotiating with a local logging company to reduce the number of acres and shift the particular sections of forest that were logged. The dam project itself had high-level backing from the government and, as has been described, there was little government tolerance of direct community opposition to it.

The degree of elite political and economic interests associated with development projects was important in influencing the strategies and impact of accountability work. This influence does not always determine the actions of NGOs and local communities, however. While both the Boeung Kak lake development and Lower Sesan 2 dam projects were closely tied to elite political and economic interests, communities in Boeung Kak nonetheless decided to engage in confrontational strategies of advocacy.

EXTERNAL FACTORS

Along with the objectives and timeframes of specific projects, and their connection to elite interests at the national level, links to external companies or donor agents importantly shaped opportunities for pursuing accountability. For example, the ability of

communities and their NGO supporters to identify connections between the Boeung Kak project and external companies and donor agencies created opportunities to generate external pressure in support of community demands.



Lower Sesan 2 Dam site under-construction.
Photo: Nicolas Axelrod/OxfamAUS

CONCLUSION

Why are different accountability strategies and impacts possible in one context and not in another? This paper has shown how the context of the different cases, including the nature of specific development projects, influenced the kinds of strategies that were used in accountability work, and the impact of those strategies. For example, where there was no imminent and tangible threat to the continued existence of the community, residents were often reluctant to engage in advocacy activities. Even in the two cases entailing displacement, most community members did not start to mobilise until the projects began to affect them.

Meanwhile, the connections of development projects to elite political and economic interests was also significant in shaping the kinds of strategies and impact that might be possible. The fact that the Boeung Kak development and Lower Sesan 2 dam

project were closely linked to Cambodian elites meant that heavy-handed responses from government to community members were more likely. In contrast, in the Oxfam integrated community development project, power differentials between local government and communities were not as great.

Context is crucial. Along with wider constraining and enabling factors in Cambodia, the characteristics of particular development projects importantly influence the ways in which accountability strategies can be used and what impact might be expected. It may be helpful to temper the definition of “success” of accountability strategies with an understanding of the shifting nature of the context. This entails continually weighing up and revising an analysis of the local and broader factors. What may be possible in one particular moment, or location, or development project, may not be possible in another.

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 participated in an 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

Dr Shelley Marshall is the Vice Chancellor's Senior Research Fellow at RMIT University, Australia. Much of her research focusses on the ways that vulnerable communities influence business activities that impact their lives, and gain redress if they suffer human rights harm. At the time of research, she was a Senior Lecturer in the Department of Business Law and Taxation at Monash University.

Dr Tamas Wells is a Research Fellow at the University of Melbourne. His research focusses on democracy and accountability in Southeast Asia, and particularly on the role of international aid. From 2006-12 he worked with aid organisations in Myanmar on governance and democracy programs.

Dr Kate Macdonald is a Senior Lecturer at the University of Melbourne, having held previous positions at the London School of Economics and Political Science, the Australian National University, and the University of Oxford. Her research focusses on transnational governance and accountability, with a particular focus on the social regulation of global business, and accountability in the international aid and development sector.

Oxfam-Monash Partnership

www.monash.edu/oxfam