

## At Donor Meet, US Ties NGO Law to Aid

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The US, Cambodia's third-largest bilateral donor, yesterday warned the government that aid levels could be frozen if a draft law on the NGO sector is adopted in its current form.

At a periodic meeting between aid donors and government officials at Government Palace in Phnom Penh, Flynn Fuller, mission director for the US Agency for International Development, said the draft NGO law would reduce the ability of civil society to operate freely in Cambodia, and he urged the government to reconsider its necessity.

His remarks raised the tone of discontent among aid agencies and human rights workers, who say the law would stifle the work of development. The draft law is expected to be submitted to the Council of Ministers imminently.

"In these times of fiscal constraint, justifying increased assistance to Cambodia will become very difficult in the face of shrinking space for civil society to function," Mr Fuller said. "Again, we strongly urge the Royal Government of Cambodia to reconsider the necessity of the draft NGO law, and if so, to adopt a law consistent with a commitment to expand, rather than restrict, the freedom for civil society organizations to operate."

Though the meeting was private, Mr Fuller's remarks were later released by the US Embassy. Of all bilateral donors, the US has been most outspoken in its concerns about the proposed legislation.

In 2010, the US approved \$72.6 million in aid for Cambodia and has sought lawmakers' approval to spend \$87.8 million here in the 2012 fiscal year, according to an initial budget proposal.

Mr Flynn's remarks came just

over a month after the World Bank also said financial support would be reviewed if the government did not do more to address problems arising from evictions at Phnom Penh's Boeng Kak lake.

The progressing evictions of 4,000 families and the development of the lake by a CPP-connected firm have been denounced by human rights groups who say this is illegal and unjust.

Lun Borithy, executive director of the Cooperation Committee for Cambodia, a collective of civil society organizations, echoed Mr Fuller's remarks and called on the government to reconsider the law's purpose.

"We urge the government to continue discussing this draft law and take into account the impact on freedom of civil society in Cambodia," he said. "They should take a long-term perspective."

Finance Minister Keat Chhon, who chaired yesterday's meeting, said that the government would consider all concerns raised by donors at both the Council of Meetings and future Cabinet meetings.

"I think the public opinion of the draft law will be taken into consideration during the Cabinet meetings," he told donor representatives at yesterday's meeting.

Mr Chhon said a final decision on the law's contents had not yet been reached and could still change.

"This is our way of work. I want to emphasize that we also work with the private sector, and sometimes we do not agree. When we do not agree with opinions of the private sector, we propose both

ideas to the Cabinet meetings," he said.

"Sometimes, my idea is not accepted by the Cabinet but instead the private sector's idea is accepted."

NGOs say the NGO law threatens the activities and independence of civil society in Cambodia through a mandatory and complex registration process, as well as a lack of appeal process of registration by the government is denied.

International organizations like Amnesty International, Human Rights Watch and the International Federation for Human Rights have also lambasted the draft law.

After last year's pledge of \$1.1 billion, aid donors yesterday also spoke in depth on three main subjects: the implementation of a

working social safety net, transparent management of aid money and the national budget and how to make government-donor dialogue more effective.

Donors also raised lingering concerns on land rights—a perennial sore point.

"Though considerable progress has been made in land titling, there are some important gaps in protection," said Swedish Ambassador Anne Hogland, who spoke on behalf of all donors. "A credible, transparent and fair resettlement policy is essential."

Worries over the land issues were also highlighted by Qimiao Fan, country manager at the World Bank.

"Indeed, one of Cambodia's comparative advantages is land, and land, as we all recognize, is

one of the most challenging issues in Cambodia," he said.

"With rapid urbanization, the resumption of fast economic growth and the increasing interest in large-scale commercial farming, land issues will become only more challenging, as exemplified in the Boeng Kak lake area."

Government officials seemed to avoid the matter.

"If we answer every question concerning land issues at this moment, talks will never end," said Mr Chhon.