

MINUTES OF 273 CCC BI-MONTHLY MEMBERS MEETING

3 October 2023 (Time: 8:30 am - 12:00 pm)
Venue: DK Meeting Center



Introduction

The Cooperation Committee for Cambodia (CCC), a leading membership-based organization for NGOs in Cambodia, both domestic and foreign organizations, which currently consists of 178 members. CCC has been playing a significant role in civil society since 1990s. CCC is currently implementing its fourth phase of Governance Hub Program (GHP 2021-2023). GHP has a vision: sustainable and democratic development in Cambodia, and two main goals: 1) improved enabling environment for CSOs; and 2) sustained functionality of CSO Resource Hub at national and sub national levels.

Different services and interventions had been designed to benefits and support for our members. Bi-monthly Meeting is one of the key meetings for CCC member. Based on CCC’s Bylaw, CCC member Bi-monthly Members Meeting is arranged for member participants who are Country Representatives/Executive Directors and Senior Leaders/Managers of CCC members to attend and share knowledge, experiences, the common concerns on the development challenges.

The 273rd Bi-Monthly Members Meeting, was convened on 3 October 2023 at DK Meeting Center (street 330, near Toul Sleng Genocide Museum). This meeting was prepared among CCC members, therefore, all members from both domestic and foreign organizations are commonly invited as participants in this meeting. Totally, there are 82 (44female) participants at the meeting.

Objectives

The overall goal of the meeting was prepared among CCC members to share and discuss, update of the work and practices among our CCC membership as well as networking, legal context and practical experiences of CCC members, and survey result related to FNGO. Therefore, it can be a better connected, learnt, and understand for better response to the current rapid changes, civil society environment, and other development issues.

The specific objectives for this meeting was organized as the following:

- To welcome new members, networking and sharing of member works
- To share updated survey result related to FNGOs
- To share and discuss on legal context of labor law, key practices experiences and case of labor law compliance
- AoB (CCC member Handbook, and Salary and Benefit Survey)

Key Discussion

Welcome and key opening remarks by Ms. Sin Putheary, Executive Director of CCC

The executive director of CCC opened with a meaningful remark and shared the crucial information regarding the current status of CCC members. She raised of certain factors contributing to the existing membership. One reason was that some NGOs closed their operations and missions in Cambodia. There were a few NGOs that were out of funding. Therefore, we currently have 178 active members.

Furthermore, we have conducted the CSO contribution report with our active CCC members with our annual budgets. As a result, it was found that CCC and its member's total budgets accounted for approximately 400 million USD for annual operations in Cambodia. This is the result of commitment and contribution to the services and development of our country. In this regard, CSOs play a very important role in Cambodian development; so we always urge the MOI and relevant ministries to recognize and support our work and contributions and to enhance the quality of work in a more inclusive and democratic space. This is what CCC consistently does to represent and advocate for CSO recognition and missions and visions in Cambodia.

In brief, why NGO roles are important?

Our CSO's Contributions are tremendous, especially in providing services and support in Education Health, WASH, Governance, and many more. Aside from these invaluable outcomes, we, CSOs, encountered many challenges that were reported to CCC so far as follows:



1. Majority of the problems were related to administration, especially work-related the government such as LANGO, Taxation law that was perplexed in practices.
2. Another problem is communication, the ways of getting inputs and providing the inputs from the CSO to the enacting law are still challenging.
3. The third is the about mechanism of communication and collaboration between CSOs and the Government (line ministries) such as late information and response to the requests spelled out in the law, which in turn affected the project activities and operation of the CSOs. Another thing is that MOU renewal is also challenging. In the next session, we will a presentation on foreign NGOs.
4. Another pressing problem is the collaboration and cooperation between sub-national authorities and CSOs in provinces and districts, where they required a letter of approval before we, CSOs, could proceed with the work. It is because the local authority requirement is against the announcement/Prakas of the Ministry of Interiors. There were also hidden camera, ongoing surveillance and taking photos and attendant lists from the local authority.

So far we had 5 CSOs – Government partnership forums. We will push to have more platforms regarding the government and CSO partnership forum so that we can bring voices and concerns to discuss on the table. In the new government leadership, we will continue the partnership with the relevant ministries, especially MOI, so we request the 6th CSO-Government Partnership Forum to raise our common concerns and challenges and seek solutions.

Again, we thank our CCC members, working groups, and networks for your valuable contributions, so we can continue our visions and missions in Cambodia. We go together and solve our common concerns so as to achieve our shared values and goals.

To share and update from CCC new members, and FNGO survey result

1) Presentation of Conservative International (CI) by Ms. Son Sopheap, Deputy Director – Program Operations

CI operated in Cambodia in 2002. In fact, CI was first established in 1987, and globally CI operates in more than 70 countries. In Cambodia, CI has around 60 staff and CI is located in Phnom Penh Center. CI work

closely with the Ministry of Environment, the Ministry of Agriculture forestry and fishery, local and international NGOs, and private sectors. CI received funding from the public, cooperatives, foundation, and individual.

CI has 4 big areas: 1) Cardamom Mountain National Park, 2) Tonle sap, 3) Prey Lang Wildlife Sanctuary (PLWS), 4) Veun Sai _ Siem Pang National Park.

Cardamom Mountain National Park (CCMNP): Supporting Law enforcement, Creating the first trust fund, Redd+ Project establishment, Community livelihood

Tonle Sap Lake: Area: 50,000 hectares of the protected areas of fish conservation and community fish access areas, Supporting CFI, Rasing family incomes, Replanting mangrove tree, Fire management and prevention (we work with international company to set up the satellite to monitor the fire in the forest.

Prey Lang Wildlife Sanctuary (PLWS):

- Cover 430000 hectares
- Since 2018
- JCM REDD+ Project
- Growing Rice (ស្រូវសំរោង)

Veun Sai _ Siem Pang National Park

- Cover 57469 hectares
- Growing rice
- Intervention since 2007
- Diversifying livelihood
- Law enforcement
- Research on Biodiversity



Next Steps

- Develop Central cardamom REDD+ Project
- Support CCMNP management with MOE (environment)
- Support livelihood improvement in four landscape areas and biodiversity with local researchers
- Develop sustainable financing to community resilience to climate change
- Implement JCM REDD+ Phase 2 in Prey Lang Wildlife Sanctuary
- Support MOE for VSSPNP management: Law enforcement and Biodiversity
- Climate Policy engagement (Carbon sale)

Question and Answer Session;

Q: How can you generate income from the REDD+?

A: Generate income standing Trees (REDD+): so we can preserve our forest. We have the technical experts to measure Carbon with recognized standards between Cambodia and Japan.

Q: Why Trust Fund? Why save in the bank as it gets little interest?

A: Yes, it is. The Trust fund is small. We generate little money. She will find other ways to generate more income.

2) Presentation of Metta Mission and Community Services (MMCS) by Ms. Almond Leung, Director of MMCS

The director started the presentation of NGO by introducing the meaning of the MMCS logo. She said that the METTA Logo has 4 elements. Metta Log: comprised of 4 elements: Hand, Water drop, Leaf and Pottery.

The MMCS's mission is "We are committed to living out the Christian value as we transform love through holistic care ministry. With God, we strive to build up the spiritual community to witness his love."

The service starting point of her starting the NGO is way back when she was on her mission in the Church.

The target groups of the MMCS is the children, family of the children, and the community.

- Children: Why they are on the streets
- Family: we also reach out to the family and study their condition/situation
- Community: We approach the community to explore their situation.
- We plan to have our own center in Kandal province.

Children Services: Hostel Service, Outreach

Youth Service: Preach and share their experience to other children, They can do the volunteering services

Community development service – EMPOWER: Education, Morality, Primary Health, Opportunity, Wealth, Environment, Relationship.

Question and Answer Session

- Q: What is your motivation here as Metta?
 A: I like the country. I have experience as a volunteer and my journey continues and I enjoy life working in this sector.
- Q: What are your Challenges?
 A: Networking. We want to learn and grow, and other funding challenges: how can we sustain ourselves.



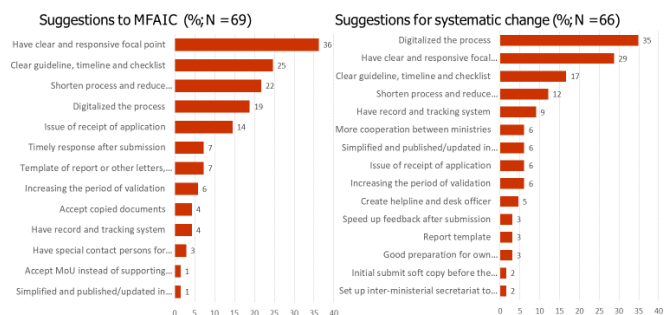
3) Survey Result on MoU for FNGOs by Mr. Chen Sochoeun, MNSM of CCC

The result was shared during previous member meeting and it is agreed to expand the survey to get more respondents among CCC member. Totally, both phases of data collection in the survey got 85 respondents but not all fully response to the survey questions, where the result indicates with number of respondents in each question.

In overall, the result is not quite different from the previous one. There were 57 out of 69 got MoU from initial submission. Commonly, the median for receive MoU is 113 days with minimum of 10 days and maximum of 360 days.

The most common challenges in MoU was the delay response and communication issues, required support letter, not clear guideline which lead to more requirement, and take long process. There are several key suggestions includes to digitalize the process, make it shorter and have clear guideline and contact focal person for easier to communicate, and so on.

Keyfindings– Suggestions



The two key questions about suggestions to expansion of MoU to five years, and digitalize the MoU process, the result illustrates that the majority of 92% agreed for five-year expansion period, while 94% also agreed for digitalize the system into online process.

(Please see slide presentation from the meeting)

Coffee break and networking

Presentation of legal context, experiences and practical case study in legal compliance

1) Labor law context in Cambodia by Mr. Sor Mory, PLA Manger of CCC

He shared briefly about the key contents to labor law, which endorsed since 1997. Any organization have employment staff would cover in labor law. However, there still certain context that being the gap for implementation by CSOs. Certain ministries are strengthening the income and enforce the context of the law such monitoring on foreign staff, similarly in Thailand had been made. There are five key points would be shared below:

1. Notification about the opening and close of the enterprise.
2. Internal rule of the enterprise and entities
3. Registration of enterprise and entities
4. The request of employ foreign workers
5. To have staff representative

1- **About entity registration:** It is to understand about staff for entities and for registration of entities. Article 369, any employers after the establishment of entity which did not notify, they will get penalty from 61 to 90 days of the annual fee.

2- **Internal rules:** Employment from 8 person, need to have internal rule. The contract need to be in Khmer and official language. Those don't have internal rule could confront to the legal context. There key context include: employment criteria, benefits and fee, working hours, holiday and day off, notification, security, staff obligation, penalty, and so on.

4- **Foreign staff employment:** if employment of foreign staff without permission from ministry of labor could get penalty and the serious case could be in jail. On in term of consultant, it is not provided any facilities and compliant to organization, i.e. working hour, while other contract services have supported in term provide facilities and follow working hour, will go under the scope of labor law. Any entities want to employment foreign staff could submit application from 01 September to 30 November 2023.

5- **Staff representative:** It cover from entity that had at least eight staff. Prakas 302 mentioned about staff representative and serve two years mandate for dealing staff issues and for benefits of the staff.

2) **Legal context of labor for CSOs (workbook, internal rule, and labor system), and some practical applications by Ms. Sim Soupheakna, Human Resource Specialist of CCC**

Digitalize system: There are four key systems:

- LACMS: <https://lacms.mlvt.gov.kh/>
- TVCMS: <https://tvcms.mlvt.gov.kh/>
- FWCMS: <https://fwcms.mlvt.gov.kh/>
- SICMS: <https://sicms.mlvt.gov.kh/>

For LACMS: there are four points which compulsory services: 1) declaration about open of enterprise, 2) Enterprise book, 3) Salary record book, and 4) internal rule which need to certify for recognized used from MoLVT. Those need to fully complied all the four elements before access to use other services of ministry of labor.



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For FWCMS: This is have a quota for foreign staff, which commonly not exceed than ten percent. Need work permit and work book, contract of working for foreign staff.

1. ពិនិត្យសុខភាពនៅមន្ទីរពេទ្យជាដៃគូរបស់ក្រសួងការងារ
2. ស្នើសុំការបញ្ជាក់ពីក្រសួងការងារ
3. បំពេញ វិញ្ញាបនបត្រមុខរបរបស់កម្មករនិយោជិតខ្មែរ
4. ស្នើសុំប័ណ្ណការងារ និងចុះទិដ្ឋាការចូលលើសៀវភៅការងារ

(<https://sicms.mlvt.gov.kh/>)

Workbook: It had the older version and new version. The new book look similar to the passport. The important of workbook could help staff to get benefit support as stated by labor law, and record of staff employment. The process need to have health check by certified clinic, fill the form, then submit for workbook.



Internal rule: It could work with follow the templet of the ministry or could establish by our own. Commonly there are five key elements including general terms, working regulation, punishment and protection rights, working security, and final provisions.

Key remember: need to complete any step of the process, keep safe and remember of the password and username, keep communicated and contact with the expert official for follow up.

3) **Sharing case of digitalized system and its relevant legal compliance experiences by Mr. Keo Rasmey, Financial Monitoring Officer, ERIKS Development Partner**

He shares the own organizational experiences of registration with MoLVT:

Initially, you can log into link: <https://lacms.mlvt.gov.kh/>

There are certain key documents as attached for entity include:

- ID card/passport owner or ED
- Patent for Company/ Tax registration for NGO update
- List of business activities
- MoU

Also attach for personal registration (only staff in entity) for apply workbook

- ID card
- Photo 4 x 6 (white background)

The ID, you can use the ID which registered with Tax. After register need to wait for eight hours for processing. Ther registration need to pay around 30\$, and you will receive the receipt. Then you can further registration for payroll book, which the attached document less than 5MB. Stage 4 payroll list for computer which paid extra about 20\$ with official receipt. Later staff workbook and work permit which need to contain health check, photo, and employment certificate form. Then total spend about 10\$ as additional to medical check by recognize medical clinic of about 5\$.

(Please see slide presentation from the meeting)

Question and Answer Session and inputs from participants

Q: If you have OT, and if internal rule does mention about OT?

A: The templet is used from the ministry, which easier to submit. We could adapt to our organizational regulations. We don't raise about OT and put zero. The format of company commonly have OT.

Q: If the short term of about less than three months for expat staff, need workbook or not? If our staff over than 8, but later less than 8 how is the issue?

A: If in the context of intern for less than six months don't need to apply for work permit.

The need for relationship of working condition that impacts to relationship between employer and employee. For intern don't have contract work, and get salary from employment don't need work permit.

For representative staff from 8 is need, and have end of work of mandate of staff representative in two years, need to have new one and submit the result of new representative to the ministry.

AOB and Closing: MC informed about the Member Handbook which each member could get one for each organization, and then close the meeting at 12:30pm.

Note: Some of the pictures and key ideas will be quoted and shared in public through the organizers' social media and website.

<http://www.ccc-cambodia.org/en/resources/event-archives> www.facebook.com/CCCsinc1990
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