

Challenges and suggestions of civil society organizations for the 6th partnership forum between the Royal Government and CSOs

December 11, 2024

Venue: Ministry of Interior

The Cooperation Committee for Cambodia (CCC) has collaborated with the Coalition for Partnership in Democratic Development (CPDD) to facilitate the collection of, suggestions, concerns, and recommendations from the CSOs at national and sub-national through in-person consultation workshop and online inputs from CSOs to be presented at the 6th partnership forum between the Royal Government and CSOs to be held on December 11, 2024. The Partnership Forum provides a valuable platform for civil society organizations and relevant government ministries and institutions to be engaged in constructive dialogue, address key challenges, and jointly develop solutions for Cambodia’s sustainable development.

Challenges and Concerns from CSOs	Suggestions and Recommendations from CSOs
Part 1: Establishment and Registration of Domestic Associations and Non-Governmental Organizations	
<ul style="list-style-type: none"> – The notification process on the changes, such as the president/executive director or address of the associations/NGOs requires a written letter to the minister and goes through numerous procedures and reference documents, which is time-consuming and difficult for associations/NGOs at the sub-national level, requiring them to travel to the Ministry of Interior, hindering the ongoing procedures in fulfilling other obligations with related ministries, including the General Department of Taxation and the Accounting and Auditing Regulator, etc. – There are actual cases that the Ministry of Interior has required non-governmental organizations to amend their bylaws when notifying a change of the president/executive director or address, which has resulted in the loss of their identities and ownership of their respective bylaws developed through the vote by the organization. 	<ul style="list-style-type: none"> – Request the government to authorize and facilitate the procedures for updating the change of address or president/executive director or filing documents or other notices. Through the online platform. Please provide the guidelines on the procedures to implement and the list of documents to be attached specifically. – Please provide sufficient time and specific reasons if the Ministry of Interior required amendments to bylaws or an organization, that was already approved by the institution and submitted to the Ministry. – If there is requirement for domestic association/ and NGO to make corrections or add additional relevant documents, please provide information back in a timely manner to allow sufficient time to prepare those documents. – If there is requirement for association/NGO to pay for any fees on services, please develop a list of services and provide proper invoices to avoid unofficial fees.
Part 2: Registration of foreign associations and non-governmental organizations	
<ul style="list-style-type: none"> – The signing and renewal of Memorandum of Understanding (MOU) for project implementation and/or for institutions between foreign associations/NGOs with government ministries have distinctive procedures and standards, causing the difficulties to implement. 	<ul style="list-style-type: none"> – Request the government to harmonize and integrate the process of MOU for project implementation and/or for institutions between foreign associations/NGOs with government ministries through an online platform and as a one single system. – Request the government to authorize and coordinate the procedures for MOU renewal and

	<ul style="list-style-type: none"> submitting reference documents through online system to simplify the process and reduce costs. – Request specific instructions, procedures, and a clear list of documents to be attached to make it easier for the implementation. – If foreign associations/NGOs are required to correct or add other relevant documents, please provide information in a timely manner to allow sufficient time to prepare those documents. – If there is requirement for associations/NGOs to pay for any fees on services, please develop a list of public services and proper invoices to avoid unofficial fees.
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Part 3: Rights, interests and obligations of associations or non-governmental organizations

<ul style="list-style-type: none"> – The domestic NGOs at the sub-national faced challenges in fulfilling their obligations to submit activity and financial reports to the Ministry of Interior, the Ministry of Economy and Finance, and other obligations set forth by laws, which are time-consuming, costing for travelling, and extensive documents requirement. – A number of authorities at the national and sub-national still require associations/NGOs to submit written notifications or letters requesting cooperation, even though those associations/NGOs are already registered and have MoU. – A number of authorities at the national and sub-national continue to monitor, question, take photographs and videotape, take photo of the attendance lists, copy documents, and record audio of participants at workshops, public forums, and meetings, requiring staff at private restaurants and hotels to report to the police and local authorities. (Case 1: A partner organization organized a multi-stakeholder dialogue on the integrated value chain of bananas and rubber in Cambodia on October 8, 2024, in Kampong Cham province. They have submitted an invitation to the provincial administration two weeks before the event, but one day before the event, the provincial administration responded that they could not send provincial officials (provincial departments) to the event unless the organizer submitted an invitation to the Ministry of Interior first. Only the Ministry of Interior then handed over the letter to the provincial administration, then they could send provincial officials to join the event.) – (Case 2: Another partner organization also faced the same situation. The organizations, working in the fields of human rights promotion and environmental protection, had difficulty implementing its work projects.) – (Case 3: A domestic NGO is already registered with the Ministry of Interior. The organization has foreign volunteers. Their foreign volunteers working in Mondulhiri province were banned by the authorities because the authorities 	<ul style="list-style-type: none"> – Request the government to authorize and coordinate procedures for submitting activity reports, financial reports, updates, and notification letters, through online platform to simplify the process and reduce costs. – Request national and sub-national authorities to continue strengthening the cooperation with associations/non-governmental organizations in all sectors, including human rights, land rights, environment, natural resources, education, health, governance, and others, for sustainable development in Cambodia. – Request the government to promote freedoms of expression, the right to peaceful assembly, and the access to information of all citizens and associations/non-governmental organizations, as stipulated in the Cambodia Constitution and defined by the Law on Associations and Non-Governmental Organizations. – Request the Ministry of Interior and the government to continue and strengthen the cooperation in the process of collecting input for amendments to certain articles of LANGO. – Request the Ministry of Interior and the government working groups to review and integrate input from civil society organizations for the amendment of LANGO, which was already submitted to the Ministry of Interior on April 1, 2024. – Request exemption from all income tax and value-added tax from social enterprises and all project funds that support the mission and operations of associations/NGOs. – Request the Ministry of Interior, the Ministry of Economy and Finance, and other relevant ministries to coordinate, provide information,
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<p>claimed that the organization did not have a branch office in the province, recognized by the provincial authority.)</p>	<p>provide opportunities to respond or clarify, or impose administrative penalties in case associations/NGOs miss or fail to fully implement their obligations as stipulated in the Tax Law, the Accounting and Auditing Law, and other obligations.</p> <ul style="list-style-type: none"> - Strengthen communication mechanisms between civil society organizations and sub-national administrations to resolve misunderstandings, build trust, and strengthen partnerships between sub-national administrations and civil society organizations.
<p>Section 4: Suspension of activities, dissolution, termination of memorandum of understanding, management of resources and assets of associations or non-governmental organizations</p>	
<ul style="list-style-type: none"> - The local authorities asked questions and reviewed the list of participants in the training last year. - Journalists also face questioning and demands from government officials when they interviewed the officials for their news stories, as well as complaints against journalists, which curtails press freedom. - A number of sub-national authorities still required domestic associations/NGOs to sign a MoU for projects or institutions with the provincial departments or administration for operating their projects. 	<ul style="list-style-type: none"> - Requests the government to promote the rights and freedoms of expression, peaceful assembly, and access to information of all citizens and associations/NGOs as stipulated in the Constitution of the Kingdom of Cambodia and as defined by the Law on Associations and Non-Governmental Organizations. - Request the national and sub-national authorities to continue and strengthen cooperation with associations/NGOs in all sectors, including human rights, land rights, environment, natural resources, education, health, and others for sustainable development in Cambodia.
<p>Part 5: Administrative Measures and Cooperation</p>	
<ul style="list-style-type: none"> - Associations and non-governmental organizations are difficult and have to spend so much time, applying for license plates for their organization vehicles. - Associations and non-governmental organizations have submitted invitation letters to local authorities such as village chiefs, commune chiefs, or provincial departments but the local authorities required them to submit a requesting letter to the provincial governor before they could participate in any activity and cooperation. In some cases, authorities did not respond to invitation letters from associations and non-governmental organizations. 	<ul style="list-style-type: none"> - Request joint guidelines between relevant institutions, such as the Ministry of Interior and the Ministry of Public Works and Transportation to accelerate the application and registration process for organization vehicle plates. - Request the Ministry of Interior to continue and widely expand dissemination of the law on associations and non-governmental organizations to officials and authorities at all levels, especially provincial, district, and commune authorities. - Request the Ministry of Interior and related ministries to continue to widen the education and dissemination of digital literacy and cyber security to authorities at all levels, especially provincial, district, and commune authorities, to participate effectively in good governance and dissemination to the general public at their local levels.

- Request the Ministry of Interior to continue organizing the national partnership forum between the government and civil society organizations regularly and twice a year.
- Request the Ministry of Interior to continue motivate sub-national authorities to promote cooperation by organizing the partnership forum between the government and civil society organizations at the sub-national level regularly and twice a year to improve the cooperation in monitoring and the implementation of laws and policies.
- Request the government to provide specific guidance and the focal person, establish an office responsible for providing support to associations and non-governmental organizations in the legal compliance process, and establish one window office to handle and receive complaints.
- Request the government to provide funding to associations and NGOs or to cooperate in implementing joint projects in the case the government cannot implement alone.
- Request that government to consider integrating in a global partnership platform of civil society organizations and governments, called the Open Government Partnership (OGP), which includes 77 countries and 150 regional governments, representing over two billion people and thousands of civil society organizations.
- Propose the establishment of a joint feedback mechanism between associations, NGOs, and the government through open data to monitor and address gaps in the implementation of child protection and human rights policies.
- Request the government to promote freedom of expression, peaceful assembly, and the access to information, especially for civil society organizations working on projects involving children.
- Request the government to establish a mechanism with the participation of associations, NGOs, and relevant stakeholders, working in education and children's rights, in the process of drafting laws and policies related to children, including the law on child protection and regulations on child safety online.
- Request the government to continue and put in place the mechanisms to ensure meaningful participation of child and youth representatives in decision-making processes at both national

	<p>and sub-national levels in a meaningful manner consistent with the principles.</p> <ul style="list-style-type: none">- Request the government to continue and increase the allocation of national budgets in the areas of education, healthcare, social protection, and sub-national administration, ensuring that the needs of citizens, especially children and the vulnerable groups are prioritized.
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