Seeding the Ground
Promoting Community Empowerment in Cambodia

Stanford International Human Rights and Conflict Resolution Clinic

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Stanford International Human Rights and Conflict Resolution Clinic

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<tr>
<td>ADHOC</td>
<td>Cambodian Human Rights and Development Association</td>
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<td>APSARA</td>
<td>Authority for the Protection and Management of Angkor and the Region of Siem Reap</td>
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<td>ASEAN</td>
<td>Association of Southeast Asian Nations</td>
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<td>BKL</td>
<td>Boeung Kak Lake community</td>
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<td>CGCSN</td>
<td>Cambodian Grassroots Cross-Sector Network</td>
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<td>CLEC</td>
<td>Community Legal Education Center</td>
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<td>CNRP</td>
<td>Cambodia National Rescue Party</td>
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<tr>
<td>CPP</td>
<td>Cambodian People’s Party</td>
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<tr>
<td>DFAT</td>
<td>Australian Department of Foreign Affairs and Trade</td>
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<td>EWI</td>
<td>EastWest Institute</td>
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<td>IFIs</td>
<td>International Finance Institutions</td>
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<td>INGOs</td>
<td>International NGOs</td>
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<td>LICADHO</td>
<td>The Cambodian League for the Promotion and Defense of Human Rights</td>
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<td>LMAP</td>
<td>Land Management and Administration Project</td>
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<td>MIFIs</td>
<td>Multilateral International Finance Institutions</td>
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<td>NGO</td>
<td>Non-governmental organization</td>
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<td>Oxfam HK</td>
<td>Oxfam Hong Kong</td>
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<td>PAC</td>
<td>People's Action for Change</td>
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<td>PLCN</td>
<td>Prey Lang Community Network</td>
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<td>RfP</td>
<td>Request for proposals</td>
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<td>RGC</td>
<td>Royal Government of Cambodia</td>
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<td>SADP</td>
<td>Southeast Asia Development Program</td>
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<td>USAID</td>
<td>US Agency for International Development</td>
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<td>WAC</td>
<td>Womyn’s Agenda for Change (precursor to WIC)</td>
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<td>WIC</td>
<td>Worker’s Information Center</td>
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In January 2013, the Cambodian League for the Promotion and Defense of Human Rights (LICADHO) asked the Stanford International Human Rights and Conflict Resolution Clinic (“the Stanford Clinic”) to independently document and analyze several cases of reportedly “successful” community mobilization efforts in Cambodia, and assess how the international community can best support such efforts. The Stanford Clinic agreed to undertake independent fact-finding and analysis on these questions, as well as others related to community mobilization efforts in Cambodia, beginning in February 2013.

In the course of the research, the Stanford Clinic has exchanged information and logistical support with LICADHO. The latter organization assisted in identifying some of the potential case studies reviewed in this report, and compiling an initial list of key stakeholders to interview. The Stanford Clinic designed the research project, analyzed information, and drafted and edited the report independently from LICADHO.

Cavallaro and Sonnenberg supervised and directed the preparation of the report, oversaw the writing, and served as the final editors of this publication. Students Farrington, Li, Littlebird, McKinley, Morris, Saunders, Tom, and Uber drafted initial sections of the report. Ely, Kildow, Littlebird, and McKinley synthesized and restructured the initial draft sections into its final form. Clinic students Griffith and Foydel assisted the research team in the review and fact-checking of the final version.

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Executive Summary

Development actors and the international community need to critically reevaluate their role in Cambodia and focus more heavily on fostering the independent agency of the communities they claim to support. The history of donor-driven development and governance reform in Cambodia since the early 1990s can only be described as a disappointment, tempered, perhaps, by a few modest successes. For two and a half decades, the international donor community has pledged billions of dollars of aid to Cambodia and the Cambodian Government. Nonetheless, income inequality in Cambodia is widening, corruption poses substantial challenges in almost every sector of the economy, and a culture of intimidation and harassment persists against Cambodians who protest abuses. One of the only bright spots in this story is the growing vitality of community mobilization efforts, many of which have found success where more traditional advocacy efforts have failed. This suggests an urgent need for donors to consider new ways to support the many grassroots mobilization efforts currently emerging across Cambodia.

This paper is based on seven examples where communities mobilized to vindicate their rights in Cambodia. These seven efforts are not necessarily a representative sample of community empowerment efforts. The Stanford International Human Rights and Conflict Resolution Clinic (the Stanford clinic) travelled to four provinces in Cambodia, and spoke to a modest sample of activists and community members in each location. Overall, we conducted more than eighty interviews, with upwards of 150 total interviewees, spanning a period of about two years (2013-2015). We do not claim, therefore, to do justice to the full history of these movements, nor have we been able to follow up with each community to ensure that our information is current as of the report’s publication date.

Nonetheless, this paper presents overarching observations and lessons of value to community activists and the international community, especially those wishing to support true community empowerment.¹

¹ This paper distinguishes the concept of empowerment from that of mobilization. Empowerment is the process by which a community first builds a collective identity, then decides on an action plan, and finally mobilizes to take action. Mobilization is
The examples in this paper are drawn from rural and urban contexts. The communities featured are struggling to vindicate their rights to land or fair working conditions. Taken in the aggregate, these examples suggest a number of mobilization strategies and organizational principles that proved to be effective. These lessons can serve as an inspiration for other communities mobilizing in opposition to violations of their basic human rights, and are also instructive for the donors who wish to support them in those efforts. Many of the communities we spoke to were already part of informal networks designed to share such best practices across communities. Thus—to some extent—this report only documents the lessons already being shared and internalized in communities across Cambodia. Consequently, we focus primarily on ways in which the international donor community can more effectively support such dynamic grassroots movements.

Our analysis starts with the premise that conscientious support for community mobilization efforts can foster community empowerment. According to the authors of a World Bank study on the topic, empowerment—and by extension community mobilization—is contingent on the relationship between a community’s agency (“a group’s ability to envisage and purposively choose options”) and its opportunity structure (“those institutions that govern people’s behavior and that influence the success or failure of the choices that they make”).

No two mobilization efforts surveyed in this report dealt with challenges in the same way. Nonetheless, certain themes emerged on how best to foster communities’ collective sense of agency.

**Lessons for Communities: Bringing People Together**

- Representative leadership and communal decision-making fosters **group cohesion through accountable leadership**.
- Mobilizers must define short- and long-term success but be prepared to use **flexible techniques**, such as working with authorities and using non-violent protest to achieve change.
- There is **strength in numbers**, both within a single community and across communities with similar goals.
- While many community mobilizations arise from a specific issue, **experience with effective mobilization fosters the community’s capacity to organize in general**, and thus impacts otherwise unrelated issues.

While individual community leaders have the greatest potential influence in catalyzing their communities’ collective agency, the international donor community can and does play an important role in this process as well.

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merely collective action in pursuit of a common goal. Mobilization as we define it in this paper does not necessarily require the community to initiate the mobilization process. In other words, outside actors can mobilize a community, but outside actors can never empower a community—only a community can empower itself.

Lessons for Funders: Partnership not Clientelism

• **Community goals, not funder goals**, should come first both in the long- and in the short-term. In the long run, it is better for community mobilization efforts to grow slowly and intelligently, staying true to their own principles rather than being forced to adopt donors’ program needs and preferred metrics.

• Donors must avoid traditional hierarchical relationships, relying instead on more equitable, side-by-side relationships that respect mobilizers’ definitions of success.

• NGOs and other donors can design programs to boost community assets, such as know-your-rights training and financial compensation for travel time spent networking with other community activists. When used in this way, aid is important to community empowerment.

Finally, this report offers recommendations to the Royal Government of Cambodia and the international donor community on how to create a better opportunity structure for community mobilization.

Recommendations for the Royal Government of Cambodia (RGC)

• **End dependence on foreign aid** by taking meaningful ownership of aid initiatives, both through progressive taxation and through initiatives begun by the RGC, not foreign donors.

• **Incentivize pro-poor development** by bringing more economic opportunities to the rural and urban populations that remain on the periphery of Cambodia’s economic growth.

• **Build bureaucratic capacity to remedy rights violations** by prioritizing efforts to rehabilitate the Cambodian judiciary’s perceived legitimacy.

• **Tackle corruption** by strengthening democratic accountability mechanisms and increasing the costs of corruption.

Recommendations for Donors (including international NGOs supporting their local counterparts)

• Dynamism and constant communication give programs the adaptability necessary to effectively meet the needs of the communities they seek to support.

• Donors should conduct rigorous social audits at the outset of any proposed project and make grievance mechanisms available to locals to ensure accountability to the people they are trying to serve.

• Donors must insist on rigorous oversight to root out even small-scale instances of corruption or other conflicts of interest, within an overarching understanding that missteps are a predictable and surmountable part of any community empowerment process.

• Donors should agree to longer-term funding cycles, and focus on the cultivation of sustainable and self-perpetuating skills.

• Donors should plan for their exit.

We hope that our report will motivate deeper engagement and more rigorous aid design in organizations seeking to support community mobilization in Cambodia.
Introduction

Community mobilization efforts blossomed across Cambodia in 2013 and 2014. These efforts culminated in massive, unprecedented, and largely non-violent protests in March and April of 2014. Factory workers, monks, subsistence farmers, students, and other Cambodians from all walks of life braved the threat of violent crackdowns and arrests to peacefully insist that their voices be heard in the streets of Cambodia’s capital, Phnom Penh. The protests brought the city to a standstill, demonstrating the extent to which Cambodian civil society can mobilize for change.

The need for change in Cambodia is evident. Despite the dark legacy of the Khmer Rouge regime and subsequent political, social, and economic insecurity, Cambodia today has achieved high growth rates and a remarkable absence of any large-scale post-conflict violence. Nonetheless, the overall picture of post-conflict economic growth and stability is muddled. In 2014, Transparency International ranked Cambodia 156th worst out of 175 countries for perceptions of corruption.\(^3\) Corruption is the open secret that everyone talks about in Cambodia, alleging that it influences politics, economics, foreign policy, the judiciary, and the country’s massive non-profit sector. Cambodia’s political system is that of de facto one-party rule. Prime Minister Hun Sen and his Cambodian People’s Party (CPP) have governed since 1985, except for a turbulent four-year interlude following the country’s first democratic elections in 1993, during which Hun Sen shared the Prime Ministership with his closest political rivals at the time.

Human rights advocates in the past have accused the Hun Sen government of serious human rights abuses.\(^4\) That criticism continues today. Activists allege that the human rights situation—while much improved since the days of the Khmer Rouge and the turbulent aftermath of that period—still needs significant improvement.\(^5\) Major contemporary human rights challenges include police abuse, judicial corruption, land grabbing, labor rights violations, unchecked domestic violence, harassment and intimidation of community activists, and an array of other human rights challenges.\(^6\)

Foreign donors are seemingly in a powerful position to effect positive change. Cambodia’s government today is hugely aid dependent. The Hun Sen government has received over one billion USD annually in foreign aid disbursements in recent years, mostly in the form of direct budgetary support.\(^7\) In 2012, this amount constituted approximately 42% of the Royal Government of Cambodia’s (RGC’s) annual budget, and 7% of Cambodia’s GNP.\(^8\) Nonetheless, aid has done little to alter the trajectory of Hun Sen’s governance. Despite enormous sums of money invested and ample statements of positive intent, the reality is that the leverage of international development actors to influence the RGC is shrinking,

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\(^5\) SEBASTIAN STRANGIO, HUN SEN’S CAMBODIA (2014).


especially as other regional donors with very deep pockets and no stated governance reform agendas offer to generously supplant traditional western bilateral donors.

As the world moves toward a post-2015 Development Agenda, where human rights considerations will feature much more prominently in international development, the case of Cambodia should be re-evaluated with renewed energy, fresh approaches, and a more clearheaded view of how to measure the “success” of a national development program.

Methodology

This paper draws on seven distinct examples of community mobilization efforts in both rural and urban settings in Cambodia. The case studies were strategically selected, in consultation with local partners, to represent instances of community mobilization that were successful at achieving some or all of the community’s goals. Some of the communities received international attention, but most are largely unknown outside of Cambodia.

The Cambodian League for the Promotion and Defense of Human Rights (LICADHO) asked the Stanford International Human Rights and Conflict Resolution Clinic (the Stanford Clinic) to independently document and analyze several cases of reportedly “successful” community mobilization efforts in Cambodia. The objective was to identify factors that facilitate or hinder such mobilization in Cambodian communities. Given the significant role and volume of foreign aid flowing to Cambodia—as well as the continued, prominent role that international institutions play in the country—this study focuses on the role that international donors and development actors play in enabling—or stifling—such community activism.


The Stanford team consisted of small teams of researchers (two or three students and one faculty supervisor). We collectively carried out more than 85 key interviews with over 140 individuals, including community members, mobilizers, movement members, local elected officials, NGO staff members,

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international donor representatives, diplomatic staff, and journalists. We conducted some of these interviews with the assistance of a translator. Some of these discussions involved multiple interviewees.

The study will be released in a three-phase process. In May 2015, the Stanford Clinic distributed to several key commentators a draft “green paper.” Their very valuable input informed the final redraft of this public “white paper,” which was released on June 1, 2015. The white paper is intended to present our analysis and stimulate discussion within our target audiences. After a three-week period of open consultations, in which the Stanford Clinic supervisors are soliciting wider input from a range of different stakeholders, the report will be released in its final form in late June 2015.

The paper begins by introducing a brief theoretical frame for conceptualizing community mobilization efforts; this frame guides the rest of the discussions in this report. Next, the paper briefly contextualizes the case studies discussed in this report, highlighting the significance of the land and labor disputes that are currently so contentious in Cambodia. The report then presents the seven examples of community mobilization that the Stanford Clinic documented while in Cambodia. Finally, the report presents several observations about the lessons that can be learned from these examples of community mobilization.

### Theoretical Background

This section lays out some of the key questions and theoretical considerations found in the literature on community mobilization and international donor support for civil society, activism, and political activities.

### A Theory of Community Mobilization and Empowerment

The literature on social mobilization and community organization is extensive, and yet it fails to speak with a unified voice about the key factors that lead to successful mobilization efforts.\(^{10}\) Political, social, structural, and cultural factors are highly salient in explaining why a mobilization strategy might succeed at one time and place but not another.\(^{11}\) Given the importance of context in understanding any mobilization effort, it can be difficult to derive a universally applicable theory of mobilization, organization, and, ultimately, empowerment. But without a rudimentary theoretical construct to build on, any study of mobilization risks being little more than a collection of descriptive, but potentially non-transferable, anecdotes.

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One recent World Bank publication presents a relatively simple theory of mobilization centered on the concept of empowerment. The authors of that study describe empowerment as “the process of enhancing an individual’s or group’s capacity to make purposive choices and to transform those choices into desired actions and outcomes.” This definition is broader than what is typically thought of as “community” mobilization, in that the individual’s empowerment is typically not the direct focus of community mobilization literature. But the empowerment of individuals is often crucial to the process by which a community as a whole ultimately mobilizes. Studies of community mobilization often take for granted the agency of a community, neglecting to focus on what factors enabled the community to articulate its grievances in the first place and identify a communal desire to do something about it. The reality of community mobilization, however, is that the tactics and methods of community mobilizers cannot be discussed without reference to this broader concept of personal empowerment. This pattern is borne out by each of the examples surveyed in this report.

According to the authors of the World Bank framework, empowerment—and by extension community mobilization—is “contingent” on the relationship between a community’s agency (“a group’s ability to envisage and purposively choose options”), and its opportunity structure (“those institutions that govern people’s behavior and that influence the success or failure of the choices that they make”). Agency, the authors of the World Bank study argue, “can be largely predicted by a community’s ‘asset endowment,’ defined as ‘the stocks of resources that equip actors to use economic, social and political opportunities, to be productive, and to protect themselves from shocks.’” These resources are not just financial and material in nature, but also include less tangible forms, such as psychological assets (for example, the capacity to envision), informational assets (for example, access to information about inequality), organizational assets (for example, a tradition of communal problem solving), social assets (for example, a culture of nonviolence), or geographical assets (the degree to which a community can easily connect with other potential allies).

Even communities with strong asset endowments and a good degree of agency may still be considered disempowered or marginalized if they operate in repressive, racist, sexist, politically polarized, or otherwise unresponsive institutional and social environments. An unhealthy institutional environment (opportunity structure) is typically the systemic cause of recurring patterns of rights abuse such as the ones described in this report. Disempowered communities usually consider the opportunity structure to be beyond their sphere of influence. Empowered communities, on the other hand, seek to mobilize their resources to influence the broader opportunity structure that they feel prevents them from achieving their full potential. The opportunity structure can thus be thought of as a semi-extrinsic factor to a community’s agency that either facilitates or hinders its overall ability to achieve its mobilization objectives. Even the most empowered communities can be thwarted in oppressive or unwelcoming institutional environments. Conversely, even comparatively modest attempts to self-effectuate can be successful in environments where this kind of activism is encouraged. The World Bank study defines this

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12 Id. at 9-26.
13 Id. at 1.
15 ALSO, supra note 21, at 11.
16 Id. at 13.
17 Id. at 11.
opportunity structure as the “rules of the game” devised by societies to shape and constrain human interaction and individual choices. To understand the opportunity structure of a community, analysts must look to both formal institutions (such as laws, courts, markets, or other organizational constructs) and informal constructs (such as culture, norms, social attitudes, and bureaucratic protocols).

The international donor community—comprising Multilateral International Finance Institutions (MIFIs), Bilateral Development Programs, and International Non Governmental Organizations (INGOs)—falls into this opportunity structure. In the best-case scenario, the international community can help facilitate empowered communities as they mobilize. But just as corrupt governance systems can stifle communities’ efforts to effectuate change using political means, so too can an international community corrupted by wrongheaded institutional incentives stifle community mobilization.

According to this theoretical model, then, efforts to facilitate community empowerment can adopt one of three strategies: (1) they can be designed to strengthen a community’s agency, (2) they can be designed to render the opportunity structure in which a community operates more receptive, or (3) they can be designed to do both. This brief theoretical framework suggests a number of relevant questions for social scientists to explore. Among these are questions about how a community first comes together and defines a collective identity and vision, how the community organizes, and how it decides on the tactics and organizational techniques it will employ. These questions guided our discussions with a range of community activists in Cambodia in 2013 and 2014. We hope that our discussion of their answers will help contextualize the inspiring story of communities empowering themselves to take action on some of the most pressing human rights challenges in contemporary Cambodia. We also hope that this discussion will provide guidance to actors outside those communities on how to best support that empowerment process.

**International Support for Mobilization, Civil Society, and Political Activities**

International support for social and political reform initiatives runs the spectrum from providing active support to opposition parties and candidates to, on the other end, supporting existing government initiatives. A number of aid programs fall somewhere in between these two extremes. Examples include development initiatives to support government measures improving transparency and accountability; expanding access to legal services; providing support to independent media outlets; creating independent institutional complaint mechanisms; facilitating dialogue between parties in a dispute; building coalitions in support of public policy objectives; or working in multi-stakeholder initiatives with powerful actors and groups, incumbent or not, to achieve policy change. All of the above examples of aid interventions can be described as improving the “opportunity structure” facing community activists (see Theory section above).

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18 Id. at 13 (citing DOUGLASS NORTH, INSTITUTIONS INSTITUTIONAL CHANGE AND ECONOMIC PERFORMANCE (1990)).
19 Id. at 17. The World Bank proposes a version of these three questions in proposing a series of direct indicators by which to track empowerment and measure the success (or failure) of an intervention designed to foster empowerment: (1) “whether an opportunity to make a choice exists,” (2) “whether a [community] actually uses the opportunity to choose,” and (3) “whether the choice brings about the desired result.”
Mainstream aid programs (such as infrastructure, health, and economic aid) can also have a direct impact on a society’s opportunity structure, especially if they are designed to challenge social or institutional arrangements. Examples include provisions integrated into major infrastructure development projects mandating community consultations and the recognition of the rights of affected stakeholders. Such provisions would be relevant if they impose real constraints on domestic political action, and indirectly support community activists. The international community could also identify ways to directly support individuals or communities involved in mobilization efforts. This latter category of more direct assistance might be described as aiming to foster the “agency” of communities and their leadership.

International development agencies and donors—including MIFIs such as the World Bank and the Asian Development Bank, as well as bilateral development actors such as the U.S. Agency for International Development (USAID) and the Australian Department of Foreign Affairs and Trade (formerly Australian AID)—have a complicated history regarding support for non-government actors and communities. The work of Thomas Carothers and his colleagues has chronicled this history in detail, from the emergence of explicitly political projects after the Cold War, to the push to “make aid methods politically smart,” to charting a path for pursuing donors’ values while “genuinely understanding local processes of political change.” In addition to Carothers’ foundational work, this report draws on the extensive literature on “civil society,” development actors, and governance reform initiatives, much of which focuses specifically on Southeast Asia. Unfortunately, grassroots movements and community organizers are often ill-equipped to interact with most international development donors.

Broadly defined, MIFIs are multilateral banks that provide loans to countries wishing to finance development initiatives aimed at poverty eradication. While they are tremendously powerful, these banks technically rely on the initiative of the host government to request funds for a particular development project. Thus, of all the actors listed above, MIFIs have the hardest time including anything but the host government’s stated development priorities in their mandate. The reality is, however, that MIFIs have tremendous leverage to insist that social justice safeguards be incorporated into any projects they fund, for example a rigorous social audit at the outset of a project, and easily accessible grievance mechanisms that allow communities to raise red flags early and easily.

Bilateral aid development organizations also have a high potential for potential disconnects between their institutional mandates and the needs of community leaders. Many bilateral aid organizations can justify their activities not in terms of solidarity with the affected communities, but rather as an extension of the

20 ALSOP, supra note 21, at 58.
21 S. James Anaya & Robert A. Williams, Jr., The Protection of Indigenous Peoples’ Rights over Lands and Natural Resources Under the Inter-American Human Rights System, 14 HARV. HUM. RTS. J. 33, 36-37, 53-55 (2001) (The Indigenous and Tribal Peoples Convention of 1989 (ILO Convention 169) established normative standards mandating consultation with local indigenous communities prior to any major infrastructure development projects. While Cambodia has not yet ratified the Convention, these norms have become customary international law by which Cambodia must abide.).
22 Finn Tarp, Aid, Growth, and Development, in FOREIGN AID FOR DEVELOPMENT: ISSUES, CHALLENGES, AND THE NEW AGENDA (George Mavrotas, ed., 2010).
24 See, e.g., SOCIAL ACTIVISM IN SOUTHEAST ASIA (Michele Ford ed., 2013); Lee Hock Guan, CIVIL SOCIETY IN SOUTHEAST ASIA (2004); Muthia Alagappa. CIVIL SOCIETY AND POLITICAL CHANGE IN ASIA: EXPANDING AND CONTRACTING DEMOCRATIC SPACE (2004); Kendall W. Stiles, CIVIL SOCIETY BY DESIGN: DONORS, NGOs, AND THE INTERMESTIC DEVELOPMENT CIRCLE IN BANGLADESH (2002).
donor country’s national and economic interests. Given the geopolitical realities that almost always inform diplomatic relationships between sovereign nations, it is politically costly for international bilateral and multilateral donors to take public positions in solidarity with communities engaging in politically controversial issues. Some donors prioritize human rights values and accept the political costs of taking principled action accordingly; others decide to work only in partnership with host governments within a strict interpretation of sovereignty. In all cases, however, donors must constantly decide whom to support consistent with their development priorities and risk tolerance for political fallout; how to support their development partners, and with what level of oversight; what kinds of programming to support; and the extent to which they want to structure their programming to encourage community empowerment. We will return to these considerations after reviewing the examples of community mobilization below.

The last category of international development actors, INGOs, also often have institutional incentives that sometimes complicate their interactions with community mobilization efforts. First, INGOs also are subject to political pressure, possibly even more so than bilateral or multilateral donors. Not all INGOs have the stomach or institutional maturity to stand up to government pressure, and thus many seek out projects that are considered politically “neutral.” Second, many INGOs derive great benefit—including future donations—from taking direct credit for the work they are supporting. Thus, even when INGOs support local partners and work to build the capacity of these partners, they still often insist on taking credit for any substantive achievements. As a result, funding often continues to go directly to these INGOs, rather than to “local” actors who may actually be doing the work. This justifies a self-perpetuating cycle of need identification and remediation on the part of the international donor community. This pattern is particularly accentuated in a place like Cambodia, where the dark legacy of the Khmer Rouge regime provides a persuasive and colorful narrative backdrop of “doing good in difficult places.” For many INGOs, the temptation of capitalizing on this narrative is simply too strong to critically evaluate the downsides of this same narrative from the perspective of local partners.

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25 See e.g. Making Performance Count: Enhancing The Accountability and Effectiveness of Australian Aid, DEPARTMENT OF FOREIGN AFFAIRS AND TRADE, June 2014, http://dfat.gov.au/about-us/publications/Documents/framework-making-performance-count.pdf, (articulating the purpose of Australia’s annual $5 billion aid program as “promoting Australia’s national interests by contributing to sustainable economic growth and poverty reduction”); see also Who We Are, USAID, http://www.usaid.gov/who-we-are, last updated April 17, 2015 (stating that “U.S. foreign assistance has always had the twofold purpose of furthering America’s interests while improving lives in the developing world. USAID carries out U.S. foreign policy by promoting broad-scale human progress at the same time it expands stable, free societies, creates markets and trade partners for the United States, and fosters good will abroad”).

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Mobilization in Cambodia

Cambodia’s history is fundamental to understanding the country’s current grassroots mobilization efforts. The social unrest that Cambodia experiences today is the latest in a series of legal and ideological revolutions that have buffeted the country since the late nineteenth century. Most recently, much of this social unrest has centered on two of Cambodia’s principle human rights challenges: land grabbing and persistent, unaddressed labor rights abuses. Both of these problems threaten to undo Cambodia’s post-conflict peace-building efforts by reopening many of the social and political cleavages of the late 1990s. The long-term effectiveness of recent Cambodian community mobilization efforts remains contested. Individual communities have achieved some noteworthy successes, and this report highlights some of them. But, in the aggregate, Cambodian activists still strive to effectuate the broader socio-economic or political change that they seek. The following section discusses the motivating forces behind land and labor disputes in Cambodia, then briefly touches on political protest, the third major source of mass mobilization in Cambodia.

Land Disputes and Land Rights Activism

Before the colonial period, the King of Cambodia owned all land in Cambodia. Families and individuals were granted informal title to use any land that they continuously cultivated. This system remained in effect until the late nineteenth century, when French colonial authorities implemented mass parcelization and registration of land. This completely redefined the traditional Khmer system of land tenure. The concept of private land ownership was formalized with the 1920 Civil Code, under which individuals could submit a request to recognize their private land ownership rights. After Cambodia’s independence in 1953, the colonial system of privatized land ownership remained intact. In 1962, a reported 76.9% of rural households had documents to prove their land title.

29 Boren & Senera SAR, INTRODUCTION TO CAMBODIAN CIVIL LAW—CIVIL CODE (2010), http://www.scribd.com/doc/40051718/Introduction-to-Cambodian-Civil-Law-Civil-Code (The 1920 Civil Code is the set of rules governing the legal relationship between private individuals adopted in 1920. This was the first version of the Civil Code and was largely drawn from Napoleonic legal system imported from France.).
31 Sekiguchi & Hatsukeno, supra note 35.
The concept of private property rights was violently abolished in 1975 when the Khmer Rouge toppled Lon Nol’s regime. In what today is widely described as a genocide, the Khmer Rouge relocated urban and professional populations to the countryside en masse, separating and dispersing families and completely upending all aspects of traditional Cambodian and Khmer society. In the process, all land ownership rights again shifted to the state. The legacy of the Khmer Rouge regime still casts a dark shadow across Cambodian society today, including in the ongoing ambiguity of land tenure in Cambodia.

An armed Vietnamese invasion overthrew the Khmer Rouge in 1979. During the period of Vietnamese control, a system of “agricultural collectivization” was established, in line with the Vietnamese system of communist land tenure. Vietnamese troops withdrew from Cambodia in 1989, and in 1991—after the conclusion of a United Nations brokered peace process—a new independent government was elected in 1993 (with Hun Sen sharing the Prime Ministership).

The new government focused on the creation of a market economy in Cambodia. In 1992, the Cambodian People’s Party (CPP) introduced reforms that allowed for private ownership of both cultivated and residential land. The new legislation, the Land Law of 1992, included many provisions copied directly from the 1920 French colonial Civil Code. The law also created a new Land Ministry to facilitate formal land titling. During its first year alone, this new Land Ministry received an estimated 4.5 million requests to grant formal land titles. Unprepared for such an overwhelming response, the Land Ministry quickly became backlogged, and formal titles were not issued as promised. Instead, the Ministry simply issued legally ambiguous receipts that only proved that a claim was filed.

The Royal Government of Cambodia (RGC) passed a second land law in 2001 in an attempt to fix the situation. In drafting this new law, the RGC received technical support from Finland, Canada, the World Bank, and the Asian Development Bank. The 2001 Land Law created more specific provisions, including a new formal land titling system. According to this new law, anyone who had continuously occupied land for five years or more prior to 2001 could file a claim to title with the Land Ministry’s cadastral registry.

32 LOL NON, ENCYCLOPAEDIA BRITTANICA, http://www.britannica.com/EBchecked/topic/346805/Lon -­‐Nol (Lon Nol was a politician and key leader in the overthrow of Prince Norodom Sihanouk. In 1972 he installed himself as the leader of Cambodia until his disposition in 1975.).
33 LKY, supra note 28.
34 Trzcinski & Upham, supra note 38.
35 During its four-­‐year Regime, the Khmer Rouge killed more than 1.5 million Cambodians and left a deep scar on Cambodia that has yet to fully heal. For a detailed account of the genocide, see HOWARD NIKE, JOHN QUIGLEY & KENNETH ROBINSON, GENOCIDE IN CAMBODIA: DOCUMENTS FROM THE TRIAL OF POL POT AND IENG SARY (2000).
36 See LKY, supra note 26.
37 LKY, supra note 36; Raymond Chad, “No Responsibility and No Rice”: The Rise and Fall of Agricultural Collectivization in Vietnam, Salve Regina University Digital Commons (2008), http://digitalcommons.salve.edu/cgi/viewcontent.cgi?article=1020&context=fac_staff_pub (Agricultural Collectivization refers to a system of rural agriculture where farmers are jointly responsible for food production and farm upkeep. This form of land tenure was common in many communist or socialist countries).
38 Trzcinski & Upham, supra note 38.
39 Sekiguchi & Hatsukano, supra note 35.
40 Trzcinski & Upham, supra note 38.
41 LKY, supra note 28.
42 Id.
43 Id.
44 Trzcinski & Upham, supra note 38.
In addition, in 2001 a group of foreign investors (primarily the World Bank, with smaller contributions from the German Technical Cooperation Agency and the governments of Finland and Canada) proposed the Land Management and Administration Project (LMAP). The investors wanted to “supply the technical expertise necessary for the quick, clear, and conclusive specification of ownership, commune by commune, throughout all of Cambodia.” The LMAP project initially focused on land titling in ten provinces. It improved land tenure security, and developed the necessary framework to allow for a more stable land administration system. In five years, approximately one million land parcels were registered. LMAP was originally praised for these successes, particularly in rural provinces. However, LMAP came to a close in 2009 after it was determined that safeguards had been breached and that corruption in the program was rampant. Despite LMAP’s closure, systematic land registration has continued in fifteen provinces and the capital. In 2012 and 2013, Prime Minister Hun Sen personally oversaw a major effort to secure land tenure across the country. However, these efforts took place only on land not already subject to a pre-existing land dispute, and ended shortly before the 2013 elections (see below).

Uneven implementation of mutually contradictory laws has aggravated the problem of assigning land titles. Additionally, as the economy rapidly transformed in the 1990s, outside investors became increasingly keen to acquire rural land, making it imperative that residents secure their land rights. Many Cambodians, however, remained uneducated about the need to obtain legal title to their land or lacked the resources to do so.

This convoluted path to Cambodia’s current land policies has resulted in thousands of disputes, often involving allegations of land grabbing and official corruption. Between 2000 and 2014, over 500,000 Cambodians were affected by land disputes. A government directive that suspended new economic land concessions and called for review of existing concessions in March 2012 did little to address the problem. With no indication that the government is actually carrying out a review of land concessions, the affected families are reacting. In the first three months of 2014 alone, hundreds of villagers in numerous locations rose up to protect their land interests. These numbers are striking given the lauded “success” of the current land titling program, which supposedly issued nearly 3.5 million land titles since its implementation, including 500,000 in the last two years. Disputes and increasingly desperate clashes between villagers and authorities continue. Communities across Cambodia have mobilized to protect

45 LKY, supra note 28, at 4-5.  
46 LKY, supra note 28, at 5.  
48 Mark Grimsditch et al., World Vision & The NGO Forum on Cambodia, Access to Land Title in Cambodia 19 (2012).  
50 Sekiguchi & Hatsukano, supra note 35.  
51 Id.  
52 LICADHO, supra note 14.  
53 Id.  
natural resources, resist land grabbing efforts, and raise awareness about government intimidation tactics.55

Today, land rights have been described as the “most contentious” human rights issue in Cambodia.56 The CPP regime has sold or given away over 2.1 million hectares of land concessions—almost 12% of Cambodia’s total land mass. Prior to being reappropriated, these lands often provided a source of income for the villagers who lived on or near them. Typically, land is sold to wealthy and politically-connected Cambodians and foreigners, particularly Vietnamese and Chinese investors.57 In rural Cambodia, these land concessions are often cleared to make room for large-scale agribusiness, mostly rubber and sugar plantations. In Cambodia’s densely forested regions, investors’ primary purpose is often to harvest valuable tropical old-growth timber, leading to widespread deforestation, desertification, and riverine pollution in some of Southeast Asia’s last old-growth forests.

The World Bank and other international actors’ involvement in national land titling schemes has done little to improve the situation. The continued insecurity of land titles in Cambodia has resulted in countless serious land disputes pitting villagers against local authorities, old tenants against new corporate landholders.58 These disputes have occasionally turned violent.59 Indeed, it was only a politically controversial effort initiated by Prime Minister Hun Sen as part of his 2013 political re-election campaign that finally brought some degree of land title security to large swaths of the Cambodian countryside. While this land-titling scheme benefitted 360,000 households, the program specifically avoided granting titles to any land that was the subject of a pre-existing land dispute. Further, the program was not administered through the government institution that is specifically tasked with administering Cambodia’s system of land titling. Thus, although the program was generally considered a step in the right direction, it did little to resolve Cambodia’s existing land conflicts, nor did it contribute to the capacity of the government institutions designed to do so. Instead, the program was widely described as a one-time political stunt, designed to reinforce Hun Sen’s personal standing among voters in the run-up to the election.60

Land disputes have proven to be highly contentious in urban areas as well. Of note, the most high-profile land dispute has been that surrounding Boeung Kak (also often referred to as Boeung Kak Lake). It is one of the most prominent land disputes in Southeast Asia, and it has been the subject of extensive reporting and advocacy efforts over the past decade.61 The Boeung Kak community once lay on the shores of a large

55 LICADHO, supra note 14.
57 LICADHO, supra note 12; Cambodia’s Concessions, LICADHO, https://www.licadho-cambodia.org/land_concessions/.
natural lake within sight of the national Parliament and some of the capital city’s most expensive real estate. It was home to over 4,000 families and a thriving tourist industry. In 2007, the Phnom Penh municipal government leased the lake and adjacent land to a development company.

In 2008, developers began to fill the lake with sand, flooding the homes of many of the adjacent inhabitants. The company offered compensation options for the residents it was displacing, but community members and other observers deemed them to be woefully inadequate. In response, members of the Boeung Kak community began to organize regular protest activity, and key community members have been in the public eye ever since. Over the years, some of these activists have been the victims of well-publicized police brutality and harassment. The government has arrested and convicted many activists for illegally occupying their former land, as well as on spurious charges, sometimes repeatedly.

Mounting pressure and a formal complaint lodged in the World Bank’s designated grievance process eventually prompted the World Bank in 2011 to suspend all further support to the Government of Cambodia for its land titling projects across the country until there was satisfactory resolution of the Boeung Kak issue. The World Bank’s response resulted in a partial success for the movement: within a week, the government issued a decree to set aside land sufficient for 800 families. However, at least ninety displaced families were still excluded from the deal, and the decree did nothing for the approximately 3,500 families who had already been displaced to resettlement communities or otherwise inadequately compensated.

Although other communities we spoke to frequently made reference to Boeung Kak, it has been profiled and commented on at length elsewhere. Additionally, its significance as a model for community

empowerment has been subject to conflicting interpretations and criticism, especially in light of the prominent cleavages that continue to divide the Boeung Kak community. As such, this report does not include Boeung Kak as one of its examples of community mobilization efforts. Boeung Kak, however, is only the tip of the iceberg when it comes to urban communities displaced by development.62

Labor Disputes and Labor Rights Activism

The colonial-era 1920 Civil Code first introduced labor laws to Cambodia, including the establishment of a ten-hour workday, the creation of the Ministry of Labor and Social Affairs, and a number of other labor regulations.63 After independence, Cambodia’s new government retained these laws with only minor adjustments.64 Mirroring the pattern discussed above with regard to land tenure, these colonial-era labor protections were brutally disregarded during the Khmer Rouge regime, which forced large segments of the Cambodian population into hard labor.65 The legacy of the Khmer Rouge forced labor regime, coupled with grinding poverty in the years following the Khmer Rouge defeat, meant that the concept of labor protection was meaningless to the vast majority of Cambodians. Indeed, it took until 1992 for a new labor law to be put in place. This law was subsequently modernized to attempt to adapt to the growing demands on Cambodia’s workforce.66 Cambodia has also ratified several conventions of the International Labor Organization in recent years.67

Cambodia witnessed the explosive growth of its export-oriented garment industry over the last two decades.68 In fact, the 2014 garment industry accounted for more than one-third of the annual gross domestic product,69 and approximately 70% of the country’s total exports.70 In fewer than twenty years, there was nearly a thirty-fold increase in the number of factories,71 with a corresponding increase in the demand for garment workers. Labor disputes—mostly centered around wages and working conditions—

62 See Sahmakum Teang Tnaut, Phnom Penh’s History of Displacement—Evicted Communities from 1990 to 2014 (Dec. 2014), http://teangtnaut.org/wp-content/uploads/2014/12/FactFigures23_Evicted-Communities-PP-1990-2014_VsFinal.pdf (estimating that almost 30,000 families were displaced between 1991 and 2014 from 61 separate verified sites around Phnom Penh to various relocation sites around Phnom Penh, and that an unknown number of families were evicted from an additional 28 unverified sites).


64 Id.

65 Damien de Walque, Selective Mortality During the Khmer Rouge Period in Cambodia, 31(2) POPULATION AND DEVELOPMENT REVIEW 351 (2005).

66 INTRODUCTION TO CAMBODIAN LAW, supra note 65.

67 Id. at 289 (The thirteen conventions are: C4, C6, C13, C29, C87, C98, C100, C105, C111, C122, C138, C150, C182).


70 CIA WORLD FACTBOOK 2014

71 According to the Ministry of Commerce, the number of garment factories in 1995 was 20. Yuko Maeda, Labor Disputes Increase in Garment Industry, CAMBODIA DAILY (Feb. 29, 2000), http://www.cambodiadaily.com/archives/labor-disputes-increase-in-garment-industry-15449/. In 2014, there were 559 garment factories. Larson, supra note 69.
arose, likely the result of this sudden growth in the textile industry coupled with inadequacies in Cambodia’s labor laws.\textsuperscript{72}

A new class consciousness is taking hold among these urban workers, who increasingly organize the country’s most visible and potentially disruptive protests. The workers who toil in Cambodia’s garment factories are primarily women, mostly from the country’s rural provinces. The vast majority of the garment factories are located in Phnom Penh or its immediate vicinity. Thus, although physically a part of the urban landscape of Phnom Penh, substantial financial and social barriers serve to prevent any real contact between Phnom Penh’s huge garment worker population and their more wealthy, cosmopolitan, and urban counterparts. This separation is engendering class consciousness among garment workers, who are increasingly willing and well-positioned to give voice to their grievances, sometimes at great personal risk. Workers carried out 131 strikes throughout 2013.\textsuperscript{73} In 2014, tens of thousands of garment workers went on a major strike demanding a minimum wage increase.\textsuperscript{74} Despite violent clashes with police that led to five deaths and numerous injuries, workers persisted.\textsuperscript{75} Ultimately the government raised the minimum wage, albeit only to the “poverty line.”\textsuperscript{76}

**Political Protest in Cambodia Today**

When the Cambodia National Rescue Party (CNRP), the main opposition political party, rejected the 2013 election results, people also turned to protests. In December 2013, the CNRP boycotted the opening of parliament, alleging election fraud, and organized large protests in Phnom Penh. In early 2014, massive non-violent protests took over the streets of Phnom Penh for days on end. The CNRP organized most of the protests, but independent networks of civil society actors organized additional parallel gatherings. Many rights activists at the time feared a violent standoff between protesters and government authorities, but these clashes for the most part never occurred. Instead, thousands of protesters marched peacefully through the streets of Phnom Penh and assembled at a prominent park in the heart of Phnom Penh, October 2013

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\textsuperscript{73} Larson, supra note 69.

\textsuperscript{74} Id.


the city. But even today, the demands of the protesters remain largely unmet, and the opposition party is seen by many community organizers as having lost some credibility by cooperating with the CPP.

The 2014 protests demonstrated the potential politicization of grassroots social movements. Many of the communities that had been mobilizing across Cambodia participated in the protests. This cooperation gave the governing party the grounds to allege complicity between the community mobilizers, the NGO community, and the opposition CNRP politicians, even going so far as to claim that they were all one and the same.

This study demonstrates that Cambodian community mobilization efforts are not the same as political activism organized by the CNRP, even though in 2014 there were many synergies between the two. But absent a more receptive environment in which community activists can see their concerns addressed by the proper authorities, this tendency to politicize community mobilization efforts may only increase. It is in this climate of growing popular discontent that this study examines the lessons learned by some of the country’s most prominent community organizers.

Examples of Successful Community Mobilization Efforts in Cambodia

The following section highlights a few examples of community mobilization efforts that have informed the analysis of this report. Although our methodology was designed to identify examples of community mobilization efforts that either the community activists themselves, or other outside observers, pointed to as having been to some extent “successful,” a more careful examination of each of these case studies yields both successes and ongoing challenges as these communities continue to struggle to vindicate their rights.

Mobilizing Urban Communities

The first three examples are drawn from the urban environments of Phnom Penh and Siem Reap. Phnom Penh is the center of political, economic, academic, media, and (arguably) cultural life in Cambodia. Phnom Penh accounted for just under 11% of Cambodia’s population in 2014, and approximately 75% of investments countrywide are directed to the city. Siem Reap, meanwhile, is Cambodia’s third-largest and fastest-growing city, with an estimated 140,000 inhabitants in 2014. The primary driver of Siem Reap’s growth is tourism, in particular the world-renowned Angkor Wat temple complex and the lively...
tourist infrastructure that has grown in recent decades to accommodate an estimated two million visitors annually.81

Not all urban residents have benefited from this rapid growth. Numerous communities of former urban dwellers have been forced to vacate their homes and land to make way for the real estate developments that are rapidly changing the face of Phnom Penh and other Cambodian cities. Even government agencies have been forced to make way for high-value commercial development projects.82 In other areas, the Authority for the Protection and Management of Angkor and the Region of Siem Reap (APSARA)—the government ministry charged with maintaining and preserving the Siem Reap region’s rich cultural heritage—has forced communities living close to these cultural monuments to leave in the name of natural and cultural preservation. This has forced many of these communities to drastically alter their livelihoods. Individuals who were once part of these urban economies—selling goods at markets, providing services to tourists, running small businesses, etc.—suddenly found themselves unable to continue earning a living once they no longer had a place to live near these urban centers. Other individuals have found themselves bereft of the crucial services that originally drew them to the cities, such as HIV-positive individuals who came to Phnom Penh to receive life-saving medical care.

In some respects, community activists in urban environments have clear structural advantages over their rural counterparts. There is more wealth in Cambodia’s urban environments, which communities can draw upon to sustain costly protests and which the urban authorities can utilize—if they so desire—to finance efforts to resolve some of the communities’ grievances and disputes with developers. Another comparative advantage is the relative ease with which urban communities can attract attention to their cause. Protests in urban environments have a greater chance of negatively impacting vital economic interests, and thus are more likely to cause the government authorities to respond quickly. The vast majority of international organizations, non-profit organizations, embassies, and aid groups have their headquarters in Phnom Penh. Many NGOs and media outlets also have prominent offices in Siem Reap. Furthermore, most foreign professionals and tourists who come to Cambodia arrive via Phnom Penh or Siem Reap. The examples highlighted in this section illustrate how communities made use of their access to these urban environments to further their cause.

Our first example of successful urban mobilization efforts focuses on a prominent land dispute in the Borei Keila neighborhood, one of the estimated eighty-nine sites where communities in Phnom Penh have been displaced to make way for the city’s rapid economic development.83 This community initially joined ranks with the more high-profile Boeung Kak protesters (see above), but over time it began charting its own path in its efforts to secure permanent housing.

The second example details the successes of the small Wat Damnak community in Siem Reap. Located adjacent to the “night market,” one of Siem Reap’s most popular tourist destinations, the Wat Damnak community was slated for demolition, allegedly to make way for a proposed new hotel. In its efforts to resist being displaced, the community chose to engage in quiet diplomacy rather than noisy protest. The

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82 STRANGIO, supra note 5, 164-65 (detailing a particularly busy year of land swaps involving police headquarters, university land, and hospitals).
83 See Tnaut, supra note 17.
contrast between the mobilization strategies chosen by the Wat Damnak community and other, more rural communities in Siem Reap province is striking in that respect.

The final example of a successful urban mobilization effort does not relate to protest over land at all. Instead, the movement arose from Phnom Penh’s mostly young and female migrant garment workers. Most of these workers moved to Phnom Penh from the country’s rural provinces, and are thus not typically thought of as residents of Phnom Penh. The Worker’s Information Center (WIC) first had to create a sense of shared identity among these workers, many of whom may not previously have thought of themselves as sharing a community with their fellow garment workers.

**Borei Keila Community**

This case study presents our first example of mobilization in an urban context. Located in central Phnom Penh, Borei Keila was a neighborhood first developed as a modernist community for athletes competing in the First Asian Games of the New Emerging Forces in late 1966. Like the rest of Phnom Penh, the neighborhood stood largely vacant during the Khmer Rouge time, until the 1980s when large numbers of individuals flooded back into the cities to find work and housing.85

By 2003, the buildings in Borei Keila were permanently occupied and the surrounding land had attracted a number of densely populated informal settlements. Most of those who lived in the area worked in Phnom Penh. Many of the poorest residents were affected by HIV/AIDS, often widows with children, who had come to the area to obtain care at a local health clinic. In 2003, Prime Minister Hun Sen announced that a private developer, Phanimex corporation, would be granted rights to redevelop part of the area. The deal required Phanimex to construct ten multi-story apartment buildings on two hectares of the site. The 1,776 families then living in Borei Keila area were to receive apartments in the new buildings.

In 2005, Phanimex began construction and began to allocate apartments in the new buildings to some of the residents who had lived in the community previously. The process was allegedly riddled with corruption. Some residents interviewed by the Stanford researchers reported that only a $500 bribe would get a family into an apartment, leaving the poorest families with no recourse and no housing.86

According to some of the residents, the company also actively discriminated against the HIV/AIDS positive individuals who had been living on the site. After completing only eight of the promised ten buildings in 2010, Phanimex reportedly ran out of money and declared bankruptcy, leaving approximately 400 families without a home. Many of those families continued to live in makeshift informal shelters, or in the run-down, partially bulldozed buildings standing in the shadows of the new apartment buildings. The local

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85 STRANGIO, supra note 5, at 153-54.

authorities and the residents—including some of their former neighbors—abused these hold-out families, for example, by tossing household rubbish onto the hold-outs’ homes from the balconies of the new apartments.

Community members who had lost their homes began protesting against the planned redevelopment as early as 2003, but it was not until 2011 that a more organized mobilization effort emerged to seek redress. These attempts were initially met with violence. In January of 2012, construction crews backed by armed forces bulldozed homes and forcibly attempted to evict hundreds of Borei Keila residents to undeveloped plots of land far from the center of Phnom Penh. The community resisted and protested. Several residents were injured in the ensuing scuffles with police, and at least eight were arrested. Sixteen other families were taken to Tuol Sambo and more than a hundred to Phnom Bath. Both relocation sites are located twenty-five kilometers from the center of Phnom Penh in different directions, and neither location has running water, sanitation, or other types of basic infrastructure.

Despite these and other hardships, the Borei Keila activists have maintained a unified mobilization effort. In response to the protests, Phanimex filed criminal charges against individual community activists and attempted to buy-off key community representatives with job offers, apartments in the newly constructed buildings, or promises of land in relocation sites. In 2012, two leaders were reportedly paid off or otherwise incentivized by the company to stop their activism.87

In response to the Phanimex Company’s strategy of buying off community leaders, the community recalibrated their organizational structure. The group formalized its organizational structure in 2012, holding regular elections to select community representatives on a rotating basis instead of just relying on prominent members of the community. These elections resulted in a rotating cast of community representatives, frustrating company efforts to compromise the community’s leadership. The community also pooled resources to organize transportation to and from the relocation sites for those who had been forcibly evicted, thus allowing old neighbors to continue mobilizing together, and ensuring that the movement represented the interests of all of those who still felt their rights had been violated by Phanimex and the Phnom Penh municipal government.

At times, Borei Keila activists have joined forces with the well-known Boeung Kak activists, staging joint events and know-your-rights community education initiatives. But Borei Keila community activists have also independently petitioned Phanimex and the municipal authorities, protested outside the Prime Minister’s house, and sought training and support from various NGOs and civil society groups.

As this report goes go press, the status of the Borei Keila dispute remains uncertain. On March 20, 2015, a working group formed by the city government to resolve the dispute announced that, of the 154 families yet to receive compensation, 26 families would receive housing on-site at Borei Keila, 89 families would receive newly built houses at a relocation site in Por Senchey district’s Andong village, and 39 families would receive unspecified other compensation. Many community members were dismayed, but City Hall urged them to work with the committee and file appeals rather than protesting. A community representative who had received housing on-site said that she would still back disappointed villagers if they wanted to protest, suggesting that the community’s spirit of solidarity continues. Two months after the announced settlement, former residents of the neighborhood continue to live in squalid shacks in the shadow of the Phanimex buildings, even as new housing developments continue to reach into the neighborhood’s skyline.

The Borei Keila case study demonstrates two key themes:

(1) Cultivate the leadership’s accountability to the community as a strategy to thwart opponents’ efforts to divide and splinter the community

In response to the Phanimex strategy of buying off the movement leadership, the Borei Keila community developed a democratic method of selecting community representatives. These representatives were held publicly accountable for their actions on behalf of the community, and votes were cast openly. Several of these representatives were bought off by Phanimex, but were quickly replaced when the rest of the community felt they no longer effectively representing the community’s interests. As a result, the movement as a whole remained viable, even if the leadership changed. This strategy was highly effective in maintaining a unified and broad-based movement in the face of the developers’ tactics.88

(2) The importance of maintaining an independent community identity

Borei Keila activists told the Stanford team that they had to find the right balance between collaborating with other protest movements—in particular Boeung Kak activists—and finding their own voice. At the outset of the movement, some Borei Keila activists were reportedly quite skeptical about the more prominent and vocal Boeung Kak activists. They feared that the specific concerns of the Borei Keila community would be subsumed and ultimately ignored by the larger Boeung Kak narrative.

Since that time, however, the two communities have reportedly developed a much more fruitful working relationship. Borei Keila community members often join Boeung Kak protests, and vice versa. Borei Keila community representatives expressed gratitude that they had been able to learn from and contribute to the Boeung Kak Community’s experience. Nonetheless, the Borei Keila activists maintained that they had preserved their movement’s independence. Several times, Borei Keila community activists have pulled back from joint actions with Boeung Kak and organized separate events designed to highlight the specific concerns of the Borei Keila community.

88 See also Graeme Brown, Meas Nee, and Dave Hubbel, An External Evaluation of Oxfam Hong Kong’s Cambodia program of 2006-2011, July 2012, 58 (reviewing the experience of a community network in Ratanakiri province where, according to the authors, 60% of its members had been recruited to assume political positions, and highlighting the need to “replace people in community networks as they enter into local authorities.”)
Wat Damnak Community

The village of Wat Damnak is located in Siem Reap, just outside the famous night market, one of Siem Reap’s most popular tourist destinations. In 1990, before the Paris Peace Accords led to the creation of the State of Cambodia, the community was granted a land receipt from the regional Land District Office of Agriculture. In 2007, provincial authorities came to measure land for the rest of the commune located behind the village, but refused to include Wat Damnak in their survey. The villagers protested this oversight, whereupon the authorities announced their intention to “trim” this location, claiming it was located on state land. Ultimately, thirty-three families’ title to the land they occupied was denied, allegedly because the village would have obstructed the construction of a new road and a Korean-financed water purification plant.

The families were offered three options: (1) accept an apartment; (2) accept a plot of land; or (3) accept money. According to community activists who agreed to be interviewed about their experience, the municipal government refused to disclose the location of the apartments or the land that evictees would be given until after they signed an agreement. The community refused to do so, and later learned that the intended replacement apartments and plots of land were located by Kulen Mountain, over forty kilometers from the center of Siem Reap. The monetary compensation was hardly more palatable, as the Municipality offered the villagers only $22.60 per square meter as compensation for land that was in fact worth approximately $1,000 per square meter.

The villagers refused these options and began to investigate, growing increasingly suspicious about the official reasons for their eviction. Documents about the water project and eviction lacked the proper official seals, leading community members to suspect that they had been forged. Yenh Seakleng, the Community Representative, began to organize resistance and prepare legal challenges to the eviction. On July 25, 2012, the penal police, deputy governor, and municipal police came to arrest Ms. Seakleng on charges of obstructing justice. Ms. Seakleng, however, had received legal know-your-rights training from the local offices of ADHOC and LICADHO, two prominent Cambodian human rights NGOs. In response to the charges that she was obstructing justice, she produced the receipt to the land that she and her neighbors had been granted in 1990 and the charges were dropped. According to the villagers, there have been no problems with the police since that time, and indeed the Governor has referred to them as a “model community.”

The Wat Damnak case study highlights two key lessons:

(1) The importance of education

In Wat Damnak, know-your-rights trainings were enormously effective. The Wat Damnak villagers were not only able to examine the supposedly official documents, but they were also prepared to speak about their rights. As a result of their education, the villagers were able to effectively defend their land.

(2) The importance of appealing to legal or bureaucratic remedies whenever possible

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89 The Wat Damnak story comes from interviews with community members conducted by the Stanford Human Rights and Conflict Resolution Clinic in November of 2014.
90 Interview with Yenh Seakleng, Wat Damnak, November 13, 2014.
Sometimes legal remedies are ineffective or simply do not exist. But the Wat Damnak example shows the importance of exhausting all legal and bureaucratic avenues before resorting to adversarial and “noisy” protests. This is especially true in Cambodia, where high-profile protests like the ones that have made the Boeung Kak Community famous also rouse the ire of local authorities and are thus very likely to prompt a heavy-handed response. The situation of Wat Damnak is unique—the vast majority of communities in Cambodia have only weak proof of land tenure. Even where communities do, in fact, have strong legal arguments documenting their land entitlements, as is arguably the case for the Boeung Kak and Borei Keila communities, these legal entitlements are often simply dismissed or ignored by judicial and administrative authorities. But in Wat Damnak legal entitlements were vindicated, and extensive, violent protests were averted.

Ms. Seakleng noted the importance for their community of relying on legal remedies, not adversarial protests. This reticence explains why Wat Damnak does not associate itself prominently with the other communities in Siem Reap that have been fighting against threats of eviction. The Wat Damnak mobilization strategy relies on their rights being vindicated through a proper administrative bureaucratic mechanism, and thus requires the good will of those authorities. Other communities have been forced to rely on more adversarial protesting and community networking strategies to vindicate their rights. From the perspective of the Wat Damnak activists, they hesitate to openly associate with these other communities lest this decrease the willingness of the authorities to promote their cause through the bureaucratic system. The desire to work peacefully with the government may also explain Ms. Seakleng’s insistence on having women at “the forefront” of the movement, because they would be less likely to “employ anger” to solve a problem.\textsuperscript{91}

\textbf{Worker’s Information Center (WIC)}\textsuperscript{92}

The final example of community mobilization is also an example of an urban community mobilizing in defense of their rights. In contrast to the other two examples, however, this is a created community. The largest industry in Cambodia is the garment sector. Major apparel brands from around the world source apparel from Cambodian factories, mostly located in the outskirts of Phnom Penh. Young, mostly female, workers stream to these factories to earn a living. Quite often, these workers come to Phnom Penh from rural areas of Cambodia. They live in small concrete row houses, usually sharing rooms with a half dozen or more other workers. Factory workers typically spend as little money as they can on rent, food, education, and entertainment, so as to send home as much money in remittances as they can. Labor abuses, unsafe working conditions, and sexual abuse at the workplace are common.

\textsuperscript{91} Id.
\textsuperscript{92} The Worker’s Information Center story comes from interviews with community members conducted by the Stanford Human Rights and Conflict Resolution Clinic in October of 2013.
In 1999, Oxfam Hong Kong (Oxfam HK) created the Womyn’s Agenda for Change (WAC) to research the root causes of poverty—especially women living in poverty—in the context of Cambodia’s rapid economic growth. WAC initially maintained a broad institutional mandate that included a number of initiatives relating to garment workers, sex workers, globalization, and development. Oxfam HK ended its support for WAC in 2006, but by that time, WAC had become fully self-sufficient, and WAC activists continued to provide WAC services as a loose affiliation of independent, more specialized sub-units. These sub-units continued to collaborate, but maintained separate programs and hierarchies. One particularly successful sub-unit, the Workers’ Information Centre (WIC), continues to serve as a resource for garment workers to learn about their rights, build solidarity networks, and find ways to mobilize for positive change.

Over fifteen years after Oxfam HK first created the WAC, the WIC has become a truly grassroots-driven (and grassroots-accountable) mobilization effort focusing on the rights of Cambodia’s garment workers. Its members have transformed it from a product of a foreign NGO initiative into a self-sustaining and locally-driven resource. All operations happen through its network—not publicly—to reinforce the personal connections through which it runs. New recruits are met and mentored by WIC Leadership personally. Moreover, in order to maintain its grassroots nature, the WIC is stringent in its relationship with donors, accepting support only from donors whose philosophies are consistent with the WIC’s goals. WIC members collaborate with some of the more progressive worker unions, advocating through those channels for better pay, improved working conditions, and more generous leave allowances, though they generally prefer to maintain their independence from the traditional labor sector as well.

Much of the WIC’s work concentrates in seven drop-in centers spread around the areas in Phnom Penh’s outskirts where most garment workers reside. Led completely by women, the WIC built the first drop-in centers in 2003 to educate and empower female garment workers (who comprise 90% of workers in garment industry). The WIC wanted to provide workers with a safe environment to share their concerns and discuss strategies for redressing grievances. A former Assistant Coordinator of a WIC office, Sok Thareth, explained, “we learn so then we know if we are being exploited or not.”

93 Interview with WIC Leadership/Drop-In-Center Coordinators, Phnom Penh, Oct. 27 2013.
initiative sought to empower workers independently of the traditional labor movement, which was often perceived as self-interested and corrupt. The WIC has spearheaded a number of notable initiatives to date, including educating workers on their rights so that they can self-advocate (rather than rely on variable union representation), getting brands to pressure factories to raise wages, and inspiring more women to take leadership positions in the workplace. At the time this report was going to press, the WIC was seeking support for a new program to sell higher quality and nutritionally fortified food to workers in factory areas, putting market pressure on existing food sellers to follow suit or lose business. Not only does this program respond to a series of worker faintings likely induced by inadequate nutrition among garment workers, but it is also intended as a source of future revenue for the WIC.

Three key themes emerge from the WIC case study:

(1) The organization’s commitment to female empowerment and leadership

Multiple members of the WIC spoke about the way that their experiences with the WIC empowered them beyond the workplace. Not only were women able to learn more about their rights, but they also had the opportunity to see confident women lead an effective organization. Many young women seemed eager to take on leadership roles, fighting for the rights of their friends and families.

(2) The organization’s highly principled relationship to potential donors

The Stanford team had the opportunity to speak with several of the WIC’s current donors, all of whom spoke in glowing terms of the WIC’s work. They also noted, however, that supporting the WIC put them as donors in an unusual and even subservient role vis-à-vis the WIC. One of the WIC’s major funders told us “[the WIC has] helped us change our own thinking. We listen to them a lot and they challenge us a lot to see what is really our position.” The WIC required its donors to align with its pre-existing programming priorities, and to not also support other organizations with inconsistent viewpoints about gender discrimination, sex worker rights, etc. The WIC determines its programming priorities through a democratic, bottom-up process, and its leadership chose to prevent donor grants (or potential donor grants) from influencing or altering

94 For example, there are frequent stories of unions keeping wages that were supposedly won on behalf of workers or failing to do anything with the complaints workers gave to union representatives. See generally Nuon Veasna & Melisa Serrano, Building Unions in Cambodia, FRIEDRICH EBERT STIFTUNG (2010), http://www.fes-asia.org/media/Cambodia/2010_Building%20Unions%20in%20Cambodia_Nuon_Serrano.pdf (for more on Cambodian unions, including the political affiliations/tendencies of the respective unions, superordinate federations and national-level confederations).
that process. The result for the WIC and its donors has been a truly dynamic and representative civil society organization making a real difference in the lives of countless Cambodians. In particular, the WIC has been able to build a coherent and well-run organization based on the needs of its constituents, not the ideal programming mixes of its donors.

(3) The organization’s strategies for recruiting and promoting new members

Starting from close-knit relationships also allows newcomers to feel safe joining, despite the difficulties that many labor organizers face. Additionally, building slowly and organically from existing social networks allows the WIC to control the size of the organization so that it is proportional to the available support.

Mobilizing Rural Communities

The next three successful community mobilization efforts described in this report are examples of rural communities mobilizing in protest over land grabbing. As described above, privately owned land was not permitted during the Khmer Rouge regime, but in the 1990s local authorities began to distribute land to local communities. Often, the amount of land distributed was insufficient to provide households a livelihood, however. Rural communities rely heavily on agriculture to sustain their livelihoods. Therefore, land grabbing and the associated violence arguably poses the most acute threat to rural livelihoods in Cambodia. Furthermore, many rural communities, particularly Cambodia’s indigenous communities, feel strong identity ties to the land they cultivate.

Communities deprived of their land need to find other sources of income to survive. Often, the result is that households send family members to find work outside of the community, in order to send home remittances to support the rest of the family. These individuals often find work in Phnom Penh’s garment sector, the construction industry, or other low-wage jobs. Many such individuals also fall victim to unscrupulous employers or human traffickers, especially those seeking work abroad. Communities deprived of their land face economic, social, and cultural devastation, as unethical actors seeking to exploit families’ vulnerability. Several of those whom we encountered stated that life without their land was as bad as life under the Khmer Rouge. Justified or not, this sentiment demonstrates just how desperate the situation has become for Cambodia’s rural populations affected by land grabbing.

Communities that protest against land grabbing often face violent repressive measures by the new owners of title to that land. Frequently, local government officials and police authorities defend the interests of these private individuals or corporations. It is not uncommon for police or private thugs to

98 See e.g., Chi Krequ Focus Group, Chi Krequ, Mar. 3, 2013; Interview with Chai Yeng, Chi Krequ, Mar. 9, 2013.
attack community activists.\textsuperscript{100} Nor is it uncommon for local authorities to initiate criminal proceedings against community activists and their supporters, and for the courts to subsequently hand down lengthy prison terms and crushing fines against the defendants.\textsuperscript{101}

Despite these challenges, communities increasingly have taken action in defense of their rights. The bold actions by communities and community activists to stand up in defiance of those who take their land has begun to undermine the predominant narrative that rural communities are powerless against land grabbers.

Each of the examples highlighted below have inspired other communities in geographically distant parts of Cambodia to emulate their mobilization strategies. Community protests against land grabbing began in earnest in 2007, partially inspired by the bold actions of a village elder in a remote part of Kampong Speu Province who refused to accept that his villagers’ land would be appropriated to make way for a sugarcane plantation. The resulting protests persist to this day, and the example of this early mobilization effort was recounted to us several times by individuals from very different parts of Cambodia.\textsuperscript{102}

The second and third rural protest movements described below mobilized disparate communities across vast geographic distances. The movements are based on a shared understanding that these communities are all facing a common threat. The Prey Lang Community Network (PLCN) is an increasingly formalized network of predominantly indigenous communities that depend on the Prey Lang forest for sustenance and cultural grounding. The other community mobilization network brings together a number of villages in the Siem Reap area. These villages are spread around the Province, have quite varied histories, but they collaborate with one another to their collective benefit. The two examples illustrate the distinction one group of authors makes between “networks of community people” versus “networks of communities,”\textsuperscript{103} with the Siem Reap villagers representing an example of the former, and PLCN an example of the latter.

\begin{itemize}
\item 102 Various people at the Cross Sector Network protest talked about the Omlaing Commune blocking the highway to get You Tho out of jail because it was unprecedented and at the time they expected anyone who tried such techniques to get shot.
\item 103 Graeme Brown, Meas Nee and Dave Hubbel, An External Evaluation of Oxfam Hong Kong’s Cambodia program of 2006-2011, July 2012. 50 (placing the two types of organizations in a progression, arguing that “networks of community people are a necessary and important and sometimes difficult intermediary step. Networks of community people less strongly represent communities and their voice but they are key in building that voice. It is important that they retain their unique role and style and not just develop NGO style.”)
\end{itemize}
Kampong Speu Province: Omlaing Commune

In 2007, community members in the Thpong District of Kampong Speu learned that Phnom Penh Sugar, a company owned by CPP senator Ly Yong Phat, wanted to enlarge a local sugarcane plantation. Specifically, Phnom Penh Sugar wanted to seize land through a government economic land concession (ELC) from eleven villages in the Omlaing commune to develop the plantation. Villagers protested to defend their right to the land. Sustained protests caused the company to relent and propose a new project that would leave enough land for the villagers to farm. Before long, however, the company once again attempted to seize all the land, claiming that the villagers’ presence caused too much tension. In January 2010, the company’s tractors ploughed over most of the community’s remaining land. Though the villagers protested and appealed to local authorities, nothing was done to address the dispute.

You Tho, a local commune council member, proved to be instrumental to the community’s initial mobilization efforts. Tho first began mobilizing his neighbors and the residents of nine other surrounding villages in 2001 after local elites threatened to take over the villagers’ land for their personal profit. Tho used participatory methods to animate his fellow villagers. After attaining some initial success, the elites intending to grab the community’s land sought to pay him off to suspend his efforts. “They told me they would give me $1,500 per month salary and a new car and I didn’t have to do anything, just stop mobilizing. They said I could live a happy, peaceful life.”

In 2010, Tho’s advocacy on behalf of the community eventually prompted Ly Yong Phat’s company to press for criminal proceedings against Mr. Tho and three other commune chiefs. Tho was arrested and put in prison for five days. In response, villagers and community leaders from across the ten villages where Tho had been working mobilized in support of his immediate release and blocked the main provincial highway. Cambodian human rights organizations and the international community came to lend their support. Tho credits them with helping raise awareness about the plight of his community, as well as his own unjust detention. Nonetheless, Tho never abandoned his belief that mobilization needs to rely first and foremost on community support. “You can’t have outsiders helping with that—it needs to come...
from the community.” Eventually, the villagers’ efforts were successful: Mr. Tho was released, and the charges against him were dropped.

Mr. Tho credits his efforts with several achievements: “[T]he community was able to free me from prison by blocking the road. Another success, after I was released from prison, is that we got 1,050 hectares of land for 600-700 families.” Tho’s own assessment of his community’s mobilizing successes demonstrate a keen awareness of the need constantly to re-evaluate tactics and demands in light of changing circumstances. He also insists on the importance of engaging with even those who disagree with a movement’s objectives: “the challenge that a good leader faces [is] to listen to everyone in the community, even those who don’t agree with the movement.” As a well-known community activist, Mr. Tho traveled across Cambodia and internationally to speak about his community’s struggle to defend their land rights.

Since that time, the Omlaing commune has continued to advocate for their land rights, now with the assistance of NGOs and other community networks. Although 200 families still have not been compensated, the community’s early mobilization efforts have inspired other communities around the country to mobilize and assert themselves against powerful elites seeking to grab their land.

In 2013, Tho accepted a position as a contractor for the sugar company, and is widely seen now to have “sold out” to corporate interests. Other local leaders still conduct protests and support the ongoing legal battles, but with much less dynamism than before. According to some funders and observers that spoke to the Stanford clinic team, this sober epilogue to the Omlaing community’s mobilization effort illustrates how traditional NGO-driven advocacy efforts will inadequately supplant successful community mobilization efforts once the community is no longer able to insist on its primacy in driving the effort.

As an early example of a community mobilizing around land dispute mobilization efforts in Cambodia, the Thpong District case study illustrates a number of noteworthy themes:

1. The importance of finding ways to amplify your message

   The Omlaing commune works with national and international NGOs to put pressure on the government and the sugar plantation. Not only have the villagers protested locally, but they have also appealed to banks that lent money to Ly Yong Phat and to the European Union. The European Union is a key player because the Everything But Arms free trade initiative is thought to have increased the demand for sugar and therefore for land. Smart advocacy with powerful outside stakeholders in this case put high-level pressure on the Cambodian government, regional authorities, and private corporate entities that the community itself would never have been able to mobilize on its own.106

2. The need for bravery and fortitude

   The sugar company in Kampong Speu used state pressure (local police force and political leaders) as well as legal and physical intimidation to push villagers off of the land. Unlike the Wat Damnak community discussed above, legal remedies were unavailable to the Omlaing community. As a

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106 This is an example of a community building an advocacy strategy around knowledge not only of the local actors involved in a rights violation, but also of the wider, global system that incentivizes and even requires those kinds of rights violations. See fn. 127 and accompanying text.
result, villagers adopted a multi-pronged approach using protests that blocked a major road to demand release of arrested leaders, international advocacy to pressure the company and the European Union, and local legal representatives to fight legal battles against the land-grabbers and local authorities.

At the time, the Omlaing community’s brave response was unprecedented, and attracted nationwide attention. Today, communities across Cambodia resort to such tactics, especially when other remedies break down. The Omlaing community’s first use of these tactic helped embolden countless other communities across Cambodia to consider similarly forceful and non-violent protest strategies to bring attention to their causes. But their use was dangerous and draining, and kinder commentators on Tho’s current employment with the sugar company suspect that—just like most humans forced to fight such an existential fight for years on end—Tho simply suffered from burnout.

Prey Lang Community Network

The Prey Lang forest spans the Preah Viher, Kampong Thom, Kratie, and Stung Treng Provinces in central Cambodia, and is one of the last remaining lowland evergreen woodlands in Southeast Asia. It is rich in biodiversity and home to a number of Kuy indigenous communities. The forest is seriously threatened, however, by illegal logging, agro-industrial plantations, and mining.

The Prey Lang Community Network (PLCN), comprised of activists from all four Prey Lang provinces, is committed to ending this deforestation. Many PLCN activists are indigenous Kuy, many of whom earn their living by collecting resin. Resin collection requires extended trips on foot into the jungle to tap a species of tree. The slowly-accumulating resin is then sold in local markets or across the border in Thailand. During their forest treks, conversations among resin collectors revealed the extent to which the forest and the traditional livelihoods of these communities were at risk. In 2007, the collectors formalized these conversations and formed the PLCN. The PLCN was designed to share information and organize communal forest patrols by villagers from a number of affected provinces to document and halt illegal deforestation.

Though the PLCN was initially impeded by the geographic distance separating villages and ineffective community cooperation, over time the communal forest patrols gained support among villagers. The preservation efforts soon also expanded beyond the initial community of resin collectors, as more community members created and formalized increasingly sophisticated mobilization strategies. PLCN

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108 In fact, the name “Prey Lang” is derived from the Kuy language translating roughly to “the forest that belongs to all of us.”
members developed calling trees to share news and information among the representatives of the various member communities. Such systematic information sharing allowed otherwise widely dispersed communities to successfully collaborate and build a sense of regional solidarity as “forest people,” reinforced by communal decision-making after extensive community consultations about key issues facing the Network. Each element of its strategy required consultation and consent at the community level. As a result, the PLCN in 2013 refused to work with NGOs that did not agree to work with the Network on its own terms (as a wholly independent partner).

More recently, the PLCN began planning major “general assemblies” deep in the Prey Lang forest. The Stanford Clinic team attended one such meeting in February 2013. PLCN member communities from each of the four provinces bordering the forest sent delegations to the assembly—some of them more than three days away by forest footpath. The assembly included a number of events designed to build and reinforce the PLCN community and message. Monks “frocked” old growth trees to symbolize the sacredness of the forest to the community. Young people hauled a generator into the forest to plan a late night dance party, and also to network and meet other young activists from across the region. A major ceremony commemorated the life and legacy of Chut Wutty—a prominent environmental activist and community mobilizer who was killed in the Cardamom mountains, most likely for his outspoken activism. Community members came to share experiences, network, and enjoy one another’s company. But they also specifically came to reinforce a shared identity and vision as members of the PLCN.

The PLCN has a fraught relationship with local authorities. For example, during the long journeys to reach the forest celebration, several of the motorized oxcart communities used for travel experienced inexplicable tire punctures. Participants universally suspected that local authorities had deliberately spread nails in the sandy roads prior to the event to impede transportation to and from the event. During the celebration, PLCN members also speculated that the government had sent undercover monitors from the government’s anti-terrorism unit to record the celebration and document the identities of those in attendance.

Despite such frustrations, PLCN organizers insist on transparency about their actions and steadfastly collaborate with local authorities whenever possible. One community mobilizer stated “[w]e always make
announcements to authorities and request permission letters to patrol [the forest for illegal logging].” The Network also seeks the support of local government authorities against deforestation, frequently appealing to them to take measures against illegal loggers. With this strategy, the PLCN has lodged a number of successful appeals against illegal development resulting in the withdrawal of companies in Prey Lang, Satpu, and Sharipani. The PLCN has also successfully lobbied the central government to draft a Prey Lang sub-decree to designate the forest a conservation area. This sub-decree was drafted in 2011, and unfortunately remains in draft form as of June 1, 2015.

In addition to its grassroots organization, fact-finding, and lobbying techniques, the PLCN engages in substantial outreach beyond the forest boundaries. The Network maintains an office in Phnom Penh, as well as an active online presence. The PLCN’s activities and messaging center on the themes of livelihood, accountability to past generations, solidarity, and connection to authentic Cambodian traditions. The movement emphasizes broadening these issues to appeal to the larger international community: during one event, activists painted themselves blue to represent solidarity with the indigenous population depicted in the movie Avatar, in a dual appeal to popular culture and to the universality of their cause. As one activist, Seng Sokheng, expressed during the 2013 forest celebration, “Everyone has heard about the Amazon forest. Prey Lang is the Amazon #2.”

This combination of sophisticated grassroots mobilization techniques and aggressive outreach strategy has enabled the PLCN campaign to gain national and international prominence.

The PLCN example showcases the Network’s successful mobilization techniques, which highlight the following themes:

(1) The value of fostering communal decision-making procedures across a widely dispersed network

The PLCN maintains a core commitment to reaching consensus through debate and discussion. Constituent communities are required not only to decide actions and plans through consensus, but also the process by which this consensus is to be reached. This communal decision-making process not only builds a sense of group cohesion, but also ensures flexibility by providing the Network with the input of every member.

(2) The development of communication methods designed to promote solidarity across movement participants

The PLCN has a strikingly cohesive group identity. This cohesion is generated and sustained by maintaining a coherent movement message that centers on the importance of the forest for the survival of the surrounding provinces; accountability to past generations; and fostering a culture of solidarity, trust, and connection to authentic Cambodian traditions. The goals of the Network are repeated constantly to younger members of the Network, and major community events such as the forest celebration are designed to reinforce these messages.

(3) The process of expanding the scope of a movement from a single community to a regional and then to a national (and even international) level

The experience of the PLCN is informative for other movements in that it successfully transitioned from a local presence to a community with international reach. What was arguably most essential

to this success was deliberate process creation at the outset: transparency, solidarity, and consensus have been cornerstones of PLCN since its inception. Coupled with active mobilization and recruiting, the PLCN has become a positive case study in community organizing.

(4) The process of expanding the scope of a movement from a single issue to an entire local governance agenda

Many of the PLCN activists we interviewed were asked by their communities not only to address the environmental conservation challenges central to the PLCN agenda, but also a range of other initiatives. For example, one activist described how she used the PLCN’s organization, decision-making, and constructive engagement methodology to address the issue of inadequate school facilities in her village. This demonstrates the power of community mobilization processes to improve governance at a more general level at the local level.

**Network of Siem Reap Communities**

The network of Siem Reap communities loosely brings together fifteen communities located in the Siem Reap District that were involved in land disputes. The networking model is distinct from that of the Prey Lang Community Network in that the villages collaborate on a tactical and strategic level, but would not typically define their identities or grievances collectively. Those communities are Chi Kreng, Chong Kaosu, Leang Dai, O Ph’ao, Phnom Krom, Rom Chek, Skun, Sna Sang Kream, Tany (Rong Ta Ek commune), Tapaing Krosaing, Tapen, Tbaeng Lech, Tbaeng Kuth, and Wat Bo. A fifteenth community, Wat Damnak (described above), is largely independent from the network but still sometimes supports the others. The collaboration allegedly began when a particularly entrenched land dispute in Chi Kreng ignited a relatively organized response from six villages (Chi Kreng, Skun, Sna Sang Kream, Tbaeng Lech, Tany, and Tapen) that agreed to coordinate their efforts and approach the authorities jointly in a show of public solidarity. All of these villages had suffered analogous incidents of land grabbing. They thus formed an informal solidarity network to mobilize their communities should further threats to their remaining farmland arise. Today, alongside this core network of six villages, various permutations of the fifteen communities participate in

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major actions when such support proves necessary. Most recently, the network staged a protest in Siem Reap that attracted hundreds of people.\(^{111}\)

The land dispute in Chi Kreng arose when a group of politically connected villagers obtained formal land title to 175 hectares of fertile farmland. These villagers then claimed title not only to that land, but also ninety-two additional hectares that had been cultivated for decades by another group of villagers. The resulting dispute divided the village in two. In March 2009 after several years of simmering conflict that had pitted two groups of villagers against each other, local police officers intervened, ordering the villagers to stop complaining. When the villagers protested, some of the police officers beat and threw rocks at them, and even threatened to burn them alive if they did not leave the fields they had been cultivating. When the villagers refused to disperse, the police opened fire, forcing the villagers to leave their land. Four villagers sustained serious injuries and many more were arrested. The issue attracted nationwide media attention.

In the weeks that followed, the Chi Kreng community, led by a group of female family members of the arrested men, began a campaign of protests and vigils to demand the men’s release. This early emergence of female leadership has continued and grown; all the Chi Kreng community leaders are now women. Not only did women fill a leadership vacuum left by arrested or working men, but female leadership is also part of a conscious strategy to mitigate violence in protest movements. Police are more reticent to use force against women than men, and both women and men in the community told the Stanford team that women leaders tend to do a better job de-escalating tense situations and avoiding violence than their male counterparts.\(^{112}\) One woman told us that men often do not show a strong commitment to communal rights; women, by contrast, “work from their hearts to protect the interests of the community.”\(^{113}\) As a result, Chi Kreng community members reported that all of the leaders in their network are women, as are the majority of people who participate in actions and interventions. At least one other community in the network reported that while the shift to female leadership required a transitional period to allow men to understand the practical benefits of this shift and for the women to earn the respect of local authorities, women leaders today have quickly settled into their roles.\(^{114}\) Additionally, the first wave of women leaders has encouraged women in other villages to follow their example and seek education and empowerment around their rights.

The Chi Kreng activists also solicited the support of local NGOs. Prior to the violence, the villagers consulted with various NGOs (LICADHO, ADHOC, and CLEC) to think through what it might take to apply for a Social Land Concession (SLC) from the government to gain title to arable land and resolve their land dispute. This legal process ultimately proved fruitless.

LICADHO researchers also visited Chi Kreng immediately upon hearing the news of the police violence, attempting to intervene with local authorities. LICADHO was subsequently accused of instigating villagers’ protests. Villagers expressed deep appreciation for the NGOs’ help getting those arrested in March 2009 released from prison, as well as the NGOs help facilitating contact with other villagers facing similar

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112 Interviews with community activists in Chi Kreng village, Chi Kreng, Mar. 9, 2013; Interview with Chi Sambo, Skun, Nov. 12, 2014; See also Interview with Yenh Seakleng, Wat Damnak, Nov. 12, 2014 and Interview with Sorpha, Boeung Kak, Oct. 22, 2013.
113 Interview with Jee Sawee, Chi Kreng, Mar. 3, 2013.
114 Interview with Chi Sambo, Skun, Nov. 8, 2014.
circumstances. After the “success” of securing their husbands’ release from prison, however, some Chi Kreng community members complained that some of the NGOs lost interest in their ongoing socio-economic troubles.

In soliciting support from NGOs, the Chi Kreng community organizers demonstrated a nuanced understanding of the complex relationship between human rights NGOs and social movements. NGOs can lend crucial support to grassroots community activists by bringing greater attention to the issue. The flipside of this NGO activism, however, is that the greater visibility can sometimes further polarize a situation and cause local authorities to retreat from efforts to quietly resolve the issue. Another issue that comes up in such collaborations between NGOs and community activists is deciding who has the greatest authority to decide between various potential activist strategies. In the Chi Kreng case, the community took a very active role in articulating its agenda, not only internally but also with its NGO supporters. While community activists were appreciative of the networking support, capacity building, and know-your-rights trainings they received from NGOs, they resisted strenuously having those partners take too visible a role in their advocacy efforts.

Instead, they decided to pool their efforts with a group of fourteen other communities in Siem Reap Province struggling with similar land disputes. The narratives of the other communities in the network are remarkably similar to Chi Kreng’s narrative. The Skun community also lost land to a businessman and the police were brought in to force villagers off the land. Women emerged as the leaders in that community as well. Violence as an intimidation tactic to get community members off their land was used as recently as November 2014 in the case of Tbaeng Lech. As these communities began to hear about each other’s stories, an informal support system took shape and grew.

The network initially focused on efforts to mobilize and protest outside courts and police stations. Delegations from one or more other villages in the network of Siem Reap communities would occasionally join in another community’s protests. Although they do not identify as a formal network, these Siem Reap communities have learned that they can be assets to one another in situations where increased numbers often translates to greater security and an audience with government authorities.

Perhaps the most unified joint action for the Siem Reap communities occurred in June 2014, when all fifteen communities (including Wat Damnak) joined together to petition the municipal office in Siem Reap. Originally, three villages had planned to deliver their grievances to the government, but they invited the other twelve for support since they knew they were not likely to receive an audience with so small a group. All fifteen submitted a letter specifying their concerns and demands. This large mobilization drew the governor’s attention, and he agreed to meet with a representative from each community to hear about their respective problems. The governor’s responsiveness highlights the influence multiple communities can have in amplifying a community’s message.

Over time, the network began to work more collaboratively with local authorities willing to find solutions to communities’ land-related grievances. The network found that the local authorities were significantly more responsive when the villagers took a collaborative and inclusive approach. As a result, community activists held meetings with villagers, NGOs, and local leaders, and petitioned local authorities to respect villagers’ land rights.
This case study reveals four noteworthy themes:

(1) The prominent roles that women have taken on as leaders and organizers in mobilizing around land rights

We heard repeatedly that prominent female involvement in the movement reduces the likelihood of violence in these interactions. When women are at the front of the line in protests, the individual police officers are less likely to use violence to suppress the protest. Additionally, community members trusted women to engage in constructive deliberations where men may have slipped too easily into more aggressive action.

(2) The essential nature of the community’s ability to maintain a working relationship with local authorities and police, even while criticizing them in other instances

Private individuals and corporations often use local police as a tool to remove villagers from the land. Most individual police people do have a sense of civic duty, however. Therefore, when villagers appeal to the police as individuals, the police are less likely to treat the villagers as objects to be removed or dispersed and will hesitate before engaging in violence. Villagers constantly tried to engage police officers in this way, insisting on giving them the benefit of the doubt.

(3) The power of having allies

The communities repeatedly benefitted from simply having more bodies fighting their fight. The villagers of Chong Kaosu were able to successfully face down the Apsara Authority when the sound of their village bell brought neighbors running to their aid. Additionally, the governor heard the plights of the Siem Reap communities because there were fifteen villages demanding his attention, rather than just three. Strikingly, in the post-Khmer Rouge Cambodia a few decades prior, these villages may not traditionally have seen themselves as sharing any common traits with their fellow villages in the network. Some may have been known as “Khmer Rouge” villages, with others on the opposite side of the spectrum. Despite this historical legacy, the network of Siem Reap communities demonstrates that solidarity can and should be fostered around contemporary challenges, and that such solidarity can prove invaluable to reinvigorate, inspire, and empower these communities.

Bridging the Divides

Much of the literature on community activism in Cambodia, as well as this paper up to this point, has treated Cambodian communities as though they could be analyzed by sector: rural as distinct from urban; labor as distinct from land. But these dichotomies do not line up with the reality of civil society mobilization efforts in Cambodia today. Nor are they ultimately constructive if the goal is to foster the growth of a strong and independent Cambodian civil society, as opposed to strong but independently-acting activist sectors. There have been several instances of rural and urban communities coming together in protest over the past several years. The efforts of the Cambodian Grassroots Cross Sector Network (CGCSN) may well have created the seed for the creation of a more broadly-based grassroots movement in Cambodia.
The Cambodian Grassroots Cross Sector Network\textsuperscript{115}

A handful of communities and informal organizations, facilitated by the People’s Action for Change (PAC), Social Action for Change (SAC), and several other similar mechanisms, created the Cambodian Grassroots Cross Sector Network (CGCSN). The purpose of the Network was to represent the views of “non-professionalized” grassroots movements such as the ones surveyed above. The founders of CGCSN felt that international NGOs and their domestic counterparts (the “professionalized” NGOs) often allowed their own institutional agendas, funding constraints, and past experiences to dictate their actions rather than basing their work exclusively on input from the ground.\textsuperscript{116} According to the founders of CGCSN, the institutional constraints of such NGOs means that they often miss or dilute the essence of a community’s needs. Worse, community activists worried that NGOs naturally tend to foster financial and substantive dependence on international NGOs and donors, thereby breeding a patron-client culture.

The CGCSN was created in 2010 when the government introduced a draft law on associations and NGOs. Mechanisms like PAC benefit from remaining unregistered, a luxury not afforded to NGOs. Remaining unregistered enables them to act with greater freedom, avoiding some government sanctions and monitoring. The draft law would have required every group intending to hold an event to register officially. PAC and others worried that this new proposed law would have forced community organizers to formalize their actions and adopt institutionally pre-ordained organizational structures, thereby undermining the democratic legitimacy of the community mobilizers and potentially limiting or cutting off entirely freedom of assembly and speech for those unable or unwilling to do so. PAC worried, for example, that under the proposed law many of the community organizers surveyed above would not even have been able to hold a village meeting without first registering their group as an NGO.

In drafting the proposed law, the government had consulted with only three NGOs, claiming that they were representative of the entirety of Cambodian civil society. These NGOs initially supported the draft law, claiming that it was the best possible outcome and that the interests of civil society would be safeguarded. The provisions in the draft law made


\textsuperscript{116} As Collette O’Regan, Facilitator for People’s Action for Change, said, “If it really is [the community’s] voice, then at the end, it really is [the community’s] achievement.” See also Graeme Brown, Essay on the Role of NGOs and People Organizations, in Graeme Brown, Meas Nee and Dave Hubbel, An External Evaluation of Oxfam Hong Kong’s Cambodia program of 2006-2011, July 2012, 137-144.
it clear to the founders of the CGCSN, however, that the NGOs had made concessions in the negotiations with the government that were unacceptable to many community groups. The “non-professionalized” civil society groups needed their own independent voice. In response, PAC, SAC, and others organized a series of consultative assemblies, bringing other unregistered groups into the discussion to voice the concerns that communities had about the new draft law.

These assemblies led to the creation of the CGCSN. The CGCSN modeled its lobbying and publicity practices on those of other NGOs, and by the end of 2011, even the official NGOs had changed their views on the draft NGO law and realized that they needed the support of the informal groups. Official and unofficial civil society groups joined forces to sign an open letter in opposition to the NGO law, and Prime Minister Hun Sen agreed to postpone the decision until 2014.

In May 2015, the government again proposed passing the NGO law, this time with little to no opportunity for input from NGOs or civil society groups.\(^{117}\)

Fresh from the victory of having temporarily defeated the draft NGO law, CGCSN sought also to have its membership formally involved with the 2012 ASEAN meeting, which took place in Phnom Penh. To demonstrate ASEAN’s commitment to civil society inclusiveness, ASEAN had invited NGOs to participate in an “ASEAN People’s Forum,” which was intended to give civil society a voice in the Summit. The NGOs, however, set guidelines that precluded groups not registered as an NGO from attending the Forum. The NGOs justified the strategy as necessary to keep out so-called “government-owned NGOs,” or GONGOs. The CGCSN, however, felt that if the ASEAN People’s Forum was intended to be inclusive of civil society, the communities—not the NGOs—should lead that effort. In protest, the CGCSN created a parallel forum to give voice to its constituency called the “Grassroots People’s Assembly.” The goal of this parallel Assembly was to gather the people, not just the NGOs claiming to speak on their behalf.

In preparation for the Assembly, PAC and its allies realized that most communities knew next to nothing about ASEAN, and that as a consequence many communities were missing out on opportunities for smart advocacy. In March 2012, therefore, the CGCSN convened a few experts for train-the-trainer workshops on ASEAN. The CGCSN then filtered that information to make it specific to the Cambodian context. Using those materials, they held 68 two-day workshops across the country, with over 2,500 participants.

During the Grassroots People’s Assembly in November 2012, CGCSN dealt with “random” venue cancellations, electricity cuts, and several tense police interactions. For example, PAC planned a large assembly at a Phnom Penh restaurant, and the owner was forced to cut all electricity to the building, allegedly in response to threats from officials opposed to the event. Nonetheless, organizer resourcefulness and frequent open, non-violent communication with the authorities ended up making the workshops, assemblies, gathering in Freedom Park, and march to the National Assembly successful. The People’s Assembly’s insistence that it not endorse any political party proved to be invaluable, demonstrating the effectiveness of independent language and approaches.

After the accomplishments of the Grassroots People’s Assembly, the CGCSN organized three regional assemblies in preparation for the 2013 elections. In each of these regional assemblies, they invited


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representatives of each of the three political parties to listen to the concerns of the people. The CGCSN then asked party representatives to sign a statement of the people’s concerns and demands, committing to bring them to their colleagues for consideration. The CGCSN organizers threatened to march on the party offices of any politicians refusing to sign. CPP representatives in the Kampong Chhnang and Siem Reap Provinces initially refused to sign the texts, prompting tense confrontations with police and marches, both of which ultimately ended with the officials uncomfortably acknowledging the concerns of the communities. The events were non-partisan, forcing the entire political class—establishment and opposition party—to acknowledge the realities of life for Cambodia’s dispossessed communities.

The CGCSN’s mobilization reveals several major themes:

(1) The symbolic and organizational value of protesting in Phnom Penh

Converging on Phnom Penh with a message has become the major way for community activists to bring attention to their grievances. Many of the communities we surveyed have also, at times, converged on Phnom Penh to air their grievances. But unlike those other, more issue-specific protests, the CGCSN assemblies were cross-cutting in nature. By cultivating a community of like-minded activists and community organizers, these events served to validate the independent identity of communities as distinct from the more professionalized NGOs. The people’s assemblies were intended to build the capacity, tactical vision, and intellectual coherence of the CGCSN membership. But the implicit message that CGCSN’s members could no longer be taken for granted was also communicated persuasively to both traditional NGOs and opposition politicians. Holding these events in Phnom Penh, without an NGO or political party to coordinate the event, made a statement that community mobilizers represented a new force to be reckoned with in Cambodia. The CGCSN proved that the Cambodian people can mobilize if they believe in something strongly enough. It also demonstrated that “simple” villagers and community members have more than enough resources and capacity to comprehend and seek to influence complex policy issues.

(2) The importance of working with authorities, while remaining politically independent

Despite a tense political atmosphere, the CGCSN effectively communicated with authorities, working with politicians across the political spectrum. The CGCSN works hard to maintain an explicitly independent voice that helps it avoid the mire of political allegiances and accusations of political bias. The CGCSN’s efforts retain much of their vitality today.
Findings

This final section of the paper highlights particularly resonant lessons that emerged from the seven examples of community empowerment efforts detailed above. These case studies are snapshots and are not meant to present exhaustive histories for any of these movements. We simply present these lessons as examples of the kind of grassroots activities that international actors have such a troublesome track record supporting.

We first examine factors that increase a community’s agency, focusing in particular on the roles of a community organizer and a funder. Next, the analysis turns to strategies that the Royal Government of Cambodia and international donors can adopt to improve the opportunity structure within which community mobilization efforts will be more fruitful.

While we encourage all international donors to support community empowerment, we recognize that not all donors are the same. Multilateral, bilateral, and NGO donors have very different goals and internal requirements that constrain their actions at various levels. NGOs are often freer to act flexibly than multilateral and bilateral aid organizations. Nonetheless, the authors of this paper argue that the principles articulated below should hold across all kinds of donors, and indeed that donor support based on these principles will be more likely to enable genuine pro-poor change and community empowerment.

Fostering Communities’ Agency to Mobilize

As explained previously, agency can be thought of as a community’s asset endowment. Community mobilizers can influence some of these assets themselves, such as social dynamics, choice of tactics, or the sheer number of supporters. But NGOs and other donors also have a potential role to play. NGOs can design programs to boost community assets, such as know-your-rights training, business skills training, and they can provide resources to communities to enable them to more easily network with other community activists.

Lessons for Communities: Bringing People Together

This first section summarizes some of the crosscutting insights that emerge from the case studies highlighted above about factors that tend to make a community’s mobilization effort more effective.

Building Group Cohesion Through Accountability

While organizational structure and leadership dynamics varied greatly among the case studies, all of the groups encouraged communal decision-making and accountability-based relationships between the movement leaders and their constituents. Even groups that moved away from an informal networked structure, such as the Prey Lang Community Network (PLCN), still noted the importance of keeping communal decision-making processes intact. These movements generally operated on the principle that an action could not proceed without first gaining full member support. In communities that insisted on
consensus-building, the leaders were forced constantly to review and reevaluate their preferred strategy and return it to the membership for further discussion. Of course, to remain effective, many of these organizations also had to implement limits to the principle of communal decision making. The WIC, for example, noted the wisdom of delegating certain key tasks to top organization leaders. But in general, the strategy of communal decision making kept the groups profiled above strong and cohesive. The strategy also tended to insulate the group against the danger of any one single leader being coopted by a bribe or threat. Other groups, such as the Borei Keila community, guarded against that danger by holding frequent and transparent elections for representatives, so that the leaders could easily rotate. These accountability mechanisms kept the leaders of the movement focused on the goals of their communities and responsive to changing circumstances and threats.

Flexible Techniques

Due to the constantly changing social and political environment in Cambodia, community mobilizers we spoke to often found it necessary to adopt new, innovative tactics in the pursuit of their objectives. In the words of a Chi Kreng community member: “[y]ou have to be flexible in order to find a new solution to respond to immediate threats.”

As a foundational step, community mobilizers must first define short-term and long-term success. The communities we spoke to understand that long-term success will be a slow process. Communities have adopted strategies and narratives that allow them to feel empowered and energized by the long-term nature of their struggle, rather than let down by the lack of immediate success. Members of Tbaeng Lech and Chong Kaosu communities were full of pride when they expressed that as long as their situations remain unresolved, they will continue to struggle. Similarly, PLCN recognizes that its broad mission to defend the Prey Lang forest will require time. Community organizers have a shared understanding that successful mobilization will require both “small victories” (such as halting a Chinese company’s plans to construct a road through the forest, obtaining fishing rights and land for Tonle Sap, and a forty percent reduction in illegal activity within Prey Lang) and “big battles” (such as drafting a law with the government to protect the forest in the long run). By understanding the relationship between small victories and big battles, PLCN is able to more effectively determine tactics to advance the network’s mobilization efforts. Likewise, while WIC leaders celebrated their successes, they were very conscious of their end-goal: worker empowerment and improvement in industry-wide labor conditions. This framework allowed PLCN and WIC to benefit from the morale boost of individual successes, without losing sight of their ultimate goals along the way.

Communities also need to decide on the tactics they will use to pursue that success. Governmental authorities often represent both a part of the problem and the solution in trying to identify the best tactics to pursue. For the Wat Damnak community, working within the legal system led to success. Residents in the Borei Keila, Boeung Kak, and Wat Damnak communities all attended land rights and housing rights trainings delivered by NGOs. Similarly, the WIC incorporated legal trainings into nearly all its efforts through workshops, Q&A sessions, and one-on-one advice and counseling. Additionally, many within Siem Reap Province have attempted to act transparently and engage in dialogue with local

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118 Interview with Jee Sawee, Chi Kreng, Mar. 3, 2013.
When this happens, the most effective tactic for communities is frequently vocal, public protest. The Omlaing commune, Boeung Kak, Borei Keila, and Chi Kraeng communities in particular have used this tactic to great effect. Many other communities have adopted similar techniques including: associating themselves with popular symbols like the lotus flower for Boeung Kak, or the newly-released movie *Avatar* for the PLCN; protesting at highly-visible government pressure points such as Phnom Penh or a major highway; and featuring women, children, and the elderly in protests to deter violent police retaliation.

**Strength in Numbers**

While communities should remain true to their core aims, they will often need outside perspectives and assistance. Knowledge sharing between communities allows activists to learn from each other and to spread new strategies. For example, after having some early success in land disputes, You Tho traveled throughout Cambodia, teaching communities about the strategies that were successful for his movement. As land disputes and mobilization efforts become more widespread in Cambodia, some communities are exploring the potential role of social media and other technology for communications, both within and outside of their network. For example, the PLCN incorporated cell phones as a way of systematically sharing news between the various communities. A number of communities in Phnom Penh use music on CDs as a way to spread their message locally and internationally. Garment workers in the WIC also frequently share music and video clips through cell phones, allowing broad swaths of the community to understand evolving situations quickly.

Beyond simply sharing techniques, mobilization efforts are more successful when communities develop solidarity, both within and with outside partners. As an organizer from the PLCN explained, “authorities
have tried to break us into small parts, but we learned from that lesson and keep together more now. . . . I’m not doing it alone—our community supports me.” The Omlaing commune organized to get leader You Tho released from prison by blocking access to main roads until officials finally yielded. Similarly, the Tbaeng Lech community maintained solidarity despite a threat to kill one woman and blame her death on the village leader if she did not dismantle her home.120

The principle of strength in numbers applies also to community partnerships. The PLCN and Network of Siem Reap communities both show how many small communities with similar or shared goals achieve greater success as a result of joining forces. WIC has also found great success in maintaining solidarity with other WAC progeny projects, in particular those focusing on sex worker rights programming. The hesitation worth reiterating here, however, is that remaining true to a community’s own mission is imperative in such relationships.

**Experience Fosters Wide-Reaching Empowerment**

One of the most striking observations common to each of the seven case studies highlighted in this report is that once mobilized, communities often took collective action on issues that fell outside of the scope of their original impetus for mobilizing. In some member communities of the PLCN, for example, activists not only took action to combat illegal logging, but also to address inadequate schools in their villages. In the Chi Kraeng community, women who had stepped into the role of community organizer spoke up not only against land grabbing, but also negotiated with local officials to build a proper access road to the village. In Skun village, one of the chief activists became a trusted resource for her community not only in the context of land disputes, but also for advice on domestic violence and various other, more day-to-day village problems and disputes. These are classic examples of how the development of civil society groups *per se* (irrespective of the substantive focus of the individual groups) builds the capacity of communities to resist a whole range of threats and constructively address social and economic challenges.121 This is the crucial difference between supporting community empowerment versus community mobilization. This is also the kind of generalized community empowerment that issue-based NGOs speaking on behalf of communities cannot foster.

Of all those secondary issues, gender equality seemed to be the most strikingly consistent follow-on issue taken up by the activists. The vast majority of the community leaders we spoke to were women. This is particularly noteworthy given that Cambodia is a country where women often are not viewed as being natural leaders, particularly in more rural settings.122 When asked to explain this phenomenon, some of the activists we spoke to claimed that their leadership was merely a tactical necessity: authorities would be less likely to crack down on women in leadership positions. Others claimed that they assumed leadership roles only because the men were unable to do so themselves for some reason. The case of Tep Vanny and other prominent Boeung Kak activists who were arrested and beaten by police, however, 119 Interview with Caum Yin, Prey Lang Forest, Mar. 6, 2013.
120 Interview with Kon Suen, Tbaeng Lech, Nov. 11, 2014.
121 Putnam’s classic 2002 book BOWLING ALONE uses a bowling association as a metaphorical example of a civil society group that—while ostensibly focusing on a bowling league only—has numerous other positive societal effects, many of which are essential to creating a more democratic, more tolerant, and more livable society.
serves as a prominent counterexample to the notion that female leadership alone can avoid the risk of violence. In almost all cases we interviewed, men were still very much present in the villages, and almost without a doubt quite comfortable letting the women take leadership roles.

Others explained that successful community organizers needed skills that might stereotypically be defined as “feminine”: being a good listener, being a peace maker, being humble, and being flexible while also insisting on long-term success. Here too, however, the reality of what these women leaders did encompassed not only those skills but also more typically “masculine” traits, such as tough negotiating, bravery, tactical strategizing, and public speaking.

Many of the women whom we interviewed did not feel the need to describe women leadership as a temporary suspension of social norms necessitated by the situation. Instead, they felt that women leadership was not only justified, but necessary and entirely natural. Many of the women who had been given the opportunity to mobilize their communities in the context of land or labor rights were no longer asking for permission to use those same skills to address gender inequality in their own communities. This alone should be reason enough for a broad segment of international aid donors to reconsider supporting civil society in whatever form it may appear.

**Lessons for Funders: Partnership not Clientelism**

There appears to be growing consensus that international donors are currently directing excessive aid to Cambodia, and that true progress will be made not with more money, but with more nuanced systems for allocating those resources. Supporting grassroots communities is more complicated than other types of development aid (e.g. building infrastructure or funding an independent radio station) because it requires compatible ideologies and non-hierarchical (“side-by-side”) relationships. The key to more effective relationships between the grassroots and the international community is not in more or less donor aid and expertise, but in how the donor-community relationship is structured.

**Community Goals, Not Funder Goals**

One of the benefits of having clearly defined visions of success is that it allows NGOs and donors to give to communities with compatible agendas. For example, in describing WIC’s approach, Caroline McClusland from ActionAid said, “[t]hey are always [speaking to us] about their principles first and money second.” The organization’s faithfulness to its principles has often meant that it would reject funds from a donor with which it does not share a long-term vision of success. For example, WIC has been known to reject aid from donors that do not define sex work as a profession. WIC’s selectivity means that it can take longer to secure funds for new projects, and that those programs often cannot grow as rapidly as organizers might like. The organization understands, however, that in the long run it is better to grow slowly and smartly,

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123 SOPHAL EAR, AID DEPENDENCE IN CAMBODIA: HOW FOREIGN ASSISTANCE UNDERMINES DEMOCRACY 135-142 (2013); PENG ER LAM, JAPAN’S PEACE-BUILDING DIPLOMACY IN ASIA: SEEKING A MORE ACTIVE POLITICAL ROLE 128 n.37 (2009) (quoting a Cambodian ambassador who told Japanese authorities not to give too much aid to Cambodia because Cambodia could not “digest[]” it); Interview with Collette O’Regan, Phnom Penh, Nov. 16, 2014. See also Abby Seiff, Addressing Cambodia’s Aid Dependence: Too Little Too Late?, COGITASIA (Feb. 10, 2014), http://cogitasia.com/addressing-cambodias-aid-dependence-too-little-too-late/.
and not lose sight of its principles in that process. This philosophy has allowed WIC to maintain its legitimacy and more effectively work with its target demographic.

Donors need to adopt a similar understanding, looking to the long-term view of successful community organization, not just their immediate program needs and preferred metrics. While donors who ignore (or even try to override) a community’s vision for long-term success may achieve a temporary partner to help them produce short-term measures of success, these strategies are unlikely to increase community agency in the long-term. The best way to achieve a shared long-term definition of success is to build a relationship centered on mutual respect, learning, and a joint commitment to problem solving—not hierarchy.

One way donors can collaborate with communities to achieve community goals is to insist that communities are involved at all stages of the project. For example, the Cambodian Grassroots Cross-Sector Network (CGCSN) created its 2015 action plan by first holding meetings with core groups of eleven to fifteen representatives of mobilization efforts in each of four regions. Then, a national group met with five people from each of the four regions and crafted a plan from the results of the regional core groups. Next, each representative had to take the plan back to his or her community and make sure that it reflected local needs. The national group of twenty representatives (with some PAC and SAC facilitation) passed a revised plan on to donors. When the CGCSN secured funding based on this plan, they frequently reported to the communities about how the funding was being spent. Working closely with the communities allowed CGCSN representatives to internalize the lesson that decisions need to be made by communities, not representatives. Representatives who did not speak for their community lost face in front of their community if they had to bring back a plan that did not address their community’s concerns. According to one organizer we interviewed, this vehicle was effective in helping naturally to “weed out” corrupt or ineffective community leaders.124 The communities and many of the representatives themselves learned how to recognize the signs of ineffective or corrupt representatives and marginalized those individuals. This process takes much more time than merely working with an individual or even a select group of representatives, but it ensured much closer alignment of community goals with donor funding.

The approach stands in stark contrast to the traditional model of donor strategic planning. In discussing a strategic decision to re-orient Oxfam HK’s funding priorities in 2008, the authors of a 2012 criticized it not for its substantive basis, but rather “because of the way it was made,”125 namely without any meaningful input from the affected communities. But the critique in the Oxfam HK internal evaluation holds true for the vast majority of donors in Cambodia and globally, most of whom would never contemplate a scenario where they would allow the beneficiary communities a role in helping to shape its donor priorities.

Hierarchical vs. “Side-by-Side” Relationships

Even with the best intentions, traditional donor/NGO hierarchical relationship of authority over beneficiary community movements will ultimately undermine the agency of the movements. Hierarchical

124 Interview with Collette O’Regan, Phnom Penh, May 27, 2015.
125 Graeme Brown, Meas Nee and Dave Hubbel, An External Evaluation of Oxfam Hong Kong’s Cambodia program of 2006-2011, July 2012. 46.
relationships dilute the accountability of organizers to local stakeholders. When leaders answer primarily to their community, not to NGOs or other donors, members have greater ownership over the organization’s efforts and the organization is held to account by its membership if it fails to be responsive to community needs.

The WIC, PLCN, and CGCSN all took this approach to funding. Both the WIC and the PLCN have rejected offers of funding that would undermine a side-by-side relationship. Describing ActionAid’s affiliation with WIC, Caroline McClusland stated: “It’s an equal partnership. We have discussions where we sit side by side. The relationship is not at all top-down.” According to Chea Lily, the PLCN does not work with NGOs unless the external parties work with the network on its own terms. CGCSN wanted funders to act as technical support, providing villagers with funding, training, and other facilitation expertise, but not allowing funders to dictate goals or tactics.

The luxury of these groups’ stances however, is not a reality for all communities. Chea Lily emphasizes that the PLCN is strong enough to “push for what it wants” rather than merely comply with donor pressure. Not all community organizers are able to reject offers of aid while remaining financially solvent. Thus, it is not just the community activists who must be brave enough to say no; donors must also, on their own accord, insist on a “side-by-side” relationship with their grantees, as a matter of principle and best practice.

Aid Is Useful for Community Empowerment

Despite the challenges of restructuring traditional relationships between donors and grantees, funding and other types of support often makes a powerful difference for community activists. For example, trainings given by NGOs can be crucial to building the agency of communities. These trainings must be responsive to the actual needs and desires of communities and delivered in a way that enables community activists to make use of the skills for their own ends. The experience of Wat Damnak and several of the other examples cited above demonstrate the value of know-your-rights trainings. This is a common programming priority for many of Cambodia’s most well-known human rights NGOs, such as Licadho, Adhoc, and CLEC, among others. Other types of training might include business skills training, or critical trainings on the linkages between global capitalism and the destruction of local livelihoods and economic relationships such as what helped the Omlaing community identify the European sugar growers as a likely target for an advocacy campaign.

Conferences organized by outside actors can be tremendously valuable to community activists seeking to learn from the experiences of other community activists and as indicators of legitimacy to other potential activists, government officials, and the communities whom they represent. The concept is surprisingly simple, logistically straightforward, more likely to be deemed apolitical, and tremendously valuable to the

126 See Graeme Brown, Meas Nee and Dave Hubbel, An External Evaluation of Oxfam Hong Kong’s Cambodia program of 2006-2011, July 2012. 52 (“Community people overwhelmingly report they require business skills...

127 Graeme Brown, Meas Nee and Dave Hubbel, An External Evaluation of Oxfam Hong Kong’s Cambodia program of 2006-2011, July 2012. 54 (“It is essential that people see that the problems within Cambodia are tied strongly to the international systems that promote and use oppressive regimes for their own benefit. If people are not integrally aware of these systems, they may work hard but miss key opportunities to address root causes.”

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individual community activists. All it takes to facilitate this kind of networking is to convene a few three to four day conferences and perhaps pay for the attendees’ room, board, and transportation costs.

Finally, one cannot deny the value of financial support. The key here is that the power afforded by money is directed by the communities rather than by outside actors through the communities. Many of the communities surveyed in this report developed innovative strategies to fund their operations by drawing exclusively on internal community resources. Nonetheless, traveling to join protests is expensive and time-consuming for many community organizers. Communities in more distant areas such as Siem Reap and Prey Lang find it particularly daunting to travel to Phnom Penh and other protest locations due to the financial burden on participants. Community members often journey for hours in crowded truck beds or on small oxcarts to join in demonstrations. Even for Borei Keila community members living in relocation sites on the outskirts of Phnom Penh, travel to downtown protests was sometimes too great of a financial burden for participants to bear. Even if they could afford transportation costs, many organizers cannot afford to take the time off work to advocate for their rights. At the same time, analysts have encouraged donors to suppress the urge to provide per diems in such situations, given their tendency to reinforce clientelist power dynamics and undermine local ownership over a mobilization effort.128

For these reasons, WIC hires full-time staff and provides stipends to some of its most active volunteer mobilizers who miss hours of overtime work each month when they recruit new members and run events. The cost of such overhead is miniscule, especially when compared to the budgets of other donor initiatives, and these efforts make a tremendous difference for individual community mobilizers. International donors and NGOs should make available special funds where relatively modest sums in overhead support can be granted to community grassroots movements with minimal bureaucracy, solely for the purpose of enabling their effective mobilization efforts.129

Creating Opportunity Structures for Community Mobilization

The above recommendations focus on fostering the individual agency of community activists, and the collective ability of

of reasons, but often expect to support reform initiatives or pro-poor development initiatives that communities to mobilize. The recommendations that follow are directed at the Royal Government of Cambodia and the international community, and focus instead on efforts to create an environment in which those empowered communities are more likely to see their mobilization efforts meet with success.

Certainly, traditional capacity building efforts designed to strengthen the governance capacity of the Royal Cambodian Government would fall under this category. That category of development aid goes beyond the scope of this paper, and will therefore not be addressed. But other kinds of assistance also focus on improving the opportunity structures for community mobilization.

128 Graeme Brown, Meas Nee and Dave Hubbel, An External Evaluation of Oxfam Hong Kong’s Cambodia program of 2006-2011, July 2012. 44 (“While it is common practice in Cambodia, it is counter to self-reliance and community ownership if NGOs provide too many per-diems and travel funds to community people involved in their activities. It builds and reinforces patron-client relationships and consumes huge amounts of administration time.”)
129 See also Graeme Brown, Meas Nee and Dave Hubbel, An External Evaluation of Oxfam Hong Kong’s Cambodia program of 2006-2011, July 2012. 44
First and foremost, the Royal Government of Cambodia bears the primary responsibility to improve the ability of government institutions to handle and resolve community grievances. In support of that mandate, however, Cambodia’s sizeable international community also constitutes part of that opportunity structure. Certainly, many communities look first to the international community for help resolving their problems, so—to the extent that the international community solicits such requests for assistance (and there is no doubt that it does actively do just that)—the international community itself needs to be evaluated with the same critical eye that is often trained on Cambodia’s government institutions.

**Recommendations to the Royal Government of Cambodia**

The primary audience for this paper is the international development community. But those various development actors are all in Cambodia as outsiders—as guests. The only sovereign in Cambodia is the Royal Government of Cambodia (RGC). No other actor has greater capacity, authority, and responsibility to facilitate democratic and non-violent community activism. Indeed, successful community activism, as discussed above, almost always necessitates some sort of a relationship—ideally a constructive one—between the activist community and the government.

Much has been written about how the RGC could do more to address the grievances articulated by community activists in Cambodia today. Cambodia is often described as a developing country, and yet it also enjoys an unprecedented explosion of wealth, especially in its thriving urban centers. Within the “near future,” the UNDP estimates that Cambodia will have sufficiently robust GDP per capita to be classified as a lower-middle income country. 130 With growing prosperity comes a renewed responsibility to build the capacity of the government, including by providing services it was not able to afford in the immediate post-Khmer Rouge era.

**Ending Aid Dependency**

To finance those services, the RGC urgently needs to develop more effective means of taxing its most profitable industries. 131 Not only would a more effective and progressive taxation system fill government coffers and therefore enable the government to carry out core governance functions, but also it would begin the necessary process of making the RGC less dependent on foreign aid. Foreign aid currently makes up approximately 9.1% of Cambodia’s GNP, and about half of the RGC annual budget. 132 International donors provide this aid for a variety the RGC might not otherwise wish (or be able) to prioritize without such specially earmarked foreign aid. This results in a situation where both the RGC and the beneficiaries of the programs perceive these reform programs as foreign driven initiatives. The international donors are often all too keen to encourage such a perception, prominently displaying their logos on project posters and taking credit for the work done in their annual reports. As a result, when initiatives are successful, the RGC receives little or no credit, and when they fail, the RGC also denies any responsibility for that failure.

131 See EAR, supra note Error! Bookmark not defined., at 140-43.
In short, these programs do not serve to establish any accountability linkages between the RGC and the intended beneficiaries of development aid.

Remedying this disconnect would go a long way towards addressing some of the governance problems that plague Cambodia. It would require the RGC to clearly articulate its pro-poor development framework, and to take full ownership of the various initiatives that flow from this policy. Hun Sen’s land titling scheme demonstrated how the government can—and indeed should—spearhead such programs to address serious systemic problems. That land-titling scheme was carried out in the context of a national election, and according to most accounts, it worked. Not only were thousands of households given land title that made it more difficult for unscrupulous land developers and corrupt politicians to illicitly grab land, but also the credit for this program went to Hun Sen and the ruling CPP party. This is an example of a good pro-poor development initiative, and a model that could be formalized and replicated for other social issues, and continued even outside of the context of a close election. Foreign donors can still play a role in supporting such programs, but when they are truly driven by the RGC, such programs work better and lead to more democratically accountable relationships between the government and its people.

**Incentivizing Pro-Poor Development**

A number of systemic governance problems continue to plague Cambodia, many of which prompted the community mobilization efforts described above. For example, there is a severe imbalance of economic growth within Cambodia. Most of the growth takes place in urban areas, and even in the cities, growth remains limited to a few sectors of the economy, primarily export-driven garment manufacturing, resource extraction, and tourism. The government should initiate programs designed to bring more economic opportunities to the rural and urban populations that remain on the periphery of Cambodia’s economic growth equation. The government could incentivize foreign investors to invest in economically depressed regions of the country, and prioritize industries that might provide employment to those who currently cannot find work. A good example would be for the government to enforce regulations for investors who benefit from economic land concessions. In many of the rural villages that the Stanford Clinic visited over the course of this project, companies had received land concessions, cleared the land of its valuable forest, but then failed entirely to convert the denuded land into productive farmland. Not only does this process result in large scale logging of biologically valuable forestland, but it also denies local populations the economic opportunities that might otherwise be associated with large-scale agro-businesses. If the government wishes to issue economic land concessions, they must also be willing to ensure that the beneficiaries of those concessions live up to the terms of their agreement. In many instances, this would require only the political will to enforce existing regulations.

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Building the Bureaucratic Capacity to Remedy Rights Violations

The above discussion raises another urgent systemic shortcoming that the RGC can—and indeed urgently must—remedy: the bureaucratic capacity to rectify rights violations. For a variety of reasons that go beyond the scope of this report, the Cambodian judiciary is currently unable to resolve the many grievances that animate the community mobilization efforts detailed in this report. The result is that many community activists never even consider the judiciary as a potential source of redress for their concerns. This negatively reflects on the RGC as a whole. The RGC should urgently prioritize efforts to rehabilitate the Cambodian judiciary’s perceived legitimacy. This means putting in place rigorous safeguards to guarantee the judiciary’s independence and providing it with sufficient resources to carry out its core functions.

Building the judiciary’s capacity does not necessarily require only focusing on its ability to conduct formalistic and procedurally complex trials. Alternative dispute resolution mechanisms should also be considered in this effort. The Arbitration Counsel, which was developed to adjudicate labor disputes in the garment sector, is just such an example. For years, labor activists and factory managers complained of inefficient and unpredictable judicial procedures when disputes arose. In response, the RGC with the support of the ILO and other international donors, announced the creation of the Arbitration Council, which has jurisdiction to hear complaints in the garment sector by labor activists against factories. The Arbitration Council is widely perceived among labor activists as accessible, fair, and efficient. It is also integrated formally into the Cambodian judiciary, and decisions by the Arbitration Council are theoretically appealable in regular judicial forums. Similarly creative and ultimately effective institutional remedies could also be developed to handle other types of recurring disputes that—when left unresolved—frequently lead to human rights abuses.

Tackling Corruption

Finally, no discussion of necessary reform priorities could be complete without mentioning corruption.¹³⁴ Scholars typically describe corruption as the governance patronage network that allows the current CPP government to maintain power and stability in the country. Corruption plays a role in each example of community mobilization discussed in this paper. Communities whose land was taken complain that it was corrupt officials who let it happen or looked the other way. Activists who were arrested complain of corruption in the police force. Factory managers allegedly spend significant portions of their operating budgets on so-called “excellency fees,” thereby ensuring that they will have no problems with the law. Once entrenched into a governance culture, corruption is extremely difficult to eradicate. The literature on best practices to address corruption is vast, and beyond the scope of this paper. Nonetheless, the RGC needs to prioritize these efforts. In part, fighting corruption may require strengthening the democratic accountability mechanisms described above, while increasing the costs of being caught in a corruption scheme. This means that individual government functionaries should see strong incentives to “play by the rules,” and seek professional and financial validation due to their good governance. Perhaps no other issue in Cambodia today would be likely—over time—to generate more long-term sustainable change in Cambodia.

¹³⁴ Hun Sen’s Cambodia.
Recommendations to Donors (including International NGOs supporting local counterparts)

Because the country’s economy relies so heavily on foreign aid, donors wield uniquely strong influence in Cambodia. It follows that multilateral development organizations and bilateral aid agencies have to be particularly cautious in the political arena so as not to undermine the sovereignty of the Cambodian state. While international non-governmental organizations (INGOs) and international organizations have slightly greater ability to act outside of governmental programs, there are certain considerations all donors should keep in mind when planning community-building projects in Cambodia. We have divided our recommendations into four substantive goal areas: adaptability, accountability, sustainability, and planning an exit strategy.

Adaptability

The goal of aid is to help intended beneficiaries or to solve targeted problems. Hence, it is crucial that organizations listen to the needs of those whom they seek to help and that they not impose their own agenda.135 Dynamism and constant communication with project partners gives programs the ability, flexibility, and versatility to effectively meet the needs of the communities they seek to support. Even from the perspective of a donor government that may have openly geopolitical motivations for providing development aid, the needs-driven and communicative structure aid strategy will still help bilateral donors render that aid more effective, and thus more welcome from the perspective of the beneficiaries and their elected representatives.

Donor organizations must develop strong partnerships with local community activists in order to know the needs and desires of the community, understand the impact of their aid, and tailor the programs to fit the realities of that community.136 Consultation with the community should occur from the beginning of any intervention and regularly throughout the partnership. Indeed, this model of capacity building and cooperation can be effectively enacted even where the donor is not well-equipped to perform the capacity building themselves.

Donor programs should focus on the process of a collaboration and joint development of an action plan, not the specific program outcomes themselves.137 The typical model might be for a donor organization to decide that it would like to support gender equality programming, and subsequently put out a Request for Proposals (RFP) to any partners or partner communities wishing to work on that issue. An alternative—and we argue superior approach—would be for the development actor to put out an RFP for a partner that can demonstrate democratic accountability relationships between its leadership and its membership.

135 See e.g., Interview with Collette O’Regan, People’s Action for Change, Phnom Penh, Nov. 16, 2014 (noting that NGOs can sometimes be distracted from the needs of a community by their own institutional goals or experience); Sato et al., “Emerging Donors” from a Recipient Perspective: An Institutional Analysis of Foreign Aid in Cambodia, 39 WORLD DEVELOPMENT 2091 (2011) (discussing how governments’ pursuit of their own interests can undermine development goals for Cambodia); ROBERT D. LAMB, ABSORPTIVE CAPACITY IN THE SECURITY AND JUSTICE SECTORS: ASSESSING OBSTACLES TO SUCCESS IN THE DONOR RECIPIENT RELATIONSHIP 24-26 (2013) (critiquing a USAID project for trying to impose a model of rule of law that did not translate to the Cambodian context).
136 See e.g., Hiroyuki Hattori, Enhancing Aid Effectiveness in Education Through a Sector-Wide Approach in Cambodia, 39 PROSPECTS 185, 197 (2009) (recommending a more dynamic and participatory consultation process that includes all stakeholders).
137 See e.g., Interview with Collette O’Regan, People’s Action for Change, Phnom Penh, Nov. 16, 2014.
Once selected, the donor could sign an agreement for long-term capacity building and support between the donor and the community activist and begin a serious process to jointly decide on a development agenda. The substantive outcome of that collaboration might vary: it could be focused on gender equality, or resource conservation, or cultural preservation, or the creation of small businesses. Or even the creation of a bowling club. Whatever the substantive focus of the collaboration, the crucial output should be the greater organizational capacity of the community and their representatives, with the implied assumption that that capacity will translate into long-term and sustainable community empowerment.

Many donors do not directly support Cambodian grassroots groups, but work instead through intermediaries or umbrella organizations. These intermediaries interface between multiple sub-grant recipients and one or more international donors. Although they represent an additional cost, these intermediaries also provide added value to both donors and sub-grantees. At a minimum, they can cultivate country-specific expertise in grant management, and can thus “translate” between the metrics that make sense to community activists and those that make sense to the donors. They can provide donors with the documentation and governance safeguards they require, while reducing the burden of compliance on the grassroots communities. Some intermediaries, such as the Southeast Asia Development Project (SADP) and East West Institute (EWI), afford additional value by coordinating among both communities and international organizations, facilitating communication between communities and donors, and providing their sub-grantees with technical support and capacity building as discussed above. Some intermediaries have also taken it upon themselves to coordinate with other intermediary groups, which helps them streamline accountability processes, identify cases where grant recipients are “double dipping” from two or more donors for the same work, and ensure that donors coordinate their policies and long-term priorities. Some donors, for example the Swedish International Development Cooperation Agency (SIDA), added this coordination to the mandate it gave to its two preferred intermediaries as part of its grant management obligations. USAID also spoke of the added value that intermediaries can bring to capacity-building efforts with local groups. 138 Intermediary groups can also be beneficial for combating corruption at the community level. Where a donor might be best served by severing ties with a recipient group as soon as corruption is discovered, an intermediary with the right expertise can work with the community to reform its operations and thus contribute to the long-term capacity of that community mobilization effort (see below).

Finally, the success of aid intervention is difficult to capture ex ante in a logframe. Rather it should be measured by more subjective measures of whether the people who are intended to benefit from the program achieve any of the goals that they set for themselves because of the existence of that program. Defining success in this way requires a different analytical process to measure progress. Instead of counting the number of brochures distributed or the number of registrants for a workshop, the monitoring and evaluation team must look instead to more nuanced indicators of success, such as how likely it is that project beneficiaries have become more empowered as a result of the effort.

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138 Interview with unnamed USAID officials at the US Embassy in Phnom Penh, May 27, 2015.
This listening approach can also enable donors and their beneficiaries to revisit and adjust an aid program mid-course, potentially replacing ill-fitting or foreign program models with ones that are more appropriate for the culture and sensitivities of a community.  

**Accountability: A Two Way Street**

The theme of “accountability” is a major focus of almost any donor engagement process. Almost all agree that accountability is crucial, but not everyone agrees which side of the donor-grantee relationship deserves the closest scrutiny. Community members and some critical scholars tend to feel that donors should hold themselves more accountable to the communities they claim to support. Donors, on the other hand, worry that Cambodia’s culture of corruption pervades not only the country’s bureaucracy and private sectors, but also Cambodia’s non-profit sector. Given the inherent power imbalance between donors and grantee, it is perhaps not surprising that the only robust accountability mechanisms focus on the grant recipients, not the donors. Grant recipients are forced to account for every cent spent on programming. But donors also have a strategic—as well an ethical—incentive to hold themselves accountable (or be held accountable) to the communities they claim to serve. The authors of this paper argue that accountability is a two-way street, and that any donor-grantee relationship that does not contain measures designed to ensure mutual accountability within that relationship is unbalanced, and ultimately will be ineffective.

**Donor Accountability**

Cambodia has a deeply entrenched donor culture. This has two major implications for donor activity. First, it generates a different understanding of accountability in which spending money can often serve as a proxy indicator for actual substantive success. Second, it instills a pervasive powerlessness in those without ready access to money. There is an inherent, well-founded sense that those handing out money control the agenda.

As described above, successful community mobilization efforts require that this relationship be turned on its head. Others have described this principle as that of fostering the “mutual responsibility” of all stakeholders in a development project. The empowerment of aid beneficiaries will also increase the sustainability of an aid project. When stakeholders are more involved, they will communicate what works and does not work about a program, rather than simply quietly withdrawing from the initiative when they feel that a program no longer serves their agendas.

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139 See e.g., Hildegard Lingnau & Tuan Thavrak, *Donor Agencies Do Not Adhere to Aid-Effectiveness Principles in Cambodia*, **DEVELOPMENT AND COOPERATION** (Nov. 25, 2009), http://www.dandc.eu/en/article/donor-agencies-do-not-adhere-aid-effectiveness-principles-cambodia (noting alignment of the aid to institutions and procedures of the developing countries as one of five principles to increase aid effectiveness).

140 Graeme, supra note 116, at 136.

141 EAR, supra note 135, at 11-12.


143 See e.g., Lingnau & Thavrak, supra note 141 (noting mutual responsibility of all involved as one of five principles to increase aid effectiveness); Va Moeurn, et al., *Good Practice in the Chambok Community-Based Ecotourism Project in Cambodia*, in *POVERTY REDUCTION THAT WORKS: SCALING UP DEVELOPMENT SUCCESS* 3, 16-17 (2008).
This applies to projects with community members and technical support efforts designed to strengthen the institutional capacity of the RGC. Thus far, one of the biggest growing pains for aid in Cambodia has been weak government ownership.\textsuperscript{144} Aid programs that engage their intended beneficiaries—including the RGC—will also address the government ownership issue.

Beyond empowerment trainings and more conversations with and amongst stakeholders, we recommend that donors incorporate due diligence strategies and social audits into their aid programs to strengthen performance monitoring and reporting. Such reports and audits must reflect the adaptability underscored in the section above, while bearing in mind that these reports should not be the primary metric of program success. Communities, organizations, and government actors should not be overburdened with reporting requirements.\textsuperscript{145}

Development actors should ensure that they have appropriate grievance mechanisms integrated directly into their programs. The World Bank’s integrated grievance mechanism, for example, allowed activists working with the Boeung Kak community to elevate the grievances to the international level, thus forcing the World Bank to take an interest in the resolution of that case. In that case, the RGC was unable to satisfy the demands of the World Bank, forcing the Bank to carry through on its threat to defund the land titling program. While some might see this kind of conditionality as brinkmanship, it sent an important message of principled donor behavior to the RGC and other stakeholders. Such grievance procedures are today an essential part of all major multilateral aid programs.\textsuperscript{146} They should also be incorporated into bilateral aid programs and even NGO partnerships. If a certain principle or development benchmark is truly important, donors and other actors must clearly communicate that they wish to see progress in that area by means of real triggers that will prompt cessation of further aid. The cost of maintaining such grievance procedures is miniscule when compared to the costs of not providing affected communities with an avenue for voicing concerns and resolving disputes at the earliest possible point in time.

\textbf{Fighting Corruption}

As described above, a culture of corruption pervades all sectors of Cambodian society. Cambodia’s civil society is not exempt from this tendency. One donor’s recent experience suggested that approximately sixty percent of the grassroots communities it supported had problems with corruption.\textsuperscript{147} Some of that corruption was comparatively trivial, given overall program budgets. Examples range from community representatives not paying promised per-diem to community members for community mobilization events, conflicts of interests, claiming more money was spent than was actually the case, or charging two separate donors for the same project work. As Colette O’Regan from CGCSN put it, “there is a temptation in some quarters to just look the other way, since the amounts involved are comparatively so modest.”\textsuperscript{148}

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\textsuperscript{144} See e.g., Sophal Ear, \textit{The Political Economy of Aid, Governance, and Policy-Making: Cambodia in Global, National, and Sectoral Perspectives} (Spring 2006) (Ph.D. dissertation, University of California, Berkeley); Hattori, \textit{supra} note 139 (citing strengthening country ownership as one of three priority areas); Hubbard, \textit{supra} note 143; Lingnau & Thavrak, \textit{supra} note 141.

\textsuperscript{145} Lam, \textit{supra} note 138, at 24-26.

\textsuperscript{146} But see, Sok Khemara, \textit{Lawyer Files Complaint at International Court Over Land Grabs}, VOAKHMER (Oct. 17, 2014), http://www.voacambodia.com/content/lawyer-files-complaint-at-international-court-over-land-grabs/2486158.html (describing a recent complaint to the International Criminal Court accusing senior Cambodian officials of “systematic land grabs that constitute human rights abuses”).

\textsuperscript{147} Interview with accountant working with an unnamed donor, Phnom Penh, May 27, 2015.

\textsuperscript{148} Interview with Collette O’Regan, Phnom Penh, May 27, 2015.
For two reasons, however, Ms. O’Regan and others emphasized the crucial importance of taking a strongly principled and proactive stance on the issue of corruption—even if the sums involved are relatively insignificant. First, a donor’s perspective on the significance of one or two unaccounted-for dollars may differ from that of a community member, for whom two dollars may be worth a full day of work. Second, and perhaps more significantly, these small transgressions represent a violation of a principle that is core to the integrity of a grassroots movement. Community representatives are nominated by their community to represent the collective interests of the community, not to enrich or empower themselves personally. For this reason, even trivial instances of corruption represent a crucial violation of the core principle that makes community mobilization efforts successful.

At the surface level, there is tension between donor adaptability and a rigorous donor commitment to rooting out even small instances of corruption. From the donor perspective, it is often difficult to tell the difference between a change in recipient tactics and an instance of recipient misappropriation of funding or corruption. The more flexible a donor is with regard to their grantees changing plans midway through a project, the less likely it is that traditional accounting practices will surface instances of small-scale corruption.

Donors who subscribed to a principle of maximum donor adaptability typically also developed very robust methods to identify and constructively address instances of corruption. Oxfam country director Chris Eijkemans spoke of the importance of taking a zero tolerance approach to corruption, even within the context of a much more flexible and recipient-focused donor strategy. Respondents also warned of the dangers of a draconian “zero-tolerance” approach to corruption. “Empowerment means that communities must have the space to make mistakes. We can’t look over their shoulders all day because they won’t learn. It’s OK that they make mistakes, as long as they learn. If they just keep doing the same thing over and over and over again, that’s different.” Leang Rattanak Tevy, from South Asia Development Program (SADP) emphasized the need not only for insisting that grantees remain rigorously accountable, but also to problem solve with grantees whenever problems arise. Collette O’Regan with CGCSN urged donors not to forget that they do, in fact, hold a lot of power in the relationship with grantees. “You have to be clear about what it is that you stand for and promote” as a donor.

If it seems as though grantees no longer share that vision with their donor, she recommends honestly finding out from the grantees what is going on, whether there are structural or other causes for a divergence of principles (a miscommunication even). Next, she recommends trying to renegotiate a relationship, ideally building in safeguards designed to address the root causes of a disagreement (e.g. if a grantee is afraid of making powerful enemies, perhaps a risk management plan can be negotiated). If these interventions fail and the problem persists, only then is it appropriate to begin thinking of ways to end or phase out the relationship between donor and grantee.

Another strategy that several donors recommended was to pool together as a group of like-minded donors to come up with common standards and policies. This way, donors would know if the same group

149 Interview with Chris Eijkemans, Oxfam Novib, Phnom Penh, May 27, 2015.
151 Interview with Leang Rattanak Tevy, SADP, Phnom Penh, May 26, 2015
152 Interview with Collette O’Regan, CGCSN, Phnom Penh, May 27, 2015.
is charging multiple donors for the same project, and would be able to significantly streamline the auditing process if only one donor representative conducted an audit on behalf of a much larger group of donors rather than each donor sending a separate auditor.

Sustainability

Aid is most effective when it, or its effects, endure. In order to achieve sustainability, three elements become particularly important: longer-term funding cycles, fostering self-perpetuating skills, and fidelity to original program goals.

Longer-term funding cycles are important to permit programs to focus on actual implementation and ensuring that reforms take root, rather than requiring programs to constantly write reports to document satisfactory activity and apply for new funding.\textsuperscript{153}

The cultivation of self-perpetuating skills are important so that the community can take over the project for themselves once the donor withdraws or is no longer part of the funding equation. Programs can achieve this by supporting information gathering and sharing events (e.g. conferences, speaking tours, study tours for community activists) and creating independent communication networks so that communities can reach out to each other with new information or activity proposals. Donors can also support skills-building programs in communities that promise to build the capacity of that community to collectively thrive culturally, economically, and politically. An internal review of Oxfam Hong Kong’s programming between 2006 and 2011 found that livelihoods trainings were “well placed,” and in fact that communities requested more such trainings, for example business skills trainings.\textsuperscript{154} That same report also mentioned the training of paralegals as a similarly promising practice.\textsuperscript{155}

Finally, staying true to original aid goals can be challenging. Clearly stated goals at the outset of a program can ensure that program activities do not become too fragmented. A lack of focus undermines the long-term viability of aid efforts and permits corrupting influences to exploit weaknesses or contradictions in the program. This is not to say, however, that a program goal should be followed militantly even when it no longer seems to make sense. Our recommendation that donors be adaptable (see above) remains essential. Rather, we distinguish between the ultimate goal (e.g., gender equality or community empowerment), which should be rigid, and methods of implementation (e.g., leader trainings or cross-community visits), which should be malleable and subject to periodic re-evaluation.

Planning for an Exit

Because success is derived from community empowerment, donors must be ready to recognize when their part is done. The WIC case study illustrates the power of a donor who knows when to leave. WIC was originally a project run by Oxfam HK. From the start, however, the architects of that original Oxfam

\textsuperscript{153} See e.g., interview with Collette; Hattori, supra note 139, at 196 (advocating for the development of a medium-term financing plan to improve achievement of results).

\textsuperscript{154} Graeme Brown, Meas Nee and Dave Hubbel, An External Evaluation of Oxfam Hong Kong’s Cambodia program of 2006-2011, July 2012. 51-52.

\textsuperscript{155} Id., at 54.
project made it clear that they were providing only the initial seed for the organization. From the outset, Oxfam encouraged the WAC (the precursor and umbrella organization to the organization highlighted in this report) to develop independent and sustainable organizational strategies. The WAC leaders cultivated new sources of funding beyond Oxfam, and retained full and independent control over those new funds. Furthermore, they developed robust accountability mechanisms between the WAC beneficiaries and the WAC leadership. Planning these strategies from the beginning meant that the WAC not only survived, but flourished, even after Oxfam ended its direct support for the program.

Even though the idea of INGOs “working themselves out of a job” has become a mantra in the industry, few INGOs actually show any signs of translating that rhetoric into their strategic planning. Oxfam in 2014 raised the issue and received vigorous push back from peer INGOs and even the RGC.\textsuperscript{156} But in a world awash with fresh humanitarian crises and urgent development challenges, the enormous donor budgets that Cambodian NGOs and the RGC have grown used to may soon be drying up. Remaining NGOs and international donors will have to learn how to do more with less. But before lamenting about this trend, and looking back longingly on the good old days when foreign money flowed freely and NGOs proliferated like mushrooms across Cambodia, perhaps the international community ought instead to consider whether this might be precisely the right time to take stock of past successes and failures, and finally allow Cambodian civil society to find its own voice.