

**SADEV**

SWEDISH  
AGENCY FOR  
DEVELOPMENT  
EVALUATION

# Democratic development and increased respect for human rights

- results of Swedish support  
Cambodia and Vietnam

Swedish Agency for Development Evaluation  
P. O. Box 1902, SE-651 19 Karlstad, Sweden

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Democratic development and increased respect for human rights  
- results of Swedish support Cambodia and Vietnam

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## Preface

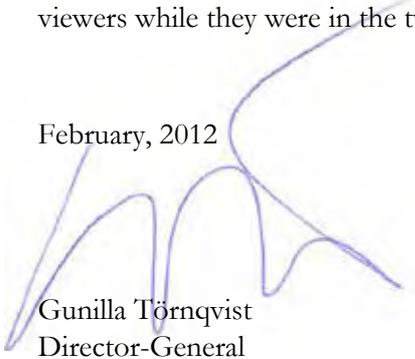
In response to the request of the Swedish Ministry for Foreign Affairs to evaluate Swedish democracy and human rights support over ten or more years leading up to 2012, SADEV undertook a multi-country evaluation of Swedish democracy and human rights (D/HR) results in Guatemala, Kenya and Serbia in terms of recipients of Swedish official development assistance between 1998 and 2010.

Late in 2011 an evaluation of results emanating from Swedish D/HR-support to Vietnam and Cambodia was commissioned. Two expert evaluators, who have lived and worked in South East Asia for the past seven years, were selected for the task. In a short period of time Melinda MacDonald and Michael Miner of IBA produced a substantive evaluation on D/HR in these two target countries.

The present report is entirely the product of the two evaluators. It demonstrates coherence between Swedish policies and D/HR interventions in Vietnam and Cambodia over 40+ years. During that time, Sweden has delivered assistance built on strong relationships and solid technical assistance which match local contexts and have improved democracy and respect for human rights particularly in Vietnam where the relationship has led to opportunities for dialogue on sensitive issues between the countries. The program in Cambodia is evolving with a variety of players involved in moving D/HR forward including the Government, CSOs and many others.

There are a great number of people who have made this important evaluation possible. In addition to thanking Melinda MacDonald and Michael Miner my thanks are extended in particular to Marie Ottosson, Minister, Deputy Head of Mission and Head of Development Cooperation at the Swedish Embassy in Hanoi, for her support and also Carol Backman, First Secretary, Development Cooperation and the rest of the team at the Embassy in Hanoi. In Phnom Penh, I want to thank Karl-Anders Larsson, Counsellor/Economist in particular and his associates Annette Dahlstrom, First Secretary, Human Rights, Erik Wallin, First Secretary, Democratic Governance and their team as well. Finally I want to thank the 50+ people who met with the interviewees while they were in the two countries.

February, 2012



Gunilla Törnqvist  
Director-General

## Acknowledgements

The two evaluation consultants would like to thank Gunilla Tornqvist, Head of Agency at SADEV, for her foresight in understanding the importance of including a perspective from Asia in this overall response to the Ministry for Foreign Affairs of Sweden. We would also like to thank her for her insights on democracy and human rights and for her direction of this short evaluation.

In Hanoi, in particular we want to thank Marie Ottosson, Minister, Deputy Head of Mission and Head of Development Cooperation at the Swedish Embassy in Hanoi for her support and for being a wonderful host for our mission to Vietnam. Thanks also to her Secretary, Nguyen Thanh Tam, for arranging several meetings for us. We also appreciated the assistance of many others at the Embassy including Carol Backman, First Secretary, Development Cooperation, and Programme Officer Anh Nguyen Hong who was kind enough to serve as our translator for 1 meeting.

In Phnom Penh, we would particularly like to thank our three main contacts at the Swedish Embassy – namely, Karl-Anders Larsson, Counsellor/Economist, Anette Dahlstrom, First Secretary, Human Rights and Erik Wallin, First Secretary, Democratic Governance. They assisted us both in identifying appropriate documentation and also the correct people to interview about the major specific Swedish investments in Democracy and Human Rights.

Finally we would like to thank the 50 people whom we interviewed for taking the time to meet with us. We were impressed by people's openness and interest in the Swedish approach to Democracy and Human Rights both in Vietnam and Cambodia.

Melinda MacDonald and Michael Miner, Co-Evaluators, January, 2012

## Executive summary

This evaluation for SADEV of Swedish supported democracy and human rights programming in Vietnam and Cambodia is intended to add input on programming in Asia to other evaluation materials being integrated into a report for the Ministry for Foreign Affairs in February, 2012. The objective of that overall report is to “conduct an evaluation of the results of the development cooperation with a principal focus on democratic development and increased respect for human rights”.

Almost one quarter of all Democracy/Human Rights support from Sida between 1998 and 2010 was dispersed in Asia. Of the entire D/HR budget, Vietnam was the 8th largest recipient of Swedish D/HR support (952,185 Million SEK or 145,017 Million USD) and Cambodia was the 10th largest (846,960 Million SEK or 128,992 Million USD) recipient of D/HR support. Sweden has a long history of development cooperation particularly in Vietnam where the 45 year relationship began in 1967. The 33 year relationship with Cambodia began with humanitarian assistance in 1979. In both countries D/HR support has been provided since the early 1990’s.

This evaluation of D/HR in Vietnam and Cambodia was originally intended to be a desk review to draw together lessons learned and policy recommendations from mapping selected democracy and human rights programming investments. It was intended to contribute to: learning with regard to democracy and human rights cooperation, providing input to future government policy development, and more broadly to Sweden’s cooperation partners and stakeholders; and, reporting on Swedish government reporting on democracy and human rights. It is not intended to be a full analysis of the investments reviewed or of all projects and programs in D/HR in Vietnam and Cambodia over the past 15 years but rather it overviews key strengths and weaknesses of D/HR programming.

This evaluation was carried out in SE Asia by a 2 person evaluation team between November, 2011 and January, 2012. It included a desk review and content analysis of documents and reports, relevant evaluations and three field visits - two to Phnom Penh, Cambodia in November, 2011 and in December, 2011 and one to Hanoi, Vietnam in January, 2012. During the missions, a total of 50 people were interviewed from a variety of stakeholders including: Swedish partners, Governments, CSOs, academics, and other donors. The process was intentionally highly consultative and fully supported by the Swedish Embassies in both capitals. The evaluation was limited by the short amount of time available for analysis and interviews during the time in which the evaluation had to be completed.

The most significant finding or lessons learned from this review of D/HR programming in Vietnam and Cambodia is to highlight the particularly successful and responsive partnership approach which was used by Sweden in Vietnam to build and maintain relationships over 40 years resulting in development of a ‘special relationship’ in which policy on sensitive subjects can be discussed. This was verified by all Vietnamese interviewed. The importance of this cannot be overstated since a wide variety of cross

cultural research<sup>1</sup> has concluded that both Vietnam and Cambodia are strong relationship based cultures where trust being built is the key to success working together on joint ventures, partnerships and to the opportunity to enter into real policy dialogue. Western cultures, including Sweden, score as rules oriented cultures as opposed to relationship based cultures so it is a credit to Sweden that it developed deep relationships in the SE Asian context where relationships are arguably the most important in the world.

To demonstrate this, a major European research study<sup>2</sup> of 100,000 international managers created a continuum of cultural beliefs of managers. Sweden falls on the opposite side of many dimensions from Vietnam and Cambodia. For example, Swedish managers score following rules and adhering to contracts as more important than relationships whereas Vietnam and Cambodian managers score building and honouring relationships as more important than following rules or contracts.

In almost every interview in Vietnam, the evaluators were told about the ‘special relationship’ between Vietnam and Sweden which is also described similarly in many source reports. This relationship developed in Vietnam through Sweden supporting Vietnam over 45 years in the areas in which Vietnam needed help starting with support for infrastructure and then economic reform and capacity building. It was only after this relationship was built that Sweden could introduce democracy and human rights and sensitive subjects such as media and anti-corruption.

In Cambodia, this level of relationship has not evolved into a special relationship as yet. This is partly because the focus has not just been on the government but also a function of time. What Sweden has done in Cambodia is develop overall programming in D/HR which hits at all levels including RGC Decentralization and De-concentration (central, provincial and commune), Multilaterals working with the Cambodian Office of the High Commissioner for Human Rights, think tanks - Cambodian Development Resource Institute and a wide variety of national and local CSOs through Swedish Framework organizations (Forum-Syd and Diakonia). Again this approach is developing a wide variety of relationships which can be deepened to enable Sweden to build a closer relationship with the RGC in addition to its strong relationships with CSOs and other actors in Cambodia. To develop a special relationship, the Swedish program needs to focus on many parts of the RGC and ascertain what gaps Sweden can fill that will have the most mutual benefit.

The report includes an At a Glance Chart which provides highlights from the Desk Review, key interviewees and from group interviews and identifies strengths and challenges in each area. They are grouped under the 7 strategic objectives: freedom of expression, political framework for democratic procedures, democratic administration, justice framework, democratic civil society, gender equality and human rights strengthening.

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<sup>1</sup> Cross cultural research studies in particular by Trompenhaars and Hampden-Turner, Hofstede etc.

<sup>2</sup> Fons Trompenhaars *Riding The Waves of Culture: Understanding Diversity in Global Business* with Charles Hampden-Turner (1997): Dimensions – 1. Universalism vs Particularism (What is more important – rules or relationships?); 2. Individualism vs Collectivism (Do we function as individuals or as a group?); 3. Neutral vs Emotional (Do we display our emotions?); 4. Specific vs Diffuse (How separate we keep our private and working lives?); 5. Achievement vs Ascription (Do we have to prove ourselves to receive status or is it given to us?); 6. Sequential vs Synchronic (Do we do things one at a time or several things at once?); and 7. Internal vs External control (Do we control our environment or are we controlled by it?)

The key findings about the results of Swedish D/HR programming in the two countries which were triangulated from the above sources can be summarized as having essentially followed the 5 principles of the Paris Declaration on Aid Effectiveness and the principle in the Accra Agenda of adding importance to building more effective and inclusive partnerships for development which include CSOs and other actors. In summary, using the Paris Declaration principles, six conclusions of this evaluation are:

Table 1

<b>SWEDISH MODELS OF D/HR ODA IN VIETNAM AND CAMBODIA</b>		
<b>Conclusions - Paris Declaration/AAA</b>	'Special Relationship' developed over long-term leading to D/HR focus ( <b>Vietnam</b> )	Multi-Leveled support for D/HR through multiple stakeholders with CSO focus ( <b>Cambodia</b> )
<b>1. Ownership</b>	Support for GOV ownership from the outset has led to D/HR programming and policy influence	Strong support for local ownership from outset on D/HR and especially for local CSOs and increasingly RGC
<b>2. Alignment</b>	Alignment with changing GOV priorities over 45 years (from infrastructure, health and humanitarian assistance to economic reform) helped build the 'special relationship' which has led to input on sensitive D/HR issues.	Development partners including Sweden tried to align their investments on D/HR with the RGC but were only partially successful due to lack of trust of RGC systems. PSDD put out substantial effort to support the NCDD Secretariat.
<b>3. Harmonization</b>	Sweden led efforts towards harmonization in D/HR since the 1990s. Most recently, Sweden played a strong role leading 9 anti-corruption dialogues. They turned the leadership over to the UK for the 10th meeting. Sweden also linked both anti-corruption and justice work with other donors. Harmonization effort within media sector through Media Coordination initiative (which began in 2009).	Sweden has worked to harmonize with other donors in supporting a variety of D/HR investments. For example, Sweden supported the PSDD project working in a basket fund with DFID and UNDP which were entrusted with the administration of PSDD from its beginning.
<b>4. Managing for Results</b>	Early Swedish development support demonstrated significant results in poverty reduction. It is early to show similar results in sensitive D/HR areas i.e. access to justice, media and anti-corruption but acceptance and activities are positive indicators.	Through such important investments in D/HR as the 6 investments reviewed, Sweden includes support for development of monitoring and evaluation and MIS systems which should improve managing for results as well as reporting on results.
<b>5. Mutual Accountability</b>	Although it is not easy due to the sensitive nature of D/HR subjects such as anti-corruption, both parties work hard to be mutually accountable. Change is slow but the 'special relationship' helps a lot.	Inclusion of joint monitoring indicators for many areas including HR/D, gender equality etc. in the National Strategic Development Plan has improved the possibility to improve mutual accountability.
<b>6. Expanding the Dialogue (AAA)</b>	As the 'special relationship' has evolved, Sweden has been able to support evolution of independent civil society orgs working on D/HR issues such as Towards Transparency (TT) and others.	Through Forum-Syd and Diakonia (Swedish Framework Organizations) and their work with national and local level CSOs, Sweden has supported many D/HR issues including legal aid, land disputes, gender equality etc.

## **General Conclusions:**

### **1 Coherence with Swedish Policies and D/HR Interventions in Vietnam and Cambodia (1998 and 2012)**

With respect to the extent of coherence between Swedish policies and D/HR interventions in Vietnam and Cambodia between 1998 and 2012, the evaluation research indicates that there is substantial coherence. (Please see Chapter 3 on Findings for verification)

### **2 Coherence in programming in Vietnam and Cambodia with the Seven Broader Policy Objectives for Swedish D/HR (1998 and 2012)**

As described in detail in Chapter 3 on Findings, there are challenges in each of the seven policy areas but overall, the preponderance of evidence from reports and evaluations reviewed and from interviews with 50 people in the two countries, is that the strengths and evidence of programming coherence is high in both Vietnam and Cambodia.

### **3 Extent to which context in Vietnam and Cambodia is reflected in D/HR support**

In both countries, the programming has been well constructed to match the context. In Vietnam, as described in this report, Swedish support for primary concerns of Vietnam led to a ‘special relationship’ being built which allowed as progressive D/HR programming and policy input to the Government of Vietnam as possible for outsiders. In Cambodia, as described in this report, the context is different. Therefore the D/HR program is necessarily different. Cambodia has substantial civil society activity which has allowed Sweden to program through Swedish CSOs (Diakonia and Forum Syd) as well as to support organizations at many other levels including a research think tank (CDRI), an international HR organization (OHCHR), a local organization documenting human rights violations (DCCAM), and a government program (PSDD). Notwithstanding medium appetite by the RGC, this approach has responded well to the local context in Cambodia and led to some Swedish influence on D/HR.

### **4 Extent Swedish D/HR support has contributed to improved democracy and increased respect for human rights in Vietnam and Cambodia**

Given the many challenges to democracy and human rights in both countries, as described in this report and many reports and evaluations and by interviewees, it is clear that Swedish support is viewed by local government officials, other donors, and CSOs as having made, and continuing to make, a significant contribution to improving the D/HR situation in both countries (but there remains a long way to go).

From this short evaluation, it does appear that Sweden’s ODA in both Cambodia and Vietnam has been effectively absorbed by most of its partners and has not duplicated the support of other donors.

## Lessons Learned/Recommendations

### 1 Building Relationships

**Lesson Learned:** Building a long term ‘special relationship’ based on mutual trust with another country, in this case Sweden with Vietnam, has the major benefit for the development partner of being able to enter into dialogue about sensitive issues in D/HR that can lead to change.

**Recommendation:** Sweden should continue to focus its efforts on institutionalization of gains made in D/HR with the GOV (and CSOs), and continue to leverage up those gains by transferring responsibilities to like-minded donors. At the same time, to ensure maximum benefit from the ‘special relationship’, all respondents and documents reviewed see great benefit in Sweden maintaining a presence in sensitive D/HR areas i.e. access to justice, media, anti-corruption, and gender equality.

### 2 Multileveled Approach

**Lesson Learned:** Sweden’s multileveled approach working with a variety of types of partners (wide range of CSOs, think tank, documentation center, multilateral HR agency and the government) is a good way to leverage up the impact of interventions in D/HR as viewed by interviewees, evaluation and reports.

**Recommendation:** Sweden should continue to use its present multileveled approach supporting a wide range of key investments (as described above). To this range of partners, major effort should be placed on supporting D/HR at the institutional level i.e. RGC at Ministerial level, development of Cambodia National Human Rights Body which follows Paris Principles, and increased support for linkages among government, CSOs and private sector. Cambodia, being Chair of ASEAN in 2012, offers an opportunity to leverage all of this.

### 3 Being a Catalyst and Facilitator

**Lesson Learned:** Sweden’s role as a catalyst and facilitator, as demonstrated in both Vietnam and Cambodia, is appreciated by partners and allows Sweden to influence D/HR in both countries and, most certainly at the Senior Government level in Vietnam.

**Recommendation:** Build on Sweden’s positive reputation in Vietnam (and to a lesser extent in Cambodia) and its long term implementation of partner-driven development principles, to increase D/HR role as a networker linking donors, governments and CSOs in each country and at ASEAN to promote D/HR.

### 4 Future D/HR Programming based on past experience

**Lesson Learned:** Future D/HR programming should use the lessons learned in Vietnam and in Cambodia – building deep relationships through long term commitment in Vietnam and developing a multileveled programming approach in Cambodia.

**Recommendation:** Sweden’s future D/HR programming in other countries/regions should be influenced by lessons learned in Vietnam (placing serious effort on building a deep relationship and working with partner countries on a long term basis) and Cambodia (where multileveled partners carry out activities which complement each other, and contribute to achieving the same D/HR goals). This approach, linked with harmonization with other donors, should leverage up the value of Swedish funding.

Table 2 Evaluation Criteria Ratings<sup>3</sup>

Evaluation Criteria	Explanation	Rating (1-6)
<b>Relevance</b>	Sida project results reviewed in both Vietnam and Cambodia are relevant to the Swedish mandate of supporting HR/D and gender equality. These projects support national priorities by providing their government and other stakeholders, i.e., CSOs with needed capacity building, technical assistance and programme support appropriate to their contexts and relevant to the stated needs of local partners and beneficiaries.	-
	The <b>Vietnam</b> Sweden <i>special relationship</i> placed Sweden in the role of trusted advisor, facilitator and catalyst in the key thematic areas of: Poverty Reduction, Anti-Corruption, and Capacity-Development (i.e., of Journalists, Media, Justice Sector Support, Local Participation in Governance, etc.). A good example of how this relationship has helped shape the dialogue is the Chia Se (Phase 1 and 2) poverty alleviation programme operating in three provinces which have some of the highest levels of poverty in Vietnam. The program, which builds on GoV approaches to poverty reduction, is designed to have an impact on national policies and initiatives and facilitate the GoV system at local levels (mainly commune and district) to apply the LDFs and LPMD tool for planning and management of all the government development resources at such levels. This program has been called innovative and has promoted the Paris Declaration Agenda’s ownership criteria as well.	5
	In <b>Cambodia</b> , Swedish ODA is focused on a variety of target groups and not primarily on the Government as was the case in Vietnam. Swedish ODA in the country has worked to live up to the Paris Declaration in projects dedicated to: Decentralization and De-concentration, Local Governance, Civil Society Empowerment, Human Rights training, Media training etc. and in Sweden’s leadership in promoting particularly local ownership and harmonization among donors.	4
<b>Effectiveness</b>	Sweden’s ODA was overwhelmingly perceived as effective in achieving its objectives by the stakeholders who were met during the evaluation missions to both countries and in reading the documentation. This finding was verified in other evaluations of Swedish ODA in both countries.	-
	In <b>Vietnam</b> , it is clear that the so-called special relationship and the trust it has generated between these two nations has been the platform on which Sweden’s ODA has built its success, and the reason it has been so effective. Thanks to this trusting relationship over a long period of cooperation (45 years) many effective and innovative programmes have been made possible, such as Chia Se, Anti-Corruption and the Justice Initiative. Also Sweden remains the biggest donor in supporting and coordinating the media sector in Vietnam. All of these are very sensitive topics but not too problematic because of the trust built between the two countries: Vietnam and Sweden.	5

<sup>3</sup> Of the OECD DAC 5 basic criteria for evaluating development cooperation (relevance, effectiveness, efficiency, impact and sustainability), the Vietnam and Cambodia evaluation primarily applied *relevance* and *effectiveness* criteria. The *efficiency* criteria was not applied as the intention was not to look at cost-benefit aspects of development interventions but rather to look at results more broadly in the area of D/HR. *Sustainability* is touched upon as are *gender equality* and *monitoring and evaluation*.

	<p>In <b>Cambodia</b>, multi-entry points are used to deliver Swedish ODA – i.e. government, multilaterals, civil society networks and human rights and gender training programmes. The projects together are a good development strategy but do require more facilitation to achieve integration. Examples of Sweden’s many partners in Cambodia are Forum Syd and DC-CAM. Forum Syd has worked in Cambodia since 1994 strengthening civil society efforts to improve democracy and legal rights with an emphasis on human rights. Form Syd works closely with the natural resources sector, mostly working to counter land-grabbing and violations of civil and political rights. According to the WB, 80 % of all landowners in Cambodia lack legal property rights. DC-CAM supports justice after the genocide including gathering information on war crimes and supporting war crimes trials.</p>	4
<b>Efficiency</b>	N/A	-
<b>Impact</b>	N/A	-
<b>Sustainability</b>	<p>Sustainability was not meant to be central to this evaluation. There are a few key points that can be made in terms of Swedish ODA in Vietnam and Cambodia but with a stronger emphasis on Vietnam, where the issue of legacy and sustainability is most pressing.</p> <p>In <b>Vietnam</b>, continued efforts to transfer the extensive knowledge gained from years of development cooperation into local institutions is a priority, particularly since Sweden plans to change the nature of its development assistance to partner-driven initiatives. The GoV representatives indicated that it will be difficult to transfer their trust to other development partners which they don’t trust to the same degree. So it is important that this transition process (which has already begun) continues and is strengthened to ensure continuity and sustainability. Sweden has already stepped back from lead donor on a number of important projects: i.e., Anti-Corruption, Justice Sector Reform, and Reduction, to name a few and has encouraged the leadership of other donors, i.e., DfID for the Anti-Corruption Initiative and Denmark for the Access to Justice Initiative. In doing so however Sweden still champions these initiatives behind the scenes. There is an openness that would not have been possible without the approach taken by Sweden to build relationships over the long term and lay the groundwork for sustainability. It is truly a unique case study in the annals of international development work.</p>	5
	<p>In <b>Cambodia</b>, as well as working with and strengthening multiple partners, institutionalization is also necessary for sustainability. This is being achieved primarily through work with on the ground partnerships in Cambodia as opposed to a close relationship with the RGC.. In Cambodia it is important to try and forge a closer relationship with the central Government but this will take time. The programme in Cambodia has many promising elements from the PSDD decentralization and de-concentration program which works with the RGC at many levels including national, provincial, district/municipality and at local commune/sangat levels as well as working with a cadre of other donors to ensure better participation in governance at all levels of government. Working with the RGC to design the mechanism for accountability and transparency will help to transform governance in Cambodia. In addition work with Forum Syd and Diakonia is sustainable because they build the capacity of local CSOs which implement projects focused on election freedom, human rights, natural resources, climate change, legal aid, women’s rights etc. These partners are the owners of these initiatives and receive support from Forum Syd and Diakonia through core support and technical assistance. Reports state that the cooperation between Sida, Forum Syd and Diakonia in Sida’s on-going support to Cambodian Civil Society is working well, which is in line with Sweden’s policies for global development. The ability of CSOs to defend the interests of their members seems to have developed as a result of improved contacts between communities facing similar problems, closer cooperation with national NGOs, and increased donor interest in the work of these groups.</p>	4
<b>Gender Equality (and other Cross cutting issues)</b>	<p>Sweden’s programming is responsive to a wide range of cross cutting issues. Specifically re gender equality, there is little criticism of Sida’s approach. Gender mainstreaming is used in all Sida programming. In fact, gender equality is an integral part of its definition of D/HR programming. Indeed the correct heading is: Democracy, Human Rights (D/HR) and Gender Equality.</p>	-

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	<p>In <b>Vietnam</b>, the programme has a strong gender equality slant. Gender is mainstreamed in all projects reviewed. In local governance and justice initiatives, it is obvious the point is to involve women in governance (particularly vulnerable, ethnic minority, and rural women). Women are also encouraged to participate in governance at higher levels of government. Sida supports increased participation of women in political decision making through supporting the Centre for Education, Promotion and Empowerment of Women (CEPEW) which does advocacy work including public discussions on rights-based issues. However, much work remains to be done especially in rural areas and among certain ethnic groups with high incidences of violence against women.</p>	5
	<p>In <b>Cambodia</b>, Sida has supported Gender Equality and the relevant TWG (which has its own gender equality indicators). Thanks to the PSDD project, more women than ever before have been involved at the local commune level in politics. Many women are also part of women parliamentary strengthening initiatives.</p>	5
<p><b>Monitoring &amp; Evaluation</b></p>	<p>The 2010 DAC Review applauds Sweden for moving forward with results based approaches to managing results. The fact is that some initiatives in both countries have good RBM indicators while others require more work. Thus M &amp; E is somewhat uneven and requires further assistance.</p>	4

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*Rating scale: 6 = very high quality; 1 = very low quality. Below 4 is less than satisfactory*

## Acronyms

AAA	Accra Agenda for Action
ADB	Asian Development Bank
ADR	Alternate Dispute Resolution
ASEAN	Association of South East Asian Nations
CBO	Community Based Organizations
CDP	Cambodian Defenders Project
CEPEW	Centre for Education Promotion and Empowerment of Women
CC	Commune Councils
CDC	Council for the Development of Cambodia
CPP	Cambodian Peoples Party
CDRI	Cambodian Development Research Institute
CIDA	Canadian International Development Agency
CRDB	Cambodian Rehabilitation and Development Board
CS Fund	Commune Sangkat Fund
CPRGS	Comprehensive Poverty Reduction and Growth Strategy
CSAGA	Center for Studies and Applied Science in Gender, Family, Women and Adolescents
COHCHR	Cambodian Office of the High Commissioner for Human Rights
CriPC	Criminal Procedures Code
CSO	Civil Society Organization
DANIDA	Danish International Development Agency
D&D	Decentralization and De-concentration
D/HR	Democracy and Human Rights
DC-CAM	Documentation Center for Cambodia
DfID	Department for International Development (UK development agency)
ECCC	Extraordinary Chambers in the Courts of Cambodia
FCP	Forestry Co-operation Programme
GDCC	Government Donor Coordination Committee
GE	Gender Equality
GoV	Government of Vietnam
H-A-R	Harmonization, Alignment and Results
ISEE	Institute for Society, Economy and Environment
JICA	Japan International Cooperation Agency

JMI	Joint Monitoring Indicators
JPP	Justice Partnership Programme
LDF	Local Development Fund
LGBT	Lesbian, Gay, Bisexual and Transgender
LPMD	Local Planning for Management and Development
LTC	Land Tenure Certificates
MFA	Ministry of Foreign Affairs
MoI	Ministry of the Interior
MoJ	Ministry of Justice
M & E	Monitoring and Evaluation
MOWA	Ministry of Women's Affairs
MPI	Ministry of Planning and Investment
NCDD	National Committee for Decentralization and De-concentration
NGO	Non Government Organization
NSDP	National Strategic Development Plan
ODA	Official Development Assistance
OECD-DAC	Organization for Economic Cooperation and Development - Development Assistance Committee
PAR	Public Administrative Reform
PBA	Programme-based Approach
PD	Paris Declaration for Aid Effectiveness
PSDD	Project to Support Democratic Development through Decentralization and De-concentration
PSGR	Public Sector Governance Reform
RBM	Results Based Management
RGC	Royal Government of Cambodia
SADEV	Swedish Agency for Development Evaluation
SEDP	Socio-economic Development Plan
SEK	Svenska kronor
Sida	Swedish International Development Co-operation Agency
TC	Technical Cooperation
TOR	Terms of Reference
TWG	Technical Working Group
UNDP	United Nations Development Programme
WB	World Bank

# Contents

1	Purpose, Scope & Evaluation Methodology.....	1
1.1	Background .....	1
1.2	Purpose and Scope .....	2
1.3	Evaluation Methodology and Questions .....	3
1.4	Evaluation Guidelines and Methods .....	4
1.5	Limitations.....	6
1.6	Evaluation Missions .....	7
2	Context of Swedish Development Cooperation – Vietnam & Cambodia .....	8
2.1	Vietnam.....	8
2.2	Cambodia.....	9
3	Findings from Triangulation of Results.....	11
3.1	AT-A-GLANCE .....	14
3.2	Official Development Co-operation .....	30
3.3	Investments Reviewed & Diagrams of ODA (to illustrate pictorially the areas of focus) .....	36
4	Synthesis – Conclusions and Lessons Learned / Recommendations.....	37
4.1	Swedish Models of D/HR ODA.....	38
4.2	General Conclusions:.....	39
4.3	Lessons Learned/Recommendations .....	40
4.4	Evaluation Criteria Ratings .....	41
	Appendices .....	44



# 1 Purpose, Scope & Evaluation Methodology

## 1.1 Background

In 2009 SADEV was asked to evaluate Swedish democracy and human rights support. The government assignment states:

“The agency shall conduct an evaluation of the results of the development cooperation with a principal focus on democratic development and increased respect for human rights. The goals with respect to democracy and human rights stated in the strategies that guide the activities included in the evaluation, as well as goals and positions established by the government in the current thematic policy (policy for democratic development and human rights) shall serve as a point of departure. If possible, the evaluation shall be conducted in collaboration with other donors. The evaluation, with corresponding recommendations, shall be reported in writing to the Government Offices (Ministry for Foreign Affairs) no later than 15 February, 2012.”<sup>4</sup>

Between 1998 and 2010, the Swedish Government contributed 5,477,177 Million SEK (or 849,404 Million USD) to Democracy and Human Rights Support. Following a dialogue with representatives of Government Offices, SADEV decided to adopt a case study approach to evaluate Swedish D/HR cooperation.

The Swedish government has consistently treated human rights and democracy together. In fact, the two areas are largely seen as overlapping; i.e., human rights are included in the official definition of democracy, and democratic development is reflected in human rights. Several Swedish Government documents acknowledge this inter-dependence of democracy and human rights while acknowledging a difference between them<sup>5</sup>.

SADEV decided to carry out three case studies in three differing country contexts in three different regions of the world. In terms of biggest receivers of Swedish D/HR support between 1998 and 2010, they selected Guatemala (#4), Kenya (#9) and Serbia (#12). Asia was not included.

This evaluation report is intended to add content and findings from Asia where no case study or evaluation was originally identified even though Asia received 23 % of worldwide support for Swedish D/HR. Of the overall D/HR budget, Vietnam was

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<sup>4</sup> From the Swedish original: "Myndigheten ska genomföra en utvärdering av resultatet av det bistånd vars huvudinriktning är demokratisk utveckling och ökad respekt för mänskliga rättigheter. Utvärderingen ska utgå från de mål avseende demokrati och mänskliga rättigheter som anges i de strategier som styr den verksamhet som ingår i utvärderingen samt från mål och ställningstaganden regeringen gör i gällande ämnespolicy (policy för demokratisk utveckling och mänskliga rättigheter). Om möjligt ska utvärderingen genomföras i samverkan med andra givare. Utvärderingen med tillhörande rekommendationer ska redovisas skriftligen till Regeringskansliet (Utrikesdepartementet) senast den 15 februari 2012". (Letter of Appropriation (regleringsbrev) for SADEV 2009-12-17.

<sup>5</sup> Examples: Change for Freedom. Policy for Democratic Development and Human Rights in Swedish Development Cooperation, 2010-2014; Freedom from Oppression. Government Communication on Swedish Democracy Support (2008); Human Rights in Swedish Foreign Policy, Govt Comm. 2007/08:109 (2008)

the 8th largest recipient of Swedish D/HR support (952,185 Million SEK or 145,017 Million USD) between 1998 and 2010 and Cambodia was the 10th largest (846,960 Million SEK or 128,992 Million USD) recipient of D/HR support.

The results of support in Asia are of interest due to the fact that almost ¼ of all D/HR support in the period between 1998 and 2010 was dispersed there. Asia also is the only region in the world that does not have a regional human rights mechanism although, as of 2008, when the ASEAN Charter was ratified by the ten countries of South East Asia (including Vietnam and Cambodia), sub regional Commissions have now been created. Selecting two countries in ASEAN is beneficial since ASEAN is becoming more powerful in terms of their markets and potential global influence with the combined force of 580 million people situated between two emerging super-powers: China and India.

Vietnam has been a focus country for Sweden for many years with a large number and variety of investments to which Swedish ODA has contributed. The analysis of results and challenges should be of substantial value in planning D/HR support in other contexts and circumstances.

Cambodia has more recently become targeted as a country where Swedish ODA will be significantly increased and is a country where the focus is on D/HR support. In fact, in 2010 alone, 82 % of the support to Cambodia was allocated for Democracy, Human Rights and Gender Equality. Another reason to review Cambodian investments at this time is that Cambodia is due to take up the Chairmanship of ASEAN starting in January 2012 which may present opportunities for increased influence. (This point may be crucial since it may present many opportunities for Sweden to influence Cambodia. For example, Myanmar has recently changed some of its behaviour partly to ensure that it will become ASEAN Chair in 2014).

SADEV and AusAID discussed the idea of cooperating on this evaluation in SE Asia. Although, this evaluation was led by SADEV, AusAID agreed to review the findings since both organizations are very committed to human rights and democratic governance and have invested substantially in these sectors in SE Asia.

## **1.2 Purpose and Scope**

The primary target groups and audiences for the overall evaluation of human rights and democratic development are: the Ministry for Foreign Affairs and Sida. Secondary target groups include the Swedish Parliament, Swedish cooperation partners in the case studies undertaken (Swedish, local and international organizations) and other donors including AusAID.

With respect to the purpose and scope of the work on Vietnam and Cambodia, this should be viewed in the wider context of ASEAN. In ASEAN, there have been, and continue to be, a multiplicity of democratic governance issues related to human rights and judicial capacity building. Many donors have carried out national and regional programs to address these issues but overall there has been relatively little attempt to coordinate programs or evaluate them in a sustained and substantive manner (with a few exceptions). In addition, relatively little attention has been paid to the ability of recipient institutions (Supreme Courts, Judicial Training Centers, CSO Forums, etc.) to absorb the multiplicity of donor supported programs.

This is complicated by the fact that in Cambodia and Vietnam, as in many ASEAN countries, democratic governance and human rights reform and development of the rule of law, is a matter of generational change rather than short term impact. The above raises two issues which have oriented this evaluation:

1. The first is a mapping of selected democratization and human rights programming and relates to programs carried out in both Cambodia and Vietnam by Swedish ODA over the past several years. The objective is to ascertain how recipient institutions have responded to, or effectively absorbed, what has been delivered in these Sida supported programs as well as to identify coherence of the programming, challenges and whether there are duplications in programming etc.
2. In cases of projects that have ended, the evaluation team will also take note of how these programs have been evaluated in the past reviewing what criteria were used and to what extent “success” was built into how the “outputs” were structured, etc.

The objective of this evaluation was to draw together **lessons-learned and policy recommendations** from carrying out the above. But, since virtually everyone with in-depth knowledge of the administration of democratic governance and human rights in most ASEAN countries acknowledges that change and reform is slow, incremental, and requires generational shifts in staffing and training of relevant actors, as well as fundamental changes in education, it was, as expected, difficult to meaningfully evaluate and measure overall impact of short programs on D/HR..

In addition, the Cambodia and Vietnam evaluation will contribute to:

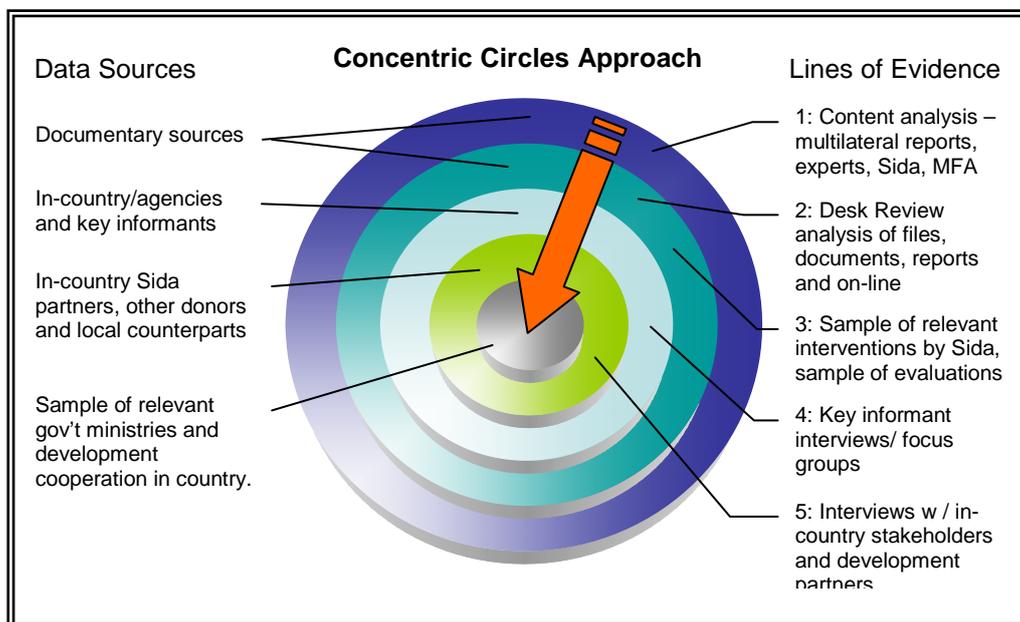
- *Learning.* The evaluation is intended to contribute to learning with regard to D/HR cooperation, providing input to future government policy development, and more broadly to Sweden’s cooperation partners and stakeholders; and
- *Reporting.* The evaluation is intended to contribute to reporting to the Swedish government on democracy and human rights to the Swedish Parliament.

### 1.3 Evaluation Methodology and Questions

To provide a neutral and evidence-based assessment of Sida programming in Vietnam and Cambodia, the small two person evaluation team used an approach which helped them to become increasingly knowledgeable about the operating environment and the external and internal influencing factors affecting performance and reporting. A **highly consultative and iterative process** to data collection, analysis and feedback over a two month timeframe was used. The Concentric Circles Approach (Figure 1) used 5 (five) lines of evidence implemented in a quasi-sequential manner. This approach included data collection, analysis and reporting on each line of evidence. The goal was intended:

- To optimise the use of time and ensure that the evaluation report was completed in January, 2012;
- To collect primary and secondary data from selected Sida projects in Cambodia and Vietnam working with local organizations and local institutions;
- To provide SADEV with the opportunity to analyze the results from a variety of perspectives from two countries in Asia with an eye to facilitate learning from past programming and guiding future programming;
- To provide in-country MFA and Sida personnel, development partners, counterparts and other donors, the opportunity to provide their unique perspectives;
- To provide time and space for selected intended beneficiaries to make an impression on the evaluation team of outcomes and potential impacts achieved in D/HR through support provided by Sida;
- To ensure that the evaluation is based on an objective analysis of valid and reliable data generated from multiple data sources and lines of evidence; and,
- To provide the evaluators with sufficient lines of evidence to triangulate into findings, lessons-learned and recommendations in their draft report to be presented in late January, 2012 (and finalized after input from SADEV).

Figure 1



## 1.4 Evaluation Guidelines and Methods

- 1 **Context Analysis:** The point of departure for the context analysis was the seven strategic policy objectives for Swedish D/HR from 1998 to the present. The analysis reviewed developments within D/HR in Vietnam and Cambodia covering the time-period selected (the 5-10 years up to 2010 when the global evaluation began). This was not intended to be a comprehensive description of all developments over time, but rather identification of broad trends in progress and

challenges within the seven broad strategic areas. The analysis also considered the impact of events in the countries and developments, at critical points, which made a difference. Finally, gender sensitivity was central and therefore reviewing changes (or lack of changes) for women and men, girls and boys is also a focus. Both primary data (i.e., interviews and focus groups with i.e. MFA, Sida, other donors and cooperation partners), and secondary data (World Bank, Freedom House, Human Rights Watch etc.) were collected, reviewed and analyzed to the extent possible within the short time frame.

- 2 **Portfolio Desk Review:** Document/Literature Review (including review of previous relevant evaluations). A desk-study was carried out covering selected Swedish ODA investments in each country emphasizing the outcome level but including impact level where possible. Sources of this largely secondary data consisted of: country/strategy reports, evaluations and mid-term reviews by Sida and evaluations also by other donors. As part of the Desk Review, the consultants explored on-line sources including Sweden's [www.openaid.se](http://www.openaid.se) (Swedish aid on-line) as well as other forums such as [www.forumsyd.org](http://www.forumsyd.org)<sup>6</sup>. This line of enquiry was used to build the evaluation team's knowledge-base prior to engaging in primary data gathering in Vietnam and Cambodia.
- 3 **Analysis of Sample of Development Investments:** As a complement to the desk review, several development interventions from the democratic governance and human rights sector for each country were selected using preselected criteria so that those chosen are representative in terms of size and characteristics of the D/HR portfolio. The primary focus was reviewing outcome level results, i.e. has the particular intervention in question achieved its goal as stated in the project document? When possible, an attempt was made to assess the impact of the specific intervention on the overall D/HR situation in each country. In short, these cases provide "ground-truthing" for the results of the desk review. The sample interventions were selected to cover a majority of the seven strategic policy areas. One criterion was that the duration of the selected activities needed to be sufficiently long to permit meaningful discussion on results. While there was substantial outcome data in Vietnam, in Cambodia, which is a more recent recipient of Swedish ODA, it was more difficult to secure outcome level data so output level data was used. Primary data (i.e., interviews, focus groups with Sida staff, cooperation partners, and target beneficiaries) and secondary data, (including semi-annual, annual, and final reports, Sida and cooperation partner agreements, evaluations and reviews etc.) were collected, reviewed and/or analyzed.

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<sup>6</sup> Forum Syd is a Swedish Non-Governmental Organisation, which works with development cooperation on an International level. Forum Syd works with issues related to human rights and democratisation. The aim is to support and encourage organisations in the civil society to be strong and influential actors in development processes. Forum Syd's Democracy and Human Rights Programme in Cambodia has 10 partner organisations

**The main proposed criteria for selecting interventions to be studied were:**

- Interventions defined as D/HR interventions according to cooperation strategies in question;
- Some concrete lessons learned should be possible to extract from samples chosen;
- Interventions deemed likely to impact on change in the countries (given the main events taking place in the countries); and
- The combined sample interventions that reflect the diversity of the D/HR portfolio i.e. from a range of sub-sectors, a variety of aid channels (i.e. state-to-state, multilateral channels and civil society), and direct support versus joint funding mechanisms (such as joint donor basket-funds).

Interview data was collected using the eleven evaluative questions mirroring those found in the SADEV global evaluation (please see Appendix A for the evaluation questions). In addition sub-questions were added after the contextual analysis and desk review to better reflect the local context in Vietnam and Cambodia. These were used in the interviews and focus groups with the 50 respondents in both countries.

During the evaluation, the consulting team adhered to the following code of conduct:

- **Collaboration & Communication:** On-going communication with SADEV (and its local focal points) was maintained.
- **Utilization-Focused & Value-Added:** Approach used to ensure that the results are useful for the readers.
- **Balanced accountability:** This evaluation was guided by, and responsive to, SADEV and utilized results of other SADEV evaluations where possible.
- **Appropriate methods:** As discussed with SADEV, evaluation tools, methods and approaches appropriate to the resources and timeframe were used.
- **Gender Equality:** This Swedish ODA priority was integrated into evaluation interviews and review of documents to ensure that programmes were viewed through the gender equality lens – understanding that women and men, girls and boys may experience issues of social exclusion, discrimination, etc. differently.

## **1.5 Limitations**

The largest limitation is that the work in Vietnam and Cambodia was completed within 2 months rather than 12 months (for the large SADEV evaluation) or for the recent major Evaluation Study of Long-Term Development Cooperation between Vietnam and Sweden which took over 1 year and a half to complete. Also, as noted earlier, lack of outcome data was problematic particularly in Cambodia where these 2 evaluators carried out the Paris Declaration Phase II in 2010. The PD evaluation team discovered that there was limited reporting data available at the outcome level with reporting more at the output level summarizing activities.

## **1.6 Evaluation Missions**

The two evaluators visited Cambodia in November, 2011 and in December, 2011 where they interviewed a total of 31 people (which included a focus group at DCCAM). In Vietnam, the evaluators met 19 interviewees in early January, 2012. In both locations, the evaluators were able to meet representatives who working with or on the investments reviewed. Please see Appendix C for a list of interviewees.

## 2 Context of Swedish Development Cooperation – Vietnam & Cambodia

### 2.1 Vietnam

#### **(Initial support laid base for Special Relationship between Sweden and Vietnam to become a reality)**

All respondents interviewed for this evaluation, and most reports about development cooperation in Vietnam, focus on the fact that Sweden is the longest serving development partner in the country and has built a long term relationship. For 45 years since 1967 Sweden has laid the foundation for what has become the ‘special relationship’ between the two countries. Sweden supported Vietnam throughout several major conflicts including the Vietnam War as well as through Vietnam’s liberation of Cambodia in 1978 during the Khmer Rouge regime. Overall, Sweden was the largest donor until 1991 providing 64 % of Vietnam’s total OECD DAC bilateral aid during the 1980’s.

Swedish development cooperation has always supported long term partnerships. What has changed is the focus over the years. Initially Sweden supported physical infrastructure, health, and humanitarian support. Several Vietnamese interviewed during this evaluation fondly mentioned Sweden’s role in building the early hospitals including the Children’s Hospital and what is generally regard as the best General Hospital in Vietnam. In addition, many also mentioned Sweden’s support for building the pulp and paper mill in Bai Bang north of Hanoi, which helped print text books for children returning to school after the long conflicts. These types of support demonstrated Sweden’s solidarity with Vietnam during its time of conflict.

Then in the 1980’s Sweden moved its focus to support capacity development and economic reform including the Doi Moi program which was launched in 1986. This program included sweeping reforms which were intended to transition the socialist economy into what has often been described as a ‘socialist-oriented market economy’. Again due to Sweden’s ‘special relationship’, Sweden was in a position to work with the Government in support of its economic reform throughout this period.

During this period and the early 1990’s Sweden supported increasingly participative development such as the Vietnam-Sweden Forestry Co-operation Programme (FCP). These increasingly participative programs were consistent with the move to supporting human rights and democracy programming. Programs such as the Mountain Rural Development Program, which began in 1996, laid the groundwork for projects which were reviewed such as the Chia Se Poverty Alleviation program.

In essence, the many evaluations of Swedish development programming conclude that Sweden has been a very solid well respected development partner for Vietnam for many years. This is substantiated by the fact that every document reviewed and every person we interviewed in Vietnam talked about the importance and depth of the ‘special relationship’ between the two countries.

In the late 1990's Sweden became involved in the sensitive areas of democracy and human rights including anti-corruption. It was only because Sweden was a trusted friend of Vietnam and had a solid long relationship that Sweden was able to work in these areas and have influence.

The 1999-2003 country strategy focused on promotion of democracy and poverty alleviation and led to a strong rights-based and pro poor perspective. The focus of Swedish aid in the 2000's was on public administrative reform and democratic governance which opened the way increasingly for discussion of programming in the more sensitive D/HR subjects. Specific projects in these areas will be discussed later in this report. Many of these initiatives are examples of partner driven co-operation which actually describes very well the Swedish style of work in Vietnam over the years.

A very useful overview of this period is included in Chapter 5 of the just completed (December, 2011) Evaluation of Vietnam–Sweden long term development<sup>7</sup>. In summary, it tracks the changes in Vietnam and presents several case studies which represent the directions that Sweden took. Overall, that study and other reports, verify the relative success of most of these projects and also again refer to the importance of the 'special relationship' which allowed Sweden to have a special place at the table in discussions of sensitive issues including D/HR.

It must be noted that Sweden was also a donor that fully supported the essence of the Paris Declaration (2005) which focused on country ownership, alignment with country priorities and harmonization among donors. This was also reflected in the D/HR programming carried out during this time period.

## **2.2 Cambodia**

### **(Initial Support and Working Towards Human Rights and Democracy)**

In the post conflict era since the Khmer Rouge regime in the late 1970s, Cambodia has overcome many challenges including completely rebuilding the Cambodian state and its public service in the 1980s. At present the state has been rebuilt and is now more politically and economically stable. This new reality is demonstrated by multi-party elections, a free market economy, joining the WTO, and financial and structural reforms. Unfortunately these reforms are not supported by strong institutions but rather by weaker institutions which have difficulties implementing and enforcing reforms or benefitting the most disadvantaged parts of the population. There is weak public sector management capacity especially at the mid and lower levels of the public service both at the national and provincial levels. In addition, the situation in D/HR, has not improved at the same pace with issues particularly related to lack of land rights for poor people filling the headlines in Phnom Penh.

Nevertheless the economy has grown from 6 % GDP from 1993 to 2003 to 11 % between 2004 and 2007 and now averages about 5 % per annum. In addition social indicators have improved except for gender inequalities and health indicators for maternal mortality.

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<sup>7</sup> GHD, Evaluation Study of Long-Term Development Cooperation between Vietnam and Sweden: Technical Report, December, 2011

Although governance overall ranks low, there is improved political stability in Cambodia (Kaufmann Study, 2007) although it is essentially a single party state. With respect specifically to human rights, early in 2006 several human rights leaders, journalists and human rights advocates were arrested. International and national condemnation followed leading to their release. Slowly the RGC has cooperated more with human rights advocates but not to the point of supporting a Paris Principled Human Rights Commission or an open approach to the role of CSOs. This has led to the Government trying to implement a law to curb the role and power of CSOs. As noted above, the government has not supported needed land rights reforms either and are being sharply criticized at present early in 2012.

Notwithstanding all of this, improving governance has been recognized by the RGC as critical. Their RGC 2010 Rectangular Strategy, which guides socio-economic development, focuses on improving governance and addressing corruption although this and human rights are not the focus.

This recognition by the RGC has begun to open up the opportunity for donors and CSOs to influence the Government. Many new structures have been supported by the RGC including development of the Technical Working Groups which consist of representatives of the RGC, development partners and CSOs. The intention of these, which now number 19, is to provide a forum through which collaboration, consultation and cooperation at the sector level can take place. Some of these are working really well while others are not. The key determinant of success appears to be the capacity of local leadership in that area. Sweden is a key donor stakeholder in several of the TWGs.

Through these means and others, including a TWG on Partnership and Harmonization, Sweden has had an opportunity to dialogue with the government. Similarly, Sweden's partners in the CSOs and the CDRI think tank etc. also have opportunities to be involved.

Through its partnerships with Diakonia and Forum-Syd, Sweden supports a wide range of CSOs concerned with D/HR. At the same time, they support the Cambodian Office of the High Commissioner for Human Rights (COHCHR), the Documentation Centre of Cambodia (DC-CAM) which documents past human rights abuses of the Khmer Rouge period, the Cambodian Development Research Institute (CDRI) which is a think tank that works on D/HR issues and PSDD (Project to Support Democratic Development through Decentralization and De-concentration). This coordinated approach should enable Sweden and its partners to push issues forward together and influence the RGC to move forward on many D/HR initiatives. But at this time, most interviewees including those from Sweden and Cambodia, informed the evaluators that the relationships weren't sufficiently strong for influence to be felt in high places. But the groundwork is being laid.

## 3 Findings from Triangulation of Results

### Introduction to Findings

This section presents the evaluation findings in terms of D/HR results, as measured by compliance with Sweden's policy on D/HR and the seven strategies: namely, 1. Strengthened freedom of expression, including independent media and access to information, 2. Democratic political procedures and institutions for decision-making, including electoral processes, political parties and parliaments, 3. A democratic, accountable and efficient public administration at all levels, including public financial management and anti-corruption, 4. A well-functioning legal sector ensuring rule of law and equal access to justice, 5. A vibrant and pluralistic democratic civil society, including non-governmental organizations and interest groups such as faith-based organizations, labour unions, as well as strengthening relations between civil society and the state, 6. Gender equality, including women's participation in political processes and human rights of women, and 7. General human rights strengthening, including strengthening of national HR-Commissions, HR-ombudsmen, HR-defenders promoting all human rights.

The review was undertaken mainly as a desk review, with interviews (both individual and group) to triangulate the results. Sweden's relationship with the two countries (Vietnam and Cambodia) has differed from many stand-points; i.e. one long-term development cooperation country, Vietnam, with which Sweden has a very unique 'special relationship' built over many decades and through the adversity of war, sanctions and hostilities and another more recent partner country, Cambodia, with which there is a more emergent relationship which is multi-dimension, i.e., not focused on government but on a variety of development partners, i.e., other donors, civil society, think tanks, networks, as well as government and multilateral partners.

Both countries can be considered post-conflict countries and/or reform cooperation countries. A considerable concentration of evaluation reports were found within each country as well as semi-annual and annual reports focused on activities and outputs.

From these reports and other documentation from the Swedish Embassies in both Vietnam and Cambodia (please see Appendix D), the desk review in this section was produced. A list of interviewees from each country included Swedish Embassy staff in both countries, members of government, CSOs, and other development partners is included in Appendix C.

In each country, after consultation with relevant Embassy staff, 11 investments were focused upon: i.e., 5 in Vietnam and 6 in Cambodia. As much as possible, these were chosen to comply with the overarching 7 strategies identified above and with the time-line of the global study, from 2000 to 2010.

As mentioned in the limitations, the review was conducted over a fairly short time-frame but yielded some very important factors about Swedish development aid over time in SE Asia which should be explored further. Finally, the evaluators were very much aware of the differences between the two countries Swedish ODA models and their unique characteristics. Both evaluators were lead evaluators in Cambodia for the Cambodian Paris Declaration 2 Evaluation (2010) and have spent the last several years living and working in SE Asia and particularly in Cambodia and Vietnam (as well as other ASEAN countries). Thus, they were as well equipped as possible to deal with the short evaluation timeline.

### **11 Investments – 5 in Vietnam and 6 in Cambodia under 7 D/HR Strategies**

The 5 investments chosen in Vietnam are: 1) Chia Se (Poverty Alleviation and Governance), 2) Access to Justice Initiative (providing a variety of approaches to improved access to justice from drafting of laws to legal aid and ADR. It was started by Sida, who remains very much involved, but is currently led by Denmark. It involves civil society as well as government participants), 3) Public Administrative Reform (the Quang Tri Pilot, whose findings have been replicated by Finland in 4 other provinces, i.e., QuangBinh, Ha Tinh, Nghe Anh, and Hue), 4) Anti-Corruption Initiative (whose first 9 of 10 dialogues were hosted by Sweden and the 10th by DfID) and which, as of early January, 2012, also includes CIDA as a partner, and 5) Media Support and Training of Professional Journalists.

Similarly in Cambodia, after consultation with the Embassy, 6 investments were chosen including: 1) PSDD (whose focus is on Decentralization and De-concentration of the government and involves all levels from the top down to the commune level. This programme is primarily supported by Sweden but has a variety of other donors involved including the UNDP); 2) Forum-Syd (whose Democracy and Human Rights Programme started in 1994 and has included a large number of Cambodian partner organizations. Most are working on a local basis in provinces throughout the country while others are working on national level advocacy campaigns. The common goal is to strengthen the access of poor and marginalized people to democratic influence, rights and natural resources. A central theme in the program is to strengthen the participation of discriminated groups in Cambodian society – for example minorities, youth and women – through increased knowledge and furthered understanding on how to claim their rights) 3) Diakonia (which is very similar in working style to Forum-Syd. Both are Framework Organizations delivering Swedish ODA in a variety of countries. Both organizations share resources including some staff members in Cambodia. Diakonia is a faith-based network of organizations), 4) Cambodian Office of the High Commissioner for Human Rights (COHCHR) is one of the first and only offices of OHCHR in SE Asia. It works with Sweden towards joint D/HR goals. Sweden accepts their annual reporting which saves them substantial time and is much appreciated. In recent years COHCHR has been under attack from the PM which is partly an indicator of the changing landscape in Cambodia), 5) Cambodian Development Resource Institute (CDRI is a think tank devoted to improving academic institutions and research in a variety of social sciences in Cambodia) and 6) Documentation Centre of Cambodia (DC-CAM) seeks to be the memory of the Khmer Rouge period and to bring about peace and reconciliation).

### Some Important Highlights of Findings from the AT-A-Glance Chart

The At-A-Glance Chart in this section is the main method of presenting the evaluation findings from the desk review and field interviews. These findings are presented under the Seven Strategies which have guided Swedish D/HR programming since 1998. The same chart also includes strengths and challenges of the 11 investments both in general and as they pertain to some of the seven strategies.

The examples included under the 7 strategies are not intended to be exhaustive or to cover all the investments but rather to provide a few representative examples of each from the documents and from comments made by the interviewees. (Names have not been used or comments attributed to specific people to protect their anonymity as promised). The final two columns include a brief summary of strengths and challenges for each of the 7 strategies. The information on this At a glance chart contributed to the analysis which led to the conclusions (including the link with the Paris Declaration), lessons learned/recommendations and scoring on the specific evaluation criteria which are all included in the Section 4 Synthesis part of this report.

Highlights of Swedish ODA in Vietnam and Cambodia related to sample investments – The figure below presents examples of aggregate spending on ODA gleaned from relevant reports and evaluations (see Appendix E). Although many of these investments do not focus directly on D/HR, they collectively address relevant issues such as poverty reduction (which has an impact beyond civil and political rights), participation in governance, anti-corruption, access to justice, accountability and effective public administration at all levels and research that provides increased capacity. The numbers below are but a few relevant highlights.

Figure 2

Project	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
<b>Cambodia</b>										
<b>CDRI</b>	7.92M SEK									
<b>PSDD</b>		3.49M	5.32M	7.89M	12.32M					
<b>PSPAM</b>	6.76M	4.39M	4.2M							
<b>Overall Cambodia</b>	16M	17.3M	15.9M	22.9M	26.7M					
<b>Vietnam</b>										
<b>JPP</b>						9M SEK				
<b>Anti-corruption Initiative</b>						200,000				
<b>National Training Pg (NTP)</b>						8M SEK	2010-13			
<b>Chia Se (Phase 1 &amp; 2)</b>	206.4M SEK			30M SEK	40M SEK	3.5M SEK	1.5M SEK			
<b>MTC</b>					9M SEK					
<b>GoV Vision</b>							10.8M SEK			
<b>Overall Vietnam</b>	44M	44M	37.1M	21.8M	16.6M					

### 3.1 AT-A-GLANCE

Chart 1 Findings from Desk Review and Key Informant Interviews (Individual and Group)

#### 1. Freedom of Expression

**Objective: Strengthened freedom of expression, including independent media and access to information**

Desk Review Highlights	Interviews (Key Informant and Group) Highlights	Strengths - Highlights	Challenges - Highlights
<p>Cambodia</p> <p>In 2008, two modules of the “The Role of Press for Peace building” course for press associations and journalists were completed and two more modules were planned for 2009.</p> <p>In 2008, there is mention of monitoring and analysis of 13 newspapers but the result of these activities are not reported.</p> <p>Some reports state that use of media channels for general dissemination of information in Cambodia is ineffective. If media channels are not in use to begin with, then freedom of expression in media may be difficult to gauge although It is widely recognized that the defamation provisions in the criminal law currently in force is used to limit freedom of expression.</p> <p>DC-CAM used TV Broadcasts, as well as the Radio, to ensure that the history of the Khmer Rouge was told, primary to ensure that young people understood what had transpired but also to let those who had suffered under the Khmer Rouge know that they had not been forgotten. The project of creating DVDs for TV and stories for radio included within them the fact that there had been an ‘informal truth commission in Cambodia.’ In 1982-83, the PRK government, which succeeded the Democratic Kampuchea, collected 1,250 petitions from over 1.1 million Cambodians detailing the crimes that the KR had perpetrated against them.</p>	<p>Cambodia seems more open than Vietnam with many examples of a somewhat more free press allowing some criticism of the government. These criticisms are not without risks however.</p> <p>There is a growing sense, expressed by some interviewees, that the press is facing more difficulties in Cambodia and the recent NGO law is a good example of how “freedom of expression” in Cambodia is facing increasing challenges. Although the government has stepped away from the most ‘draconian elements of the new NGO law, this was accomplished only after a great deal of pressure from the traditional DAC donors (as well as elements from the local human rights community). The traditional donor community has a seemingly diminishing influence on the government in Cambodia, even as the influence of China and other non-traditional donors and international business interests grows.</p> <p>Also, although some media channels are not available in remote areas, the use of radio in these remote areas is very effective. Most Cambodians do have access to this type of media which does not require literacy but only the ability to understand the language. Thus, DC-CAM, did use not only TV to broadcast its stories about the Khmer Rouge period (prior to the trials at the ECCC) but also used radio to reach the widest possible audience.</p> <p>In 2008, the VPA project used these petitions to locate survivors and to give them an opportunity to retell their story. According to those interviewed at DC-CAM the purpose o this continuity with the past was to promote trust (i.e., that their actions were not in vain) and hopefully lead to reconciliation with the present as they would be able to tell their stories now and seek justice and reconciliation.</p>	<p>Involving the press in peace building is critical since they tell the story to the general public and thus can sway public opinion. They also convey the message of reconciliation to their audience and it becomes part of the narrative. This helps bring about the conversation within the larger society.</p> <p>Using multi-approaches to media helps to make for a consistent and more broadly appealing message. Also, linking with the past (i.e., with the testimonials of the 1980s) can help Cambodian victims feel that they have not been forgotten and that indeed there has been a historical desire to render justice. Also, this process links the international process (the ECCC) with the local ones of the PRK.</p>	<p>Notwithstanding the fact that TV is now widespread, using channels which some Cambodians outside of Phnom Penh don't have access to, limits the reach of the audience and therefore the message. Measures were taken to remedy thisthrough use of radio and distributing materials to ensure that all Cambodians could have access.</p> <p>The results-based approach is somewhat lacking in, i.e., many DC-CAM reports were reviewed and while the narrative is inspiring, there needs to be more emphasis on results based, indicator measured, reporting to ensure that the results that are claimed can actually be tracked objectively. When the evaluators arrived at DC-CAM they met an expert engaged by Sida to assist them with RBM reporting which is positive.</p>

## 1. Freedom of Expression

**Objective: Strengthened freedom of expression, including independent media and access to information**

Desk Review Highlights	Interviews (Key Informant and Group) Highlights	Strengths - Highlights	Challenges - Highlights
<p>Vietnam</p> <p>The government continues to exercise a high degree of control over the media and other key institutions, yet results from a recent evaluation of reports and interviews with key informants suggests that Sida's training and support activities to 30 radio stations and thousands of journalists has been a success. After 5 years, the project providing support to further training of journalists has trained approximately 3,000 media journalists and media managers. The project contributed to increased quality and capacity of journalism and the media, as well as a more modern and improved daily management. The program has also contributed to openness and democracy within a Vietnamese context. Through courses on investigative journalism and ongoing discussions on ethics and the role of media in society, the project has provided knowledge and methods to journalists for improved governance and transparency. More recently in late 2010 a new project (National Training Program and Media Training Centre) started. After only 1 year of operation, it has already trained 300 media managers and reporters.</p>	<p>According to interviewees, it is very difficult to demonstrate results with respect to freedom of expression in Vietnam. For one thing, Professional Journalism is not the same as in western countries: namely, Journalists largely receive funding from the government and thus it becomes difficult for them to criticize the government.</p> <p>In addition, it is very difficult for journalists to directly criticize the government due to the 'conservative elements' within the party itself.</p> <p>Some felt that professionalizing the journalists and media managers was important but that it was also important to reach the moderate and future leadership of the party and those who are currently working to deal with change incrementally within the government, i.e., some respondents at the MFA described close, trusting relationships with officials which wanted to see change but understood that it need to progress step-by step.</p> <p>Also, respondents described that trainings, radio shows, newsletters, etc. and more open social dialogue have had the effect of contributing to an increased demand for openness by those who purchase newspapers, namely public. As the government slowly cuts budgets of newspapers etc., these papers need to make up this loss through other means.</p> <p>Some claimed that the GoV and Party (and members of the general public) have recognized the importance of a capable and effective media in exposing corruption and bureaucracy – a sensitive subject that GoV claims it wants to ameliorate.</p> <p>Finally, the themes of ethics and role of media in society, are slowly becoming part of the discussion among journalists. However, while journalism remains part of the government, it is difficult to see more concrete vs. softer changes (i.e., changes in individual attitudes of journalists or the willingness of the general public to discuss 'sensitive' issues, i.e., corruption, more openly.</p>	<p>Professionalization of institutions is the best way of institutionalizing change over time. This helps make the work in which Sweden has been engaged sustainable and also helps build capacity of national institutions for the long haul.</p> <p>As Journalists professionalize and work their message into the daily papers and newsletters, they have been helping to revise the public debate on many sensitive issues: local, participative governance, human rights, anti-corruption, access to justices, ethnic minorities, gender issues etc.</p> <p>The holistic approach which Sweden has undertaken, i.e., working with the professionals, as well as with the GoV and the Party, has helped to transform that debate at the higher levels as well (although it is certainly a slow process).</p> <p>The 'special relationship' is helping some improvements to be institutionalized.</p>	<p>Although the concept of Professionalization and Institutionalization is critical and necessary, it is somewhat limited when it comes to the press in Vietnam since they are still (for the most part) state employees who are paid by the state. It is true that they have seen their budgets cut over the years which has forced them to seek other funding from, i.e., selling newspapers etc. This has had the effect of pushing for a more open agenda since the public is not interested in the paper unless it conveys more openness and truth about a variety of situations instead of only the state line.</p> <p>Although it will be critical to have continued support from bilateral donors on such issues, it will be very difficult for Sweden to transfer their support within the Vietnamese government to any other donor; they simply are seen as unique. Thus, there is real concern that some of these improvements dealing with sensitive programmes will stall without Sweden's direct involvement and support.</p>

## 2. Political Framework for Democratic Procedures

**Objective: Democratic political procedures and institutions for decision-making, including electoral processes, political parties and parliaments**

Desk Review Highlights	Interviews (Key Informant and Group), Highlights	Strengths, Highlights	Challenges, Highlights
<p><b>Cambodia</b></p> <p>The Royal Government of Cambodia's Decentralisation and De-concentration (D&amp;D) reforms have not yet had significant effects on moving decision-making from central to local government, moving control over resources from central to local government, or in changing the role of central Ministries from service delivery to standard setting and accountability.</p> <p>The Project to Support Democratic Development through Decentralization and De-concentration (PSDD) is a programme-based approach (PBA) where the financial resources of a core group of development partners supporting D&amp;D reform, i.e. Sweden, DfID and UNDP, are pooled in a basket fund for which UNDP has been entrusted to administer since its inception. Aid coordination is assured through the Technical Working Group (TWG) for D&amp;D, as well as the TWG for Public Administration Reform. The premise of the PSDD is to encourage Cambodian ownership, not just by the national government, but also at the sub-national and local levels with the overall goal of reducing poverty.</p> <p>Sida has been the longest standing and most substantial bilateral donor to Cambodia's local government reform. Sida acted as lead donor from 2006-2009. The PSDD which is now complete was instrumental in bringing about the National Program for Sub-National Democratic Development (NP-SNDD) which is now the overall decentralization program in Cambodia.</p>	<p>Interviewees noted that there is still some resistance on the part of the central government to decentralizing the responsibilities to the provincial level. This does not appear to be a problem at the commune council level but the central government may see a challenge to its authority from the provincial level.</p> <p>Therefore, they see transferring control to the local commune level as more acceptable. There is still work to be done in developing accountability mechanisms at the sub-national levels in particular.</p> <p>Some interviewees were concerned that the D &amp; D will not have a positive effect with respect to women's rights because there is more discrimination at the local level.</p> <p>However, there are some very positive developments with more women becoming engaged in commune council politics at the local level.</p> <p>Sida believes in the empowerment of other levels of government, beyond the central government, i.e., at the sub-national level,- both provincial and commune levels. There have been a number of emerging gains through government reforms with respect to the decentralization and de-concentration (D&amp;D) initiative especially in the areas of public finance and commune development planning.</p> <p>These include commune level targeted budget allocations which include village level input and financial administration by communes. These are designed to improve accountability and provide more avenues for sub-national discretion over funding and resource allocation.</p>	<p>There is increasing participation at the local level (i.e., in the commune government). In addition this support has helped those who would not normally be empowered: the poor and rural communities, women, ethnic minorities, etc., who feel that they can have an influence on their own reality and work towards greater participation and democracy.</p> <p>The PSDD, which was in large measure supported by Sweden and benefited from their leadership, has also included support from other donors in a harmonized manner: DfID, and UNDP working with relevant TWGs. This is a very positive development and works well with the Paris Declaration Agenda.</p>	<p>Unfortunately, although the commune level has worked well in terms of participation, there are those who claim that the process is still not wholly transparent or accountable and lacks many of the mechanisms to do so. There is some 'cronyism' which continues where those who are associated with the commune council are said to be favoured.</p> <p>In addition, there is still resistance to empowerment of the provincial level.</p>

## 2. Political Framework for Democratic Procedures

**Objective: Democratic political procedures and institutions for decision-making, including electoral processes, political parties and parliaments**

Desk Review Highlights	Interviews (Key Informant and Group), Highlights	Strengths, Highlights	Challenges, Highlights
<p><b>Cambodia</b></p> <p>In 2007, the UNDP – acting as lead agency for PSDD on behalf of Sida and DFID – signed a three year agreement with the National Committee for Decentralization and De-concentration (NCDD) on the PSDD designed to guarantee discretionary resources to communes, districts and provinces for investments and the core technical assistance and operational costs associated with the NCDD Annual WP and Budget.</p> <p>Some progress has been made in increasing local accountability at Commune/Sangkat level, and the local accountability of District and Provincial Governors has already been enhanced with the establishment of indirectly-elected councils at those levels.</p> <p>Development of mechanisms for the accountability of sub-national to national levels of governance when appropriate will need to accompany the devolution of functions and resources.</p>	<p>The PSDD provided national, province, district/ municipality and commune/Sangkat support level support. At the most local level, the PSDD also provides direct support to the local level through the Commune Sangkat Fund (CS Fund) which is considered by many interviewees to be one of the most efficient and transparent components of the national budget.</p>	<p>Work is in progress to deal with local accountability issues and discretionary resources to communes, districts and provinces and technical assistance associated with the NCDD Annual WP and Budget.</p> <p>The local level is benefiting from direct support because of the Sangkat Fund.</p>	<p>Clearly there is still work to be done with respect to local systems of accountability. However funds such as the Commune Sangkat Fund are working to a large extent.</p>

## 2. Political Framework for Democratic Procedures

**Objective: Democratic political procedures and institutions for decision-making, including electoral processes, political parties and parliaments**

Desk Review Highlights	Interviews (Key Informant and Group), Highlights	Strengths, Highlights	Challenges, Highlights
<p>Vietnam</p> <p>Democratic decision-making at the village level has given the poor a feeling of being listened to by local officials and agencies. A high proportion of villagers have stated that community relations have improved, particularly with the poor, women and ethnic minorities.</p>	<p>There are many ways to deal with the issue of decentralized decision-making as Sweden's Chia-Se project demonstrates.</p> <p>The project has encouraged decision-making at the village level and has involved women and other vulnerable groups in this process. Such activities, according to those interviewed, have had the effect of demonstrating that it is possible for ordinary people to be meaningfully involved in decision-making.</p> <p>This strengthened the overall sense that participation in government by citizens is positive, empowering and produces better results.</p> <p>In addition, some interviewees reported that, in their view, this sense of empowerment was a main contributor to the fact that areas involved in Chia Se developed quickly, and more consistently than other comparable areas of the country. The overall sense was that proactive decision making not only empowers people but also provides them with more options and tools to critically evaluate and manage their lives.</p>	<p>Local decision-making has been enhanced and seems to have produced a multiplier effect vis a vis empowerment and a desire to participate in governance (which is a critical part of democracy)</p> <p>This type of rural empowerment, as in Cambodia, has helped empower some of the most vulnerable members of society, i.e., the rural poor, and ethnic minorities. In addition the fact that there is a sense of improved community relations by the villagers is positive since it speaks to the efficacy of that empowerment and provides a sense of self-confidence in locals.</p>	<p>Again, this type of empowerment has not yet been seen much at the higher levels of government, although there is more open discussion between the GoV with Sweden on issues involving participation and anti-corruption. In addition, although other donors have taken the leadership on a number of technical working groups as well as DFID taking the helm for the 'Dialogue on Anti-Corruption' from Sweden as it transitions, these donors are still not as effective nor are there signs that the GoV will accept them into the fold as they have Sweden. Clearly Sweden's is a unique position which is strong but difficult to pass on to others.</p>

### 3. Democratic Administration

**Objective: A democratic, accountable and efficient public administration at all levels, including public financial management and anti-corruption**

Desk Review Highlights	Interviews (Key Informant and Group), Highlights	Strengths, Highlights	Challenges, Highlights
<p><b>Cambodia</b></p> <p>Accusations of corrupted commune councils (CC's) are frequent, typically citing over-charging for birth certificates, charging for conflict resolution, or unfair distribution of favours arriving to the village/commune from the outside. The commune chiefs are often accused favouring his (most CC's are men) own 'clique', rather than self-enriching. It is noticeable that financial corruption is more rare (cf. Kim 2011), but recently been believed to increase in urban communes. There is a risk of supporting decentralisation, allowing increased money flows without more sophisticated financial systems and/or monitoring mechanisms (work is on-going to improve this). It is also worth noticing that, most likely corruption of financial flows in relation to the decentralisation process and its accompanied development projects, are considerably less than many centrally controlled processes. Recent fieldwork has shown that CCs are often on 'the villagers' side'. They are very vocal to help their people in the community even if criticism is directed at the dominant party. The capacity of the local civil service is low due to the lack of people with the necessary competencies and nascent administration. These problems are exacerbated by high levels of absenteeism and low motivation due to inadequate compensation. Some commentators refer to a poor work ethic, but this can also be seen as a reflection of the nature of the psychological contract between staff and their employing organizations. Low pay, poor working conditions and a perception that more senior people have reaped disproportionate benefits does not promote an environment in which staff will be willing to exert themselves to bring about reform. (PSGR Case)</p>	<p>The commune councils still have a ways to go with respect to improving governance but it is also true that the process has helped to bring the notion of governance and participation to the local level.</p> <p>Interviewees indicated that there is still more capacity development that needs to be done with respect to the working of accountability mechanisms at the local level. There are many 'traditional' practices which are at play but there is evidence that training is having an effect, i.e., with more women, which are not traditionally very active, become active in the commune council and having an impact on decision making.</p> <p>The empowerment of the commune council has also given the local villagers more scope to deal with their grievances or issues since they have champions at the community level. This is still a tentative gain and it remains to be seen how this will play out in the future.</p>	<p>Again there is a positive sense of commune council empowerment, and there are some positive developments in terms of such mechanisms as the Sangkat Fund.</p> <p>The PSDD project encourages more control at the local level. It has also enhanced the voice of local commune officials who are prone to defend their membership against injustices.</p>	<p>More capacity needs to be built at the local level in terms of mechanisms for accountability and anti-corruption. Partly this will involve further education of local officials as well as the enhancement of local mechanisms for accountability. The main issue however seems to involve the favouring of those who are connected to local officials and not so much a matter of financial issues involving corruption. Again this is partly a matter of the need for increased education and training.</p>

### 3. Democratic Administration

**Objective: A democratic, accountable and efficient public administration at all levels, including public financial management and anti-corruption**

Desk Review Highlights	Interviews (Key Informant and Group), Highlights	Strengths, Highlights	Challenges, Highlights
<p>Vietnam</p> <p>Evaluation reports provide strong evidence that the Quang Tri Pilot Public Administration Reform project was effective in meeting its objectives. An evaluation in 2006 found that after the Pilot PAR Project, households needed just 3 visits to a single one-stop shop to obtain Land Tenure Certificates, the whole process taking 23 days on average (Poon and Vo, 2006). This represents a significant improvement over the situation in 1999, when it took households 91 days on average and 12 administrative “doors”. The project has been a major contributor to this result. At the conclusion of the pilot in 2003, the number of households holding an LTC was 20,350, accounting for 68 per cent of the total number of households in the province at that time. This rate was much higher than the average level of the country, which stood at 35 per cent in 2003.</p>	<p>The evaluators were told that according to an evaluation of this project completed in 2006, Quang Tri, as well as the two pilot districts, experienced significant poverty reduction between 2001 and 2004. Some claimed that there was a relationship between increased Land Tenure Certificates’ (LTCs) issuance and poverty reduction but however this relationship has yet to be verified.</p> <p>The evaluators were told that success in Quang Tri has influenced other areas. For example, in 2003 Sida provided funds for the model to be replicated in the provinces of Quang Binh, Ha Tinh, Nghe Anh, and Hue, with DoHA in Quang Tri serving as the coordinating agent. Another evaluation completed in 2007, suggested that this project had replicated the findings of the Quang Tri Pilot (McCarty et al, 2007). Also other donors, such as Finland, have taken notice so the success of the One-Stop-Shop by providing funding designed to help streamline other procedures such as business registration, household registration, and building certificates.</p>	<p>The ‘one-stop- shopping’ approach of the Quang Tri Pilot seems to be very effective and has reduced the amount of time with respect to administrative tasks which many Vietnamese find critical to their well-being, i.e., land tenure certificates are obtained much more quickly and with less bureaucracy. This result is much better than the national average and has also helped people feel more empowered.</p> <p>Other donors have become interested in this approach, i.e., Finland and findings of the Quang Tri project have been replicated in other areas.</p>	<p>There is still much bureaucracy in dealing with administrative issues in the country. Long term prospects in this area again seem less likely to be effective without the direct support of Sweden. It is true however that the earlier results of the Quang Tri Pilot have been replicated and that other donors are interested. It is not likely however that these other donors will have the same level of trust that Sweden currently enjoys with its Vietnamese counterparts.</p>

#### 4. Justice Framework

**Objective: A well-functioning legal sector ensuring rule of law and equal access to justice**

Desk Review Highlights	Interviews (Key Informant and Group), Highlights	Strengths, Highlights	Challenges, Highlights
<p>Cambodia</p> <p>It is widely accepted that the courts in practice are seriously corrupt and under the strict control of the executive branch of government. However, aside from the impact in how rule of law is respected by the authorities, it is reported that there is impact in terms of greater awareness and understanding of human rights and the rule of law. Reports find that partners have succeeded in supporting the formation of active communities and associations, through advocacy and organizational support. These achievements have contributed to the objective of improving rule of law in Cambodia.</p> <p>The ECCC and DC-CAM also worked on promoting legal accountability by providing assistance to the ECCC. This collaboration was intended to bring about 'some measure of justice to the Cambodian People'. DC-CAM's Legal Response Team has provided pro bono 500,000 pages of documents, photographs, and film to the ECCC at the behest of the Office of the Co-Prosecutor's Office (OCP), the Office of the Co-Investigative Judges (OCU), the Judicial Chambers and defence and civil party lawyers. In addition, the DC-CAM 'Promoting Accountability' interview questionnaires were also provided to the ECCC – these have in turn been used when interviewing witnesses. Using this information, the ECCC has been able to build its case against 2 senior leaders of the Democratic Kampuchea regime for genocide, crimes against humanity, and war crimes. Kaing Guek Eav (known as Duch) was convicted and another indicted. DC-CAM's accountability team went to Vietnam (to Ho Chi Minh city) where they obtained other documents, photos and film and were able to communicate with the Vietnam New Agency about the past.</p>	<p>One respondent mentioned the World Bank Governance Indicators could be used as a guide. Governance has improved in Cambodia on the important variable of political stability and absence of violence, but more work needs to be done on the other 5 governance indicators: namely, voice and accountability, government effectiveness, regulatory quality, rule of law and control of corruption. Along with governance, the knowledge of human rights has been improved through contributions by Swedish Framework organizations (Forum Syd and Diakonia) working with their Cambodian CSO partner organizations.</p> <p>The ECCC has worked closely with DC-CAM and with the Cambodian Legal System. There have been many battles between international Judges/lawyers and local Cambodian counterparts. The fact is that the process has had to work on the local system, i.e., training of lawyers, judges and other court personnel in order to help the outcome of the ECCC. This process has however further exposed the short-comings of the Cambodia legal system for corruption and lack of systems, i.e., it is difficult to find files (paper files disappear), and other violations and abuses. Some petitioners have withdrawn their petitions but most have been eager to seek justice and have their stories told. Reconciliation is a long process according to DC-CAM will involve not only courts and human right training but also rebuild the culture and history of Cambodia to restore confidence and a connection to the past for the Khmer peoples. The Centre is grateful to donors but sees its work as a fundamentally Cambodian task that needs to follow an internal logic with respect to rebuilding and promoting rule of law and reconciliation.</p>	<p>Working to help draw attention to the legal system through the work of local NGOs funded by Forum Syd and Diakonia has had positive results.</p> <p>Both Forum-Syd and Diakonia (Swedish Framework Organization) work with a variety of civil society organizations in a number of areas, including legal aid.</p> <p>For example, the Cambodian Defenders Project provides qualified juridical support and services in both civil and criminal cases to poor, vulnerable and marginalized groups of society. Forum-Syd is working with the CDP (Cambodian Defenders Project) in order to handle an increasing number of cases, especially regarding violations of women's rights.</p>	<p>During organization of the ECCC, many of the flaws of the Cambodian legal system became clearer to those involved. It was obvious that there were many issues related to transparency, corruption and abuse that needed to be addressed. These are some of the main issues that Forum-Syd is assisting local partners to address. It is sometimes difficult to address these issues only through the community or NGO level however and more work is needed with the RGC to help overcome this problem. In addition, NGOs need more support at this time since there is a growing backlash from the RGC towards NGOs and CBOs witnessed in its dealings with the NGO Law which the RGC tried to pass. It was only through lobbying from local and international organizations and discussions with international donors, i.e., Sweden and organizations such as Forum-Syd, Diakonia and CDRI as well as international HRs groups that this was averted at this time.</p>

#### 4. Justice Framework

**Objective: A well-functioning legal sector ensuring rule of law and equal access to justice**

Desk Review Highlights	Interviews (Key Informant and Group), Highlights	Strengths, Highlights	Challenges, Highlights
<p>Vietnam</p> <p>The Political Bureau of the Vietnamese Communist Party, in preparing Party Resolution No. 49, The Judicial Reform Strategy to the year 2020 (JRS), noted that “penal policies, as well as civil legislation and laws on judicial procedure have outdated elements and have been slowly revised and amended. The organization, mandates, tasks, and operational mechanisms of judicial organs seem unreasonable in many aspects. There is still a shortage of judicial and support staff. The professional qualifications and political ability of some officials are low.”</p> <p>Many laws pertaining to the justice sector have been drafted and adopted in recent years to remedy such problems, such as the Civil Code, Civil Procedure Code, Criminal Procedure Code, Law on Promulgation of Legal Normative Documents, as well as several other laws on organization and operation of legal and judicial institutions. Other amendments are planned according to the legislative agenda of the National Assembly. While these new laws represent certain steps towards a fair, effective and rights-protecting justice sector, much work remains to transform the laws into reality so that they can play a role in guaranteeing rights and justice in Vietnam.</p> <p>To remedy problems within key justice sector institutions in delivering and providing for rule of law, the Political Bureau of the Communist Party issued Resolution No. 49JRS, calling for improvement of criminal policies and procedures, clear distinctions between administration management and judicial decision-making, including safeguarding the independence of judicial authorities and officials in exercising their judicial tasks within Vietnamese constitutional and political parameters. The proposed programme will be implemented in a context of national priority.</p>	<p>The evaluators were repeatedly told that Vietnam has, or is in the process of, drafting many good laws dealing with better access to Justice. Swedish ODA has been instrumental in helping the government draft laws with respect to better access for vulnerable populations such as ethnic minorities in remote areas, women and the disabled.</p> <p>In interviews, evaluators were also told that, although there are many good laws, and ideas, such as mobile clinics for example, there is not enough money or staff (resources in general) to properly implement either the legislation or to staff initiatives such as mobile clinics. Indeed, according to informants, this drafting of laws is helping to modernize the legal system which is an important step but implementation remains an issue.</p> <p>Partially this is because the institutions themselves need revision and law school curriculum also needs revamping. This will require a systemic overhaul and changes at many operational as well as political and policy-oriented levels. Moreover, there are many positive things planned which is excellent since a great deal of work will be required to transform the system itself.</p> <p>The conservatism of the government, and many lawyers, and mass organizations, i.e., the Vietnam Lawyer’s Association (VLA) will take time to change. These political and professional elements (at the party and political level in general) and at the level of professional organizations, will take time and continued ‘dialogue’ to transform. Thus, while it is positive to see changes for the better vis a vis protection and access to justice in legislation, it will take time to see positive changes in implementation of laws in the real world. Many non-Swedish respondents commented that they wished that they had the type of relationship which Sweden has enjoyed with Vietnam as a trusted advisor with a ‘special relationship’.</p>	<p>There has been a lot of joint work and technical assistance provided by Sweden to help ‘modernize’ the Vietnamese penal code. This work has been extensive and has been some of the most sensitive work (along with anti-corruption) that Sweden has been involved in.</p> <p>With respect to key justice sector institutions and the rule of law, the Communist Party issued Resolution No. 49JRS, calling for improvement of criminal policies and procedures, clear distinctions between administration management and judicial decision-making, including safeguarding the independence of the judiciary. This is very positive development since it is positive and was originated by the Vietnamese.</p>	<p>However, while the drafting of new laws is an important first step towards the protection of rights for those in contact with the justice sector, much work remains to go from drafting to implementation and the protection of the rights of those dealing with the justice sector. There are also still political prisoners, i.e., those who speak out against the government. While there are laws on the books that are progressive, there are also counter measures such as a measure to make it possible to detain people without charge for up to two years</p>

## 5. Democratic Civil Society

**Objective: A vibrant and pluralistic democratic civil society, including non-governmental organizations and interest groups such as faith-based organizations, labour unions, as well as strengthening relations between civil society and the state**

Desk Review Highlights	Interviews (Key Informant and Group), Highlights	Strengths, Highlights	Challenges, Highlights
<p>Cambodia</p> <p>Forum Syd's Democracy and Human Rights Programme started in 1994 and presently works with eleven Cambodian partner organizations. Most are working locally in provinces all over the country while some are also working with advocacy nationally. The common goal is to strengthen access of poor and marginalized people to democratic influence, rights and natural resources. A central theme in the program is to strengthen the participation of discriminated groups in Cambodian society – for example, minorities, youth and women – by increased knowledge and furthered understanding on how to claim their rights.</p> <p>The Swedish framework organizations, such as Forum-Syd and Diakonia (who work closely together in the field, i.e., sharing an accountant, and M &amp; E) are sought after by many CBOs for the help they can provide with capacity building, i.e., training, mentoring, programming support, on such critical issues as: gender equality, free and fair elections, human rights, land rights, legal services such as equal treatment before the law. These organizations work with local partners in order to achieve these goals, i.e., such as the Cambodian Defenders Project (CDP). This organization began as a project of the International Human Rights Group (IHRG) and later became an independent NGO, which provides legal services to vulnerable Cambodians as well awareness of the importance of women's rights.</p>	<p>Civil Society is vibrant and diverse in the sense that it is extremely active and vocal in Cambodia. Although CBOS are facing more direct challenges from the government due to the changing context in Cambodia politically, i.e., the threat of passing a draconian NGO law in Cambodia loomed over civil society for some time in 2011.</p> <p>Non CSO interviewees were mixed however in their views about civil society in Cambodia. Some interviewees felt that many CSBOs in Cambodia had developed a very adversarial approach which was counter-productive to negotiations with the government. Others felt that CSOs in the country were facing government challenges and attacks because the context has changed. For example, increased influence by international business and non-traditional donors have made it possible for the RCG to put less stock into working with civil society which is something that ODA donors, including Sweden, have been promoting.</p> <p>Some interviewees pointed out that the annual CDCF (Cambodia Development Cooperation Forum) did not happen in 2011 but the RCG has indicated that it will be merged with the Business Forum which has been welcomed by donors. Doing this would link the development agenda of the government and donors with the private sector. It is also important that when the CDCF/Business Forum takes place, CSOs continue to be invited, ideally as participants but at least as observers.</p>	<p>The strengths of Forum-Syd and Diakonia and their work with mainly local CSO partners is evident. They assist their partners with technical assistance and capacity building. Their work as facilitators of a network also helps to bring interested civil society organizations together at all levels of society. This helps to build a vibrant NGO community that has the skill set to work on issues related to: free and fair elections, judicial support services, land disputes, ethnic minority and indigenous rights, youth and women's organizations and newer issues related to the exploitation of natural resources by international business interests and climate change.</p>	<p>According to CDRI, some Cambodian NGOs and CBOs maintain an adversarial approach to working with the RGC. This approach may prove more difficult in the future as the RGC seems to be moving in a more defensive way towards silencing this type of criticism. CDRI has called for a more conciliatory approach which they claim will have more of an opportunity to succeed. This may be true but there are some very sensitive issues that are likely to become more problematic in the near future, particularly around natural resources and land as well as climate change. Finally, the Swedish Embassy believes that they strongly support CSOs and do not constrain their activities but at the same time they do not always share their views on how best to deal with the RCG.</p>

## 5. Democratic Civil Society

**Objective: A vibrant and pluralistic democratic civil society, including non-governmental organizations and interest groups such as faith-based organizations, labour unions, as well as strengthening relations between civil society and the state**

Desk Review Highlights	Interviews (Key Informant and Group), Highlights	Strengths, Highlights	Challenges, Highlights
<p>Cambodia</p> <p>Support from both Forum Syd and Diakonia goes towards human rights and democratic development, community mobilization, land rights, and issue related to gender equality and especially gender based violence.</p> <p>CDRI – Kéchnay Programme - This project was granted by the Overseas Development Institute (UK) beginning in early February 2009 and carried on until the end of the year. The study tried to better understand the relationships between civil society organizations and MPs in Cambodia and explores strategies for enhanced engagement between the two actors. ODI was particularly interested in the role of evidence used in facilitating interactions. The team's methodological approach was to spend a substantial amount of time reading the relevant (classical and contemporary) literature on civil society before doing the fieldwork (Activity Report #3, DfID and SIDA, 2009)</p>	<p>CSOs tend to express the opinion that they do not yet feel sufficiently included as real partners with government and development partners in multi-stakeholder efforts to translate aid effectiveness into practice.</p> <p>On the other hand several respondents reported that, in their opinion, the view of government is that key CSOs have been provided with adequate opportunities to engage government representatives and development partners at all levels of the aid policy dialogue and in development of national and sector strategies through aid coordination mechanisms ranging from the CDCF, GDCC to the TWGs. However, development partner respondents however were divided in their views on this subject.</p> <p>Some respondents noted that support is critical to small civil society organizations within Cambodia as there are fears that the 'space for democracy is decreasing in the country). Some Swedish Embassy staff would appreciate more CSO coordination with the Embassy since they feel that some of the activities of these organizations are seen as 'radical' by the government and undermine efforts to work more closely with the government on issues related to human rights and democratization. This is especially critical in Cambodia since the staff does not benefit from the type of 'special relationship' enjoyed by the Swedish Embassy in Hanoi.</p> <p>A focus group meeting with CDRI staff (including the ED) highlighted the positions that they can play in various types of projects that Sweden is undertaking and particularly those surveyed by the consultants in this report. CDRI perceives itself as able to bridge the gap among the other players, donors, government, and civil society. They claim that their reports are used by all these players in order to help make their cases stronger. (Several other respondents do report using CDRI reports). This seems to indicate trust and a sense of neutrality and thus CDRI feels that they are able to facilitate the dialogue amongst the various actors on sensitive discussion such as the involvement of CSOs on human rights, electoral issues, anti-corruption etc. CDRI respondents claimed that the 'high profile' nature of this work helps raise their credibility both of their researchers and their program, and thus helps build greater trust with donors, civil society, government, civil society and academic institutions. CDRI argues that lack of engagement on the part of MPs towards CSOs is not totally the fault of MPs but is also the fault of political CSOs who do not want to cooperate with ruling MPs. They report that development CSOs are more effective.</p>	<p>The evaluators were told that building relationships is critical. More successful CSOs, for example, have utilized the informal links they have developed mostly with individual MPs. Many CSOs have not established concrete networks with MPs. Engaging in facilitation is likely the answer.</p> <p>Thus, CDRI aside, it is important to think of the diverse but integral roles that each of these development programs plays. These diverse programs would benefit from working more closely together since they could provide one another with cross fertilization which would support a more programmatic approach to Swedish Development Assistance in Cambodia. ad hoc basis is rather new.</p>	

## 5. Democratic Civil Society

**Objective: A vibrant and pluralistic democratic civil society, including non-governmental organizations and interest groups such as faith-based organizations, labour unions, as well as strengthening relations between civil society and the state**

Desk Review Highlights	Interviews (Key Informant and Group), Highlights	Strengths, Highlights	Challenges, Highlights
<p>Vietnam</p> <p>Certain features of Vietnamese civil society have made it difficult for donors to engage the sector in earnest. In the legal and judicial areas, most initiatives so far have focused on law offices, universities and others engaged in legal information dissemination, legal aid and alternative dispute resolution (ADR). However, in recent years, a number of Vietnamese policies and laws (among them the LSDS, JRS and PAR) dealing with social development issues, governance, law, justice, anti-corruption and other fields, have called for development of NGOs to promote various aspects of legal and judicial reforms in Vietnam. The Party and State welcome NGOs to take a more active role in providing legal consultancy, aid, and other justice-related services. (Justice Partnership Programme Vietnam 2010-2015). It must be noted that these NGOs are quasi government rather than independent CSOs.</p>	<p>There has been real resistance by the GoV to the departure of Sweden as a development partner. To bridge the gap, Sweden is trying to introduce other donors as leaders, i.e., Denmark, DfID, the Netherlands etc. When it comes to the justice partnership project for example, Denmark is taking the lead and working with Sida. In meeting with the MOJ however, it was made clear that, although there is also good will with respect to Denmark, they would prefer to work with Sweden.</p> <p>On this project however, there is a small grants fund which is available for registered NGOs. These NGOs and the GoV work together on this project. Original resistance to this seems to have softened.</p> <p>NGOs and CBOs must be legally registered in Vietnam, which is a limitation since many NGOs that are working on sensitive issues are not able to register, i.e. Toward Transparency (TT) is the process of registering but, as yet, has been unsuccessful.</p>	<p>Thanks in part to the Access to Justice Initiative, there is a willingness on the part of the GoV to sit down with some NGOs to discuss this issue.</p> <p>Sweden began this initiative and is now part of a group of donors: Denmark, the Netherlands, and UNDP, as well as Sweden. Denmark is the lead now which is an example of development partner harmonization. The grant fund for CSOs is valuable since it provides funds to organizations which need them to work on D/HR.</p>	<p>The issue of more independent (non government linked) CSOs being registered is a challenge which must be overcome if Vietnam is to create an independent Civil society.</p> <p>Although, it is positive that the GoV is willing to discuss this issue with some NGOs, there are those who question whether NGOs with whom they talk are those that are best suited. Others point to the fact that many other fledging CSOs are not able to gain access. Nevertheless, any dialogue is a good first step however.</p>

## 6. Gender Equality

**Objective: Gender equality, including women's participation in political processes and human rights of women**

Desk Review Highlights	Interviews (Key Informant and Group), Highlights	Strengths, Highlights	Challenges, Highlights
<p><b>Cambodia</b></p> <p>The 2010 Project to Support Democratic Development through Decentralisation and De-concentration (PSDD) evaluation reported significant increases in the proportion of local councillor who are women, women's participation in commune decision-making processes, and the extent to which women and the poor have benefited from commune projects. The proportion of women elected in commune elections in 2002 was 9.5 %, rising to 14 % in the second elections five years later in April 2007, and women have increased their participation in the commune development process and benefited from development projects. -PSGR Case Study</p> <p>Only 0.99 percent of Cambodian women – often from higher income groups – reached beyond secondary levels of formal education compared to their male counterparts 2.62 percent (NIS 2009, World Bank 2007). Information is scant on the extent of their participation in vocational education and training. There has been an overall increase in young men and women's primary and secondary school attendance in the last decade but this has yet to translate into the latter's greater political participation and leadership which continues to be distinctly lower compared to participation by men. While this is gradually changing, cultural conventions continue to leave Cambodian women leaders' responsibilities as focused only on on women and children and particularly on health and education. CDRI- Sida Partnership Proposal June 2011</p>	<p>Women are among the most disadvantaged and they are often poorer because of their lack of empowerment which affects their levels of education, health (especially maternal health at the village/commune level), economic and social status a. There also are often high levels of violence against women. The PSDD project has helped women and other vulnerable parts of the population.</p> <p>Some respondents however, were concerned that the D &amp; D project will ultimately not have a positive effect with respect to women's rights because there is more discrimination at the local level. They feel that there will need to be more pressure from the central government and international donors.</p> <p>This concern echoes the sense that gender equality has not been led by Cambodia but has developed through pressure from international donors, i.e., Sida which has been a leader in this area (women's rights and gender equality as an integral part of human rights and democratization)</p> <p>However others disagreed echoing the sentiment that appear in progress reports with respect to the increase in women's participation in commune decision-making processes and the overall increase in the number of women elected to the commune councils.</p> <p>Key informants agree that women are still tasked with the lion's share of work when it comes to children, health and education. Indeed, gender inequalities persist but women's health (excluding maternal mortality figures) has improved.</p>	<p>More women than ever have been involved at the local level (commune level) in politics and there are also many women who are part of women parliamentary strengthening initiatives.</p> <p>In general Sweden supported the work of the TWG on Gender (which has its own gender equality indicators) and is now considering providing specific support to MoWA (the Ministry of Women's Affairs) as part of its efforts to forge closer ties with government.</p> <p>Gender equality was a concern for the PSDD and in general when it came to decentralization and de-concentration, with some fearing that at the local levels and with more local ownership there would not be as strong an emphasis on gender equality. This however doesn't seem to have happened. More women seem to have benefited from this move to centralize.</p>	<p>There are those who continue to be concerned that decentralization and de-concentration will not necessarily be positive for women in the long run. These individuals point to the need to change the attitude at the local level and to have strong central government policies to promote gender equality.</p> <p>The fear is that many women at the local level are participating but that decision making is still being dominated by men even when there are many women present.</p> <p>The issue of local ownership has been an issue with respect to the Paris Declaration, with many feminists pointing out that many traditional societies would not necessarily promote gender equality if it was not pushed by the donors.</p>

## 6. Gender Equality

**Objective: Gender equality, including women's participation in political processes and human rights of women**

Desk Review Highlights	Interviews (Key Informant and Group), Highlights	Strengths, Highlights	Challenges, Highlights
<p>Vietnam</p> <p>Sweden's work on legal education with a gender equity focus resulted in many female officials benefiting from legal education initiatives. In addition it contributed to establishment of an independent Bar Association in 2005. However gender sustainability has been questioned, as the changes sought through these projects were long term and complex and didn't address gender integrally. (Karia et al, 2008).</p> <p>Other areas of focus included CSAGA (Center for Studies and Applied Science in Gender) efforts to work for gender equality, child rights and against domestic violence. iSEE (Institute for Studies of Society, Economy and Environment) with their work on promoting the rights of the LGBT group.</p>	<p>Gender equality is still challenging but, given that it has been mainstreamed into all Sida projects and that of other many donors, it has begun to at least change surface attitudes where officials realize that they need to acknowledge the problem and deal with gender related issues such as violence against women and girls. With Access to Justice, there has been some discussion around the use of mediation as well as legal aid for women's issues. However, studies have shown that in cases of gender violence, mediation may be counterproductive. This is because women are often less powerful or empowered than their male counterparts and the traditional customary law that this process sometimes is based upon, is biased against women and girls.</p>	<p>Gender equality is not seen as that challenging because Vietnam is a communist country. There is not as much resistance to this concept as in some other ASEAN countries which are more traditional. Also, there has been a great deal of work focused on legal education and gender equality by Sweden in the country. Indeed, Sweden (and many other donors) have made gender equality an integral part of their development agenda and 'special relationship' discussions.</p>	<p>Despite some positive developments, there remains a high rate of gender based violence in Vietnamese society, especially among certain ethnic minorities which would indicate that, although much has been done towards women's empowerment, there is still a long way to go.</p> <p>In addition, the use of customary law (especially in ethnic communities where there are still very traditional practices) as part of mediation is counter-productive since it doesn't favour the more vulnerable party, i.e., the woman.</p>

## 7. Human Rights Strengthening

**Objective: General human rights strengthening, including strengthening of National HR-Commissions, HR-ombudsmen, HR-defenders promoting all human rights**

Desk Review Highlights	Interviews (Key Informant and Group), Highlights	Strengths, Highlights	Challenges, Highlights
<p><b>Cambodia</b></p> <p>There is increasing cooperation between NGOs engaged in the fields of human rights and democracy and those organizations and associations working at the national or local level, on other issues. The establishment of broad-based coalitions composed of wide range of CSOs has happened. There is also a rapidly emerging consensus among international donors and many of the larger Cambodian NGOs of the value of providing technical and financial support to benefit associations and communities to organize themselves so as to defend their own rights and interests. Overall the Sida Advisory Team's conclusion is that civil society has become somewhat stronger structurally over the past few years.</p>	<p>Forum Syd and Diakonia work with, and through, local partner organizations. Both organizations clearly follow policies that work with and through partners rather than implementing their own programmes paralleling their partners. The goal of local ownership (as described in the PD AAA) is central.</p> <p>Forum-Syd and Diakonia (Swedish Framework Organizations) work with a variety of civil society organizations in a number of areas: human rights, gender equality, land disputes, natural resource, legal aid, and more recently, climate change etc. are supported through local partners. Local NGOs voice their appreciation for the long term support which has been provided from Sweden through these organizations. Increased direct support would also be appreciated as would support for a Paris Principled Cambodian Human Rights Commission and support for ASEAN level human rights initiatives (i.e. Commissions etc.) starting in 2012 with Cambodia as Chair of ASEAN.</p>	<p>The strengths of Forum-Syd and Diakonia and their work with local, CSO partners is obvious. Their work through local partners helps enhance their own objectives while assisting with technical assistance and capacity building. Their work as facilitators of a network also helps to bring together interested civil society organizations at all levels of society. Many of the partners they work with are the leaders in human rights in the country and known regionally within ASEAN.</p>	<p>There seems to be a change in Cambodia which relates to the openness of the space for human rights related NGOs and CBOs. As well, the Swedish Embassy in Cambodia doesn't have the same kind of relationship with the Government as is the case in Vietnam. In Cambodia, Sweden is currently trying to engage more with the RGC which sometimes puts them at odds with the activities of these framework organizations and some of the CSOs they support. More coordination is necessary so that they are not working at cross purposes.</p>

## 7. Human Rights Strengthening

**Objective: General human rights strengthening, including strengthening of National HR-Commissions, HR-ombudsmen, HR-defenders promoting all human rights**

Desk Review Highlights	Interviews (Key Informant and Group), Highlights	Strengths, Highlights	Challenges, Highlights
<p><b>Vietnam</b></p> <p>An independent evaluation found that Sweden's legal aid program contributed to improvements on several indicators of democracy and human rights, particularly on access to justice by disadvantaged groups.</p> <p>At the same time, access to justice and human rights was arguably one of the most fraught areas in the Sweden-Vietnam relationship. Sweden's rights-based approach to development did not always sit comfortably with the GoV.</p>	<p>Although the Vietnamese Legal Aid Program is a positive development and can improve access to justice for disadvantaged groups this may be difficult to maintain since these programs (and those related to them) such as mobile clinics or Alternative Dispute Resolution (ADR) need resources to maintain. The evaluators were told that, while many of these programs look good on paper, they often require more financial and staff resources and are indeed somewhat 'starved' for adequate resources.</p> <p>Access to Justice (along with anti-corruption) are highly political and thus requires a strong relationship (such as the one between Vietnam and Sweden) to continue to make progress (particularly in an ASEAN context in which a step by step incremental and non-critical approach, is best suited</p> <p>This last point will be difficult for any donor which tries to take the lead after Sweden, i.e., DfID or Denmark since these donors (while well respected) do not have the same level of relationship and trust that Sweden has earned with Vietnam. This may threaten some of the gains made by Swedish ODA. Thus it is critical to institutionalize as much as possible prior to the ending of traditional ODA support in Vietnam and the move to the 'partner-driven approach' to ODA currently scheduled for 2013.</p>	<p>There is a strong relationship between the MOJ of Vietnam and Sweden. As mentioned earlier a lot of work has been done reforming the legal system and drafting laws.</p> <p>There is also work on dispute resolution and with legal aid to provide greater access to justice.</p> <p>The Access to Justice project is implemented with the Netherlands and UNDP with Denmark in the lead and (providing support to Sida which has stepped out of the leadership role). This work also has a funding mechanism for registered civil society organizations in Vietnam. There have been two calls so far for proposals for funding.</p> <p>The Anti-Corruption dialogue also is now being led by DfID as Sweden has stepped back from its leadership. However, Sweden is still involved and it is positive that other donors are taking up the projects and harmonizing with one another in reporting as is the case with the Access to Justice Project.</p>	<p>An interview with a human rights academic demonstrated seemed to indicate that, although this work is positive in many respects, it is clearly in need of much more effort to take legal reform to the point of predictable implementation.</p> <p>Also with respect to legal aid and alternative dispute resolution, these are good ideas but seem to be somewhat under-funded making it hard to sustain their efforts.</p> <p>Also working with the Professional Organizations, i.e., the Vietnam Lawyers Association (VLA) and the Vietnam Bar Association is a step in the right direction however these are very conservative organizations which are also somewhat politicized.</p> <p>Finally, it is very positive to have a fund for NGOs or CSOs but these include only organizations which the GoV registers. They are not necessarily the most knowledgeable or the most committed. Still this is an important step because it brings civil society in contact with the GoV to deal with sensitive issues. It is a beginning but it is still fraught with challenges.</p>

### 3.2 Official Development Co-operation

In writing this report, especially when it came to Cambodia, the evaluators looked at contribution towards development outcomes rather trying to focus on evidence of attribution.

The evaluators understand that the relationships in terms of development partners in Vietnam and Cambodia are very different and have had different impacts over time.

**Vietnam** - Swedish ODA has had a long history through a very traumatic time in Vietnamese history (Vietnam War). Indeed this relationship commenced with Vietnam in 1967 and moved very quickly fueled by internal sentiments in Sweden concerning the need to help the Vietnamese people to alleviate their suffering during the war. Sweden provided humanitarian aid in the form of medical supplies and non-ear-marked funds through the Red Cross since 1967. Official diplomatic relations between Sweden and Vietnam began in 1969 which helped cement the relationship between the two countries. In 1970, the Swedish Embassy opened in Hanoi. From 1973, Swedish ODA increased rapidly to 157 Million USD in 1975 with its peak in 1977 at 309 Million USD. Following withdrawal of the US, and during the 1980s, Sweden provided 64 % of total bilateral ODA budget (GHD/Evaluation, pg. 28). It totaled no less than 100 Million USD up to 1986. After this it ranged between 87 Million USD and 28 Million USD per year. Overall, Vietnam received ODA from all 23 current DAC donors. Since 1960, the most ODA came from the USA, Japan and Sweden (together accounting for 75 percent of Vietnam's bilateral ODA).

Swedish ODA in Vietnam partnered with the GoV through many stages driven by local needs:

- From a Paper and Pulp Mill to Broader Rural Development which helped publish text books for children
- The Emergence of a Participatory Agenda – an evolutionary perspective in many projects but particularly in the Chia Se Poverty Reduction project planned in 2001.
- It is still considered as highly innovative and progressive because it expands the poverty reduction theme to governance and democratic principles such as participation. In other words, although it is about alleviating poverty, it accomplishes this partly through a comprehensive effort to encourage meaningful village level beneficiary participation and encourages democratic ideals i.e. participation in governance and decentralization.
- Importantly, Chia Se boasts GoV ownership and leadership through being aligned with GoV objectives on comprehensive poverty reduction and growth strategies (CPRGS).
- Poverty has decreased more in areas where Chia Se has been active, i.e., Yen Phong commune, Bac Me district, and Ha Giang which fell from 70 % in 2004 to 24.6 % in 2009. This is important not only for results but also because it helps cement views that involvement in governance can help promote development, prosperity and D/HR.

- Another initiative that connected media and democracy in 2000 was preceded by an in-depth assessment of co-operation in media and culture which noted that greater priority was being placed on democracy in the 2000-2002 country strategy for development co-operation. This helped generate more openness and understanding by journalists and the public on issues i.e. need to combat corruption. The assessment argued that, given its relationship, “Sweden at that point of time had an opportunity to influence and reinforce the democratization process and that this opportunity should not be lost” (Sida, 2002).
- In Vietnam, the ability to have an impact and be instrumental in changing attitudes and moving the agenda forward rested on the characteristics of Swedish ODA to Vietnam:
  - ‘ **The Platform - A ‘special relationship’** which is the base for all programming on sensitive issues in Vietnam. This platform gave Sweden the ability to make progress in areas such as anti-corruption, media, democratization and decentralization in rural poverty alleviation. This relationship, cultivated over 4 decades, helped to foster trust. The relationship building approach has, by all accounts, been characterized by flexibility, openness and willingness to push at the right intervals for change.
  - ‘ **A long term approach to development** – As we have said, Sweden’s long-term approach to development helped build the kind of trust between these two development partners that made sensitive subjects possible to address. In short, Sweden has been a good development partner: encouraging ownership, aligning with in country development needs, working to harmonize with other international development partners, and to manage results and be mutually accountable (GHD/Evaluation, pg. 59). By fostering understanding and trust, it was able to ‘read’ the moment when it was appropriate to move forward on difficult and sensitive topics for the GoV.

**Cambodia** - The longer term impact of the changing aid context in Cambodia (including with respect to Swedish ODA) is more difficult to establish. In terms of Swedish ODA, the timeframe is not comparable to Vietnam and the nature of the ODA relationship is also quite different. Swedish ODA in Cambodia has been characterized by work with many partners i.e. civil society, multilaterals, RGC TWGs, and other donors. Therefore, its relationship with the RGC is still developing at the same time as the Cambodian ODA context is changing.

For example, during the Phase 2 Evaluation of the PD in Cambodia, the evaluators found that a challenge was that China (a non-DAC donor), which is a major provider of financial assistance to Cambodia, is not working or supporting traditional development areas i.e. health, rural development, democracy, decentralization etc. The evaluators also pointed out the growing relevance of such donors (non-DAC and private funding) is important to keep in mind since it is likely to have a future impact on achieving the key tenets of the PD and AAA

Results based approaches are becoming common practice in development cooperation in Cambodia. However, many of these systems and working practices are not robust or fully matured to the level where results based approaches are routinely incorporated. Also, during this evaluation, although some development outcomes were evidenced, most results are output level (see below for details). Also, given the time-frame and multiplicity of partners in Cambodia, direct impact is more difficult to discern than in Vietnam where the progression is more readily visible.

In Cambodia there has been more work through other modalities such as working through Swedish Framework Organizations (such as Forum-Syd and Diakonia) which work with networks dealing with human rights and justice related issues. But at present, there is movement to work more closely with the RGC. In terms of work on decentralization and de-concentration through the PSDD and the NSDD, the RGC has worked well with development partners at the local level (commune but less well at the provincial level). To complicate this further, while PBAs, such as the PSDD, comply with the PD, they make it difficult to judge direct impact.

## **Output and Outcome Level Results**

### *Freedom of Expression*

**Result 1 (Cambodia):** Support for involving the press in peace building has helped tell the story to the larger society and swayed public opinion by conveying the message of reconciliation to their audience and making it part of the national narrative.

**Result 2 (Cambodia):** Using multi-partner approaches to influence media has resulted in a consistent and more broadly appealing message. Also, linking with the past (i.e., with the testimonials of the 1980s) can help Cambodian victims feel that they have not been forgotten and that indeed there is a desire to render justice. Also, this process links the international process (the ECCC) with the local (the PRK).

**Result 3 (Vietnam):** Professionalization of institutions has been an excellent way of institutionalizing change over time. This has helped make the work in which Sweden has been engaged for so long sustainable and also helps build long term capacity of national institutions.

**Result 4 (Vietnam):** As journalists professionalize and work their message into daily papers and newsletters, they have helped revise the public debate on many sensitive issues: participative governance, human rights, media, anti-corruption, access to justices, ethnic minorities, gender, etc.

**Result 5 (Vietnam):** The holistic approach which Sweden has used, i.e., working with professionals as well as the GoV and the Party, has helped transform debate at the higher levels (although it is certainly a slow process). The 'Special Relationship' is helping institutionalize some improvements.

*Political Framework for Democratic Procedures*

**Result 6 (Cambodia):** There is increasing participation at many levels including the local level (i.e., in the commune government). This support has helped involve those who would not normally be empowered: the poor and rural communities, women, ethnic minorities, etc. Some of these groups now feel that they can have influence over their own reality and input into promoting greater participation and democracy in Cambodia.

**Result 7 (Cambodia):** The PSDD, which was in large measure supported by Sweden and benefited from their leadership, has also included support from other donors in a harmonized manner: DfID and UNDP worked with relevant TWGs. This is a very positive development and is consistent with the Paris Declaration Agenda on Aid Effectiveness.

**Result 8 (Cambodia):** Work is in progress to deal with local accountability issues and discretionary resources to communes, districts and provinces and technical assistance associated with the NCDD Annual WP and Budget.

**Result 9 (Vietnam):** Local decision-making has been enhanced and seems to have produced a multiplier effect vis a vis empowerment and a desire for people at many levels to participate in governance (which is a critical part of democracy)

**Result 10 (Vietnam):** Rural empowerment, as in Cambodia, has helped empower some of the most vulnerable members of society, i.e., rural poor and ethnic minorities. In addition, a sense of improved community relations in villagers is positive and demonstrates a growing sense of self-confidence in locals.

*Democratic Administration*

**Result 11 (Cambodia):** Again there is a positive sense of commune council empowerment, and positive developments in terms of such mechanisms as the Sangkat Fund.

**Result 12 (Cambodia):** The PSDD project encourages more control at the local level. It has also enhanced the voice of local commune officials who defend their members against injustices.

**Result 13 (Vietnam):** The ‘one-stop- shopping’ approach of the Quang Tri Pilot seems to have been very effective and has reduced the amount of administrative time which many Vietnamese find critical to their well-being, i.e., land tenure certificates are obtained much more quickly and with less bureaucracy. This result is much better than the national average and has helped empower people.

**Result 14 (Vietnam):** Other donors have become interested in this approach, i.e. Finland. Findings of the Quang Tri project have been replicated in other areas.

### *Justice Framework*

**Result 15 (Cambodia):** Working to help draw attention to the legal system through the work of local NGOs funded by Forum Syd and Diakonia has had positive results. Both of these Swedish Framework Organizations work with, and provide support to, a variety of civil society organizations in a number of areas including legal aid.

**Result 16 (Cambodia):** For example, the Cambodian Defenders Project provides qualified juridical support and services in both civil and criminal cases to poor, vulnerable and marginalized groups of society. For example, Forum-Syd works with the CDP (Cambodian Defenders Project) to handle an increasing number of cases especially concerned with violations of women's rights.

**Result 17 (Vietnam):** There has been an extensive amount of joint work and technical assistance provided by Sweden to help 'modernize' the Vietnamese penal code. This work, and recent work on anti-corruption, are both very sensitive issues for the GoV.

**Result 18 (Vietnam):** With respect to key justice sector institutions and rule of law, the Communist Party issued Resolution No. 49JRS. This was a very positive development originated by Vietnam. It calls for improvement of criminal policies and procedures, clear distinctions between administration management and judicial decision-making, including safeguarding the independence of the judiciary.

### *Democratic Civil Society*

**Result 19 (Cambodia):** The work of Forum-Syd and Diakonia supporting CSOs has helped build a vibrant NGO community that has the skill sets to work on issues related to: free and fair elections, judicial support services, land disputes, ethnic minority and indigenous rights, youth and women's organizations and newer issues related to climate change and working to counter the effects of exploitation of natural resources by international business interests.

**Result 20 (Cambodia):** More successful CSOs have utilized informal links that they have developed with individual MPs and others. Other CSOs appear not to have established concrete networks with MPs or others. Developing these relationships appears important for CSOs.

**Result 21 (Cambodia):** It is important to think of the diverse but integral roles that each of the development programs being supported plays. These diverse programs would benefit from working more closely together since they could provide one another with cross fertilization of ideas and lessons learned which would support a more programmatic approach to Sida in Cambodia.

**Result 22 (Vietnam):** Thanks in part to the Access to Justice Initiative, there is a willingness on the part of the GoV to sit down with some NGOs to discuss this issue.

**Result 23 (Vietnam):** Sweden began this initiative and is now part of a group of donors including the Netherlands and UNDP with Denmark as lead now. This is an example of development partner harmonization. The grant fund provides valuable D/HR funds for CSOs.

### *Gender Equality*

**Result 24 (Cambodia):** More women than ever have been involved at the local level (commune level) in politics and many women are also part of women parliamentary strengthening initiatives.

**Result 25 (Cambodia):** Gender equality was a concern for the PSDD. When it came to decentralization and de-concentration, some feared that increased local ownership would not retain a strong emphasis on gender equality but this doesn't appear to have happened. Many women seem to have benefited from this move to centralize.

**Result 26 (Vietnam):** Gender equality seems to have encountered less resistance in Vietnam than in some other SE Asian countries where fewer opportunities exist for women. Gender equality is an integral part of the development agenda for most donors and made an impact.

### **Human Rights Strengthening**

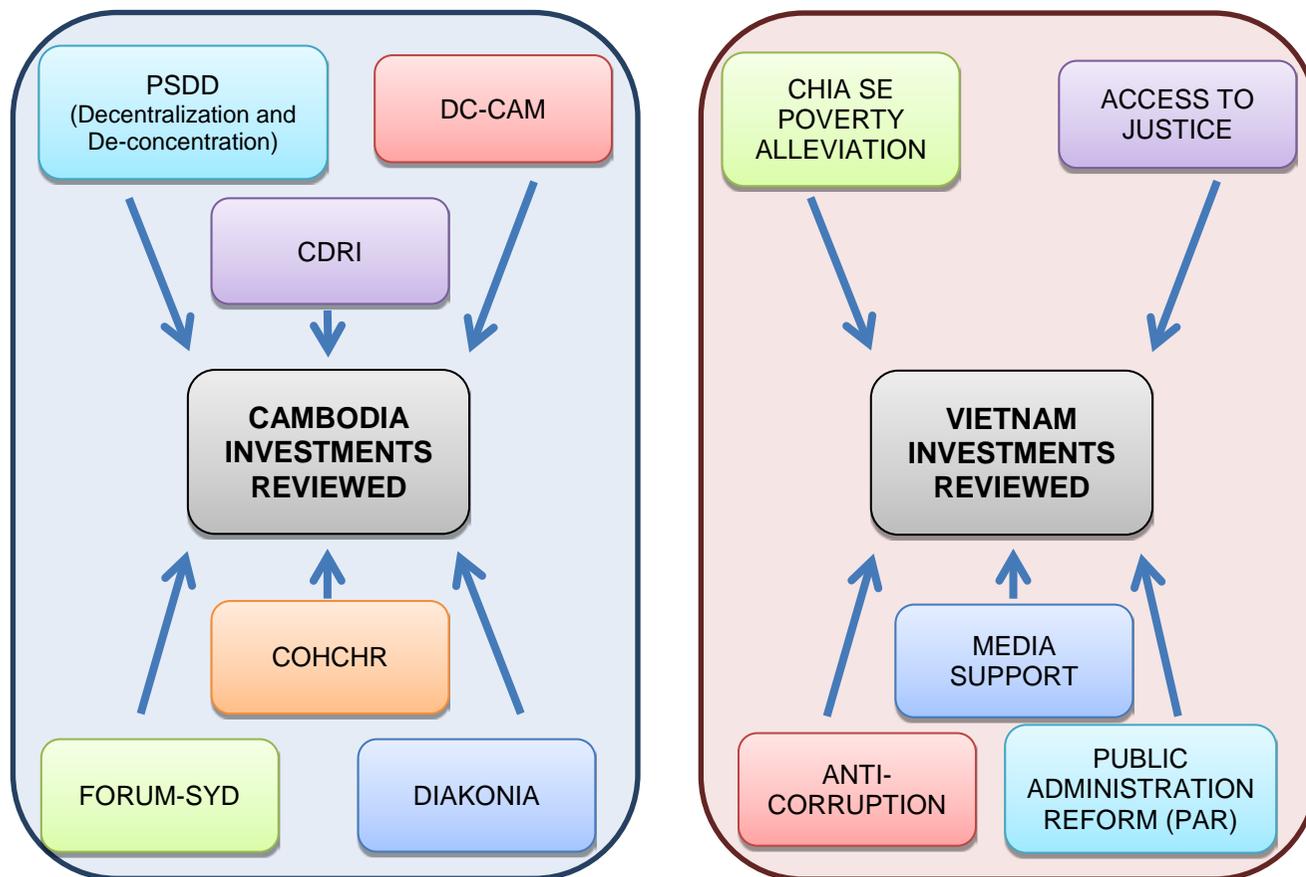
**Result 27 (Cambodia):** Forum-Syd and Diakonia have helped their local CSO partners through provision of technical assistance and capacity building. Their work as facilitators of networks has helped bring together interested CSOs at all levels of society. Many of their partners are leaders in human rights in Cambodia (i.e. LICARDO) and well known regionally within ASEAN.

**Result 28 (Vietnam):** There is a strong relationship between the MOJ of Vietnam and Sweden. As mentioned earlier, substantial work has been done reforming the legal system and drafting laws.

**Result 29 (Vietnam):** Work on dispute resolution and legal aid provide greater access to justice.

**Result 30 (Vietnam):** The Anti-Corruption dialogue is now led by the UK since Sweden has stepped back from its previous leadership role. Sweden is still involved but is supporting other donors and harmonizing in reporting results as is the case with the Access to Justice Project.

### 3.3 Investments Reviewed & Diagrams of ODA (to illustrate pictorially the areas of focus)



## 4 Synthesis – Conclusions and Lessons Learned / Recommendations

Support for D/HR has played an increasingly important role in Sida co-operation with developing countries since the early 1990s as demonstrated in a plethora of policy documents including: Shared Responsibility: Sweden's Policy for Global Development, Gov. Bill 2002/03:122 (2003), Change for Freedom. Policy for D/HR in Swedish Development Cooperation, 2010-2014 (2010), Freedom from Oppression. Gov't Communication on Swedish Democracy Support (2008), D/HR in Sweden's Development Cooperation, Gov't Comm. 1997/98:76 (1998), Human Rights in Swedish Foreign Policy, Govt Comm. 2007/08:109 (2008), to name a few<sup>8</sup>.

This review of selected investments in Vietnam and Cambodia used the 7 broader strategic policy strategies (Section 3) which guided Swedish D/HR from 1998 to today. Eleven evaluation questions (devised by SADEV's team evaluating D/HR in Serbia, Guatemala, and Kenya) based on the 7 strategies were also used (see Appendix A<sup>9</sup>). A sample of 11 investments (2000 and 2010) in Vietnam and Cambodia were selected with assistance from Swedish Embassy personnel in the two Embassies.

This final section contains the triangulated results which include: Comparison of D/HR ODA using PD/AAA, General Conclusions, Lessons Learned/Recommendations and finally the Evaluation Criteria ratings for key OECD-DAC categories for D/HR.

The evaluators noted that Sweden's ODA in the two countries differs in delivery mechanisms i.e., Vietnam focussed on a long-term bilateral relationship between the two countries which slowly over time expanded to work with others, i.e., civil society, media, professional organizations, local government etc. while Cambodia used a multi-entry approach with those same actors while slowly engaging with the RGC over time.

Both models comply with the PD agenda, particularly on ownership and harmonization, and with the AAA in expanding dialogue with civil society etc. Sweden's principled approach to ODA in Vietnam was compliant with the PD even before it was conceptualized and formalized. Given this compliance with the PD by Swedish ODA, the evaluators looked at **contributions** towards development results rather than trying to focus on finding evidence of attribution. For example, if one promotes harmonization it is more difficult to attribute development results to efforts of one development partner.

The evaluation concludes that the approach used by Sweden (i.e. compliance with PD and AAA) is evident in both countries. As Section 4.1 indicates, with respect to **Ownership**, Swedish support helped increase capacity and ownership by government

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<sup>8</sup> Evaluation of Swedish Democracy and Human Rights Support, 2011-03-02

<sup>9</sup> These questions were slightly modified to ensure that they were appropriate for the country context. Both the Embassies were consulted prior to their being used with respondent.

and assisted in systemic strengthening in sectors including, to some extent, D/HR. Notwithstanding the ‘special relationship’ in Vietnam, in both countries **Alignment** has only been partially successful since weak local systems have made it difficult for Sweden to fully align investments with local policy frameworks. Neither country has strong policies in D/HR. **Harmonization** has shown progress through PBAs i.e. in rural development, but the need for development partners to retain direct accountability has not overcome aid fragmentation even though Sweden is a leader promoting harmonization. **Managing for Results** in D/HR could be stronger in both countries. **Mutual Accountability** is difficult in D/HR due to sensitivity but needs to be addressed. **Expanding the Dialogue** to CSOs and others is well done in Cambodia and beginning in Vietnam.

## 4.1 Swedish Models of D/HR ODA

Table 3

SWEDISH MODELS OF D/HR ODA IN VIETNAM AND CAMBODIA		
<b>Conclusions - Paris Declaration/AAA</b>	‘Special Relationship’ developed over long-term leading to D/HR focus (Vietnam)	Multi-Leveled support for D/HR through multiple stakeholders with CSO focus (Cambodia)
<b>1. Ownership</b>	Support for GOV ownership from the outset has led to D/HR programming and policy influence	Strong support for local ownership from outset on D/HR and especially for local CSOs and increasingly RGC
<b>2.Alignment</b>	Alignment with changing GOV priorities over 45 years (from infrastructure, health and humanitarian assistance to economic reform) helped build the ‘special relationship’ which has led to input on sensitive D/HR issues.	Development partners including Sweden tried to align their investments on D/HR with the RGC but were only partially successful due to lack of trust of RGC systems. PSDD put out substantial effort to support the NCDD Secretariat.
<b>3.Harmonization</b>	Sweden led efforts towards harmonization in D/HR since the 1990s. Most recently, Sweden played a strong role leading 9 anti-corruption dialogues. They turned the leadership over to the UK for the 10th meeting. Sweden also linked both anti-corruption and justice work with other donors. Harmonization effort within media sector through Media Coordination initiative (which began in 2009).	Sweden has worked to harmonize with other donors in supporting a variety of D/HR investments. For example, Sweden supported the PSDD project working in a basket fund with DFID and UNDP which were entrusted with the administration of PSDD from its beginning.
<b>4.Managing for Results</b>	Early Swedish development support demonstrated significant results in poverty reduction. It is early to show similar results in sensitive D/HR areas i.e. access to justice, media and anti-corruption but acceptance and activities are positive indicators.	Through such important investments in D/HR as the 6 investments reviewed, Sweden includes support for development of monitoring and evaluation and MIS systems which should improve managing for results as well as reporting on results.
<b>5.Mutual Accountability</b>	Although it is not easy due to the sensitive nature of D/HR subjects such as anti-corruption, both parties work hard to be mutually accountable. Change is slow but the ‘special relationship’ helps a lot.	Inclusion of joint monitoring indicators for many areas including HR/D, gender equality etc. in the National Strategic Development Plan has improved the possibility to improve mutual accountability.
<b>6.Expanding the Dialogue (AAA)</b>	As the ‘special relationship’ has evolved, Sweden has been able to support evolution of independent civil society orgs working on D/HR issues such as Towards Transparency (TT) and others.	Through Forum-Syd and Diakonia (Swedish Framework Organizations) and their work with national and local level CSOs, Sweden has supported many D/HR issues including legal aid, land disputes, gender equality etc.

## **4.2 General Conclusions:**

### **1 Coherence with Swedish Policies and D/HR Interventions in Vietnam and Cambodia (1998 and 2012)**

With respect to the extent of coherence between Swedish policies and D/HR interventions in Vietnam and Cambodia between 1998 and 2012, documents and evaluations reviewed, as well as interviews with Swedish Development officials and others in both countries, indicate that there is substantial coherence. (Please see Chapter 3 on Findings for verification)

### **2 Coherence in programming in Vietnam and Cambodia with the Seven Broader Policy Objectives for Swedish D/HR (1998 and 2012)**

As described in detail in Chapter 3 on findings, there are challenges in each of the seven policy areas but overall, the preponderance of evidence from reports and evaluations reviewed and from interviews with 50 people in the two countries, is that the strengths and evidence of programming coherence is high in both Vietnam and Cambodia.

### **3 Extent to which context in Vietnam and Cambodia is reflected in D/HR support**

In both countries, the programming has been well constructed to match the context. In Vietnam, as described in this report, Swedish support for primary concerns of Vietnam led to a ‘special relationship’ being built which allowed as progressive D/HR programming and policy input to the Government of Vietnam as possible for outsiders. In Cambodia, as described in this report, the context is different. Therefore the D/HR program is necessarily different. Cambodia has substantial civil society activity which has allowed Sweden to program through Swedish CSOs (Diakonia and Forum Syd) as well as to support organizations at many other levels including a research think tank (CDRI), an international HR organization (OHCHR), a local organization documenting human rights violations (DCCAM), and a government program (PSDD). Notwithstanding medium appetite by the RGC, this approach has responded well to the local context in Cambodia and led to some Swedish influence on D/HR.

### **4 Extent Swedish D/HR support has contributed to improved democracy and increased respect for human rights in Vietnam and Cambodia**

Given the many challenges to democracy and human rights in both countries, as described in this report and many reports and evaluations and by interviewees, it is clear that Swedish support is viewed by local government officials, other donors, and CSOs as having made, and continuing to make, a significant contribution to improving the D/HR situation in both countries (but there remains a long way to go).

From this short evaluation, it does appear that Sweden’s ODA in both Cambodia and Vietnam has been effectively absorbed by most of its partners and has not duplicated the support of other donors.

## 4.3 Lessons Learned/Recommendations

### 1 Relationships

**Lesson Learned:** Building a long term ‘special relationship’ based on mutual trust with another country, in this case Sweden with Vietnam, has the major benefit for the development partner of being able to enter into dialogue about sensitive issues in D/HR that can lead to change.

**Recommendation:** Sweden should continue to focus its efforts on institutionalization of gains made in D/HR with the GOV (and CSOs), and continue to leverage up those gains by transferring responsibilities to like-minded donors. At the same time, to ensure maximum benefit from the ‘special relationship’, all respondents and documents reviewed see great benefit in Sweden maintaining a presence in sensitive D/HR areas i.e. access to justice, media, anti-corruption, and gender equality.

### 2 Multileveled Approach

**Lesson Learned:** Sweden’s multileveled approach working with a variety of types of partners (wide range of CSOs, think tank, documentation center, multilateral HR agency and the government) is a good way to leverage up the impact of interventions in D/HR as viewed by interviewees, evaluation and reports.

**Recommendation:** Sweden should continue to use its present multileveled approach supporting a wide range of key investments (as described above). To this range of partners, major effort should be placed on supporting D/HR at the institutional level i.e. RGC at Ministerial level, development of Cambodia National Human Rights Body which follows Paris Principles, and increased support for linkages among government, CSOs and private sector. Cambodia, being Chair of ASEAN in 2012, offers an opportunity to leverage all of this.

### 3 Being a Catalyst

**Lesson Learned:** Sweden’s role as a catalyst and facilitator, as demonstrated in both Vietnam and Cambodia, is appreciated by partners and allows Sweden to influence D/HR in both countries and, most certainly at the Senior Government level in Vietnam.

**Recommendation:** Build on Sweden’s positive reputation in Vietnam (and to a lesser extent in Cambodia) and its long term implementation of partner-driven development principles, to increase D/HR role as a networker linking donors, governments and CSOs in each country and at ASEAN to promote D/HR.

### 4 Future D/HR Programming

**Lesson Learned:** Future D/HR programming should use lessons learned in Vietnam and Cambodia—building deep relationships through long term commitment in Vietnam and developing a multileveled programming approach in Cambodia.

**Recommendation:** Sweden’s future D/HR programming in other countries/regions should be influenced by lessons learned in Vietnam (placing serious effort on building a deep relationship and working with partner countries on a long term basis) and Cambodia (where multileveled partners carry out activities which complement each other, and contribute to achieving the same D/HR goals). This approach, linked with harmonization with other donors, should leverage up the value of Swedish funding.

## 4.4 Evaluation Criteria Ratings

Table 4 Summary Evaluation Criteria Ratings AusAID Criteria for Rating OECD-DAC Categories

Evaluation Criteria	Explanation	Rating (1-6)
<b>Relevance</b>	<p>Sida project results reviewed in both Vietnam and Cambodia are relevant to the Swedish mandate of supporting HR/D and gender equality. These projects support national priorities by providing their government and other stakeholders i.e., CSOs with needed capacity building, technical assistance and programme support appropriate to their contexts and relevant to the stated needs of local partners and beneficiaries.</p>	-
	<p>The <b>Vietnam</b> - Sweden <i>special relationship</i> placed Sweden in the role of trusted advisor, facilitator and catalyst in the key thematic areas of: Poverty Reduction, Anti-Corruption, and Capacity-Development (i.e., of Journalists, Media, Justice Sector Support, Local Participation in Governance, etc.). A good example of how this relationship has helped shape the dialogue is the Chia Se (Phase 1 and 2) poverty alleviation programme operating in three provinces which have some of the highest levels of poverty in Vietnam. The program, which builds on GoV approaches to poverty reduction, is designed to have an impact on national policies and initiatives and facilitate the GoV system at local levels (mainly commune and district) to apply the LDFs and LPMD tool for planning and management of all the government development resources at such levels. This program has been called innovative and has promoted the Paris Declaration Agenda's ownership criteria as well.</p>	5
	<p>In <b>Cambodia</b>, where there has not been an opportunity to develop this type of relationship, Swedish ODA is more 'traditional'. However, the Swedish ODA in the country also strives to live up to the Paris Declaration in projects dedicated to: Decentralization and De-concentration, Local Governance, Civil Society Empowerment, Human Rights training, Media training etc. and in Sweden's leadership in promoting particularly local ownership and harmonization among donors.</p>	4
<b>Effectiveness</b>	<p>Sweden's ODA was overwhelmingly perceived as effective in achieving its objectives by the stakeholders who were met during the evaluation missions to both countries and in reading the documentation. This finding was verified in other evaluations of Swedish ODA in both countries.</p>	-
	<p>In <b>Vietnam</b>, it is clear that the so-called special relationship and the trust it has generated between these two nations has been the platform on which Sweden's ODA has built its success, and the reason it has been so effective. Thanks to this trusting relationship over a long period of cooperation (45 years), many effective and innovative programmes have been made possible, such as Chia Se and, Anti-Corruption and the Justice Initiative. All are very sensitive topics but not too problematic because of the trust built between the two countries: Vietnam and Sweden.</p>	5

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	<p>In <b>Cambodia</b>, multi-entry points are used to deliver Swedish ODA – i.e. government, multilaterals, civil society networks and human rights and gender training programmes. The projects together are a good development strategy but do require more facilitation to achieve integration. Examples of Sweden’s many partners in Cambodia are Forum Syd and DC-CAM. Forum Syd has worked in Cambodia since 1994 strengthening civil society efforts to improve <b>democracy and legal rights</b> with an emphasis on human rights. Form Syd works closely with the natural resources sector, mostly working to counter land-grabbing and violations of civil and political rights. According to the WB, 80 % of all landowners in Cambodia lack legal property rights. DC-CAM supports justice after the genocide including gathering information on war crimes and supporting war crimes trials.</p>	4
<b>Efficiency</b>	N/A	-
<b>Impact</b>	N/A	-
<b>Sustainability</b>	<p>Sustainability was not meant to be central to this evaluation. There are a few key points that can be made in terms of Swedish ODA in Vietnam and Cambodia but with a stronger emphasis on Vietnam, where the issue of legacy and sustainability is most pressing.</p> <p>In <b>Vietnam</b>, continued efforts to transfer the extensive knowledge gained from years of development cooperation into local institutions is a priority, particularly since Sweden plans to change the nature of its development assistance to partner-driven initiatives. The transition has been difficult for the GoV to accept since they are not close to other development partners. It is important that this transition process (which has already begun) continues and is strengthened to ensure continuity and sustainability. Sweden has already stepped back from lead donor on a number of important projects: i.e., Anti-Corruption, Justice Sector Reform, and Reduction, to name a few and has encouraged the leadership of other donors, i.e., DfID for the Anti-Corruption Initiative and Denmark for the Access to Justice Initiative. In doing so however Sweden still champions these initiatives behind the scenes. There is an openness that would not have been possible without the approach taken by Sweden to build relationships over the long term and lay the groundwork for sustainability. It is truly a unique case study in the annals of international development work.</p>	5

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	<p>In <b>Cambodia</b>, institutionalization is also necessary for sustainability. This is being achieved primarily through work with on the ground partnerships in Cambodia as opposed to a close relationship with the RGC.. In Cambodia it is important to try and forge a closer relationship with the central Government but this will take time. The programme in Cambodia has many promising elements from the PSDD decentralization and de-concentration program which works with the RGC and local commune governments as well as a cadre of other donors to ensure better participation in governance at all levels of government. Working with the RGC to design the mechanism for accountability and transparency will help to transform governance in Cambodia. In addition work with Forum Syd and Diakonia is sustainable because they build the capacity of local CSOs which implement projects focused on election freedom, human rights, natural resources, climate change, legal aid, women's rights etc. These partners are the owners of these initiatives and receive support from Forum Syd and Diakonia through core support and technical assistance. Reports state that the cooperation between Sida, Forum Syd and Diakonia in Sida's ongoing support to Cambodian Civil Society is working well, which is in line with Sweden's policies for global development. The ability of CSOs to defend the interests of their members seems to have developed as a result of improved contacts between communities facing similar problems, closer cooperation with national NGOs, and increased donor interest in the work of these groups.</p>	4
<b>Gender Equality (and other Cross cutting issues)</b>	<p>Sweden's programming is responsive to a wide range of cross cutting issues. Specifically re gender equality, there is little criticism of Sida's approach. Gender mainstreaming is used in all Sida programming. In fact, gender equality is an integral part of its definition of D/HR programming. Indeed the correct heading is: Democracy, Human Rights (D/HR) and Gender Equality.</p>	-
	<p>In <b>Vietnam</b>, the programme has a strong gender equality slant. Gender is mainstreamed in all projects reviewed. In local governance and justice initiatives, it is obvious the point is to involve women in governance (particularly vulnerable, ethnic minority, and rural women). Women are also encouraged to participate in governance at higher levels of government. Sida supports increased participation of women in political decision making through supporting the Centre for Education, Promotion and Empowerment of Women (CEPEW) which does advocacy work including public discussions on rights-based issues. However, much work remains to be done especially in rural areas and among certain ethnic groups with high incidences of violence against women.</p>	5
	<p>In <b>Cambodia</b>, Sida has support Gender Equality and the relevant TWG (which has its own gender equality indicators). Thanks to the PSDD project, more women than ever before have been involved at the local commune level in politics. Many women are also part of women parliamentarian strengthening initiatives.</p>	5
<b>Monitoring &amp; Evaluation</b>	<p>The 2010 DAC Review applauds Sweden for moving forward with results based approaches to managing results. The fact is that some initiatives in both countries have good RBM indicators while others require more work. Thus M &amp; E is somewhat uneven and requires further assistance.</p>	4

Rating scale: 6 = very high quality; 1 = very low quality. Below 4 is less than satisfactory

# Appendices

## APPENDIX A – Table 1: Evaluation Questions

Table 1 Evaluation Questions (Sub-questions may be added after the context & desk reviews)

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### EQ on the consistency of policies, strategies and operations

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1. To what extent have cooperation strategies at country level been consistent with policies?
2. To what extent has operations (the Swedish D/HR support, development interventions) been consistent with the cooperation strategies?
3. To what extent has operations (development interventions) been consistent with policies?

### EQ on results per sector and total D/HR-support

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4. To what extent has Swedish D/HR support contributed to **freedom of expression**, including independent media and access to information?
  5. To what extent has Swedish D/HR support contributed to developments of democratic **procedures and institutions** for *decision making*, including electoral processes, political parties and parliaments?
  6. To what extent has Swedish D/HR support contributed to improvements in the areas of democratic, accountable and efficient **public administration** at all levels, including public financial management and anti-corruption?
  7. To what extent has Swedish D/HR support contributed to improvements in **rule of law** and the legal sector, including equal access to justice?
  8. To what extent has Swedish D/HR support contributed to strengthening **civil society**, including social movements and interest groups such as watch dog organisations, as well as relations between civil society and the state?
  9. To what extent has Swedish D/HR support contributed to improvements in the areas of **gender equality**, including women's participation in political processes and human rights of women?
  10. To what extent has Swedish D/HR support contributed to **general human rights situation**, including national HR Commissions, HR ombudsmen and HR defenders for the support of all rights (emphasis on rights of children, people with disabilities, and LGBT persons)?
  11. To what extent has Swedish D/HR support contributed to improved **democracy and increased respect for human rights**?
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## APPENDIX B - Table 2: Coverage of Sida's sub-sectors

Table 2 Coverage of Sida's sub-sectors in the three original case studies + the Two case studies in SE Asia<sup>10</sup>

	Guatemala	Kenya	Serbia	Cambodia	Vietnam
<b>Public administration</b>	Yes	Yes	Yes	Yes	Yes
<b>Public financial management</b>	Yes	Yes	Yes	Yes	Yes
<b>Decentralisation, reg./local democracy</b>	Yes	Yes	Yes	Yes	Yes
<b>Anti-corruption</b>	Yes	Yes	Yes	Yes	Yes
<b>Justice sector</b>	Yes	Yes	Yes	Yes	Yes
<b>Civil society</b>	Yes	Yes	Yes	Yes	Yes
<b>Elections</b>	Yes	Yes	Yes	Yes	Yes
<b>Parliament and political parties</b>	Yes	Yes	Yes	Yes	Yes
<b>Media &amp; free flow of information</b>	Yes	Yes	Yes	Yes	Yes
<b>Human rights</b>	Yes	Yes	Yes	Yes	Yes
<b>Gender equality</b>	Yes	Yes	Yes	Yes	Yes
<b>Culture and recreation</b>	Yes	Yes	Yes	Yes	Yes
<b>Statistical capacity development</b>	Yes	Yes	Yes	Yes	Yes

<sup>10</sup> This table was taken from Evaluation of Swedish Democracy and Human Rights Support (Revised Project Document 2011-03-02). It is slightly revised to reflect some areas of coverage in Cambodia and Vietnam.

## APPENDIX C - Interviewees

### Cambodia

1. Karl-Anders Larsson, Counsellor/Economist, Swedish Embassy
2. Anette Dahlstrom, First Secretary, Human Rights
3. Erik Wallin, First Secretary, Democratic Governance
4. Asa Thomasson, Regional Director, SE Asia, Forum Syd
5. Nhek Sarin, Programme Manager, Forum Syd
6. James Heenan, Deputy Representative, Cambodia Office of the UN High Commissioner for Human Rights
7. Touch Huan, Assistant to the Representative, Cambodia Office of the UN High Commissioner for Human Rights
8. Joakim Anger, Senior Consultant, Indevelop
9. Scott Leiper, Program Management Consultant, National Committee for Sub-national Democratic Development (NCDD) Secretariat
10. Ouk Vandeth, Country Director, International Bridges to Justice (IBJ)
11. Philip Courtnadge, Advisor, Cambodian Rehabilitation and Development Board, Council for the Development of Cambodia, RGC
12. Larry Strange, Executive Director, CDRI (Cambodia Development Research Institute)
13. UNG Sirn Lee, Director of Operations, CDRI
14. KIM Sedara, Senior Research Fellow/Advisor, CDRI
15. HENG Seiha, Research Associate, Democratic Governance and Public Sector Reform Programme, CDRI
16. THON Vimealea, Research Associate, Democratic Governance and Public Sector Reform Programme, CDRI
17. Martin Gemzell, Director, Diakonia, Cambodia
18. Arthur Delvecchio, Advisor, VBNK, Phnom Penh
19. Doug Broderick, UNDP Resident Representative, Cambodia
20. YOUK Chhang, Chairman, Documentation Center of Cambodia (DCCAM)
21. Farina So, Team Leader of Cham Muslim oral history and author of the Hijab of Cambodia
22. Khamboly Dy, Team Leader of Genocide Education and author of a History of Democratic Kampuchea
23. Vanthan Peou Dara, Deputy Director in charge of legal affairs
24. Bunthan Meas, Chief Accountant and responsible for Endowment
25. Ratanak Leng, Team Leader of Film project
26. Dany Long, Team Leader of promoting accountability (PA)
27. Soheat Nhean, Team Leader of magazine Searching for the Truth
28. Pechet Men, Team Leader of Victim Participation Project and Trial Observation
29. Sophorn Huy, Director of Finance
30. Sayana Ser, Team Leader of student outreach and Tuol Sleng museum
31. Sok-Kheang Ly, Team Leader of Living Documents

## Vietnam

1. Marie Ottosson, Minister, Deputy Head of Mission, Swedish Embassy
2. Mong Thi Chien, Administrative Assistant, Development Cooperation
3. Pham Thi Ngan Hoa, Programme Officer – Environment and Climate Change, Development Cooperation - Chia Se Poverty Alleviation Program
4. Nguyen Thi Phuong Nga, Programme Officer – Environment and Climate Change, Development Cooperation Section, - Chia Se Poverty Alleviation Program
5. Anh Nguyen Hong, Programme Officer – Good Governance – Anti-corruption and Legal and Judicial Reform
6. Ms. Phuong, Programme Officer – Good Governance – Legal and Judicial Reform
7. Carol Backman – First Secretary, Development Cooperation Section
8. Dung Ngo Thi Phuong, Programme Officer – Good Governance (Media)
9. Mr. Do Suan Thong, Former desk officer for Sweden and retired Head of European Section, Foreign Economic Relations Department (FERD), Ministry of Planning and Investment (MPI) (Anh acted as interpreter)
10. Vanessa Vega Saenz, Counselor, Governance, Embassy of Denmark
11. Le Thi Thu Ha, Senior Programme Manager, Embassy of Denmark
12. Dr. Ta Thi Minh Ly, General Director, Ministry of Justice, National Legal Aid Agency
13. Nguyen Nhat Huy, Expert, Ministry of Justice, International Cooperation Department
14. Vu Thi Thu, Project Officer, Ministry of Justice
15. Dr. Tran Duc Luong, Deputy Inspector General, Senior Inspector, Government Inspectorate of Vietnam
16. Trinh Nhu Hoa, Head of Multilateral Cooperation Division, Government Inspectorate of Vietnam, Department of International Cooperation
17. Nguyen Xuan Son, Head of Division on UNCAC Implementation, Government Inspectorate of Vietnam, Anti-Corruption Bureau
18. Drew Smith, Head of Aid, Counselor (Development) Embassy of Canada
19. Giao Vu Cong, PhD, Vietnam National University Hanoi – School of Law and Research Center for Human and Citizen’s Rights

## APPENDIX D - Communication Strategy

Table 3

<b>Communication Table</b>		
<b>- Swedish Agency for Development Evaluation (SADEV)</b>	Mid -November – (throughout the evaluation)	<ul style="list-style-type: none"> <li>- Contract signature and evaluation kick-off meetings and <b>agreement on communication strategy</b></li> <li>- <b>Arrangements by SADEV for preliminary meetings with MFA and Sida in both Cambodia and Vietnam prior to the consultants contacting or meeting them.</b></li> <li>- Discussion with AusAID re quality assurance</li> <li>- Discussion on documentary evidence and gather and use of data available in each country</li> <li>- Ongoing communication with SADEV</li> </ul>
<ul style="list-style-type: none"> <li>- <b>Meeting with MFA and Sida (In Cambodia)</b></li> <li>- <b>Meeting with MFA and Sida (In Vietnam)</b></li> </ul>	<ul style="list-style-type: none"> <li>Late – November and early December</li> <li>Early January</li> </ul>	<ul style="list-style-type: none"> <li>- <b>Introductions made by SADEV and meetings established (in both countries prior to consultant contact) and ongoing communication and follow-up</b><sup>11</sup></li> </ul>
<b>- Other Development Donors and Stakeholders</b>	Late – November	- Through Swedish embassies and local contacts in each country
<b>- SADEV and consultants</b>	Mid-November- through mid-January	- Establish communication plan with SADEV to share information and communicate on issues and opportunities in the field etc.

<sup>11</sup> Representatives from the Swedish Embassy (MFA) and SIDA in both Cambodia and Vietnam were interviewed as planned.

## APPENDIX E - Documents/Sources (Selections only)

Table 4

Category	Title
<b>Cambodia</b>	Grant Assessment – Cambodia Development Resource Institute (“CDRI”) 2011-2015
	Final Evaluation of “Project to Support Democratic Development through Decentralization and De-concentration (PSDD)” Final Report 11 November 2010
	Partner Driven Cooperation: Protection of LGBT rights through development of representative organization of LGBT in Vietnam submitted to: The Embassy of Sweden in Hanoi on: September 20, 2010 for period: 1 October 2010-31 December 2012
	PSGR COUNTRY CASE STUDY Public Sector Governance Reform in Cambodia, 2001-2010: What has been learnt?
	Phase Two Evaluation of the Paris Declaration December 2010
	Sida Evaluation: Sida’s Regional Strategy for Cooperation with South East Asia, 2005–2009
	Country Programme Document for Cambodia (2011-2015)
	MID-TERM REVIEWS OF SIDA’S SUPPORT TO CIVIL SOCIETY IN CAMBODIA THROUGH FORUM SYD AND DIAKONIA 2007–2009
	Mid term review of Sida’s core support to the Cambodia Development Resources Institute (CDRI) Final report March 2009
	CAMBODIA DEVELOPMENT RESOURCE INSTITUTE PROGRESS REPORT TO SIDA and DFID January - December 2008
	Democratic Governance and Public Sector Reform Unit Activity Report No. 2 to DFID and SIDA Kéchnay programme, January – December 2008
	Democratic Governance and Public Sector Reform Unit Activity Report No. 2 to DFID and SIDA January – December 2008
	Cooperation strategy for development cooperation with Cambodia, 2008–2010 May 2008
	<b>Vietnam</b>
Assessment Memo: Strategic intervention: “Supporting the Government of Vietnam Visioning process and setting the road map for visioning” December 2011	
Assessment Memo: Vietnam Anti-Corruption Initiative Program – For a Corruption-free New Day! May 2011	
Programme Document Justice Partnership Programme Vietnam 2010-2015	
Assessment Memo: Swedish contribution to Chia Se Poverty Alleviation Programme – 2nd phase, 2009-2012	
TI Vietnam Programme “Strengthening Anti Corruption Demands from Government, Private sector and Society, 2009-2012” Progress Report Reporting Period: March – August 2011	
Final Report on the Interim Programme M&E Framework November 2010	
Partner Driven Cooperation: Protection of LGBT rights through development of representative organization of LGBT in Vietnam September 2010	
Assessment on the support to the Centre for Education, Promotion and Empowerment of Women (CEPEW) August 2010	
PROJECT “SUPPORT TO THE MEDIA TRAINING CENTER (MTC) IN THE PHASE 2010-2013”	
General Comments to 2nd phase of Chia Se Poverty Alleviation Programme. 2009	
SPECIFIC AGREEMENT BETWEEN SWEDEN AND THE GOVERNMENT OF SOCIALIST REPUBLIC OF VIETNAM ON SUPPORT TO THE SECOND PHASE OF “CHIA SE” VIETNAM – SWEDEN POVERTY ALLEVIATION PROGRAMME DURING 2009-2011	
Assessment Memo: Assessment of the proposed National Training Program on Management for Vietnamese Media Leaders 2010-2013	
Assessment Memo: Phase 2 of Support to NGO CSAGA and their work in defending LGBT – rights and involving men in gender based violence prevention.	
Assessment Memo: Joint Partnership Programme – Access to justice for all. 2009	
Assessment Memo: Joint Partnership Programme – Swedish contribution to Chia Se Poverty Alleviation Programme – 2nd phase, 2009-2012	

