

THE OPEN FORUM REPORT
ON
“CIVIL SOCIETY ORGANIZATION (CSO) CONCERNS REGARDING THE MEMORANDUM
OF UNDERSTANDING (MOU) PROCESS”
SUNWAY HOTEL
18TH OF AUGUST, 2010

I. Introduction

The HIV/AIDS Coordinating Committee (HACC) is a network of Civil Society Organizations (CSO) working within the HIV/AIDS sector in Cambodia. Since forming sixteen years ago, HACC has become a strong and nationally recognized networking and coordination body for government, donors, CSOs and concerned institutions working on HIV/AIDS in Cambodia. HACC's key responsibilities include; facilitating coordination and information sharing between NGOs working at national, regional and international levels, advocacy and HIV/AIDS awareness campaign activities. HACC's work recognizes that interventions from all stakeholders are crucial in enabling Cambodia to work towards achieving Universal Access to prevention, treatment, care and support, UNGASS, MDG and the National Strategic Plan for a comprehensive and multi-sectoral response to HIV/AIDS.

Memorandums of Understanding (MoU) are the processes by which CSOs get permission from government - especially concerned Ministries- before implementing project or program. Based on the report from NGOs working at the grass root level, the challenges most NGOs face with developing MoUs include: the length of time the approval process takes, overly complex forms, a lack of clarity in the guidelines and the many requirements for MoUs from different Ministries and line Ministries at the sub-national level for a single sector.

With funding support from KHANA, HACC organized a forum with CSO and stakeholders at SUNWAY Hotel on August 18, 2010 in order to find the best way for CSO to work in communities and reduce the number of MoUs needed. There were 79 people - including 27 females - from Civil Society Organizations in attendance. Please see the attachment for the full list of participants.

Agenda:

- Welcoming remarks from CSO Representatives
- Presentation on the key challenges of MoU processes
- Plenary discussion
- The way forward

II. Forum On Process

Mr. Tim Vora, Executive Director of HACC welcomed the forum's guests and expressed his appreciation for the opportunity to discuss the current status of the MoU process with the panel and respective representatives from Civil Society Organizations (CSO).

Mr. Tim Vora then outlined the forum's specific objectives which were:

- 1) to strengthen the understanding between CSO and government,
- 2) to reduce the bureaucracy associated with developing MoUs between CSO and government, and
- 3) to gather issues from CSO regarding the MoU process and to propose solutions to address these issues

Guest speakers invited were:

- HE Mok Vann, Deputy Minister, Ministry of Education, Youth and Sport
- HE Tor Soeut, Deputy Minister, MoSVY
- Dr. Sim Kimsan, Chief of CRM Department, National AIDS Authority (NAA)
- Dr. Hy Someth, Chief of HIV/AIDS Committee, Ministry of Interior

After introducing the agenda and objectives, Mr. Tim Vora gave a brief opening presentation on the background of MoU processes, as well as an overview of recent developments in the challenges that CSOs face with the current MoU processes.

On behalf of all HACC members, he highlighted the delays associated with MoU endorsement and the burdens that these slow processes place on the effectiveness of member's work. He said that the implementation processes in establishing legalized cooperation are negatively affected by complicated administrative systems. Other crucial aspects defined were; the sheer number of MoUs, the variations in process evidenced between different stakeholders and partners, and the absence of a streamlined application process.

In light of these challenges he stressed the relevance of a 'One Step Service', proposing that the NAA play a coordinating role with line ministries in processing MoU developments and that the HACC facilitate this process by working in partnership with CSOs to prepare documents for MoU development. This structure would result in HACC serving as the central point of contact and liaison between CSO and government. Mr. Tim Vora then assured all participants that measures have been and will continue to be made in order to simplify the MoU process as a whole.

Dr. Sim Kimsan, Chief of Communication and Resource Mobilization from the NAA then took the floor to discuss the importance of mutual will in optimizing Cambodia's response to HIV and AIDS. Dr. Sim Kimsan said that this was particularly important in light of the Global Financial Crisis which had resulted in reduced funding and that all stakeholders should be mindful of the agreements they made as part of the National Strategic Plan III for a Comprehensive and Multi-Sectoral Response to HIV and AIDS (2011-2015). He said that HIV

and AIDS work in the Cambodian context will only attain satisfactory results if the approach is multi-sectoral and results-orientated with good cooperation from all parties. He stressed that this was especially important for key actors like the NAA and the HACC who should collaborate closely. To reduce overlap, Dr. Sim Kimsan suggested that future collaboration plans should also include a common Monitoring Evaluation and Reporting system.

HE Mok Vann, Deputy Minister of Ministry of Education, Youth and Sport agreed with Dr. Sim Kimsan's points and in addition, gave the forum a brief reminder of the successes of the HIV and AIDS response in Cambodia. HE Mok Vann then said that despite new legislative frameworks, the risk of a second wave demands attention from all stakeholders and that they should concentrate on re-adjusting their measures to the agreed standards of Ownership, Harmonization, Alignment, Results-Orientation and a Multi-Sectoral view.

Regarding the MoU process, the newly formed Inter Department Committee presented various protocol and cooperation models for MoU processes, as well as explaining the respective characteristics of these MoUs. In addition to inter-governmental cooperation, the particular needs of MoUs relating to international organizations were highlighted (Eg. migration laws requiring staff registration or equipment registration requirements due to import tax laws).

After the stage had been set with this round of opening remarks and brief individual historical summaries, representatives from CSO took the opportunity to address the panel with their concerns. It soon became clear that the key problem these stakeholders face is that there are too many MoUs and that the application process is difficult to understand. The current system - which requires them to identify projects on horizontal and vertical levels, thematically and regionally as well as nationally and sub-nationally - places a major burden on applicants. Moreover, missing guidelines on how to categorize the projects leads to confusion and overlap in the application processes. A strong demand for a single coordinating body was made clear and a simplification of the MoU mechanism was formulated. Applicants said that they face the absence of a single responsible contact point at the government level also and that this results in simple tasks, such as address confirmation or clarification of department duties, taking up unnecessary time creating extra work.

It was suggested that representatives should be assigned to explicitly handle MoU work, support applicants and provide fast and effective trouble-shooting when needed. Furthermore, partner organization staff should be given instruction on how to fill out the MoU forms and application finalization requirements, such as attachments etc., should be transparent and available at all times. It was proposed that these systems were the only way a qualitative request and submission process for MoU forms could be guaranteed, and that the existing permit and reporting culture undergo these necessary changes for the better.

Responding to the concerns presented by CSO, the panel members were united in their view that the variation between the different MoUs in the HIV and AIDS area is a result of its multi-sectoral character. It was suggested that only through integration of the different

Ministries with their different responsibilities into the MoU process could a sustainable approach be guaranteed.

Calls to reduce the burdens that the existing structure places on individual stakeholders and stronger links between all participating agents within the MoU process were made. It was noted that even if the variation experienced between MoU partners cannot be limited to a single organization in the near future, the continuous work of NAA and HACC will have positive effects on the topics afore mentioned.

In response to the complaints of slow approval processes, it was pointed out that good application processing could only be guaranteed if the forms are filled in completely, all detailed terms are identified and if all MoUs submitted by CSO clearly identify what, where, why and how an organization is planning to implement their work. If the approval process takes up to two months however, it was noted that applicants would have a right to complain. It was stated that control mechanisms for these processes are being developed and that the ongoing alignment of NAA and HACC will contribute positively to the issues of concern expressed by CSO.

Mr. Tim Vora then returned to the floor to close the forum by thanking all the participants for their attention and input and for raising their concerns about the MoU process.

III. Results:

The forum finished with fruitful results, agreeing on:

- The creation of a One Stop Service for MoU Processing: HACC will coordinate with Civil Society Organizations across disaggregated fields and submit proposals to NAA. The NAA will then develop a single MoU's format and coordinate with relevant Ministries to get immediate sign-off in a single day. CSO will only use a single MoU from the relevant department in this system. Guidelines for processing MoU development would also be developed.
- An Orientation Meeting on MoU development processes with all stakeholders was planned.

HIV/AIDS Coordinating Committee**PARTICIPANT LIST****SUNWAY HOTEL****18TH OF AUGUST, 2010****8:00 AM – 11:30 AM**

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05	Dear Sourm	M	Director	ARM	012 993 223
06	Choeurn Chhunna	M	Program Manager	AUA	012 868 838
07	Soun Piseth	M	Reporter	BAYON	012 767 392
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19	Sem Sopov	M	Coordinator	COHD	092 379 762
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28	Duch Sovannra	F	Admin Coordinator	HACC	012 953 835
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30	NO Migy	M	A & C Coordinator	HACC	012 240 162
31	Oeurn Bona	F	Volunteer	HACC	017 737 305
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33	Tim Vora	M	Executive Director	HACC	012 872 642
34	Pav Sovan	F	FA	HCC	012 339 580
35	Suon Sopha	M	Admin Director	HI	012 866 069
36	Dy Ratha	F	Executive Director	IDA	012 897 161
37	Loun Monyl	F	Executive Director	INTHANOU	023 986 240
38	Sok Monysatha	M	E.F	KDFO	011 941 934
39	Hean Pov	M	Staff	KOSHER	099 910 769
40	Sum Satum	F	Executive Director	KWCD	012 866 617
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45	Emeuson Mar	M	DD	MISC	012 816 45
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54	Nol Thida	F	Staff	NCHADS	097 796 645
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56	Nhib Ratha	F	Deputy Director	NYEMO	012 218 076
57	Chea Phearom	M	PC	PC	012 325 472
58	Lov Samnan	F	Deputy of Director	PFD	016 993 152
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62	Keo Sreypov	F	PC	PWHO	012 681 475
63	Ly Sokheng	M	FM	RACHANA	092 230 723
64	Kha Serey	M	Program Manager	REAA	012 964 075
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66	Leang Kang	M	Reporter	RRN	012 989 279
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