

# **Forward Looking Evaluation of Sida's Core support to the Documentation Centre Cambodia (DC-CAM)**

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## Abbreviations

CHRAC	Cambodian Human Rights Action Committee
CSO	Civil Society Organisation
CTN	Cambodian National Television
Danida	Danish International Development Assistance
DC-Cam	Documentation Centre of Cambodia
DK	Democratic Kampuchea
DSS	Defence Support Section
ECCC	Extraordinary Chambers in the Courts of Cambodia
ICY	International Criminal Tribunal
ICTY	International Criminal Tribunal Yugoslavia
ICTR	International Criminal Tribunal Rwanda
KRT	Khmer Rouge Trials
LDC-ECCC	Legal Documentation Centre of the ECCC
LDP	Living Documents Project
M&E	Monitoring and Evaluation
MoU	Memorandum of Understanding
MOEYS	Ministry of Youth, Education and Sport
NSDP	National Strategic Development Plan
NGO	Non-Governmental Organisation
Norad	Norwegian Agency for Development Cooperation
NZAID	New Zealand International Aid and Development Agency
OCIJ	Office of the Co-Investigating Judges
OCP	Office of the Co-Prosecutor
OSAGI	Office of the Special Adviser on Gender Issues (UN)
PAS	Public Affairs Section
PIR	Public Information Room
SSC	Social Services of Cambodia
Sida	Swedish International Development Cooperation Agency
TPO	Transcultural Psychosocial Organisation Cambodia
UN	United Nations
USAID	United States Agency for International Development
VOT	Victims of Torture
VSS	Victim Support Section

## Note on Terminology

The term 'Genocide' is used in this document in line with the non-legal usage of the term by DC-Cam and in recognition that there are differences between the definition of the term in international law and the common use in an anthropological or sociological sense. The evaluation was conducted in recognition of the legal sensitivities pertain to the use of the term to describe the acts of the Khmer Rouge regime.<sup>1</sup>

When identifying concepts as distinct from processes capitalisation is used, for example the concept of Justice as differentiated from procedural justice.

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<sup>1</sup> An international legal definition is available in the *1948 Convention on the Prevention and Punishment of Genocide*.

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# I. Executive Summary

## I.1 Brief Background<sup>2</sup>

The Documentation Centre of Cambodia (DC-Cam) is an independent and non-partisan institute in Cambodia that was created in 1995 originally as a field office of Yale University's Cambodian Genocide Programme. DC-Cam began by collecting and researching all materials related to the Khmer rouge regime, the political group responsible for Cambodia's four year genocide. In 1997, DC-Cam transitioned from being the field office of Yale University's academic program "University's Cambodian Genocide Program" to become a Centre with extensive research and documentation activities. It re-constituted as an independent research institute and soon after became the world's largest repository of Khmer Rouge related documents.

DC-Cam was established a not for profit NGO in receipt of funding from a wide variety of international sources including the Government of Sweden.

DC-Cam identifies its mission as to promote memory and justice, both of which it understands as being the critical foundations for the rule of law and genuine national reconciliation in Cambodia. The organisation has two objectives: (i) to record and preserve the history of the Khmer Rouge regime for future generations, and (ii) to compile and organise information that can serve as potential evidence in a legal accounting for the crimes of the Khmer Rouge.

DC-Cam's main work is to collect, document and catalogue materials related to the Khmer Rouge regime and to transfer the details of these materials to one of three databases. DC-Cam carries out ongoing research to compile and analyze primary documentary materials collected through various means (including fact-finding missions abroad), attempting to understand how they fit into the overall historical context of the Khmer Rouge period. The strategic objective for the centre is Memory and Justice and the focus of the work is to promote Accountability and Justice.

The current phase of DC-Cam's work with the Extraordinary Chambers in the Courts of Cambodia (ECCC) will come to a conclusion at the end of the tribunals (likely in 2012 or 2013) and the Centre will then transition to a new, permanent entity: the Sleuk Rith Institute. In this next stage of DC-Cam's development it is planned that DC-Cam will continue to pursue its efforts on public outreach activities and in its transition phase it will have four key pillars: Physical Establishment; Genocide Education; Memory and Legal Accountability.

## I.2. Key Findings as per Sida ToR

Sida, as part of its exit from funding DC-Cam has commissioned this evaluation as a learning capture exercise to identify learning from DC-Cam's performance in relation to the KRT process, and to assist in DC-Cam's transformation in light of their changing role as the trials at the ECCC come to an end.

The **purpose** of the evaluation is to:

- i. Assess the effectiveness, sustainability and independence of DC-Cam in terms of (a) organisational structure; (b) funding structure; (c) role and relevance of the organisation for Cambodian society both before the conclusion of the trials at the ECCC and with an emphasis on the role and relevance after the trials have ended. Also, to examine key dialogue issues

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<sup>2</sup> For more detailed information on DC-Cam reference <http://www.dccam.org/About/History/Histories>

- between Sida and DC-Cam during the current agreement phase, in particular: (a) gender mainstreaming; (b) donor coordination/donor harmonisation, and (c) strategic relationships;
- ii. Advise Sida and DC-Cam on potential action plans for the transitional period post the trials at ECCC.;
  - iii. Inform and contribute to the formulation of Sida's new cooperation strategy for Cambodia in 2010.

The **objectives** of the evaluation are

- i. To ascertain the achievements of DC-Cam work in the KRT;
- ii. To ascertain the performance of DC-Cam's institutional arrangements and structures;
- iii. To document historical learning concerning the achievements and activities of DC-Cam and the impact on Cambodian civil society in general;
- iv. To identify recommendations for the transitional period post ECCC Trials;
- v. To assist where possible in the capacity building of DC-Cam with a focus on transition, institutional development and sustainability;
- vi. To inform Sida country strategy for Cambodia.

### **I.3 Main Conclusions and Recommendations**

In considering recommendations for DC-Cam and for Sida the evaluation posed the question: "what would Cambodia look like if DC-Cam had not been there since its inception in 1995?" Simply put the answer is that Cambodia would be without the general knowledge amassed about the Khmer Rouge genocide in Cambodia 1975-1979. If DC-Cam had not been in existence in Cambodia it is likely that Cambodia would not have the depth of knowledge about the specific aspects of the Khmer Rouge legacy including of the killing fields, of the survivors, of S21 and the knowledge of and access to documentation held outside of Cambodia.

If DC-Cam had not been in existence there would be no Genocide Education in Cambodian schools and no appropriate training of teachers. The current generation of Cambodians would grow up without formally learning about possibly the most significant period in Cambodia's modern history.

There would be a significant additional strain on the Cambodia court and the UN as it would be without the evidence and the para-secretarial services of DC-Cam, as well as the testimony collected by the organisation from survivors of the Khmer Rouge period. Cambodian communities stretching from Phnom Penh to the Vietnamese, Laos and Thai borders would not have had as much opportunity to learn about the activities of the court and participate in Justice, even if only from the position of active citizens observing the proceedings of the Court and then returning home to sensitise friends and family.

There are four key areas of recommendation for DC-Cam (i) DC-Cam in transition (ii) Current processes and procedures in DC-Cam that are in need of reform; (iii) Civil society, and (iv) Issues concerning the legacy of DC-Cam and which require attention. Overall the report focuses on how to maintain the impact of DC-Cam, how best to support the organisation as it works in a climate of delayed transition to the Sleuk Rith Institute, and how best to capitalise on Sida's investment in DC-Cam and so in Cambodia.

#### **I.3.1. Summary of Relevance, Effectiveness, Efficiency, Impact and Sustainability**

DC-Cam's objectives and its principal programmes have been relevant to Cambodian society and continue to be so, particularly in the broad thematic areas of human rights, access to justice, accountability, and promoting the rule of law. DC-Cam has continuing relevance to the completion of the ECCC and as such is a core partner in closing a chapter of Cambodia's history with the achievement of

accountability and justice for the survivors, (both the perpetrators of violence) and those who are victims of the Khmer Rouge regime.

DC-Cam has had overall relevance, timeliness and appropriateness from its inception as a project of Yale University, to its quick evolution to become an NGO mapping the past of the Khmer Rouge period, to its current incarnation as a hugely important support to the ECCC and innovator in the creation of systemic change in the fields of human rights, education and justice.

DC-Cam has been effective in carrying out its Mission to promote Memory and Justice as critical foundations to the rule of law and genuine national reconciliation in Cambodia. It has been effective in achieving its objectives: (i) to record and preserve the history of the Khmer Rouge Regime, and (ii) to compile and organise information that can serve as potential evidence in the ECCC.

Overall, DC-Cam has been effective in achieving its objectives across all major projects and in promoting accountability, the rule of law, justice and access to justice, reconciliation and commemoration. DC-Cam's organisational structure has been effective, in particular its use of an extensive volunteer network. However this has not been without risk and as will be discussed these risks could be better managed by DC-Cam.

Risk assessment practice in some projects needs improvement. DC-Cam would benefit from improving strategic planning including developing a communications strategy and fundraising strategy. DC-Cam's monitoring systems and reporting could be improved so that organisation could more successfully document its results and better communicate its achievements.

Accountability, transparency and quantitative measurements are all effective and well employed throughout the organisation. DC-Cam is efficient in all project activities making the most use of cost saving measures around outreach and through partnership working. DC-Cam's management of non-financial resources including the good will of international strategic partners and the extensive use of a volunteer network is efficient and a prudent use of non-fiscal resources.

DC-Cam is likely to have had substantial short term impact on individual beneficiaries and on beneficiary communities. The primary direct impact on the lives of individuals is in how DC-Cam has assisted Cambodians to: (i) tell their story; (ii) participate in the judicial process, and (iii) trace family disappeared during the Khmer Rouge regime. The organisation will indirectly impact on a large number of people through key projects, particularly the Genocide Education project.

Most fundamental in DC-Cam's impact on communities is an indirect impact; that is, the indirect impact on communities via its support of the ECCC. DC-Cam's centrality to the good functioning of the Court indicates that it should take some credit for the outcome of the Court. Commensurate with this is the risk that if the ECCC has negative effects on Cambodian society and on the lives of Cambodians then DC-Cam may also be indirectly responsible.

DC-Cam has had important systemic impact, some of which is in the early stage of development. DC-Cam has impacted positively on Justice and the Rule of Law by: (i) promoting the concepts; (ii) providing support to what is arguably *the* key judicial process in Cambodia (the ECCC); (iii) promoting and assisting the realisation of important concepts such as: (a) equal access to Justice for both accused and victim; (b) the participation of ordinary Cambodians, and (c) the participation of vulnerable groups in recording their history; (iv) initiating a potential watershed in education by creating affordable second level Genocide Education and an improvement in teaching methodologies, and (v) creating a record of the past with the objective of assisting Cambodia to escape repression by the past and create a future free of the weight of victimhood.

DC-Cam is having a remarkable impact on the education system in Cambodia, creating a de-politicised space for the objective teaching of the history of the Khmer Rouge period. DC-Cam is also creating systemic change in how education is taught by fostering a methodology that is built on questioning and not on accepting dogma. The potential long-term impacts of the Genocide Education project are substantial and range from the reform of teaching methodology to the effects on the understanding of national identity.

Staff members at DC-Cam are encouraged to secure project funding for their work and so a culture of financial independence and accountability is pervasive. The main challenge for DC-Cam is securing the outstanding core funding for the remaining period during which it will support the ECCC (2010 – 2013) while concurrently securing and spending funds to support transition and build key systems and structures in the origination such as governance.

In general the approach of DC-Cam to project activities is to emphasise sustainability through fiscal prudence when conducting activities in field and by emphasising sustainable training and sensitisation methodologies. In its support of the ECCC, DC-Cam faces the sustainability challenge of managing the demand placed on its resources by the ECCC. The contention of the organisation that it is an in-kind funder (or in-kind re-granter) of the ECCC does merit some attention. The cost incurred by DC-Cam for document reproduction is substantial and underlines the level of work required to effectively support the ECCC.

DC-Cam has designed the Genocide Education project with sustainability and mainstreaming in mind and is effectively using a Train the Trainer methodology to ensure the sustainability of training and sensitisation. It is also using this methodology to transfer ownership of the project to teachers. DC-Cam has built a strong partnership approach with MOEYS which encourages the State to take ownership of the project. However there is a challenge to the sustainability of the Genocide Education project. Simply put, MOEYS does not appear to have the capacity or the financial resources to mainstream the Genocide Education project or the quality control systems currently being designed by DC-Cam.

DC-Cam (and so Sida's investment) promotes six interrelated and key concepts: (i) Rule of Law; (ii) Justice; (iii) Participation including access to the judicial system; (iv) Democracy; (v) Accountability, and (vi) Reconciliation. DC-Cam's promotes these concepts directly through project work and indirectly through its support for the ECCC.

The Rule of Law and Justice are key concepts promoted by DC-Cam through its project work. DC-Cam approaches its work with strong principles of access to Justice for the accused and the victim and of the primacy of the Court. DC-Cam emphasises the concept of Participation, particularly in the judicial process but also in the narration of the history of Cambodia. DC-Cam's inclusion of Cambodian citizens in the judicial processes as parties, as observers and as sensitizers contributes to creating understanding and buy-in to the Rule of Law and Justice which is an important element of democratic participation. Being supported to freely participate in the ECCC is important to promoting the concepts of Rule of Law, Justice, Participation, Democracy and Accountability. Similarly the inclusion of teachers, school children, parents, survivors, and the perpetrators of violence in the narration of Cambodian history through the projects that support the ECCC, and through the Genocide Education project is a significant achievement for DC-Cam and Sida, and is one which is likely to produce an important legacy.

### **I.3.2 Conclusions and Recommendations for DC-Cam**

The following recommendations are recommendations addressing DC-Cam specifically. DC-Cam has achieved significant results in a number of areas including documenting the legacy of the Khmer Rouge

regime, supporting the ECCC, and contributing to the reformation of second level education in Cambodia. As the organisation plans for transition to the Sleuk Rith Institute there are thirteen recommendations that it should consider and where possible act upon. These recommendations (below) relate to: (i) organisational development; (ii) governance; (iii) skill deficits; (iv) transition, and (v) relationships. Acting on these recommendations will better prepare the DC-Cam for transition and consolidate the organisation thus contributing to the achievement of results in programme areas.

For DC-Cam, while all the recommendations are relevant it is most important first, to address key organisational development and governance recommendations while concurrently working on those that relate to transition. Acting on the organisational development recommendations means that DC-Cam will find it easier to address the recommendations that pertain to skills deficits and external relationships. All recommendations have been made first, with cognisance of the achievements of DC-Cam to date, second, in recognition of the current needs of the organisation and third, with an understanding that organisational development, board development and training of staff should be undertaken in a manner that is mindful of transition and of the future needs of the organisation during transition. While presented here in a separate section, recommendations relating to governance should be given priority when addressing organisational development.

### **I.3.2 (i) Organisational Development**

Following are the key recommendations relating to the organisational development of DC-Cam now, and as it focuses on transitioning to a permanent centre.

#### **Conclusion 1. DC-Cam would benefit from organisational development in key areas.**

DC-Cam has achieved much but has developed in such a way as there are organisational gaps which could be addressed to enable the organisation to function better. There is a gap in responsibility between DC-Cam's Deputy Directors and the Director. Traditionally that gap would be filled by an Operational Manager or COO and the post would provide advice to the Director on operational and strategic issues. It would strengthen the planning and operational aspects of DC-Cam. The strategic issues that need strengthening (and which are discussed below) include: (i) strategic planning; (ii) fundraising; (iii) reporting; (iv) board development; (v) risk management systems, and (vi) internal operational policy and procedures.

#### **Recommendation 1. Develop the position of Chief Operations Officer or Operations Manager**

DC-Cam should consider developing a COO or OM position to include more responsibility and to be closer to the Director. The organisation has an Operational Manager position which is occupied by a Deputy Director but within DC-Cam the roles and responsibilities of a COO or Operational Manager need developing to become more like a normal COO/OM role. Developing such a position would be an opportunity to bolster the organisational structure and redistribute some responsibility from the Director to another level. Also it is an opportunity to add skills and capacity to assist in planning and managing the change process to the Sleuk Rith Institute.

#### **Conclusion 2. DC-Cam would benefit from developing key internal policy and procedures**

DC-Cam does not have a centralised operational policy and procedures manual which would contain policies around staff grievances, time off and so forth. DC-Cam would benefit from identifying and collecting core policies, procedures and descriptions of roles and responsibilities in the organisation in order to ensure transparency and accountability.

#### **Recommendation 2. DC-Cam should formalise organisational and operational policy**

While the organisation has had little instability and is not legally required to have operational manuals and policies it could take the initiative and formulate key staff and operational policies. This formalisation

should be part of the planning for transition and be part of giving clarity to staff around their entitlements and responsibilities as DC-Cam ceases sometime around 2013.

### **I.3.2 (ii) Governance**

Following are the recommendations concerning governance and board development at DC-Cam that if addressed will benefit the organisation in the short term and will create a strong foundation for the transition to the Sleuk Rith Institute.

#### **Conclusion 3. DC-Cam would benefit from board development**

DC-Cam's board are largely thematic advisors (in addition to the thirteen Technical Assistance Advisors). The board do not have defined governance roles and responsibilities (although there are guidelines for the TAA) and are limited in their capacity to assist the organisation as it transitions. Key areas where a strong board can be relevant are: (i) fundraising; (ii) ensuring quality during leadership succession; (iii) strategically advising the Director.

#### **Recommendation 3. DC-Cam should reform and formalise its governance structures**

DC-Cam should consider how to address governance in the organisation. DC-Cam should particularly examine options to: (i) develop the structure of the board to be bigger and to include specialist sub-committees including sub-committees on fundraising; (ii) should work with its networks to identify potential new board members; (iii) add a Patron role to the board which can be very useful in fundraising and publicity.

### **I.3.2 (iii) Key skill deficits**

Following are recommendations relating to key organisational skills deficits. Addressing these recommendations would enable DC-Cam to better consolidate the organisation (for example, through better fundraising expertise) and address key risks in activities as they relate to unintended negative impacts and maximising the results of activities. Specifically, deficits in: (i) fundraising and financial expertise (including management and board); (ii) reporting; (iii) staff skills; (iv) gender mainstreaming and (v) psychosocial issues are addressed in these recommendations.

#### **Conclusion 4. DC-Cam requires additional fundraising and financial planning expertise**

DC-Cam's fundraising activity is largely the responsibility of the Director with smaller programme funding sometimes delegated to team leaders. However, DC-Cam faces a shortfall in programme funding for Genocide Education and has uncertain core-funding for the remaining period of support for the ECCC. Secure funding for the Sleuk Rith Institute is a principle sum of USD 2 million in an endowment contributed by USAID. DC-Cam and the Sleuk Rith Institute would benefit from a more robust and diverse fundraising strategy.

#### **Recommendation 4(a) DC-Cam should strategise about developing additional financial and fundraising expertise**

DC-Cam should source additional expertise in two areas at least: (i) financial planning, and (ii) fundraising.

#### **Recommendation 4(b) DC-Cam should consider revising its financial planning for the transition to the Sleuk Rith Institute.**

Any strategising about financial planning should take consideration of environmental conditions such as the financial implications to DC-Cam of delays in transition and the conclusion of the ECCC.

#### **Recommendation 4(c) DC-Cam could benefit from developing board fundraising expertise, particularly as it transitions to the Sleuk Rith Institute.**

A Patron structure and an extended international board with specialist sub-committees can contribute to addressing this challenge.

**Conclusion 5. DC-Cam could better document and communicate its achievements.**

DC-Cam has substantial achievements. Unfortunately despite impressive “blue skies” thinking around a long term vision for Cambodia DC-Cam does not: (i) have centralised good monitoring practices and (ii) misses the opportunity to disseminate its successes. DC-Cam produces a lot of written documentation and many project areas are internally evaluated but DC-Cam misses the opportunity to communicate key successes because its reporting needs refinement and to be less nebulous.

**Recommendation 5. DC-Cam should consider how to refine its monitoring and reporting.**

DC-Cam should fine tune its internal monitoring and develop an institutional culture of tracking results. It should also provide its highly competent and highly academically qualified staff with additional training in M&E practices and implement appropriate evaluation across programme areas subject to resources.

**Conclusion 6. DC-Cam staff would benefit from skilling in key development and organisational areas to augment their academic training.**

DC-Cam has a highly educated and committed staff. However while the organisation places great emphasis on academic training some key skills are missing, particularly results based management and reporting, gender mainstreaming; and psycho-social sensitivity.

**Recommendation 6. DC-Cam should invest in staff skilling in key areas and should institutionalise key strategic practices.**

DC-Cam could round-out staff qualifications by ensuring appropriate skilling and external mentorship in key areas particularly those outlined above. The organisation should consider how to develop a culture of results orientated monitoring and reporting.

**Conclusion 7. DC-Cam would benefit from effective gender mainstreaming<sup>3</sup>**

DC-Cam could better gender mainstream its projects and train staff. DC Cam could achieve more by having better mechanisms and better measurement of results in the area of gender mainstreaming. At the field level, the lack of gender specific indicators make it difficult for staff to understand whether and to what extent women are benefitting from DC-Cam activities. DC-Cam tends to measure ‘number of women trained’ or ‘number of female participants’ rather than the quality of their participation and the impact of same. DC-Cam would benefit from strategising about what activities may need to be changed in order to make them more gender sensitive and more effective.

**Recommendation 7. DC-Cam should introduce effective gender mainstreaming training and monitoring.**

Because of limited awareness of how to develop and implement a gender mainstreaming strategy the DC-Cam method of training staff through shadowing senior or more experienced staff members and of focusing training on academic improvement results in there never being an opportunity for staff to acquire skills that are outside the current institutional knowledge. In the case of gender mainstreaming, if staff were exposed to training in gender mainstreaming principles, concepts and monitoring and then accompanied to the field and assisted to implement a strategy then there is little doubt that this talented and committed staff would successfully gender mainstream project activities.

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<sup>3</sup> The OSAGI defines Gender Mainstreaming as a globally accepted strategy for promoting gender equality. Mainstreaming is not an end in itself but a strategy, an approach, a means to achieve the goal of gender equality. Mainstreaming involves ensuring that gender perspectives and attention to the goal of gender equality are central to all activities - policy development, research, advocacy/ dialogue, legislation, resource allocation, and planning, implementation and monitoring of programmes and projects.

**Conclusion 8. DC-Cam would benefit from effective psycho-social risk assessment and management.**

DC-Cam does not adequately take into consideration the psychosocial impact of its activities either on beneficiary communities or on staff. There is low capacity in these areas and activities of staff are not appropriately proofed against negative unintended impact. Also, DC-Cam misses an opportunity to utilise relationships or organisations in Cambodia to manage the risk of negative unintended psychosocial impacts on staff, on beneficiaries, and on participants in DC-Cam activities.

**Recommendation 8. DC-Cam should better manage the risk of negative unintended psychosocial impact on staff, on participants and on beneficiary communities.**

DC-Cam should properly assess the risk of negative unintended psychosocial effect. Previous work by the organisation in cooperation with TPO can provide a starting point for such an assessment. The strategies used by the VSS to support their staff with monthly supervision provided by TPO could guide DC-Cam to develop and implement a risk mitigation strategy for staff. Concerning participants in DC-Cam activities, DC-Cam can manage the risk of unintended negative effects by psychosocially proofing activities. Measures such as having a counsellor attend outreach activities can be part of an effective risk mitigation strategy which ultimately increases the positive results of DC-Cam's work. Any such strategy must be institutionalised into DC-Cam as a way of working and include appropriate referral mechanisms.

**I.3.3 (iv) Transition**

Following are the key recommendations relating to DC-Cam's transition to become the Sleuk Rith Institute. Addressing these recommendations will increase the possibility for a smooth transition by DC-Cam to a permanent institute. Also included in this section are recommendations that pertain to issues regarding the establishment of the LDC-ECCC.

**Conclusion 9. DC-Cam has no documented transitional plan or organisational plan for the Sleuk Rith Institute.**

Despite the long gestation period for the concept of the Sleuk Rith Institute (the Director of DC-Cam identifies that it was a nascent idea nearly a decade before this evaluation) there are no written transitional plans other than the Sleuk Rith Institute brochure and architectural plans. There is no roadmap for how DC-Cam will transform including for dealing with issues such as succession, staffing, programming and financing.

**Recommendation 9. DC-Cam should plan the transitional period and should properly map all aspects of the development of the Sleuk Rith Institute.**

This recommendation regards fundamental principles of how to best prepare for the termination of one organisation and the development of another. Whether in the form of a feasibility study, a business plan or some other study it would be good practice to capture the plans for transition. The benefits of such planning are wide and range from clarification of staff employment to developing governance. DC-Cam should accurately document its plan for (i) the transition period and (ii) the Sleuk Rith Institute.

**Conclusion 10. The ECCC and the Bar Association are in receipt of Japanese Embassy funds to create an archive for the Court.**

In response to a request from the Royal Government of Cambodia the Japanese Embassy has donated the capital costs of constructing a building which will house the Legal Documentation Centre of the ECCC (LDC-ECCC). The Japanese Embassy describes the LDC ECCC as a store of declassified documents which will disclose those documents to the public and enable Cambodian and foreign nationals to have access.

**Recommendation 10. DC-Cam could identify how to engage with the actors and processes around the establishment of the LDC-ECCC, at least as it relates to the virtual libraries for DC-Cam and the LDC-ECCC, both of which are being designed by Berkeley.**

DC-Cam could identify how best to liaise with the ECCC and the Bar Association concerning the Embassy of Japan funded LDC-ECCC in the Courts of Cambodia and the Bar Association Building. Efficacy should inform discussions about virtual libraries.

### **I.3.2 (v) External Relationships**

Following are recommendations relating to external relationships which if addressed can strengthen DC-Cam's relationships and ensure that strategic relationships can be as beneficial as possible to the organisation.

**Conclusion 11. DC-Cam's key strategic relationships would benefit from some formalisation.**

DC-Cam has many key relationships which are not formalised for a number of reasons including cultural norms. However, lack of formalisation can contribute to the actual or at least perceived risk that important work or organisational issues can be damaged if relationships between individuals change. Some officials at the ECCC expressed the opinion that the good working relationship between the Court and DC-Cam could be at risk if personalities in the organisations clashed. However, the Court has not responded to DC-Cam's draft MoU, transmitted to the ECCC in 2006.

**Recommendation 11. DC-Cam should formalise organisational relationships where relevant.**

DC-Cam should formalise all important relationships with an appropriate instrument. Formalisation even via an MOU can help manage the risk of relationships between individuals jeopardising organisational relationships and allow for better quality interaction. With regards to the DC-Cam MoU communicated to the Court in 2006, it is in the interest of both the Court and DC-Cam to finalise this document. DC-Cam could consider working through newer Court Officials such as those at the OCP to help have this document signed-off.

**Conclusion 12. DC-Cam would benefit from better donor coordination.**

For an organisation with a diverse funder base and with stated ambitions to become financially self-sustainable DC-Cam does not coordinate donors. Generally DC-Cam has good donor relationships and so by coordinating donors it has an opportunity to more strategically align donors particularly around the transition and the Sleuk Rith Institute.

**Recommendation 12. DC-Cam should engage in donor coordination**

DC-Cam should initiate a strategic dialogue with donors to coordinate support for (i) core funding during the transition period (2-3 years); (ii) project needs, and (iv) the Sleuk Rith Institute. Where available donor support could be sought to help start this process.

**Conclusion 13. DC-Cam is sometimes reluctant to participate in Cambodian civil society networks where it could share experiences, strategise for change and create a louder and more effective voice.**

DC-Cam could contribute more to a vibrant civil society in Cambodia. By having limited engagement with other CSOs DC-Cam runs the risk of duplication.

**Recommendation 13. DC-Cam could strategise about how current and planned projects can interface with the work of civil society, particularly NGOs.**

In particular DC-Cam could strategise better about how civil society networks can contribute to the positive results of DC-Cam's activities. It could also strategise more about how the organisation can participate in civil society. Emphasis should be placed on managing relationships with key NGOs to ensure greater overall results.



# 1. Introduction

## 1.1 Background to DC-Cam and Sida's Support for the Organisation

Sida has given core support to DC-Cam since 2001. Since 2002 Sida has been the only donor giving core funding to the organisation. Financial support has been given in phases (2001 – 2002; 2002 – 2006, 2006-2007 and 2008-2010). Sida's core support has been delivered to DC-Cam on the basis of DC-Cam's five year vision which has centred on DC-Cam providing effective support to the ECCC. Thematically, Sida identifies its support to DC-Cam as being focused on four key areas: (i) Documentation; (ii) Promotion of Accountability; (iii) Rule of Law and (iv) Publication and Reconciliation Outreach.

## 1.2 Rationale, Purpose and Objectives of the Forward Looking Evaluation

Sida, has commissioned this evaluation as a learning capture exercise to identify learning from DC-Cam's performance in relation to the KRT process and to assist in DC-Cam's transformation in light of their changing role as the trials at the ECCC come to an end.

This evaluation will inform Sida's new cooperation strategy and while the primary users of the evaluation will be Sida and DC-Cam, the evaluation has been conducted to include other key donors (USAID and Danida) in key discussions and presentation of findings.

The **purpose** of the evaluation has been to: (i) assess the effectiveness, sustainability and independence of DC-Cam; (ii) advise Sida and DC-Cam on potential action plans for the transitional period post the trials at the ECCC, and (iii) inform and contribute to the formulation of Sida's new cooperation strategy for Cambodia in 2010.

The **objectives** of the evaluation have been to: (i) ascertain the achievements of DC-Cam's work in the KRT; (ii) ascertain the performance of DC-Cam's institutional arrangements and structures; (iii) document historical learning concerning the achievements and activities of DC-Cam and the impact on Cambodian civil society in general; (iv) identify recommendations for the transitional period; (v) assist where possible in the capacity building of DC-Cam with a focus on transition, institutional development and sustainability, and (vi) inform Sida country strategy for Cambodia.

## 1.3 Methodology Employed

The methodology employed in this evaluation consisted of three phases: (i) document review; (ii) field study in Cambodia including (a) three specific site visits to particular DC-Cam projects; (b) SWOT analysis and RBM training with DC-Cam staff and Deputy Directors, and (iii) analysis and reporting.

## 1.4 Special Conditions

All consultations were carried out ethically and with due regard to all relevant considerations including gender, ethnicity, language, literacy and age. Non-attribution and anonymity were apportioned to all those surveyed for the study. In some cases the information shared with the evaluation team was identified by key informants as confidential because of judicial or political considerations. All such identified information has been treated with appropriate sensitivity and confidentiality.

## **1.5 Limitations**

In the absence of baseline studies and external evaluations conducted during the evolution of Sida's investment in DC-Cam there was limited donor-commissioned data against which progress towards achieving objectives and other areas to be assessed could be measured. The Sida Assessment Memo of November 2008 offered a starting point for the evaluation but it cannot be considered a baseline so this document along with some of the others consulted offered reference points which together with reflective and analytical thinking provided a base for the evaluation design.

There was an absence of external evaluations of DC-Cam project areas and while some had internal evaluations these evaluations were largely mechanisms for reporting and were often conducted by interns rather than independent external experts. Historically financial audits have been conducted externally by Price Waterhouse Coopers and the evaluation team viewed only the audits 2007 – 2009 inclusive and projections 2010 to 2013. Consequently a detailed cost analysis of individual programme areas has not been possible for this evaluation. The evaluation team notes that based on the audits it has been identified that the auditors have made no findings of financial impropriety in DC-Cam.

The evaluation has relied on key informants engaging in reflective thinking and conceptualising future scenarios for the transition of DC-Cam. There is a demand placed on the evaluation team to navigate how individuals think and relate to their past experiences. Although this appears a simple process often it is difficult for individuals to separate logical reasoning and subjective feelings, particularly where there are culturally specific nuances and long histories of professional involvement between individuals. To understand the complexities and realities of Cambodian society in general as well as of Cambodian civil, legal and governmental sectors is a demanding task, and the evaluation team was greatly assisted in this respect by the fact that two of the evaluation team have substantial personal and professional experience of Cambodia, with one member of the team being an ex-patriot resident in Cambodia for over 15 years. Nevertheless it is worthwhile noting that in the course of the evaluation issues such as the personalities of, and relationships between key individuals involved in the organisations identified in the review were very much to forefront of the thinking of some key informants. The evaluators used cross-referencing and analysis to filter testimony and information that otherwise might have potential to colour the findings.

DC-Cam has a very wide scope of activities as well as staff that are internationally mobile and who often leave the organisation to complete overseas postgraduate courses. The absence of staff from Cambodia who otherwise would be key informants presented challenges to the evaluation team in some programme areas. The team leader for the Accountability project was absent and so this project was not directly evaluated by the evaluation team.

## **1.6 Guide to the Reader**

This report is written in six chapters and six annexes. The chapters are numbered i to 5. The first chapter (Chapter i) contains an Executive Summary with key findings, conclusions and recommendations for both DC-Cam and Sida. The second chapter (Chapter 1) contains a brief background, scope and examination of limitations. This chapter should be accompanied with Annex 1, Annex 5 and Annex 6 to get a complete picture. The third chapter (Chapter 2) presents the findings of the project evaluation with projects clustered by theme. The fourth chapter (Chapter 3) presents the findings of the institutional evaluation. The fifth chapter presents the summary findings as per DAC-OECD criteria and should be complemented by Chapter i, Chapter 2 and Chapter 3.

## 2. Evaluation: Project Outcomes

The following analysis of project outcomes examines the projects the team reviewed during the evaluation. Projects are clustered into five themes and this organisation is replicated throughout the report: (i) Support to the ECCC; (ii) Documentation; (iii) Public Education and Outreach; (iv) Genocide Education, and (v) Print and Non-Print Publications and Sensitisation.

### 2.1 Support to the ECCC

Support to the ECCC is one of DC-Cam's key project areas. For the purposes of this evaluation Support to the ECCC includes: (i) Legal Response Team (LRT); (ii) Victims Participation Project (VPP), and (iii) Documentation and Mapping Activities.

Supporting the ECCC has been one of the main areas of work for DC-Cam, certainly since 2001 as it prepared for the eventual inception of the Court in 2007. Because of the delayed inception of the Court DC-Cam's direct support to the ECCC is less than three years in operation. DC-Cam's documentation and mapping activities have been running since its own inception in 1995.

With the exception of areas pertaining to how DC-Cam relates to the ECCC (outlined below) feedback from Court Officials has identified DC-Cam's role in supporting the Court as exemplary, as essential to the effective workings of the Court, as directly increasing the efficiency and efficacy of the Court, as being well informed and invaluable. In particular DC-Cam's LRT and the work of the VPP have been singled out for praise. The LRT is perceived as directly supporting the principle of Justice for civil parties, complainants and for those accused of crimes under the terms of the ECCC. The access to information that is provided by DC-Cam and which is facilitated by the LRT has been identified by Officials of the Court as providing a clear promotion of the Rule of Law in Cambodia. Work by the VPP has been described by Officials of the Court as being an example of the exemplary discharge of duties.

In general the relationship between DC-Cam and the ECCC is positive. All Officials of the Court surveyed for this evaluation were positive in their evaluation of how DC-Cam goes about its work supporting the ECCC. In general DC-Cam's work is considered central to the functioning of the court, particularly in: (i) the provision of collected evidence and solicited testimony; (ii) promoting justice for victims of the Khmer Rouge regime; (iii) promoting justice for the accused of the Khmer Rouge, and (iv) sensitising Cambodian society and particular groups in Cambodian society and overseas about the principles of the ECCC.

DC-Cam supports the Court in two main ways: (i) via the LRT which works to provide access to the DC-Cam archives and to sensitise the ECCC, and (ii) via the VPP which assists survivors who wish to participate in the ECCC. By the end of 2009 the VPP extended assistance to 1,765 people to file victim participation forms with the ECCC of which 38 were recognized as civil parties in Case 001 and 24 in Case 002.<sup>4</sup>

The Court does not have any contract or MOU with DC-Cam governing the exchange of evidence and testimony despite DC-Cam drafting such a document and communicating it to the Court in 2006. To date DC-Cam estimates that the cost incurred to it for the preparation and exchange of information is USD 300,000 and indeed the figures speak for themselves: between 2006 and the end of 2009 DC-Cam had

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<sup>4</sup> Case 001 is the first trial in the ECCC which began on March 30, 2009 involving defendant Duch (Kaing Geuk Eav). Case 002 will begin during 2010 with defendants Noun Chea, Khieu Samphan, Ieng Sary, and Ieng Thirith.

supplied the Court with 500,000 pages of documents; 650 books; 1955 CDs/DVDs and 524 reels of microfilm.

Regarding professional relationships, there is a belief by some Officials of the Court that if an Official of the Court alienated DC-Cam then quite possibly there would be difficulties accessing the documentation. The perception in the Court is that if the relationship between the Court and DC-Cam deteriorated then in the absence of a formal relationship there may be difficulties accessing documentation. Whether founded or not this belief points to the problem with not formalising the relationship between the Court and DC-Cam. Operating on good faith rather than formal agreement is a problematic model and open to collapse and conscious or unconscious manipulation.

Concurrently to acting as a supporter of the Court, DC-Cam also conceptualises itself as a monitor of the Court and judicial processes. This aspect of relationship with the Court is not trouble free and is one which raises concerns with some Officials of the Court regarding the quality and tone of DC-Cam's legal analysis. DC-Cam legal analysis is often performed by legal interns at the organisation. From the perspective of some Officials of the Court the tone and voice of authority exercised by DC-Cam in the media and via its legal interns alienates the Court. What the Court often perceives as valid analysis and criticism of the Court or judicial processes by DC-Cam is overridden by what has been described as the organisation's tone of moral superiority and pedanticism. There is a perception by some Officials of the Court that DC-Cam's articles and media work criticising the Court and the judicial processes are more exercises in organisational self-promotion than constructive criticism. Taking into consideration the difficult environment in which DC-Cam has established itself, the belief that some of DC-Cam's analysis is unnecessary, unproductive and burdensome indicates that the role DC-Cam has created as monitor could be better managed so as not to alienate its key partner in the KRT.

### **2.1.1 Legal Response Team (LRT)**

DC-Cam began delivering legal training to NGO staff, media, and political and legal representatives during 2004 and established its LRT in 2005. It became fully operation in February 2006. The LRT has consisted of Cambodian and international experts from the fields of law, history, political science, library science and technology been based in Cambodia and overseas. The project was initiated without specific project funding during 2006 but was planned since 2003 and secured multi-annual project funding between 2007 and 2010. The work of the LRT is extensive and variable, ranging from compiling and translating relevant documentation to facilitating access to the DC-Cam archives, usually for the OCIJ, the OCP the DSS and the PAS of the ECCC as well as Civil Party lawyers. In any one year the team may provide between 10,000 and 20,000 pages of documentation to the Court as well as other forms of information including images and film. In a year the LRT can also sensitise up to 150 ECCC interns and related staff on the nature of the documentation held in DC-Cam achieves and the procedures to access same.

The LRT is a core team with a deceptively narrow remit: servicing the information needs of the Court and other legal representatives. However the LRT must also dovetail with related projects, particularly: the Documentation Project, the VPP and the Living Documents Project (LDP). DC-Cam describes one objective of the LRT as administering psychological counselling to "potential witnesses and members of the general public" who may be forced by participating in or experiencing the ECCC to "re-live the traumas they experienced during Democratic Kampuchea"<sup>5</sup> It is notable that on the staff team which includes an overseas professor there are no mental health professionals.

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<sup>5</sup> [http://www.dccam.org/Projects/Tribunal\\_Response\\_Team/Tribunal\\_response.htm](http://www.dccam.org/Projects/Tribunal_Response_Team/Tribunal_response.htm). May 18<sup>th</sup> 2010.

The key achievement of the LRT is the high quality support it gives to the ECCC to access the archives of DC-Cam and also the methodology it employs in doing so. Its approach to skilling ECCC staff and interns in the nature of the documentation held by DC-Cam as well as its efficient, effective and professional relationship with all relevant areas of the Court are examples of good practice. Its work is held in the highest regard by the Court. The work of the LRT is not limited to facilitating access by the Court, it also includes facilitating access by visiting academics and researchers, and managing research by visiting interns. In fact the work plan for the LRT for 2010 which includes meeting the demands of the ECCC, states the LRT will recruit and manage twenty legal associates from local and international universities to conduct research on legal topics relating to the ECCC and the Khmer Rouge.

The outcome of the work of the LRT has been a positive contribution to the effective and efficient running of the ECCC. In addition there has been regular outputs from legal interns which while not all individually reviewed for this evaluation has been sampled. The unintended negative effects of the LRT's work concerns critiques of the judicial processes and the Court that possibly may have had a detrimental effect on the relationship between the Court and DC-Cam, and definitely have damaged the reputation of DC-Cam in the opinion of some Officials of the Court

### **2.1.2 Victims Participation Project (VPP)**

The VPP assists survivors who wish to participate in the ECCC process. The project has worked to reactivate the informal truth commission process from the 1980s and has targeted the original petitioners of the "Renakse" petitions to identify if they want to re-tell their stories, this time to the ECCC. Under this project, by the end of 2009 DC-Cam had assisted 1,756 petitions from 24 provinces of which 38 were recognized as civil parties in Case 001 and 24 in Case 002. As with the LRT the VPP was initiated without specific project funding and only secure a dedicated funding line in March 2008.

During 2009 the Victim Participation project assisted the VSS, Civil Party lawyers and the civil parties. The project emphasises sensitisation outside Phnom Penh as part of its work and during 2009 made three trips to the regions to sensitise villages about their victim participation rights and help them completed ECCC victim participation forms. The project has completed additional work in surveying the public to identify trends in opinion around public support for aspects of the ECCC trials as well as being subject to the filming work of DC-Cam colleagues recording interviews with petitioners.

The VPP is a particularly well documented project in DC-Cam. The project appears to have reacted well to initial criticisms raised regarding project mythology and quality assurance failures which resulted in petitions being incorrectly completed or incomplete. The criticisms of the quality of the VPP early work originated with the VSS which has been reliant upon the VPP for outreach.

Regardless of such criticism the VPP is generally characterised by key informants as a valuable support for the ECCC and a project that has exceeded the potential and capacity of the Court (and in particular the VSS) to reach communities. The work of the project has been characterised as exemplary and of great assistance to the Civil Party element of the Court.

### **2.1.3 Outcomes**

Because DC-Cam's direct support to the ECCC has been relatively short term (under three years) it is only possible to identify definite short term outcomes. However, drawing on the analysis presented by key informants, many of which have worked in the ICTY and ICTR, and drawing on the learning gleaned from the work of the evaluation team it is possible to identify other medium to longer term outcomes of DC-Cam's direct support to the ECCC. In the short-term DC-Cam's support of the ECCC has:

- i. Directly contributed to the effective workings of the court, principally in the provision of evidence but also in the provision of solicited testimony and parties;
- ii. Directly enabled Cambodians to participate in the Court both as Civil Parties and as Complainants and has supported them in finding legal counsel;
- iii. Directly contributed to the promotion of the principles of Justice (in particular as it relates to holding a fair trial for both accused and victim); of Accountability and of the Rule of Law.

#### **2.1.4 Risks to Outcomes of DC-Cam Direct Support to the ECCC**

There are risks to the outcomes of DC-Cam direct support to the ECCC. These risks are:

- i. Because there is no formal agreement between DC-Cam and the ECCC pertaining to access to evidence and information, and because of the perceived risk that relationships can influence access to evidence and information, there is a risk pertaining to access. If not managed it may result in the ECCC having to subpoena evidence from DC-Cam thus adding burden to the judicial processes and damaging the relationship between DC-Cam and the Court. DC-Cam proposed an MOU to the ECCC in 2006 but the Court has yet to respond.
- ii. The quality and tone of some of DC-Cam's work criticising the Court is questionable. Some criticism can be perceived as emanating from under-qualified or under-experienced legal interns. Consequently the audience for the analysis can interpret it as any of the following: (a) self promotion by DC-Cam; (b) poor editorial control by DC-Cam, or (c) bad faith by DC-Cam. To manage the risk of alienating the Court and producing sub-standard critiques of judicial processes DC-Cam should ensure the highest standard of editorial control and should effectively manage the legal interns in the organisation to ensure that the high quality criticism is produced in a strategized and constructive manner, and one that does not strain key relationships.

## **2.2 Documentation (including Mapping)**

Documenting the history of the Khmer Rouge has been consistently at the heart of DC-Cam operations from inception as a project of Yale University to the current collaboration with the University of California at Berkley to produce a universally accessible virtual archive. DC-Cam's documentation work has included: (i) cataloguing and database management; (ii) microfilming; (iii) museum exhibitions; (iv) digital photo archiving; (v) affinity group; (vi) mapping project, and (vii) forensics study. DC-Cam was originally conceived as a project to map the Killing Fields in Cambodia and succeeded in mapping 388 sites; 19,733 graves; 198 prisons and 88 memorials. The original database design of the now outgoing Chief of the VSS, Dr. Helen Jarvis is still the core infrastructure of the DC-Cam archive. The archives are universally available free of charge online through Yale University and many of the photographic archives are exhibited in travelling exhibitions and in Toul Sleng.

DC-Cam has an unrivalled record of study and data collection around the Khmer Rouge period. The organisation has been efficient and effective in its use of partnerships to organise information and make the relevant data available. Having this level of documentation universally accessible and for free is a major achievement in promoting the study and understanding of the Khmer Rouge regime. It is also an important principal for the UN regarding the legacy of the ECCC. However in the judicial process the methodology used by DC-Cam to map Killing Fields and estimate the contents of the sites, as well as the degree to which the chain of ownership of documentation has been recorded has been questioned.

DC-Cam has faces two key risks to manage concerning the current archives: (i) the organisation should identify how best to liaise with the ECCC and the Bar Association concerning the Embassy of Japan funded LDC-ECCC, and (ii) the organisation should continue to endeavour to address outstanding confusion around ownership of the documentation in its archive.

In response to a request from the Royal Government of Cambodia the Japanese Embassy donated the capital costs of constructing a building which will house the LDC-ECCC. The Japanese Embassy describes the LDC ECCC as a store of declassified documents which will enable Cambodian and foreign nationals to have access. It summarises that the LDC-ECCC will “keep the outcome of the Tribunal for the [sic] Cambodian society as a legacy of the ECCC and will serve as a token of remembrance and non-recurrence of the Khmer Rouge regime.” The similarities with the terms in which DC-Cam describes its mission and objectives are striking, as is the stated objective of the LDC ECCC to “strengthen the rules [sic] of law in Cambodia.”<sup>6</sup>

There is apparent competition with DC-Cam for rights to maintain the legacy of the Khmer Rouge period and the legacy of the ECCC. While the ECCC will have its own documentation key informants in the Court have identified that the documentation held in DC-Cam archives is not DC-Cam’s property but instead is the property of the Cambodian state. DC-Cam’s perspective differs. DC-Cam has an analysis of domestic instruments (*Kingdom of Cambodia, Draft National Law on Archives*, 2005) and international instruments (including a comparative study of archives in selected post-conflict situations). From these analyses the organisation has identified the legal instruments which in the future could be employed by the Cambodian Authorities to assert control of the DC-Cam archives. However DC-Cam considers itself the owner of the archives and its Technical Advisors have identified that even if “the Draft National Law on Archives could possibly be interpreted to require DC-Cam to hand over its documents to the National Archive ... such an action would be politically viable. [The Advisors] did think it [is] possible that the law could be used to subject DC-Cam to public disclosure requirements and to furnish copies of DK documents to the public on FOIA-like terms”.<sup>7</sup> Nevertheless there are obvious risks to manage around disputed ownership, including those identified by DC-Cam. The objective of any strategy to manage such risk should be to ensure the archive as a universally accessible legacy, something to which DC-Cam is already fully committed.

There is a risk concerning duplication and efficacy. It has been identified during the consultations for this report that the ECCC has discussed the idea of an ECCC virtual archive with the University of California at Berkeley, however there is some confusion as to what stage the development of a virtual archive for the ECCC may be at. Primary informants suggested that the virtual archive was under construction with the involvement of Berkeley however the University via communication with DC-Cam has confirmed that it has briefed the Japanese Embassy (not the ECCC) on the Virtual Tribunal Project (with DC-Cam) but that it is not working on any possible new virtual archive for the LDC-ECCC.<sup>8</sup> ‘Ownership’ and developing an archive for the ECCC are linked, and it is in the interests of all parties to permanently resolve issues around ownership and virtual integration. Obviously in the case of virtual integration only if the Bar Association or the ECCC are considering establishing a virtual library.

### **2.3 Public Education and Outreach**

Public Education and Outreach includes: (i) Living Documents Project; (ii) the Cham Muslim Oral History Project, and (iii) the Victims of Torture Project.

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<sup>6</sup> Japanese Embassy Press Release, December 25<sup>th</sup> 2009.

<sup>7</sup> Analysis of 2005 Cambodian Law on Archives (Memo) Professor Ramji Nogales, Legal Advisor to Youk Chang, June 9<sup>th</sup>, 2010.

<sup>8</sup> Professor David Cohen, University of California, Berkeley email to Youk Chang, May 31<sup>st</sup>, 2010.

### **2.3.1 Living Documents Project (LDP)**

DC-Cam's LDP brings individuals and groups together to receive legal training and to learn about the ECCC's jurisdiction and procedures as well as the biographies of those charged by the ECCC. It also introduces groups to the actual workings of the ECCC by facilitating them to attend hearings and discuss the overall impact of being exposed to the workings of the ECCC. The LDP facilitates Cambodians to participate in the Court. The LDP is a project of one staff member who runs the project and selects, screens and manages up to 200 student volunteers each year. The project has impressive quantitative aspects reaching up to 500 individuals directly per month with additional sensitisation by those who have attended the ECCC on their return to their village via village forums. Historically the project has also included youth tours and sensitisation for particular population groups.

The LDP has a proven core methodology of selecting participants for visits to the ECCC from a pool of screened individuals. The pool has been selected to maximise the opportunity for follow-on sensitisation of their communities and in line with criteria such as gender and geography. The project facilitates some village meetings by those who return post-ECCC visit and by its own admission would like to achieve a greater number of forums and better tracking of the results of its work. The project uses media including film to support the follow-on sensitisation of villagers.

The LDP project received universally positive reviews from beneficiary communities and from the Court. Beneficiary communities identified the experience of the project as highly valuable particularly when compared with the experience of other community members who were sensitised under the guidance of the ECCC rather than DC-Cam. The DC-Cam methodology of preparation, sensitisation and follow-up was considered more conducive to acquiring a complete understanding of the Court. It also helped participants sensitise other community members.

Respondents from the Kampong Chang community did note that more could be done in terms of helping them to strategize about transferring information to their communities after returning from their visit to the ECCC. In the Cham Muslim community surveyed for this study those who participated in visits to the tribunal consistently reported value and hope that they will be afforded additional opportunities to attend future sessions. They were particularly positive about the design of ECCC visits (prior briefing, overview, setting of basic foundation of understanding). The Court identified the work of the LDP as being central to the promotion of Justice and Rule of Law and being an appropriate process of sensitisation with professional preparation and follow-up where available.

A key risk to the project is the demand placed on a small project with one staff member. Despite the limited resources the work of the LDP is considered exemplary by key stakeholders and an increase in capacity would enable the project to maximise its impact through more efficient follow-up including community meetings, and through a better documentation of lessons learnt from sensitisation and outreach practice.

### **2.3.2 Cham Muslim Oral History Project (CMOHP)**

The CMOHP was originally part of the LDP until the end of 2006 when it was hived off as an independent project. The project has had the objective of collecting testimony, documents and books on the history of Cham Muslim Women. The project combines documentary methodologies and sensitisation and has six key elements: (i) building bridges between the Cham Muslim community and the rest of the Cambodia; (ii) promoting genocide education and reconciliation through oral history of Cham Muslim youth in Cambodia; (iii) oral history essay contests; (iv) documenting religious festivals and celebration; (v) preserving the memory of Cham Muslims, and (vi) encouraging Cham Muslims, especially Cham Muslim women to vocalise their experiences under the Khmer Rouge regime. Key stakeholders

have identified that the CMOHP has provided an opportunity for Muslims to see themselves as part of the broader Cambodian society with legitimate claims to understanding, documenting, and accessing justice for the atrocities of the Khmer Rouge.

Interviews with Cham Muslim women who have been part of DC-Cam's work to document their perspectives have not clearly established the extent to which they have benefitted from DC-Cam's interventions. As with other DC-Cam projects, issues around lack of gender mainstreaming can be applied to the Cham Muslim Oral History Project. Staff report that apart from interviews of Cham Muslim women, public meetings often amount to a meeting in a mosque (which not all women are permitted to attend) with men sitting on one side and women on the other, with almost no input from women present. This was also observed during the evaluation team field visit to meet with Cham Muslim beneficiaries. It can be recognized that traditional authorities (such as the Hakem, Imam Khet and the Grand Mufti) can be blocks to the participation of women in some activities but good gender mainstreaming helps remove barriers to participation and in some cases can contain the influence of traditional leaders.

DC-Cam staff report that young Cham Muslims, both male and female, are enthusiastic about understanding the history of Democratic Kampuchea and understanding the current judicial process. It should also be noted that DC Cam seems to have made commitments to various Cham Muslim communities to help restore landmarks and renovate properties though the DC-Cam strategy to which these efforts are linked is unclear.

### **2.3.5 Victims of Torture Project (VOT)**

Officially DC-Cam's VOT project ran from 2003 to 2009 but the main concentration of activity occurred between 2004 to 2006. The first pilot January to December 2003 was undertaken with support from the Dutch government and the second under USAID funding between January 2004 and December 2006. The third incarnation ran from June 2008 to July 2009 with support from USAID and Sida. The pilots were conducted in Kandal, Takeo and Chhok.

The sum of training received by DC-Cam staff for Pilot 1 and Pilot 2 was: (i) an 11 day training session delivered by TPO staff focusing on basic techniques to identify trauma victims and introducing staff to simple coping techniques for trauma victims, and (ii) two one day mental health conferences (Pilot 2). TPO counsellors supervised some DC-Cam staff sometimes during Pilot 1. The pilot projects surveyed 302 individuals and identified 95 individuals with PTSD or trauma related mental health problems. Occasionally TPO counsellors conducted follow up with the individuals identified in the first pilot. DC-Cam recorded interviews and collected documents and photos during their interviews. The USAID/Sida funded third phase captured 150 interviews and indentified 90 individuals who were sent to government clinics in Phnom Penh, Takeo and Kampot. Sida specifically funded transport and clinical fees in the third project. This project included a sensitisation element where TPO materials were used by DC-Cam staff to sensitise local communities. 200 village authorities were trained by DC-Cam staff in psychosocial issues and coping and referral mechanisms

Currently DC-Cam project budget lines for the VOT project identify the only future planned expenditure being USD 10,800 on the publication of a monograph *Cambodia's Invisible Scars: Trauma Psychology in the Wake of the Khmer Rouge Period* but DC-Cam also intends to produce a text identifying the fate of many of those who disappeared during the Khmer Rouge regime. It is planned to be used as a tool by communities to identify the lost members of family and community.

The VOT project is illustrative of at two opportunities to learn from the experience of implementing the project: (i) the apparent break-down of partnership between DC-Cam and TPO, and (ii) how DC-Cam

could benefit from integrating risk management procedures around psychosocial issues into the organisation's work.

Regarding the relationship between DC-Cam and TPO, neither organisation was able to offer comprehensive reasons why the relationship broke down but DC-Cam internal evaluations identify that TPO's lack of capacity meant that DC-Cam decided to send victims of trauma to government clinics rather than TPO. TPO recalls that it experienced marginalisation from the second pilot despite being the expert organisation in the first pilot which was funded by TPO's funder.

The VOT project has been hampered by poor training (or complete absence of training as was the case in Pilot 2), and poor supervision. Staff have repeatedly identified the desire to be better skilled in psychosocial tools and in risk management, and despite DC-Cam's approach to capacity building communities the VOT project represents missed opportunities to create an effective and efficient project. This missed opportunity is partially a result of capacity challenges in TPO and DC-Cam and for once, the negative effects of staff churn in DC-Cam.

The final internal evaluation of the project makes two recommendations: (i) publishing a "state of the art knowledge about the Cambodian mental health [sic], it would be useful having a conference and related book publication on this topic", and (ii) "the creation of a mental health clinic at DC-Cam's permanent centre."<sup>9</sup> These appear to overlook good practice in resource management while playing to DC-Cam's strengths of publishing academic texts. It would not be unreasonable to expect that with the depth and spread of psychosocial issues in Cambodia that a long-term approach working with existing expertise to create and contribute efficient referral mechanisms would be a better conclusion for the VOT project and a better use of DC-Cam's resources. Academicising the project into a publication is one outcome, but this should not be misunderstood as being evidence of capacity to deliver mental health supports in onsite clinics at some point in the future. The most efficient and effective way to combine service delivery with academic publication is to partner with an organisation that is an expert in delivering mental health services.

## 2.4. Genocide Education

Genocide Education is a lead project area that as will be discussed is relevant, efficient, and effective and has the potential to produce important long term systemic change and subsidiary effects. The source for the analysis in this section includes a site visit to Takeo by the NCG team where the team was accompanied by an external expert in psychosocial issues. The field visit occurred on May 8<sup>th</sup> 2010 and corresponded with the first day of DC-Cam's Education Teacher Training Field Visit to the Takeo Provincial Office of Education.

The Genocide Education project has its genesis in the publication of *A History of Democratic Kampuchea* and the subsequent publication the teaching manual for the same course. The key achievements of the project have been:

- i. The publication of *A History of Democratic Kampuchea*, the first history of the Khmer Rouge regime written by a Cambodian;
- ii. The mainstreaming of the text into the official education curriculum for grades 9 through 12;

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<sup>9</sup> Alex Hinton. "DC-Cam's Victim of Torture Project: An Evaluation", December 21, 2009

- iii. The accessibility and free access to those who to date have received one of the first 260,000 copies printed, those who have access to the internet (the text and the teacher manual are free to download), or who will be one of the planned recipients of the next print run of 700,000 free copies of the text book;
- iv. The development and implementation of a teacher training system which is done expertly, efficiently and sustainably through a training of trainers model, and a reforming methodology focusing on moving education from dogmatic instruction to active learning;
- v. The training to date of 24 national trainer, 187 provincial trainers and 3,000 history and morality trainers which will be augmented by training of additional commune teachers during 2010);
- vi. Creating a strong partnership with the MOEYS, and
- vii. Designing a quality control mechanism for implementation during 2010.

The impact of the Genocide Education project is discussed in detail below (Chapter 5, Section 4) and is likely to be substantial and include: (i) direct beneficiary impacts on learning; (ii) systemic impact on teaching methodologies and the education system in Cambodia, and (iii) subsidiary effects on (a) memorialisation; (b) national identity, and (c) international post-conflict scenarios where according to anecdotal evidence, DC-Cam materials are being taught, for example in Rwanda.

There are key risks which DC-Cam must plan for: (i) the financial sustainability of the project and (ii) potential roll-back by the Royal Government of Cambodia on this progressive education. In the first instance, as discussed below, the cost of the Genocide Education programme is significant and so long as MOEYS has poor resources no other agency can assume the financial burden of printing and distributing copies of the relevant course texts. Similarly the quality control systems being proposed by DC-Cam ought to be mainstreamed but again MOEYS does not have the capacity to assume full responsibility. If possible DC-Cam should strategise with donors about how best to ensure the sustainability of the Genocide Education project and how best to mainstream it.

In development contexts programmes such as Genocide Education which is a human rights education programme are sometimes restricted by Government, particularly if a security situation deteriorates. A change in government or political instability can result in government tightening controls on the human rights debate and one way to do so is to merge a human rights school subject with others thus watering down the content or the methodology. DC-Cam must remain a strong advocate for education and in particular Genocide Education to mitigate this risk.

A third risk concerns how DC-Cam manages unintended negative impacts of its activities. Teacher training for the Genocide Education project is an impressive and sustainable process, professionally managed by DC-Cam. One key risk that is not addressed is the negative effects of the training on teachers who have directly suffered trauma or who may be affected by intergenerational trauma. DC-Cam staff are aware of instances of trauma and are eager to acquire the capacity to best support trauma victims but the Genocide Education programme does not have effective psychosocial risk management. There are no mental health professionals in attendance at any time during a seven to ten day training process. The NCG field team observed the effect of the Genocide Education training on some teachers and consulted informally with some participants around their experience. Our conclusion is that a mental health professional should be present some time during trainings to be a support for trainers, teachers and DC-Cam staff.

## 2.5 Print and non-Print Publications and Sensitisation Materials

DC-Cam has an extensive presence in print and non-print publications and sensitisation materials some key examples of which include:

- i. Print: (a) Searching for Truth magazine and other magazines since 2002; (b) special magazine publications for Case 001 and 002; (c) monograph publications past and planned including the translation of Anne Frank's diary and the planned publication of *Cambodia's Invisible Scars: Trauma Psychology in the Wake of the Khmer Rouge*; (d) hosting international researchers and writers, and (e) producing research and publication in collaboration with international partners from universities and other organisations.
- ii. Radio: (a) since 2002 but now with less frequency broadcasting articles from *Search for Truth* or other publications, and (b) guesting on various radio commentary programmes.
- iii. Film and Television: (a) 2007 with Cambodian National Television (CTN) five monthly programmes offering insight into the personal experiences of survivors of the Khmer Rouge regime; (b) during 2009 DC-Cam collaborated with Apsara TV to facilitate broadcasting footage from the Duch trial which has also been made available online; (c) various film projects since 2003 including documentaries *Message from the Dead*; *The Khmer Rouge Rice Fields: The Story of Rape Survivor Taing Kim*. (2004), and (d) numerous recorded DC-Cam activities and interviews.
- iv. New Media: (a) DC-Cam website where most print publications and other sensitisation materials including radio broadcasts are available free of charge; (b) Cambodia Tribunal Monitor website including webcasts of the ECCC; (c) Yale university partnerships making the DC-Cam archives universally accessible; free of charge (d) regular information e-bulletins, and (e) numerous other media presences including on blogs and information sites.
- v. PIR: (a) the PIR in Phnom Penh which receives between 1400 and 3000 visitors per year., and (b) at Rutgers University in the USA both of which provide access to (a) photographs; (b) documents; (c) research assistance; (d) family tracing; (e) hosting public forums; (f) film screenings; (g) hosting trainings, and (h) translation.
- vi. Exhibitions (a) domestics in Phnom Penh such as that at Toul Sleng and in the regions as travelling exhibitions; (b) various international exhibitions including in the USA and Europe.

DC-Cam's publication and sensitisation work is expansive, incorporates most forms of media and is driven by a practice of creating as wide a reach for DC-Cam's as is possible. Leaving aside specific communication and sensitisation activities for particular projects in particular regions, for an organisation the size of DC-Cam in a post-conflict context, the communications work defies accurate measurement in a normal evaluation timeframe. What is apparent is that the activity is not driven by a communications strategy but more by a drive to reach as wide as possible an audience and to work to the academic strengths of the organisations. To that extent it is likely that the communications work of DC-Cam is somewhat opportunity led and the volume of work brings clear editorial and quality risks. However it is beyond question that DC-Cam expertly utilises all media including new media and is effective in communicating its messages and sensitising audiences within Cambodia and internationally.

### **3. Evaluation: Institutional Analysis**

Following is an institutional analysis of DC-Cam. This section of the overall report is largely based on: (i) structured and semi-structured interviews with staff, management, the Director and a board member of DC-Cam; (ii) a SWOT analysis of DC-Cam conducted with 14 staff; (iii) an analysis of relevant documentation, policies and procedures including three years of financial audits (2007 – 2009 inclusive) and financial projections 2010 – 2013.

#### **3.1 Compliance, Staffing, Volunteers and Internships**

##### **3.1.1 Compliance**

DC-Cam is compliant with Cambodian and US requirements for NGOs. In Cambodia it is registered with the Ministry of the Interior and the Council for Development of Cambodia. In the USA it is a 501 (c) (3) registered NGO. Audits seen by the evaluation team cover the years ending 31<sup>st</sup> December 2007, 2008 and 2009. They were completed by Price Waterhouse Coopers (Cambodia) Ltd. and include a final audit of USAID funds granted to DC-Cam for the years ended December 31<sup>st</sup> 2007 and 2008. The audits identify that DC-Cam is financially compliant with no evidence of misappropriation or mismanagement of finances. There are high levels of general transparency and accountability.

##### **3.1.2 Volunteering and Internships**

Like most organisational policies in DC-Cam there is no written staffing policy, rather there is organisational practice in hiring and managing staff. Staff in DC-Cam typically began as volunteers in the organisation where they work unpaid for up to six months. Following the successful completion of a volunteer programme some volunteers are hired as staff and as staff they gradually move between many of the projects at DC-Cam. They learn the projects by working on them and receive on the job guidance by the team leaders. The volunteer complement at DC-Cam is large and multileveled; for example, in any one year one project such as the LDP will screen, train and manage up to 200 student volunteers. Simultaneously, DC-Cam may host a large number of “legal interns” (the title applied to overseas students visiting DC-Cam). The organisation intends to host 68 legal interns during the summer of 2010 some of whom will provide legal analysis and general research in DC-Cam.

Having a large complement of volunteers brings benefits (intended and unintended) and brings risks. In terms of benefits the following are observable:

- i. DC-Cam purposely engages volunteers to refresh the staff during staff churn. DC-Cam staff identify that they value their time as volunteers and recognise that it allows both the individual and the organisation an extended period to familiarise themselves with each other. For DC-Cam it provides the organisation with an enviable asset: a pool of young and enthusiastic people from which the organisation can draw its staff thus maintaining a healthy staff churn.
- ii. The domestic student volunteer body is part of an intentional if nascent architecture of social change. Young people are recruited when students and those that graduate to become staff are effectively schooled in the ethos and values of DC-Cam through working at the organisation. Staff that move on to further study or to work in other sectors in Cambodia (or internationally) bring the values and ethos of DC-Cam to their next area of work. DC-Cam’s strong international network is evidence of how staff that have volunteered and then often then worked with DC-Cam remain networked to the organisation and disseminate values and practices elsewhere.

- iii. Employing volunteers and interns benefits DC-Cam by temporally increasing its staff complement and so extending the geographical reach of the organisation.

Risks associated with using volunteers and some of the measures taken by DC-Cam to manage the risks are as follows:

- i. There is a risk that a high number of volunteers will place a drain on the management resources in the organisation: managing 200 volunteers is a difficult job for team leader. However, DC-Cam has developed a quality assurance system for monitoring and managing the volunteers which includes a system of daily reporting by Student Volunteers and an Intern guideline for the legal interns in the VOT project.
- ii. There are risks in utilising a volunteer system to survey a large number of potential trauma victims: lightly trained volunteers can leave a harmful psychosocial footprint in communities. As is discussed below, DC-Cam could better manage the risk of unintended negative psychosocial impacts of its work. Using student volunteers with rudimentary training and no referral networks to survey communities concerning traumatic events heightens the risk of negative psychological impacts of the projects at DC-Cam.
- iii. There is a risk associated with using a large number of volunteers, particularly legal interns who write analysis and opinion for DC-Cam on such matters as the Court and the judicial processes. DC-Cam is a highly respected organisation and the analysis it produces has weight and consequently it is important that any opinion or analysis or public communication goes through rigorous editorial and quality control processes. As has been identified DC-Cam has produced analysis that can be poorly strategized and apparently unedited by the organisation. It is important that the organisation ensures the best editorial and quality control processes to manage the output from legal interns

### **3.1.3 Staff**

DC-Cam has a moderate staff churn with some staff leaving temporarily before returning from overseas training or education. For staff, working at DC-Cam can be a challenging but rewarding occupation. The staff complement at the organisation is highly qualified with many staff holding or sitting for post-graduate qualifications, predominately in fields relating to human rights and international law. DC-Cam's policy of offering the incentive of overseas study to its staff is an important incentive strategy. Obviously DC-Cam is in itself an employment opportunity in a depressed and overstocked employment market where annually over 500,000 young people join the work force, but the staff at DC-Cam, many of whom were not drawn to development work or the work of the Court, have a strong loyalty to the organisation and to the Director. They also have a strong bond that propagates the values and ethos of the organisation as staff cross-pollinate other sectors in Cambodia and internationally. Even within a restricted job market like that in Cambodia the value staff attach to DC-Cam tends to exceed simple job security and generally DC-Cam is not viewed as the only prospect for employment but rather as an important step on the career ladder.

Staff training takes place mainly as on the job training very much in an apprenticeship model where staff serve their time working on a variety of projects in the organisation. Vocational training is limited in the organisation, mainly consisting of short courses which number weeks rather than months.

## **3.2 Governance and Technical Advice**

DC-Cam has an identified voluntary Executive Board of four: Prof Vanda Heng (Chairman on Finance), Ms. Irene Sokha (Vice President), Prof Manara Sambo (Research and History), and Judge Panhavuth Soung. The board does not function as a traditional executive and board members have thematic responsibility rather than traditional executive functions.

DC-Cam has an identified Technical and Academic Advisory (TAA) panel (also known as Academic and Legal Advisors) of thirteen individuals largely located outside of Cambodia. These experts provide input on thematic issues as well as provide contributions for DC-Cam publications and internal evaluations. On occasions they travel to Cambodia and provide monitoring and technical assistance with field visits to assist DC-Cam projects.

In DC-Cam the board appears to function perfectly well within its remit of supporting thematic expertise which is then augmented by the TAA. There are no standardised board manuals or board role descriptions in DC-Cam. There is no evidence to suggest that the board does not fulfil its expected role. Similarly there is no evidence to suggest that the TAA fails to fulfil its role which is to provide technical assistance on demand and to be part of the extended DC-Cam international network.

For an organisation and for a donor a traditional function of the board is to provide oversight and to be legally responsible for the organisation. Strong boards are often a guarantee of the good governance and transparency and while DC-Cam has not encountered any issues in these areas, a strong board can be considered a pre-emptive measure to manage such risk and to give donors additional confidence in the organizations. A strong board can also be an important collective guide and expertise to assist the Director, particularly as new challenges arise.

DC-Cam has an opportunity to develop its board thus strengthening the organisation and assisting it as it prepares for transformation. In particular, DC-Cam has some self-identified challenges in key areas in which a board can assist, specifically: financial planning, fundraising and strategy. As Dc-Cam enters what will be its wind-down phase (of most likely three years ) the organisation has the opportunity to strengthen its board so that subject to appropriate protocols and procedures it can transition to the Sleuk Rith institute. DC-Cam has fundraising challenges in the immediate term and in the longer term as the Sleuk Rith Institute there are significant fundraising challenges despite the USAID endowment of USD 2 million. Developing the board to include a fundraiser, fundraising sub-committees with specialist expertise in different areas and perhaps adding a non-executive Patron role are some basic ways to use organisational governance to meet the financial challenges of the organisation.

## **3.3 Policy, Planning and Strategy**

### **3.3.1 Organisational Policies**

DC-Cam has no one internal policy manual but the organisation does have separate policy statements, for example, programme areas have procedural documents such as the Security Codes of Conduct. The organisation would benefit by organising memos and procedural documents outlining internal regulations into one central manual. However in areas which one may expect DC-Cam to be weak it is often strong; for example, despite not having a diversity policy gender, ethnicity and region are in no way barriers to recruitment or to progression. Similarly, DC-Cam is an organisation that is largely performance-based but there are no formal review procedures for staff or staff assessment.

### **3.3.2 (i) Monitoring, Evaluation, Reporting and Institutional Learning**

Generally DC-Cam monitoring and evaluation is largely quantitative. Individual projects under the stewardship of team leaders keep good quantitative data such as numbers of villages sensitised, numbers of documents archived and numbers of people assisted by DC-Cam to become civil parties in the ECCC. Particular projects have extensive documentation including quantitative measurement, project documentation and frameworks as well as commentary written by staff and interns regarding issues pertaining to the project. Project monitoring is generally done as part of this documentation and in project implementation project leaders monitor the work of staff and volunteers with the help of standardised reporting procedures. Where relevant, reporting is fed up to the Deputy Directors and on to the Director. Organisational yearly reporting has a quantitative style with some facts presented in narrative form. Internal evaluations usually written by interns are more final project reporting than evaluations.

DC-Cam cannot be described as deficient in its monitoring, evaluation or reporting but it can be observed that because of how and what it evaluates and reports the organisation is missing opportunities to: (i) properly gauge its beneficiary and systemic impact; (ii) capture its learning and good practice that can be replicated elsewhere, and (iii) communicate its impressive successes. These missed opportunities are also missed opportunities for the donors investing in DC-Cam because the study required to run a beneficiary impact assessment or to capture learning and best practice is also something that donors frequently commission in cooperation with a grantee. That said, DC-Cam's reporting can be fine-tuned to reduce the workload of the reporting staff and increase the efficacy of the communication.

Systems and management procedures in DC-Cam to ensure institutional learning and accountability are tied into reporting procedures and recording project activities. As such institutional learning is well catered for and the way staff are exposed to working in a variety of projects within DC-Cam ensures that institutional memory is transmitted as staff 'learn by doing'. Also while there were no external evaluations of projects there have been internal evaluations which do contribute to the overall management of institutional knowledge.

### **3.2.2 (ii) Strategy**

Other than operational planning (activities and timeframes) there is no documented strategy in DC-Cam. This includes communications strategy, organisational strategy and transitional strategy. DC-Cam strategy originates with the Director and much of the strategy (particularly that guiding projects and activities) appears opportunity based, that is, rather than adhering to a social change model (which even in its most basic form is that activities are driven by a well formulated vision and mission) new activities are added where the organisation perceives a need or an opportunity. Because there is no documented overarching strategy other than 'blue skies' aspirational thinking to improve Cambodian society, no environmental analysis exists which would identify other actors in the field. Similarly there is no strategy to which DC-Cam can refer to in order to make the decision as to whether or not a new or existing activity contributes towards achieving DC-Cam's Vision, is the most appropriate use of DC-Cam's resources, or is something that DC-Cam is best suited to do.

There are no documented risk mitigation macro-strategies in DC-Cam, but on a project level there are conflict sensitive approaches. These conflict sensitive approaches include supporting all survivors including perpetrators access Justice. Other conflict sensitive strategies include how outreach is modelled to be culturally sensitive and respectful of traditional authority. Staff dress informally for outreach work and are deferential and respectful to elder community members. The absence of risk mitigation macro-strategies such as those provided for by a basic social change model means that in sensitive areas DC-Cam's methodologies can fail.

DC-Cam would benefit from strategising around fundraising. In its strengths, DC-Cam has a good record in diversified funding and has important conceptual plans for financial self-sustainability. It has an impressive network of TAAs and friends, particularly in the USA and equally has highly regarded individuals on its board. With regards to funding DC-Cam is faced with three challenging phases: (i) supporting the ECCC until its completion, now likely sometime in 2013; (ii) concurrently developing the new site for the Sleuk Rith Institute and preparing for organisational change, and (iii) securing the financial sustainability of the Sleuk Rith Institute post-transition. DC-Cam lacks a fundraising presence to optimise the talents and connections of the organisation and it lacks a comprehensive strategy to ensure that these three challenges are appropriately managed through current donor networks and those that can be cultivated in the appropriate sectors.

### **3.4 Transition to the Sleuk Rith Institute**

DC-Cam's ambition is to transform to the Sleuk Rith Institute, a permanent independent centre, purpose built and comprising a museum, a research centre with library, an educational institute and a media hub. It is intended that the Sleuk Rith Institute will be built on a parcel of land gifted to DC-Cam by the Cambodian government. The primary source of funding for the Institute is a USAID endowment with a principle sum of USD 2 million currently managed by Merrill Lynch Investment Managers. The endowment which has specific investment limitation in line with USAID policies where USD 700,000 can be disbursed for capital projects in the Sleuk Rith Institute. At time of writing access to the endowment is blocked because USAID, DC-Cam and the Royal Cambodian Government have not devised a procedure for the gifting of the land that is mutually acceptable and which satisfies USAID regulations. With the successful resolution of this issue it is likely that the endowment will pass from USAID to be managed by the US Embassy in Phnom Penh.

Following the knock-on effect of the late commencement of the ECCC the original date for disbursement of the USD 700,000 for construction of the Institute has been delayed from September 2008 to late 2010 (providing there is a resolution of devising a procedure to regulate the gifting of the land).

General documented planning for the Sleuk Rith Institute is limited, principally to a beautifully presented brochure outlining the areas of work and the proposed vision of the Institute. Financial planning for the institute is based around the effective management of the USAID endowment and while the investment managers have a CSR policy to contribute to fundraising if the endowment reaches USD 5 million in value, the main input on financial planning is a brief analysis from the Stanford Alumni Consulting Team (Stanford ACT) concerning managing the endowment. Recommendations in the report include developing a five year strategic statement of receipts and disbursements categorized by donor interest and developing a detailed projection of construction and incremental operating costs of the new centre for the next two years. Stanford ACT present a high level breakdown of income and expenditure including projections to 2012.

The opinion of the evaluation team is that the potential for the Sleuk Rith Institute is enormous. The blue skies thinking behind the Sleuk Rith Institute is impressive as is the aspiration for the Institute to become financially self-sustaining including by utilising its educational wing as a source of revenue generation. The Institute is envisaged to become a sustainable centre of excellence for Cambodia, for Asia and for the World, leading in the field of genocide studies with specialities in the Khmer Rouge regime. It is envisaged to be the cultural, physical and intellectual embodiment of the legacy of DC-Cam and the work of DC-Cam from 1995 to 2013. The Institute will build on the systemic impacts of DC-Cam, particularly impacts on education, on history, on national identity, and on accountability. However impressive this vision may be there is no documented planning of strategy: (i) for the transition of DC-Cam to the Sleuk

Rith Institute; (ii) for the financing of the construction and the operation of the Institute, and (iii) for raising funds in addition to those accessible through the USAID endowment. These processes are complex and require planning in order to be executed efficiently.

### 3.4.1 Key Challenges and Opportunities Pertaining to the Establishment of the Sleuk Rith Institute

The following matrix is a basic representation of the most pressing challenges and opportunities pertaining to the establishment of the Sleuk Rith Institute. DC-Cam could use a simple mapping exercise like this to identify challenges and opportunities in other areas of operation including planning the transition phase during which DC-Cam will continue its support to the ECCC and concurrently managing the change process. The matrix can be simple or complicated depending on the requirements of the organisation. This matrix is presented for illustrative and suggestive purposes drawing on typical scenarios for challenges and opportunities. Additional fields can be added as required. It is iterative not prescriptive. Generally lead areas are apportioned to the Director or the Deputy Directors but as is discussed in point 3.6, some of these areas could be delegated to an Operational Manager/Chief Operations Officer.

**Table 1. Challenges and Opportunities pertaining to Transition and the Sleuk Rith Institute**

Challenge	Opportunity		
	Influencer	DC-Cam Lead	Partner
Develop and document strategy for Sleuk Rith Institute	Environment	Director with Deputies and Board	Donor, Consultant
Develop an operational plan for the Sleuk Rith Institute	Environment	Deputy Director(s) with Team Leaders, Staff	Staff
Financial Plan for the Sleuk Rith Institutes	Environment and Skills	Director, Board	Consultant
Board development	Needs of DC-Cam in transition and as the Institute	Director, Board	Donor, Networks
Fundraising Strategy	Board model, Networks, Environment	Director	Board, Consultant
Ownership and Legacy Issues	Royal Cambodian Government, Bar Association and ECCC	Director with Deputy Director	Legal Counsel

Read left to right the table presents the challenge and opportunities pertaining to transition. The ‘Influencer’ can be either a challenge or an opportunity and hence the location of the Influencer cells in the table in the middle, half in the ‘Challenge’ category and half in the ‘Opportunity’ category. The ‘Lead’ is the lead person in DC-Cam and the ‘Partner’ is completed by potential partners in the process to lever the opportunity, remove barriers, and meet challenges.

### 3.5 Social Entrepreneurship

Social Entrepreneurship, (essentially when an individual applies the traditional values of entrepreneurship to a social enterprise) is a lens through which DC-Cam can be viewed. While the Director was not one of the original establishing staff of three, he is the driver of all strategy and activity at DC-Cam and has grown the organisation from a project to an impressive NGO creating substantial social change. Social Entrepreneurship is very much about the individual behind the idea and is associated with: (i) the creativity to create social change (for example, the Genocide Education project as a creative way to use current systems to create systemic change or the Sleuk Rith Institute in its entirety as a means of

institutionalising the social change created by DC-Cam); (ii) entrepreneurial quality (which can include the passion, drive and vision that is typical of the DC-Cam Director); (iii) social impact of the idea (which for DC-Cam is the wide and deep beneficiary and systemic change that results from its work), and (iv) the ethical fibre of the individual. 'Ethical' relates not just to issues of transparency and accountability but also to "making a decision" and "taking responsibility". It is evident that the Director is committed fully and has taken responsibility to excavate the past of the Khmer Rouge regime in the interests of promoting Justice, Accountability, and the Rule of Law and in moving Cambodia forward away from the restraints of victimhood to empowerment.

DC-Cam is an organisation that has the strengths brought with social entrepreneurship such as those outlined above but also the challenges. Because of the prominence of the Director and because all strategy and direction originates with him DC-Cam tends to be perceived as 'being the Director'. The organisation runs risks as a result of being too heavily dependent upon his leadership which is such that even when he is absent from the organisation there is a deferral to him by staff in all major areas of strategy. Consequently despite impressive staff the organisation still lacks staff that are able to take command of organisational strategy. Despite how the Sleuk Rith Institute is being conceptualised by the Director including who might manage each of the four separated areas of the Institute, there is still significant planning and management work to be done to facilitate DC-Cam's change from an organisation that implements the entrepreneurial vision of the Director to one that is independent in every sense of the word; that is, independent from State, from undue external influence but also independent from the Director. While there is a succession strategy whereby the Director will resign at the transition the current model for transition makes both the retirement of the Director and the staffing plan unrealistic precisely because there is no clear strategy about how to transition the organisation not just from DC-Cam to the Sleuk Rith Institute but from a social entrepreneurship model to a national, regional and international centre for the commemoration, study and education of genocide and the Khmer Rouge regime.

### **3.6 Institutional Development Opportunities and Needs**

Any examination of the institutional development opportunities and needs for DC-Cam must be contextualised by two key things: (i) any initiative by DC-Cam or any intervention by a donor to support the organisational development of DC-Cam must add value to organisation (a) as it supports the ECCC up until the end of the lifetime of the Courts; (b) as during this timeframe it also manages a change from DC-Cam to the Sleuk Rith Institute, and (c) as the new, permanent Sleuk Rith Institute. Simply put, any assistance to help DC-Cam develop organisationally must (i) have buy-in from DC-Cam, (ii) be cognisant of the achievements to date and of the potential to support the organisation to transition successfully, and (iii) must be carefully measured so as not to have unintended negative effects on what has been a successful organisation and a successful donor strategy in Cambodia. DC-Cam's natural life as an NGO is entering a phase of opportunity and it is receptive to support to assist it as it finishes its important assistance to the Court, and as it works to transition to the Sleuk Rith Institute.

#### **3.6.1 Staffing (include COO/Operational Manager)**

##### **3.6.1 (i) Job Clarity**

Staff in DC-Cam do not have a clear picture of what will happen to their posts as DC-Cam transitions however they do recognise that the transition is a threat to their jobs. DC-Cam should appropriately map out what will happen to the current jobs held by staff, what the opportunities are for work with the Sleuk Rith Institute, and advise staff so as to empower them to seek alternatives. While staff are knowledgeable of the international connections of DC-Cam they do not have a good grasp of other opportunities for

them in Cambodia, particularly in civil society. Where possible DC-Cam should encourage better networking and exposure in Cambodian civil society.

### **3.6.1 (ii) Internal Communications and Staff Appraisals**

Some staff lament that the former weekly staff meetings in DC-Cam do not happen regularly and feel that internal communication suffers as a result. DC-Cam should investigate having more regular meetings subject to scheduling and logistical issues. Also DC-Cam should investigate how to better support staff to learn through regular and constructive staff appraisals. Deputy Directors and the position below (3.6.1 iii) could share responsibility for this role.

### **3.6.1 (iii) Operations Manager (OM) or Chief Operations Officer (COO)**

DC-Cam's reliance on the Director means that despite having two Deputy Directors there is a gap in the organisational structure where operational issues and the higher level strategic thinking of the Director needs bridging. Also, given the work schedule of the Director it is likely that the post of Director would benefit from assistance in operational issues and in concretising higher level strategic issues. Subject to funding and other logistics DC-Cam should consider developing an OM or COO position to include more responsibility and to be close to the Director. The organisation has an Operational Manager position which is held by a Deputy Director but within DC-Cam the roles and responsibilities of a COO or Operational Manager need developing to become more like those of a usual COO/OM. Developing such a position is an opportunity to bolster the organisational structure and redistribute some responsibility from the Director to another level. Also it is an opportunity to add skills and capacity to assist in planning and managing the change process to the Sleuk Rith Institute.

### **3.6.1 (iv) Conditions and Benefits**

DC-Cam staff work long hours with little benefit by way of remuneration and time in lieu. DC-Cam should review its policies regarding hours worked, leave, time in lieu and public holidays as well as the continuing practice of night shifts. The objective of any review should be to ensure quality of work while reducing the quantity required of staff so as to make the work-life balance more tolerable for staff.

## **3.6.2 Volunteering and Internship**

DC-Cam should work to ensure that the volunteer and legal intern quota does not place an undue strain on resources in DC-Cam. Additional risk management procedures including appropriate supervision should be put in place in key thematic areas to ensure that the risk of unintended negative effects is mitigated and that volunteers and legal interns are appropriately supported.

## **3.6.3 Governance**

DC-Cam should strategise about board development, particularly: (i) to identify board structures appropriate to the needs of DC-Cam such as Patron models; (ii) to develop the board to better steer the organisation as it transitions; (iii) to be a best board for the Sleuk Rith Institute; (iv) to develop fundraising expertise including sub-committees specialising in areas such as (a) private donors and foundations; (b) endowments, and (c) core funding. Board development is a long process but DC-Cam has the ideal timeframe of three years during transition and an extensive international network of prominent individuals whose networks, skills and connections should be solicited to benefit the organisation.

## **3.6.5 Organisational Policies and Procedures**

Some organisational policies and procedures do exist in DC-Cam such as strong internal financial management and volunteer management procedures. Rather than bogging down the organisation in

drawing up and collating organisational policies and procedures DC-Cam should plan for what policies may be useful as it transitions and for the requirements of the Sleuk Rith Institute. Having done so the organisation should develop a manual over time but with focus on the organisation it will become post-transition.

### **3.6.6 Monitoring, Evaluation and Reporting**

DC-Cam should review its monitoring procedures with a view to identifying methodologies that will be useful after its transition. Where possible collaboration should take place with implementing partners (for example the MOEYS) to best identify the evaluation requirements and evaluation frameworks. For the period of transition DC-Cam should identify the most efficient and effective way to skill the organisation in simple results based monitoring and reporting with an emphasis on reducing the reporting workload of staff and targeting evaluations. Knowledge capture and best practice models should be documented but this is probably outside the remit of DC-Cam and should if possible be initiated by a donor.

### **3.6.7 Institutional Memory**

DC-Cam has good informal procedures for the maintenance of institutional memory. Where possible it should endeavour to see that they transfer to the Sleuk Rith Institute.

## 4. Evaluation: Themes

As per the original ToR the evaluation examined key themes: (i) Gender Mainstreaming, (ii) Donor Coordination and Harmonisation, and (iii) Strategic Relationships. The evaluation team identified particular strategic relationships for examination and so has sub-divided this theme to examine: (a) ECCC; (b) Government (as distinct from the Judiciary in the ECCC); (c) Civil Society; (d) Donors; (e) Technical Partners, and (f) Beneficiary Communities. During the evaluation the evaluation team also identified that it was pertinent to add a fourth theme for analysis: Psychosocial.

### 4.1 Gender Mainstreaming

#### Gender Mainstreaming

This analysis of Gender Mainstreaming draws specifically on staff interviews, analysis of reporting and on field visits to a Cham Muslim and Khmer communities. As previously discussed DC-Cam has a strong practice of diversity in its staffing and has some projects specifically directed at women in marginal communities (for example the Cham Muslim Oral History Project). At the institutional level, female staff value equal opportunities to their male counterparts and they have well-founded faith that they are committed and effective in their work they will be afforded opportunities to study abroad just as readily as their male counterparts. This staff diversity and equal opportunity is an admirable practice. Despite these positive elements staff diversity and equality are not equal to gender mainstreaming, and there is limited conceptual understanding of gender mainstreaming as a strategy for inclusion and ensuring gender perspectives inform all aspects of the organisation's work.

DC-Cam staff try to get greater numbers of women to participate in all activities but because the organisation has no engagement strategy the unintended impact of the project work is on the quality of participation by women. This is reflected in women survivors reporting that they are "too busy" to visit the tribunal and to take a passive role in discussion groups where men tend to dominate.

DC Cam could be more effective in gender mainstreaming activities and measuring impact on women. At the field level, the lack of gender specific indicators make it difficult for staff to understand whether and to what extent women are benefitting from interventions, particularly because of the tendency of DC-Cam to apply quantitative measures rather than qualitative measures in their project monitoring: the organisation measures 'number of women trained' or 'number of female participants' rather than the quality of their participation and the impact of same.

Staff report uncertainty as to how to go about considering gender dimension to their work. As DC Cam looks forward, measuring how women experience the relevance of the Khmer Rouge period would be an area worth reflecting upon.

### 4.2 Donor-Coordination and Harmonisation

Donor coordination is a challenging process. For some donors in Cambodia CSOs hold a regular forum for donor coordination but this is not universal. For DC-Cam which has a strong track-record of attracting funding from bilateral donors and to a lesser extent from private funders the value of donor coordination is recognised but the confidence and skills to coordinate same is not evident. DC-Cam readily recognises that it is deficient in this area and is highly receptive to any initiative or recommendations that can assist it develop this capacity. To that extent the evaluation team identifies that while donor coordination for DC-Cam must ultimately be managed by the organisation in the interim a donor could assist with the process, perhaps by using this evaluation as a starting point for discussion

about how to coordinate as DC-Cam strategise about its exit from the KRT process and transition to the Sleuk Rith Institute. An improvement in the internal capacity, including via board reform would assist the organisation be more strategic about donor relationships and donor coordination.

### **4.3 Strategic Relationships**

DC-Cam has extensive strategic relationships. In Cambodia many of the relationships are project orientated (for example, beneficiary communities, the ECCC, The Royal Cambodian Government) or organisationally driven (for example, board relationships). The organisation has a strong leaning to international relationships, particularly in the USA. All key strategic relationships are Director lead but the more operationally complex ones (for example, the ECCC) do at times involve other key staff. In general communication with strategic partners occurs on three levels: (i) as part of a general, high frequency electronic mailing from the Director; (ii) direct communication with the Director, and (iii) direct communication with a deputy directors. Given the volume of mailing list style communications emanating from DC-Cam it would be constructive to develop an e-bulletin format which does not overwhelm communication with key partners.

#### **4.3.1 ECCC**

DC-Cam's relationship with the ECCC can be characterised as three things: (i) providing logistical support and training; (ii) as being an unofficial sensitizer of some key staff, and (iii) as being an unofficial monitor of the Court and associated judicial processes. As has been discussed generally DC-Cam's relationship with the ECCC is positive and constructive but can be compromised: (i) because of the risks associated with lack of formal arrangement of relationships around evidence and information, and (ii) as a result of occasionally poor communications and legal analysis by legal interns. It should be noted that the ECCC is a complex hybrid of domestic courts and international criminal tribunal and that the work and processes of the Court will always be something that generates comment in third parties. That said, DC-Cam can take some very simple measures to maintain its positive working relationship such as exercising greater sensitivity in how it manages, edits and communicates the work of legal interns.

#### **4.3.2 Government**

DC-Cam has a constructive relationship with the government. Despite being a key civil society actor in the KRT and despite being the repository of research, evidence and testimony relating to the Khmer Rouge regime, DC-Cam's relationship with the government is diplomatic and conflict sensitive. The potential for the work of DC-Cam to cause conflict is high and the risk of same is evidenced by the continuing physical anonymity of DC-Cam's premises and the security concerns. On a governmental level, given the history of the administration of Cambodia and the current composition of government, it is impressive that DC-Cam maintains such cordial relationships and has received the buy-in that it has from government. The gifting of land for the construction of the Sleuk Rith institute is evidence of this but possibly even more so is the buy-in by the MOEYS to the Genocide Education Project. In particular the developing partnership approach between DC-Cam and the MOEYS in training teachers and developing quality assurance mechanisms show how conflict sensitive DC-Cam's approach has been. DC-Cam's approach to its relationship with government is an important area where donors could identify good practice to be disseminated to other fragile or emerging states contexts.

### 4.3.3 Civil Society

NGOs in Cambodia that are advocates of human rights are often critical of the Government and therefore perceived as being against or opposed to the Government. One of the activities of the leading human rights coalition, the Cambodian Human Rights Action Committee (CHRAC)<sup>10</sup> is to support the process of the KRT through outreach, victim participation and monitoring. DC Cam is not a member of CHRAC or any other NGO/CSO group, but does provide information, materials, access to its archives as well as participates in NGO led activities on the KRT such as appearing as guest speakers on radio programs and panel discussions when invited. NGOs acknowledge the excellent quality of information and publications, express deep appreciation for Cambodian led research on the Khmer Rouge period and recognize the expertise of the DC-CAM leadership on the Khmer Rouge. DC-CAM tends to distance itself from active involvement in various other activities of NGOs related to the KRT or human rights. There are missed opportunities for greater systemic impact on civil society when DC-Cam disengages from collective action.

In contrast to DC-CAM's strong pro-active international networks that span the globe with leading universities, academics and scholars, human rights organizations, DC-CAM still tends to work more in isolation in Cambodia. This is in an environment that has since shifted from a single actor (DC-CAM) to a multiple actor setting (CHRAC and others) with the creation of the KRT and ECCC. It could be argued that DC-CAM's excellent work could have had an even greater impact on communities through improved collaboration thus avoiding duplication of activities with other NGOs, participating in trainings on civil party and victim complaint forms to reduce errors, and a more systematic coordination of legal representation. They could also have capitalised on other NGOs strengths in various social mobilisation approaches, such as utilising the Citizens Advisory (CA) network, strengthening health referral systems and enhancing community local input where people are placed at the centre of any intervention. At the same time, other NGOs/CSOs could have gained invaluable lessons from DC CAM's research expertise, their excellent volunteer and intern strategy as both an institutional and professional development model, and the efficient and sustainable use of government systems at the national, provincial and community levels.

Historically DC-Cam's appraisal of civil society in Cambodia has been sceptical of the motivations of some NGOs and of the efficacy of civil society. Internally the organisation classifies NGOs as to whether they are: (i) project orientated NGOs; (ii) Human rights and democracy building NGOs or (iii) Technical NGOs. In the opinion of DC-Cam a common factor that has linked all three kinds of NGOs is that they all lack clear objectives regarding the KRT process and the majority do not have long-term strategies that demonstrate how their involvement in the KRT will help them meet their mandate. Also, in the opinion of DC-Cam many NGOS have had politically-orientated activities which has compromised them and negatively affected how they are perceived by the UN and the Royal Government of Cambodia. However, this analysis is somewhat dated and the organisation should engage in a new environmental mapping of civil society to identify opportunities for collaboration and knowledge exchange.

### 4.3.4 Donors

Of the three DC-Cam donors surveyed for this report DC-Cam has had straightforward and constructive relationships with Sida and Danida and a more complicated one with USAID. USAID is the only one of the three to have committed funding staff costs at the organisation for 2011 and 2012 and which has committed to funding the Sleuk Rith Institute. Donors hold DC-Cam in good regard and is particularly noted for its transparency, accountability, likely impacts and systemic importance to Cambodia as it

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<sup>10</sup> CHRAC is a registered coalition of 21 member NGOs and associations with four main activities: 1) monitoring and investigation of serious human rights violations 2) providing comments on important draft laws and regulations, 3) supporting the process of the KRT through outreach and monitoring and 4) advocacy work.

confronts the legacy of the Khmer Rouge regime, particularly in the areas of: (i) Rule of Law; (ii) Participation of Cambodians in the judicial process and (iii) Education reform

There are some areas where how the recipient and the donor relate could improve, including both DC-Cam-led improvements and donor-led improvements. For DC-Cam the improvements concern (i) reporting, and (ii) visibility of the Director. Improvements in reporting relate to how DC-Cam can better communicate its successes and its challenges. DC-Cam's year end reporting is nebulous, narrative heavy and predominately quantitative. That said, the donors surveyed have not given guidelines to DC-Cam on how to report or how to structure budgets. The Director is very amenable to donor requests (the time he spent with Danida staff being noted particularly as an example of his willingness to educate and sensitise donor staff as well as the beneficiary communities) but there are concerns that the Director does not always take the lead at Donor reviews. It would be constructive for the recipient organisation to better structure end of year presentations so in most cases the Director leads the presentation with support from the Deputy Directors.

For the donors the improvements concern: (i) closer donor support including technical support; (ii) closer constructive monitoring, and (iii) clearer exit strategies to multiannual funding. These observations are made in the knowledge that donor interventions are framed by County Strategies and donor ethos so not all recommendations might immediately be acted upon. Regarding donor support, DC-Cam can be assisted to improve key areas of operations including donor coordination and acquiring technical assistance around training deficits (for example gender mainstreaming). The donors have knowledge of these areas of work and could direct assist DC-Cam, (i) by helping initiate donor coordination, and (ii) by structuring granting so that some portion is ear-marked for particular capacity building activities such as skilling, or board development.

#### **4.3.6 Beneficiary Communities**

While this study cannot replace a beneficiary impact assessment the evaluation team's analysis is based on three site visits and key informant interviews. Certain observations can be made about DC-Cam's relationship with beneficiary communities. In general DC-Cam's work in beneficiary communities particularly through the CMOHP, the LDP and through the VPP is valued. DC-Cam's respectful approach to working with local communities is appreciated. DC-Cam follows traditional hierarchy when working with communities obtaining permission and support to work at District, Commune and Village level. Quantitatively DC-Cam's work has an impressive record. In the field of Genocide Education, particularly training and sensitisation of teachers there is an appreciation of DC-Cam's interventions and methodology.

#### **4.4 Psychosocial**

Psychosocial is not a programme area for DC-Cam but is a cross-cutting theme. There is an understanding in DC-Cam of the intergenerational trauma in Cambodia as a result of the Khmer Rouge regime. In the organisation's communications, publications and in conversation the trauma and stress experienced by survivors (victims and perpetrators of violence) and the effect that the ECCC process has on civil parties and complainants is often recognised. DC-Cam intends to conduct mental health research in the Sleuk Rith Institute and has advanced plans for the publication of a text, *Cambodia's Invisible Scars: Trauma Psychology in the Wake of the Khmer Rouge*, edited by the Director and by two TAAs which will examine the mental health consequences of trauma in Cambodia. However DC-Cam could more effectively manage the psychosocial risks of its work both to the beneficiary communities or to its own staff.

Staff recognise the principle of managing psychosocial risks, they have received rudimentary training in psychosocial issues which is also disseminated to student volunteers but: (i) the level of staff understanding is insufficient for the gravity of the risk; (ii) the training staff have received is insufficient for appropriately managing the emergence of trauma during field work particularly as it concerns the mental health of the survivor (as opposed to just calming the situation when an interviewee becomes emotional); (iii) there is inadequate monitoring of staff by a mental health professional; (iv) mental health professionals are not present during field work; (v) DC-Cam has negligible referral mechanisms for trauma victims, and (vi) DC-Cam does not foster a working relationship with domestic, progressive mental health providers such as TPO or SSC so as such it is at risk of causing harm.

There is expertise in Cambodia which can assist DC-Cam to manage the risk of causing psychosocial harm and can improve the mechanisms for treatment of cases identified during DC-Cam field work. Similarly there are service providers in Cambodia who provide professional counselling services to field staff working in the KRT process and a similar service should be made available to DC-Cam staff. There is also significant learning around intergenerational trauma and violence including in other Sida recipient countries, for example, Rwanda that could inform the work of DC-Cam. As a matter of urgency DC-Cam should take stock of its training and internal systems need to manage its psychosocial footprint and better refer the instances of trauma identified in the field by DC-Cam staff. Furthermore Sida, as a donor whose development cooperation objective has been to create the conditions for poor women and men to improve their lives should insist on better risk management strategies in DC-Cam to manage the unintended negative psychosocial impacts of its activities.

## 5. Evaluation: Overall Assessment

Following is the summary evaluation as per DAC-OECD criteria established in the project ToR and in the project inception report. This summary complements the analysis in Sections 2, 3 and 4.

### 5.1 Relevance

DC-Cam objectives and its principal programmes have been relevant to Cambodian society and continue to be so, particularly in the broad thematic areas of human rights, access to justice, accountability, and promoting the rule of law. DC-Cam has continuing relevance to the completion of the ECCC and as such is a core partner in closing a chapter of Cambodia's history with the achievement of accountability and justice for the survivors, (both the perpetrators of violence and those who are victims of the Khmer Rouge regime). DC-Cam has had overall relevance, timeliness and appropriateness from its inception as a project of Yale University to its quick evolution to become an NGO mapping the past of the Khmer Rouge period, to its current incarnation as a hugely important support to the ECCC and an innovator in the creation of systemic change in the fields of human rights, education and justice.

DC-Cam's programmes have been and continue to be highly relevant subject to the prior comments in this report. The estimation of the monetary value of DC-Cam's contribution to the ECCC fluctuates but even at the lowest estimation (USD 300,000 in purely logistical support) the relevance of DC-Cam to the function of the court is obvious and is recognised by various Court officials. Similarly the expertise, understanding and work ethic that DC-Cam brings its support of the Court is hugely relevant to assisting the ECCC to complete its work in a timely manner.

DC-Cam's documentation projects including the Mapping Project, Database Project, Archiving and creating a Virtual Archive are highly relevant to the current judicial process but also to the processes of national accountability and reconciliation. The value of a core archive, universally accessible and which provides access to all relevant documentation and artefacts in an ethical manner is difficult to estimate. The documentation projects have been, are and will continue to be important to the national memory, to those seeking to study the legacy of the Khmer Rouge period and to those seeking to devise methodologies to replicate the model in other fragile or emerging states where ICTs are likely.

DC-Cam's outreach is not unique but it is largely unrivalled in its coverage. Furthermore its relevance to the overarching goal of promoting justice and accountability is without debate. DC-Cam's outreach programmes including the VPP, VOT, LDP, Family Tracing and the CMOHP as well as the outreach during teacher training for the Genocide Education project are central to contributing to the achievement of Accountability and Justice, and are fundamental in assuring the participation of beneficiary communities in the judicial process and in education in Cambodia

The sensitisation elements of DC-Cam's work including publications (print and non-print), research and broadcast have relevance to the core objectives but this relevance is somewhat coloured by the lack of monitoring and evaluation of the appropriateness or impact of sensitisation materials and of research and publications. This particularly relates to the magazine which includes in its target audiences communities with very poor literacy.

DC-Cam's Genocide Education project is highly relevant to creating systemic change both thematically and methodologically in the Cambodian education system as well as institutionalising the objective memory of the Khmer Rouge regime. DC-Cam's Genocide Education project is an education reform programme with significant potential for replication and which is likely to have important long term effects.

DC-Cam by virtue of its work up to now and by virtue of its existence has created a space to allow government to address the legacy of the Khmer Rouge regime without having to continually confront it or drive the process. Recognising that the government relationship to the ECCC is not clear cut (similarly the government relation to Cambodia's past), still DC-Cam has managed to ensure that a focus on the legacy of the Khmer Rouge period is maintained.

DC-Cam in its current form will continue to be relevant up until the close of the ECCC. Even at that stage outreach around the outcomes of the KRT process will be important. Similarly, the continuation of Genocide Education project post-ECCC is important for key public-private partnership in education reform in Cambodia.

To gauge the relevance of the Sleuk Rith Institute is difficult given the limited planning that is available for analysis. Maintaining a universally accessible archive post-ECCC will be relevant. Key risks around the transitioning of the archive should be met in a more timely manner, particularly those around ownership and the creation of a second archive in the property of the Bar Association (which may or may not include a second virtual archive). Every effort should be made to ensure that the ownership issues pertaining to the documents in DC-Cam's archive are resolved, and that efficiency and prudence is brought to bear on the situation where there will be two physical archives possibly with two unintegrated virtual archives.

As DC-Cam transitions it must take proper account of its risk mitigation strategies and of its management of unintended negative effects. To remain relevant to the healing and reconciliation in Cambodia DC-Cam and the Sleuk Rith Institute should make good use of existing domestic expertise in such areas as the psychosocial and ensure that the activities of the organisation have no lasting negative impacts.

DC-Cam's work in some projects more than others has relevance to other post-conflict societies. The documentation work, the work around genocide education, the support of the ECCC and the partnership building with the MOEYS are all likely to contain valuable knowledge that if appropriately captured by the organisation or by Sida could inform other fragile or emerging states and so ensure the effectiveness and efficiency of Sida donor programmes in other countries.

## **5.2 Effectiveness**

DC-Cam has been effective in carrying out its mission to promote Memory and Justice as critical foundations to the rule of law and genuine national reconciliation in Cambodia. It has been effective in achieving its objectives: (i) to record and preserve the history of the Khmer Rouge Regime and (ii) to compile and organise information that can serve as potential evidence in a legal account for the crimes of the Khmer Rouge.

Subject to the methodological comments raised above, as per the organisation's original objectives DC-Cam's documentation projects have been effective in creating an archive of evidence and information for the ECCC. In the context of the KRT the work that DC-Cam has carried out documenting the legacy of the Khmer Rouge period has no equivalent. The documentation projects including the LDP and VPP also create their own account of the legacy through solicited testimony. The manner in which DC-Cam has delivered its support to the ECCC has also been effective and ensured that the archive is being used to maximum effect in the judicial processes.

DC-Cam's archive is also an effective research tool. Arguably the PIR aspect of providing access to DC-Cam's documents could be more effective with better advertising of the PIR. However given the political

sensitivities around the ECCC, DC-Cam would be wise to focus publicity strategy on how to publically launch and publicise the archive when it is part of the Sleuk Rith Institute.

DC-Cam's outreach projects have been effective but could benefit from better gender mainstreaming and psychosocial risk management. DC-Cam has outreach coverage to 21 provinces and is working to extend its range. Outreach straddles many project activities from supporting communities to participate in the ECCC via filing civil party applications to training teachers in Genocide Education. DC-Cam's outreach has been particularly effective in promoting Justice and Accountability and facilitating participation in the judicial process. Where the outreach suffers is precisely in effectively facilitating the participation of women. Specialised projects such as the VOT have the potential to be effective but the strategy for addressing psychosocial risks is underdeveloped and not sufficiently sensitive to domestic resources and long-term needs of the survivors of torture.

Sensitisation in DC-Cam has two main target audiences: general Cambodian communities (including Diaspora) and the international community (particularly those interested in the KRT). For Cambodian communities DC-Cam's sensitisation work is focused on the *Searching for the Truth* magazine. DC-Cam's other media work in radio in particular is likely to have a more effective reach, particularly into remoter communities, but this has not been assessed for this study. DC-Cam's use of film and other broadcast media is effective. Use of film in outreach is expertly done and the emphasis on new media as a communication tool is admirable even if the domestic audience for such work is limited. Similarly DC-Cam's exhibitions are likely to be effective when brought to visit remote communities.

The Genocide Education programme in DC-Cam has been effective and has the potential to produce significant long term impacts. Training of teachers (including the training of trainers) is impressive and professional. It is completed in an effective partnership with the MOEYS. The collaborative nature of DC-Cam's work in a post-conflict scenario particularly on a conflict issue like the legacy of the Khmer Rouge regime shows the conflict sensitive nature of the education material, of the teacher training, and of the relationship building with the MOEYS.

The potential effectiveness of the Sleuk Rith Institute is impossible to gauge however, the potential for effectiveness can be improved by DC-Cam engaging in more comprehensive planning and preparatory work in the lead-in to transition.

Overall, DC-Cam has been effective in achieving its objectives across all major projects and in promoting accountability, the rule of law, justice and access to justice, reconciliation and commemoration. DC-Cam's organisational structure has been effective, in particular its use of an extensive volunteer network. However, this has not been without risk and as has been discussed these risks have not always been appropriately managed. DC-Cam's monitoring systems and reporting could be improved so that the organisation could successfully document the result of its activities and more effectively communicate its achievements. Accountability, transparency and quantitative measurements are all effective and well employed throughout the organisation.

In general while effective, DC-Cam's systems are not documented so it is not possible to accurately identify how much of this effectiveness is by design and how much is by accident.

### **5.3 Efficiency**

The budgetary information for this analysis is limited to DC-Cam financial reporting 2007 to 2010. Overall DC-Cam has been shown efficiency in the management of financial resources and in the management of non-financial resources in particularly staff, volunteers and interns. DC-Cam has been

prudent in its use of Sida core funding and has managed its financial resources to cover core operations (for example utilities and security) and to fund a wide variety of projects. The organisation has been financially diligent and transparent and internal financial controls are appropriate. A potential weakness in controls relates to the limited brief of the board so that if the organisation were to undergo a significant change, for example, a change in Director then there may be potential for risk associated with lack of appropriate oversight. That said, DC-Cam have professional auditors the reports of which are comprehensive and have identified no inappropriate behaviour to date.

If questions were to be asked of the efficient use of fiscal resources they would be directed at (i) the disparity in staff salaries between Deputy Directors, Team Leaders and ordinary staff; (ii) budget line for research and publication; (iii) budget line for the webcast of the tribunal. In the first instance there is dramatic disparity between the salaries of senior staff, team leaders and junior staff which can be as much as USD 20,000 per annum between Deputy Directors and Team Leaders and USD 28,000 between Deputy Directors and junior staff. DC-Cam has salary scales linked to academic qualifications but even so these are significant disparities. Also, as the staff complement with higher education degrees grows thanks to DC-Cam's academic skilling of staff, then the strain on salaries increases.

For research and publications the cost between 2008 and 2010 was USD 729,000. USD 250,000 was spent printing the Genocide Education book but of the remaining USD 579,000 a substantial sum was spent on research projects into thematic analysis of the Khmer Rouge regime: USD 289,320 of which USD 105,000 are fees for an English editor and 108,000 are printing supplies. While DC-Cam is free to use core funding without project restriction Sida should give consideration as to whether this is the appropriate use of funds given Swedish development objectives. Perhaps this kind of publication should be undertaken where costs are met by a university press or publishing house. Similarly the webcast of the tribunal is an innovative use of digital media but it may have questionable impact from a development perspective, instead being more focused on international audiences, in particular scholars.

Overall DC-Cam is efficient in all project activities making the most use of cost saving measures around outreach and through partnership working. DC-Cam's management of non-financial resources from the good will of international strategic partners to the extensive employment of a volunteer network is efficient and prudent use of non-fiscal resources.

## **5.4 Impact**

This section of the evaluation is a summary of the measuring the results, outcomes and where ever feasible the impact of DC-Cam and DC-Cam projects. The measurements have been done using perceptive and objective criteria to assess the effects of a selection of projects including three site visits and two formal community consultations. It is divided into three sections: (i) impact on beneficiary communities; (ii) impact on systems; (iii) subsidiary impacts including unintended negative impacts.

### **5.4.1 Impact on Beneficiary Communities**

DC-Cam is likely to have had substantial short term impact on individual beneficiaries and on beneficiary communities as a whole. The primary direct impact on the lives of individuals is most likely to be most powerful in how the organisation has assisted Cambodians to: (i) tell their story; (ii) participate in the judicial process concerning the crimes of the Khmer Rouge regime either as civil parties or complainants, and (iii) trace family disappeared during the Khmer Rouge regime. The organisation will indirectly impact on a huge number of people through key projects, particularly the genocide education programme, the beneficiary effects of which can be hinted at through surveys but will emerge over time.

In general DC-Cam has assisted substantial numbers to realise fundamental rights concerning Justice and the Rule of Law. It has assisted an even greater number participate in the Courts through observation and re-sensitisation of communities who without such efforts by DC-Cam may not have known about the ECCC or about their entitlement to visit, observe, participate and be heard. Furthermore, participation in the Court is an exercise in democracy and DC-Cam's work sensitising communities and providing comment on the work of the Court supports the participation of Cambodians in this democratic process.

Most fundamental in DC-Cam's impact on communities is an indirect impact; that is, the indirect impact on communities via its support of the ECCC. DC-Cam's centrality to the good functioning of the Court indicates that it should take some credit in the outcome of the Court. Commensurate with this is the risk that if the ECCC has negative effects on Cambodian society and on the lives of Cambodians then DC-Cam may also be indirectly responsible.

DC-Cam beneficiary impacts are likely to have legacy effects. The VOT's planned production of a text identifying the fate of many of those who disappeared will, if realised as planned, be a tool that may be used by communities to identify the lost members of family and village. In other post-conflict contexts such as that in Sierra Leone, some communities have created their own index of lost family and neighbours, usually pictorially. In many cases the images of those lost are still centrally placed in a meeting hall in the middle of the village of remote communities. In other developed post-conflict societies similar projects to that planned by DC-Cam have been important publications. In Northern Ireland the publication of *Lost Lives* which in original and updated form lists those killed during 20<sup>th</sup> and 21<sup>st</sup> centuries as a result of political violence has been regarded as an important tool in understanding the impact of violence on Northern Ireland and in capturing the stories of those killed. The text is also a key reference work for researchers and academics.

Regarding the participation of women and other vulnerable groups, DC-Cam is missing an opportunity to facilitate effective participation. Methodologically DC-Cam is restricting its own impact by being weak in gender mainstreaming and in psychosocial risk management, training and referral.

#### **5.4.2 Systemic Impact**

DC-Cam has had important systemic impact, some of which is in the early stage of development. DC-Cam has impacted positively on Justice and the Rule of Law by: (i) promoting the concepts; (ii) providing support to what is arguably *the* key judicial process in Cambodia; the ECCC; (iii) promoting and assisting the realisation of important concepts such as: (a) equal access to Justice for both accused and victim; (b) the participation of ordinary Cambodians, and (c) the participation of vulnerable groups in recording their history; (iv) initiating a potential watershed in education by creating affordable second level Genocide Education and an improvement in teaching methodologies, and (v) creating a record of the past with the objective of assisting Cambodia to escape repression by the past and create a future free of the weight of victimhood.

DC-Cam's impact on Justice and Rule of Law has been to promote the concepts through the organisation's work and directly through outreach and sensitisation. As with beneficiary impact it is likely that one of the most fundamental systemic impacts will be achieved via its support of the ECCC. Regardless of the fact that for some the ECCC is an imperfect mix of international criminal tribunals and Cambodian domestic law the fact of its existence and its role in promoting Transparency, Justice, Rule of Law and Accountability for the Khmer Rouge regime makes it a hugely significant body and process in Cambodian history. DC-Cam's centrality to the logistical support of the Court indicates that it will also share responsibility for the systemic impact of the Court.

DC-Cam is having a remarkable impact on the education system in Cambodia, creating a de-politicised space for the objective teaching of the history of Democratic Kampuchea. DC-Cam is also creating systemic change by teaching a teaching methodology that is built on questioning and not on accepting a dogmatic form of tuition. The Genocide Education project also promotes participation in Cambodian history by a whole generation of Cambodian young people. The education supported by DC-Cam is accessible and inclusive because the organisation currently meets the cost of producing and distributing teacher and student text books. The potential long-term impacts of this project are substantial ranging from the reform of teaching methodology to the effects on the understanding of national identity and Cambodian history. At least the Genocide Education project is creating an official neutral space for Cambodia to recognise the past and move forward.

There are key risks which DC-Cam must plan for: (i) the financial sustainability of the project, and (ii) roll-back by the Royal Government of Cambodia on this progressive education. In the first instance, as discussed below, the cost of the Genocide Education programme is significant and so long as MOEYS has poor resources no other institution can assume the financial burden of printing and distributing copies of the course texts. or implementing the quality assurance.

In development contexts human rights education programmes are sometimes restricted by Government, particularly if a security situation deteriorates. Perhaps in Cambodia a change in government or political instability could result in government tightening controls on human rights debate. One way to do so is to merge a human rights school subject with others and so water down the content. To manage this risk DC-Cam must remain a strong advocate for education and in particular Genocide Education.

#### **5.4.3 Subsidiary Impact**

DC-Cam's work has important subsidiary effects and some unintended negative effects. The work on Documentation (including Mapping and related projects) and Genocide Education have created a space for the recognition of Cambodian history that while tied to the working of the ECCC is still independent from the State. Consequently this allows judicial processes to continue while Cambodian society comes to terms with and moves away from a history of victimhood. The transformation of DC-Cam into the Sleuk Rith Institute has the potential to be a strong continuation of this process so long as it is designed and used as an asset for Cambodians and Cambodian society rather than an asset for international research and the tourism industry.

DC-Cam has potential to be international best practice in two areas at least: (i) Documentation, and (ii) Genocide Education. Already there is anecdotal evidence of the *History of Democratic Kampuchea* being taught in Rwanda as an indirect way of addressing the Rwanda genocide. Sida should consider capturing learning from these two areas of work for dissemination in other recipient countries.

DC-Cam's potential unintended negative impacts specifically relate to poor risk management by the organisation in relation to its psychosocial footprint. In some of its activities DC-Cam is at risk of being engaged in harmful methodology primarily due to (i) inadequate training of staff; (ii) inadequate supervision of staff; (iii) lack of referral systems, and (iv) inadequate monitoring specialising in psychosocial issues.

#### **5.5 Sustainability**

When assessing sustainability the evaluation team has distinguished between: (i) the sustainability of DC-Cam today and over the next three years (because that is the wind-down timeframe for the organisation); (ii) the sustainability of DC-Cam lead projects in the same timeframe; (iii) the planning for sustainability

of the Sleuk Rith Institute, and (iv) the sustainability of the concepts being promoted by DC-Cam which by default are the concepts being promoted by Sida's investment in the organisation.

### **5.5.1 Sustainability of DC-Cam 2011 to 2013**

DC-Cam has a limited number of donors but in a Cambodian context the organisation has diverse funding streams with two donors that historically have provided key core funding investments. Between 2011 and 2012 DC-Cam has secured USAID commitments to fund 40% of staff costs. Staff are encouraged to secure project funding for their work and so a culture of financial independence and accountability is pervasive in DC-Cam. The main challenges for DC-Cam is securing the outstanding core funding for the remaining period during which it will support the ECCC (2010 – 2013) while concurrently securing and spending funds to support transition and build key systems and structures in the origination such as governance.

DC-Cam has an impressive architecture for social change and professionally manages staff churn. Staff members have an advanced loyalty to the organisation and while they are often motivated to work and perform by to secure academic training overseas, this effective staff incentive also develops the academic skills of staff who often return to the organisation post-completion of their post-graduate education. Staff work well outside the normal expected parameters of time and holidays which should bring a risk of burnout but DC-Cam does not appear to suffer from any such negative effects. However staff are under strain because of the hours and travel involved in working for DC-Cam. DC-Cam has a substantial volunteer and intern complement with a capable and reliable body of applicants from which to select student outreach workers or Legal Interns.

DC-Cam is led by a leader who is a social entrepreneur. A threat to the organisational sustainability of DC-Cam is the over-reliance on the Director. There are risks associated with how all strategy derives from the Director and in how staff are deferential on all key decision making: potentially DC-Cam would not survive if the Director left or was unable to continue in post. While the Director plans succession once the Sleuk Rith Institute is established, the organisation could manage the risk to organisational sustainability by developing the role of COO or Operational Manager, by having a clear and communicated succession strategy and ensuring board oversight.

Another general threat is that posed by DC-Cam's lack of centralised systems, procedures and strategy particularly as it relates to managing to continue its projects and support the ECCC while changing into the Sleuk Rith Institute. Such transformations can be fatal to an organisation and DC-Cam could manage the risk to sustainability by clearing planning how it will manage its work as DC-Cam while planning and implementing transition.

### **5.5.2 Sustainability of DC-Cam Lead Projects 2011 to 2013**

In general the approach of DC-Cam to project activities is to emphasise sustainability sometimes through fiscal prudence when conducting activities in field and in other cases by emphasising sustainable training and sensitisation methodologies. The outstanding question regards sustainability post-2013: which projects will transition to the Sleuk Rith Institute and which will be complete by the time of transition. Presumably all support to the ECCC will be complete, Public Education and Outreach will become much more targeted with the completion of the VPP and the LDP as well as the Accountability Project. However this is unclear due to the absence of detailed transition planning.

DC-Cam faces sustainability challenges by managing the demand placed on its resources by the ECCC. The contention of the organisation that it is an in-kind funder (or in kind re-granter) of the ECCC does

merit some attention. The cost to DC-Cam of document reproduction is substantial and underlines the level of work required to effectively support the ECCC. That said, the key sustainability issue is securing core (particularly expenditure related to staff) and project funding for 2011 to 2013. Similarly the Documentation project faces sustainability challenges in staff costs and project funding, but the major drain on financial resources is the publication of the Family Tracing text which effectively doubles the 2011 budget line. Arguably a smaller print run would limit costs and not negatively affect the impact of this element of the Documentation project. Public Education and Outreach are characterised by the extensive use of volunteers and sustainable sensitisation methodology where community members are assisted to sensitise their own community on what they witnessed or learning about the ECCC or the judicial processes. This technique of community sensitisation is an efficient way of supporting the sustainability of outreach work. The sustainability of the project impacts on vulnerable groups is unclear primarily because of the methodological issues discussed earlier in this report. Better quality assurance, management and monitoring would manage this risk and help DC-Cam better reach vulnerable populations and improve the sustainability of project impacts.

DC-Cam has designed the Genocide Education project with sustainability and mainstreaming in mind and is effectively using a Train the Trainer methodology to ensure the sustainability of training, sensitisation. It is also using this methodology to transfer ownership of the project to teachers. DC-Cam has built a strong partnership approach with MOEYS which encourages the State to take ownership of the project. However there is a challenge to the sustainability of the Genocide Education project. Simply put, MOEYS does not appear to have the capacity or the financial resources to mainstream the Genocide Education project or the quality control systems currently being designed by DC-Cam. A risk management strategy is for DC-Cam and the MOEYS to jointly approach donors for support to implement the Genocide Education project including the publication of the text and teacher manual and the capacity building of MOEYS to mainstream the work. The attraction to donors is the potential sustainability of the investment and the potential to fully institutionalise Genocide Education in Cambodia.

The sustainability of print and non-print materials is a difficult question given the variety of publications and media. During this review key informants had difficulty identifying the audience for some of DC-Cam's publications including the special magazines concerning case 001 and 002, and some of the academic-orientated texts. The monthly *Searching for the Truth Magazine* is difficult to assess but the consensus of informants is that it could be published with reduced frequency and redesigned to increase quality, effectiveness and reduce cost. The variety of monographs, academic texts, translations and other print publications by DC-Cam are only sustainable insofar as publication and associated costs are catered for. Arguably DC-Cam should consider how best to manage non-development oriented publications so that costs are met or at least shared by academic or other publishing houses. Non-print sensitisation including the web-cast of the Tribunal is an impressive use of new media but one more likely to reach Diaspora or interested researchers than Cambodian communities. The media more effective for domestic communities, particularly those in rural or remote locations and with low literacy is radio, and so far as DC-Cam can maintain its on air presence it has a better chance of reaching these communities.

### **5.5.3 Sustainability of the Concepts being Promoted**

DC-Cam (and so Sida's investment) promotes six interrelated and key concepts: (i) Rule of Law; (ii) Justice; (iii) Participation including access to the judicial system; (iv) Democracy; (v) Accountability, and (vi) Reconciliation. DC-Cam's promotes these concepts directly through project work and indirectly through its support for the ECCC.

The Rule of Law and Justice are key concepts promoted by DC-Cam through its project work. DC-Cam approaches its work with strong principles of access to Justice for the accused and the victim and of the

primacy of the Court. DC-Cam emphasises the concept of Participation, particularly in the judicial process but also in the narration of the history of Cambodia. DC-Cam's inclusion of Cambodian citizens in the judicial processes as parties, as observers and as sensitizers contributes to creating understanding and buy-in to the Rule of Law and Justice and this an important element of democratic participation. Being supported to freely participate in the ECCC is important to promoting the concepts of Rule of Law, Justice, Participation, Democracy and Accountability. Similarly the inclusion of teachers, school children, parents, survivors, and the perpetrators of violence in the narration of Cambodian history through the projects that support the ECCC, and through the Genocide Education project is a significant achievement for DC-Cam and Sida and is one which is likely to remain an important legacy.

## Annex 1. Methodology

### A1.1 Rationale, Purpose and Objectives of the Forward Looking Evaluation

Sida, has commissioned this evaluation as a learning capture exercise to identify learning from DC-Cam's performance in relation to the KRT process and to assist in DC-Cam's transformation in light of their changing role as the trials at the ECCC come to an end.

This evaluation will inform Sida's new cooperation strategy and while the primary users of the evaluation will be Sida and DC-Cam the evaluation has been conducted to include other key donors (USAID and Danida) in key discussions and presentation of findings.

The **purpose** of the evaluation has been to:

- i. Assess the effectiveness, sustainability and independence of DC-Cam in terms of (a) organisational structure; (b) funding structure; (c) role and relevance of the organisation for the Cambodian society both before the conclusion of the trials at ECCC and with emphasis on the role and relevance after the trials have ended. Also, to examine key dialogue issues between Sida and DC-Cam during the current agreement phase, in particular (a) gender mainstreaming; (b) donor coordination/donor harmonisation, and (c) strategic relationships;
- ii. Advise Sida and DC-Cam on potential action plans for the transitional period post the trials at ECCC. These potential action plans should be a change management tool for DC-Cam and allow for potential scenarios in the post-trial period;
- iii. Inform and contribute to the formulation of Sida's new cooperation strategy for Cambodia in 2010.

The **objectives** of the evaluation have been to:

- i. To ascertain the achievements of DC-Cam work in the KRT;
- ii. To ascertain the performance of DC-Cam's institutional arrangements and structures;
- iii. To document historical learning concerning the achievements and activities of DC-Cam and the impact on Cambodian civil society in general;
- iv. To identify recommendations for the transitional period post ECCC Trials;
- v. To assist where possible in the capacity building of DC-Cam with a focus on transition, institutional development and sustainability;
- vi. To inform Sida country strategy for Cambodia.

The evaluation applies standard OECD-DAC criteria of relevance, effectiveness, efficiency, impact and sustainability.

- i. **Relevance.** The evaluation establishes the relevance of DC-Cam and its work with reference to beneficiary communities and in two contexts: (a) historically leading up to and including supporting ECCC, and (b) post ECCC trials. The evaluation's assessment of the historical relevance of DC-Cam examines (a) the extent to which the original organisational assumptions and programme objectives are still valid; (b) the extent to which the outputs of DC-Cam over time have been and continue to be relevant to the overall goal of promoting accountability and justice, and (c) the degree to which programme outputs achieve the intended impacts and effects. The assessment of the relevance of DC-Cam in the lead-up to the completion of the ECCC trials and post-ECCC trials will be done through futures work and environmental scoping and will be informed by the assessment of the impact of DC-Cam work to date. The national, regional and

international contexts will be considered as will the changed role of DC-Cam as they relate to the intended objectives, goals and impacts of the future Sleuk Rith Institute.

- ii. **Effectiveness.** The evaluation will establish the effectiveness of DC-Cam in achieving its goals across all major projects in terms of process, achievements (impact and subsidiary effects), and outputs and with reference to process issues including meeting barriers to change. There will be particular emphasis on:
- a. The participation of vulnerable groups including ethnic and religious minorities; women, and victims of torture in project creation, implementation and impact;
  - b. Documenting genocide and the effects of genocide;
  - c. Accountability;
  - d. Promoting the rule of law;
  - e. Use of media including publications;
  - f. Reconciliation;
  - g. Organisational structure;
  - h. Management systems;
  - i. M&E systems;
  - j. Risk assessment procedures;
  - k. Strategic relationships, and
  - l. Other institutional issues as they arise.

Effectiveness will also be examined in the context of how DC-Cam can plan to achieve its goals post-ECCC, the institutional issues that should inform such planning and the effectiveness of strategic relationships for the development of the independent centre.

- iii. **Efficiency.** The evaluation will establish the efficiency of DC-Cam in relation to project outputs and the achievement of impact. Project activities will be historically reviewed in terms of their efficiency in achieving the desired outputs and impact. Particular relevance will be assigned to:
- a. Financial diligence;
  - b. Donor harmonisation and the design of project inputs;
  - c. Institutional arrangements, and
  - d. Managing non-financial resources to achieve beneficiary, systemic and subsidiary impacts.
- iv. **Impact.** The evaluation will measure results, outcomes and where ever feasible the impact of DC-Cam and DC-Cam projects. The measurements will be done using perceptive and objective criteria to assess the effects of a selection of projects. The measurement of impact will be clustered to include:
- a. Estimated impact on sample beneficiary communities which while it cannot replace a full beneficiary impact assessment can give an idea of the key effects of selected areas of DC-Cam's work, and can offer indication of future need that may be addressed through the Sleuk Rith Institute. Aspects such as: (a) gender equality; (b) healing and reconciliation, and (c) mental health and wellbeing will be addressed;
  - b. Systemic impact of selected projects, activities and impacts resulting from DC-Cam being in existence on (i) Cambodian society in general; (ii) Education system; (iii) Rule of Law, and (iv) Accountability;
  - c. Impact of selected projects and activities on Cambodian civil society and where relevant specific CSOs;
  - d. Subsidiary impacts.

Every effort will be made to cluster the analysis so as to identify cross cutting effects and impact and to analyse results thematically around Documentation; (ii) Promotion of Accountability; (iii) Rule of Law and (iv) Publication and Reconciliation Outreach. In addition outcomes and impacts will be analysed so as to identify areas of need and legacy impacts that can inform DC-Cam's strategising around their transition and the future work of the Sleuk Rith Institute.

- v. **Sustainability.** For the purpose of this evaluation the consultants will define sustainability in three ways: (i) program sustainability, that is; whether or not the impacts of Sida funding via DC-Cam activity are sustainable; (ii) organizational sustainability, that is; the sustainability of DC-Cam and so the planned sustainability of Sleuk Rith Institute, and (iii) concept sustainability, that is; the sustainability of the concepts being promoted by the Sida intervention in Cambodia with DC-Cam including: (a) gender; (b) accountability; (c) rule of law; (d) reconciliation and others as identified during the evaluation.

Sustainability has particular relevance to the evaluation because DC-Cam is planning for transition and because the evaluation should inform the strategies of DC-Cam so that where relevant it can support DC-Cam's plans for organisational sustainability and for the persistence of results and impact post the exit of Sida from funding the organisation. To this end the analysis of sustainability will be structured so as to examine:

- a. Organisational sustainability post-exit of Sida including financial resource and institutional arrangements for the establishment of Sleuk Rith institute such as staffing, institutional memory and transfer of knowledge;
- b. Sustainability of ECCC administration in the transition phase;
- c. The extent to which relevant project results (such as systemic change, impact on governance and accountability and the rule of law) will persist post-exit of Sida as well as during and after transition;
- d. The strategies, successes of and risks to sustainability as a result of first, DC-Cam's strategy for transition and second, environmental factors
- e. The future scenarios in which sustainability will be achieved and in which it will be lost
- f. Risk to development outcome.

The specific questions set by Sida and answered in this evaluation include:

- i. To what extent have DC-Cam's planned activities been implemented and to what extent have they contributed to stated objectives (qualitatively and quantitatively)?
- ii. Have there been major derivations from plans and implementation and if so why?
- iii. How effective have DC-Cam's management systems been for monitoring outputs, outcomes and the impact of its activities? To what extent have baselines been established against which DC-Cam monitor progress, risks and results of its activities?
- iv. How effective has DC-Cam's organisational structure been?
- v. How sustainable is DC-Cam and what is the effectiveness of its planned sustainability?
- vi. What is DC-Cam's overall funding picture and the Centre's financial sustainability plans and strategies? How effective are they?
- vii. How should DC-Cam structure its budget (core funding, programme/project funding, revenues and endowment fund) in a favourable manner without compromising independence?
- viii. What is the analysis of DC-Cam's relevance, independence and sustainability post-ECCC trials particularly the twin objectives of DC-Cam and how these could be modified if needed?
- ix. How effective, sustainable and relevant are DC-Cam's strategic partnerships with relevant actors within and outside Cambodia?

- x. Is there potential for effective and sustainable harmonised and co-ordinated institutional donor support in the future?
- xi. How has gender equality been mainstreamed in DC-Cam activities and in the organisation itself? How could this be improved if deemed necessary and relevant?
- xii. What are the potential scenarios for DC-Cam post-trials at the ECCC?
- xiii. What is the action plan for the transitional period? What are the factors that could influence it?
- xiv. How should DC-Cam manage its transition?
- xv. What has been DC-Cam's contribution to the wider civil society in Cambodia and what might it be in the future?

## **A1.2 Methodology Employed**

The methodology employed in this evaluation consisted of three phase's tools: (i) document review; (ii) field study in Cambodia including (a) three specific site visits on particular DC-Cam programmes and (b) SWOT analysis and RBM training with DC-Cam staff and Deputy Directors; and (iii) analysis and reporting.

### **A1.2.1 Document Review**

The evaluation undertook a comprehensive document review (appendix 3) during the inception phase of the evaluation and the team continued to review relevant documentation as it arose during the evaluation field study in Cambodia. The general categories of documentation reviewed include:

- i. Sida and USAID donor grant agreements and grant related documents
- ii. Sida country strategies
- iii. DC-Cam documentation including (a) internal evaluations; (b) financial reporting, audits and planning; (c) project documentation including reporting, analysis and textbooks; (d) transition related documentation (e) external communications, media articles and publications
- iv. Similar studies and contextual thematic information
- v. ECCC documentation and correspondence

### **A1.2.2 Field Study**

The team conducted a comprehensive field study in Cambodia between April 9<sup>th</sup> 2010 and May 12<sup>th</sup> 2010. The field study had three components: (i) key informant interviews; (ii) staff SWOT analysis and capacity building, and (iii) regional site visits, observation and community focus groups. The tools used for consultations were: (i) structured interviews; (ii) semi-structured interviews; (iii) focus groups; (iv) SWOT analysis; (v) training and (vi) participant observation. A full list of key informants and consultations is in Appendix 2. In summary the consultations during the field study to Cambodia were:

- i. DC-Cam staff, team leaders, management, director, board members (17 consultations)
- ii. Beneficiary communities (3x site visits and 59 community members consulted)
- iii. Staff training in RBM (27 staff)
- iv. ECCC (x 10 consultations)
- v. Ministries (x1 consultation)
- vi. Civil Society (x 12 consultations)
- vii. Donors (x 4 consultations)

### **A1.2.3 Analysis and Reporting**

The evaluation team were in regular contact with Sida representatives throughout the evaluation and a presentation of initial preliminary findings was given to Sida Country Director and the First Secretary on May 7<sup>th</sup> 2010. An additional presentation of preliminary findings was given to Sida, USAID and Danida in Phnom Penh at the Sida offices on Tuesday May 11<sup>th</sup> by the team leader and country specialist. The report was drafted in Phnom Penh, (Cambodia), Yangon, (Myanmar) and Wicklow (Ireland) with quality assurance carried out in Copenhagen (Denmark).

## Annex 2. RBM Training and Other Tools

### A2.1 RBM

Document review and discussions with staff suggest that DC Cam has been focused on activities implementation rather than driven by managing for results. With management responding enthusiastically to the prospect of introducing staff to concepts often referred to as Results-Based Management (RBM), the NCG team provided an Introduction to RBM for 27 DC Cam staff as part of this forward-looking evaluation. Staffs were taken through the language and linkages of RBM (inputs used for activities that bring outputs that bring outcomes that lead to impact). They examined at the difference between contractual obligations (meaning keeping promises as to how inputs will be used) and being able to legitimately claim that interventions are making a real difference. They were also provided with basic formats for monitoring their work (stating anticipated results, describing actual results and the reason for the variance, and indicating how this might affect planning) as well as tips for effective report writing. This was a considerable amount of information to cover in a ½ day session but management and staff expressed interest in looking at their own projects differently given what they learned about being results-driven.

#### Object 1. Embedded MS PPT RBM presentation



## An Introduction to Results Based Management (RBM)

DC Cam Staff  
Workshop  
26 April 2010

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## A2.2 SWOT

DC-Cam staff completed a SWOT analysis including a brief survey of their understanding of key issues pertaining to the transition of DC-Cam to the Sleuk Rith Institute. The findings have been incorporated into this report and below are the direct responses of staff.

**Table 2. Perceived Strengths and Weaknesses of DC-Cam**

Key Issues	Strength	Weakness	Group 1	Group 2	Group 3	Comment
1. Leadership (management culture, setting directions, supporting resource development, ensuring tasks are done)	9	0	s	s	s	
2. Accountability and transparency of leadership	3	1			s	
3. Identity (knowing who we are and what they are good at)	2	1			s	
4. Organizational culture (attitudes about work, values, beliefs)	0	1				
5. Organizational structure (roles and responsibilities, coordinating systems)	2	2				
6. Financial Systems (planning, managing, and monitoring funds)	4	3	s	s		
7. DC Cam's long-term strategy	7	0	s		s	
8. Decision making processes	1	3				
9. Communication (staff are well informed about the strategic direction of DC Cam)	4	4				
10. Planning mechanisms (identifying needs, looking at alternatives, setting objectives)	1	0	s			
11. Program Plans are formed based on lessons learned by DC Cam	3	0				
12. Relationship with other NGOs	0	4			w	
13. Relationship with the ECCC	2	0				
14. Relationship with community based organizations	2	2				
15. Relationship with government	0	5				
16. Relationship with the press	1	2				
17. Relationship with educators	0	1				
18. Training Skills (helping training participants apply knowledge gained from training opportunities)	2	0				

19. Relationship with community members	2	1		s		
20. Cultural appropriateness of our work	0	1				
21. Helping to foster a sense of justice among members of the community	0	1				
22. Ability to address the psycho-social needs of clients	0	9	w	w	w	
23. Gender sensitivity in planning and implementation of activities	5	2	w	w	w	
24. Understanding and communicating about DC-Cam with community members, other organizations, and the authorities	0	0				
25. Networking with other organizations	0	6	w	w	w	
26. Quality and usefulness of publications	3	4				
27. Expertise and quality of staff	5	1				
28. Staff incentive and rewards systems	0	11	w	w	w	
29. Staff development & training (providing training opportunities appropriate to the needs of the organization)	8	1	s	s		
30. Monitoring and evaluation (generating data, tracking progress, making judgments about performance)	0	1				
31. Including partner organizations, trainees and community members in monitoring and evaluation process	0	1	w	w		
32. Providing good value for money	4	2		s		

33. Work results in strengthening sense of community among beneficiaries	0	0				
34. Other (please list)	70	70				

**Table 3. Perceived Opportunities and Threats to DC-Cam**

External Factors that may effect our organization	Opportunity	Threat	No major impact	Remarks
Reputation of DC Cam in general	X			People know us, trust our information.
Community understanding of our organization's mission and vision	X			No confusion about what they can get from us. See value, trust us.
Attitude of Cambodian adults towards justice		X		Most still don't understand why this is important.
Attitude of Cambodian youth towards remembering the Khmer Rouge Period		X		Don't believe the KR story
Attitude of Cambodian youth towards justice		X		Often not bothered.
Buddhists' attitude towards justice	X			Don't want revenge. We are forgiving. We promote a peaceful way to learn about the KR.
Muslims' attitude towards justice	X			
Sense of ownership of Cambodian history on the part of community members	X			Almost all people know that this is part of Khmer history and don't turn it into something about the Vietnamese.
Threats and intimidation of staff			X	Before but not now.
DC Cam's relationship to the Government	x	X		Local authorities welcome but national level always have to take care to get it just right.
Political Situation in Cambodia		X		Careful of politicians' agenda
Corruption		X		Donors especially worried
Government attitude towards the sharing of information	X	x		
Dependence on international funders for funding		X		
Donors' agenda & priorities	X	X		Mixed of course.
Approval / Passage of NGO Law in Cambodia		X		More government control
Relationship with the Board of Directors		X		Very informal, no serious role
Nepotism- staff being related to one another by blood, family ties, or personal friendship		X		Exists in our organization, ok now but definitely means trouble if there's a conflict-natural to assume bias.
Geographical Scope	x	X		
Number of activities	X	x		
Staff workload		X		
Shift in DC-Cam's strategy	X			Excellent for the future, feel confident staff will be able to shift.
The possibility that the Executive Director will soon leave the organization		X		Mgmt has a strategy but this

**Table 4. Transition**

<b>Table A</b>				
DC-Cam's transition poses what to:	Opportunity	Threat	No major impact	Remarks
The Mission of DC-Cam	X			
The Vision DC-Cam has for Cambodia and its contribution to achieving it	X			
The achievement of results in your program area in the short term (1-2years)	X			
The achievement of legacy impacts of your program area (long term, post-DC-Cam)				We don't really know.
The achievement of legacy impacts/systemic change by DC-Cam in general (Justice, Accountability, Reconciliation, Memory, others?)	X			
The futures of the DC-Cam staff		x		No one knows yet.
DC-Cam's current beneficiary communities	X			
Other:				
Other:				

  

<b>Table B</b>							
Change Management	Useful			In place			Remarks
	Yes	No	Don't Know	Yes	No	Don't know	
Long-term strategy including Mission, Vision, Objectives for the Sleuk Rith Institute	X			X			
A map of where the Sleuk Rith Institute fits with the rest of Cambodian civil society	X					X	
A detailed organizational transitioning plan	X			X			
Plans for staff succession and redundancy (by project area for example)			X			X	
A social change model to identify the impact transition will have on DC-Cam's beneficiary communities			x			X	
A financial plan/plan for financial sustainability	X					X	
A shared understanding of what Cambodian society will look like in the future and what the Sleuk Rith Institute's role will be in that future	X					X	
Other:							
Other:							

## **Annex 3: Consultations and Site Visits**

### **A3.1 DC-Cam**

#### **One-to-One**

Prof Manara Sambo (Board of Directors)  
Youk Chhang (Director)  
Dara P Vanthan (Deputy Director)  
Kok-Thay (Deputy Director)  
Terith Chy (Team Leader)  
Sayana Ser (Team Leader)  
Savina Sirik (Team Leader)  
Pong Rasy Pheng (Team Leader)  
Serey Kith (Team Leader)  
Socheat Nhean (Team Leader)  
Sopheak Sim (Team Leader)

#### **Focus Group**

Sophorn Huy  
Bunthann Meas  
Sokchamroeum Ly  
Faily Sa  
Ratanak Leng  
Sovanndany Kim  
Soksreinith Ten  
Phalla Chea  
Suyheang Kry  
Kimsroy Sokvisal  
Keodara Prak  
Marem Tes  
Pechet Men  
Rachana Phat

### **A3.2 Royal Cambodian Government**

Under Secretary of State, H.E. Chumteav Tun Sa Im, Ministry of Youth, Education and Sports

### **A3.3 Civil Society and ECCC**

Knut Rosandhaug, Deputy Director, Office of Administration, ECCC  
Andrew Cayley, International Co-Prosecutor  
William Smith, Deputy International Co-Prosecutor  
Dr. Helen Jarvs, Head (Outgoing), Victim Support Section (formerly Victims Unit), ECCC  
Paul Oertly, Deputy Head, Victims Support Section (formerly Victims Unit), ECCC  
Richard J. Rogers, Chief, Defence Support Section, ECCC  
Chris Engels, Legal Consultant, Defence Support Section, ECCC  
Susan Lamb, Senior Judicial Coordinator, ECCC  
Dr. Sotheara Chhim, Executive Director, Transcultural Psychosocial Organisation (TPO)  
Ellen Minotti, General Advisor, Social Services of Cambodia  
Chhaya Hang, Executive Director, Khmer Institute of Democracy (KID) and Chair (CHRAC)

Sok Sam Oeun, Director, Cambodian Defender Project (CDP)  
Nahy Pilgore, Director, LICADHO  
Suon Sareth, Executive Secretary, Cambodian Human Rights Action Committee (CHRAC)  
Voun Soviry, Radio Station Manager, Women's Media Centre  
Dr. Luise Ahrens, Senior Advisor to the Rector, Royal University of Phnom Penh  
Jenny Pearson, former Director of VBNK and evaluator of the ECCC VSS  
Kohl Panya, Director, COMFREL  
Sun Boreth. Development Consultant and Team Leaser. Cambodian MSME Project, USAID  
Lun Borithy, Director, Cooperation Committee for Cambodia

### **A3.4 Donors and overseas embassies**

Martina Fors, First Secretary, Swedish Embassy, Phnom Penh  
Roy Fenn, Governance Advisor, USAID  
Michael Engquist, Human Rights and Good Governance Advisor, Danida  
Masaki Kawaguchi, First Secretary, Embassy of Japan in Cambodia

### **A3.5 Beneficiary Communities**

*Khan Kiet Village, O'Ruessey Commune, Kampong Tralich District, Kampong Chhnang (Cham Muslim Community, Cham Oral History Project and Living Documents Project)*

Reak Saan  
Sal Saa  
Kay Tit  
Lee Taa  
Maa Nap  
Klut Kwal  
Kong Mat  
May Kaa  
Mam Moet  
Heng Taa May

*Pursat, Pursat Province. (all outreach projects by DC-Cam)*

Pich Sovien  
Niem Soet  
Moet Yaen  
Niem Soet  
Soet Moen  
Ya Yaen  
Yaen Yin  
Rang Vaa  
Chan Moun  
Svay Poey  
Khim Loeun  
Chan Toeun  
Lok Tieu  
Chile Choeun  
Sin Choeuy  
Chen NOeun  
Keo Chen

Duna Youen  
Chan Sopeap  
Chai Poet

*Genocide Educaiton Participant Observation Field Trip*

## **Annex 4. Selected Documents Reviewed**

### **A4.1 Project Reporting, Proposals and Evaluation**

#### **2010**

DC-Cam Work Plan to Sida

DC-Cam Overall Budget for Sida

DC-Cam Overall Budget for 2008, 2009 and 2010

*Genocide Education Project: The Teaching of A History of Democratic Kampuchea (1975 – 1979) Final Project Report to Belgium*

#### **2009**

DC-Cam Work Plan to Sida

1<sup>st</sup> Quarterly Report

2<sup>nd</sup> Quarterly Report

3<sup>rd</sup> Quarterly Report

4<sup>th</sup> Quarterly Report

DC-Cam Annual Report

Minute of the 1<sup>st</sup> Annual Review Meeting (ARM) between DC-Cam and Sida

Norman Henry Pentelovitch. "Living Documents Project, Project Evaluation"

Alex Hinton. "DC-Cam's Victim of Torture Project: An Evaluation", December 21, 2009

#### **2008**

DC-Cam Work Plan to Sida

DC-Cam Financial Report to Sida

DC-Cam Annual Report

DC-Cam Financial Report

DC-Cam Overall Financial Report, Balance Sheet and Profit and Loss

Sida Country Strategy Cambodia 2008 – 2010

Sarah Thomas. Victim Participation Mid-Project Progress Report, October 2008

#### **2007**

DC-Cam Work Plan

DC-Cam Annual Report

1<sup>st</sup> Quarterly Report

2<sup>nd</sup> Quarterly Report

3<sup>rd</sup> Quarterly Report

4<sup>th</sup> Quarterly Report

Sida In-depth Assessment of DC-CAM

#### **2006**

DC-Cam Work Plan

1<sup>st</sup> Quarterly Report

2<sup>nd</sup> Quarterly Report

3<sup>rd</sup> Quarterly Report

4<sup>th</sup> Quarterly Report

Alex Hinton et al. Truth, Trauma and the Victims of Torture Project: Helping the Victims of the Khmer Rouge Final Evaluation of the Victims of Torture Project, April 5<sup>th</sup> 2006.

## **2005**

DC-Cam Work Plan

1<sup>st</sup> Quarterly Report

2<sup>nd</sup> Quarterly Report

3<sup>rd</sup> Quarterly Report

4<sup>th</sup> Quarterly Report

Proposal to the Swedish International Development Agency 2006-2007 Funding for the Documentation Centre of Cambodia.

## **2004**

1<sup>st</sup> Quarterly Report

2<sup>nd</sup> Quarterly Report

3<sup>rd</sup> Quarterly Report

4<sup>th</sup> Quarterly Report

## **2002-2005**

Summary of DC-Cam's 2002 – 2005 Projects

## **1997 - 1999**

Summary of DC-Cam's 1997 – 1999 Annual Reports

## **A4.2 Funding Agreements, MOUs and Budgets**

### **2010**

DC-Cam Overall Budget to Sweden 2011 - 2013

### **2008**

Specific Agreement between Sida and the Documentation Centre of Cambodia (DC-CAM) on Institutional Support During 2008 – 2010

### **2008**

Overview of DC-Cam Financial Needs

## **A4.3 Institutional and Transitional Documents**

### **2010**

DC-Cam Organisational Chart

Responding to the Cambodian Genocide in a Global Context

Sleuk Rith Institute Brochure

### **2006**

DC-Cam Organisational Chart

## **A4.4 Others**

### **2010**

Michelle Casewell. *National Archives Laws and Legal Issues* (Paper)

Annemarie Prins. *Breaking the Silence: A new Cambodian Radioplay* (Script)

Unknown. Broken Glass: A Young Girl Named Ginger (Press Release)

VOA News/Kong Sothanarity. Centre Seeks Recognition from Tribunal (News Article)

### **2009**

Accreditation Committee of Cambodia, No. 193/09 ACC/SSR Phnom Penh, October 19 2009. Chairman of the Accreditation Committee of Cambodia Address to Rectors and Deans of Higher Education Institutions, objective: to include additional curricula into the basic academic year.

DC-Cam. *Genocide. Who Are The Senior Khmer Rouge Leaders To Be Judged? The Importance of Case 002*. Jaya Ramji-Nogales and Annen Heindel, DC-Cam, 2010

DC-Cam. *The Teaching of 'A History of Democratic Kampuchea (1975 – 1979)'* Teachers' Guidebook

### **2008**

Vivo and the University of Konstanz, Germany. Building a National Framework for the Psychosocial Rehabilitation

### **2007**

DC-Cam. *A History of Democratic Kampuchea (1975 – 1979)* textbook

### **2006**

Ministry of the Council of Ministers Resolution on the Establishment of the Government Working Commission to Review the Draft of the History of Democratic Kampuchea

Ministry of Education, Youth and Sport Letter addressed to His Excellency Sok An, Deputy Prime Minister and Minister in Charge of the Office of the Council of Ministers, objective: The result of the meeting of the working commission to review a "History of Democratic Kampuchea".

Minister of the Ministry of Education, Youth and Sport to Mr. Youk Chhang, Director of the Documentation Centre of Cambodia, objective, Genocide Education Project in Cambodia.

Ministry of Education, Youth and Sport, Minutes of the Meeting on the Review of the Draft of "A History of Democratic Kampuchea".

Office of the Council of Ministers Office of Samdech the Prime Minister Respectfully addressed to Samdech Prime Minister of the Royal Government of Cambodia, objective: Respectfully request Samdech the Prime Minister to give recommendations as a basis for correcting and reviewing the draft of "A History of Democratic Kampuchea" to make it more accurate and unbiased and to use this text in part or in whole as a lesson in the high school curriculum or as supplementary material for students.

#### **A4.5 Correspondence and Internal Documentation (DC-Cam and ECCC)**

##### **2010**

February 17<sup>th</sup>, 2010. Letter from Youk Chang to H.E. TonyKranh and Mr. Knut Rosandhaug, Office of Administration, ECCC.

May 31<sup>st</sup>, 2010. Correspondence from Youk Chang to Dr. Anthony Finn outlining legal opinion of Legal Consultant Héleyn Uñac on the Cambodian Draft National Archives Law (2005).

June 9<sup>th</sup> 2010. Memorandum to Youk Chang from Prof Ramji-Nogales, Legal Advisor to DC-Cam, re: Analysis of 2005 Cambodian Law on Archives.

##### **2009**

2009 (n.d.) Letter to Sida on Auditor Selection.

2009 (n.d.) DC-Cam communicated Comment on Proposed Changes to Civil Party Participation Before the ECCC (also credited to Andrew F. Diamond, J.D. in his personal capacity, Fall 2009 Legal Associate, Documentation Center of Cambodia (DC-Cam).

July 29<sup>th</sup> 2009. ECCC Admissibility of Vietnamese Film Footage Decision.

August 26<sup>th</sup> 2009, Letter from Youk Chang to Susan Lamb, Senior Judicial Coordinator, ECCC.

August 26<sup>th</sup> 2009, Letter from Youk Chang to All Judges, ECCC.

2005. Kingdom of Cambodia, Draft Law on Archives (2005)

## Annex 5. Original ToR

# Terms of Reference for an evaluation of Sida's Core support to the Documentation Centre Cambodia, DC-CAM

### 1. BACKGROUND

DC-Cam is an independent Cambodian research institute established in 1995 dedicated to documenting the history of the Khmer Rouge. The strategic objective for DC-Cam Centre is 'Memory and Justice'. The mission of the organisation is primarily to record and preserve the history of the Khmer Rouge regime for future generations and secondly to compile and organise information for the Extraordinary Chambers in the Court of Cambodia (ECCC). Delays in the establishment of the tribunal have understandably affected their work.

Sida began supporting DC-Cam in 2001 and has since the following year (2002) provided core support. In total Sida has contributed approximately SEK 9.5 million (*will double check*) to DC-Cam. The number of donors has varied over time as the funding often is related to specific projects. Currently the only other bilateral donors are US and Norway and the remaining ones consisting of private foundations. Sida is the only donor providing core support and is therefore an important donor both through the size of the funds and the discretion/ flexibility allowed in this funding modality. USAID has combined core and project support and has set up an endowment fund of \$ 2 000 000 for the DC-Cam, the endowment fund is investing in US bond markets.

### 2. INTERVENTION BACKGROUND

The strategic objective of DC-Cam Centre is 'Memory and Justice for Cambodian people'. In terms of *Justice*, DC-Cam provides services to all parts of ECCC, including the prosecutor, defence counsel, judges, and judicial police. DC-Cam also engages with the public, providing impartial information about the Khmer Rouge era and the tribunal proceedings, and they monitor the hearings at ECCC.

In relation to *Memory*, DC-Cam pursues its efforts on public outreach activities and lays a solid foundation for the post-Tribunal period. The planned results/pillars to be accomplished during the years of this support phase include Physical Establishment, Genocide Education, Memory and Legal Accountability.

*Physical Establishment:* DC-Cam, after the trials, will change its direction to be a permanent centre, consisting of a museum, research and training institute. The objective of the centre is to create the available resource centre for scholars and interested members of the public and a hub for the dissemination of educational materials about the DK regime (Democratic Kampuchea) and its aftermath.

*Genocide Education:* Following the proposal of DC-Cam, the Cambodian Government have approved to include genocide education in high school curriculum. The Ministry of Education have actively taken part of the discussions on the curriculum and textbook contents. The objective is to create the arena for high school students to learn about their history and retain their memory.

*Memory:* The memory will remain essential for DC-Cam once it becomes a permanent centre. The objective is to allow the interested members of the public, local people and victims to be able to retain the

atrocious history committed by the DK on their lives and their relatives. The centre plan to elaborate a list of names and photographs of people who died during the DK period to be exhibited in the DC-CAM museum and at all 1621 communal offices nationwide.

*Legal Accountability:* For the immediate effect, this pillar is mainly beneficial to the KR trials as it will help provide the primary sources of information and witness for ECCC to function in accordance with its mandate. In the long term perspective, it will contribute to the strengthening and promotion of Rule of Law in Cambodia as whole.

### **3. EVALUATION PURPOSE**

In the current administrative agreement between Sida and DC-Cam it was decided that a forward-looking evaluation should be conducted late 2009 or early 2010. The reason for this is to facilitate DC-Cam's transformation as their inevitable role will change as the trials at ECCC come to an end in a few years time. However, as Sida is about to formulate a proposal for a new cooperation strategy for Cambodia in 2010 the evaluation will also inform this process. Therefore the primary intended users are both DC-Cam and Sida (potentially other donors to DC-Cam) and their purposes for the evaluation will inevitably be slightly different as stated above.

The evaluation should assess the effectiveness, sustainability and independence of the organisation in terms of organisational structure; funding structure; role and relevance of the organisation for the Cambodian society, particularly after the trials at ECCC come to an end.

The evaluation should also look into some of the key dialogue issues between Sida and DC-CAM during the current agreement phase namely gender mainstreaming, donor coordination/harmonisation and strategic relationships.

Lastly, the evaluation should advise on how an action plan for the transitional period (beyond the ECCC) could look like.

### **4. EVALUATION QUESTIONS**

The evaluation shall consider standard evaluation criteria in accordance with the OECD/DAC Glossary of key terms in evaluation and results based management and the OECD/DAC Evaluation Quality Standards.

a) Assess to what extent DC-CAM's planned activities have been implemented and to what extent they contributed to stated objectives (qualitatively and quantitatively)? Are there any major deviations from plans and implementation? If so, why?

b) Assess the development of DC-CAM's management systems for monitoring outputs, outcomes and the impact of its activities. To what extent have baselines been established against which DC-CAM monitor progress, risks and results of its activities?

c) Assess the effectiveness of DC-CAM's organisational structure and its sustainability.

d) Assess DC-CAM's overall funding picture and their financial sustainability plans and strategies. Suggest how DC-CAM could structure their budget (core funding, programme/project funding, their own revenues and endowment fund) in a favourable manner without compromising independence.

- e) Discuss DC-CAM's relevance, independence and sustainability post-ECCC trials particularly the twin objectives of DC-CAM and how these could be modified if needed.
- f) Assess DC-CAM's strategic partnerships with relevant actors within and outside Cambodia.
- g) Assess potential for more harmonised and co-ordinated institutional donor support in the future.
- h) Assess how gender equality has been mainstreamed in DC-CAM activities and organisation. Suggest how this could be improved if deemed necessary and relevant.
- i) Advise how an action plan for the transitional period could look like.
- j) Assess DC-CAM's contribution to the wider civil society in Cambodia.

As mentioned, the evaluation should first look backward assessing what has worked and what has not and then based on these observations come up with clear recommendations for the future.

## **5. RECOMMENDATIONS AND LESSONS LEARNED**

Which key conclusions and lessons (both positive and negative ones) can be drawn with regard to the above findings? The purpose of the MTR is learning rather than controlling which should be reflected in the approach and report of the consultants.

## **6. METHODOLOGY**

The consultants shall be guided by the Swedish development co-operation objectives which especially include the poor people's perspectives on poverty and the rights perspective. The consultants shall carry out this task by reviewing relevant documentation and conduct interviews with relevant actors. The selected consultants are free to propose a plan on how the team wants to structure its work and what methods to use.

The relevant documentation includes:

*DC-Cam organizational chart*

*Project proposals*

*Project reports*

*Field trip reports*

*DC-Cam's overall quarterly and annual reports*

*Financial reports*

*Staff and overall work plans*

*News clips; letters from students, teachers and villagers (to view impacts of DC-Cam's operation on the wider society)*

*Audit reports*

## **7. WORK PLAN AND SCHEDULE**

The evaluation shall take place before end of April 2010. In total 4 weeks shall be allocated for the assignment. The interviews with DC-CAM staff should to the extent possible take place before end of March.

The preliminary report shall consist of the main findings and conclusions. Other relevant and interested actors shall be invited to this presentation. Following the presentation DC-CAM and Sida will have ten days to submit comments to the consultants.

## 8. REPORTING

The final evaluation report shall be written in English and should not exceed 30 pages, including an executive summary and excluding annexes. For guidance on evaluation report structure, see Sida's Evaluation Manual (2007). The final report shall be submitted to Sida in electronic format no later than XX. If acceptable, Sida shall consult with DC-CAM and jointly approve the report within four weeks of the submission to Sida.

## 9. EVALUATION TEAM

The team should consist of two people with good knowledge of the Cambodian context as well as institutional development and organisational change.

Criteria		Max points
1.	Consultants' socio-economic background and experience of Institutional and organisational development in development countries	25
2.	Cambodian context	15
3.	Suitability of methodology	10
4.	Suitability of working plan and time schedule	10
5.	Cost of the assignment	50
<b>Total max points</b>		<b>100</b>

## **Annex 6: NCG Inception Report**

### **1.1 Background to DC-Cam and Sida's Support of the Organisation**

The Documentation Centre of Cambodia (DC-Cam) is an independent and non-partisan institute in Cambodia that was created in 1995 originally as a field office of Yale University's Cambodian Genocide Programme. DC-Cam began by collecting and researching all materials related to the Khmer rouge regime, the political group responsible for Cambodia's four year genocide. In 1997, DC-Cam transitioned from being the field office of Yale University's academic program "University's Cambodian Genocide Program" to become a Centre with extensive research and documentation activities. It re-constituted as an independent research institute and soon after became the world's largest repository of Khmer Rouge related documents.

DC-Cam was established a not for profit NGO in receipt of funding from a wide variety of international sources including the Government of Sweden.

DC-Cam's mission is to promote memory and justice, both of which it understands as being the critical foundations for the rule of law and genuine national reconciliation in Cambodia. The organisation has two objectives: (i) to record and preserve the history of the Khmer Rouge regime for future generations, and (ii) to compile and organise information that can serve as potential evidence in a legal accounting for the crimes of the Khmer Rouge.

DC-Cam's main work is to collect, document and catalogue materials related to the Khmer Rouge regime and to transfer the details of these materials to one of four extensive databases. DC-Cam carries out ongoing research to compile and analyze primary documentary materials collected through various means (including fact-finding missions abroad), attempting to understand how they fit into the overall historical context of the Khmer Rouge period. The strategic objective for the centre is Memory and Justice and the focus of the work is to promote accountability and justice.

A first fundamental principle of the work of DC-Cam is that "a society cannot know itself if it does not have an accurate memory of its own history."

A second fundamental principle of the work of DC-Cam is that by successfully promoting memory and justice DC-Cam will contribute to building a foundation for the rule of law and genuine national reconciliation in Cambodia.

The current phase of DC-Cam's work with the Extraordinary Chambers in the Courts of Cambodia (ECCC) will come to a conclusion with the end of the tribunals in the near future and the Centre will then transition to a new, permanent entity: the Sleuk Rith Institute. In this next stage of the Centre's development it is planned that DC-Cam will continue to pursue its efforts on public outreach activities and will have four key pillars to be accomplished to support a successful transition to a permanent centre. These pillars are: Physical Establishment; Genocide Education; Memory and Legal Accountability.

Since 2001, Sida has given financial support to the Documentation Centre Cambodia, DC-CAM. The support is core support and involves other bilateral donors (US and Norway). Since 2002 Sida has been the only donor giving core funding to the organisation. Financial support has been given in phases (2001 – 2002; 2002 – 2006, 2006-2007 and 2008-2010). Sida has documented its support as being focused on four key areas: (i) Documentation; (ii) Promotion of Accountability; (iii) Rule of Law and (iv) Publication and Reconciliation Outreach. Sida funding is not to support the establishments of the Sleuk Rith institute

but it is intended that this forward looking evaluation will assist DC-Cam strategise around the transition to an independent, permanent, centre.

## 1.2. Rationale, Purpose and Objectives of the Forward Looking Evaluation

Sida, as part of its exit from funding DC-Cam has commissioned this evaluation as a learning capture exercise to identify learning from DC-Cam's performance in relation to the KRT process and to assist in DC-Cam's transformation in light of their changing role as the trials at the ECCC come to an end. This forward looking evaluation will be a capacity building exercise both in how the consultancy team interacts and facilitates knowledge transfer with DC-Cam's staff and management, and in so far as the evaluation itself contributes to DC-Cam's change strategy. The evaluation will also inform Sida's new cooperation strategy. The primary users of the evaluation will be DC-Cam and Sida but it is envisaged that other donors to DC-Cam may also use this evaluation. The evaluation team will remain cognisant of the potential use of the evaluation by other donors, in particular USAID (which has established an Endowment for the Sleuk Rith institute) and to address questions communicated to the team by these donors while in-field.

The **purpose** of the evaluation is to:

- iv. Assess the effectiveness, sustainability and independence of DC-Cam in terms of (a) organisational structure; (b) funding structure; (c) role and relevance of the organisation for the Cambodian society both before the conclusion of the trials at ECCC and with emphasis on the role and relevance after the trials have ended. Also, to examine key dialogue issues between Sida and DC-Cam during the current agreement phase, in particular (a) gender mainstreaming; (b) donor coordination/donor harmonisation, and (c) strategic relationships;
- v. Advise Sida and DC-Cam on potential action plans for the transitional period post the trials at ECCC. These potential action plans should be a change management tool for DC-Cam and allow for potential scenarios in the post-trial period;
- vi. Inform and contribute to the formulation of Sida's new cooperation strategy for Cambodia in 2010.

The **objectives** of the evaluation are

- vii. To ascertain the achievements of DC-Cam work in the KRT;
- viii. To ascertain the performance of DC-Cam's institutional arrangements and structures;
- ix. To document historical learning concerning the achievements and activities of DC-Cam and the impact on Cambodian civil society in general;
- x. To identify recommendations for the transitional period post ECCC Trials;
- xi. To assist where possible in the capacity building of DC-Cam with a focus on transition, institutional development and sustainability;
- xii. To inform Sida country strategy for Cambodia.

## 2. Evaluation Scope

The evaluation will assess the following issues with regards to DC-Cam's support of KRT and its transformation to an independent permanent centre, with particular focus on the years 2007 – 2010 when the centre was fully active in supporting the ECCC.

### 2.1 Relevance, Effectiveness, Efficiency, Impact and Sustainability

The evaluation will apply standard OECD-DAC criteria of relevance, effectiveness, efficiency, impact and sustainability.

- vi. **Relevance.** The evaluation will establish the relevance of DC-Cam and its work with reference to beneficiary communities and in two contexts: (a) historically leading up to and including supporting ECCC, and (b) post ECCC trials. The evaluation's assessment of the historical relevance of DC-Cam will examine (a) the extent to which the original organisational assumptions and programme objectives are still valid; (b) the extent to which the outputs of DC-Cam over time have been and continue to be relevant to the overall goal of promoting accountability and justice, and (c) the degree to which programme outputs achieve the intended impacts and effects. The assessment of the relevance of DC-Cam in the lead-up to the completion of the ECCC trials and post-ECCC trials will be done through futures work and environmental scoping and will be informed by the assessment of the impact of DC-Cam work to date. The national, regional and international contexts will be considered as will the changed role of DC-Cam as they relate to the intended objectives, goals and impacts of the future Sleuk Rith Institute.
- vii. **Effectiveness.** The evaluation will establish the effectiveness of DC-Cam in achieving its goals across all major projects in terms of process, achievements (impact and subsidiary effects), outputs and with reference to process issues including meeting barriers to change. There will be particular emphasis on:
  - a. The participation of vulnerable groups including ethnic and religious minorities; women, and victims of torture in project creation, implementation and impact;
  - b. Documenting genocide and the effects of genocide;
  - c. Accountability;
  - d. Promoting the rule of law;
  - e. Use of media including publications;
  - f. Reconciliation;
  - g. Organisational structure;
  - h. Management systems;
  - i. M&E systems;
  - j. Risk assessment procedures;
  - k. Strategic relationships, and
  - l. Other institutional issues as they arise.

Effectiveness will also be examined in the context of how DC-Cam can plan to achieve its goals post-ECCC, the institutional issues that should inform such planning and the effectiveness of strategic relationships for the development of the independent centre.

- viii. **Efficiency.** The evaluation will establish the efficiency of DC-Cam in relation to project outputs and the achievement of impact. Project activities will be historically reviewed in terms of their efficiency in achieving the desired outputs and impact. Particular relevance will be assigned to:

- a. Financial diligence;
  - b. Donor harmonisation and the design of project inputs;
  - c. Institutional arrangements, and
  - d. Managing non-financial resources to achieve beneficiary, systemic and subsidiary impacts.
- ix. **Impact.** The evaluation will measure results, outcomes and where ever feasible the impact of DC-Cam and DC-Cam projects. The measurements will be done using perceptive and objective criteria to assess the effects of a selection of projects. The measurement of impact will be clustered to include:
- e. Estimated impact on sample beneficiary communities which while it cannot replace a full beneficiary impact assessment can give an idea of the key effects of selected areas of DC-Cam's work, and can offer indication of future need that may be addressed through the Sleuk Rith Institute. Aspects such as: (a) gender equality; (b) healing and reconciliation, and (c) mental health and wellbeing will be addressed;
  - f. Systemic impact of selected projects, activities and impacts resulting from DC-Cam being in existence on (i) Cambodian society in general; (ii) Education system; (iii) Rule of Law, and (iv) Accountability;
  - g. Impact of selected projects and activities on Cambodian civil society and where relevant specific CSOs;
  - h. Subsidiary impacts.

Every effort will be made to cluster the analysis so as to identify cross cutting effects and impact and to analyse results thematically around Documentation; (ii) Promotion of Accountability; (iii) Rule of Law and (iv) Publication and Reconciliation Outreach. In addition outcomes and impacts will be analysed so as to identify areas of need and legacy impacts that can inform DC-Cam's strategising around their transition and the future work of the Sleuk Rith Institute.

- x. **Sustainability.** For the purpose of this evaluation the consultants will define sustainability in three ways: (i) program sustainability, that is; whether or not the impacts of Sida funding via DC-Cam activity are sustainable; (ii) organizational sustainability, that is; the sustainability of DC-Cam and so the planned sustainability of Sleuk Rith Institute, and (iii) concept sustainability, that is; the sustainability of the concepts being promoted by the Sida intervention in Cambodia with DC-Cam including: (a) gender; (b) accountability; (c) rule of law; (d) reconciliation and others as identified during the evaluation.

Sustainability has particular relevance to the evaluation because DC-Cam is planning for transition and because the evaluation should inform the strategies of DC-Cam so that where relevant it can support DC-Cam's plans for organisational sustainability and for the persistence of results and impact post the exit of Sida from funding the organisation. To this end the analysis of sustainability will be structured so as to examine:

- a. Organisational sustainability post-exit of Sida including financial resource and institutional arrangements for the establishment of Sleuk Rith institute such as staffing, institutional memory and transfer of knowledge;
- b. Sustainability of ECCC administration in the transition phase;
- c. The extent to which relevant project results (such as systemic change, impact on governance and accountability and the rule of law) will persist post-exit of Sida as well as during and after transition;
- d. The strategies, successes of and risks to sustainability as a result of first, DC-Cam's strategy for transition and second, environmental factors

- e. The future scenarios in which sustainability will be achieved and in which it will be lost
- f. Risk to development outcome.

## 2.2 Evaluation Questions

The current scope of questioning for the DC-Cam evaluation is as follows but will be subject to review where necessary as field work is carried-out and as agreed by Sida. The questions answered in the forward looking evaluation will include but may not be limited to:

- xvi. To what extent have DC-Cam's planned activities been implemented and to what extent have they contributed to stated objectives (qualitatively and quantitatively)?
- xvii. Have there been major derivations from plans and implementation and if so why?
- xviii. How effective have DC-Cam's management systems been for monitoring outputs, outcomes and the impact of its activities? To what extent have baselines been established against which DC-Cam monitor progress, risks and results of its activities?
- xix. How effective has DC-Cam's organisational structure been?
- xx. How sustainable is DC-Cam and what is the effectiveness of its planned sustainability?
- xxi. What is DC-Cam's overall funding picture and the Centre's financial sustainability plans and strategies? How effective are they?
- xxii. How should DC-Cam structure its budget (core funding, programme/project funding, revenues and endowment fund) in a favourable manner without compromising independence?
- xxiii. What is the analysis of DC-Cam's relevance, independence and sustainability post-ECCC trials particularly the twin objectives of DC-Cam and how these could be modified if needed?
- xxiv. How effective, sustainable and relevant are DC-Cam's strategic partnerships with relevant actors within and outside Cambodia?
- xxv. Is there potential for effective and sustainable harmonised and co-ordinated institutional donor support in the future?
- xxvi. How has gender equality been mainstreamed in DC-Cam activities and in the organisation itself? How could this be improved if deemed necessary and relevant?
- xxvii. What are the potential scenarios for DC-Cam post-trials at the ECCC?
- xxviii. What is the action plan for the transitional period? What are the factors that could influence it?
- xxix. How should DC-Cam manage its transition?
- xxx. What has been DC-Cam's contribution to the wider civil society in Cambodia and what might it be in the future?

## 2.3 Evaluation Themes

The evaluation will have three cross-cutting themes that will relate to key dialogue issues between Sida and DC-Cam during the donor period 2001 - 2010

### 2.3.1 Gender Mainstreaming

To a large extent Cambodian society is patriarchal with strong social norms retaining that structure. Familiar in development contexts there are strong disparities between men and women in decision making and participation and under Sida investments DC-Cam has countered this through a dual strategy of mainstreaming gender participation in project activities and mainstreaming gender equality in institutional arrangements. Of its projects, a lead project in addressing gender equality would be the Cham Muslim Oral History Project which has documented and transcribed large numbers of interviews with Cham Muslim women as well as collecting relevant documents and publications. In terms of its

organisational structure, to date DC-Cam has developed its staff to include nearly fifty percent female staff drawn from a variety of locations around Cambodia.

The evaluation will apply a gender mainstreaming analysis across project areas and project activities as well as to the historical institutional arrangements in DC-Cam and those planned for the Sleuk Rith Institute. Issues such as the extent to which DC-Cam has had impact in addressing the systematic violation of women's rights because of social norms and the Khmer Rouge genocide, as well as the degree to which the organisation has institutionalised equality will be addressed. Also, subsidiary effects such as the degree to which DC-Cam institutional equality agendas have influenced other CSOs will be examined. The evaluation will consider how the Sleuk Rith Institute can be active where women's rights violations are perpetrated and where CSOs and Government work to advance the legislative, social and political environments to combat such violations and violence against women. It will consider gender mainstreaming as part of an overall diversity strategy which addresses marginalised communities including those disabled or injured physically and psychosocially by the Khmer Rouge genocide and its legacy.

### **2.3.2 Donor Co-ordination and Donor Harmonisation**

In development contexts donor coordination and donor harmonisation are often challenging for government and for NGOs, both domestic and international. The evaluation will examine the strategies and outcomes of DC-Cam's donor coordination and donor harmonisation work and will assess the capacity and strategies of the organisation to engage in same as it transitions. Donor coordination and donor harmonisation will be situated in the overall context of sustainability and lessons learnt that can then inform transition strategies. Feedback from current donors as well as national and international partners will be instrumental in the formation of this analysis. The evaluation will examine donor co-ordination in the context of the overall fundraising challenges to the Sleuk Rith Institute and the strategy being developed for the centre.

### **2.3.3 Strategic Relationships**

The evaluation will analyse both the strategy and reality behind DC-Cam's strategic relationships in terms of their relevance, effectiveness, efficiency, impact and sustainability, and in terms of how they can inform the transition of the organisation. The evaluation will address such questions as what is the efficacy of DC-Cam environmental analysis to identify key strategic relationships and how these relationships currently influence project results.

Because of the large scope of DC-Cam's historic and current relationships the evaluation will be selective in how it carries out its analysis. The analysis will include domestic and international relationships and how they relate to project results and the transition. Examples are:

#### **i. Domestic**

- a. ECCC
- b. Government Ministries
- c. CSOs and Civil Society
- d. Population Groups/Beneficiary Populations
- e. Private Groups
- f. Others as identified

#### **ii. Regional and International**

- a. Donors (particularly Sida, Danida, Norad, USAID, NZAID)

- b. International Partner organisations, particularly in Asia, Sweden, USA (for example Rutgers University in the USA)
- c. Expatriate Populations
- d. Others as identified

## **2.4 Sleuk Rith Institute Transition Analysis**

DC-Cam appears quite far progressed in its arrangements for transition to the Sleuk Rith Institute and the transition project is lead internally by staff member Rachana Phat. Progress to date has included: (i) taking possession of a large parcel of land from the Royal Government of Cambodia for the construction of the institute; (ii) scheduling construction to an international design for late 2010 which will include: (a) museum space; (b) school and library space; (c) library; (d) research department; (e) administration department; (f) media department, and (g) a memorial to the victims of the Cambodian tragedy, and (iii) securing an endowment of USD 2 million to help core fund the institute.

The roles of the Sleuk Rith Institute have been defined as:

- i. A museum for visitors;
- ii. A library and research centre for scholars and interested members of the public, and
- iii. A hub for genocide education about the Khmer Rouge period and the principles of human rights needed to prevent a similar calamity in the future.

### **2.4.1 DC-CAM Transition Strategy and Planning**

On a macro-level the evaluation will analyse the DC-Cam transition strategy and planning as it has occurred to date and triangulate the analysis with the findings from the evaluation questions, themes and OECD-DAC criteria. The analysis will focus on four key areas:

- i. The physical establishment of the Centre including funding and timelines;
- ii. Genocide Education as a project that will span the transition from DC-Cam to the Sleuk Rith Institute. Genocide Education will be analysed both as a pillar of the work of the organisation as it transitions and as a lever to create systemic change in the education system;
- iii. Memory in so far as memory is one half of the overarching strategic goal of DC-Cam permeating all aspects of the projects DC-Cam currently have and those planned for the Sleuk Rith Institute.
- iv. Legal Accountability in so far as DC-Cam's work with the ECCC will have legacy effects such as strengthening the rule of law in Cambodia and which may be supported by the Sleuk Rith Institute.

The evaluation will use qualitative and quantitative analysis including scenario planning and timeline analysis to scope scenarios pertaining to what the future environment may look like for the Sleuk Rith Institute and for the legacy of DC-Cam. These scenarios can then inform the development and implementation of the organisation's strategy around transition.

The evaluation will gauge how the transition of DC-Cam to an independent centre will affect sample beneficiary communities and key stakeholders and how they perceive the future role of a museum, library, research centre and genocide education hub. It will also place the transition in the context of Sida Country Strategy for Cambodia.

## 2.4.2 Institutional Arrangements, Organisational Strategy and Capacity Building

There are huge institutional, organisational issues around effecting such a transformation as that planned by DC-Cam. The evaluation will address institutional arrangements and organisational strategy as well as DC-Cam's environmental analysis of the rationale behind the transition and the transition itself. The evaluation will include triangulating this analysis with the overarching scope, purpose and objectives of the evaluation. In addition the strategy will be mapped against the likely role of Sleuk Rith Institute in Cambodian Society and with reference to the key beneficiary communities and stakeholders in DC-Cam and the KRT process.

## 2.4.3 Capacity Building

A purpose of the evaluation is to advise Sida and DC-Cam on potential action plans for the transitional period post the trials at ECCC. It is envisaged that the evaluation and the action plans will contribute to DC-Cam's stock of change management tools and so where needed increase the capacity of DC-Cam to efficiently and effectively implement the transition. In addition to this aspect of capacity building the evaluation team will facilitate a session with key staff in DC-Cam to identify other areas of capacity building some of which the team may be able to address in Cambodia and others which will inform the findings of the evaluation. Areas that have already suggested to DC-Cam for their consideration are:

- i. Results Based Management;
- ii. M&E Frameworks;
- iii. Planning including Logic Models, and Social Change Modelling;
- iv. Organisational Development;
- v. Scenario Planning.

If possible, some capacity building training can be delivered by the evaluation team; at least capacity building needs can be mapped during the evaluation process.

## 2.5 Observations to Inform Sida's Cooperation Strategy for Cambodia

The most recently stated overall objectives of Sweden's development cooperation with Cambodia has been for poor women and men to have better access to legal rights and adequate non-discriminatory public services. The strategy has sought to create the conditions for poor women and men to improve their lives and to contribute to Sweden's policy for global development: to contribute to equitable and sustainable global development. The cooperation between Sweden and Cambodia has been based on Cambodia's development objective as expressed in the national poverty reduction strategy 2006 – 2010 (the National Strategic Development Plan or NDSP) and on two aspects of the policy for global development: (i) poor people's perspective of development, and (ii) the rights perspective.

The most recent cooperation strategy (January 2008 to December 2010) has identified three objectives of the cooperation areas as follows:

- i. **Primary education:** Improved access to and quality of primary education for girls and boys living in poverty;
- ii. **Democratic governance:** A decentralised public administration with greater capacity to satisfy the rights of poor women and men living in rural areas;
- iii. **Human rights:** A lively civil society as a promoter of democracy and human rights.

The objectives of this current dialogue with Cambodia are as follows:

- i. **Primary education:** Ensure the allocation of resources benefits poor girls and boys;
- ii. **Democratic governance:** Establish and implement appropriate structures and forms for the reform programme for decentralisation with the aim of reaching vulnerable and poor women and men in rural areas;
- iii. **Human rights:** Work to encourage the Cambodian government to hold and improved dialogue with civil society on issues concerning respect for the protection of human rights.

Sida's support of DC-Cam has serviced both the democratic governance and human rights areas of its country strategy with Cambodia. The decision by DC-Cam to transition to the Sleuk Rith Institute post-ECCC prompted Sida to identify that it would cease its involvement with the organisation. The timeline adopted by DC-Cam for transition has corresponded with the completion of Sida's current country strategy and the formulation of the next phase in Sweden's cooperation with Cambodia.

### **2.5.1 Contribution of Dc-Cam to Cooperation Strategy (previous)**

DC-Cam has previously been identified as being relevant to Cambodian society and Sweden's cooperation strategies with Cambodia, of being effective in promoting accountability and democratic governance and of being instrumental in promoting progressive cooperation between government and civil society, not least of all via its advocacy strategy, which is characterised by engaging with government in a cooperative, constructive and problem solving manner.

The evaluation will review the historic contribution of DC-Cam to Sweden's cooperation strategies spanning the time of engagement with DC-Cam (2001 to 2010). It will identify the contribution in terms of the purpose and objectives of the evaluation and will use qualitative analysis to capture learning from Sida's engagement with DC-Cam and how this has benefited or not benefited Sweden's overall cooperation strategy with Cambodia as well as Cambodian society in general. In particular the analysis will examine key dialogue issues such as those outlined above and assess the outcomes of cooperation in these areas. However it is recognised that the engagement of civil society and government is an ongoing process and there is often a risk to openness, transparency, good governance and human rights that government can foster repressive environments for civil society. To that extent the evaluation will seek to estimate the risk to the results achieved by DC-Cam's operation and to assess the threats or otherwise posed by the organisation's transition.

### **2.5.2 Changed environment for engagement post-Dc-CAM**

The evaluation will build on its analysis to suggest how the transition of DC-Cam can inform the development of Sweden's next strategy for cooperation with Cambodia. Guided by the cooperation and dialogue objectives the evaluation will present analysis of the changed environment for Swedish engagement with civil society in Cambodia in the space that has been filled by DC-Cam. The evaluation will identify the consequences to Swedish cooperation with Cambodia of DC-Cam's transition as well as the challenges remaining for cooperation particularly as they may pertain to

- i. DC-Cam's role in Cambodian civil society post-ECCC;
- ii. The participation of poor people and vulnerable groups such as women in accountability, justice and the rule of law;
- iii. Where the repository of information pertaining to the history of genocide in Cambodia and the KRT may be useful for the continued promotion of human rights and democratic governance by other NGOs;
- iv. The ongoing post-transition relationships with government and other strategic bodies and populations.

## 2.6 Dc-CAM Programme Areas

According to DC-Cam work plans and reporting, per annum, between 2008 and 2010 DC-Cam has had up to 23 distinct programme areas operationalised simultaneously. This organisation of organisational strategy around programme areas presents a high number of activities not all of which are directly supported by Sida. However, because Sida has provided core funding to DC-Cam all of DC-Cam's Programme areas are of relevance to this assessment. Following is a breakdown and analysis of the programme areas not as they are presented in DC-Cam work plans but rather as they are presented in DC-Cam reporting. This allows the high number of activities to be grouped into strategic areas as identified by DC-Cam which in turn can be thematically analysed in the context of the evaluation objectives. It also reveals the relative importance of programme areas and activities that is not always visible in operational planning.

## 2.7 Khmer Rouge Tribunal<sup>11</sup>

DC-Cam's support to the Khmer Rouge Tribunal has only been in effect since 2004 when the organisation developed procedures for the ECCC to access DC-Cam Archives. The creation of these procedures corresponded with two key environmental changes: (i) the ratification by the Cambodian National Assembly of the agreement between the United Nations and the Royal Government of Cambodia concerning the prosecution under Cambodian law of crimes committed during the period of Democratic Kampuchea, and (ii) the promulgation of the Khmer Rouge Tribunal Law harmonizing the Cambodian government's agreement with the UN on establishing the KRT and so the ECCC offices.

However, despite drafting an MoU setting out rules, specifications and sample certification for using DC-Cam's documents that were held in its archive in late 2005 and submitting this to the Director of the Office of Administration of the Extraordinary Chambers, the Coordinator of United Nations Assistance to the KRT and the Cambodian Authorities the access procedure was not formerly recognized. Despite this by 2007 (ten years after the establishment of DC-Cam), the ECCC was accessing the documentation archives.

The evaluation will assess DC-Cam's support to the KRT/ECCC in macro and micro contexts and with reference to the evaluation purpose. In a macro context the evaluation will review the support to the KRT in terms of the resulting systemic changes in Cambodia, changes to beneficiary communities and subsidiary impacts. The evaluation will consider how the DC-Cam legacy will transfer with the transitioning of the organisation and what influence and impact the Sleuk Rith Institute is likely to have in selected thematic areas. In a micro-context the evaluation will work through project activities as outlined below to identify results and learning that can inform the work of the Sleuk Rith Institute and donor strategy in Cambodia.

### 2.7.1 (i) ECCC

DC-Cam support to the ECCC has been complex and comprehensive. During 2006 the ECCC administrative offices were established in Phnom Penh, the national and international judicial officials were sworn in and the ECCC took up residence in a space at the Royal Cambodian Air Force headquarters outside of Phnom Penh, however due to political issues the Tribunal did not start until mid-2007. DC-Cam worked up until 2007 on comprehensive preparatory work including the development of the Legal Response Team, Research, Publicity and most importantly the preparation of Documentation. In addition DC-Cam liaises with and briefs staff and officials of the ECCC and the UN on issues

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<sup>11</sup> 'KRT' and 'Khmer Rouge Tribunal' are the common terms used to denote the ECCC process.

pertaining to the centre work and support of the ECCC. Also DC-Cam used its projects such as the Living Documents to strengthen the participation and protection of the victims of Democratic Kampuchea.

#### 2.7.1 (ii) Legal Response Team

Dc-Cam began delivering legal training to NGO staff, media, and political and legal representatives during 2004 and established its Legal Response Team in 2005 with it becoming fully operation in February 2006. The Legal Response Team has consisted of Cambodian and international experts from the fields of law, history, political science, library science and technology which have been based in Cambodia and overseas.

The work of the Legal Response Team has worked to provide access to the DC-Cam archives and to sensitise staff and ECCC, judicial authorities and other relevant parties not only on the archives and work of DC-Cam but also on the identification of Khmer Rouge cadres. The Legal Response Team has more recently participated in clinical programmes in Cambodia and overseas in the UK and USA that have concerned ECCC law and workings, as well as political interference in the judicial processes.

The evaluation will assess the work of the Legal Response Team with reference to the purpose of the evaluation. It will assess the process of support to the ECCC, work done to date and the impacts (systemic, beneficiary and subsidiary) of the team's work. It will also consider the role of the team post-transition.

#### 2.7.1 (iii) Victims Participation

DC-Cam's Victims Participation project is a more recent project that was developed in 2007 but this is not to say that the participation of victims in the centre's work has not been an operational principal in the work of DC-Cam. This Victims Participation project assists survivors who wish to participate in the ECCC process. The project has worked to reactivate the informal truth commission process from the 1980s and the project is targeting the original petitioners of the "Renakse" petitions to identify if they want to re-tell their stories, this time to the ECCC. Under this project, by the end of 2009 DC-Cam had assisted 1,765 people file victim participation forms with the ECCC of which 38 were recognized as civil parties in Case 001 and 24 in Case 002.<sup>12</sup>

During 2009 the Victim Participation project assisted the Victims Unit, the Civil Party lawyers in the above cases and the civil parties involved in the cases. The project emphasises sensitisation outside Phnom Penh as part of its work and during 2009 made three trips to the regions to sensitise villages about their victim participation rights and help them completed ECCC victim participation forms. The project has completed additional work in surveying the public to identify trends in opinion around public support for aspects of the ECCC trials.

The evaluation will assess the work of the Victims Participation project with reference to the purpose and themes of the evaluation. Particular emphasis will be placed on the impact on beneficiary communities but the strategies used by the project including sensitisation and M&E. The evaluation will also assess how expertise built up not just in direct project work but also in the strategies can be transferred to the Sleuk Rith Institute where appropriate.

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<sup>12</sup> Case 001 is the first trial in the ECCC which began on March 30, 2009 involving defendant Duch (Kaing Geuk Eav). Case 002 will begin during 2010 with defendants Noun Chea, Khieu Samphan, Ieng Sary, and Ieng Thirith.

#### 2.7.1 (iv) Digitalization

DC-Cam's digitalization project is a collaborative project with the ECCC to digitalize 1,000 reels of microfilmed DC-Cam documents with the objective of preserving the documents and making them easily available to the public and future researchers. The project is being designed with the participation of international partner expert agencies.

The evaluation will assess the Digitalization process as part of the support to ECCC as outlined above. Issues such as data integrity and security will be assessed as will be the strategies behind international cooperation and transferring the data to the Sleuk Rith Institute.

#### 2.7.1 (v) Cambodian Tribunal Website

The Cambodia Tribunal Monitor is a consortium of academic, philanthropic and non-profit organizations committed to providing public access to the tribunal and open discussion throughout the judicial process. The key partners are: (i) DC- Cam; (ii) the Centre for International Human Rights at Northwestern University, School of Law; (iii) The Illinois Holocaust Museum and Education Centre, and (iv) J.B. and M.K Pritzker Family Foundation. DC-Cam's participation in the project facilitates the organisation to disseminate its files in multiple languages and sensitise the national and international community about the proceedings of the ECCC, not least of all via the webcasting and posting video clips of parts of the trials.

The evaluation will assess DC-Cam's participation in the Cambodian Tribunal Website with reference to the purpose and themes of the evaluation and with particular emphasis on the organisation's sensitisation, communications and advocacy strategies.

### 2.7.2 Documentation

Documenting the history of the Khmer Rouge has been consistently at the heart of DC-Cam operations and directly services its Mission of promoting memory and justice. Documentation is a pillar of all DC-Cam activity and includes interviews, documents from Democratic Kampuchea, photographs, field reports and interviews. The size and scope of the documentation aspect of DC-Cam is extensive, for example, one online database contains nearly 70,000 and during 2008 and 2009 the centre catalogues and entered over 15,000 documents received from the University of Lund into a MySQL database.

Since the involvement of Sida the Documentation part of DC-Cam's work has included: (i) cataloguing and database management; (ii) microfilming; (iii) museum exhibitions; (iv) digital photo archiving; (v) affinity group; (vi) mapping project, and (vii) forensics study.

The evaluation will assess Documentation with reference to the purpose and themes of the evaluation. It will discuss the macro issues such as the value to Cambodian reconciliation of the project and examine micro issues such as outstanding work. It will assess the systemic and legacy effects of the project and discuss the transfer of the work to the Sleuk Rith Institute and the resulting opportunities for dissemination and learning. Practical dynamics such as data integrity and safety will also be discussed.

### 2.7.3 Promoting Accountability

Historically the Promoting Accountability project has supported the Victim Participation project and during 2009 was merged with same. The original objective of the project was to construct a picture of subordinate-superior relationships during Democratic Kampuchea, to identify a pool of survivors who

would be able to give testimony or be witness in the ECCC and so contribute to the historic record of what happened during Democratic Kampuchea.

The evaluation will assess DC-Cam's promotion of Accountability with reference to the purpose and themes of the evaluation. It will assess the beneficiary, systemic and subsidiary effects of promoting accountability through the work of DC-Cam and identify how the legacy effects can be sustained post-transition.

#### **2.7.4 Public Education and Outreach**

The Public Education and Outreach project at DC-Cam grew from the following three elements to include eight elements. In 2002 when Sida were in early engagement with DC-Cam the Public Education and Outreach project included: (i) Public Information Room (Phnom Penh); (ii) Public Information Room (USA); (iii) Pre-trial outreach to Muslim populations, Buddhist Nuns and students. Corresponding with Sida's exit from funding DC-Cam the organisation has grown the Public Education project to include: (i) Living Documents Project; (ii) Student Outreach; (iii) Cham Muslim Oral History Project; (iv) Public Information Rooms in Cambodia and Rutgers University in the USA; (v) Film Project; (vi) Victims of Torture Project; (vii) Family Tracing and (viii) Website

The evaluation will examine the results and implementation of the project elements in line with the evaluation purpose and themes. It will assess how they contribute to the mission of DC-Cam, and the degree to which their inception, design and implementation has been strategic. It will also examine the project elements in the context of the transition of DC-Cam.

##### **2.7.4 (i) Living Documents Project**

The Living Documents Project brings individuals and groups together to receive legal training and to learn about the ECCC's jurisdiction and procedures as well as the biographies of those charged by the ECCC. It also introduces those groups to the actual workings of the ECCC by facilitating them to attend hearings and discuss the overall impact of being exposed to the workings of the ECCC. By doing so the Living Documents Project support the sensitisation of communities to the proceedings witnessed and to acquire learning from community members who participated in the project.

The evaluation will assess the Living Documents project with reference to the evaluation purpose and themes. It will examine the key results and subsidiary effects of the project over time in particular those on beneficiary communities and on accountability and rule of law. Where relevant it will also examine the potential transition strategies for this area of work in DC-Cam.

##### **2.7.4 (ii) Student Outreach**

The Student Outreach project began in 2004 when DC-Cam recruited 171 student volunteers to door-step Cambodians in their home and sensitise them about the processes, activities and benefits of the KRT. In the early implementation of the project during 2005 the students sensitised 250 villages, in 20 provinces as well as 3 cities. During 2007 the same methodology was applied but this time the student volunteers collected 3,370 questionnaires which they had administered to villages throughout Cambodia capturing their experiences and their lives under Democratic Kampuchea. Other activities by this project have included: (i) student tours, and (ii) youth festivals.

The evaluation will assess the Student Outreach project with reference to the evaluation purpose and themes. It will examine the key results and subsidiary effects of the project over time. It will also examine

the potential transition strategies and where the student outreach work may inform the Sleuk Rith Institute.

#### 2.7.4 (iii) Cham Muslim Oral History Project

The Cham Muslim Oral History Project was originally part of the Living Documents Project until the end of 2006 when it became a separate project. The project has had the objective of collecting testimony, documents and books on the history of Cham Muslim Women. The project combines documentary methodologies and sensitisation and has had five identified key elements: (i) building bridges between the Cham Muslim community and the rest of the Cambodia; (ii) promoting genocide education and reconciliation through oral history of Cham Muslim youth in Cambodia; (iii) oral history essay contests, and (iv) documenting religious festivals and celebration.

The evaluation will assess the Cham Muslim Oral History project with reference to the evaluation purpose and with particular relevance to cross cutting issues such as gender, vulnerable populations and increasing participation. It will also examine the potential transition strategies and where the student outreach work may inform the Sleuk Rith Institute.

#### 2.7.4 (iv) Public Information Rooms

DC-Cam operates a Public Information Room (PIR) in Phnom Penh which also has road trips to the regions. It also has a PIR at Rutgers University in the USA. The PIR in Phnom Penh was established in 2004 and receives between 1400 and 3000 visitors per year. The services provided by the PIR have included providing photographs and documents, research assistance, family tracing, hosting public forums, film screenings, hosting trainings, and translation. The PIR then works to sensitise and made DC-Cam's information available while also offering an easily accessible avenue for those looking for a first point of contact in filing complaints to the ECCC. The overseas PIR facilitates academic research into the Cambodian genocide and related topics.

The evaluation will assess the PIRs with reference to the evaluation purpose and with particular relevance to the transition of DC-Cam and international strategic relationships.

#### 2.7.4 (v) Film

DC-Cam has been engaged in film projects since 2003 when it produced its first short documentary *Message from the Dead*. Since then it has produced other documentaries such as *The Khmer Rouge Rice Fields: The Story of Rape Survivor Taing Kim*. (2004); and recorded DC-Cam activities. DC-Cam has utilised film (including screening film and documentary in their own facilities, mainly the PIRs) as a domestic and international sensitisation tool, the effects of which can be far reaching and exceed tradition NGO advocacy activities.

The evaluation will examine the strategy behind the film projects as well as applying the evaluation purpose to this area of work. A focus will be put on the role of film in international sensitisation and the transition of DC-Cam.

#### 2.7.4 (vi) Victims of Torture Project

During 2003, following on from cooperation during 2002 with the Transcultural Psychosocial Organisation Cambodia (TPO) DC-Cam initiated the Victims of Torture Project which involved counselling for people who suffered abuse under the Democratic Kampuchea regime (both victims and

perpetrators) and are traumatized today. Our primary role was to assist the TPO in identifying subjects for care.

The VOT Project also led to an effort in 2005 to facilitate reconciliation between former Khmer Rouge cadres and their victims. In September 2005, 50 former perpetrators and victims from Phnom Penh and the three project provinces participated in a program we called “Our Journey to Search for the Truth and Reconciliation,” whose purpose was to jointly acknowledge the truth about what happened during the Khmer Rouge regime.

VOT activities focusing on addressing the psycho-social legacy of the Khmer Rouge regime were concluded in May 2009 and a final evaluation will be completed during 2010 with an external team leader (Prof. Alex Hinton of Rutgers University) and participation from DC-Cam staff.

The evaluation will assess the VOT with reference to the evaluation purpose and with particular relevance to the next phase for the VOT project which is envisaged to be another joint project with TPO with the ultimate aims of: (i) building the capacity of the VOT program to assist the mental health education of the public; (ii) to advocate for improved mental health resources on a national level, and (iii) to promote the training of providers of mental health services and para-professionals and other providers.

#### 2.7.4 (viii) Website

Website development and maintenance has been part of the overall communication of DC-Cam and has dovetailed with the website of partners such as the Cambodian Tribunal website. The evaluation will consider the website and its planned re-build in terms of the purpose of the evaluation and in terms of the communications and advocacy strategies of DC-Cam

### 2.7.5 Research, Translation and Publications

DC-Cam’s research, translation and publication work has included: (i) internal research leading to monograph publication (which also includes research within other project areas such as Cham Muslim History Oral Project); (ii) hosting international researchers and writers, and (iii) producing research and publication in collaboration with international partners from universities and other organisations.

The evaluation will assess the research, translation and Publications activities of DC-Cam with reference to the evaluation purpose and themes. It will examine the strategies informing the research, translation and publication strategies of DC-Cam with relevance to the transition of the organisation. The degree to which research, translation and publication has informed most of DC-Cam’s activities will also be addressed.

### 2.7.6 Magazines, Radio and Television

DC-Cam has been active in magazine and radio projects since 2002 with the monthly magazine *Searching for Truth* being a flagship media publication with extensive distribution and large publication run. The magazine has been published in Khmer and in English and is available on-line. Radio and Television work were later additions to the communications work of DC-Cam with the centre entering radio work during 2003 broadcasting readings of articles from *Searching for Truth* and other important thematic publications such as Anne Frank’s Diary. In early 2007 DC-Cam entered into an agreement with Cambodian National Television (CTN) to find stories and interview subjects related to reconciliation between perpetrators and victims, the Khmer Rouge Tribunal, and the history of Democratic Kampuchea. CTN filmed the interviews and began airing them once per month in March. This programme was suspended in July of

the same year but the Film Team continued to provide documents and photographs to CTN. During 2009 the centre collaborated with Apsara TV to facilitate broadcasting footage from the Duch trial which has also been made available online.

While the evaluation will examine the strategies behind this media use it will also thematically analyse the activities in terms of communications and advocacy strategies, how all these activities tie together and focus on producing compatible impacts, and examine how these strategies and impacts relate to the transition of DC-Cam.

### **2.7.7 National and International Cooperation**

Dc-Cam has had a comprehensive program of national and international cooperation that has permeated through all aspects of the centre's work. Regarding national cooperation, as a distinct area of work DC-Cam has only been documenting this from 2007 and much of what is documented is similar to activities completed under other areas of work by the organisation. Documenting distinct examples of cooperation within Cambodia highlights a perceived need to cooperate strategically with other NGOs and bodies, an area which learning from Sida evaluations has identified as needing improvement.

From the ongoing preparatory work for this evaluation the NCG team has identified that there remains a gap between the work of DC-Cam and the degree to which other NGOs, particularly in the human rights sector, are aware of this work.

The evaluation will assess national cooperation in terms of the purpose and themes of this evaluation. It will also assess these areas of work with regard to prior Sida assessments of the need to improve coordination with NGOs in Cambodia and with regard to how post-transition DC-Cam can manage national cooperation strategically.

Like its programme of national cooperation DC-Cam's program of international cooperation is actually integrated into other areas of the organisation's work such as film, the PIRs, staff development and the establishment of the Sleuk Rith Institute. However it includes specific forums such as the Documentation Affinity Group.<sup>13</sup> As with national cooperation the evaluation will examine this area of work with regard to the purpose of the evaluation but will also seek to identify the strategy behind international cooperation and in what ways it contributes to the organisation's mission and goals while being effective and efficient. Emphasis will be placed on how DC-Cam is strategising around international cooperation during transition and how the environment and relative worth of international relationships is analysed by DC-Cam.

### **2.7.8 Staff Development**

From an initial assessment it appears that the staff development in DC-Cam is as ambitious as the staffing and volunteer strategy. The organisation has a large staff of 46 and extensive student and volunteer support both in Cambodia and internationally. The staff training policy at DC-Cam has included (i) internal training and skilling in areas such as: (a) research methods, (b) interviewing, (c) English language, (d) cataloguing, (e) transliteration, and (f) legal training; (ii) local training to upgrade academic qualification

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<sup>13</sup> The Documentation Affinity Group is a group composed of DC-Cam, the Forensic Anthropology Foundation of Guatemala, the Human Rights Education Institute of Burma, the Humanitarian Law Centre (Belgrade), the International Centre for Transitional Justice and the Iraq Memory Foundation, and which shares learning and expertise on issues such as transitional justice and documenting war crime and mass human rights abuses. International cooperation also includes other strategic areas such as engaging the Cambodian Diaspora, acquiring documentary evidence overseas and networking with similar organisations and programmes.

and in broadcasting; (iii) short term overseas training in areas such as (a) human rights, (b) database management, (c) information technology, (d) anthropology, and (e) graphic design, and (iv) long-term overseas training in advanced academic degrees, usually Masters and Ph.D.

The macro post-conflict environment in which DC-Cam has been operating has been one characterised by the loss of a generation as a result of the genocide and migration and so the strategy of significant investment in staff training is likely to have been a good strategy to (i) ensure the retention of skilled and educated young staff; (ii) to capacity build the organisations; (iii) to make DC-Cam a good place to volunteer given that you may progress into a staff position in the organisation (DC-Cam has an impressive track record in volunteering); (iv) to create subsidiary impact where staff of DC-Cam who have benefited from training received and from working in an environment focused on progressive reform in areas such as accountability, human rights, reconciliation and rule of law, move on to work in other areas of Cambodian society and so bring the values and ethos of DC-Cam and the skills gained there to bear on areas of Cambodian society thus disseminating and propagating a progressive agenda.

The evaluation will examine the staff development strategy of DC-Cam with regards to the purpose of the evaluation and with regards to how it can be used in the Sleuk Rith institute. The evaluation will endeavour to assess the result of staff development on the legacy effects of DC-Cam including the subsidiary effects as outlined above. Staff development will be assessed in terms of staff progression, organisational development strategies and succession strategies for leadership in DC-Cam and the Sleuk Rith Institute.

### **2.7.9 After the Tribunal**

DC-Cam's vision for life post-ECCC (the ECCC is likely to conclude its work within the next 24 months) is to transform into the Sleuk Rith Institute and it has organised its projects to reflect this, maintaining the projects (i) establishment of a permanent centre and (ii) genocide education as areas of work that focus on "beyond the tribunal.

#### **2.7.9 (i) Sleuk Rith Institute**

Some of the progress to date that has been made by DC-Cam on the establishment of the Sleuk Rith Institute included: (i) gradually downsizing staff at DC-Cam to prepare for reduced staff-complement post-transition; (ii) reaching an oral agreement in 2009 (with MoU to follow during 2010) to receive a transfer of land from the Cambodian Ministry of Education; (iii) designing the brochure for the Sleuk Rith Institute; (iv) beginning the planning process for designing the Museum programming for the Sleuk Rith Institute.

The transformation into a permanent centre is a huge opportunity and a huge challenge. It is a huge opportunity to permanently institutionalise the memory and remembrance work of DC-Cam and to give a permanent presence to some of the key strands of work at the centre, particularly (i) research; (ii) education; (iii) documentation and (iv) local, national and international sensitisation. The transformation is also a huge change management challenge involving (i) the physical construction of a complex and extensive centre as well as the associated re-location of DC-Cam to the Sleuk Rith Institute; (ii) institutional relocation of all the complex characteristics of DC-Cam including institutional memory, ethos, function; staffing, organisational structure; (iii) the environmental change where Cambodian society has reached a juncture at the end of the KRT process which may involve significant psycho-social shifts, cultural shifts and political shifts as DC-Cam exits its current support of judicial and other processes; (iv) the resource drain on DC-Cam planning and managing the transformation, and (v) any capacity issues

that DC-Cam may have to address during the transformation process and post-establishment of the Sleuk Rith Institute.

The evaluation will address the strategy, planning and progress towards establishing the Sleuk Rith Institute with regards to the purpose of the evaluation. It will analyse the DC-Cam transition strategy and planning as it has occurred to date and triangulate the analysis with the findings from the evaluation questions, themes and OECD-DAC criteria. The analysis will focus on five key areas:

- i. **Physical Establishment.** The physical establishment of the Centre including funding and timelines;
- ii. **Genocide Education.** Genocide Education as a project that will span the transition from DC-Cam to the Sleuk Rith Institute. Genocide Education will be analysed both as a pillar of the work of the organisation and how creating and supporting systemic change in the education system services the goals and objectives of DC-Cam and Sida;
- iii. **Memory.** Memory in so far as memory is one half of the overarching strategic goal of DC-Cam permeating all aspects of the projects DC-Cam currently have and of the Sleuk Rith Institute.
- iv. **Legal Accountability.** Legal Accountability in so far as DC-Cam's work with the ECCC will have legacy effects such as strengthening the rule of law in Cambodia and which may persist or transition with the Sleuk Rith Institute;
- v. **Sustainability.**

The evaluation will use qualitative and quantitative analysis, scenario planning and timeline analysis to scope scenarios pertaining to what the future environment may look like for the Sleuk Rith Institute and for the legacy of DC-Cam. These scenarios will inform the development and implementation of the organisation's strategy around transition.

The evaluation will gauge how the transition of DC-Cam to an independent centre will affect sample beneficiary communities and key stakeholders and how they perceive the future role of a museum, library, research centre and genocide education hub. It will also place the transition in the context of Sida Country Strategy for Cambodia.

#### 2.7.9 (ii) Genocide Education

As identified by DC-Cam, Genocide Education is a lead area that will span its transition from DC-Cam to the Sleuk Rith Institute. The Genocide Education initiative has its genesis in the publication in 2007 of *A History of Democratic Kampuchea* which was the first history of the Khmer Rouge regime written by a Cambodian national. The text has gradually been incorporated into the official education curriculum for grades 9 – 12 to the extent that by the end of 2009 the text is a core reference for high school students and teachers throughout Cambodia. DC-Cam has distributed large numbers of text books (during 2009 260,000 copies of *A History of Democratic Kampuchea* were distributed to 2000 schools. Overall nearly 1 million copies have been published). DC-Cam has also developed and implemented a teacher training manual, in the same year it worked with the Ministry of Education to train 24 national trainers, 187 Provincial Trainers and over 3,000 history and morality trainers throughout Cambodia in Khmer Rouge history and being able to teach students objectively and pedagogically. The Centre has also translated *A History of Democratic Kampuchea* into French, Chinese, Japanese, Thai and Vietnamese and increasingly targeted the Cambodian Diaspora

The Genocide Education project is a strongly partnership-based project which is likely to have strong legacy and environmental impacts. It appears an obvious lead area of work for transformation of DC-CAM and the organisation has ambitious plans for this USAID-funded area of work during 2010 including: (i) classroom evaluation; (ii) design a programme on quality control for teachers; (iii) create trial

university courses on the area, (iv) publish 700,000 further copies of the text for high school students with a target of ensuring that by the end of 2010, one million students have a copy of the textbook at home and in their classrooms.

The evaluation will address the Genocide Education project by integrating DC-Cam's ongoing evaluations of the project and examining the strategic fit with the transition of DC-Cam to the Sleuk Rith Institute. The evaluation will assess Genocide Education in terms of sustainability of concepts and legacy effects and will garner learning around effective partnership with the state.

## **2.8 Methodology**

The methodology for the evaluation while following the OECD-DAC criteria is sufficiently diverse and flexible to: (i) capture the wide variety of effects of DC-Cam including (a) beneficiary effects (but is not a beneficiary impact assessment); (b) systemic impacts, and (c) subsidiary impacts including DC-Cam legacy in all thematic areas, and (ii) where identified contribute capacity building to DC-Cam and/or recommend appropriate areas for capacity building. The methodology will allow for the rapid triangulation of existing monitoring of DC-Cam activities and will provide an assessment of the organisational development of DC-Cam and its sustainability.

Methodologically, the consultants will work closely with Sida given that the analysis will be correlated to the current and planned cooperation strategy for Cambodia. The consultants will create a matrix of the evaluation findings, change management options for the transitioning of DC-Cam and the past and planned programming areas of Sida's engagement with Cambodia, so as to inform the suitability and effectiveness of future Sida interventions including the cooperation strategy being developed during 2010. The methodology will include:

- i. Desk based document review and analysis;
- ii. Structured focus groups;
- iii. Structured and semi-structured qualitative work in Cambodia and where necessary by phone and email with overseas respondents. This is the dominant method of data collection;
- iv. Participative Scenario planning.

Scenario planning is a suggested participative tool to assist DC-Cam directors, management and staff to posit and analyse several scenarios of plausible futures post-transition, then filter strategic decisions through these scenarios to ensure the strategies will survive plausible futures. Scenario planning can help (i) develop strategy; (ii) test existing strategy; (iii) encourages cohesion and (iv) develop a starting-point for DC-Cam to engage with stakeholders including donors around possible or preferred futures. This is a capacity building tool that lends itself well to forward looking evaluations and how the team will use it will be decided in consultation with DC-Cam.

### **2.8.1 Review Methods and Tools**

In addition to this inception phase the evaluation will have two other phases: (i) field phase, and (ii) analysis/reporting phase.

#### **2.8.1 (i) Field Phase**

The field visit in Cambodia is planned to last for a total of 26 working days, spread across three consultants: a team leader (14 days), a support consultant (7 days) and a local consultant (7 days) with an additional two unpaid travel days each for the team leader and the support consultant. This phase will be

initiated with a mapping of opportunities to identify key informants and key stakeholders to be consulted. At the start up of the field phase, the consultants propose to organise an internal introductory workshop where the core stakeholders. The main purpose of this workshop will be:

- i. To ensure that there is a joint understanding of the evaluation questions and methodology;
- ii. To introduce the tools that will be used including scenario planning;
- iii. To receive feedback and guidance by the stakeholders;
- iv. To begin the process of engendering a sense of ownership by the directors, management staff, and key stakeholders of DC-Cam of the evaluation and of the proposed action plan for transitioning. This is essential as it supports the usefulness of the study and the inputs into the strategy for transitioning.

The evaluation process will be transparent. The team will present and discuss its findings with the Sida in Phnom Penh and will liaise closely with DC-Cam so as to ensure that emerging issues, suggestions and benefits are identified while the study is in process as necessary.

### **Output**

The outputs for this stage are:

- i. Initial report findings
- ii. Initial findings presentation

#### **2.8.1 (ii) Analysis and Reporting**

The report writing will take place in Cambodia, Myanmar, and in Ireland A draft report will be submitted to Sida for comments before a final report is wrapped up. The Team Leader will present the initial findings of the evaluation in Phnom Penh to Sida, Dc-Cam and other relevant stakeholders as identified by Sida and DC-Cam.

### **Output**

The output for this stage is:

- i. Draft Report
- ii. Final Report

## **2.8.2 Risks and Limitations**

#### **2.8.2 (i) Scope of the Evaluation**

At the time of writing the sheer scope of activities and organisational ambition in DC-Cam makes the evaluation quite an expansive and complex process. The evaluation team will work to separately and thematically analyse results, activities, strategies, the organisation and the transition of DC-Cam and then appropriately map these to the evaluation purpose and objectives. A tight scheduling of field work is important in ensuring that the maximum time available is spent data gathering. Initial data analysis leading to a presentation of initial evaluation findings will occur in field and so the more firm the consultation and field trip arrangements in advance of entering Cambodia the better. The key risk is timescale but with three evaluators working infield to a total of 26 working days and with some further progress on the project arrangements this risk will be mitigated.

#### 2.8.2 (ii) Consultation and Field-trip Preparation

Due to scheduling issues at the time of writing there has been little progress on arranging consultation and field trips. As noted above, pre-arrangement of field trips and consultations is good practice in mitigating the risk around the scope of the evaluation and in making sure that time is used effectively in field. The team leader and the team have conducted many projects where field trip details and consultations were not arranged in advance of going in field so they are accustomed to working and thinking on their feet but that said, it will be necessary to continue to work on arranging field visits and interviews (particularly with high level respondents such as government, donors and the judiciary) in advance of April 19<sup>th</sup> 2010.

#### 2.8.2 (iii) Capacity Building

The team leader and Sida have agreed that wherever possible the evaluation and possible action plans during transition should contribute to DC-Cam's stock of change management tools and so where needed increase the capacity of DC-Cam to efficiently and effectively implement this transition. The possibility of providing capacity building to DC-Cam where desired by the organisation and where possible given the timeframe and primary objectives of the evaluation has been raised with the Executive Director of DC-Cam and the team will meet with the Deputy Directors once in field to decide what direct and indirect capacity building can be delivered with the evaluation.

#### 2.8.2 (iv) Consultations

As identified above the consultation schedule for the evaluation team is still undecided. Table 1 and Table 2 were forwarded to DC-Cam on March 22<sup>nd</sup> 2010 but because of scheduling clashed there are still incomplete. The team leader will liaise with Sida and DC-Cam's Director and Deputy Directors in advance of going into field in order to get the timetable for consultations as tight as possible before April 19<sup>th</sup>. All team members are familiar with evaluations where consultations were not arranged in advance of going in field so they are accustomed to working in this manner however, given the scope of the evaluation and the objective to incorporate capacity building it would be preferable to have at least key consultations organised in advance of April 19<sup>th</sup> 2010.

#### 2.8.2 (v) Reliability of Respondents

A risk that that this exercise carries and which may undermine the reliability and validity of the evaluation results is that respondents may be less than honest in answering questions and engaging with issues. Through the careful positioning of questions and varying approaches to how they are framed and delivered, and by interviewing as large as possible sample it is hoped to militate this risk. However this risk informs all evaluation and research that has a high qualitative element.

### 3. Work Plan

The work plan is incomplete. The plan is altered from that included in the original NCG tender to help navigate scheduling delays including the absence of DC-Cam staff on field trips from March 23<sup>rd</sup> to the first week in April and cultural sensitivities around the Khmer New Year in the week of April 12<sup>th</sup> to 18<sup>th</sup> 2010. To help navigate these issues the arrival date for Dr. Anthony Finn and Patricia Curran has been set to the end of the same week allowing for a full implementation of the evaluation project field visits from April 19<sup>th</sup>. One key scheduling problem is that DC-Cam’s Director is out of Cambodia during the original agreed evaluation schedule. However Dr. Anthony Finn has agreed to remain in Phnom Penh until the 6<sup>th</sup> of May to facilitate meeting Mr. Youk Chhang, interviewing the Director and completing a de-brief of the initial evaluation findings.

The delay in obtaining DC-Cam information is due to scheduling issues where staff in Dc-Cam is in field conducting genocide education exercises. It is expected that the work plan with consultation schedule is likely to be in very rough draft form up until the field team are all in Cambodia during April 2010. This should not affect the efficiency and efficacy of the evaluation. Regardless, throughout March 2010 the team have been liaising with DC-Cam to obtain documentation and to discuss the evaluation objectives.

**Table 1. Consultation Schedule**

Day	Dates	Meetings in the morning			Meetings in the afternoon		
		Org.	Person	Time	Org.	Person	Time
Mon	19/4	NCG Team meeting	Team	0900	Dc-CAM	tbc	tbc
		Sida	Team plus Martina	tbc			
Tue	20/4	tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
Wed	21/4	tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
Thu	22/4	tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
Fri	23/4	tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
Sat	24/4	tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
Mon	26/4	tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
Tues	27/4	tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc

<b>Wed</b>	<b>28/4</b>	tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
<b>Thu</b>	<b>29/4</b>	tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
		tbc	tbc	tbc	tbc	tbc	tbc
<b>Fri</b>	<b>30/4</b>	<i>Contingency Day</i>					
<b>Sat</b>	<b>1/5</b>	<i>Contingency Day</i>					
<b>Sun</b>	<b>2/5</b>	Report Writing					
<b>Mon</b>	<b>3/5</b>	Report Writing					
<b>Tues</b>	<b>4/5</b>	DC-Cam	AF and Y	tbc	tbc	tbc	tbc
				tbc			
<b>Wed</b>	<b>5/5</b>	Dc-Cam	AF and Y	tbc	tbc	tbc	tbc
		Dc-Cam and Sida	AF, Y and Martina	tbc			
<b>Tues</b>	<b>4/5</b>	DC-CAM, AF all day					
<b>Wed</b>	<b>5/5</b>	Anthony Finn and Youk					

**Table 2 – Suggested Field Visits from Dc-Cam (Beneficiary work)**

<b>Field Visit 1</b>			
<b>Programme Area</b>	<b>Location</b>	<b>Org/People</b>	<b>Contact Details</b>
<b>Field Visit 2</b>			
<b>Programme Area</b>	<b>Location</b>	<b>Org/People</b>	<b>Contact Details</b>
<b>Field Visit 3</b>			
<b>Programme Area</b>	<b>Location</b>	<b>Org/People</b>	<b>Contact Details</b>
<b>Field Visit 4</b>			
<b>Programme Area</b>	<b>Location</b>	<b>Org/People</b>	<b>Contact Details</b>

## **4. Logistics**

The team is comprised of three evaluators: Dr. Anthony Finn (NCG Team Leader); Patricia Curran (Thematic Expert) and Carol Striker (Domestic Expert). The field logistics are being arranged in cooperation with DC-Cam but due to the scheduling issues key elements of the field trip including the regional visits and capacity building exercises are likely to be decided upon only when all of the consultants are in field in Cambodia during April 2010.