**The Ateneo School of Government (ASoG)**

**The Affiliated Network for Social Accountability in East Asia and the Pacific (ANSA-EAP)**

ANSA EAST ASIA PACIFIC

# Basic Orientation Course Modules On Social Accountability

**Table of Contents**

- Transcription –Teresita "Ging" Deles Video Presentations
- General Exercises and Role Playing Activities
- List of References
- 

**Module 3: Procurement and Fund Tracking of National Ministries**

Session 1:  Social Accountability in Government Procurement and Fund Tracking
 Topic 1:  Citizen's Role in Governance
 Topic 2: Accountability Triangle
 Topic 3: Problem of Corruption in Public Procurement
 Topic 4: Social Accountability in Public Procurement

Session 2: Government Procurement Reform Act and Stakeholders Analysis
 Topic 1: Why Procurement Reforms
 Topic 2: Review of Key Objectives and Critical Success Factors
 Topic 3: What is a stakeholder
 Topic 4: Why conduct stakeholders analysis
 Topic 5: How to conduct stakeholders analysis

Session 3: Citizens' Monitoring of Procurement Contract Implementation
 Topic 1: What to monitor in contract implementation
 Topic 2: Grounds for contract termination
 Topic 3: G- Watch/ Textbook Count
 Topic 5: Mock Planning on Monitoring Initiative

Annexes:
- Evaluation Form

_____

Putting Social Accountability on the Mainstream:
AFFILIATED NETWROK FOR SOCIAL ACCOUNTABILITY IN EAST ASIA AND THE PACIFIC (ANSA-EAP)

CITIZENS around the world are discovering the power of social accountability to influence governance – and, consequently, shape the life of their communities.

"Social accountability" refers to actions initiated by citizen groups to hold public officials, politicians, and service providers to account for their conduct and performance in terms of delivering services, improving people's welfare, and protecting peoples' rights. It involves citizens (especially poor citizens): gathering information about government programs so that they have solid evidence; analyzing this information; and then using this information judiciously to directly engage public officials, politicians, and service providers and demand that they serve the public interest efficiently, effectively, and fairly.

In the East Asia-Pacific region, many countries already have used and benefited from social accountability through actions like budget monitoring, tracking of government expenditures, and preparing citizen report cards on the quality of public service delivery.

It's time for us, the people of East Asia-Pacific, to consolidate these efforts, bring about sharing and exchange among countries, and realize the greater power of regional cooperation.

ANSA EAP envisions helping improve governance by mainstreaming the social accountability approach. A regional network established in 2008, ANSA-EAP cultivates the East Asia-Pacific way of doing social accountability.

We reach out to citizen groups, nongovernment organizations, civic associations, the business sector, and government institutions. We promote the monitoring by citizens of government performance, specifically, the quality of public service delivery and the transparency of public transactions. The bottom line: ethical public leadership.

ANSA-EAP mines and enhances the region's knowledge, expertise, and experiences. Through ANSA-EAP, homegrown efforts can make people realize the direction and value of their participation in governance. This further enriches the existing community of learning and practice.

*ANSA EAP builds partnerships.* Two forces drive social accountability: citizen groups, which are direct beneficiaries of public services, and government, which provides the open
space for citizen participation in monitoring public programs.

_____

ANSA-EAP builds strong partnerships among citizen groups and between citizens and government. Through local partners, our network helps ensure the capability of citizen groups and government to work together so that vital public services are delivered to the people in a way that is not only efficient but also honest and responsible.

*ANSA-EAP harnesses expertise.* ANSA-EAP harnesses both global and East Asia- Pacific expertise and experiences so that groups skilled in social accountability techniques can pass these on to others hungry for the knowledge.

ANSA-EAP focuses on four key sectors: public infrastructure, education, health, and the environment.

## ANSA EAP's MAIN PROGRAMS

### Networking

ANSA-EAP has a two-pronged approach to networking: we bring citizens back into the work of good governance alongside NGOs, civic organizations, and other organized groups. Our desired result is to "institutionalize" social accountability action by making it a prevailing approach in holding the state to account.

To promote networking, we have an open platform that links individuals and groups with a common interest in social accountability action. This makes possible two-way dialogue and develops organizations to become strong participants in social accountability activities. We build positive connections with government for monitoring and problem-solving activities and coordinates advocacy for social accountability.

ANSA-EAP uses the Internet as a major channel for networking through its web portal (www.ansa-eap.net), as well as other web-based instruments in the pipeline, such as blogs, e-newsletters, on-line forums, and a downloadable e-library.

### Research and Capacity Building

ANSA-EAP provides learning-in-action opportunities for capacity building to enhance competencies in social accountability. Capacity building includes training on effective social accountability tools and methods. Our network provides access to, among others, case studies, success stories, best practices, research, and methodologies on social accountability based on country, regional, and international experiences.

_____

We do research on the framework of social accountability in the region, and information generation for awareness building through the conduct of scoping studies, case studies, and success stories. ANSAEAP gives strong emphasis to developing a shared understanding of social accountability in East Asia-Pacific consistent with the region's diverse cultures.

Through the Research and Capacity Building program, ANSA-EAP supports the Ateneo School of Government in developing knowledge products that are shared with civil society organizations and government agencies in Cambodia under the Program to Enhance Capacity for Social Accountability (PECSA).

### Information and Awareness

ANSA-EAP encourages idea and knowledge exchange between countries through both traditional communication channels and new information technologies such as the Internet.

An important service of our network is to be an information clearinghouse, which is to say a collector, classifier and disseminator of relevant information on social accountability. We bring that information to communities through on-line tools, distance learning modules, and P2P or person-to-person interactions.

### Resource Mobilization and Utilization

ANSA-EAP raises the visibility of social accountability among various resource groups and funding partners to support small, focused, and high-impact social accountability projects. Through our capacity building agenda, ANSA-EAP equips network partners to access resources for their work, as well as encourages funding partners to prioritize and allocate more resources in support of social accountability initiatives. We also promote government commitment – both in terms of policy and funding – for social accountability work.

# MODULE OVERVIEW: Social Accountability School (SAS) in Cambodia

## BASIC ORIENTATION COURSE MODULES

The Social Accountability School Basic Orientation Course (SAS BOC) introduces the general concepts and basic elements of social accountability to both newbie and experienced practitioners. It offers the theory and practice in social accountability as experienced in the world especially India and the Philippines as well as s in Cambodia. It was designed as a stand alone basic orientation course which serves as a pre-requisite for participants who intend to attend and participate in the succeeding skills building modules.

The SAS BOC was jointly offered by the Ateneo School of Government (ASoG) (Philippines) and PRIA (India).

This Basic Orientation Course Module contains the courses given out by ASoG which include the following:

> Module 1: Understanding Governance and the Ethics of Governance
>
> Module 2: Building Dialogue with Government and Consensus Building/Negotiation
>
> Module 3: Procurement and Fund Tracking of National Ministries

Each of the three modules is designed to stand alone but complement. Each module is divided into 2-3 Sessions which can take about 2-4 hours.

At the beginning of each module, general guide for the trainer and participants is outlined which includes: (1) An Overview; (2) Objectives; (2) Time Allotment; (3) Process/es; (4) Materials to be used; and (5) Author/s. The Sessions and the specific presentation slides to be used are also listed down. General notes can also be found at the beginning of each module.

The slides in each Session include Specific Trainer's Notes with step-by-step instructions for facilitating the each session. Also incorporated in the slides are the discussion outline and specific activities or exercises.

At the end of the modules, an evaluation form is provided. This form can be used to get participants feedback and their assessment of the modules and the trainer. Information obtained form this evaluation are useful in further improving the use of this modules.

**Program to Enhance Capacity for Social Accountability (PECSA)**

The Program to Enhance Capacity for Social Accountability (PECSA), initiated by the World Bank, aims to capacitate and strengthen Civil Society Organizations (CSOs) in Cambodia to use social accountability approaches and tools. It also seeks to promote networking among social accountability practitioners both nationally and internationally. This program is in preparation for the Demand for Good Governance Project of the Royal Government of Cambodia which is also supported by the Bank.

Together with partners in the program, like SILAKA in Cambodia and PRIA in India, the Ateneo School of Government (ASoG) has been tapped as an International Capacity Building Institutions (ICBI) to provide training, mentoring and awareness building. Specifically, the PECSA has the following components:

- Training on Social Accountability Approaches, Tools and Techniques: Three Social Accountability Schools (SAS) are to be conducted in collaboration with the partners. It will be like a "Summer School" in which participants from different backgrounds will come together for a few days to three weeks for a series of concurrent training modules in a common venue.

- On the Job Training, Mentoring and Coaching: The knowledge and skills gained through various SAS will be sustained and supported through on the job training and mentoring to be conducted in between two SASs. This will offered through distance mode.

- Exposure Visits: Exposure visits and study tours for participants in batches to various organizations and locations in the country where there are identified Social Accountability model practices.

The First Social Accountability School (SAS 1) was held from the 24th of March to the 9th of April in Cambodia. Eighty-one (81) participants from CSOs, government and the media attended.

Basic Orientation Courses and Skills Trainings were given out. Practical experiences in the Philippines and India were shared. How these methods and experiences can be internalized for the Cambodian situation was emphasized.

The specific modules that were delivered were:
1. Civic Engagement and Coalition Building;
2. Participatory Planning and Local Governance;
3. Role of Civil Society Organizations in Governance and Citizenship;
4. Understanding Governance and Ethics of Governance;

5. Dialogue with Government and Consensus Building;
6. Procurement and Fund Tracking of National Ministries; and
7. Communication and Use of Media

After the SAS 1 courses, the participants/candidates who wished to received Diploma on Social Accountability were asked to write an essay given a set of questions. Forty five (45) participants submitted essays that were marked independently by PRIA and ASoG.

Participants/Candidates from SAS 1 were further asked to submit project proposals as a prerequisite for the succeeding component – the On the Job Training, Coaching and Mentoring. The knowledge gained through the SAS 1 will be further strengthened through the component of coaching and mentoring. The selection of candidates for the coaching and mentoring has been carried out independently by PRIA, ASoG and SILAKA to ensure that the selected candidates would then act as change agents in disseminating the concept and practice of social accountability in Cambodia.

The first round of exchange visits composed of 12 candidates who visited either India or Philippines where they were exposed to practical situations of social accountability initiatives. The exchange visit for the selected candidates was held in September, 2008.

# MODULE 1
# UNDERSTANDING GOVERNANCE AND
# ETHICS OF GOVERNANCE

This course clarifies shared understanding of governance and accountability. It introduces the ethical dimensions in governance and accountability. The module is designed to stimulate reflection and sharing on ethical practices in governance. This module is divided into two sessions.

**Session 1: Governance and Citizen's Role, UNCAC, Dilemma and Ethics**
Topic 1: Governance
Topic 2: UN Convention against Corruption (UNCAC)
Topic 3: Dilemma
Topic 4: Ethics

**Session 2:  Criteria/Principles for Ethical Decision Making**
Topic 1: Criteria/Principles for Ethical Decision-Making
Topic 2: A Model for Ethical Decision-Making

**LEARNING OBJECTIVES:**
- Have a shared understanding of governance and accountability
- Know the importance of values in governance and accountability
- Be introduced the ethical dimensions in governance and accountability
- Reflect and share on ethics in governance and accountability

**TIME:**
- Session 1: 2.5 hours
- Session 2: 3 hours

**PROCESS:**
- Interactive Discussion
- Reflection and Sharing

**MATERIALS:**
- Presentation
- Handout ( Social Accountability-Governance Framework)
- Idea Cards (Mechanics)

**AUTHOR:**
- Dean Antonio G.M. La Viña, PhD, Ateneo School of Government

-

| |
|---|
| **NOTE**: |
| Module 1 is divided into two sessions:<br>    (1) Governance and Citizen's Role, The United Nations Convention<br>        Against Corruption (UNCAC), and Dilemma and Ethics (Slides 1-26);<br>    (2) Principles/Criteria in Ethical Decision Making (Slides 27-48).<br><br>The topics under each session, activities, and guide questions are all incorporated in the presentation slides in the succeeding pages. Additional notes for the Trainer/Facilitator are also found in the slides. Hangouts, detailed mechanics or instructions for activities or exercises are found in the annex of each module. |

-

**Module 1:**
**Understanding Governance and Ethics of Governance**

Session 1: Governance and Citizen's Role, UNCAC, Dilemma and Ethics

Dean Antonio G.M. La Viña, Ph.D.
Ateneo School of Government

---

*Discussion Outline*

- Governance
- The UN Convention Against Corruption (UNCAC)
- Dilemma
- Ethics

ATENEO SCHOOL OF GOVERNMENT — 2

---

*FOR THE TRAINER*

- Ask the participants to think about and share what comes to mind with the word 'governance'.
- Provide: Handouts 1: Contextualizing Social Accountability within the Concerns of Ethics, Good Governance, and Social Reform

ATENEO SCHOOL OF GOVERNMENT — 3

---

## Governance

- Is it the task of running a government?
- Is it organizational effectiveness in policy formulation and implementation?
- Is it power, authority and influence in public matters?

ATENEO SCHOOL OF GOVERNMENT — 4

---

## Definition of Governance: ASoG

| Definition | Attributes |
|---|---|
| The science of decision-making and the exercise of power and authority in which society manages its development process and resolves conflict | • Participatory<br>• Transparent<br>• Accountable |

ATENEO SCHOOL OF GOVERNMENT — 5

---

*FOR THE TRAINER*

- Discuss the United Nations Convention against Corruption (UNCAC)
  - What is it?
  - What are its purposes and salient provisions?

ATENEO SCHOOL OF GOVERNMENT — 6

## UN Convention against Corruption

- States are concerned that corruption poses serious problems and threats to democratic society

- States consider corruption as no longer a local matter but a transnational phenomenon

  - States must have a comprehensive and multidisciplinary approach to prevent and combat corruption effectively

ATENEO SCHOOL OF GOVERNMENT

7

## A Global Responsibility

- All States are responsible for the prevention and eradication of corruption

- They must cooperate with one another

- They must seek the support and involvement of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations.

ATENEO SCHOOL OF GOVERNMENT

8

## Purposes of Convention

- To promote and strengthen measures to prevent and combat corruption more efficiently and effectively.

  - To promote, facilitate and support international cooperation and technical assistance in the prevention of and fight against corruption, including in asset recovery.

- To promote integrity, accountability and proper management of public affairs and public property

ATENEO SCHOOL OF GOVERNMENT

9

## Article 13: Participation of society

*1.* Each State Party shall take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, **to promote the active participation of individuals and groups outside the public sector**, such as civil society, non-governmental organizations and community-based organizations, in the prevention of and the fight against corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption.

ATENEO SCHOOL OF GOVERNMENT

10

## Participation of Society

This participation should be strengthened by:

(a) Enhancing the transparency of and promoting the contribution of the public to decision-making processes;

(b) Ensuring that the public has effective access to information;

(c) Undertaking public information activities that contribute to non-tolerance of corruption, as well as public education programmes, including school and university curricula;

ATENEO SCHOOL OF GOVERNMENT

11

## Right to Information

(d) Respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption, subject to certain restrictions, such as those necessary:

(i) For respect of the rights or reputations of others;

(ii) For the protection of national security or order public or of public health or morals.

ATENEO SCHOOL OF GOVERNMENT

12

## Slide 13

- Guide Questions: Governance and the Citizens
  - What are the citizens' role in governance?
  - How should citizens play that role?
  - How can participation in governance be made ethical?

ATENEO SCHOOL OF GOVERNMENT — 13

## Slide 14

### ACTIVITY

- Provide the participants with idea cards. Ask them to complete the following sentence (one idea per card):
  - My most cherished dream in life…
  - My most important personal quality…
  - The one most important person in my life right now…
- Use this activity to introduce 'dilemma'

ATENEO SCHOOL OF GOVERNMENT — 14

## Slide 15

When confronted with a dilemma, what is your moral/ethical compass?

To be or not to be…

To do or not to do…

ATENEO SCHOOL OF GOVERNMENT — 15

## Slide 16

When confronted with a dilemma, what is your moral/ethical compass?

FROM WITHIN YOU…
- Personality
- Character
- Attitude
- World-view
- Skills
- Knowledge
- Values
- Etc.

FROM THE WORLD…
- Family
- School
- Community
- Church
- Workplace
- Organization
- Society
- Etc.

*To be or not to be…*    *To do or not to do…*

ATENEO SCHOOL OF GOVERNMENT — 16

## Slide 17
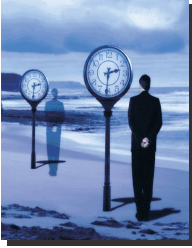
### A Dilemma is…

- something wider and more demanding than a *problem*
- unlike a problem, cannot be solved in terms in which they are initially presented to the decision-maker

ATENEO SCHOOL OF GOVERNMENT — 17

## Slide 18

### A Dilemma…

- Implies that the satisfaction of the one can only be made if the other is sacrificed
- Has no "clear solution," because the "solution" reached would be no more than a splitting of the different aspects of one issue

ATENEO SCHOOL OF GOVERNMENT — 18

## FOR THE TRAINER

- Discuss what is meant by 'ethics' by providing an etymology, its use in philosophy.
  - What are the two dimensions of ethics?

ATENEO SCHOOL OF GOVERNMENT

19

## What is ethics?

Greek "ethos", a dwelling place → *Ethos* evolved into "a person's fundamental orientation towards life"

In Latin, "ethos" is *mos, moris* → English word = *moral, morality*

In Roman times, a shift in emphasis:
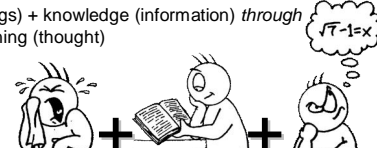
From internal character → To overt behavior: focus on acts, habits, customs

ATENEO SCHOOL OF GOVERNMENT

20
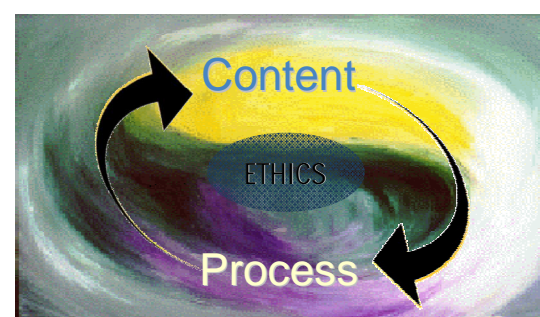
## Ethics - Philosophy

- Concerned with the <u>intent</u>, <u>means</u> and <u>consequences</u> of moral behavior
- Study of moral judgment *and* right and wrong conduct
- Moral conscience is unique to human beings:
  - emotion (feelings) + knowledge (information) *through* abstract reasoning (thought)

ATENEO SCHOOL OF GOVERNMENT

21

## The TWO dimensions of Ethics



Content

ETHICS

Process
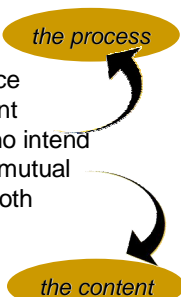
ATENEO SCHOOL OF GOVERNMENT

22

## The TWO dimensions of Ethics

*the process*

Governance, being an influence relationship among government administrators and citizens who intend real changes that reflect their mutual purposes, is concerned with both PROCESS and CONTENT.

*the content*

ATENEO SCHOOL OF GOVERNMENT

23

## The TWO dimensions of Ethics

- PROCESS
  - concerned with the <u>ways government and citizens interact</u> as they attempt to influence one another
  - Does one act ethically in one's relations with another player while attempting to influence them?
    - Coercion or persuasion? Majority vote or consensus?

ATENEO SCHOOL OF GOVERNMENT

## The TWO dimensions of Ethics

- CONTENT
  - the proposed changes that government and citizens intend for the society
  - Are the changes (decisions, policies, positions) that one supports morally acceptable?
    - The moral acceptability of one's position as an advocate for and/or support of an issue (e.g., Technical efficiency? Procurement of facilities and equipment? Staff hiring? Added tax? Charter Change?)

ATENEO SCHOOL OF GOVERNMENT                    25

---

## Conceptualizing the 2 dimensions of Ethics



ATENEO SCHOOL OF GOVERNMENT                    26

---
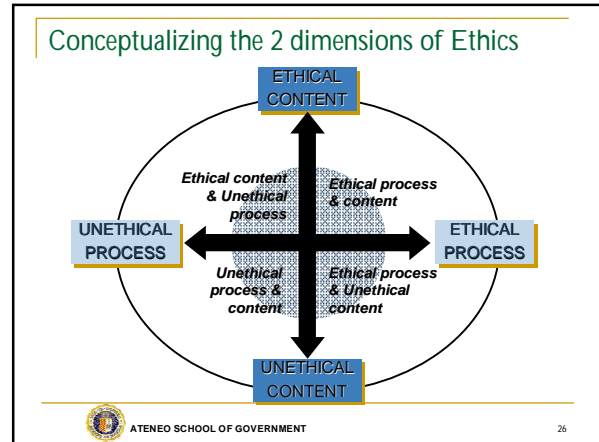
## Module 1:
## Understanding Governance and Ethics of Governance

Session 2: Principles/Criteria in Ethical Decision-making

Dean Antonio G.M. La Viña, Ph.D.
Ateneo School of Government

---

**Discussion Outline**

- Criteria/principles for ethical decision-making
- A model for ethical decision-making

ATENEO SCHOOL OF GOVERNMENT                    28

---

**FOR THE TRAINER**
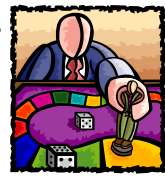
- Guide Question:
  - When confronted with an ethical dilemma, what are the standards as participants in governance?
- Present and discuss the criteria for ethical decision-making
- Present the ALIR Criteria

ATENEO SCHOOL OF GOVERNMENT                    29

---

## Why criteria for ethical decision-making?
(Anthony Makrydemetres, 2002)

- Moral and ethical standards are often regarded as constraints and limitations
- These are not seen as legitimate objectives to be pursued in public service
- Thus, moral & ethical standards tend to be overlooked or even ignored in actual decision-making process
- As a result, administration and management become divorced from ethics and morals

ATENEO SCHOOL OF GOVERNMENT                    30

## The ALIR criteria or principles…

Accountability

Integrity

Legality

Responsiveness

ATENEO SCHOOL OF GOVERNMENT 31

## ACCOUNTABILITY

- Responsibility to someone or for some activity.
- The obligation of a subordinate to answer to his superior for the exercise of authority in line with his delegated responsibility, for the performance of duties assigned to him.
- In a democracy, those who work in the public sector are guided by and subordinated to political authority (those elected by the people to govern)
  - But does this mean the "politicization" of public services?
  - Are public servants the clients (i.e., servants) of those who hold political power?
  - Ultimately, to whom are public servants accountable?

ATENEO SCHOOL OF GOVERNMENT 32

## LEGALITY

- Since the source of all power is the people, then all power must be exercised in the name of and for the general interest of the people
- Unethical conduct – bribery, theft, favoritism, abuse of power – consists in the violation of law, that is, putting someone above or beyond the law
- Consistent and fair enforcement of the law should be the first priority of an ethics reform strategy
- In a democracy, those who work in the public sector are guided by and subordinated to political authority (those elected by the people to govern)
  - But does this mean the "politicization" of public services?
  - Are public servants the clients (i.e., servants) of those who hold political power?
  - Ultimately, to whom are public servants accountable?

ATENEO SCHOOL OF GOVERNMENT 33

## INTEGRITY

- Civil servants are supposed to be fully competent based on knowledge, experience and expertise (civil service eligibility)
- These competencies are usually accompanied by a set of shared standards and values defined by professional ethics/code of conduct
  - Avoiding corruption in the purchase and delivery of services

ATENEO SCHOOL OF GOVERNMENT 34

## Responsiveness

- Public institutions should be responsive to society and pay attention to the needs and demands of the people
- This calls for an awareness and a readiness to adapt to changing values and conditions in society

ATENEO SCHOOL OF GOVERNMENT 35

## Ethics and Your Core Values

Social glue that holds people together

Your guide for decisions and actions

Strengthen character:
- Individual
- Organizational
- Societal

ATENEO SCHOOL OF GOVERNMENT 36

## Key Lessons

- Ethics guides citizens in undertaking social accountability initiatives.
- Ethical engagement raises the level of participation in governance.

ATENEO SCHOOL OF GOVERNMENT 37

## ACTIVITY

*FOR THE TRAINER*

- Provide the participants idea cards. Explain the mechanics for using the idea cards. Instruct each one to write 3 dilemmas he/she has faced in working for good governance and ethical decision-making.
- Discuss the 7 steps in the model for ethical decision-making. Use the examples, steps, mechanisms from the idea cards given by the participants to illustrate the 7 steps.

ATENEO SCHOOL OF GOVERNMENT 38

## A Model for Ethical Decision-Making

1. Gather the facts
2. Determine the ethical issues
3. Determine the principles or criteria that have a bearing on the case
4. List the alternatives and options
5. Compare the alternatives with the principles
6. Weigh the consequences
7. Make a decision

ATENEO SCHOOL OF GOVERNMENT 39

## 1. Gather the facts

- Gather and clarify the facts of the case in question
- If case proves to be difficult, gathering facts is an essential first step prior to ethical analysis and reflection on the case
- Questions that should be asked are:
  - "What do we know?"
  - "What do we *need* to know?"
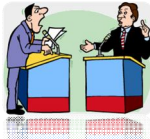
ATENEO SCHOOL OF GOVERNMENT 40

## 2. Determine the Ethical Issues

- Ethical issues should be stated in terms of competing interests, goods, or values – a "dilemma statement"
- Use the _____ vs. _____ format to reflect the interests that are colliding
  - Career *vs.* Reputation/face
  - Money *vs.* Friendship
  - Family survival *vs.* Accountability to the people

ATENEO SCHOOL OF GOVERNMENT 41

## 3. Determine the principles or criteria that have a bearing on the case

- In any ethical dilemma, there are certain *moral values* or *principles* central to the conflicting positions
- Question is: Which values or principles weigh most heavily?
- Some sources of principles:
  - ALIR
  - Buddhist/Christian/ Islamic principles
  - Constitutional principles
  - Principles drawn from natural law
  - Principles from one's sense of mission or calling
  - Principles upheld by the organization

ATENEO SCHOOL OF GOVERNMENT 42

## 4. List the alternatives and options

- Think creatively…come up with various alternative courses of action
- The more alternatives listed, the better the chance that you will include high-quality ones
- Think of creative alternatives not considered before; think unconventional
- THINK OUT OF THE BOX!!!

ATENEO SCHOOL OF GOVERNMENT

43

## 5. Compare the alternatives with the principles

- Eliminate alternatives according to the moral principles that have a bearing on the case
- Determine if a clear decision can be made without further deliberation
- If not, then go to the next step

ATENEO SCHOOL OF GOVERNMENT

44

## 6. Weigh the consequences

- Weigh the consequences of the remaining available alternatives
- Consider both positive and negative consequences
  - Some positive consequences are more beneficial than others
  - Some negative consequences are more detrimental than others

ATENEO SCHOOL OF GOVERNMENT

45

## 7. Make a decision

- Deliberation cannot go on forever… avoid "paralysis by analysis"
- Realize that there are no easy and painless solutions to ethical dilemmas
- The decision should involve the least number of problems or negative consequences

ATENEO SCHOOL OF GOVERNMENT

46

## FOR THE TRAINER

- Ask the participants to reflect and share on the question below:
  - **How do you enable and foster ETHICAL COMMUNITIES in your respective spheres of influence, i.e., in your institution/organization?**
- Summarize the points raise and present the challenge in the next slide as a conclusion.

ATENEO SCHOOL OF GOVERNMENT

47

## A challenge…

We need to be able to think about the ethics of governance content as a community

We need to develop a second language that will enable us to talk about the common good of the community

We need to infuse the governance relationship with some dedication to the social ecology of organizations and of societies

ATENEO SCHOOL OF GOVERNMENT

48

MODULE 1: ANNEX

**Contextualizing Social Accountability within the Concerns of
Ethics, Good Governance, and Social Reform**
Ateneo School of Government

Social accountability is an approach towards building a transparent and responsive government that is willing to create the space for collaboration with civil society for improved governance, increased development effectiveness through better service delivery, and empowerment. Social accountability is a key component of the governance equation.

The World Bank (2005) defines social accountability as a process of demanding accountability from the government through civic engagement. It emphasizes the role of citizens in promoting good and effective governance. It is placed in the demand-side of governance, which assumes an informed, responsible and engaged citizenry, complementing the role and function of government. Some examples of social accountability initiatives are participatory budgeting, public expenditure tracking, and citizen report cards."

The emergence of social accountability is part of the realization that governance cannot be left to the government alone. Governance does not only pertain to the task of running the government, nor only to organizational effectiveness in policy formulation and implementation, nor only to power, authority or influence in public matters.

Viewed from the greater sphere of social development, governance requires the inclusion of more stakeholders, especially the ordinary citizens, as participants in decision-making. Their various positions and views must be taken into consideration in coming up with relevant and equitable social reforms, which result presumably in good and effective governance.

It is important to see the ethical challenge of managing and responding to the plurality of beliefs and interests in the sphere of governance. Criteria and principles for ethical reasoning should guide each of the contributors of action and decision.
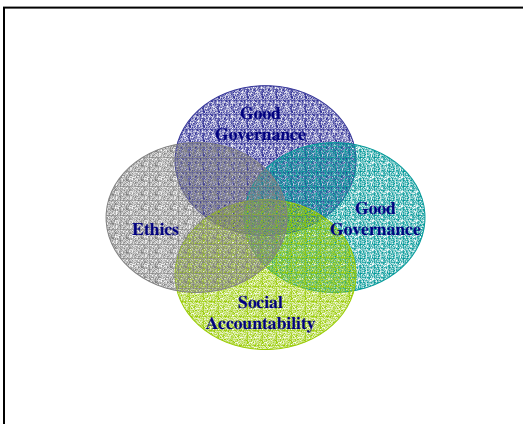


This is a healthy antidote to the unfortunate compromises of politics and a key ingredient of a responsible and meaningful participation. It should not be considered a constraint to, but a propeller of correct and long-lasting reforms.

Procurement is an area of intervention for social accountability while consensus building is introduced as a fundamental skill in practicing it.

Ateneo School of Government

# MODULE 2:
# DIALOGUE WITH GOVERNMENT AND CONSENSUS - BUILDING

This course develops skills on dialogue and consensus-building as applied to natural management cases. It facilitates understanding of the natural resources governance in the Cambodian context. It identifies opportunities for dialogue and consensus-building and imparts communication skills and tools, including listening skills, language and emotions. It utilizes role-playing exercises using hypothetical cases on natural resources governance. It is divided into two sessions.

**Session 1: Introduction and Context**
Topic 1: Two case studies in Cambodia
Topic 2: Philippine experience: National Anti-Poverty Commission
Topic 3: Dialogue with Government
Topic 4: Consensus Building
Topic 5: Assessing the need for dialogue and for consensus-building

**Session 2: Basic Principles of Dialogue and Consensus Building**
Topic 1: Understanding Conflict
Topic 2: Basic Principles of Communication
Topic 3: Introduction to Negotiation
Topic 4: Consensus Building Tips

**OBJECTIVES:**
- Introduce participants to basic principles
- Share some application of basic principles to local experiences in Cambodia and the Philippines.
- Emphasize the importance of effective communication, facilitation and negotiation skills.
- Provide role-playing exercises to show the value of interest-based negotiation and transformative mediation processes.

**TIME:**
- Session 1: 3 hours
- Session 2: 3 hours

**PROCESS:**
- Interactive Discussion
- Case Study Analysis

**MATERIALS:**
- Presentation
- Video Presentation of Former National Anti-Poverty Commission

-

(NAPC) Secretary Ging Deles of the Philippines
- Case studies from *Justice for the Poor*, CAS-WB Phnom Penh, 2006:
    (1) "Land Dispute in Prasat Sambo District, Kompong Thom Province,"
    (2) "Fishpond Dispute in Sa'ang District, Kandal Province"
- Idea Cards
- Transcriptions of Video Presentations
- List of References
- Handout : The Role of the Facilitator
- General Exercises and Role Playing Activities

**AUTHOR/S:**
- Professor James Kho, Ateneo School of Government
- Ging Deles, Former Secretary, NAPC

| **NOTE**: |
|---|
| Module 2 is divided into two sessions:<br>    (1) Introduction and Contexts (Slides 1-26);<br>    (2) Basic Principles of Dialogue and Consensus Building (Slides 27-48).<br><br>The topics under each session, activities, and guide questions are all incorporated in the presentation slides in the succeeding pages. Additional notes for the Trainer/Facilitator are also found in the slides. Handouts, detailed mechanics or instructions for activities or exercises are found in the annex of each module.<br><br>This module is reach with general exercises and role-playing activities that would help the participants better understand the topics being discussed. The Trainer may opt to use these exercises and activities which are included in the annex of this module. |

-

Module 2: **DIALOGUE WITH GOVERNMENT AND CONSENSUS-BUILDING**

**Session 1:
Introduction and Context**

Prof. James Kho
Sec. Teresita "Ging" Deles
Ateneo School of Government

---

**Session 1:
Introduction and Context**

*Discussion Outline*

- Two case studies in Cambodia
- Philippine experience: National Anti-Poverty Commission
- Dialogue with Government
- Consensus Building
- Assessing the need for dialogue and for consensus-building

ATENEO SCHOOL OF GOVERNMENT          2

---

Video Presentation 1

*FOR THE TRAINER*

- Present the Video Presentation 1 of Former Sec. Ging Deles
  - See attached video or transcript

ATENEO SCHOOL OF GOVERNMENT          3

---

Opening exercise

*FOR THE TRAINER*

- Form groups of **3 people in each group**

- Look back to your activities last week.  **Share with your group** any experiences you had in dealing with government agencies or officials (it can be a simple or complex interaction on any issue)
- Among the experiences you shared, **choose one** memorable experience you want to share with all participants.

- **Write a phrase** to describe it on an idea card.

ATENEO SCHOOL OF GOVERNMENT          4

---
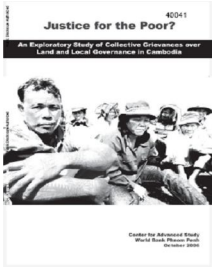
*FOR THE TRAINER*

- Introduce the case studies:
  - Cambodia
    - "Land Dispute in Prasat Sambo District, Kompong Thom Province,"
    - "Fishpond Dispute in Sa'ang District, Kandal Province"
- Focus on:
  - the concerned parties;
  - addressing the issues; and
  - outcomes

ATENEO SCHOOL OF GOVERNMENT          5

---

The Cambodian Experience

40041

**Justice for the Poor?**

An Exploratory Study of Collective Grievances over Land and Local Governance in Cambodia

Center for Advanced Studies
WB Phnom Penh

Center for Advanced Study
World Bank Phnom Penh
October 2006

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=983317#PaperDownload

ATENEO SCHOOL OF GOVERNMENT          6

### Case No. 1:

**Land disputes in Prasat Sambo District, Kompong Thom Province**

ATENEO SCHOOL OF GOVERNMENT    7

---

## Concerned Parties

| **2001** | **2005** |
|---|---|
| • **Villagers who converted forestlands to farms** | • **Villagers who used forestlands for farms** |
| • **High-ranking district official claiming land used by villagers for chamkar** | • **District Commission claiming the farm lands for school construction; deputy district governor** |
| • **Village chief, elders, achar** | • **Village chief, village representative** |
| | • **Local NGOs, SRP parliamentarian, Voice of America** |
| | • **Provincial Governor** |

ATENEO SCHOOL OF GOVERNMENT    8

---

## Addressing the Issues
### 2001

- Villagers asked help from village chief, elders

- Elders and achar met with district official

- Achar told, he "should not play with his life"

ATENEO SCHOOL OF GOVERNMENT    9

---

## Addressing the Issues
### 2005

- Villagers protect their chamkar with knives and axes; asked help from village chief
- Villagers meet with deputy district governor; villagers refuse to sign land survey/list
- Villagers contact NGO; NGO helped village rep prepare petition to Provincial Governor

- SRP Parliamentarian and VoA help, villagers spread the word
- 2nd meeting with dep dist gov; threats
- Provincial Governor acts on petition

ATENEO SCHOOL OF GOVERNMENT    10

---

## Outcome
### 2001

- Meeting between achar and high-ranking district official

- After the warning to achar, no more protests, villagers move to other areas

- Villagers feel they were cheated

ATENEO SCHOOL OF GOVERNMENT    11

---

## Outcome
### 2005

- 1st meeting with district official, villagers asked to sign)
- 2nd meeting with official, villagers threatened with court cases
- NGO assistance to file petition with Provincial Governor

- Assistance from SRP parliamentarian and VoA to inform villagers about the issues
- Provincial Governor refused to resolve the issues between villagers and commune officials but issues order to reduce claimed land for school

ATENEO SCHOOL OF GOVERNMENT    12

### Case No. 2:

**Fishpond dispute in Sa'ang District, Kandal Province**



ATENEO SCHOOL OF GOVERNMENT — 13

### Concerned Parties

- New resident who developed the fishpond on public land (near a natural pond)
- Long-time resident who allowed development of fishpond through agreement with new resident
- Villagers who opposed fishpond dev't., led by village chief
- Commune chief and council who decided on the issue
- Prime Minister's bodyguard who intervened

ATENEO SCHOOL OF GOVERNMENT — 14

### Addressing the Issues

- Villagers prepared written complaint with 203 thumbprints, submitted to commune chief
- Commune authorities investigated and made a decision to return fishpond to public use
- PM's bodyguard visiting the commune chief after the decision was made, on behalf of the fishpond developer

ATENEO SCHOOL OF GOVERNMENT — 15

### Outcome



- After the visit of the PM's bodyguard, the commune authorities changed their decision and allowed the fishpond owner to use the pond for private purposes.

ATENEO SCHOOL OF GOVERNMENT — 16

*FOR THE TRAINER*

- Introduce the Philippine Experience:
  - The National Anti-Poverty Commission
    - What is it?
    - How is it structured?
- Use the video presentations of Former NAPC Sec Ging Deles

ATENEO SCHOOL OF GOVERNMENT — 17

### The Philippine Experience

National Anti-Poverty Commission (NAPC)

- Dialogue between the basic sectors and government; it was created to advance the social reform agenda

The Social Reform Agenda (SRA)

- Consensus building among basic sectors on a common agenda to raise with government

ATENEO SCHOOL OF GOVERNMENT — 18

## Video Presentations on NAPC

*FOR THE TRAINER*

- Present the Video Presentations (VP) on NAPC (use attached video or see transcripts)
  - VP 2: the Structure of NAPC
  - VP 3: Important Roles and Functions
  - VP 4: NGOs got together and laws were passed

ATENEO SCHOOL OF GOVERNMENT    19

## Dialogue with Government

*FOR THE TRAINER*

- Use the experience of NAPC to introduce the concept of dialogue with the government
- Discuss the elements of dialogue
- Discuss how dialogues are used in social accountability by citing examples presented in succeeding slides

ATENEO SCHOOL OF GOVERNMENT    20

## Elements of Dialogue

- Parties - who are involved
- Issues - subject matter
- Information/resources needed to understand and address issues

ATENEO SCHOOL OF GOVERNMENT    21

## Elements of Dialogue

- **Context**
  - Power relations (authority, knowledge, force, outside support)
  - Cultural context
  - Dialogue venue, etc.

**Dialogue with Government:**

**How is it different?**

ATENEO SCHOOL OF GOVERNMENT    22

## Roundtable Discussion on Green Benches

Top: A Roundtable Discussion on the Green Benches. Side: Caucus with the Philippine Chief Justice.

ATENEO SCHOOL OF GOVERNMENT    23

## Dialogue on Geothermal Exploration in a Protected Area
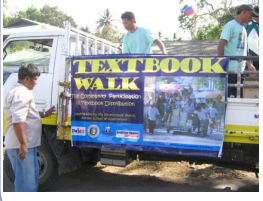
The community and other stakeholders in a dialogue with government officials.

ATENEO SCHOOL OF GOVERNMENT    24

## Dialogue and Social Accountability



- What is social accountability?
- What is dialogue with government like in the context of seeking social accountability?
- ALIR

ATENEO SCHOOL OF GOVERNMENT          25

## Range of SA Dialogues

- Requesting for information, clarification
- Asking for delivery of services
- Asking for a change in laws or policies
- Monitoring government performance
- Demanding official accountability
- Direct participation in governance

ATENEO SCHOOL OF GOVERNMENT          26

*FOR THE TRAINER*

### Guide Questions:

- Discuss the role of Dialogue in the Case Studies:
  - When did dialogue happen?
  - Between whom?
  - What was the outcome in each dialogue?
  - Did dialogue help resolve the issue?
- The succeeding looks into the role of dialogue in the Case Studies

ATENEO SCHOOL OF GOVERNMENT          27

### Case No. 1:

## Land disputes in Prasat Sambo District, Kompong Thom Province



ATENEO SCHOOL OF GOVERNMENT          28

## Addressing the Issues
### 2001

- Villagers asked help from village chief, elders
- Elders and achar met with district official
- Achar told, he "should not play with his life"

ATENEO SCHOOL OF GOVERNMENT          29

## Addressing the Issues
### 2005

- Villagers protect their chamkar with knives and axes; asked help from village chief
- Villagers meet with deputy district governor; villagers refuse to sign land survey/list
- Villagers contact NGO; NGO helped village rep prepare petition to Provincial Governor
- SRP Parliamentarian and VoA help, villagers spread the word
- 2nd meeting with dep dist gov; threats
- Provincial Governor acts on petition

ATENEO SCHOOL OF GOVERNMENT          30

## Case No. 2:

### Fishpond dispute in Sa'ang District, Kandal Province
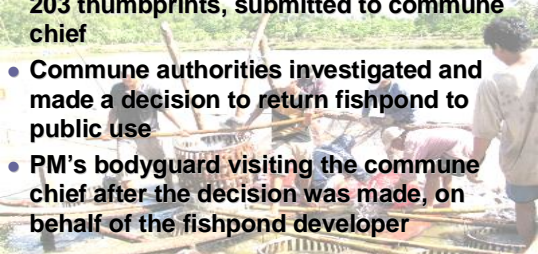


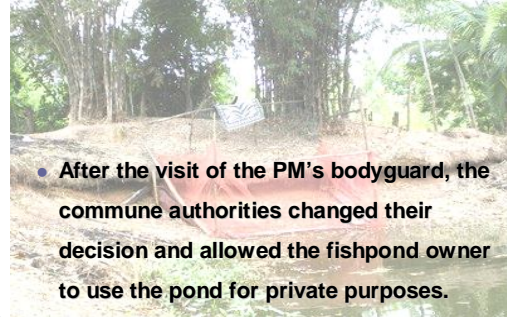ATENEO SCHOOL OF GOVERNMENT     31

---

## Addressing the Issues

- Villagers prepared written complaint with 203 thumbprints, submitted to commune chief
- Commune authorities investigated and made a decision to return fishpond to public use
- PM's bodyguard visiting the commune chief after the decision was made, on behalf of the fishpond developer

ATENEO SCHOOL OF GOVERNMENT     32

---

## Barriers to Dialogue in Case Studies

- What are some barriers to dialogue?
  - Threat - Case 1:"play with your life"; Case 2: PM bodyguard unit
  - Officials not ready or willing to dialogue
- How did the parties deal with the barriers?
  - Acceptance of situation
  - Find other officials willing to intervene
  - Counter-threats (rally with weapons to defend farms)

ATENEO SCHOOL OF GOVERNMENT     33

---

*FOR THE TRAINER*

### Consensus Building

- Use the succeeding slides to discuss Consensus Building:
  - Definitions
  - Advantages and Disadvantages
  - Consensus building process
  - Examples



ATENEO SCHOOL OF GOVERNMENT     34

---

## Definitions

- **Consensus**
- **Consensus Building**

  "Consensus Building allows parties with differing interests and values to produce agreements that are better for everyone than their "no-agreement" alternatives. Consensus is reached when all "joint gains" have been explored, and explicit efforts have been made to meet the needs of all parties—though parties are never asked to give up pursuing their own self-interest."

  Consensus-Building Institute

ATENEO SCHOOL OF GOVERNMENT     35

---

## Advantages / Disadvantages

- Advantages - unity; priority
- Disadvantages - long process
- Consensus among whom?
  - Caucus of like minded groups before engaging government in dialogue
  - Consensus with government counterparts on addressing issues raised by the group/s

ATENEO SCHOOL OF GOVERNMENT     36

---

## Consensus Building

Getting community consensus to oppose construction of a dam

## Consensus Building

Workshop to draft a waste management ordinance

## Consensus-Building Process

- Introduction: Role of Facilitator / Convenor
- Storytelling: Identifying the issues
- Problem Solving: Generating options to address issues
- Agreement:

  Process and substance; Fairness

*FOR THE TRAINER*

## Video Presentations

- Use the following video presentations (VP) to discuss the National Peace Conference Process in the Philippines (see transcriptions):
  - VP 5: National Peace Conference Process of Consensus Building (part 1)
  - VP 6: National Peace Conference Process of Consensus Building (part 2)

*FOR THE TRAINER*

## Assessing the Need for Dialogue and Consensus Building

- Using the Case Studies in Cambodia and the Philippine Experience, the succeeding slides present analysis on the need for dialogue and consensus building for each instance

## Assessing the Need for Dialogue and Consensus-Building

## Legal Analysis of Case 1

- **The Prasat Sambo case**
  - People cleared forest and converted it into agricultural land.
  - The fact that the land was once forest would be enough to have it classified as state public land and thus bar villagers from acquiring it by possession.

ATENEO SCHOOL OF GOVERNMENT   43

## Legal Analysis of Case 1

- In practice, the Forest Administration has indicated that they will determine forest cover with reference to a 2002 map based on satellite imagery.
- If this rule is applied, then land cleared prior to 2002 will be eligible for possession.
- The majority of the Prasat Sambo villagers claim to have been continuous possessors since before 2001.
- Applying the law in this way, they would be considered to be lawful possessors.

ATENEO SCHOOL OF GOVERNMENT   44

## Legal Analysis of Case 2

- In the fish pond case, as long as the fish pond was part of a preexisting natural lake, the commune authorities were correct in their initial decision that the pond belonged to the state for public use. Because the land in question was state public land, private individuals had no right to claim exclusive use over that area.

ATENEO SCHOOL OF GOVERNMENT   45

## Philippines' SRA/NAPC

- Consensus on the Social Reform Agenda took many many years before basic sectors could bring the SRA to government for action.
- There was a long struggle to create NAPC as the venue or space for dialogue, and institutionalize a process for dialogue
- Dialogue between government and basic sectors can mean differently at different times, depending on the value that government placed on the process

ATENEO SCHOOL OF GOVERNMENT   46

## Guide Questions for Conflict Mapping

*FOR THE TRAINER*

- Conflict Mapping (from Consensus Building Institute)
  - Are issues and stakeholders identifiable?
  - Is there a credible convenor?
  - Are stakeholders willing to participate (what are their alternatives)?
  - Are there sufficient time and resources for consensus building?
  - Is there a reasonable prospect of agreement on at least some of the issues?

ATENEO SCHOOL OF GOVERNMENT   47

Module 2: DIALOGUE WITH GOVERNMENT AND CONSENSUS-BUILDING

**Session 2:**
**Basic Principles of Dialogue and Consensus Building**

**Prof. James Kho**
**Sec. Teresita "Ging" Deles**
Ateneo School of Government

**Session 2: Basic Principles of Dialogue and Consensus Building**

*Discussion Outline*

- Understanding Conflict
- Basic Principles of Communication
- Introduction to Negotiation
- Consensus Building Tips

ATENEO SCHOOL OF GOVERNMENT — 49

---

## Understanding Conflict

*FOR THE TRAINER*

- Using the succeeding slides discuss "Conflict"
  - Cambodian local terms
  - Characteristics
  - Different types



ATENEO SCHOOL OF GOVERNMENT — 50

---

## Local Terms for "Conflict"
### CAS-WB Phnom Penh

- *mean roeung* 'there are troubles',
- *mean panh'ha* 'there is a problem'
- *mean tumnoah* 'there is a conflict'

ATENEO SCHOOL OF GOVERNMENT — 51

---

## Local Terms for "Conflict"
### CAS-WB Phnom Penh

- Conflict management follows the customary practice of *sâmroh sâmruol* (*sâmroh* 'to cause to be together or to be friendly to each other', *sâmruol* 'to make something easy').

- *dohsray* 'to untie, to take off, or to solve something such as a puzzle'

ATENEO SCHOOL OF GOVERNMENT — 52

---

## Local Terms for "Conflict"
### CAS-WB Phnom Penh

- *viveat* or *chomluh* used to mean 'conflict'
- *tumnoah* and *chomluh* may also be used to mean 'dispute'

ATENEO SCHOOL OF GOVERNMENT — 53

---

## Characteristics of Conflict

- Two or more people believe they have irreconcilable differences and feel that their resources, relationships, needs and values are threatened
  - Conflict is everywhere
  - Conflict generates energy
  - Conflict can create change
  - Conflict is double-edged
  - Conflict is influenced by personality and culture

ATENEO SCHOOL OF GOVERNMENT — 54

## CRISIS AS OPPORTUNITY
### (wēi jī)

The Chinese word for "crisis" is made up of two parts: "danger" and "opportunity".

"Danger", originally pictured as a man on the edge of a precipice.

"Opportunity"—a reminder of the seemingly small but important opportunity that can come out of danger.

---

## Types of Conflict

- about Information - lack of facts, different sets of facts, or different interpretation
- over Resources - land, money, rights
- about Relationships - how parties are connected or relate to each other as family, friends, business partners, etc.

ATENEO SCHOOL OF GOVERNMENT 56

---

## Types of Conflict

- over Interests or Needs - win-lose mentality: over substance, process and psychological satisfaction
- over Structures - social or organizational structures that determine who has power, who is respected, who has access to resources
- over Values - beliefs and faith perspectives

ATENEO SCHOOL OF GOVERNMENT 57

---

## Circle of conflict

RELATIONSHIP PROBLEMS

DATA PROBLEMS

VALUES DIFFERENCES

INTERESTS

Psychological    Procedural

Substantive

STRUCTURAL PROBLEMS

---

www.starfish.govt.nz/ social/cartoons/cartoons.htm

ATENEO SCHOOL OF GOVERNMENT 59

---
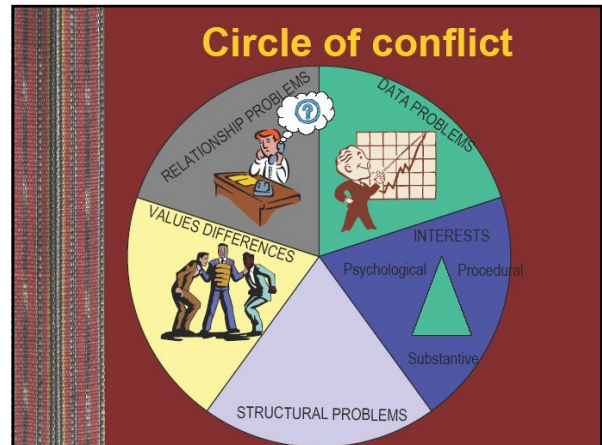
## Typology of Conflicts
CDRI

- *Offences*: instances of apparently one-sided, anti-social behaviour by an individual, which offends against village society (e.g. drunkenness or violent attack).
- *Disputes*: particular limited disagreements between two or more parties (e.g. domestic disputes or land disputes).
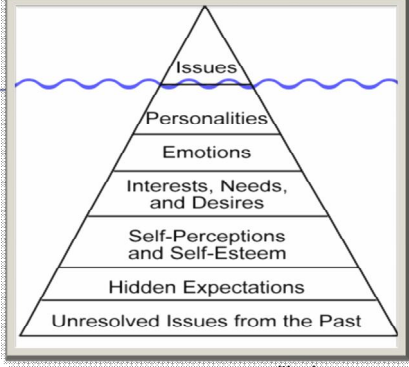
ATENEO SCHOOL OF GOVERNMENT 60

## Typology of Conflicts
CDRI

- *Conflicts of interest*: ongoing disagreements between two or more parties, in which any outcome would have a clear effect on the material interests of one or both parties (e.g. mutually incompatible uses of shared water resources).

ATENEO SCHOOL OF GOVERNMENT 61

---



Issues

Personalities

Emotions

Interests, Needs, and Desires

Self-Perceptions and Self-Esteem

Hidden Expectations

Unresolved Issues from the Past

www.positivechangesnow.ca

ATENEO SCHOOL OF GOVERNMENT 62

---

*FOR THE TRAINER*

### Guide Question

- Ask the participants to reflect and share on:
  - Why is it important to know the type of conflict?
- Discuss the common responses to conflict

ATENEO SCHOOL OF GOVERNMENT 63

---

## Common Responses to Conflicts

- Ignore or avoid dealing with it (conflict remains)
- Let it pass (until conditions change)
- Work with your opponents to find mutually acceptable solutions (negotiate)

ATENEO SCHOOL OF GOVERNMENT 64

---

## Common Responses to Conflicts
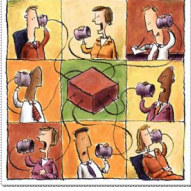
- Use force or violence to get your way
- Find another person who can help solve the conflict (third-party assistance as mediator, arbitrator)
- Go to court
- (other responses?)

ATENEO SCHOOL OF GOVERNMENT 65

---

*FOR THE TRAINER*

### Basic Principles of Communication

- Discuss the basic principles of communication:
  - Communication models
  - Barriers to communication
  - Active listening
  - Reframing statements; and
  - Framing the issue

ATENEO SCHOOL OF GOVERNMENT 66

## Communication Loop

www.pinkgrapefruit.co.uk

Output external behaviour → Observe external behaviour

Generate internal response

Generate internal response

Observe external behaviour ← Output External Behaviour

ATENEO SCHOOL OF GOVERNMENT — 67

---

Communication Intent → (Context, experience, available info)

Language (symbols) →

← Verbal / non-verbal feedback

Processed Meaning — (Context, experience, available info)

Sender — Receiver

Clarify *Meaning* alignment until Intent is achieved

www.idealliance.org

ATENEO SCHOOL OF GOVERNMENT — 68

---

## Barriers to Communication

- *inaccurate perception*, where we make judgments, conclusions, or attribution based on a specific and limited information;
- *strong emotions*, whenever we experience difficulty accepting other people's values, perceptions, or behavior;
- *misunderstanding* brought about by poor communication or miscommunication.

ATENEO SCHOOL OF GOVERNMENT — 69

---

## Active Listening

- Listening is important in order to allow us to shift from the "top half of the Circle", i.e., to deal with emotions and "to empty one's cup". It is also important to stop confrontation and to learn facts, information and interests.
- *Active Listening* is the capability of one person to demonstrate and prove his/her understanding of the substantive and emotional messages of a speaker.

ATENEO SCHOOL OF GOVERNMENT — 70

---

*FOR THE TRAINER*

### Active Listening Activity

- Ask the participants to share what they will do in the following situation:
  - When you are talking to your friend or colleague, how do you show that you are listening? That you understand what the other person is saying?

ATENEO SCHOOL OF GOVERNMENT — 71

---

## Reframing Statements

- *Reframing* is about hearing the other person's negative comments, stripping away the toxic language to understand his/her interests and feeding this information back to the speaker. It also involves translating positional, toxic comments into neutral, positive comments that focus on interests and lead to more productive communication.

ATENEO SCHOOL OF GOVERNMENT — 72

### Reframing Activity

*FOR THE TRAINER*

- Ask the participants to comment on the script below:

*Motorcycle hits pedestrian:*
- *Driver: Are you trying to commit suicide? You are crazy to cross the road when traffic is moving fast!*
- *Pedestrian: Are you blind? Do you want to kill me?*

**ATENEO SCHOOL OF GOVERNMENT**                73

### Reframing Activity

*FOR THE TRAINER*

- Ask the participants to share what they will do in the following situation:
  - Imagine yourself as part of the community in Prasat Sambo in 2005, you are angry at the officials for trying to grab your land again. What would you say? How would you reframe the toxic statements?
  - You are the government official, you think the community members are abusing their rights. You want to scold them. What would you say? How would you reframe?

**ATENEO SCHOOL OF GOVERNMENT**                74

### Framing the Issue

- *Framing* is posing an issue in a way that both or all the parties are willing to work on it. In order for a group to work effectively together, they need to embrace a common goal or task. The skill of framing is used to engage all group members in a task that is acceptable to them.

**ATENEO SCHOOL OF GOVERNMENT**                75

### Framing

A formula that can be used:

| *Party A's statement* | *Party B's statement* |
| --- | --- |
| *Party A's interests* | *Party B's interests* |

*Joint Problem-Solving Issue*

*(Frame the issue as a mutual problem to be mutually solved)*

**ATENEO SCHOOL OF GOVERNMENT**                76

### Hand Tangle Exercise

*FOR THE TRAINER*

- Each group may be composed of 6-9 persons.
- Instructions
  1. All participants form a circle.
  2. Stretch out your hands toward the center of the circle, move forward, and each person take a hand of two different people. You may not hold the hand of the person standing next to you.
  3. Each group should slowly and carefully "unwind" and form a single circle **without letting go of one another's hands**. It is all right to turn backward or even have crossed arms in the finished circles.

**ATENEO SCHOOL OF GOVERNMENT**                77

### Introduction to Negotiation

*FOR THE TRAINER*

- Discuss what is meant by negotiation:
  - Why is there a need for negotiation?
  - What are its elements?
  - What is positional bargaining?
  - Some negotiation tips

**ATENEO SCHOOL OF GOVERNMENT**                78

## Elements

- A *topic or issue* to negotiate
- Identifiable parties who are willing and ready to negotiate
- *Leverage or power* - interdependence on the outcome
- *Sense of urgency*
- *Negotiated outcome* is potentially better than no agreement

ATENEO SCHOOL OF GOVERNMENT          79

## Positional Bargaining

- There is a limited pie, to be carved up
- A win for me means a loss for you
- The goal is to win as much as possible

ATENEO SCHOOL OF GOVERNMENT

## Positional Bargaining

- The other party is an opponent
- There is one right solution – mine
- I must stay on the offensive
- A concession is a sign of weakness

ATENEO SCHOOL OF GOVERNMENT

Stu's Views          © Stu  All Rights Reserved  www.STUS.com

Give me everything I want right now or I will crush your company with an unending torrent of litigation.

Getting to YES

## Interest-Based Negotiation

- The pie is not limited (my goal is to get the biggest piece)
- The needs of all parties must be met to reach agreement
- Parties are cooperative problem-solvers rather than opponents

ATENEO SCHOOL OF GOVERNMENT          83

## Interest-Based Negotiation

- There are probably several satisfactory solutions
- People and issues are separate
- Goal is for win/win solutions (or mutual gains)

ATENEO SCHOOL OF GOVERNMENT

## Negotiation Tips
Fisher and Ury

- Separate the people from the substantive problem.
- Focus on interests, rather than on positions.
- Generate options before making a decision.
- Ensure that the result is based on some objective criteria.

ATENEO SCHOOL OF GOVERNMENT    86

---

## Consensus Building

*FOR THE TRAINER*

- Discuss what is facilitation and its benefits
- Differentiate facilitation from mediation
- Discuss transformative mediation

ATENEO SCHOOL OF GOVERNMENT    87

---

## Facilitation

*Facilitation* (group facilitation) - a process in which a neutral person helps a group work together more effectively. Facilitators may work with small groups within an organization, or with representatives of different organizations who are working together in a collaborative or consensus-building process.

**Core Values**

- valid information
- free and informed choice
- internal commitment to those choices

ATENEO SCHOOL OF GOVERNMENT    88

---

## Facilitator / Convenor

A **facilitator** is someone who skillfully helps a group of people understand their common objectives and assists them to plan to achieve them without taking a particular position in the discussion.

ATENEO SCHOOL OF GOVERNMENT    89

---

## Benefits of Facilitation

- Group members are often more motivated to support the decisions made because of their investment in the process.
- The best efforts of groups usually produce better results than individual efforts.
- Everyone involved has a chance to contribute and feels they are an integral part of the team.

ATENEO SCHOOL OF GOVERNMENT    90

## Benefits of Facilitation

- People realize and respect that responsibility for implementing decisions lies with everyone.
- Innovation and problem-solving skills are built.
- People are encouraged to think and act for the overall benefit of the group.

ATENEO SCHOOL OF GOVERNMENT 91

## Benefits of Facilitation

- A forum for constructively resolving conflicts and clarifying misunderstandings is created.
- Negative attitudes, low morale, low involvement, and withholding of information are less likely because everyone is involved in a joint process.

ATENEO SCHOOL OF GOVERNMENT 92

## Facilitation vs Mediation

*Mediation* is a process in which a third-party neutral assists in resolving a dispute between two or more other parties.

It is a non-adversarial approach to conflict resolution.

The role of the mediator is to facilitate communication between the parties, assist them in focusing on the real issues of the dispute, and generate options that meet the interests or needs of all relevant parties in an effort to resolve the conflict.

ATENEO SCHOOL OF GOVERNMENT 93

## Transformative Mediation

The **transformative** approach to mediation does not seek resolution of the immediate problem, but rather, seeks the empowerment and mutual recognition of the parties involved.

ATENEO SCHOOL OF GOVERNMENT 94

## Transformative Mediation

**Empowerment** means enabling the parties to define their own issues and to seek solutions on their own.

ATENEO SCHOOL OF GOVERNMENT 95

## Transformative Mediation

**Recognition** means enabling the parties to see and understand the other person's point of view--to understand how they define the problem and why they seek the solution that they do.

ATENEO SCHOOL OF GOVERNMENT 96

_____

**ANNEX: Case Studies for Dialogue and Consensus-Building[1]**

**Case No. 1:**
**Land disputes in Prasat Sambo District, Kompong Thom Province**
(Note: pp 48-50 in CAS-WB publication)

An initial case involving a claim to formerly forested land between two villages arose in 2001. A similar case relating to an adjacent piece of land arose in 2005.

In 2001, a high-ranking district official claimed 280ha for use by an outside company for a plantation. Villagers from four neighboring villages claimed that they had been using this degraded forest land for châmkar at least since the early 1990s without having established clear ownership.

The district officials considered the forest to be state property, and told the villagers using the land that they had to leave their châmkar (mostly around 2ha each). To protect their land, the villagers sought the help of the village chief and local elders. However, after an initial and fruitless meeting with the high-ranking district official behind the project, the aggrieved villagers gave up their claims.

Once in possession of the land, the high-ranking district official engaged villagers to build a dike around the land and planted some timber trees. The land was, however, never the subject of plantation agriculture as was originally claimed. Over time, the dispossessed villagers came to believe that the district official had cheated them and was using the land for personal purposes.

In 2005, a similar situation arose when a district Commission started to measure 100ha of land bordering the land disputed from 2001, claiming it was state property and prohibiting its further use. This land was being used by villagers of two villages for châmkar. According to the district authority, the land was for a local high school that had asked for about 10ha land to be used as an agricultural training facility.

In 2001, responses of villagers were thwarted by threats from district officials and lack of access to sources of assistance. The dispute in 2005 was pursued with far more vigor.

In 2001, the aggrieved villagers first sought help from the village chief, but he preferred to remain in the background and recommended that they involve village elders, particularly one achar. The achar and another respected village elder approached the district officials in an attempt to request the land back. The two elders were respected by the villagers because of their commitment to the community and their influence on maintaining good relations between villagers.

Both went to negotiate with a high-ranking district official to return the confiscated land but failed to reach an agreement. The achar reported that during the meeting he was told that he should not 'play with his life' by becoming involved in this dispute. When he reported the events of the meeting back to the villagers, nobody dared to resist further and people resigned themselves to finding other locations in the forest for cultivation.

_____

_____

Reasons given for not pursuing the issue further included (i) a feeling that any further action would be risky and most likely unsuccessful; and (ii) a lack of knowledge regarding what other options might be pursued. Instead of pursuing the return of the disputed land, the villagers simply cleared other areas of degraded forest and continued their châmkar farming.

When, however, in July 2005 villagers heard that the district was again measuring out land for appropriation, they immediately went to their châmkar armed with knives and axes to protect their fields. By the time villagers arrived at the area being measured, the district officials had already left, so there was no clash between the groups. However, the villagers did start to destroy the signs the district had put up declaring that the area was state land that could not be used by private citizens.

After returning from their châmkar that day, the villagers went to the village chief to ask for help, as they did in 2000-1. Again, he refused to take an active lead in the dispute resolution, explaining that he did not want to become involved in a confrontation between villagers and authorities.

The following day, at a meeting, a deputy district governor tried to explain to villagers the purpose of the measurement and invited the affected villagers to sign up on a list so that the district would be able to assess to what extent the measured land was already in use and by whom. However, the villagers refused to sign as they feared that the district officials would later claim that their thumbprints stood for their consent to leave the land. The meeting eventually dispersed without calming the heated atmosphere.

Believing that a positive resolution would not come from local authorities, some villagers suggested contacting local NGOs in the provincial capital. This idea was initiated by a student who had returned home from studying in a neighboring province; other villagers had the telephone number of a local human rights NGO that had previously done some training in the area. The representatives of two local NGOs quickly responded with encouragement and advice, which prompted the villagers to select a village representative to take the lead in the protest. This representative was trusted by the people as he was a leading village development committee member with several years of organizing experience in the village and good contacts with NGOs.

With NGO support, he organized a petition with the thumbprints of 102 villagers. A second petition was also created in which the group claimed the land they had lost in 2001. Both petitions were submitted to NGO representatives who forwarded the lists to the provincial branch of a human rights NGO in Kompong Thom, requesting the NGO to ask the provincial governor for support in resolving the dispute.

The next day a SRP parliamentarian accompanied by a journalist from Voice of America radio met with villagers and encouraged them to continue to use their fields as before. He ensured them that the SRP would help resolve the dispute. An interview with the villagers' representative and a report about the dispute was broadcast on Voice of America the same day. Shortly thereafter, a number of villagers together with the local branch of the SRP took the initiative of re-broadcasting the radio segment by walking around the district town with a loudspeaker.

Several days later, at a second meeting, another deputy district governor made an attempt to placate the villagers by explaining to them the purpose of the measurement

_____

and the steps that were planned to select the requested 10ha for the high school. However, the two sides were still unable to reach a mutual understanding. At one point, the deputy governor emphasized that villagers would have no other choice than to leave even if they would not agree. This caused the villagers to break out in loud protest. In an escalation of the issue, the deputy governor then threatened the villagers with imprisonment if they did not stop using the forest.

After this, villagers pursued their protest against district officials by sending a letter of complaint to the provincial governor through local NGOs. As a result, the situation in the village became tense and the protesters' representative was told that a district official had threatened him by saying that he was the leader of the protest and that without him the villagers would not have confronted the authorities. He was advised to go into hiding for some time. After six days he returned.

*The outcome*

In the months following the events described above, the district authority did not take any further measures to prevent the villagers from using the disputed land. The provincial governor rejected any involvement in the dispute resolution by referring the case back to the district authority. He felt no responsibility as he instructed the district authority to seek no more than 10ha of vacant land for the school. The district authority told the villagers that the disputed land was state property and that only the province could decide how to use it. The villagers expressed their continued intent to struggle for their land and, if necessary, to resort to violence.

At the time of writing, the villagers dispossessed in 2001 had not returned to their earlier châmkars.


**Case No. 2:**
**Fishpond dispute in Sa'ang District, Kandal Province**
(Note: last paragraph of p57 and selected paragraphs in pp58-59 of CAS-WB publication)

The fishpond dispute arose when a family that was new to the area made an informal agreement with a long-time resident who owned a plot of land next to a public lake to dig a fishpond in between the plot and the lake. The informal agreement was made without the knowledge of the local authorities. When the pond was completed, it sparked a protest led by two villagers. These two villagers collected thumbprints and put together a written complaint, which they submitted to the commune.

In the fishpond case, the second deputy commune chief became aware of a conflict over the construction of a pond when he was told about it by a villager. He then visited the site and, when he saw the pond, he ordered the workers who were digging the pond to stop work and to tell the pond owner that construction should be halted until the matter had been discussed with the commune authorities. However, the pond owner did not go to meet the commune authorities as requested.

Around that time, the commune authorities received a written complaint against the pond owner. This came in the form of a petition with 203 thumbprints. It was delivered by two villagers who claimed to represent the other villagers.

According to the pond owner's version of events, the dispute arose after the digging was completed when two men whom he did not know approached him and asked him to go to meet their boss. He ignored that request and it was then that the two men filed a complaint against him with the commune.

Notably, neither the village chief nor the sub-committee for dispute resolution was involved in the early stages of the dispute, although the chief and a number of members of the sub-committee did thumbprint the written complaint.

Upon receiving the complaint, the commune chief tried several times to resolve the problem. First, in separate meetings he asked the parties to explain their respective positions. Then the authorities invited the two parties to the commune office for a joint meeting, but they failed to reach a resolution at that time. Later on, this problem was raised at a regular meeting of the commune council. Both the pond owner and representatives of the villagers who made the complaint attended that meeting. The meeting ended with the commune chief announcing that the pond was to be returned to public use because it had been built on public land.

The pond owner was unsatisfied with the commune council's decision and submitted a complaint against the two villagers to the provincial committee for dispute resolution.1 When this complaint had no result, the pond owner contacted a friend who was known to be a member of the Prime Minister's bodyguard. They went together to visit the commune chief. At that meeting, the commune chief altered his earlier decision and allowed the pond owner to continue to use the pond until further notice.

*The Outcome*

The fishpond case had not come to an end during the period of data collection for this study. In the meeting at the commune council, the commune chief announced that the pond would be returned to public use. But following the intervention from a member of the Prime Minister's body guard on behalf of the pond owner, the commune chief altered his earlier decision and allowed the pond owner to use the pond for private purposes.

_____

**ANNEX: Transcript of Former NAPC Se. Ging Deles Video Presentations**


**VIDEO PRESENTATION 1: Ging Deles' Introduction**

Ging – I'm Teresita Quintos Deles, I'm better known as Ging, I'm currently serving as the managing trustee and executive director of International Center for Innovation, Transformation and Excellence in Governance or INCITEGOV, I was a long time civil society advocate focused especially on 1997 on the Peace Issue including working on People's Peace Agenda, and developing people's participation both in community based peace processes and as well as in monitoring the national-level peace negotiations between government and the different armed parties in the country.

In 2001, I was asked to serve in government and I took the position of the League Convener of the National Anti-Poverty Commission, a cabinet position from 2001to 2003 when I moved to the position of Presidential Advisor on the Peace Process until 2005 when together with 9 other colleagues in government, I resigned


**VIDEO PRESENTATION 2: NAPC and Structure**

Ging – The National Anti-Poverty Commission was created by law, Republic Act 8425, which was passed in 1998, creating a new body in governance which institutionalized the representation of participation of basic sectors on the policy table of government on issues that most affect the basic sectors.

Basic sector is the term that is used in the Philippines to refer to the poor and marginalized sectors. Partners include the more traditional sectors: small farmers, fisherfolk, indigenous people, urban poor, formal and informal labor, but also identify certain sectors which are marginalized or discriminated against or have distinct disadvantages to be able to participate to benefit in the socio-economic benefits and political life of the country, so that includes women, youth and students, senior citizens, persons with disabilities; and it also includes sector which is looking at briefing of disasters and calamities; non-government organizations also have a place on the table.

Under the structure of the NAPC, the NAPC body is convened by the president of the Philippine Republic and it has 2 components. On one side is the representatives of the basic sectors, who are chosen through a process that the basic sectors themselves undertake, they choose the representatives that will sit there, so each of the 14 sectors have a sectoral representative that sits in the NAPC.

_____

And on the other side are the government heads of departments and agencies that are designated/most responsible for the issues that most concern these sectors. So for example, for the farmer sector, we have the Department of Agriculture as well as the Department of Agrarian Reform, for the marginalized or disadvantaged sectors, they will have the Department of Social Welfare and Development, and down the line you have the Department of Labor for formal and informal labor.


**VIDEO PRESENTATION 3: NAPC Role and Important Function**

Ging – For the basic sectors, the NAPC was important because it was their intermediary or their advocate within government for their issues.

On the side of government, what NAPC provided was a venue or a platform for inter-agency work - on issues many of which really cant be solved simply by one agency.

With the example of land, some lands will be under the department of agrarian reform which are still being distributed and at the same time there maybe some aspects of the land or some portions of the land may fall under certain regulations of the department of environment and natural resources, so a piece of land may have certain qualities to it, because of this history or the type of land, it may have overlapping rules, regulations and dynamics, it is very hard for agencies to settle that among themselves because there is always a problem of not wanting to be a subject to another departments.

That is the specific advantage underthe NAPC, because it is not an implementing agency, it is able to facilitate this discussion because nobody suspects it of wanting to get one of their programs from them, to subordinate another agency under them. And because NAPC is directly under the office of the president, it does have that kind of a clout, that is why the NAPC is not a plantilla position, it is not a department, a full department, but it is a cabinet position, precisely because it has to be able to have that rank that can call on other secretaries and bring them together.


**VIDEO PRESENTATION 4: NGOs got together and laws were passed**

**Ging** – The law came to be passed because of a process the basic sectors themselves underwent, until it reached the point where they have enough of an evidence that such a law would be good which is the process of basic sectors coming together first within their sectors to come to an agreement of what is our most important agenda and always there is the guidance there, although you can imagine there is a range on how strictly they stick to that guidance; The agenda should not be a long shopping list, they would have to prioritize, because a long

_____

shopping list is hard to push, it diffuses the focus and might leave you with easy answers that yes, might lead you to the agenda; but does not get you into the concrete requirements of an agenda

First was the coming together within the sector which meant causing some divides from historical backgrounds, maybe some in-group competition among some of them, maybe some differences in political or theological orientation. But deciding that really we are stronger and that's what we had always said "Our strength will be in our being able to come together and speak with one voice", so there was the work within the sector to try to get consensus on an agenda which also includes the processes of coming up with that. Who chairs? How is the representation going to happen? How many people is my organization going to have? How many are you sending? How do we make sure that it is a level playing field among us?

That's within the sector and then there's the different sectors coming together because what we want to do is to face government really with even more strength than just one sector, we are saying that we are the majority of this country but not benefiting equally.

In the Philippines this happened during the National Peace Conference in 1990 because of the proclamation of the last millennium – as a decade for peace, the idea was let it be a peace that will really benefit the poor majority and there was a decision to hold a National Peace Conference but the decision was before we go the National Peace Conference, let every sector do its work, preparing its agenda.

The position the basic sectors were taking was government has peace negotiations with the armed opposition groups but we want a real peace. We have to look at what about our peace, we want the government to be addressing our issues, you might have a very nice agreement with an armed party but if it does not address our issues then it is not going to be peace for us; in fact the advocacy was this is our agenda both government and other armed group should look at what makes our peace and we want in fact our own agenda also to be responded to by whatever you are discussing on the table.

**Question** – So for indigenous peoples for example, what would that peace mean?

**Ging** – The recognition of ancestral domains and in this entire process for example we held the National Peace Conference in 1990 – so this whole process in fact led to several important laws being passed which were first brought to the table by the sectors within the National Peace Conference later days with government so that it became a joint advocacy of the executive government and the basic sectors that was able to push this through the legislature and so that you have this certain laws enacted.

_____

**VIDEO PRESENTATION 5: NPC Consensus Building Process 1/2**

**Ging** - … ever since after the dictatorship was ousted, most of the sectors – especially the sectors that have been in struggle already under martial law thought that it was important to use a democratic space to be able to pursue their agenda which was not possible under martial law so there was this work of doing agenda prior to 1990. But the idea of doing a Peace Conference, was provided an invetus for being able to bring more voices together

**Question** - Whose initiative was the national peace conference?

**Ging** – it was led by one of the NGO's which was headed by a very strong peace advocate, what he immediately did so that it does not become an initiative of just one person/or just one agency, was to convene a group of convenors, so that National Peace Conference had several convenors – a convenor for each sector whose job was to bring to the sector, convince them to be part of the process, let them organize their own process and bring whatever is happening to that process into the table of all the convenors so that as the design for the National Peace Conference was being made, it was already being fed by the practice of the consultations that were being held on the ground.

So for those who have the resources, they did regional consultations before they went to the national consultations which chose the people that would go to the National Peace Conference, so there were different causes depending on the sector.

It was a 2-3 day process where every sector raised it's agenda and goes from me how to be approved. And there were agreements that if everyone agreed to the agenda then it was adopted in full, but if any sector did not agree then it would be noted that this was not one of the agenda items that were adopted in full by the National Peace Conference.

**Question** – I'm trying to understand how look, for example an urban-poor sector would have a list of items that they keep up with as a sector; they present it to the Peace Conference. Would the other sector have a say in the individual issues?

**Ging** – Yes, every item will be decided upon if they agree to it or not – the sectors would decide. During the National Peace Conference, there was a business sector, there were certain issues that they could not be in full agreement with as you can imagine; for example the perspectives on agrarian reform were different.

I think the very beautiful experience here was that you can really see how seriously the sectors listen to each other, and for many this was the first time.

_____

Business for example has not come into dialogue with many of this sector. But the seriousness of listening, trying to express your problems with that and it would just not be with business. Even the creation of an informal labor sector, the recognition of a formal sector in labor, was not immediately acceptable to the formal sector, because for them (Labor Sector) … because this informal group has to convince the other sectors, not on the first National Peace Conference, but on the succeeding ones they put it on the plenary and they go to the different sectors and convinced them - until they convinced the majority of the sectors.


## VIDEO PRESENTATION 6: NPC Consensus Building Process 2/2

Ging – It was agreed on that every sector had only one vote so even if you have 14 or 10, we agreed on a number that everyone should bring in, but of course that did not always happen so the first agreement was the sector had only one vote, you had to settle it among yourselves and then each sector voted and the ideal that was being aspired for was consensus.

Sometimes you didn't get consensus and there would be an appeal, if the one objecting really couldn't agree till the end, then this was set aside as not part of the agenda that was fully adopted by the National Peace Conference, but is was noted as to who did not agree with it, so it was not that it was lost or completely discarded, it was maintained in the records – this was brought up, this was discussed, but it did not achieve full consensus.

There is a request If there is only one – "Can you withdraw your objection?" and if they felt that, "No, it is a matter that would be against what they thought they stood for"


## VIDEO PRESENTATION 7: Closing

Ging - What we've tried to do here is to share a story of a process and a struggle that was undertaken by the basic sectors in the Philippines which succeeded in bringing them an entitlement to be able to sit in policy-making at the highest level of government.

It is an achievement that did not come easily, it took a lot of struggle within sectors, between sectors and many struggles of engagement with government through several decades.

It will continue to be a struggle but we hope that the story is able to show that in fact things are possible. It is possible to bring the voices of the poor and marginalized, to be considered a focal point of policy making by government in processes that are so institutionalized to ensure that it brings the basic sectors speaking on their own behalf, bringing their own agenda, bringing their won processes so that they can engage government in a meaningful dialogue.

And through this meaningful dialogue and consensus building to bring about laws and government programs that address the most important concerns.

_____

### ANNEX: The Role of the Facilitator - Understanding What Facilitators Really DO!

This is extensively drawn from a classic and oft referenced article of Robert Bacal that offers some basic explanations about the role of facilitators and what they actually can do and bring to the table.

In this PECSA Social Accountability School the word "facilitator" is used in reference to a training environment.  That person is at the front or in the middle of the room leading training sessions.  This facilitator takes on the responsibility for facilitating the discussion, rather than "running it".

Basic Definition

A facilitator is an individual who's job is to help manage a process of information exchange. While an expert's" role is to offer advice, particularly about the content of a discussion, the facilitator's role is to help with HOW the discussion is proceeding.

In short, the facilitator's responsibility is to address the journey, rather than the destination.

### General Skills

The basic skills of a facilitator are about following good meeting practices: timekeeping, following an agreed-upon agenda, and keeping a clear record. The higher-order skills involve watching the group and its individuals in light of group process and dynamics. In addition, facilitators also need a variety of listening skills including ability to paraphrase; stack a conversation; draw people out; balance participation; and make space for more reticent group members (Kaner, et al., 1996). It is critical to the facilitator's role to have the knowledge and skill to be able to intervene in a way that adds to the group's creativity rather than taking away from it.

A successful facilitator embodies respect for others and a watchful awareness of the many layers of reality in a human group.

In the event that a consensus cannot be reached then the facilitator would assist the group in understanding the differences that divide it.

### Competencies

The facilitator:

- distinguishes process from content
- manages the relationship in the group
- uses time and space intentionally
- is skilled in evoking participation and creativity not a drill sergeant
- practiced in honoring the group and affirming its wisdom
- capable of maintaining objectivity

_____

- skilled in reading the underlying dynamics of the group
- releases blocks to the process
- adapts to the changing situation
- assumes (or shares) responsibility for the group journey
- demonstrates professionalism, self-confidence and authenticity
- maintains personal integrity

**Characteristics**

The facilitator commits to a style of:

- asking rather than telling
- acknowledging value of contributions of participants
- spend time in building relationships rather than always being  task-oriented
- initiating conversation rather than waiting for someone else to
- probing for elaboration or seek clarification
- ask for other's opinions rather than always having to offer their own
- negotiating rather than dictating decision-making
- listening without interrupting
- emoting but able to be restrained when the situation requires it
- drawing energy from outside themselves rather than from within
- helps make all participants feel part of the learning activity and thus has sufficient self-confidence that they can look someone in the eye when talking to them
- more persuasive than sequential
- enthusiastically helps group see the big picture and achieve the level of detail necessary to get the participants productively contributing to the discussion
- is naturally curious about people, things and life in general
- can keep the big picture in mind while working on the nitty-gritty

**Conclusion**

If you have a natural task-oriented style you may find it difficult to be thrust in a situation where facilitating is a more effective approach. It is not always easy to give up the expert" position in a group. You may find it useful to examine your involvement in group activities, whether as a formal leader or group member, and determine if you can translate the above  characteristics and competencies into changes in your behavior that will  allow you to contribute more effectively to the group, and to achieving your organization's goals.

_____

Source: http://www.work911.com/articles/facil.htm

- Some of the things facilitators do to assist a discussion:
- Codifying the purpose, scope, and deliverables of the discussion or workshop
- Coming prepared with a variety of group facilitation and dialogue tools that the facilitator is skilled in and can employ in difficult moments
- Keeping the group on track to achieve its goals in the time allotted
- Either providing the group or helping the group decide what ground rules it should follow and reminding them of these when they are not followed
- Reminding the group of the objectives or deliverables of the meeting or session
- Setting up a safe environment where members feel comfortable contributing ideas
- Guiding the group through processes designed to help them listen to each other and create solutions together
- Asking open-ended questions that stimulate thinking
- Tentatively paraphrasing or repeating verbatim individual contributions to confirm understanding and ensure they are heard by the whole group
- Tentatively summarizing a recent part of the discussion
- Offering a possible wording for an unspoken question that may currently beset the group
- Ensuring the group doesn't settle for the first thing that they can agree on because they find it painful to go on disagreeing with each other
- Offering opportunities for less forceful members to come forward with contributions
- Ensuring that actions agreed by the group to carry out its decisions are written up in a large script on the wall for all to see and are assigned to individuals
- Evaluating the performance of the meeting to assist in continuous improvement.
- Some things that facilitators don't do:
- Back a particular opinion voiced in the group
- Offer their own opinions
- Let the group unconsciously shy away from a difficult area
- Lead the group towards what he/she thinks is the right direction

**ANNEX: SUGGESTED EXERCISES**

**Exercise 1: Color Game**

- Form 3 Small Groups. (8, 8, and 9)
- Different Groupings (AM and PM)
- Show 1 slide of color game per group (Each slide different per group.)
- Main facilitator will point to the color, the group will answer.
- Take note of the points your group gets.

Explanation after the game: Left/Right brain conflict.
The right brain tries to say the color.
The left brain tries to read the word.

**Exercise 2: Thumb Exercise**

Objective
- To illustrate that the *assumptions* peacebuilders bring to a situation will directly affect the kind of processes they design

This exercise is fun and energizing and never fails to get everyone involved. Because many participants will make false assumptions about the exercise, some will be upset with the "messenger" unless you give precise directions.

1. Ask everyone to stand and face a partner.
2. Tell the teams you will be demonstrating a "thumb exercise." Say explicitly that **"the object of the exercise is for each person to get as many points as possible."** *(Do not say "thumb game"; that could imply winners and losers.)*
3. With another trainer, hold up your right hands, locking the fingers of your right hands together with your thumbs touching.
4. While demonstrating, explain that to get one point, you must press down your partner's thumb. Your partner gets a point by pressing down your thumb.
5. State that each team will have exactly thirty seconds.
6. State, emphatically, two very important rules:
   - **Partners may not talk to one another.**
   - **Partners may not hurt one another.**
7. Without further discussion or questions, say, "Ready, set go" and begin timing. Most teams will struggle trying to get one or two points per person, assuming that they must compete with one another for points. Usually, however, at least one team will begin to cooperate and quickly get twenty-five to thirty points each in the allotted time. If you do not see anyone doing this, a team of leaders who know the exercise can get the points.
8. Call "stop." Ask those who got at least two points to raise their hands. *(Several will probably have this many.)* Then ask for five, ten, or more. As those who scored high to share their "secret" with the group. Although the leader never states that the exercise is competitive, those who make this assumption will not get as many points as those who assume that the exercise can be cooperative.
9. Close this session with a reminder of the importance of the assumptions we all bring to the processes we design and employ to deal with conflicts. Mediators who assume that people are not capable of making their won decisions soon move to arbitration. When interveners assume they have the right answers or best approach to a conflict situation, they may find their excellent suggestions rejected because their process was not acceptable

_____

**Exercise 3: The "Hand Tangle"**

Note: This activity can be physically demanding and is not appropriate for many persons with physical handicaps.  Each group may be composed of 6-9 persons.

1.  All participants form a circle.

2.  Stretch out your hands toward the center of the circle, move forward, and each person take a hand of two different people. You may not hold the hand of the person standing next to you.

*Note to facilitator: Pause to check that all groups are accurately "connected".*

3.  Each group should slowly and carefully "unwind" and form a single circle **without letting go of one another's hands**. It is all right to turn backward or even have crossed arms in the finished circles.

*Note to facilitator: Some groups may end up with two separate circles, and some may not be able to succeed. The facilitators may assist groups still working to unwind.*

Processing:

While still standing, process the exercise, asking how each group accomplished forming its circle. (Responses may include "We all needed to change position," "We used outside assistance," "We had to cooperate," and so forth.)

Compare these responses to those needed to begin resolving a conflict. Especially if you have an "unsuccessful circle," remind the group that some conflicts cannot be settled by negotiation or mediation.

**Exercise 4: Active Listening and Framing**

### Active Listening

Instructions: Participants form pairs.  Each one takes turn demonstrating active listening, following the general directions below:

1)  2 Stories will be provided to each pair.
2) Each will tell the story to the other.
3) While the storyteller shares his story, the partner demonstrates active listening by asking probing questions, clarifying points, and acknowledging emotions.
4) Switch roles.

Processing [centralized]: ask each participant how the other person demonstrated active listening.  Ask how s/he felt because of the active listening signals, and how s/he would have felt if no signals were given [if the other person did not show active listening signals].

### Reframing [small groups]

For each small group: ask 2 or 3 participants to try to reframe the following statements:

1. The data you are presenting is garbage.
   [suggested reframing: So you think that the data may not be related to the issue being discussed]

2. You are stubborn, deaf and stupid.  You only listen to yourself and not to what I am saying!
   [suggested reframing: You feel frustrated that the other person does not understand what you are saying, and that he should pay more attention to the points you are raising.]

3. I am hurt and confused by what you said.
   [-- there is no need to reframe this statement--]


## Exercise 5: Management of Differences

- Supervise participants in small groups.
- Explain instructions in Khmer.
- Instructions: On the document provided, there are several pairs of statements. For each pair, circle "A" or "B" statement, depending on which is most characteristic of your behavior. You have to answer each of the 30 questions.
- Some statements are repeated, and there is a reason behind it.  You will notice that the pairing of statements is different.  You have to choose which statement is more suited to you.
- There are no right or wrong answers.  Choose the statement which better expresses how you feel.
- The forms will not be submitted so they should not worry that others will see it. You only share your scores.

Scoring: using the answer sheet, encircle your answer in the proper column.  After doing this for all 30 questions, count the number of letters you encircled for each column. Record the total for each column at the bottom of the score sheet.

Discussion: listen to the main facilitator

## Exercise 6: PHKAP - PHNGA GAME

Instructions: Form groups of four. (7 groups with 3 facilitators joining in) Put hands on the back. On the instruction of the facilitator, put right hand forward and show either PHKAP or PHNGA. The objective of the game is to get the highest number of points. Your score will depend on whether you are honest or you take advantage of your group. Count your scores individually using the score sheet provided. The game will be done five times. The Scoring is as follows.

Example: Facilitator says instructions for the group to show PHKAP

_____

1. All shows PHKAP. (GROUP TOTAL is +4)

| PHKAP<br>Points: +1 | PHKAP<br>Points: +1 |
|---|---|
| PHKAP<br>Points: +1 | PHKAP<br>Points: +1 |

2. 3 members of the group shows PHKAP; 1 member chose PHNGA (GROUP TOTAL is +1)

| PHKAP<br>Points: -1 | PHKAP<br>Points: -1 |
|---|---|
| PHKAP<br>Points: -1 | PHNGA<br>Points: +4 |

2. 2 members of the group shows PHKAP; 2 members chose PHNGA (TOTAL is 0)

| PHKAP<br>Points: -2 | PHNGA<br>Points: +2 |
|---|---|
| PHKAP<br>Points: -2 | PHNGA<br>Points: +2 |

2. 1 member of the group shows PHKAP; 1 members chose PHNGA (TOTAL is -1)

| PHKAP<br>Points: -4 | PHNGA<br>Points: +1 |
|---|---|
| PHNGA<br>Points: +1 | PHNGA<br>Points: +1 |

2. 0 members of the group shows PHKAP; 4 members chose PHNGA (TOTAL is -4)

| PHNGA<br>Points: -1 | PHNGA<br>Points: -1 |
|---|---|
| PHNGA<br>Points: -1 | PHNGA<br>Points: -1 |

_____

## ANNEX: SUGGESTED ROLE PLAYING EXERCISES

## ROLE PLAYING 1: Negotiation Role - Play Sales of a Motorcycle

### General Instructions:
- Form 3 Small Groups
- For each small group, ask participants to form groups of 4 people.  Two partners will play the role of Kit and the other two will play the role of Chet.
- Give confidential information to participant acting as "Chet" and to participant "Kit"
- Group together all participants acting as "Chet" and group together participants who will be acting as "Kit".  Explain details on the situation and how they will act based on the confidential information provided.

### *Info given to participants*
Background –  (shown on screen)
Chet owns a motorcycle, which he plans to sell in order to place a down payment for a car.  Kit is considering buying Chet's motorcycle.  They are about to discuss terms and see if they can agree on the sale.

Confidential Information for Chet –
- You love your motorcycle and have taken very good care of it, but you need a car for your family.
- You are asking for $500 (at least) for the motorcycle, emphasizing that it is in very good condition. (You may ask for a higher or lower price, depending on your strategy).  You know that the motorcycle is easily worth $600 to $700, but it will take time to sell.
- If you cannot sell the motorcycle today, you plan to sell it to a friend from another village, who is willing to pay $600 for it.  But your friend will only be able to buy the motorcycle next month.
- You would really like to sell the motorcycle now so that you can place a down payment for a used car that is on sale (discount).  The car salesman will offer the discount only until tomorrow.
- The down payment for the car is $700, and you only have $300 in cash at the moment.
- You do not like Kit; he asks a lot of questions but you don't believe he is seriously interested in buying the motorcycle.  You think he is just wasting your time.
- The most important thing is he has the money tomorrow.

Confidential Information for Kit –
- You have been looking around for a used motorcycle.
- When you saw Chet's motorcycle, you really like it because it appears to be very well maintained.
- You don't want to appear too excited about the motorcycle because Chet might increase the price knowing that you are very interested.  You ask a lot of questions and point out little defects such as scratches and dents.
- At the moment, you have $400 cash.  However, if needed, you can get $150 more next week.
- If you don't get this motorcycle, you plan to use the money for a down payment on a brand new motorcycle.  However, because a new motorcycle is expensive, you will be in debt for 2 years to pay the balance.

  Explanation **after** the role play:
  - o  Did you get an agreement?
    - ▪  If yes, what were the terms?
    - ▪  If no, what was the barrier to making the agreement? [attitude? Cannot agree on price? Cannot agree on payment terms? Etc]

- o What would happen to Chet if no agreement was reached?
- o What would happen to Kit if no agreement was reached?
- o Would both of them be better off if an agreement was reached than if there was no agreement?
- o Explain BATNA
- o Explain 'zone of agreement' From $400 outright, to $550 [$400 down plus $150 later]
- o Take note of negotiation strategies [who made the first offer, how much? How did they bargain?] Note attitudes.
- o Was there any information or data lacking (or withheld), which, if known, could have improved the result for either Chet or Kit?

_____

**ROLE PLAYING 2: Facilitation role-play: Participatory rural appraisal**

**Instructions to facilitators:**
- Form 2 groups of 12.
- Explain the situation to the group and the roles to be portrayed.
- Assign each participant a role based on the diagram below:

1 Co – facilitators (Village chief)

1 Facilitators (Community Organizer)

3 Villagers

2 Swidden farmers

2 Villagers - Businessmen

3 Process observers (PO)
 - 1 PO observing the facilitator
 - 1 PO observing the co-facilitator
 - 1 PO noting the group agreement
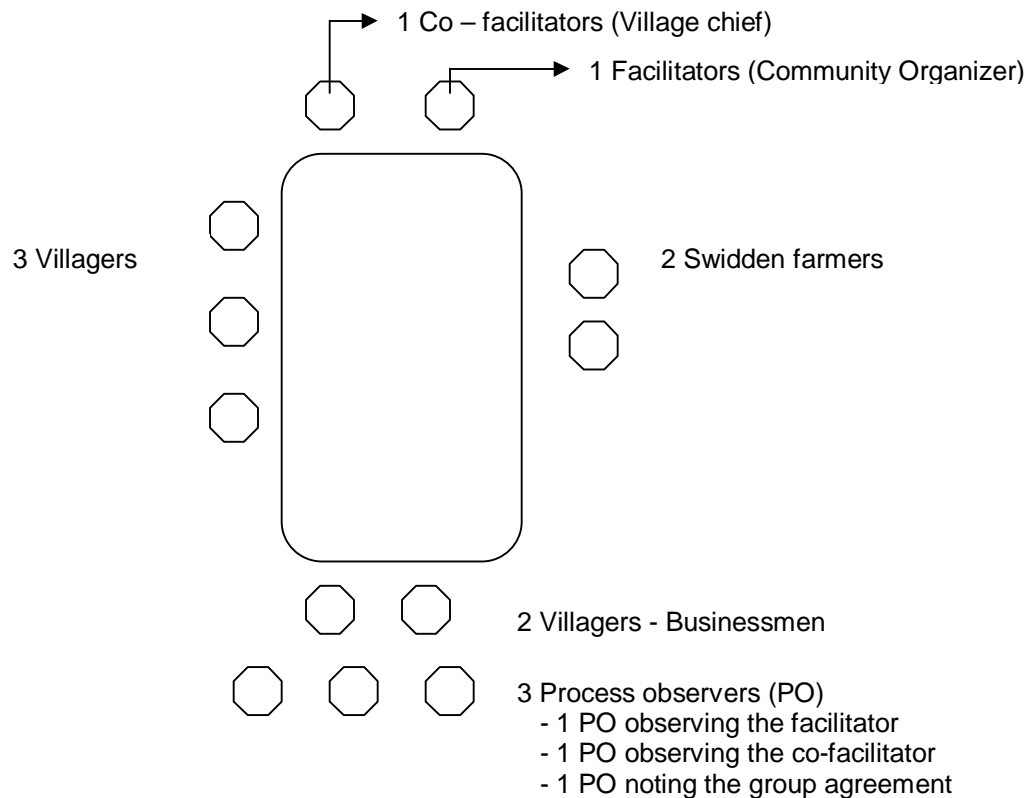
- Give Individual confidential information to each participant based on his/her role.
- Guide them on how to play their role.
- Provide guide for Process Observers who will be monitoring the facilitator and the co-facilitator.

**Questions for Process Observers:**

1. Observing Facilitator:
- Was the facilitator fair?
- Did he give chance to everyone to participate?
- How did he relate to the co-facilitator?

2. Observing Co-facilitator:
- Was the co-facilitator fair in treating all participants?
- Did he encourage or discourage participaton?
- How did he cooperate with the main facilitator?

_____

3. Observing Agreement:
+ How did participants feel about the facilitator? The co-facilitator? Towards other participants?
+ What were the agreements made?
+ Did the participants feel they had ownership of the process; of the agreement?

## Facilitation role-play: Participatory rural appraisal

**Background – (shown on screen)**
The government is proposing the establishment of a community protected area near your village. The villagers generally welcome this initiative because it will protect the forest, where they gather minor forest products, such as fruits, herbs and firewood.  There are many kinds of birds in the forest and beautiful scenery.  Earlier visitors thought that more tourists could come to visit the village for bird-watching, or to take a hike in the forest and enjoy the beauty of nature.  More tourists will mean more business opportunities for villagers.

In order to establish the community protected area, the government must conduct an inventory of the natural resources in the area and study the resource-use activities of the communities near the proposed protected area.  The government has assigned a community organizer to prepare a plan for conducting the study with the participation of community members. The community organizer is inviting community leaders and representatives to a meeting to plan and implement this "participatory rural appraisal" study.

**Roles of participants to the meeting: (individual confidential information)**

**Community organizer from government project –  (facilitator)**
**Village chief – (co-facilitator)**
- For community organizer: You have been instructed by the government to lead the meeting.
- You want the participants to be genuinely involved in the study, so you encourage everyone to share their ideas.  As much as possible, you want to incorporate their ideas in the plan for the conduct of the study.
- For both co-facilitators: Your minimum requirements for the study are –:
  - For each family to identify the type and amount of natural resources they are using, and the average number of hours each day that they spend gathering forest products.
  - As a group, to identify the range or extent of the forested area where the communities are gathering forest products (using a map).
  - To agree on the boundaries of the proposed community protected area.
- The above study requirements are your ultimate objectives, but for this meeting you only want to get the commitment of villagers to participate in getting the information. Therefore, your key questions are:
  - Are you willing to take part in the study by providing the needed information?
  - Are you willing to spend some time for meetings, workshops, trainings and forest surveys to implement the study?
  - What are the steps (specific) and schedule that we can agree to do to implement the study?
- For the village chief: The government has received reports of rampant illegal logging in the area and conversion of forests to farms.  The government wants to stop these activities.  Through this consultation, the government has instructed you to identify these areas, so that more patrols can be done there to arrest the illegal loggers.
- One participant is a villager who engages in swidden farming (cuts trees to clear the land for farming, then leave the land to regenerate, but move on to clear other forested areas

_____

to convert to farms).  You will tell him, in very strong language, that what he is doing is illegal and he should stop because he is destroying the forest.

### Swidden farmers (1 and 2)

- You are generally in favor of the community protected area because you also realize the importance of the forest as a source of materials you need, such as wood for building your house, firewood, food, etc.
- However, your livelihood is farming.  You do not have land in the village, so you practice swidden farming (cut trees to clear the land for farming, then leave the land to regenerate, but move on to clear other forested areas to convert to farms) in the forest. Your family has been doing this for many many generations.  It is a traditional practice and it has not destroyed the forest in the past, so it should be allowed even today.
- You do not like the village chief because he is against your farming practice.  If he says that what you are doing is illegal, you will be embarrassed in front of all the people.  One of you will slowly withdraw from the meeting and leave.

### Villagers No. 3 and 4

- You have small businesses in the village and you are excited about the possibility of increased income when the tourists come to enjoy the scenery.  You plan to expand your business, because, even when the study is still being conducted, there will be many project personnel (both local and foreign scientists) who will come to the village.
- You want to participate in the studies but you really do not know anything because your family does not depend so much on the forests anymore but on your small businesses. You buy fruits and other products from other villagers who gather them in the forest, and you sell these products.
- One of you is willing to undergo training to help in the study, but if you do, you will not earn any income for the days you attend meetings, workshops and trainings.  You want to know if you will be given an allowance for those days.

### Villagers No. 5, 6 and 7

- You are common villagers who make a living from farming in the village and sometimes gather forest products.  Hunting and gathering of forest products has been a tradition of the village for many many generations.
- Nobody has asked you for permits or anything in the past, when you go out to hunt or gather food from the forest.  You are afraid that, with this community protected area, there will be many rules and restrictions.
- You are all very knowledgeable about the forest area.  You know every tree, bird, river or stone.  You are also very familiar with the trails, and the conditions of the various parts of the forest, which change depending on the season.
- You want to participate in the study and offer helpful suggestions on how to conduct the study.  One of you will help the community organizer draw a map where you will indicate where villagers usually hunt or gather natural resources, or where the beautiful sceneries are.
- One of you is an expert in identifying birds (with their local names) and can imitate the songs of birds.  You also know where their nests are.  You are willing to help the researchers and the villagers in bird identification.  But if you have to spend time for these activities, you will not be able to attend to your farm or family.
- One of you is very excited and talkative.  He always interrupts the meeting with stories and jokes that are not very relevant to the topic of the meeting.

_____

**ROLE PLAYING 3: Mediation role-play 1: EIA consultation**

**Instructions to facilitators:**
 - Form 2 groups of 12.
 - Explain the situation to the group and the roles to be portrayed.
 - Assign each participant a role based on the diagram below:
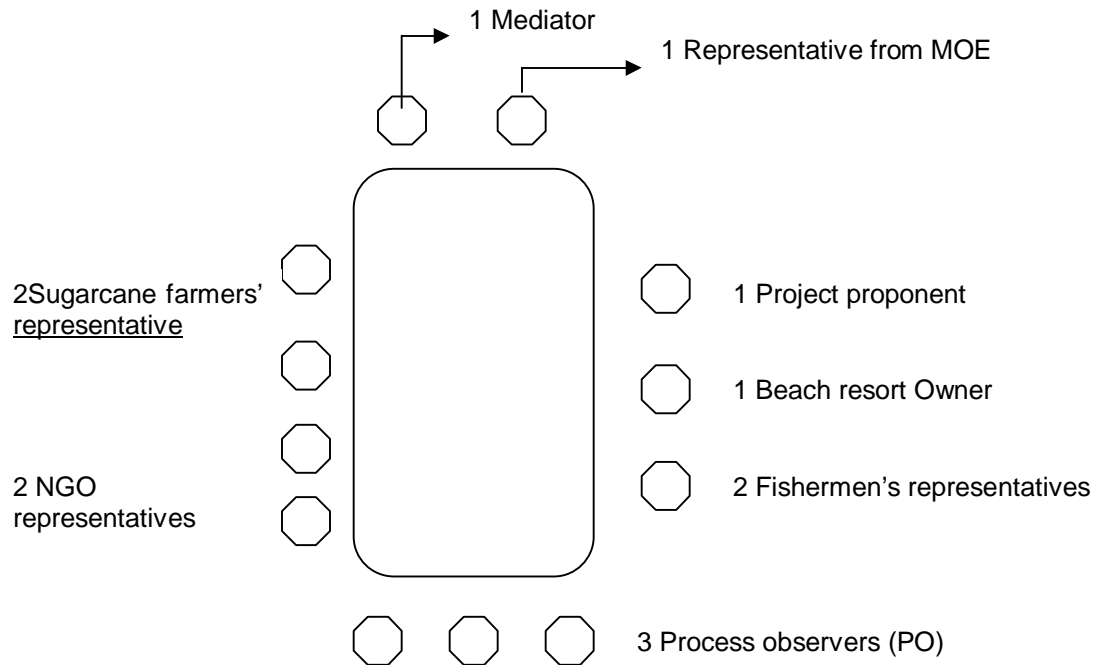


 - Give Individual confidential information to each participant based on his/her role.
 - Guide them on how to play their role.
 - Provide guide for Process Observers.

**Questions for Process Observers:**

   1. Observing Mediator:
 - Was the mediator fair?
 - Did he give chance to everyone to participate?
 - How did he relate to the project proponent (who was paying for his services)? To the MOE official? To the stakeholders?

   2. Observing the process of mediation (generating options):
 - Did the stakeholders feel that their suggestions were being noted? Considered?
 - Did the mediator encourage participants to share their ideas and suggesrtions?

   3. Observing the process of mediation (agreement):
 - How did the mediator frame the issues?
 - What were the agreements made?
 - Did the participants feel they had ownership of the process; of the agreement?

_____

**Mediation role-play 1: EIA consultation**

**Background - (shown on screen)**
A foreign investor is planning to build an ethanol processing plant along a river that empties into the sea about 1 km from the proposed factory location.  The Ministry of Environment requires the project developer to conduct an EIA and consult communities that will be affected by the operation of the plant, specifically, the farmers, fishermen and resort owner.

(show drawing on screen)

The Ministry required the project proponent to conduct a meeting where affected communities can express their concerns; the Ministry also requires that the project proponent must address the issues raised by the communities.  We are now in this meeting.

**Roles of participants (individual confidential information)**

**Representative from MOE** – you are a middle ranking official.  You are an observer in this meeting.  You want to make sure that the project proponent conducts a genuine consultation.  You do not take sides, but you ask questions to clarify the issues raised by the communities and the responses of the project proponent.  However, you make specific suggestions on how the parties can agree.  You sometimes interrupt the mediator by saying "No, this is how the parties should proceed…"  you are very serious and authoritative.  NGO representatives who were not invited to the meeting asked to attend.  You agree, as long as they are only observers.  You will ask them to keep quiet or leave once they become troublesome.

**Project proponent** – you believe that the project will bring prosperity to the area because of added jobs in the processing plant and taxes for the government.  You are also cooperating with the farmers who will supply the sugarcane that will be processed into ethanol.  The EIA you conducted showed that the construction of the facilities will have very little environmental impact.  However, once the processing plant is operational, there will be a lot of pollution from the processing – mainly organic pollutants and a very dark color.  Your engineers have designed a system to reduce the pollution to acceptable levels (within prescribed standards) but it will be very very expensive to remove the color of the waste water.  The color itself is not harmful to the environment, it just looks dirty.  One alternative solution to the problem is to construct a pipeline to the sea where the wastewater will be discharged a few kilometers from shore.  This is also expensive, but at least it is only a one time expense compared to the recurring high cost of removing the color from the waste water.

**Mediator** – you have been hired by the project proponent to facilitate the meeting.  You are very concerned that the stakeholders might think you are biased because you are being paid by the project proponent.  However, you are determined to be fair to everyone.  As a mediator, you will encourage the participants to share their concerns and generate options.  You are also under pressure to make the parties come to an agreement on the problem of pollution.  Otherwise, the project cannot be approved.  You start by acknowledging the participants and explaining the purpose of the meeting.  You also recognize NGO representatives who are going to be observers.

**2 Sugarcane farmers' representative** – You are the elected representative of the farmers.  You have been authorized to speak and negotiate on their behalf.  You welcome the project because the ethanol plant will create a high demand for sugarcane, and therefore higher prices.  However, you are concerned about pollution in the river because you get water from the river for your household use.  You encourage the fishermen to agree to the proposal, so that the project can be approved.  You promise you will help them monitor the project's compliance with environmental regulations.  You will suggest that the proponent create a technical team, with representatives from farmers, fishermen and technical experts from NGOs to monitor compliance.  You are very friendly and respectful.

_____

**Fishermen's representative** – You attended the meeting because you learned about it from your farmer friend.  The fishermen's community was not properly informed of the meeting because when the project proponent came to your village to invite, all the fishermen were out fishing.  You were not authorized by the community to speak or negotiate for them.  You are **angry** at the proponent because he did not make the effort to inform the fishermen.  You are very concerned that the operation of the plant will kill the fishes and the corals.  You heard from your friends in the environmental NGO that in some countries ethanol plants are considered among the dirtiest industries.  You do not believe that the government has the capacity to monitor the compliance of the plant with pollution regulations.  You were told by your NGO friends that it is very easy for the plant to bypass the wastewater treatment system in order to cut costs.  You do not understand the technical details of this, but trust your NGO friends who are technical experts.  You tell the group that you cannot decide on any agreement but will have to bring this to your community for consultation.

**Beach resort owner** – you are concerned that the dirty color of the water will contaminate your beach resort because the current flows towards your resort from the mouth of the river.  You are very careful about your comments because you are afraid to offend the MOE official.  The MOE has already warned you about violating environmental regulations when you took out the corals from the beach because several of your guests were injured by the sharp corals.  You have contacts with environmental experts in the university because you consulted them when you prepared an EIA for your resort.  You are willing to share the costs of hiring experts in order to determine the impact of the operations of the processing plant.

**NGO representatives** – you were not invited to the meeting but requested the MOE official if you could attend anyway.  He agreed as long as you are just observers and keep quiet.  In the beginning of the meeting, you keep quiet.  However, towards the middle of the meeting, you offer suggestions and ask questions.  When the group is about to come to an agreement that looks like it favors the project proponent, you make a loud protest and say that the mediator is biased.

_____

**ROLE PLAYING 4: Mediation role-play 2: Indigenous people's rights**

**Instructions to facilitators:**
- Form 2 groups of 12.
- Explain the situation to the group and the roles to be portrayed.
- Assign each participant a role based on the diagram below:

1 Mediator

5 IP Leaders

4 MOE Representatives

2 Process observers (PO)
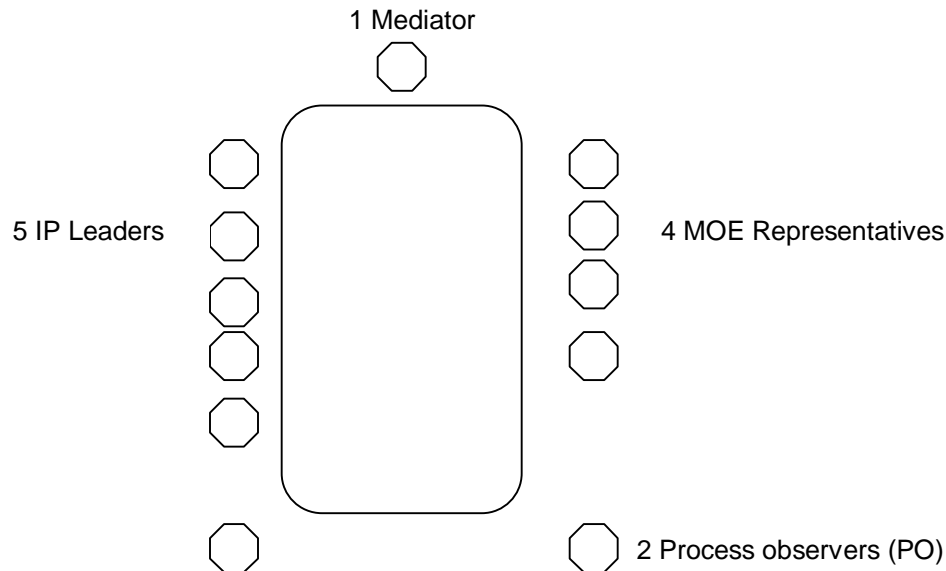
- Give Individual confidential information to each participant based on his/her role.
- The facilitators will give the IP Leaders and the MOE Representatives to meet separately before the start of the meeting.
- Guide them on how to play their role.
- Provide guide for Process Observers.

**Mediation role-play 2: Indigenous people's rights**

**Background – (shown on screen)**
A small community of indigenous peoples lives at the margins of the forest. They have lived there for many generations. Swidden farming is part of their cultural tradition. They also hunt and gather food, building materials and firewood in the forest. All these years, nobody bothered them with permits or regulations on the use of forest resources. Their customary law is the only law. To the community, the forest is sacred, especially the area that the government considers as the core zone. Although they use the forest resources, they know that the forest should be protected.

The Ministry of Environment conducted a biodiversity survey in the area and found that it is very rich in endemic biological resources. MOE is planning to establish a protected area there. As a consequence, the communities in the area will no longer be allowed to enter or harvest from the defined core zone. Swidden farming will also be prohibited.

**Parties – (confidential information)**

_____

**Mediator** – you are a professor from a public university, specializing in dispute resolution.  The MOE invited you to mediate a dialogue between the local MOE officials and the indigenous peoples representatives.  Lately, these two parties had serious disagreements because the officials insist on enforcing the regulations [prohibiting swidden farming, entering the core zone].  The community insists that it is and has always been part of their culture.  The community representatives also insist that the core zone is their place of worship and it is insulting to their culture that the government is prohibiting them from entering the area.  The Ministry asks you to conduct the meeting between the local officials and the community representatives so that you can advise the Minister on the best way to deal with situations like this, which has become very common in many areas.  Your main objective is not to get the parties to agree, but for each of them to understand the perspective of the other.

**MOE local officials** – you are very dedicated officials.  You are well trained in the technical details of biodiversity conservation.  You are not against swidden farming itself, but you know that, because of the rapid increase in population in the area, so many people are engaging in swidden farming.  The cumulative impact of all the farmers will result in the permanent destruction of critical habitats of wildlife.  Of the farmers who are practicing swidden farming, about half of them are not indigenous peoples.  You do not want to discriminate between IP and non-IP.  The regulations must be followed by all.  You insist that the IPs must modernize and leave the forests and start farms in the lowlands where there is irrigation.  The government will assist them in moving out of the protected area.

**IP leaders** – you are angry at the MOE officials because they are very insensitive about your culture.  You tell them that you ancestors have lived on these lands for many generations and the forests have been kept intact.  The current generation still follows the same practices, so why should the regulations prohibit them from exercising their religious and cultural rights, which are consistent with the conservation goals of the government?  You believe that the local officials are blindly following regulations which are not responsive to the local situation.  You vow to continue with your traditional practices even if the officials arrest you because you are not doing anything wrong.  Some of your community members also want to modernize.  You are not generally against this.  What you are against is being forced to adopt modern methods, when you are not ready yet.  You are afraid that rapid modernization will destroy your culture and traditions.

_____

**ANNEX: List of Main References**

Adler, Daniel, Kristina Chhim, Path Heang, Sochanny Hak, Ketya Sou and
    Kimvan Heng. 2006. Justice for the Poor? An Exploratory Study of Collective
    Grievances Over Land and Local Governance in Cambodia. Center for Advanced
    Studies, World Bank Phnom Penh. 90pp

Evans, Alice , Robert Evans and Ronald Kraybill.  2001.  Peace Skills: Leaders' Guide.
    Jossey-Bass, San Francisco. 203pp

Fairman, David.  2004. Training on Conflict Mapping.  Conducted by David Fairman
    (Consensus Building Institute) for Mediators Network for Sustainable Peace
    (Mednet), Inc. May 2004, Manila.

Fisher, Roger, William Ury and Bruce Patton.  1991.  Getting to Yes: Negotiating
    Agreement without Giving In. 2nd Edition.  New York:Penguin. 200pp

Honeyman, Christopher and Nita Yawanarajah. "Mediation." Beyond Intractability. Eds.
    Guy Burgess and Heidi Burgess. Conflict Research Consortium, University of
    Colorado, Boulder. Posted: Sept. 2003
    <http://www.beyondintractability.org/essay/mediation/>

Hughes, Caroline.  2001. An Investigation of Conflict Management in Cambodian
    Villages: A Review of the Literature with Suggestions for Future Research. Centre
    for Peace and Development, Cambodia Development Resource Institute, Phnom
    Penh. 40pp

Kraybill, Ronald, Alice Evans, and Robert Evans. 2001.  Peace Skills:  Manual for
    Community Mediators. Jossey-Bass, San Francisco.  137pp

Spangler, Brad. "Facilitation." Beyond Intractability. Eds. Guy Burgess and Heidi
    Burgess. Conflict Research Consortium, University of Colorado, Boulder. Posted:
    July 2003 <http://www.beyondintractability.org/essay/facilitation/>

# MODULE 3:
# PROCUREMENT AND FUND TRACKING

This course showcases civil society initiatives that had been used to track the expenditures of different national agencies in the Philippines. It will feature experiences in tool development, collaboration with government, networking and mobilization of citizens. Lessons learned from these initiatives shall also be shared in an interactive discussion that explores the applicability of the experiences in the Cambodian setting. This Module is divided into three sessions.

**Session 1:  Social Accountability in Government Procurement and Fund Tracking**
Topic 1:  Citizen's Role in Governance
Topic 2: Accountability Triangle
Topic 3: Problem of Corruption in Public Procurement
Topic 4: Social Accountability in Public Procurement

**Session 2: Government Procurement Reform Act and Stakeholders Analysis**
Topic 1: Why Procurement Reforms
Topic 2: Review of Key Objectives and Critical Success Factors
Topic 3: What is a stakeholder
Topic 4: Why conduct stakeholders analysis
Topic 5: How to conduct stakeholders analysis

**Session 3: Citizens' Monitoring of Procurement Contract Implementation**
Topic 1: What to monitor in contract implementation
Topic 2: Grounds for contract termination
Topic 3: G- Watch/ Textbook Count
Topic 5: Mock Planning on Monitoring Initiative

**OBJECTIVES:**
- Discuss the reasons why citizens have the right and responsibility to participate in  public decision making processes  and hold their governments accountable
- Identify and analyse the many faces of corruption in public procurement
- Identify and discuss why civic engagement is critical in fighting corruption in public procurement
- Identify the social accountability strategies in public procurement
- Know about possible reforms in procurement
- Learn mapping of stakeholders to push procurement reforms
-

- Identify key stages of procurement where civil society and government collaboration is important
- Appreciate the process of evidence-based monitoring of procurement
- Appreciate the process of partnership-building
- Showcase an initiative that links problems in procurement to the cost and quality service delivery

**TIME:**
- Session 1: 3.5 hours
- Session 2: 3.5 hours
- Session 3: 3.5 hours

**PROCESS:**
- Interactive Discussion
- Brainstorming Workshop on Policy Changes
- Stakeholders Mapping Workshop
- Mock Planning

**MATERIALS:**
- Presentation
- Video Presentation "Ihatid and Aklat" MTV
- Handouts: Song Lyrics "Book of Hope"
- Slideshow: G Watch Experience
- Handouts: Sample Contract Implementation/Monitoring Projects
- 

**AUTHOR/S:**
- Henedina R. Abad, Ph.D., Ateneo School of Government
- Redempto S. Parafina, Ateneo School of Government

| NOTE: |
| --- |
| Module 2 is divided into two sessions: <br> (1) Social Accountability in Government Procurement and Fund Tracking (Slides 1-52); <br> (2) Government Procurement Reform Act & Stakeholders Analysis (Slides 53-80). <br> (3) Citizen's Monitoring of Procurement Contract Implementation ( Slide 81- 1406) <br><br> The topics under each session, activities, and guide questions are all incorporated in the presentation slides in the succeeding pages. Additional notes for the Trainer/Facilitator are also found in the slides. Handouts, detailed mechanics or instructions for activities or exercises are found in the annex of each module. |

-

## Module 3: Procurement and Fund Tracking

Session 1: Social Accountability in Government Procurement and Fund Tracking

**Henedina Razon-Abad**
Ateneo School of Government

---

### Session 1

*Discussion Outline*

- Citizens have the right to hold their governments accountable:
  - Good Governance, Public Value
- Accountability Triangle
  - Political accountability
  - Managerial Accountability
  - Social Accountability

- Problem of Corruption in Public Procurement
  - Objectives
  - Modes
  - Stages
  - Red flags (risks/vulnerabilities)
  - Effects
- Social Accountability in Public Procurement
  - Informed public advocacy
  - Contract implementation monitoring by CSOs

ATENEO SCHOOL OF GOVERNMENT                    2

---

*FOR THE TRAINER*

- Discuss Governance, Citizen's Role in Governance and Accountability Triangle
- Compare poor to good governance

ATENEO SCHOOL OF GOVERNMENT                    3

---

Good Governance is the responsible exercise of power to manage the social and economic resources of a society to create public value.

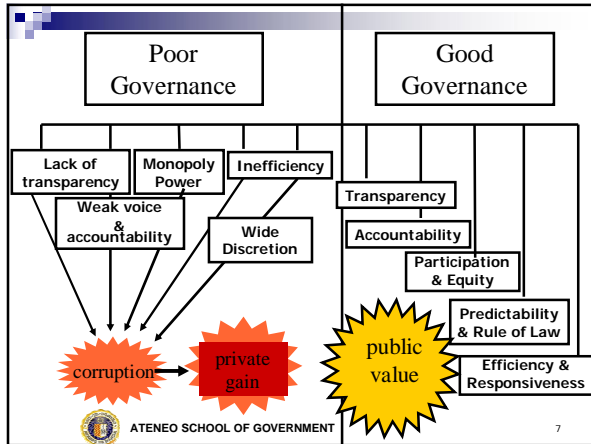ATENEO SCHOOL OF GOVERNMENT                    4

---

## Government must create value for society - - -

Reliable and Efficient Disaster Management Plan

Quality education

Quality Health Care

Safety and Security

Quality of life, well-being and happiness

ATENEO SCHOOL OF GOVERNMENT                    5

---

## Accountability Triangle

Source: Ed Campos. Enhancing Public Sector Accountability



THE STATE: Politicians/ Policymakers

Authorization & Voice

Political Accountability

Delegation of Implementation

Managerial Accountability

CIVIL SOCIETY Citizens

Provision of Public Goods and Services

Social Accountability

BUREAUCRACY Bureaucrats

ATENEO SCHOOL OF GOVERNMENT                    6

---

69

## Slide 7



| Poor Governance | Good Governance |
|---|---|
| Lack of transparency | Transparency |
| Monopoly Power | Accountability |
| Inefficiency | Participation & Equity |
| Weak voice & accountability | Predictability & Rule of Law |
| Wide Discretion | Efficiency & Responsiveness |

corruption → private gain

public value

ATENEO SCHOOL OF GOVERNMENT

7

## Slide 8

- Discuss Corruption, Corruption in Public Procurement
- Guide Questions:
  - What is Corruption?
  - What do we know about corruption in public procurement?

ATENEO SCHOOL OF GOVERNMENT

8

## Slide 9



**Corruption** is abuse of entrusted power from the people for private gain

Look at the picture.

How could have corruption contributed to the collapse of the bridge?

ATENEO SCHOOL OF GOVERNMENT

9

## Slide 10

# Cost of Corruption

- World Bank Institute estimates that 5 % of the world economy or more than 1.5 trillion dollars a year is the total cost of corruption
- World Health Organization estimated 25% of drugs consumed in poor countries are counterfeit or substandard
- Transparency International estimates that approximately $400 B is lost to corruption in public procurement

ATENEO SCHOOL OF GOVERNMENT

10

## Slide 11

- Discuss what is meant by Government Procurement; the objectives
- Present the general stages of procurement process
- Run through each stage; highlight the red flags; elicit discussions by using the guide question for each stage in public procurement
- Give a summary of the red flags for each stage

ATENEO SCHOOL OF GOVERNMENT

11

## Slide 12

- **Government Procurement**
  - Acquisition of goods, services and works in a timely manner that results in best value to the government and to the people

Source: Ed Campos, Public Procurement and Corruption: What Have We Learned Thus Far

- **Stages of the Procurement Process**

Procurement Planning
↓
Preparation
↓
Advertisement
↓
Pre-qualification
↓
Bid Evaluation
↓
Award of Contract
↓
Contract Implementation

ATENEO SCHOOL OF GOVERNMENT

12

## Objectives of Public Procurement

- **Economy/Efficiency**
  - Acquiring goods and services of defined specifications on a timely basis and at the lowest evaluated cost based on the principle of value for money
- **Foster competition**
  - Equality of opportunity for qualified suppliers to compete for public contracts
- **Predictability**
  - Consistent and fair application of principles and regulations at each stage of the procurement process

- **Accountability**
  - Oversight to secure the confidence of the contractors in the process and the trust of citizens in the proper use of public funds
- **Transparency**
  - Equality of access to information for all bidders before, during and after the bidding
- **Protect the interest of citizens**
  - Process and result of procurement assure quality goods and services reach the citizens in a timely manner
  - Carefully monitor contract execution, give credible information to citizens about the actual providers of goods and services and opening avenues of complaint and recourse mechanisms in case of contractor failure

ATENEO SCHOOL OF GOVERNMENT
13

---

## Stage 1: Procurement Planning

- ★ Needs Assessment
- ★ Determining what to request

ATENEO SCHOOL OF GOVERNMENT
14

---

## Stage 1 Red Flags

| Problem Area | Possible Distortion | Governance Issue |
|---|---|---|
| Poor planning Lack of plans | ● Demand is induced not real<br><br>● Misrepresent purchase as urgent so as to short cut bidding process | Lack of competition<br><br>Lack of transparency |
| Absence of a clear criteria for project selection | ● Misallocation of resources | |

ATENEO SCHOOL OF GOVERNMENT
15

---

## Stage 1 Red Flags

| Problem Area | Possible Distortion | Governance Issue |
|---|---|---|
| Absence of opportunity for public discussion of government programs and decision-making | ● Project may be supply driven<br>● Misallocation of resources | Lack of accountability<br><br>Lack of transparency |
| Non-transparent procedures which cannot be monitored | | |

ATENEO SCHOOL OF GOVERNMENT
16

---

- Step 1 Guide Question:
  - Are the goods or services to be acquired needed at this time?

- **Transparency** of process and **independence** of decision makers and hired consultants
- **Public participation** through public hearings to check the need, enable accountability and identify necessary or unnecessary elements of the goods or services to be acquired
- **Proactive disclosure** by government agencies of relevant information through billboards, radio, newspapers or internet

ATENEO SCHOOL OF GOVERNMENT
17

---

## Stage 2: Procurement Preparation

- ★ Clear and fair description of what is to be purchased and defining the criteria for evaluation

- ★ Fair criteria for selection and decision-making

ATENEO SCHOOL OF GOVERNMENT
18

## Stage 2 Red Flags

| Problem Area | Possible Distortion | Governance Issue |
|---|---|---|
| Weak technical specifications | ● Favor preferred bidders | Lack of accountability |
| Project Management Office given sole responsibility over tender specifications and design | ● Contract splitting to allow unqualified bidders to participate <br> ● Tailor fitting to favor a preferred bidder | Lack of competition |

ATENEO SCHOOL OF GOVERNMENT

19

---

■ Stage 2 Guide Question:
  □ What are the optimal location, capacity and design for the investment?

■ **Public participation** to discuss design process and ventilate any concerns or reservations about project
■ **Proactive disclosure** by government agencies of relevant information

ATENEO SCHOOL OF GOVERNMENT

20

---

## Stage 3: Advertisement

* Informing the public about the tender to provide equal opportunity to all to bid

ATENEO SCHOOL OF GOVERNMENT

21

---

## Stage 3 Red Flags

| Problem Area | Possible Distortion | Governance Issue |
|---|---|---|
| Limited/ insufficient advertising | ●Published in papers with limited circulation | Lack of competition <br> Lack of transparency |

ATENEO SCHOOL OF GOVERNMENT

22

---

## Stage 4: Pre-qualification

* Determine eligibility based on capacity, experience, resources or other criteria defined in the tender

ATENEO SCHOOL OF GOVERNMENT

23

---

## Stage 4 Red Flags

| Problem Area | Possible Distortion | Governance Issue |
|---|---|---|
| Prospective bidders undergo detailed, tedious and potentially subjective pre-qualification process | ●Requirements set to favor a particular contractor or group of contractors <br> ●Lengthy process that creates opportunities for bribe solicitation <br> ●Contract sharing among the bribing companies | Lack of contestability <br> Lack of transparency |

ATENEO SCHOOL OF GOVERNMENT

24

## Stage 5: Bid Evaluation

★ Submission, opening and post qualification of bids submitted.

★ Qualified bids are assessed as to which bids meet the selection criteria

ATENEO SCHOOL OF GOVERNMENT

25

## Stage 5 Red Flags

| Problem Areas | Possible Distortions | Governance Issue |
|---|---|---|
| Wide discretion given to decision makers | ●Decision makers are biased ●Selection criteria allow biases to play a role | Lack of competition |
| Tendency to seek judicial intervention | ●Imposition of court restraining orders | Dysfunctional judiciary |
| Unusual or length delays in bid evaluation | ● May indicate that someone is attempting to discourage best bidders or give extra time to favored bidders on the basis of leaked information | Lack of competition |

ATENEO SCHOOL OF GOVERNMENT

26

## Stage 5 Red Flags

| Problem Areas | Possible Distortion | Governance Issues |
|---|---|---|
| Abuse of clarification period | ●Clarifications are not shared with all the bidders ●Advantage to a particular bidder is granted through the exchange of confidential information during the clarification period | Lack of transparency |

ATENEO SCHOOL OF GOVERNMENT

27

## Stage 6: Award of Contract

★ Winning bid selected based on (1) being substantially responsive to the bidding documents and (2) offered the lowest evaluated cost

ATENEO SCHOOL OF GOVERNMENT

28

## Stage 6 Red Flags

| Problem Areas | Possible Distortion | Governance Issues |
|---|---|---|
| Unclear rules | ●Grounds for selection of the winners are not made public ●Delay in the signing of the contract | Lack of transparency Lack of accountability |
| Rejection of all bids | ● May be an indication that improper negotiations are being done on the side | Lack of transparency |

ATENEO SCHOOL OF GOVERNMENT

29

- Stage 6: Guide Question
  - □ What is the best bid?

- Pro-active disclosure by government agencies of relevant information
- Public participation through civil society groups as third party observer in the bid evaluation process to ensure integrity of the process

ATENEO SCHOOL OF GOVERNMENT

30

## Stage 7: Contract Implementation

★ Execution of contract according to set specifications as contained in the bid

ATENEO SCHOOL OF GOVERNMENT                                      31

---

## Stage 7 Red Flags

| Problem Areas | Possible Distortions | Governance Issues |
|---|---|---|
| Poor monitoring and enforcement | ● Substitution of materials of poor quality and defective specifications<br>● Failing to enforce quality standards, quantities or other performance standards of the contract | Lack of accountability |

ATENEO SCHOOL OF GOVERNMENT                                      32

---

## Stage 7 Red Flags

| Problem Area | Possible Distortion | Governance Issues |
|---|---|---|
| Contract renegotiation is allowed - discretion given to site engineers | Change orders introduce substantial changes to the contract, often done in small increments | Lack of accountability |

ATENEO SCHOOL OF GOVERNMENT                                      33

---

- **Stage 7 Guide Question**
  - Is the contract being implemented according to agreed specifications and quality?

- Public participation through civil society monitoring of contract implementation
- Clear and pre-established limits for contract change orders

ATENEO SCHOOL OF GOVERNMENT                                      34

---

## Summary

| | |
|---|---|
| Poor planning | Procurement Planning |
| No criteria for project selection | Preparation |
| Lack of information | Advertisement |
| Biased requirements for a favored bidder | Pre-qualification |
| Wide discretion of bids and awards committee | Bid Evaluation |
| Unreasonable length of time for signing | Award of Contract |
| Poor monitoring | Contract Implementation |
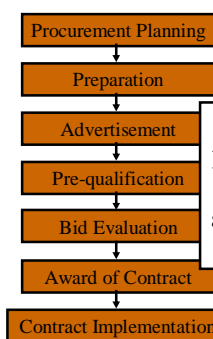
**Public participation, transparency and proactive disclosure**

ATENEO SCHOOL OF GOVERNMENT                                      35

---

*FOR THE TRAINER*

- Discuss the Risk Factors in public procurement
- Discuss the Corruption (C) Schemes in public procurement; discuss the 5 schemes one by one
- Guide Question:
  - What is the effect of corruption in public procurement to project?
  - What are the implications of bad governance as a result of corruption?

ATENEO SCHOOL OF GOVERNMENT                                      36

## Risk Factors

- **Size** - the bigger the project, the more money involved the more reason to demand a bribe

- **Technology** - the more high technology involved, or seemingly involved the more attractive the project will be to its project beneficiaries thus reducing the risk of being criticized for paying too much.

- **Specificity** - the more specific the product or contract - the lesser the opportunities for manipulating procurement process

ATENEO SCHOOL OF GOVERNMENT 37

## Corruption Schemes in Public Procurement

x Kickbacks
x Front companies
x Bid rigging or collusive agreements
x Use of "loan brokers" or "commissioners"
x Conflicts of interest

ATENEO SCHOOL OF GOVERNMENT 38

## Kickback Scheme

(Many Faces of Corruption, Ed Campos)

Kickback is the centerpiece of corruption schemes
Done with other schemes, such as bid rigging
Cash payments, wire transfers disguised to leave no trail
Appearance of legitimate relationship between actors
Conspiracy of silence exists

ATENEO SCHOOL OF GOVERNMENT 39

## Kickback Scheme

(Many Faces of Corruption, Ed Campos)

Middlemen can appear in more than one location and there may be multiple middlemen operating

Lack of audit capability running to subcontractors makes it difficult to decipher legitimate from illegitimate relationships

ATENEO SCHOOL OF GOVERNMENT 40

## Front Company

(Many Faces of Corruption, Ed Campos)

Company appears with no history
Company providing diverse connected services
Few records exist on ownership
Extreme interest shown by PIU official in company
Subcontractor who is hired as local agent

ATENEO SCHOOL OF GOVERNMENT 41

## Bid Rigging & Collusion

- Drafting tailored specifications to exclude unfavored bidders
- Tipping off the favored bidder that certain components in bid will not actually be called for
- Telling bidders to bid low and recover profit later through contract modification
- Bidders agree who will win contract

ATENEO SCHOOL OF GOVERNMENT 42

## Conflict of Interest

(Many Faces of Corruption, Ed Campos)

Government Project Implementer

Contractor Inc.

employee, relative, friend

Having a personal stake in the outcome of a contract *per se* a conflict of interest

Officials of agencies, friends, family members involved with contract

If there appears to be conflict of interest, make disclosure early before questions arise

ATENEO SCHOOL OF GOVERNMENT

43

## Effect of Corruption in Public Procurement to Project

- Service ↓
- Quality ↓
- Pricing ↑
- Impact ↓

ATENEO SCHOOL OF GOVERNMENT

44

## Implications of Bad Governance

Deficits
Lack of transparency
Unpredictable policy environment
Weak accountability
Weak capacity

→ Graft and Corruption
Inefficiency

Poor Quality
High Cost

Poor Service Delivery
Debt Burden
Erosion of Values
Erosion of Public Trust

ATENEO SCHOOL OF GOVERNMENT

45

*FOR THE TRAINER*

- Discuss the Social Accountability Strategies
- Present the Social Accountability Triangle
- Discuss the Key Steps in Contract Implementation Monitoring by CSOs

ATENEO SCHOOL OF GOVERNMENT

46

## Social Accountability Strategies

- Informed Advocacy for Policy Reform
- Contract Implementation by CSOs
- Integrity Pact
- Budget Watch / Participatory Budgeting

ATENEO SCHOOL OF GOVERNMENT

47

## Accountability Triangle

Source: Ed Campos. Enhancing Public Sector Accountability

THE STATE: Politicians/ Policymakers

Authorization & Voice
Political Accountability

Delegation of Implementation
Managerial Accountability

Provision of Public Goods and Services

CIVIL SOCIETY Citizens

Social Accountability

BUREAUCRACY Bureaucrats

ATENEO SCHOOL OF GOVERNMENT

48

## 1. Informed Advocacy for Policy Reform

CSOs analyze what is wrong with current procurement processes; how such deficiencies can be addressed by a sound procurement policy; learn from best practice; draw up proposals; lobby and advocate for the passage of such law.

**ATENEO SCHOOL OF GOVERNMENT** 49

## 2. Contract Implementation Monitoring by CSOs

CSOs are increasingly recognized as vital players in contributing to the transparency of public procurement processes as independent monitors of the process.

Monitoring bodies should be composed of the beneficiaries of the projects being investigated with access to technical or expert advice

**ATENEO SCHOOL OF GOVERNMENT** 50

## KEY STEPS: Contract Implementation Monitoring by CSOs

- Formulate a work plan
- Gather information on the project to be monitored:
  - □ technical profile of the project
  - □ approved financials and necessary documentation
  - □ timeline commitments of contractor
- Review supporting documents
- Compare actual status against baseline parameters: workmanship, quality, cost and time

**ATENEO SCHOOL OF GOVERNMENT** 51

## KEY STEPS: Contract Implementation Monitoring by CSOs

- Analyze gaps (all possible reasons for the gaps)
- Seek expert's advice if necessary
- Present gaps identified and observed during the monitoring process
- Present report in a conference/meeting where stakeholders are in attendance
- Present report to media

**ATENEO SCHOOL OF GOVERNMENT** 52

## Module 3: Procurement and Fund Tracking

**Session 2: Government Procurement Reform Act & Stakeholders Analysis**

**Henedina Razon-Abad**
**Dondon Parafina**
**Ateneo School of Government**

### Discussion Outline

- Why Procurement Reforms?
- Review of Key Objectives and Critical Success Factors
- What is a stakeholder?
- Why conduct stakeholders analysis?
- How to conduct stakeholders analysis?

**ATENEO SCHOOL OF GOVERNMENT** 54

**FOR THE TRAINER**

- Discuss the need for procurement reforms;
- Review Key Objective and Critical Success Factors

ATENEO SCHOOL OF GOVERNMENT

55

---

## Why Procurement Reforms?

**Survey Findings**

Government procurement and tax collection are perceived to be the major sources of corruption :

- 4 out of the top 5 most corrupt agencies featured prominently in government contracting
- Approximately 20% of government contracts go to kickbacks/commissions

- Equivalent to P 21 B in 2001 just for the national government are lost to corruption, much larger figure if local government transactions included
- Legal foundation a mess: over 100 laws, regulations, executive orders etc. governing procurement

ATENEO SCHOOL OF GOVERNMENT

56

---

## Review of Key Objectives & Critical Success Factors

- What makes company unique
- What makes company successful
- Shared vision
- Review key undertakings of past year

ATENEO SCHOOL OF GOVERNMENT

57

---

**FOR THE TRAINER**

- Discuss the mechanics of Stakeholders Analysis Workshop
  - Provide input on stakeholders analysis
  - Give the detailed instruction for the workshop

ATENEO SCHOOL OF GOVERNMENT

58

---

## Stakeholders Analysis

- What is stakeholder
- Why conduct stakeholders' analysis
- How to conduct stakeholders' analysis

ATENEO SCHOOL OF GOVERNMENT

59

---

## What is Stakeholder ?

- A person or group that can affect or be affected by the implementation of a policy (program and projects) and the achievement of its objectives

ATENEO SCHOOL OF GOVERNMENT

60

## Criteria to determine importance of stakeholder

- Can damage or weaken the authority or political support for decision-makers or their organizations
- Presence and/or support provides a net benefit, strengthens implementing agencies and enhances decision-makers' authority
- Can influence the direction or mix of implementing organization's activities

ATENEO SCHOOL OF GOVERNMENT                     61

## Why conduct a stakeholder analysis?

- Use stakeholder analysis to
  - Identify people, groups and institutions that will influence the policy, program and project that you are advocating (positively or negatively)
  - Anticipate the kind of influence, positive or negative these people or groups will have on your project
  - Develop strategies to get the most effective support possible and reduce obstacles to successful implementation

ATENEO SCHOOL OF GOVERNMENT                     62

## The Tool for Stakeholder Analysis

| Stakeholder | Interests | Resources Available | Resource Mobilization Capacity | Position on Policy |
|---|---|---|---|---|
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

ATENEO SCHOOL OF GOVERNMENT                     63

## Focus of Stakeholder Analysis

- Interest
- Quantity and type of resources stakeholders can mobilize to affect outcomes

ATENEO SCHOOL OF GOVERNMENT                     64

## How to Conduct a Stakeholder Analysis

- Organize a group brainstorming. Identify all the people, groups and institutions that will affect or be affected by your proposed policy, program, project and list them in the column under "Stakeholder".

ATENEO SCHOOL OF GOVERNMENT                     65

## What is a stakeholder?

- Examples of stakeholders' categories
  - National or political actors
  - Government agencies
  - Interest groups (unions, professional groups)
  - CSOs (NGOs, people's organizations)
  - Business sector
  - Churches
  - Military

ATENEO SCHOOL OF GOVERNMENT                     66

## Interests

- Once you have a list of all potential stakeholders. Review the list and identify the specific interests these stakeholders have in your project.
- Select only 2 or 3 most important interests and/or expectations
- Indicate intensity of interest (high, medium or low intensity)

**ATENEO SCHOOL OF GOVERNMENT**    67

## Interests

- Specific interests that will be affected by the policy, program or project?
- The more important the interest is to the stakeholder the stronger will be the position
  - ☐ If interest is important to the stakeholder - expect strong support if in favor and strong opposition if against

**ATENEO SCHOOL OF GOVERNMENT**    68

## Interests

- ☐ Will the person, group and/or institution benefit from the project? What are these benefits?
- ☐ Will the policy harm the person, group and/or institution? Will the policy remove or diminish whatever power or influence, privilege, and comfort that they wield or enjoy ?
- ☐ Does the policy require them to make certain or drastic changes in his/her work, lifestyle, etc?

**ATENEO SCHOOL OF GOVERNMENT**    69

## Resources

- Review each stakeholder, list the resources the stakeholder can mobilize to support its position on the policy

**ATENEO SCHOOL OF GOVERNMENT**    70

## Resources Available

- Resources the stakeholder possess that could be brought to bear in the policy process - from policy design to implementation
- Resources may be classified as (1) financial or material, (2) access to or control over vital or important information, (3) status or social position

**ATENEO SCHOOL OF GOVERNMENT**    71

## Resources Available

- Does the person or group have influence over some prominent sector of the economy?
- Would the efforts of person or group have (either in favor of or opposed to, the policy make a difference in the design and implementation?)
- Can the person or group offer some special knowledge or information?

**ATENEO SCHOOL OF GOVERNMENT**    72

## Resource Mobilization Capacity

- Review each stakeholder and identify the person's or group's ability to mobilize its resources.
- If the person or group cannot mobilize or make effective use of its resources, then they are not resources in any meaningful sense.

ATENEO SCHOOL OF GOVERNMENT 73

## Resource Mobilization Capacity

- Ease and speed or limits and difficulties to mobilize and deploy its resources in pursuit of its objectives
- Resources that can be mobilized quickly are advantageous if the issue is urgent

ATENEO SCHOOL OF GOVERNMENT 74

## Position on issue

- Support
- Oppose
- Neutral
- Intensity of position

ATENEO SCHOOL OF GOVERNMENT 75

## Position on Issue

- Review the interests of the stakeholder and define the person's or group's position on the issue.
- Indicate the relative strength of the support or opposition to the issue
  - □ This is important because if a group is barely in favor of an issue, a convincing argument by an opposition viewpoint could be enough to change its position

ATENEO SCHOOL OF GOVERNMENT 76

## Sources of Information

- Ensure quality of data
  - □ Written sources on the sociopolitical dynamics of the country (sector, etc.)
  - □ Complement this information with interviews - local experts, think tanks, universities
  - □ Key informants in the field

ATENEO SCHOOL OF GOVERNMENT 77

## Strategic Considerations

- High power, high support for issue: they are your champions. Keep them fully engaged.
- High power, low support or oppose: work on them to ensure that they can cause no or little harm.
- Low power to mobilize resources, high support: keep them adequately informed to ensure that their position will not change. They will be helpful when numbers become crucial.
- Low power with low support or oppose - keep them informed.

ATENEO SCHOOL OF GOVERNMENT 78

## Construct Stakeholder Map

| | Position | |
|---|---|---|
| **Power** | Neutralize | Keep Fully Engaged "Champions" |
| | Monitor | Keep Informed |

**ATENEO SCHOOL OF GOVERNMENT** 79

---
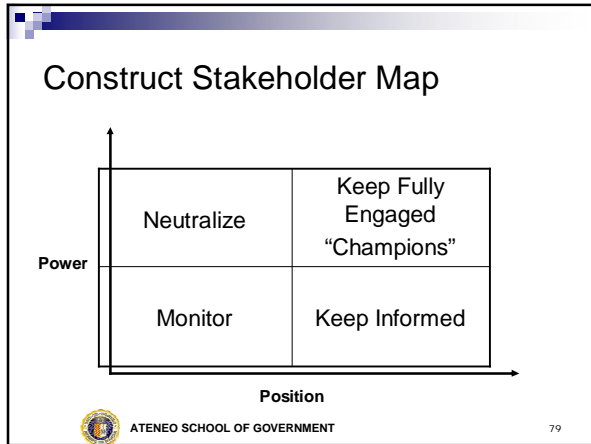
■ Stakeholder Analysis Exercise
  □ Consider your proposed objectives and features of a proposed procurement law in Cambodia. Construct a stakeholders' analysis.
  □ Identify at least 5 stakeholders

*FOR THE TRAINER*

**ATENEO SCHOOL OF GOVERNMENT** 80

---

## Module 3: Procurement and Fund Tracking

Session 3: Citizens' Monitoring of Procurement Contract Implementation

**Henedina R. Abad, PhD**
**Redempto S. Parafina**
**Ateneo School of Government**

---

■ What to monitor in contract implementation?
■ Grounds for contract termination
■ Contract Implementation Monitoring Projects
  □ The Government Watch (G-Watch)
  □ Textbook Count Project

*Discussion Outline*

**ATENEO SCHOOL OF GOVERNMENT** 82

---

■ Discuss:
  □ what is contract implementation
  □ What are the stages
  □ What are the red flags in each stage
  □ What are the grounds for termination
■ Present the items which should be monitored
■ Present the guide to identifying red flags
■ Present the pertinent documents for monitoring

*FOR THE TRAINER*

**ATENEO SCHOOL OF GOVERNMENT** 83

---

Contract Implementation

Execution of contract according to set specifications as contained in the bid

**ATENEO SCHOOL OF GOVERNMENT** 84

---

## What to Monitor



NTP → Production → Random Inspection/ Testing → Delivery → Random Counting/ Testing → Acceptance → Processing of Documents → Processing of Payment → Payment → Distribution to beneficiaries

ATENEO SCHOOL OF GOVERNMENT

85

## Description of Stages

| NTP | Notice to Proceed' release of the document that signals the start of work |
|---|---|
| Production | Involves the process/es of producing the goods as agreed upon in the contract |
| Random Inspection/Testing | Random checking of goods in the production stage |
| Delivery | Transfer of goods to identified receiving entity |
| Random Counting/ Inspection | Final checking of goods prior to acceptance |

ATENEO SCHOOL OF GOVERNMENT

86

## Description of Stages

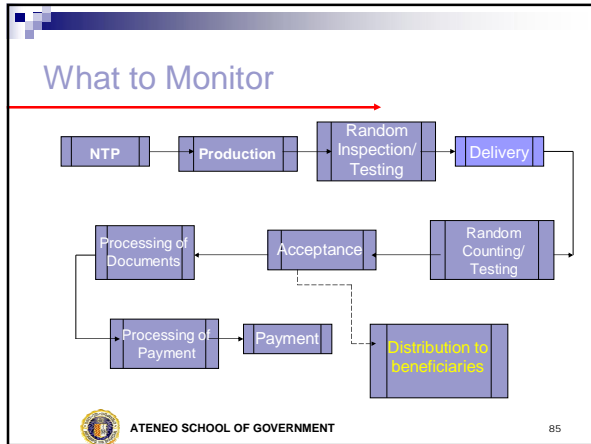| Acceptance | Final checking of goods prior to acceptance |
|---|---|
| Processing of Documents | Authorized personnel's acceptance of accountability over received goods |
| Processing of Payments | Submission and receipt of documents indicating successful delivery and acceptance of the goods |
| Payments | Submission and receipt of documents indicating entitlement to payment |
| Distribution to Beneficiaries | Transfer of goods to rightful beneficiaries |

ATENEO SCHOOL OF GOVERNMENT

87

## Grounds for Termination

| Default | Failure to perform obligations under the contract |
|---|---|
| Convenience | Project is deemed to be economically, financially or technically impractical and/or unnecessary |
| Insolvency | Supplier is declared bankrupt or declared insolvent with finality |
| Unlawful Acts | Supplier is found to have engaged before or during the contract implementation in unlawful deeds or behaviors relative to contract acquisition and implementation |

ATENEO SCHOOL OF GOVERNMENT

88

## Red Flags (adapted from Gottbreht)

| Expediting Payments | Paying someone to speed up normal work or process |
|---|---|
| False error delays | Creating delays be creating immaterial errors to extract bribe or illegal payment |
| Falsification of receipts | Providing official receipts that are actually above or below the real price |
| Falsifying results | Paying someone or getting paid to falysify reports to aid corruption activity |

ATENEO SCHOOL OF GOVERNMENT

89

## Red Flags (adapted from Gottbreht)

| Feigned indecision | Faking indecision in order to encourage illegal off-the-books payment to decision maker |
|---|---|
| Forced substitutions | Forcing substitution higher cost items in contract with inferior, lower-cost items |
| Kickbacks | Returning a portion of invoiced and paid bill without taxation and records |
| Pay to play | Forcing everyday people to pay authorities to be allowed in their transactions |
| Unofficial signing rights | |

ATENEO SCHOOL OF GOVERNMENT

90

## Identification of Red Flags

| | EP | FED | FR1 | FR2 | FI | FS | K | PP | USR |
|---|---|---|---|---|---|---|---|---|---|
| NTP | 🚩 | 🚩 | | 🚩 | | | | 🚩 | 🚩 |
| P | | | | 🚩 | | 🚩 | | 🚩 | |
| RIT | | | | 🚩 | | | | 🚩 | 🚩 |
| D | | | | 🚩 | | | | | |
| RCI | 🚩 | 🚩 | | 🚩 | 🚩 | 🚩 | | 🚩 | 🚩 |
| A | | | | 🚩 | 🚩 | | | 🚩 | 🚩 |
| PD | 🚩 | 🚩 | | 🚩 | 🚩 | | | 🚩 | 🚩 |
| PP | 🚩 | 🚩 | | 🚩 | 🚩 | | | 🚩 | 🚩 |
| P | 🚩 | 🚩 | | 🚩 | 🚩 | | | 🚩 | 🚩 |
| DB | 🚩 | 🚩 | | 🚩 | 🚩 | | | 🚩 | 🚩 |
| | 🚩 | 🚩 | | 🚩 | 🚩 | | | 🚩 | 🚩 |

**ATENEO SCHOOL OF GOVERNMENT** 91

## Guide to Identify Red Flags

| NTP | Is the NTP available even before awarding of the contract? | |
|---|---|---|
| | Is it taking more than 3 days to process NTP? | |
| | Are there irrelevant errors that are being cited for delays in processing NTP | |
| | Is the NTP ante-dated? | |
| | Are there more than NTP signatories than necessary? | |
| Production | Does production start with or without NTP? | |
| | Does the supplier really produce the identified goods in the contract? | |
| | Does the supplier use materials of correct specifications? | |
| | Are there too many workers in the place of production or warehouse? | |

**ATENEO SCHOOL OF GOVERNMENT** 92

## Guide to Identify Red Flags

| Testing | Is the inspection/testing being carried out as scheduled? | |
|---|---|---|
| | Is the result of the inspection/testing publicly available? | |
| | Is the result of the inspection/testing immediately available? | |
| | Are the inspectors selected based on competency? | |
| | Does the agency authorize the inspectors? | |
| | Are there more inspection/tecting report signatories than necessary? | |
| Delivery | Are the goods delivered? | |
| | Are the goods delivered in right quantity? | |
| | Are the goods in good condition? | |
| | Is there clear and sufficient provision for warranty? | |

**ATENEO SCHOOL OF GOVERNMENT** 93

## Guide to Identify Red Flags

| Random checking/ inspection | Are the goods being checked/inspected upon delivery? | |
|---|---|---|
| | Does checking/inspection take unreasonably long? | |
| | Is the result of the inspection/testing publicly available? | |
| | Is the result of the inspection/testing immediately available? | |
| | Are the inspectors selected based on competency? | |
| | Does the agency authorize the inspectors? | |
| | Are there more inspection/checking report signatories more than necessary? | |
| Acceptance | Are the goods accepted without checking or inspection? | |
| | Does acceptance have too many prerequisites? | |
| | Is the acceptance report publicly available? | |

**ATENEO SCHOOL OF GOVERNMENT** 94

## Guide to Identify Red Flags

| | Does the acceptance report accurately state the results of the checking/inspection? | |
|---|---|---|
| | Is the acceptance report officially signed? | |
| | Are there more acceptance report signatories than necessary? | |
| Processing of Documents | How fast or how slow was the processing of the documents? | |
| | Did the supplier submit complete and authentic documents? | |
| | Do the documents has complete signatories? | |
| | Are the documents processed by authorized personnel? | |
| | Are the processed documents officially signed? | |
| | Are there more signatories in the processing stage than necessary? | |

**ATENEO SCHOOL OF GOVERNMENT** 95

## Guide to Identify Red Flags

| Processing of Payments | How fast or how slow was the processing of the payment? | |
|---|---|---|
| | Is payment being processed even without supplier's complete documents? | |
| | Is the LD being computed and computed correctly? | |
| | Are the payments being processed by authorized personnel? | |
| | Are there papers to process payment officially signed? | |
| | Are there more signatories in the payment processing stage than necessary? | |

**ATENEO SCHOOL OF GOVERNMENT** 96

## Guide to Identify Red Flags

| Distribution to Beneficiaries | Are the goods distributed to beneficiaries? | |
|---|---|---|
| | How fast or slow were the goods distributed to beneficiaries? | |
| | Did the distribution follow set allocation? | |
| | Was there a designated personnel to distribute the goods? | |
| | Are the identified beneficiaries in accordance with set criteria? | |
| | Do the goods last as indicated in the specifications? | |
| | Do the suppliers comply with the warranty agreement? | |
| | Are there more signatories in the distribution stage than necessary? | |

ATENEO SCHOOL OF GOVERNMENT 97

## Pertinent Documents

- Notice of Award
- Notice to Proceed
- List of Specifications
- Test Results
- Inspection Reports
- List of Inspectors
- Delivery Receipt
- Allocation List

- Acceptance Report
- Billing Documents
- Vouchers
- Checks
- Computation of Liquidated Damages
- Distribution List

ATENEO SCHOOL OF GOVERNMENT 98

---

**FOR THE TRAINER**

- Present using attached slide shows good practices in monitoring:
  - □ Government Watch (G Watch); and
  - □ Textbook Count Project

ATENEO SCHOOL OF GOVERNMENT 99

---

## Mock Planning

**FOR THE TRAINER**

- Using G Watch Experience as an example, ask the participants to think on how they can adopt a contract implementation monitoring project in their localitites.
- Give the mechanics for the mock planning exercise

ATENEO SCHOOL OF GOVERNMENT 100

---

## MOCK PLANNING
## on Monitoring Initiative

ATENEO SCHOOL OF GOVERNMENT 101

---

## Mock Planning Mechanics

**FOR THE TRAINER**

- Participants will divide into four groups
- Group members brainstorm and explore ideas on doing monitoring work in the community (see guide in next slide)
- Group documenter writes output on manila paper
- Group reporter presents group output

ATENEO SCHOOL OF GOVERNMENT 102

### Guide Questions, 1st set

- What is your target procurement item? Why?
- What steps will you you take to convince the government to partner with you in a monitoring initiative? What incentives do you suggest to get government's cooperation?
- What information and skills do you need to implement the initiative?
- What incentives do you suggest to encourage CSO involvement?
- How will you organize your volunteers?
- Do you think your volunteers would need training? How will you train them?
- What key activities are you going to do to monitor?
- What will be your procedures to get monitoring reports?

**ATENEO SCHOOL OF GOVERNMENT** 103

---

### Report back to Small Group Plenary
### Return to Workshop Group

**ATENEO SCHOOL OF GOVERNMENT** 104

---

### Guide Questions, 2nd set

- How will you assess the accomplishments of the initiative?
- What will be the strengths and weaknesses of work plans?
- What are the ways to overcome weaknesses?
- What are the ways to sustain strengths?

**ATENEO SCHOOL OF GOVERNMENT** 105

---

### Report back to Small Group Plenary

### Summary and Synthesis

**ATENEO SCHOOL OF GOVERNMENT** 106

## What is G-Watch ?

It is a project of the Ateneo School of Government.

It tracks public expenditure and monitors procurement contract implementation.

It has monitored textbook delivery, school building construction, drug procurement, public works projects, and disaster relief distribution.

It started in year 2000.

---

### context

**CORRUPTION** is a serious problem--it retards economic growth and weakens democratic institutions

**PREVENTIVE APPROACH**: preventing corruption through systems check and citizens' vigilance

---

### vision

Competent and credible government institutions and meaningful civil society participation in governance

### mission

To provide a venue where the government and the civil society can be engaged in the formulation of policies and programs to improve governance

---

### framework

• tool and method must be simple and easy to use

• there must be consultation with agency regarding the monitoring and its results

---

## Monitoring Tool

| Project | Planned/ Normative | Actual | Variance | Cause of Variance | G-Watch Assessment | Agency Assessment |
|---------|--------------------|--------|----------|-------------------|--------------------|-------------------|
| Time | | | | | | |
| Cost | | | | | | |
| Quantity | | | | | | |
| Quality | | | | | | |
| Process | | | | | | |

---

## SAMPLE RESULTS OF TOOL APPLICATION

Drug Procurement
Public Works Projects
School Building Projects
Disaster Relief Distribution
Textbook Delivery

---

1

Bislig case: When will we see the bridge finished?

The construction of Bislig Bridge in Surigao del Sur started in 1998. As of 2003, total expenditure for the project is P95 million. It is only 25% completed and is estimated to take 5 more years to finish.

**Abandoned School Building (2002)**
**Albis Elementary School, Benguet**



## Textbook Delivery (2001)

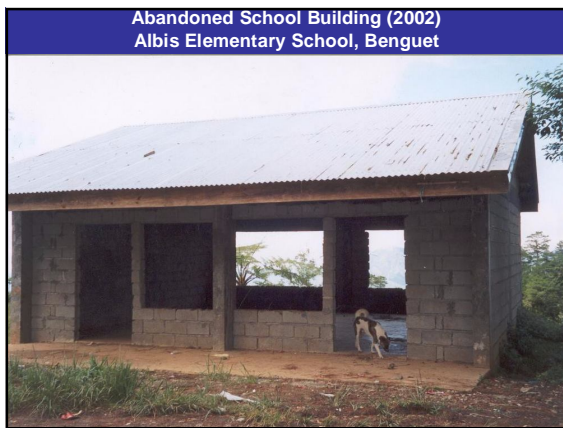- 40% could not be accounted for
- Suppliers delivered anytime anywhere
- Recipients were not notified about deliveries
- No feedback mechanism regarding schools' receipt of books
- Documents were not properly accomplished
- No effective sanctions for late deliveries

## Textbook Distribution (2003)

- 21% were not distributed to difficult-to-reach elementary schools
- Distribution funds were not accessible

## Agency actions and responses

➤ DOH passed memo aimed at improving drug procurement procedures in regional offices and hospitals

➤ DPWH reviewed projects with reported problems and declared openness to involve citizens in project inspection

➤ DepEd-DPWH joint memo to improve school building projects was passed

➤ DepEd launched *Textbook Count*

## Textbook Count and Citizens' Action

- It is a program of DepEd in partnership with civil society organizations
- It aims to ensure that the right quantity and quality of textbooks are delivered to the right recipient at the right time
- It started in 2002 during the administration of Sec. De Jesus

## Nationwide Coverage

- It is a program of the Department of Education in partnership with civil society organizations
- It aims to ensure that the right quantity and quality of textbooks are delivered to the right recipient at the right time
- From 2003 to 2005, 52 million textbooks amounting to P2B (US$40M) were tracked in 4,844-7,499 delivery points

## Why is it needed?

- To remove corruption in textbook procurement
- To systematize deliveries nationwide
- To make suppliers more responsive to clients' need
- To establish benchmark for DepEd performance
- To mobilize manpower for monitoring and inspection at less or no cost

## How is it designed?

- Components are mapped
- Goals are set
- Stakeholders' participation is ensured
- Undertakings are defined
- Mechanisms for coordination, reporting and evaluation are put in place

## Components & Goals

| Bidding | Safeguard the integrity of the bidding process |
| Production | Ensure good textbook quality |
| Delivery | Help high schools and districts check the textbooks delivered to them |
| Distribution | Help districts distribute the textbooks to elementary schools |

## Component 1: Bidding

| Pre-Bid Conference | Preliminary discussion on content of bid document |
| Bid Submission and Opening | •Submission of eligibility, financial and technical requirements<br>•Pass/fail criteria for judging |
| Post-qualification and Content Evaluation | •Evaluates capacity of eligible bidders<br>•Evaluates content of textbook |

## Component 2: Warehouse Inspection

- It is for early detection and rectification of defects
- Inspection team consists of IMCS, BAC, End-users and CSO
- Inspection team cannot proceed without CSO

## Stages of Warehouse Inspection

Printing and Folding
↓
Binding, Trimming and Checking of Finished Book
↓
Packing and Packaging

= at least 20 inspections in 4 months
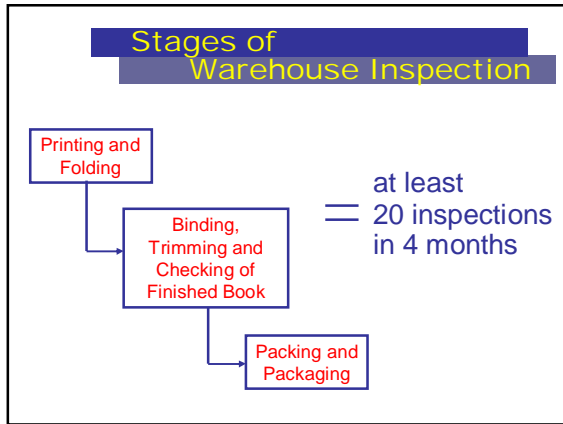
## Sample Results

- In two instances, 100,000 textbooks were rejected because of poor binding.
- Several defects, such as reversed page, uneven color and wrinkles, were found and rectified.

binding defect

reversed page

## Advantages of pre-delivery inspections

- Pressure on suppliers to raise quality standards
- Client satisfaction met
- Suppliers save since additional transport cost is avoided in case textbooks are rejected at the school level

## Component 3: Delivery

- **DepEd Memo 162 s. 2003 spelled out:**
  o undertakings of DepEd offices and suppliers
  o participation of civic organizations and NGOs
- **Stakeholders agreed that:**
  o synchronized schedules will be followed
  o suppliers will coordinate with DepEd-IMCS, division offices and CSO regarding deliveries
  o there will be penalties for late deliveries

### NEW DELIVERY SYSTEM

ZONE 1

2004 NATIONAL TEXTBOOK DELIVERY PROGRAM (Textbook Count 2)
SECOND SOCIAL EXPENDITURE MANAGEMENT PROJECT (SEMP 2003)
SECONDARY EDUCATION DEVELOPMENT AND IMPROVEMENT PROJECT (SEDIP 2003)
THIRD ELEMENTARY EDUCATION PROJECT (TEEP 2003)
(Approved as of April 15, 2004)

| Region/Division | Total No. of Delivery Points | No. of Delivery Points | | No of Allowable Delivery Days | JUL '04 | | AUG '04 | | |
|---|---|---|---|---|---|---|---|---|---|
| | | District | HS | | 4th Week | 1st Week | 2nd Week | 3rd Week | |
| | | | | | 26 27 28 29 30 | 02 03 04 05 06 | 09 10 11 12 13 | 16 17 18 19 20 | |
| GRAND TOTAL FOR ZONE 1 | 1,799 | 508 | 1,281 | | | | | | |
| TOTAL FOR CAR | 278 | 67 | 211 | | | | | | |
| CAR 1 Benguet* | 54 | 13 | 41 | 10* | | | | | |
| 2 Ifugao* | 39 | 11 | 28 | 10* | | | | | |
| 3 Kalinga* | 42 | 10 | 32 | 10* | | | | | |
| 4 Apayao* | 26 | 7 | 19 | + 10* | | | | | |
| 5 Mt. Province* | 50 | 10 | 40 | 10* | | | | | |
| 6 Baguio City | 23 | 4 | 19 | 5 | | | | | |
| 7 Abra* | 44 | 12 | 32 | 10* | | | | | |

## Preparations

- Civil society partners were organized
- Briefing-orientations were given to division supply officers, suppliers and CSO provincial coordinators
- Documents were sent to DepEd division, high schools and district offices
- Documents were sent to CSO provincial coordinators and volunteers
- Print and radio advertisements came out

**Consortium of CSOs for *Textbook Count***

Alliance of Concerned Teachers • Alliance of Volunteer Educators • Association of Ministers and Ministries in Nueva Ecija • Ateneo School of Government • Barug! Pilipino • Boy Scouts of the Philippines • Brotherhood of Destiny • Caucus of Development NGO Networks • Christian Convergence for Good Governance • Concerned Citizens of Abra for Good Government • Civil Society Network for Education Reforms • Fellowship of Christians in Government • Don Bosco Technical Institute Makati • Girl Scouts of the Philippines • Kapatiran Kaunlaran Foundation • Konsyensyang Pilipino • Naga City People's Council • National Citizens Movement for Free Elections • Negros Center for People Empowerment and Rural Development • Procurement Watch, Inc. • Rahma Qur'anic Center and Mosque Foundation • Social Watch Visayas • Student Catholic Action • Ten Outstanding Boy Scouts of the Philippines Association • Transparency and Accountability Network • UP Bannuar • UP Harong • UP Kamayo • Victory Campus Ministry • Volunteers for a Libertarian Society • YES Tejeros • Young Moro Professionals Network, Inc. • Youth Empowering Youth Forum





## Coordination Structure



## Materials for volunteers



- Letter to the HS Principal/District Supervisor
- Duties and Responsibilities of Volunteers
- Volunteer's Monitoring Report Form
- Sample IAR
- Inspection Guidelines
- ID

## Monitoring Activity Plan

## Reporting



```
Volunteers conduct monitoring

No Finding | With Finding  ①  → 1. Quick Report to Group Leader
                                2. Quick Report to Agency Authority
          ②                     3. Quick Report to Accountability Institution
Evaluation Report to Agency & Public
```

## Reporting

- On-the-spot Reporting
  - HS and district monitors report to Councils problems encountered.
  - Councils are empowered to make judgments on situations based on *Duties and Responsibilities.*
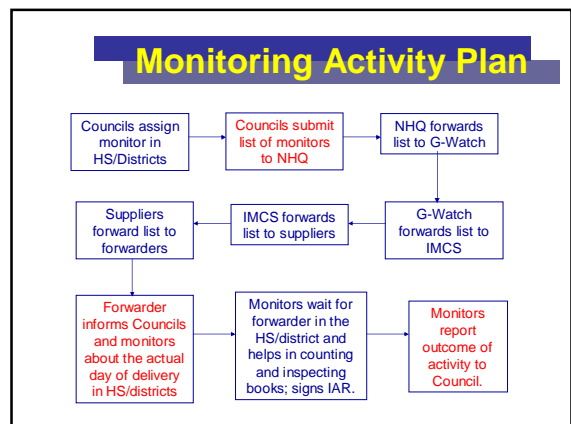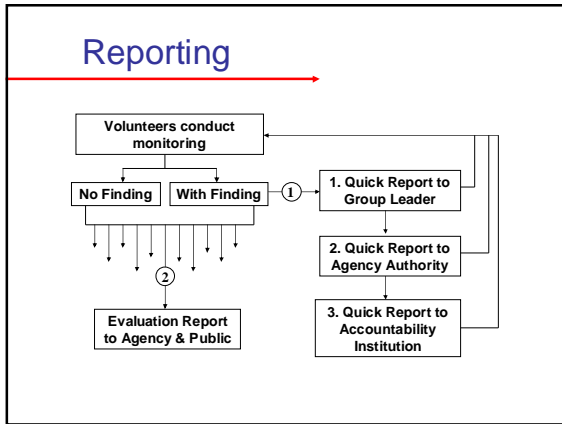  - In case of disagreement between CSO volunteer and DepEd personnel, DepEd prevails. **But**, CSO volunteer indicates comments in IAR remarks section and reports observations to the Council, or if necessary, to G-Watch.
- Final Reporting
  - Councils collect IARs and volunteer's monitoring report form
  - Councils accomplish Coordinating Council's report form
  - Councils submit IARs and report forms to NHQ
  - NHQ forwards IARs and report forms to G-Watch

## Requirements for Quick Reporting

- Type of Good
- Stage of the process
- Specific complaint ( time, quality, quantity)
- Reason/justification
- Evidence (if available, e.g. photo)

## Requirements for Evaluation Report

- Type of good
- Stage/s of the process monitored
- Individuals or groups involved in the monitoring
- Monitoring process plan followed
- Findings: time, cost, quantity, quality, documentation, personnel, behavior, compliance to process
- Conclusions and recommendations

## CSO volunteer signs IAR



- If IAR is signed by CSO, DepEd Division Office need not inspect deliveries in the districts and high school
- DepEd saves in monitoring and inspection expense
- Supplier can process payment faster

**For 3rd party CSO monitor**

## Documentation & Evaluation

- CSO has parallel documentation of delivery reports

- Program is evaluated yearly to discuss problems encountered and recognize accomplishments

6

TEXTBOOK DELIVERY MONITORING AT RMHS MANILA

## Making it work

- Collaboration requires participation from government and civil society
- Civil society must know the responsibilities of government and its own responsibilities in the monitoring process
- Feedback to agency makes monitoring results useful
- Government must act on monitoring results

## Accomplishments of Textbook Count

- Prices of textbooks were reduced by 40-50%
- Procurement process (bidding to delivery) was shortened from 24 to 12 months
- Printing and binding quality was improved
- Delivery errors were reduced to as low as 5% on the average

TEXTBOOK COUNT
Libro ko, kinabukasan ko.

## G-Watch Lessons

- Simple monitoring tools work and can influence government's policies and programs
- Constructive engagement with agency facilitates positive actions on the findings and recommendations
- Citizens' involvement in public management prevents corruption and improves people's access to basic services

*Thank you!*

7

# ANNEX: EVALUATION FORM

**Ateneo School of Government**

_____

Title of Training: _____

Date: _____

**Post – Evaluation Sheet**

**Instruction:**

Please complete this questionnaire to help us evaluate the extent of change and results that have resulted from this program. Your responses are valuable to us as it will guide us in developing and implementing similar activities in the future. To keep your responses <u>anonymous</u>, please do not write your name on the form. Please circle <u>only one</u> rating per statement.

POOR →     EXCELLENT →

**Areas**

| | | POOR | | | EXCELLENT |
|---|---|---|---|---|---|
| 1. | Usefulness of the training module to your current work/functions | 1 | 2 | 3 | 4 |
| 2. | Usefulness of the training module to your future professional development | 1 | 2 | 3 | 4 |
| 3. | Usefulness of the training module to your organization's needs and thrusts | 1 | 2 | 3 | 4 |
| 4. | Extent to which you have acquired information that is new to you | 1 | 2 | 3 | 4 |
| 5. | Improvement in your understanding of concepts and ideas covered by the training module | 1 | 2 | 3 | 4 |
| 6. | Extent to which the content of this training module matched the announced objectives | 1 | 2 | 3 | 4 |
| 7. | Effectiveness of the methods used in reinforcing the topics and sessions | 1 | 2 | 3 | 4 |
| 8. | Adequacy of the balance of time between topics | 1 | 2 | 3 | 4 |
| 9. | Logic in the progression from one topic to the next | 1 | 2 | 3 | 4 |
| 10. | Variety of the training methods used | 1 | 2 | 3 | 4 |
| 11. | Amount of information covered in each of the activities | 1 | 2 | 3 | 4 |
| 12. | Efficiency and effectiveness of training management | 1 | 2 | 3 | 4 |
| 13. | Quality of the training and administrative assistance | 1 | 2 | 3 | 4 |
| 14. | Overall rating of all the Resource Persons | 1 | 2 | 3 | 4 |
| 15. | Quality of discussions in the small group work and discussions | 1 | 2 | 3 | 4 |
| 16. | Interaction between participants and resource persons | 1 | 2 | 3 | 4 |

**_Please respond to the following questions._**

a) What did you find most useful in the program? (Please explain/comment)

……………………………………………………………………………………………………………………

……………………………………………………………………………………………………………………

b) What advice can you give us to improve activities of this kind in the future? (If any)

……………………………………………………………………………………………………………………

……………………………………………………………………………………………………………………

c) Please list three things that you intend to do as a result of your participation in the program:

……………………………………………………………………………………………………………………

……………………………………………………………………………………………………………………

**Thank you for completing this questionnaire.**
**Please return the completed forms to any of the Training Assistants.**