

KINGDOM OF CAMBODIA

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Council Legal and Judicial Reform

Project Management Unit (PMU)

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Report

on

Important Results of Action Plan Implementation

For the Implementation of Legal and Judicial Reform strategies, Semester 2, 2007

and ways forward

The Council of Ministers adopted the action plan for the implementation of Legal and Judicial Reform strategies on April 29, 2005 in the forms of seven strategies divided into three priorities: short term, medium term, and long term; and that marks the end of the first step. The seven strategies are the followings:

- **Strategic objective 1:** promoting the protection of rights and freedom of the individuals,
- **Strategic objective 2:** modernizing the legal framework,
- **Strategic objective 3:** providing better access to information related to law and court,
- **Strategic objective 4:** improving the quality of case processes and other relevant procedures,
- **Strategic objective 5:** strengthening the judicial services including the judiciary and services of prosecutor offices,
- **Strategic objective 6:** including the Alternative Dispute Resolution mechanism,
- **Strategic objective 7:** strengthening the legal and judicial institutions so that they can successfully complete their mandates,

Based on the strong foundation of the first mandate for the implementation pursuant to the action plan implementation of the Legal and Judicial Reform strategies of the Royal Government, which is an important component among the four key components of good governance and also the core of Rectangular Strategy of the Royal Government of the third legislature of the Royal Government, the Council for Legal and Judicial Reform has actively carried out its missions and duties for the second step, semester 2, 2007 with remarkable achievements in accordance with the action plan as specified in the followings:

I. Communicating and Coordinating Action to Implement the action plan for the implementation of the Legal and Judicial Reform strategies

Pursuant to the Royal Decree on the establishment of Council for Legal and Judicial Reform No. 0602/158 dated June 19, 2002, the Council for Legal and Judicial Reform (CLJR) having Permanent Coordinating Body (PCB) as its staff with the roles to coordinate the functioning of the Council with state institutions and other relevant international institutions with the assistance from the Project Management Unit (PMU), is the initiator in developing concepts, strategic visions and perspectives, and action plans for the implementation of Legal and Judicial Reform strategies.

The Permanent Coordinating Body (PCB) and the Project Management Unit (PMU) organized meetings and workshops to promote the action plan for the implementation of Legal and Judicial Reform strategies that were adopted by the Council of Ministers during a plenary session on April 29, 2005. The meetings and workshops were in the following cities and provinces:

- Stung Treng province on June 27, 2007 (joined by Rattanakiri province)
- Svay Rieng province on July 06, 2007 (joined by Prey Veng province)
- Banteay Meanchey province on July 17, 2007 (joined by Odor Meanchey province)
- Kompong Thom province on July 27, 2007 (joined by Preah Vihear province)
- Pursat province on September 14, 2007 (joined by Kompong Chhnang province)
- Kompong Cham on September 27, 2007
- Mondulkiri province on November 15, 2007

- The Action plan for the implementation of Legal and Judicial Reform strategies is also included in the Governance Action Plan 2 (2005-2008) and the National Strategic Development Plan (2006-2010) as well.
- Continue the good collaboration with delegates and Legal and Judicial Reform Working Group led by Sum Manit, chairman of PCB, in engaging directly with key ministries and institutions to identify the relevant works and obligations of the ministries whose works have relations with the Council for Legal and Judicial Reform, such as the Ministry of Education Youth and Sport, the Ministry of Interior, the Ministry of Commerce, the Ministry of Justice, and the Supreme Courts by requesting those ministries or institutions to create a Legal and Judicial Reform Working Group for each ministry and requesting those ministries and relevant institutions to report on the performance of action plan for the implementation of the Legal and Judicial Reform Strategies.

Continue direct collaboration with the following ministries, institutions, working groups in each ministry, and each key institution that plays an important role for the implementation of the Legal and Judicial Reform Plan:

- Ministry of Education Youth and Sport (introductory letter No. 282 dated January 18, 2006)
- Ministry of Justice (decision No. 201 dated February 14, 2006)
- Ministry of Interior (decision No. 927 dated April 29, 2006)
- Ministry of Commerce (appointment letter No. 927/MOC/SM 2006 dated on April 29, 2006)
- Supreme Court (decision No. 223/06 dated July 06, 2006)
- Besides those key ministries and institutions, other ministries and state secretariats are also requested to provide reports on the implementation of legislative obligations that is specifically related to the second strategic objective of the action plan for the implementation of Legal and Judicial Reform Strategies.
- Continue seeking for community development partners and donors for both technical and financial supports for project implementation that has yet to be implemented and raise continued objectives for the projects that are being implemented so that donor communities will continue to support.

- In addition, in order to facilitate the works in which donor communities engage and the works that strengthen the connection in seeking for development partners, the PMU of the Council for Legal and Judicial Reform creates a Project Catalogue containing 44 projects in total of the projects being implemented and new projects.
- Continue to cooperate with DIHR development partner to strengthen the PMU capacity, manage Sector Manual, and manage Indicator System etc.
- Cooperate with Scoping Mission Group of AusAid to organize strategic framework of CCJAP for 2007-2012 that includes projects in strengthening the capacity of PMU of the Council for Legal and Judicial Reform and participate in the process of choosing the company to implement this plan as well. Similarly, we also discuss with DANIDA and CIDA regarding the framework for the next aids.
- Continue to cooperate with UNDP to monitor and facilitate the implementation at national level on rights of Access to Justice in Cambodia. This document was signed on April 07, 2006 by His Excellency Sok Ann, Deputy Prime Minister, Minister of Council of Minister and co-chairman of Council for Legal and Judicial Reform, acting as the Representative of the Royal Government.
- The four activities of the project are:
 1. Fundamental Rights program at community level (implemented by the PMU of the Council for Legal and Judicial Reform)
 2. Improvement of the sustainability of Official gazette and Legal database (implemented by the General Department of Official Gazette of the Council of Ministers)
 3. Issuing and publishing court judgments (implemented by the Supreme court)
 4. Study on Alternative Dispute Resolution and Action Plan (implemented by the Ministry of Justice and Ministry of Interior)

In order to implement the four projects, the Council for Legal and Judicial Reform and UNDP establish the following structures:

- ~ based on the decision No. 060/06 dated June 12, 2006, an Executive Committee for Access to Justice project in Cambodia was established,

- ~ based on the decision No. 068/06 dated June 27, 2006, Project Groups on the Promotion of Fundamental Rights at community level were established,
- ~ based on the decision No. 55 dated June 30, 2006, Project Groups to improve the Official Gazette were established,
- ~ based on the decision No. 223/06 dated July 06, 2006, Project Groups for the compilation and the publication of the decision of the Supreme court and final extracts of court judgments were established,

The outcomes of the implementation of the four projects are included in each strategic objective of the seven strategic objectives.

The Technical Working Group for Legal and Judicial Reform monitors and evaluates the Joint-Monitoring Indicator (JMI) every two months and provides good responses to the needs of Government-Development Coordinating Committee (GDCC). The PMU of the Council for Legal and Judicial Reform shall serve as the secretariat of the Technical Working Group for Legal and Judicial Reform. Four sub-groups were established to facilitate and strengthen the work effectiveness of TWG/LJR with the assistance from chairmen and deputy chairmen of the five projects of PMU (as members) who are responsible for coordination. The Coordination with donor communities, showing the progress and keeping up with the time frame set for the implementation of the project are the activities that TWG/LJR is trying to do and, as a result, the TWG/LJR produces good results.

II. Results of the implementation of the Legal and Judicial Reform Action Plan

a. Results in responding to challenges

In a plenary session on April 29, 2005 of the Council of Ministers, the Royal Government of Cambodia continues to give approval on measures dealing with two current issues: corruption prevention in courts and the backlog of court cases.

Corruption Prevention in Courts

In accordance with the Iron Fist Strategy of Prime Minister Hun Sen,

- ~ The Supreme Council of Magistracy appoints, promotes, and removes judges and prosecutors using appropriate procedures. And among the 225 of judges and prosecutors, 104 are punished.
- ~ The Royal Government requests the Ministry of Economy and Finance to allocate budget for the investigation of the cases.

- ~ The salary of Judges and Prosecutors is increased to at least US\$300 per month.
- ~ Strengthen the audit mechanism/authority of Supreme Council of Magistracy and the Ministry of Justice.

Resolution for the backlog of cases in courts

- ~ Provide additional courtrooms to Phnom Penh Municipal Court and deal with inadequate courthouses in provinces based on actual result.
- ~ Strengthen the duties to provide enough lawyers according to the needs of municipal and provincial courts.
- ~ Deal with issues of the accused person transportation that need to appear in court hearing.
- ~ Deal with old cases that have not been heard/processed.
- ~ Dealt with the transfer of subpoenaed persons.

Under the management of His Excellency Chiv Keng, Phnom Penh municipal court president, the backlog of unprocessed cases is solved.

- Having good cooperation with prisons, Phnom Penh municipal court solved the transportation issue of the accused person to attend the evening hearing.
- Regarding the transfer of subpoenaed persons, Phnom Penh municipal court has requested for one police officer from Phnom Penh National Police to be responsible for the transfer of subpoenaed persons in Phnom Penh municipal court directly.

b. Important results based on strategic objectives

The seven strategic objectives identified priorities action plan according to each of the following strategies whose performance is being monitored by the PMU:

- **Strategic objective 1:**

The Strategic Objective 1 for the protection of individual freedom aims at improving the freedom of individuals and ensuring smooth implementation. The activities that have been carried out to fulfill the objectives include the improvement of human rights understanding through trainings at local level, at school (primary, secondary, and university levels) and at vocational training schools. It also aims at adopting relevant laws such as the Law on the Prevention of Domestic Violence and the Protection of Victims,

law on NGOs, and law on Rights to information/Press and the establishment of the institutions to protect individual freedom including institutions for ownership registration and institutions for filing complaints.

Actual Results:

- The PMU is implementing the project for the improvement of the understanding of fundamental rights at community level and enterprise institution funded by UNDP. The accomplishments are:
 - preparing database for human rights training
 - Experts chosen for the preparation of database for human rights training are developing the website (in both Khmer and English). The Website development shall be completed and approved in early December 2007.
- The Ministry of Education, Youth and Sport has included human rights and moral/civic education into the curriculum for Primary, Secondary, and University levels.
- The Inter-ministerial Working Group is focusing on reviewing the draft law on NGOs.
- Implementing the law on the Rights to information/Press that is being currently enforced.
- The Law on the Prevention of Domestic Violence and the Protection of Victims was promulgated on November 24, 2005. The Ministry of Women's Affairs is promoting this law under the support from GTZ.
- Implement the model project for crime prevention at community level and provincial level funded by AusAid.

• **Strategic objective 2:**

The Strategic Objective 2 is the modernization of legal framework aiming at ensuring that the law and legal framework making process is modernized in order to serve the purpose of developing the rule of law based on the hierarchy of laws and regulations.

The efforts of this objective are to organize the legal framework for the entire justice sector including the law on the establishment of other relevant institutions required by the constitution.

These works have been implemented with positive results although much time is needed the drafts laws that have been made are implemented according to the participatory procedures with sustainability.

Actual Results:

- promulgated the Code of Civil Procedures on July 06, 2006
- the draft of Civil Code adopted by National Assembly on _____
- promulgated the Code of Criminal Procedures on July 10, 2007
- the draft Criminal Code is being reviewed by the council of jurists
- the draft organic law on the Organization and the Functioning of the Court was submitted to the Supreme Council of Magistracy on March 07, 2007
- the draft law on the Statute of Judges and Prosecutors was submitted to the Council of Jurists on late September 2007 and is currently being reviewed
- Based on the approval from the Council for Legal and Judicial Reform, His Excellency Sum Manit, chairman of the PCB of the Council for Legal and Judicial Reform made a request to French counterpart asking for support for the draft of the two codes, the Administrative Code and the Code of Administrative Procedures. Through the French Ambassador to Cambodia, the French counterpart has already made a request to the French government/authority. We expect the French will assist the drafts of the two codes.
- The Ministry of Justice is preparing the draft Statute of Court Clerks
- The draft law on Terrorism was submitted to the National Assembly in 2006
- The Secretary General of the Royal Government and the Council of Jurists have not received the amendment of law on the Organization and the Functioning of the Supreme Council of Magistracy.
- The Ministry of Interior has already prepared the first draft law on the Management of Municipality and Provinces.
- The draft anti-corruption law was prepared already but shall wait until the Criminal Code and Code of Criminal Procedures are adopted first. Although the anti-corruption law has not been adopted, the anti-corruption measures are in place and being strictly implemented by the anti-corruption unit of the

Office of Council of Ministers, pursuant to sub-decree No. 84 dated August 22, 2006, which has been taking many measures to fight corruption. Those measures are:

- Punish 7 officers that violates the Forestry law; 4 officers have been removed from positions and 3 officers were suspended.
 - 2 officers were sentenced to imprisonment for violating private immovable property.
 - 1 officer was convicted for corruption, complicity in the abuse of state land and forest, and counterfeit
 - 1 officer was convicted for destroying natural resources and environment (according to article 22 of law on Environmental Protection and Natural Resources Management) and forestry offense (according to article 101 of law on Forestry)
 - 1 high-ranking officer (from Ministry of Rural Development) was convicted for embezzlement of national budget (according to article 37 of the Interim Penal Code).
 - 11 officers were convicted for illegal logging at the Dragon Tail region in Ratanakiri province (according to article 38 of the Interim Penal Code).
 - Circulars on the guidelines for law making were reviewed already and were submitted to the Council of Ministers for approval.
 - Ministries that are relevant to Assembly and Auditing are studying the policies and relevant laws on the Rights to information/Press.
- **Strategic objective 3:**

The Strategic Objective 3 aims at improving access to information/press especially the law and justice focusing on improving better public understanding of law and justice. The Intervention activities in this section are the increasing of publication of laws and extracts of final court judgments making sure that those documents are available to people who need them.

Regarding the work related to Official Gazette, the Office of the Council of Ministers has organized its structure as the Official Gazette General Secretariat to strengthen and increase the capacity of publication and is currently implementing a

UNDP-funded project, the Access to Justice Project under the support of UNDP and the French Cooperation.

Actual Results:

- The preparation of trilingual legal terminology glossary is in progress.
 - The publication of Official Gazettes and legal database is being done regularly.
 - During a Council meeting on August 16, 2006, the agreement was made that the compilation and the publication of decisions from the Supreme Court and extracts of final judgment from the Municipal and Provincial courts shall be the responsibilities of the General Secretariat and the works is in progress. However, the Council meeting on June 06, 2007 welcomed the Supreme Council of Magistracy in taking the responsibility to publish the extracts of the final judgment of the Municipal and Provincial courts instead.
 - Regarding the Access to Justice project, under the supports from UNDP and the French Cooperation, the accomplishments are the followings:
 - The draft sub-decree on Legal Information Publication was prepared and translated already; but because of the delay in adopting the process, fund to support the Official Gazette General Secretariat is postponed to 2008.
- **Strategic objective 4:**

The Strategic Objective 4 regarding the quality improvement of case processing and other relevant services aims at ensuring the due process before the administrative institutions and courts and the guarantee of everyone's rights to file complaints. The Interventions in this sector are the provision of legal aid services with good quality and easy access according to the needs of the people including increasing the number of lawyers, lawyer trainings, better implementation of lawyer code of ethics, and the creation of relevant provisions in any procedure code etc.

This works has strong relation with the Cambodian Bar Association. Yet, the Royal Government also bears certain responsibilities. A survey on legal aid was conducted already and the PMU of the Council for Legal and Judicial Reform will cooperate with development partners to implement some action plans arising from survey recommendations. The making of policies and legal provisions on

legal representations and legal aids including the review of law on

Actual Results:

- continue to implement the MOU of the agreement made between the Council for Legal and Judicial Reform and East-West Management Institute on January 25, 2006 on the survey on legal aids conducted in the following cities and provinces:
 - Kratie province on April 03, 2006 (joined by Mondulkiri and Ratanakirri)
 - Siem Reap province on April 10, 2006 (joined by Oddar Meanchey)
 - Phnom Penh city on April 25, 2006 (joined by Kompong Cham and Svay Rieng)
 - Battambang province on April 29, 2006 (joined by Banteay Meanchey and Pursat)
 - Sihanoukville on may 19, 2006 (joined by Kampot province, Kep city, and Koh Kong province)

The last report of the survey on this legal aid was prepared already and is being reviewed for the development of the action plan for ways forward.

- Being implementws ia the legal aid projects for poor people (Avocat sans Frontière is supporting the bar association and EWMI is planning to support this sector)
 - The Lawyer training center is in good progress
 - The Bar association functions regularly and has units to provide legal aids to poor people with supports from the government budget that is equal to 200 million riel per year.
 - On March 10, 2006, the Bar association conducted a workshop to review the law on the Bar.
- **Strategic objective 5:**

The Strategic Objective 5 strengthens the justice services, including the courts and prosecutors' office. The output of this objective is to ensure that there is an independent court with better functions.

The activities in this objective are the making of relevant laws that have been seen already in the strategic objective 2, strengthening the code of ethics of judges, prosecutors, and other court officers, training on case management, proper use of equipments, organization of specialized courts, and the establishment of institutions to enforce court judgments.

Actual Results:

- The Supreme Council of Magistracy is ensuring that there is transparency in the appointment, the promotion, the increment of salary, and the punishment of judges and prosecutors who have make mistakes.
- The Supreme Council of Magistracy adopted the code of ethics of judges and prosecutors on February 05, 2007 and the Ministry of Justice is currently preparing the draft of other court officers' code of ethics.
- Being implemented is the Model Court Expanding project for three provinces: Phnom Penh Municipal court, Kompong Cham court, and Banteay Meanchey court, besides the Kandal court. To implement this project, the Council for Legal and Judicial Reform applies the following mechanisms:
 - Decision on the creation of Senior Works for Model Court was based on the decision No. 073/07 dated July 30, 2007, and the decision on the composition of Model Court Technical Working Group was created on the basis of the decision No. 083/07 dated August 14, 2007 to review and decide on policy framework, guidelines, criteria, standard, and action plan for the implementation of the model court project.
 - Being prepared are the guidelines for case management, court management, and court administration according to the policy framework, criteria, and standard to integrate into model court action plan. This model court project is supported by AUSAID, DANIDA, and DIHR.
 - The legislative approved the budget for the Ministry of Justice to build three provincial courts: Kratie province (80% completed), Banteay Meanchey province (85% completed), Kompong Thom province (85% completed), and one courtroom in Battambang province.

- Facilitated the Ministry of Commerce and Ministry of Justice regarding the measures to create commercial court according to the decision from the meeting of Council for Legal and Judicial Reform from August 16 to August 30 and on September 14, 2006 to review the report of the outcome on the performance of action plan for the implementation of Legal and Judicial Reform strategy in Semester 1, 2006 that decided to create: the commercial court that is equal to the court of first instance (Provincial and Municipal), the chambers dealing with commercial disputes in the Court of Appeal, and the chambers dealing with commercial disputes in the Supreme Court. The meeting of Council for Legal and Judicial Reform on June 06, 2007 decided that the Royal Academy for Judicial Profession shall choose 12 judges from its judicial profession to be trained to become commercial judges; because based on the statistic, many commercial disputes are brought into Phnom Penh municipal court.
- Under the support from UNDP and ADB, the Ministry of Commerce is studying the details of establishment of this commercial court.
- The Royal Academy for Judicial Profession is progressing very well and is creating schools for notary and bailiff training according to the decision from the meeting between the Council for Legal and Judicial Reform and Justice System on July 06, 2007 that gave approval to initiate the training for a period of 6 months to 1 year.
- Regarding the issue of lacking of judges and prosecutors, according to the Civil Code and the new Code of Civil Procedures, when the claim is more 5 millions riel, the case shall be decided by three judges. In fact, 5 provincial courts have only 2 judges and Phnom Penh municipal court has only 12 judges but the need is up to 45 judges or otherwise each judge would have to decide on approximately 1000 cases each year. Normally, at maximum, each judge can decide on 200 cases per year (according to the report from Phnom Penh municipal court). To deal with the issue regarding the lack of judges, the Council for Legal and Judicial Reform, in a meeting on June 06, 2007, decided that the Royal Academy for Judicial Profession shall train as many judges as possible according to the capacity of the school. Nowadays, the Royal School of Administration receives supports from Japan to build a three-storey building so that the Royal Academy for Judicial Profession can use some of the rooms.

- The principles of code of ethics for judges are integrated into the curriculum in schools for judges and lawyers.
- To appoint bailiffs for the enforcement of court judgment, the meeting of the Council for Legal and Judicial Reform, on June 06, 2007, agreed to use royal decrees or sub-decrees instead of law on bailiff, before the law on bailiff is drafted and adopted.

- **Strategic objective 6:**

The Strategic Objective 6, regarding the integration of Alternative Dispute Resolution, aims at lightening the burden of the court and help dealing with commercial disputes and small disputed at community level.

Actual Results:

- The Law on Commercial Arbitration was adopted and was promulgated on May 05, 2006 and is currently being enforced. The Ministry of Commerce is establishing the Commercial Arbitration Center.
- Implementing the recommendations of the survey on the Alternative Dispute Resolution mechanism, including the implementation of the pilot project on the capacity to create mechanism, the Commune Dispute Resolution Committee, to deal with small disputes at local level and to implement the project to create model office, the **Maison de la Justice**, to provide legal services, and dispute mediation, at the district level etc.
- Established Justice Service Centre, the Maison, at the district level to conduct a pilot test in Korng Pisey district and Phnom Srouch district, Kompong Speu province and Teuk Phos district and Kompong Laeng district, Kompong Chhnang province according to the inter-ministerial Prakas No. 84 dated December 20, 2006 on the establishment of Justice Service Centre at district level for pilot project.

This project is implemented by the Ministry of Justice and the Ministry of Interior and is supported by UNDP.

- **Strategic objective 7:**

The Strategic Objective 7 aims at ensuring that the institutions of the entire justice sector complete their mandates. The activities in this objective focus specifically on the capacity building of civil servants and on providing useful means for planning, budget allocating, monitoring and evaluating, and making reports ensuring

responsibilities and effectiveness in work performance so that good outcome can be achieved.

The performance outcome of the Strategic Objective 7 has strong connections with the implementation of various activities in Strategic Objective 6. The significant activities in Strategic Objective 7 are guiding and training on Planning and Auditing sector. The PMU of the Council for Legal and Judicial Reform is cooperating with DIHR and in the up-coming year with AusAid and DANIDA to move forward this sector.

Another work that the Council for Legal and Judicial Reform shall lead is the study on the arrangement of expense framework for medium term, and priority activities of legal and judicial sector that are the primary means to fasten the Legal and Judicial Reform program such as in Education sector, Health sector, Agricultural sector, and Rural Development sector.

Actual Results:

- developing the project to create a system for monitoring and evaluation on the Legal and Judicial sector to measure the performance of action plan so that three indicators will be achieved: indicator for monitoring and evaluation of the performance of Legal and Judicial Reform action plans and indicators for monitoring and evaluation on Legal and Judicial Reform outcome especially the survey on the impacts on the reform of the entire nation. Based on the decision No. 097/07 dated September 27, 2007, the Council for Legal and Judicial Reform created a High-Level Working Group for Indicator System and Legal and Judicial Reform Monitoring and Evaluation; and based on the decision No. _____ dated _____, 2007, created the Technical Working Group Composition for Indicator System and Legal and Judicial Reform Monitoring and Evaluation to monitor, evaluate and give approval for the implementation of policies and action plans to identify the indicators and to develop work plans for the implementation of Indicator System project submitted by the Technical Working Group.
- With the support from DIHR, a guide for legal and judicial sector for budgeting, planning, and monitoring and evaluation on the expense by cooperating with Ministry of Economic and Finance is being prepared.
- With the support from AusAid, the Prison Department organized the action plan for prison.

III. Conclusion

In the second step of the Legal and Judicial Reform process, the PCB and PMU of the Council for Legal and Judicial Reform noticed that most of the 97 priority activities mentioned in the action plan that have been adopted by the Royal Government on April 29, 2005 have been implemented. This shows that the Royal Government has strong will in carrying out the Legal and Judicial Reform conforming to what have been mentioned in the political platform and the Rectangular Strategy of the Royal Government's Governance Action Plan 2 (2005-2008), and National Strategic Development Plan (2006-2010).

What should be appreciated is the efforts of the Royal Government ministries and institutions in implementing some priority activities such as publishing the Official Gazettes and the data of legal information, publishing judgments of the Supreme court and the extracts of Municipal and Provincial final court judgments, supporting the Bar by providing equipments, stationary, financial supports for legal aid works for poor people who cannot afford to hire lawyer(s) to represent their cases in court, the supports for national committee in the preparation of the trilingual legal glossary, and the supports for institutions that are relevant to better functions of Legal and Judicial Reform.

Another positive reaction is the change in attitude of donor community toward the activities of the Royal Government related to the performance of Legal and Judicial Reform. Some countries and international organizations have taken another new measure to move gradually toward providing direct supports to the Royal Government; for example, AusAid and DANIDA through CCJAP, UNDP through Access to Justice Project, USAID through EWMI, JICA, and the French Cooperation are cooperating directly with the Ministry of Justice, the Royal Academy for Judicial Profession, the Bar, and the Lawyer Training Center.

Besides these positive reactions, we face some challenges as well. The two main challenges are human resource and budget. However, the Royal Government has never ignored these issues. Efforts are made to respond to the needs, such as the improvement of the management and performance capacities with effectiveness and high responsibilities, efforts to communicate, facilitate, and find additional financial and technical supports to help promote the performance in every aspect. The PCB and PMU of the Council for Legal and Judicial Reform have prepared the ways forward as the followings:

IV. Ways Forward

In order to make the objectives conform to the National Development Strategy and the Royal Government Policies, the PCB and PMU of the Council for Legal and Judicial Reform will promote the followings:

- Law-making procedures
- Project performance to increase the understanding of individual rights and freedom at local community level
- The opening of offices for Ombudsman
- The adoption of laws submitted to the National Assembly
- The strengthening of legal aid for poor people
- The establishment of specialized courts/specialized chambers according to the needs (commercial court, administrative court, and juvenile court etc.)
- The development of projects to expand additional model courts to other courts besides the court in Kandal province
- Provide equipments and buildings to courts
- The development of code of ethics for other court officers
- Capacity building of civil servants in ministries and institutions that are relevant to legal and judicial sectors

The PMU will strengthen its capacity to perform its function as the secretariat of the Technical Working Group subordinating the Legal and Judicial Reform through the followings:

- finalize the guide for legal and judicial sector
- produce Project Catalogue
- organize Indicator System to monitor the entire legal and judicial sector to measure the progress of the performance of action plans
- continue to cooperate with DIHR to strengthen the capacity to manage and to implement the action plans of its Legal and Judicial Reform
- prepare to cooperate with development partners especially with AusAid through CCJAP III and DANIDA
- continue to announce, communicate, and facilitate to seek for supports from development partners to promote the performance of the Legal and Judicial Reform activities that are still remaining,

Phnom Penh, , 2007

Permanent Coordinating Body

Chairman

Sum Manit