

CAMBODIA CRIMINAL JUSTICE ASSISTANCE PROJECT PHASE III

Annual Performance
Report: February to
December 2007

GLOBAL JUSTICE SOLUTIONS (ASIA) PTY LTD

March 2008



Australian Government
AusAID

CONTENTS

Executive Summary	4
Component 1.....	4
Component 2.....	5
Component 3.....	6
Component 4.....	7
Component 5.....	8
Component 6.....	9
Introduction	10
Focus and Scope	10
M&E and IMS	11
Project Goal and Purpose	11
Project Goal.....	12
Project Purpose	12
Project Alignment & Integration	12
Component 1 - Legal and Judicial Reform Strategy support	13
Component 1 Objective:.....	13
Progress Indicators at Component level:	13
Summary.....	13
Ethics and Governance (Anti-Corruption)	14
Capital Works	15
Component 2 – Crime Prevention and Community Safety	15
Component 2 Objective:.....	15
Performance Indicators at Component level:	15
Summary.....	16
Component 3 – Cambodia National Police	17
Component 3 Objective:.....	17

Performance Indicators at Component level:	17
Summary.....	18
Component 4 – MOJ and Courts	19
Component 4 Objective:.....	19
Performance Indicators at Component level:	19
Summary.....	20
Component 5 – Corrections	21
Component 5 Objective:.....	21
Performance Indicators at Component level:	21
Summary.....	22
Component 6 – Project Management	25
Component 6 OBJECTIVES:	25
Performance Indicators at Component level:	25
Summary.....	25
Monitoring & Evaluation.....	26
Gender & Vulnerable Groups	26
Donor Coordination, Sustainability & Government Ownership	27
Conclusion	28

APPENDICES

A	Output Delivery Report
B	Baseline Data File
C	Flexible Support Fund – Financial Summary
D	Updated Risk Matrix

EXECUTIVE SUMMARY

This is the first Annual Performance Report (APR) for the Cambodia Criminal Justice Assistance Project Phase III (CCJAP) and it details project progress from February to December 2007.

In preparing this report it is important to reflect on the RGoC and GoA strategy for this Phase of assistance. It was agreed that Phase III of CCJAP would actively promote donor coordination and harmonisation, take an integrated approach to law and justice, work collaboratively with Australian whole of government partners and formulate clear strategies for addressing corruption.

It would also focus on issues impacting on juvenile justice and the needs of other vulnerable groups such as women and children and promote the key principles of the aid effectiveness agenda, including working within the scope of RGoC priorities and using local systems to plan for and (wherever possible) deliver donor supported activities

To achieve this it has been necessary to taper off Phase II approaches and change attitudes and mindsets of all stakeholders to foster an understanding of what justice integration means within the context of Cambodia. This understanding will crystallise as the Project progresses.

The handover between CCJAP II and CCJAP III was smooth and timely. Some implementing activities were a little slow to commence and they are considered in the body of the report. However, overall most component outputs and activities were completed in accordance with the Annual Plan 2007/2008.

During inception (February to June 2007) preparation activities were undertaken which included: mobilisation of long-term advisors and project officers; establishment of the National Management Board; guidelines for the Flexible Support Fund; the development of the monitoring and evaluation framework; an updated risk management plan, project guidelines and procedures; and, other activities detailed with the inception/mobilisation plan.

Implementing activities commenced about a month late because of a delay in obtaining budget approval for the 2007/2008 Annual Plan.

Component 1

CCJAP has improved the capacity of the PMU to perform its roles as: secretariat for the Council for Legal & Judicial Reform; and, a development, coordination and management function in implementing the LIRS. Engagement with the PMU continues to be good with counterparts having a clear view of CCJAPs implementing activities and alignment with the LIRS. CCJAP is providing technical assistance that supports the ability of the PMU to undertake these functions.

The support provided to the Technical Working Groups and the Sub-Groups has seen an improvement in interagency cooperation and coordination, problem-solving and issues management.

Within the mandate of this project and of this Component, CCJAP will continue to implement activities that enhance sector, agency and project integration such as the; Indicator Monitoring System, the Sector Planning Manual and the Police-Courts-Prisons meetings (which will be undertaken within Component 4).

Working at the National level, this component seeks to strengthen opportunity for sustainability of practice and reforms in accordance with the LJRS. Our approach in working and integrating activities across all components, underpinned by key project cross-cutting themes, will enable implementing activities to demonstrate viability and integrity in practice so that National systems and structures may be influenced to enhance opportunity for sustainability.

The Capital Works Program has commenced with further longer-term inputs planned for early 2008. Now that capital works projects have been identified, they will be prioritised and capital works activities implemented in early 2008.

The RGOC has delayed planned implementing activities of the original Anti-Corruption Strategy for sensitive and political reasons, citing: the timeliness of upcoming Elections; the pending anti-corruption legislation (which is still to be passed); and, the fact that the original strategy was that of 'Ethics and Standards', not 'Anti-Corruption'. As a result of dialogue with the Chair of the NMB, the Anti-Corruption Strategy has been revised to that of an 'Interim Ethics and Governance Strategy' working with institutions and within the D&D Framework. The RGOC has undertaken to revise their position after the elections and the passing of the Anti-Corruption Legislation, and when implemented, request that it be undertaken through the Anti-Corruption Unit, reporting to the Council of Ministers.

Component 2

A critical sustainability strategy for this component (and other integrated component activities) is our focus to integrate CPCS activities into the National D&D Framework. Strong key counterpart support is needed to make this happen quickly so that further implementing activities (including those within the Provincial Expansion Strategy) may be enabled and supported by National policy to provide best opportunity for sustainability.

Since the commencement of CCJAP III new CPCS initiatives were collaboratively identified and developed and funded by an approved FSF application. This was done as part of the transitional arrangements under the previously established separate CPCS committees in order to maintain momentum for CPCS. Awareness raising sessions about CPCS were provided to Provincial and District D&D facilitators through a series of workshops conducted by trained local facilitators. This resulted in the inclusion of CPCS activities in each Communes annual Commune Investment Plan, and the inclusion of CPCS activities in the Provincial District Priority Activity Matrix for 2008. CCJAP attended District Integration Workshops and signed temporary agreements with 42 Communes in 4 districts to support the development and implementation of 65 CPCS related activities in Kandal province in 2008. This consists of 46 activities under the Security sector and 19 under the Gender sector.

An audit of the FSF is planned for April 2008. The purpose is to ensure that the financial management of the FSF is accountable and transparent and that acquittal procedures: from CCJAP to the recipient (e.g. from CCJAP to Kandal D&D Committee); and, from the recipient to community beneficiaries (e.g. Kandal Province D&D Committee and District D&D Committees to community members). The transitional CPCS activities utilised financial management systems established under phase II, however the activities to be funded in 2008 will be subject to a Memorandum of Agreement between CCJAP and the Provincial Rural Development Committee and will be in compliance with the established financial management systems as promulgated by the National Committee for Support to Communes/Sangkats. This will be also considered in the further refinement of the FSF guidelines.

A risk with this component is that it will become the modality to implement activities that are not within component scope, particularly with respect to provincial expansion plans. It is important to reflect that project staff working on (component) implementing activities are already working at full capacity and they should not stretched to the point where they become ineffective.

Component 3

The Commissioner General has strongly endorsed the Strategic Planning process which is reflected by the attendance of over 50 senior police officers at several CCJAP development workshops. The CNP has developed the Vision / Mission / Values of its draft strategic plan and our implementing activities will continue to assist in completing and socialising the draft Strategic Plan by the completion of this Annual Work Plan.

The Forensic Activities are now continuing, with 2 x 30-day inputs completed to date (and another 60 days planned for this AWP). Our Forensics Advisor and Sexual Assault Medical Specialist worked with key counterparts and agencies to help: build the capacity of the CNP forensics pool of experts; and, the sexual violence program.

The objective of the sexual violence program is to build institutional support for victim management (including the management of sexual assault survivors), that improve access to justice. We have engaged with the Ministry of Health, the Ministry of Justice and a number of NGO's who see our approach as the only 'whole of justice' approach in Cambodia. Most other government and NGO's are concentrating on either strictly health or legal support for sexual assault survivors where our program addresses all facets of survivor management and ensures that they have equitable and fair access to justice. This is a key sector and project integration activity that has the potential to be expanded, strengthened and sustained.

The CNP forensics pool of experts also requires further capacity development. Specialist and other equipment has been purchased and allocated concurrently with the roll-out of a comprehensive training program.

This component requires more support and focus by way of technical assistance to: implement specialist training regimes (for forensics experts and medical specialists); implement policy and systems changes across the sector for managing vulnerable victims (police, courts and health); develop reciprocal reporting standards and protocols with key stakeholder agencies (for vulnerable people); identify and build the

strategic/executive development and planning capacity of key counterparts within the CNP; build the capacity of counterparts within the health profession; and, to review and support the drafting of relevant legislation that support this initiative and for the CNP generally.

It is a key integration and sustainability strategy that is reinforced by additional resources approved in the January 2008 NMB (for additional inputs for the Strategic Planning Consultant, Forensics Adviser and Medical Specialist) and subject of planning and longer – term consideration (over the project life-cycle) in the development of the 2008/2009 Annual Plan.

Component 4

Key activities centre on the development of a separate Juvenile Register for the Courts. Judges have been cautious in their approach towards the necessity of a separate juvenile register because this has not previously occurred within the Cambodian courts system. A draft of the register was developed and circulated to the Kandal Court, key stakeholders and the MOJ for discussion. The President of Kandal Court has commenced trial of the Register.

A central court register is also under development to combine the existing nine registers currently in use by the courts at Kandal.

The Court Procedures Handbook is now widely used and referred to many agencies within then legal and Judicial Sector. The review of the handbook is now being undertaken by a committee comprised of officers from within the Ministry of Justice and Judges, with support from CCAP.

Work in this component will also be focussed at developing a broader understanding of the model court concept. Clearer articulation should be detailed about the integrated elements of the model court concept. Whilst this is the prime responsibility of our implementing partner, DIHR, within Component 1 (because of its alignment with the LJRS and the role the PMU undertake in this concept), CCJAP will provide support to ensure that implementing activities strengthen these elements and the concept and report on the progress/achievements of such activities. This is a key integration and sustainability strategy and will be measured as such in future performance reviews.

A resourcing implication to the range of activities in this component is the expanding workload of project staff. Implementing activities such as: the development of a juvenile register; the development of a single general courts register; the development of registrar protocols, processes, systems, documentation to complement penal code changes; the refinement of the Courts Handbook; and, the development and establishment of basic case management systems (including integrated case management of the police, courts and prisons) is a significantly heavy work load that may need further technical support. Whilst this was highlighted in the CCJAG report, CCJAP will first try to coordinate support from and work with identified Donors to meet these technical challenges.

Our focus to gender-based activities in this component is detailed in Component 6.

Component 5

This component continues with the good work commenced by the previous phases. Prison counterparts are very active and supportive of implementing activities and demonstrate support to both prisons and NGO/civil society capacity development.

Existing laws, decrees, sub-decrees, policies and relevant international prison laws have been collected. Drafting of themes to be included in the prison law has been completed and provided to General Dept of Prisons for consideration and comment.

A draft Policy Framework for Prison Reform has been completed. This is linked to the development of prison legislation as it will enable proposals for further reform.

Assistance is being provided with developing a draft 5-year Gender Strategy that includes annual targets. The Strategy outlines the training program, membership of the Gender Action Group and a plan for the regional training program.

Assistance has also been provided in developing the duty statements for the Departments of Means, Corrections and Operations. Further assistance has also been provided with developing the duty statement of the Office of Inspection within the Department of Operations. This activity will strengthen governance and accountability within the Prison system and is a key focus to planned ethics and governance activities in accordance with the revised Anti-Corruption Strategy, now called the Ethics and Governance Strategy¹.

Assessment of 8 prison clinics has been undertaken. These are Kompong Chhnang, Pursat, Battambang, Banteay Meanchay, Siem Reap, Kompong Thom, Kompong Cham and CC3. In conjunction with the Capital Works assessment, these health clinics have been assessed for potential upgrading to meet the standards of prison health posts.

2 training programs of MPA (Minimum Package Activities) module 6 training have been delivered by the Technical School for Medical Care. This training will support the establishment of health posts in prisons and supports MOH to achieve its health coverage plan which aims to have provision of all health services managed through the MOH. These activities build institutional capacity development to support vulnerable people and those suffering from HIV/AIDS.

A key risk factor identified in this component is one of overcrowding of prisons, which is growing at a significant rate. This key risk factor may only be appropriately addressed by the whole of the justice sector (and within all project components) whereby strategies and implementing activities are undertaken that focus on establishing alternative sentencing regimes, court diversion programs, vocation and rehabilitation services and early release programs.

It is through an integration and sustainability strategy of this nature that both prison overcrowding and recidivism may be reduced. It will require the full cooperation of the PMU, police, courts and prisons that this strategy may be implemented.

¹ Explained in Component 6

Component 6

The CCJAP III Mobilisation Plan was implemented in accordance planned deliverables and timelines. The transition from phases II to III was smooth as was the recruitment and co-location of advisers, project officers and counterparts.

The inaugural National Management Board sat on 27th June 2007 and approved the NMB Policy and Guidelines, the first AP 2007/2008, the FSF Guidelines² and SFD review in accordance with scheduled timelines. A complete Risk Management Plan was also submitted as part of the Annual Plan.

The Project Operations Manual (Procedures) was audited during August and adjustments made to ensure complete compliance to accountable and transparent operational practices.

The project has delivered on almost all of the first six month scheduled outputs contained in the 2007/2008 AP. There has been demonstrable progress arising from implementing activities which continue to strengthen opportunity for sustainable capacity development outcomes in the long-term.

Other project deliverables include:

- The Gender Mainstreaming Strategy has now been drafted and is ready for implementation in 2008.
- The draft Monitoring and Evaluation (M&E) framework and subsequent M&E Plan were developed and implemented. The general principles are considered good by the CCJAG, but improvements can be made to the model. A key issue here is ensuring that M&E systems implemented in key agencies are intended for their purpose, not CCJAP's purposes, and these implementing activities are sustainable in the longer term³.

In summary work is continuing to improve communications and relationships with key counterparts, Donors, the NMB and AusAID.

The Flexible Support Fund (FSF) and its operating guidelines are currently being refined and a communications strategy implemented to explain the intent and purpose of the FSF to key stakeholders and counterparts. This will raise awareness and reduce uncertainty of the FSF's operational guidelines for sourcing support.

Overall the project has performed adequately with some issues that need to be addressed (other than those highlighted)⁴. There are sound working relationships with the majority of key counterparts and stakeholders that can be further developed and leveraged upon to ensure implementation activities are more effective and sustainable in the long-term.

² Currently under review and to be presented to AusAID and the NMB in the 2nd quarter of 2008

³ See Monitoring & Evaluation in Component 6

⁴ As are detailed within the CCJAG report

SECTION 1

INTRODUCTION

FOCUS AND SCOPE

This is the first Annual Performance Report (APR) for the Cambodia Criminal Justice Assistance Project Phase III (CCJAP) and, in accordance with CCJAP's Monitoring and Evaluation framework, it considers and reports on project progress between 1st February and 31st December 2007.

From now on, the project will be operating on a Calendar Financial Year cycle (January to December). The Six Monthly Performance Review (SMPR) will be undertaken mid-year (January to June) and the APR end-of-year performance reporting of project progress (January to December) and its contribution and alignment to the RGoC LJRS at three levels:

- Project and component level (Section 2 of this SMPR);
- Output level (Annex A of this SMPR); and
- Activity level (www.ccjap.org.kh).

This APR will also consider a number of project achievements during mobilisation and inception from January to June 2007 (i.e. establishment of the NMB and development of the FSF Guidelines). It is informed and guided by: established reporting tools and structures undertaken by project personnel; feedback from key counterparts and stakeholders; feedback from AusAID; and, the Criminal Justice Advisory Group's (CCJAG) first mission, which was undertaken in October 2007.

Given that the role of the CCJAG was to: advise on the progress, quality and management arrangements of CCJAP; assess the effectiveness of CCJAP's cooperation and harmonisation with development partners in the criminal justice sector; and, advise on future strategies to strengthen the focus and impact of CCJAP, we have also drawn on the CCJAG First Mission Report to inform and publish this APR.

The APR is an important document for all aspects of project management and a key information source to shape activities and approaches incorporated in successive annual plans. It will also be an important mechanism to inform the annual planning process from 2008 onwards (2008 – 2009 AP).

The APR is to report on project outcomes and impact. However, given that CCJAP III has just commenced, this APR will only report to project Output and Activity achievements to December 2007 and provide an analysis of the work being done by the project (outputs and activities that are aligned to our Annual Work Plan) at the sector, agency, counterpart and community levels. We specifically comment on our collaborative approach to maximising opportunity for sustainability of initiatives and on the extent to which CCJAP is supporting the implementation of the legal and judicial reform strategy.

The focus of this main report also provides a mechanism to assess the extent to which the project is contributing to the strategic objectives of the RGoC, as contained in its National Strategic Development Plan (NSDP). This is directly relevant to the emerging

Indicator Monitoring System (IMS) being developed by the PMU with AusAID and CCJAP assistance. However, given that CCJAP III has only been operating for six months it is more appropriate to report on project outputs, activities and alignment to the LJRS, rather than trying to undertake contribution analysis to measure impact at this early stage.

An important dimension of the CCJAP monitoring and evaluation framework is the establishment of baseline data. This serves two primary purposes: (1) the collation of qualitative and quantitative data that allows the measurement of outcomes between commencement of the project and its completion; and, (2) the collation of data that allows the measurement of outcomes within reporting periods. The establishment of a Baseline Data File has been an ongoing undertaking of the project. Whilst its refinement will continue throughout the project (also as a capacity building activity) the Baseline Data File has now been framed and is being populated with relevant data. It provides a realistic assessment of relevant aspects of the legal and judicial sector at the time of project commencement (and the status as at December 2007). The Baseline Data File is attached as Annex B.

Using Annex B as its foundation, this APR (including Annexes and Activity Status Reports) permit the drilling down of Progress reporting from component to output to activity level. As such it is intended to provide for the diverse performance and progress reporting needs of a wide audience without detracting from the qualitative or quantitative nature of the data at each level.

M&E AND IMS

CCJAPs Monitoring and Evaluation framework will be continually refined and improved in accordance with planned activities and constructive feedback from key stakeholders. It will also be aligned and responsive to the sector LJRS Indicator and Monitoring System (IMS) currently being developed (with support from CCJAP). However, early in the project life-cycle, our M & E capacity will be constrained by sectoral capacity limitations and performance data gaps.

PROJECT GOAL AND PURPOSE

CCJAP is based on a philosophy that primary responsibility for achieving project objectives rests with RGoC, with support provided by Australian funded resources. The primary responsibility of the Project Team is to provide relevant and effective support to counterparts and stakeholders, both government and civil, which helps to build local capacity and skills.

Whilst the project is a joint initiative of the RGoC and GoA, the project works in partnership with the broader community, civil society groups and other donors, through the implementing agencies. The project links directly to key RGoC policy objectives, particularly the RGoC Strategic Development Plan (NSDP) and its Legal and Judicial Reform Strategy (LJRS).

Finally, the Strategic Framework Document (SFD) provides a strategic framework for the delivery of the project, whilst flexibility will be maintained to respond to emerging

needs in a rapidly changing environment, through annual reviews, consultations and flexible annual planning processes.

PROJECT GOAL

The goal of the project, *‘To contribute to a prosperous, safe and secure environment in Cambodia’*, and aligns overall with that of the RGoC Legal and Judicial Reform Strategy and its 7 objectives.

PROJECT PURPOSE

‘To support the RGoC to provide equitable access to justice, with a particular focus on the needs of juveniles and other vulnerable groups’⁵

PROJECT ALIGNMENT & INTEGRATION

The project supports RGoC endeavours to take a holistic, integrated view of the justice system, rather than viewing the individual agencies as separate, loosely related operations. Project benefits are targeted at promoting equitable access to justice sector services, and protection of the basic human rights of those who enter the justice system.

Note: The information on progress and performance at the component level as detailed in the following section is complemented by performance information and analysis at the output level (Annex A) and by information on progress at the activity level (www.ccjap.org.kh).

⁵ CCJAG Report: The projects purpose statement requires further definition to ensure clarity

SECTION 2

COMPONENT 1 - LEGAL AND JUDICIAL REFORM STRATEGY SUPPORT

COMPONENT 1 OBJECTIVE:

- To support the capacity of the RGO to effectively develop, coordinate and monitor the implementation of a sector-wide legal and judicial reform strategy.

PROGRESS INDICATORS AT COMPONENT LEVEL:

- Improved PMU Capacity
- Draft Sector Planning Manual developed
- Establishment of a LIRS Indicator and Monitoring System
- Status of Executive Capacity Development programs and opportunities in Police, Courts and Prisons

SUMMARY

CCJAP has improved the capacity of the PMU to perform its roles as: secretariat for the Council for Legal & Judicial Reform; and, a development, coordination and management function in implementing the LIRS. CCJAP is implementing activities and providing technical assistance that supports the ability of the PMU to undertake these functions.

The support provided to the Technical Working Group and the Sub-Groups has resulted in improvement in interagency cooperation and coordination, problem-solving and issues management⁶.

Executive capacity development is required throughout the sector in the areas of strategy development, planning and financial management including budgeting. Planned activities are being developed to address this need by way of: a human resource capacity assessment to be conducted in February 2008⁷ (with subsequent activities to be considered and implemented from this assessment); and, the development of the Sector Planning Manual⁸.

When completed, the Sector Planning Manual will provide a common planning and budgeting reference point for executives and managers. This will be supported by a training and development strategy for key stakeholders.

The development and implementation of the Sector Indicator & Monitoring System (IMS) will provide an overview as to the progress of the legal and judicial reform strategy across the sector. It will become a catalyst for coordination enabling sharing of data and information between key stakeholders including sector agencies, donors and civil society (where appropriate). Meetings and discussions on the scope and framework to be implemented are ongoing between all key stakeholders.

⁶ Feedback from project personnel, counterparts and Donors

⁷ Component 3: CNP; Output 3.2; Human Resource Capacity Assessment (Police, Courts & Prisons Executives)

⁸ Project Milestone

It is intended that the IMS will inform and support performance reporting for the sector and its agencies (including the Kandal Court). CCJAP will source data and information to also determine the effectiveness of CCJAP implementing activities.

The management and planning technical support that we provide to sector agencies seeks to ensure that they build structures and systems required to provide better opportunity for sustainability. These initiatives will be detailed throughout the report.

CCJAP will need to build on the good relationships developed with key counterparts of the PMU to: identify systemic issues and try to resolve them through capacity building activities; strengthen sector integration; and, support commitment to cross-cutting themes to achieved shared objectives.

Most importantly this component facilitates alignment with the LIRS, promotes Donor coordination at the National level and also ensures sector collaboration between key agencies. Some examples are: the development of the Sector Planning Manual; the development and implementation of the IMS; and, the Model Court Concept.

Ethics and Governance (Anti-Corruption)

As a result of dialogue with the Chair of the NMB, the implementation of the planned Anti-Corruption Strategy has been delayed. The request was made for ‘sensitive and political reasons’, citing the following reasons: the timeliness of upcoming National Elections and the sensitivities in this context; the anti-corruption legislation is still to be passed; the Anti-Corruption Unit (reporting to the Council of Ministers) was established and any implementation activities of the nature proposed ought to be implemented in conjunction with them (not separately); the original CCJAP III Strategic Framework Document (SFD) reflected a focus to ‘Ethics and Standards’ not anti-corruption activities (as was changed during the SFD Review in February 2007); and, the focus to supporting corruption reform ought to be undertaken through the D&D framework by building ethics, standards and governance at the Provincial, District and Commune levels.

The Chair of the NMB has further requested that, upon the completion of the elections and the passing of the anti-corruption legislation, the RGOC will reconsider its position to implement. If agreement is reached to then implement the strategy, the Chair of the NMB has requested that it be undertaken through the Anti-Corruption Unit, reporting to the Council of Ministers.

CCJAP III has subsequently developed an Interim Ethics and Governance Strategy for implementation during the 2008/2009 Annual Plan. The Interim Ethics and Governance Strategy comprises of four key focal areas:

1. Improved governance and accountability through the Decentralization and De-concentration process in: the implementation and management of (project supported) CPCS activities; and, institutional support and capacity building activities within the proposed District Ombudsman, an initiative of the D&D Strategy and currently supported by the World Bank’s Good Governance program.
2. Mainstream and strengthen current and planned CCJAP implementation activities that promote governance, ethics and integrity, transparency,

procedural accountability and component integration, inclusive of planned Provincial expansion activities.

3. Provide institutional support and capacity building activities relating the ethics development, good governance and auditing systems within: the Office of the Inspectorate (MOI); Office of the Inspectorate (MOJ); and, Office of Inspection (within the Departments of Means, Corrections and Operations) and link these activities to the RGOC LJRS.
4. Training and educational support for members of the Anti-Corruption Unit (this may be unlikely given the current sensitivities and lack of legislative base).

The reaction of the Ministry of Interior may be considered as verification of the validity of the CRA approach, in that the strategy has the potential to effect corruption reform within the Cambodian criminal justice system. We therefore strongly recommend that CCJAP III: maintains the objective of implementing the anti-corruption strategy as laid out in the Annual Plan (when appropriate and agreed to); and, that we implement interim anti-corruption activities that focus at strengthening ethics and governance in the four key focal areas recommended.

Capital Works

The Capital Works project is progressing satisfactorily in accordance with our annual plan. There are a number of capital works projects prioritised and proposed to be commenced in early 2008. All activities have been completed in preparation for these capital works projects including: vocabulary of resources (handbooks, forms, tender processes; procurement processes, inspection processes and training framework) established; institutional partners identified and Implementation Menus established; and, a draft Infrastructure Work Plan is completed incorporating planned outputs/activities.

COMPONENT 2 – CRIME PREVENTION AND COMMUNITY SAFETY

COMPONENT 2 OBJECTIVE:

- To establish sustainable, collaborative crime prevention, community safety and community justice initiatives.

PERFORMANCE INDICATORS AT COMPONENT LEVEL:

- Transitional CPCS activities planned and implemented
- Provincial D&D structure includes Police representation
- Consideration of CPCS in Commune planning
- Development of CPCS initiatives
- Police Representation on D&D
- Police involvement in community based CPCS initiatives

- Development of Selection criteria by NMB
- Incorporation of CPCS into new provinces

SUMMARY

Implementing activities undertaken within the component continue to enhance coordination between key stakeholders and an integrated approach to implementing activities. It offers opportunity for sustainability by leveraging activities within the D&D framework and will become central to the Provincial Expansion Strategy. Most importantly, this component builds institutional capacity concurrently to strengthening civil society, and its demand for justice.

Since the commencement of CCJAP III new CPCS initiatives were collaboratively identified and developed and funded by an approved FSF application. This was done as part of the transitional arrangements under the previously established separate CPCS committees in order to maintain momentum for CPCS. Awareness raising sessions about CPCS were provided to Provincial and District D&D facilitators through a series of workshops conducted by trained local facilitators. This resulted in the inclusion of CPCS activities in each Commune's Annual Commune Investment Plan, and the inclusion of CPCS activities in the Provincial District Priority Activity Matrix for 2008. CCJAP attended District Integration Workshops and signed temporary agreements with 42 Communes in 4 districts to support the development and implementation of 65 CPCS related activities in Kandal province in 2008. This consists of 46 activities under the Security sector and 19 under the Gender sector. The Four districts are; Kandal Steung, Koh Thom, Ksach, Kandal and Ponhea Lue.

The transitional CPCS activities utilised financial management systems established under phase II, however the activities to be funded in 2008 will be subject to a Memorandum of Agreement between CCJAP and the Provincial Rural Development Committee and will be in compliance with the established financial management systems as promulgated by the National Committee for Support to Communes/Sangkats. This will be also considered in the further refinement of the FSF guidelines. These systems will comply with recommendations made by the CCJAG⁹ regarding the guidelines, management and execution of the FSF in the disbursement of funds for CPCS activities.

A risk with this component is that it will become the modality to implement activities that are not within component scope, particularly with respect to provincial expansion plans. It is important to reflect that project staff working on (component) implementing activities are already working at full capacity and they should not stretched to the point where they become ineffective.

At the National level, the development of the Community Information booklet (on how to effectively engage with the community) is ongoing. Its release will be aligned and paced with the completion of the CNP Strategic Plan which is also currently in development.

⁹ CCJAG 1st Mission Report: 3rd December 2007; Page 9

At the community level in Kandal, Police have played a role in assisting commune councils identify crime and safety issues that could be tackled through the implementation of CPCS initiatives under the D&D process. It is intended that this focus will be taken within our provincial expansion activities.

Support has also been provided to Kandal Police and Court prosecutors to work co-operatively with Social Services of Cambodia, an NGO that provides counselling services to victims of sexual assault. This has resulted in the appointment of 5 female investigators to take charge of these cases and develop co-operative protocols to improve services to victims. A working group has been established to develop victim centred sexual assault investigation training materials with a Cambodian context¹⁰.

Project staff within this component has commenced considerable preparatory research work in developing the provincial Expansion Strategy and its subsequent activities. This was workshopped with counterparts on 11 December 2007 and recommendations for a roll out strategy developed. These were approved by the NMB on 16th January 2008.

Whilst activities within this component provide tangible links between national policy and community activities, they also serve to integrate project activities across all components particularly with: the CNP in the development of sexual assault investigative/forensic systems; the PMU in aligning CPCS with the LRS and the D&D strategy; the Courts to establish a register and systems for managing cases; and, with our project management systems to ensure contextual relevancy and accountability of managing FSF finances and capital works procedures.

This component has the potential to: further strengthen project integration; improve the access to justice for the community, particularly vulnerable people; enhance our commitment and effectiveness to cross-cutting themes; and, provide opportunity for sustainability of practice if properly aligned to the National D&D framework.

COMPONENT 3 – CAMBODIA NATIONAL POLICE

COMPONENT 3 OBJECTIVE:

- To strengthen the strategic, executive and technical capacity of the Cambodia National Police to enable it to identify and respond to community, national and regional priorities in a considered manner.

PERFORMANCE INDICATORS AT COMPONENT LEVEL:

- Draft Strategic Plan is prepared and promulgated for approval
- Acceptance of an Executive Capacity Development Program by the CNP
- Enhanced ability of the CNP to rely on the presentation of Forensic Evidence in court instead of confessional evidence
- Police HRM/Training capacity

¹⁰ Integrated with Component 3: Output 3.3; Enhanced capacity and skills in the collection of Forensic Evidence

SUMMARY

The CNP draft strategic plan will be aligned with the NSDP¹¹. It will strengthen opportunity for sustainability (and maturity) of the CNP through a greater awareness of the relationship between strategic planning to achieve both government policy objectives and community expectations. The strategic plan will incorporate a number of key elements to enable the CNP Executive to better manage and plan their resources and commitment to core functions, with a broader understanding of the role of the justice sector.

The Commissioner General has strongly endorsed the Strategic Planning process which was reflected by the attendance of over 50 senior police officers at several CCJAP development workshops to date (13 of these people are appointed to the Strategic Plan Working Group). The CNP has now articulated its Vision / Mission / Values in its draft strategic plan and CCJAP activities will continue to assist in completing and socialising the draft Strategic Plan during this Annual Plan.

At this stage, given the enthusiastic support of counterparts and executive police officers in development of the CNP strategic plan, we are able to highlight the relationship between strategy development and both the CNP and CCJAP priorities. It will be proposed that these activities should be extended into the 2008/2009 Annual Plan to further build the CNP's capacity to strategically deploy resources through work plans, based on crime, crime trends and law and justice priorities (including community demand). These activities also serve to: integrate sector activities (Police & Health responses and protocols); component activities, horizontally and vertically (strategic planning, CPCS and executive capacity development) and link project objectives with those of the CNP.

Additional CNP executive development activities have commenced (that complement strategy development) such as: a review of executive capacity development (which is actually to be reviewed through the police, courts and prisons); awareness raising of human resource management and development; and, awareness raising of succession planning. Personnel that are trained, mentored and coached through these activities will have improved capacity to better lead the CNP (including prisons and courts) in the future.

Output 3.2, 'Scope of executive capacity development needs established and agreed with CNP' will be moved to component 1 in the 2008/2009 Annual Plan. Given that this output is reflected in both the Ministry of Justice and Courts and the Corrections Components (and is being undertaken by the same technical expert) it is intended to reflect a more sectoral approach (as a key integration strategy) under the LJRS and the development and implementation of the Sector Planning Manual.¹²

The review of CNP training has stalled awaiting the opening of the new CNP training facility in 2008. It is uncertain if these activities will be undertaken in the foreseeable future given: 1) The overlapping role of various Donors in this area; 2) The broad mandate that this output demands; and, 3) The impacts that legislative development

¹¹ Output 3.1

¹² Output 1.2

(particularly the proposed Police Act legislation) may have on this activity (CCJAP has obtained approval to fund this legislative review).

Implementing activities for ‘Enhanced capacity and skills in the collection and use of forensic evidence’ was provided, with more planned for the remainder of this Annual Plan. We will be proposing significant forensic technical support for the 2008/2009 Annual Plan to maintain momentum of these activities (approximately 120 days), to build upon phase II and to achieve more sustainability in practice.

By undertaking these forensics activities we will strengthen forensic capacity of the CNP and enable greater opportunity for access to justice by vulnerable people. The Forensic Activities focus at: building support for victim management and in particular the management of sexual assault survivors. CCJAP has engaged with the Ministry of Health, the Ministry of Justice and a number of NGO’s who see our approach as the only ‘whole of justice’ approach to victim management and support in Cambodia. Most other government and NGO’s are concentrating on either strictly health or legal support for sexual assault survivors where our program addresses all facets of survivor management and ensures that they have a whole access to justice availability.

This component also integrates activities between government agencies (police and health); enhances the reputation of the police; promotes donor coordination and stakeholder engagement; and, builds good working relationships with select NGOs. Activities are thematically aligned by improving the quality of integrated services (police and health) in: victim management; evidence management; the alignment of government systems (that facilitates information exchange and evidence protocols); and, to assist NGOs to implement aftercare, counselling and support systems that reduces the further victimisation of vulnerable people. With this integrated approach across the sector, which involves government agencies and NGOs, the opportunity for sustainability is improved significantly.

This component requires more support and focus by way of technical assistance to: implement specialist training regimes (for forensics experts and medical specialists); implement policy and systems changes across the sector (police, courts, corrections and health); and, to develop reciprocal reporting standards and protocols with key stakeholder agencies (government and non-government).

Legislative drafting (Police Act) is planned to strengthen and shape the core functions of the CNP to ensure alignment with the LJRS (and to reflect a commitment to key cross-cutting themes). Whilst this is not articulated within the current work plan, funding for a legislative drafter was approved by the NMB and will commence before June 30, 2008.

COMPONENT 4 – MOJ AND COURTS

COMPONENT 4 OBJECTIVE:

- To strengthen the capacity of the MOJ to effectively support the courts in delivering equitable and timely access to justice.

PERFORMANCE INDICATORS AT COMPONENT LEVEL:

- Ability of Courts to measure and report on timeliness and throughput of Juvenile cases
- Ability to accurately measure the amount of excessive pre-trial detention.
- Improve the courts ability to measure performance in relation to case management
- Provide the court with a single repository to manage and review cases as they come before the court
- Accurate and timely case management data available to the court
- Development of a timely reporting mechanism for court data
- Improved listing criteria to assist in reducing the number of outstanding old cases awaiting hearing
- Handbook reviewed and distributed

SUMMARY

Key activities centre on the development of a separate Juvenile Register for the Courts and the continued establishment of the 'Model Court' concept at Kandal.

Judges have been cautious in their approach towards the necessity of a separate juvenile register because this has not previously occurred within the Cambodian courts system. A draft of the register was developed and circulated to the Kandal Court, key stakeholders and the MOJ for discussion. The President of Kandal Court has agreed to trial the register once planned work is completed. A central court register is also under development to combine the existing nine registers currently in use by the courts at Kandal.

The Kandal Court continues to demonstrate its willingness to work with CCJAP on implementing project activities in further developing the model court. The establishment of a court register will form the basis for further refinement of the case management practices and procedures with the aim of improving transparency within the courts.

Work has commenced with the Court of Appeal with a new President being recently appointed. The new President is extremely enthusiastic towards working with the project. He has requested assistance in the development of data, revised listing regimes aimed at assisting him to reduce the amount of old outstanding cases in the court. A draft mechanism to prioritise cases listed for hearing was developed which will assist in increasing the transparency of Court operations and listings.

The Court Procedures Handbook is now widely used and referred to many agencies within then legal and Judicial Sector. The review of the handbook is now being undertaken by a committee comprised of officers from within the Ministry of Justice and Judges. The committee is currently sitting twice a week to undergo the review and is being assisted by CCJAP officers.

Project activities will need to continue focus on: ways to reduce court blockages and delays in court cases, particularly for vulnerable people such as women and juveniles; defining and clearly articulating the logic behind the model court concept (i.e. styles, systems, standards and structures); strengthen community demand and enhance

opportunity for greater impact to beneficiaries; and, to strengthen partnerships with formal training institutions to improve opportunity for impact. Additional technical assistance is also recommended to support prosecution's case management and the provision of legal advice/support for prosecutors to prepare evidence for prosecutions.

This component will have carriage of the implementation Police-Courts-Prisons meetings (PCP) in project Provinces. The PCPs are considered as a problem solving forum, specifically implemented to reduce blockages and delays in court cases and to improve the integrated management of cases. At this juncture it is not intended to be a high-level committee and will remain within this component, not only as a key sectoral integration activity, but also as a coordination mechanism to improve communications and relationships between agencies at the operational level. Future consideration will be taken to implement this initiative nationally, but this will depend upon its effectiveness at the Provincial level.

Whilst the model court concept is planned to include this initiative as a key coordination element, this initiative will remain within the domain of the MOJ because it is promoted and owned by the courts as their initiative. To align its development and implementation with the LJRS would be a little premature.

COMPONENT 5 – CORRECTIONS

COMPONENT 5 OBJECTIVE:

- To strengthen the capacity of the Prisons Department to identify and respond to prison management priorities, the physical and mental health needs of prisoners, and to identify options for community based corrections

PERFORMANCE INDICATORS AT COMPONENT LEVEL:

- Working Group established and policies and guidelines for legislative drafting prepared and approved
- Budget submission in line with the Strategic Plan of General Department of Prison completed
- Prison planning database established and reflects the needs to assist with planning
- Number of Prison Chiefs, Deputy Chiefs and Chief of Section trained and response to training
- Staff and families attitudes improved with respect to gender equity
- New Prisons Inspection Office established
- Prison survey team appointed and prison infrastructure survey completed and all prison facilities prioritised
- Results of prisoner health survey completed and analysed and assessed against MOH standards
- Training in MPA modules 6 and 13 completed
- Prison HIV/AIDS system established and staff trained at target prisons

- Number and location of joint NGO/government agency supported initiatives in prisons
- Process for consultation in respect of sentence reduction/amnesty prepared and documented
- Percentage of women and juveniles attending prison education / rehabilitation programs increased

SUMMARY

Preliminary discussions have been held with the Director General of the General Department of Prisons to determine membership of the Working Group for establishing policies, guidelines and legislative drafting instructions. To ensure synergy with LIRS implementation activities, a representative from the Corrections Working Group will be appointed as a member of the TWG sub-group. Existing laws, decrees, sub-decrees, policies and relevant international prison laws have been collected. Drafting of themes to be included in the prison law has been completed and provided to General Dept of Prisons for consideration and comment.

A draft Policy Framework for Prison Reform has been completed. This is linked to the development of prison legislation as it will enable proposals for further reform. To further progress this initiative the project requires technical assistance to draft the prison legislation once the themes have been agreed. The specific needs of women and juveniles must be considered during the development and drafting of the corrections law.

Unfortunately the General Department of Prisons was not given a separate budget by the General Department of Finance and Logistics. It was presented that as there is no corrections law in place, the General Department of Prisons has no legal authority to receive or hold a budget allocation. Irrespective, CCJAP training and support was provided to key counterparts in the Prisons Department to prepare a budget submission.

Equipment support, such as computers and fax machines, were provided to the Kandal Prison to facilitate collection of data and information. This activity is yet to commence.

An agreement was signed between the Ministry of Interior and the Vietnamese National Police Ministry to provide support for Executive Development training to the General Department of Prison. As a result 54 Executives received one month training and a further 28 Executives also received 3 months training in Prison Management, Security and Prison Industry. This has provided CCJAP will the opportunity to coordinate and integrate project activities with support from these trained personnel.

Technical Assistance is being provided with developing a draft 5-year Gender Strategy that includes annual targets. The Strategy outlines the training program, membership of the Gender Action Group and a plan for the regional training program. It will integrate with the project's Gender Mainstreaming Strategy, of which a draft is now completed.

Assistance was also provided in developing the duty statements for the Departments of Means, Corrections and Operations. Further assistance has also been provided with developing the duty statement of the Office of Inspection within the Department of Operations. Key issues that require consideration are: there is currently no separate

procedure or training to enable staff to undertake inspections; executive training and resources are needed within the General Department of Prisons; and, gender awareness and training in juvenile justice is needed. Some of these activities are currently being considered in the development of the 2008/2009 Annual Plan and will become integral to the development and implementation of 'Ethics and Governance' Activities, proposed with the Interim Ethics and Governance Strategy.¹³

As a result of prison surveys undertaken with support from CCJAP, a number of facilities have identified priorities for possible renovation work. Examples include;

- CC1 to renovate the existing kitchen to accommodate 80 low security prisoners to do the cooking. This will also alleviate some of the overcrowding in the cell block.
- A new prison industry facility at CC1 in the second security area to increase available options for the prison industry reform.
- CC2 to build an industry shed for producing construction materials. This is targeted for the juveniles. Agreements are in place with a local business provider.
- Female staff ablutions block for the training school at CC2. Female staff is being delayed from training as new officers as the facility is so poor.
- Phnom Penh prison to renovate the existing health post. This new prison has a designated area but no facilities for a health service.

These will be prioritised and submitted to the NMB for consideration of capital works.

3 new prisons are under construction at Banteay Meanchay, Siem Riep and Preah Vihear. Although there is little capacity to make alterations, the capital works team and the project team were invited to make comment and provide advice to the contractors.

The next prison survey is currently being planned and it is intended that it will include personnel from the Department of Corrections (Office of Inspection and Office of Archives), Department of Means (Office of Construction) and Department of Operation (Office of Security) with a view to establishing an ongoing Prison survey team.

Assessment of 8 prison clinics has been undertaken. These are Kompong Chhnang, Pursat, Battambang, Banteay Meanchay, Siem Reap, Kompong Thom, Kompong Cham and CC3. In conjunction with the Capital Works assessment, these health clinics have been assessed for potential upgrading to meet the standards of prison health posts.

The Deputy Director in charge of the Office of Health within the Department of Corrections is now a member of the HIV/AIDS working group of the National Centre for HIV/AIDS (NCHADS). This now ensures liaison about HIV/AIDS issues that have particular relevance to prisons such as training programs, care and treatment and production of information, education and communication (IEC) material for prisons.

The existing prison health training curriculum and other relevant HIV/AIDS prison training packages have been reviewed by the HIV/AIDS working group, in conjunction with the Office of Health, to ensure an appropriate focus on issues related to the prison environment. A proposal is currently being developed for funding to enable training and development of IEC materials.

¹³ As detailed in Component 6: Ethics and Governance (Anti-Corruption)

A draft proposal for the "Rapid situational assessment of HIV/AIDS and related services in closed settings in Cambodia" has been completed and provided to General Department of Prisons for consideration and comment. This one year project aims at improving access to education, prevention and care related to HIV, AIDS, drug dependency and tuberculosis for the prison population and its staff. It is anticipated that this will commence by the end of 2007.

The MOH has awarded 17 three year Nursing Graduate Scholarships for 2007-2008 to the General Department of Prison Health staff. This is a long term investment in the provision of quality health services within prisons.

2 training programs of MPA (Minimum Package Activities) module 6 training have been delivered by the Technical School for Medical Care. The training was held for 50 staff, 25 health staff in each of the two sessions. This training will support the establishment of health posts in prisons and supports MOH to achieve its health coverage plan which aims to have provision of all health services managed through the MOH.

Assistance was also provided to the General Department of Prisons in the development of the Prison Reform Strategy. This approach provides an increased focus on prison industry using employment and education as the tools for rehabilitation. This can also be used to refocus attention on the Correctional Management System developed in Phase II.

A pilot industry program has commenced at CC1 with local garment factory, currently employing 140 prisoners. The Prison Department is currently developing internal rules and criteria regarding prisoner eligibility, rewards and bonus system. The pilot program is using a model of prisoner sub-committees for prisoner supervision and participation in development of criteria and procedures. It is the aim of the Prisons Department to use prisoners of all security ratings, thereby shifting the focus from high security management to rehabilitation.

Several issues being considered to date are:

- There is no agreed standard for the design and features of new prisons, prison health posts and other facilities.
- Severe overcrowding impacts upon functionality of the prison, the mental and physical health of the prisoners and the effectiveness of capacity development initiatives. This is not a matter of throwing further RGoC resources at it, but rather the need to build sector community justice strategies and systems that establish: court diversion programs (perhaps through CPCS); alternative sentencing regimes; probation and parole; and, community based work programs.
- The high focus on security (even for relatively minor offences - which is largely cultural) is a barrier to the implementation of prisoner classification systems, vocational training and rehabilitation programs.
- Lack of reliable data and systems for recording of both: prisoner participation in programs; prisoner demographics; and agencies and NGOs that deliver programs within prisons.

Overall this component continues to perform well. It has the potential to create significant high-level impact and CCJAP will endeavour to achieve this. The risks detailed

above will be impediments to the effectiveness of implementation activities, but with a clear developed community justice strategy (which will also support integration objectives) as broadly discussed above these issues may be overcome.

COMPONENT 6 – PROJECT MANAGEMENT

COMPONENT 6 OBJECTIVES:

- To support effective project implementation, achievement of results, accountability for resource use and the sustainability of benefits.

PERFORMANCE INDICATORS AT COMPONENT LEVEL:

- Annual Plan developed and implemented
- Risk Management integrated into planning and management documents and practices
- Quality of work completed
- CCJAG assessments of personnel inputs
- Project Procedures Manual written and approved
- FSF established and guidelines approved
- NMB Guidelines approved and published
- FSF Policy and Guidelines approved by NMB
- Project Reports
- Counterpart feedback
- Establishment of an LRS indicator and Monitoring system
- CCJAG Reports
- Gender Mainstreaming Strategy Report
- Incorporation of GMS principals incorporated into Annual Plans and operations of Project

SUMMARY

The CCJAG has reported that project management systems are good. They also state that communication needs to be improved within the team and with key counterparts, Donors and AusAID. Planned expansion strategies need to factor in these communication issues.

The Mobilisation Plan was implemented without any major impediments. This included facilitating a retreat at Sihanoukville for Project personnel and key counterparts which conducted in late April 2007. It was agreed to establish the National Management Board (NMB) to replace the Project Coordinating Committee from Phases I and II. On 27th June 2007 the NMB approved its policy and operating guidelines, CCJAP III's first Annual Plan (2007/2008) and the FSF Guidelines and SFD review. As part of the new functions of the NMB it also conducted the first Flexible Support Facility meeting and

approved funding for a range of initiatives. The Risk Management Plan, submitted as part of the AP, is now updated and revised¹⁴. AusAID approved financial systems were established as was a Project Procedures Manual published. Project financial systems were audited during August and adjustments made to ensure complete compliance with the AusAID contract.

CCJAP demonstrated its flexibility with respect to the FSF with the following statement made in the AP 2007/2008.

“The project has already drafted the systems and procedures for managing the FSF, including the governance arrangements and criteria to be used for prioritising the use of funds. During the first year of CCJAP III operations, the FSF procedures will be tested, reviewed and refined as required, before full scale operationalisation in 2008.”

Since then a further NMB, FSF Sub Committee was held on October 3 to consider applications for funding under USD\$50,000.

In its review of October / November the CCJAG reviewed Project progress and recommendations arising from that report highlight the need for further refinement of the FSF Guidelines as required, and this was reinforced at the NMB in January 2008.

A financial summary of the FSF is included at Annex C.

Monitoring & Evaluation

To date a performance monitoring framework and draft strategy are developed. The final M&E Strategy is being prepared (now that CCJAPs Gender Mainstreaming Strategy is about to be completed). Monitoring and evaluation tools and systems are established and means of verification and sources of data and information are being developed. Recommendations from the CCJAG about the M&E Plan will be considered in its further refinement. Our approach to monitoring and reporting is that it is an integrated capacity building activity with the ultimate objective of sourcing CCJAP performance data and information from the Sector Indicator Monitoring System. The development of the IMS is a priority because it promotes donor coordination, stakeholder engagement and relationship-building which are essential for effectiveness and capacity sustainability.

In early January 2008 the project’s M&E Adviser resigned from the project for personal reasons. A new M&E Adviser, Dr Tim O’Shaughnessy, is now engaged and he will update the M&E Framework, including consideration for the implementation of provincial expansion activities.

To date there has been a meeting of a high level working group for the development of the indicator system however discussions, between RGOC & Donors (and between the donor partners themselves) on the framework and form the project shall take has been ongoing. The indicator system shall also incorporate M&E processes for the model court to test its operation at the agency level.

Gender & Vulnerable Groups

¹⁴ Attached on Annex D

The Gender Mainstreaming Strategy has now been drafted and is planned for implementation in 2008. It will define the gender approach of the Project but more importantly provides strategies for developing gender awareness within the project team and with partner agencies to enable fairer and more equitable policy development. CCJAP's approach to gender equity will continue to focus concurrently on: project personnel training and awareness; the capacity development of counterparts; and, gender mainstreaming through the sector and within project implementing activities. Some example of our thematic (and gender) focus is the work being done in:

- Component 2: CPCS activities in Kandal through the D&D framework (19 gender specific projects); the training of women police officers in Kandal to provide counselling and support to women and children who are victims of gender-based crime.
- Component 3: The Cambodia National Police and medical sector capacity are collaboratively working to develop improved capacity to investigate sexual violence (women, children and men) and other gender-based offences. This involves the establishment of interagency protocols, systems and information sharing (between Police and Health) for victim support, exhibits management and evidence protocols.
- Component 4: The establishment of Court registers, data collection (to determine sentencing trends) and establishment of the Gender Working Group; and, planned capital works programs (court design) for victim friendly facilities (vulnerable people).
- Component 5: The implementation of (gender aware) Correction Management Systems; a 5-year gender strategy for Kandal; the development of drafting instructions for legislation relative specifically to women and juveniles; and planned capital works for female and juvenile ablutions.
- Component 6: Active re-profiling of the gender balance in CCJAP III through the active recruitment of more women into key Project Officer and Adviser positions; increased gender education and training activities among all local and international staff.

This is not an exhaustive list.

Donor Coordination

Many of the activities undertaken in the project will: strengthen the capacity of civil society (through NGOs, civil agencies and community education); enhance donor coordination through the integration of activities for common purposes; promote broader stakeholder engagement and ownership; and, build ownership of the RGoC to LJR objectives and to the core themes that underpin CCJAP. The work that may be done in legislative and policy development, supported by improved capacity of the sector, augers well for sustainability of practice. Within the PMU the support that we provide to the Technical Working Groups and the Sub-Groups has seen an improvement in interagency cooperation and coordination, problem-solving and issues management and government ownership.

Our systemic approach to sectoral integration (vertical and horizontal) and alignment with the RGoC LIRS is a model developed to enhance cooperation and coordination with Donors, NGOs, civil groups and the formal institutions. Examples of this are our working relationships and formal collaboration across all components and with DANIDA, UNICEF and the Ministry of Health.

Sustainability & Government Ownership

In the first year implementation cycle of any development project it is premature to assess sustainability. However CCJAP has endeavoured to develop sustainability through empowering our counterparts through the FSF, National Management Board and greater involvement in the planning processes of the Project. The Project will continue to build sustainability through working with communities and strengthening their alliances with justice agencies.

Through the body of this report we comment on and detail strategies undertaken and (integrated) activities implemented that specifically focus to improving opportunity of sustainability of practices and systems.

HIV / AIDS

CCJAP has no comprehensive HIV / AIDS strategy for 2007 – 2008. The Project relied on its long standing and continuing efforts to support universal precaution health activities in the General Department of Prisons. More can be done and the Annual Plan for 2008 – 2009 will reflect those efforts.

CONCLUSION

CCJAP is a large and complex initiative that demonstrates significant opportunity and potential to support capacity development of the justice sector in accordance with the RGoC strategic objectives for legal and judicial reform. The project and planned implementing activities are fundamentally aligned with the LIRS.

The project has delivered on almost all of the first six month scheduled outputs contained in the 2007/2008 AP. There has been demonstrable progress arising from implementing activities which continue to strengthen opportunity for sustainable capacity development outcomes in the long-term. CCJAP has experienced some delays in implementation activities which were largely outside of the control of the team.

Minor slippages in some activities may be attributed to changing circumstances in RGoC agencies, or because pre-conditions in agencies necessary for commencement of some activities are not yet in place. These are identified in the Output Delivery Report.

Three key areas that CCJAP needs to improve on are:

1. The Flexible Support Fund: The FSF, as was expected, has been the most difficult element of CCJAP III to implement. The range of competing expectations and

understandings of how this was to operate has caused some confusion. As a result of lessons learnt¹⁵ FSF guidelines are being amended.

2. Component Integration: The project needs to better integrate key themes and activities across components.¹⁶ Project expansion will create management, coordination and project integration challenges and careful consideration will need to be given to the approach taken.
3. Team Integration: As expansion strategies continue CCJAP will need to strengthen team integration through more formal and informal team meetings to promote team morale and motivation and integration of project activities.

In summary, CCJAP has performed adequately in all areas. With consideration of lessons learnt, feedback from CCJAG and other key stakeholders the project is well positioned to adjust its focus and move forward with confidence that it is (so far) achieving its intended objectives.

This APR represents the first comprehensive report for the project. The next performance review, the Six Monthly Performance Review (SMPR), will be produced for the 6 month period: January 2008 to July 2008. It will incorporate an analysis of performance of implementing activities prescribed in the latter half of the 2007/2008 Annual Plan.

Given that CCJAP III has only been implementing activities for less than 6 months it is too early to discuss in any detail those activities that may be considered as emerging successes or Key achievements. As is demonstrated throughout this report many component implementing activities demonstrate growing opportunity for both sustainability and success that can be built upon.

It is relevant to reiterate that this APR is not intended to measure outcomes as it is too early in CCJAP's life-cycle. The next APR (January 2008 to December 2008) will consider outcomes, project contribution impact and discuss emerging opportunities in more detail.

¹⁵ Including the 1st CCJAG report

¹⁶ 1st CCJAG Report

A n n e x A

Output Delivery Report

A n n e x B

Baseline Data File

A n n e x C

Flexible Support Fund – Financial Summary

A n n e x D

Risk Management Matrix (Revised)