

**Cambodia Criminal Justice Assistance Project
Phase III**

ING723

INDEPENDENT PROGRESS REPORT

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May 2010

Aid Activity Summary

Aid Activity Name	Cambodia Criminal Justice Assistance Project Phase III		
AidWorks initiative number	ING723		
Commencement date	24 February 2007	Completion date	24 January 2012
Total Australian \$	AUD 30 million		
Total other \$	AUD 1.5 million		
Delivery organisation(s)	Global Justice Solutions; Coffey International Ltd.		
Implementing Partner(s)	Ministry of Interior (Police and Prisons and sub-national government), Ministry of Justice, Council for Legal and Judicial Reform, the Courts of 6 Provinces (Kandal, Battambang, Prey Veng, Banteay Mean Chey, Kampong Thom and Kampong Cham) and Appeal Courts, and NGOs/IOs.		
Country/Region	Cambodia		
Primary Sector	Law and Justice		

Acknowledgments

The IPR team would like to thank the AusAID Cambodia post, in particular Mr. Ros Chhay and Ms. Arthi Patel, for their support in arranging the programme, and the Global Justice Solutions project team for their extensive assistance to the review process.

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Acronyms

AFP	Australian Federal Police
AUD	Australian dollars
AusAID	Australian Agency for International Development
C1 – 5	Components 1 to 5
CCJAG	Cambodia Criminal Justice Advisory Group
CCJAP	Cambodia Criminal Justice Assistance Project
CLJR	Council for Legal and Judicial Reform
CNP	Cambodian National Police
CPCS	Crime prevention and community safety
D&D	Decentralisation and de-concentration
FSF	Flexible Support Fund
GDoP	General Department of Prisons
GoA	Government of Australia
GS	General Secretariat
IMS	Indicator Monitoring System
JICA	Japan International Cooperation Agency
LJRS	Legal and Judicial Reform Strategy
MoH	Ministry of Health
MoI	Ministry of Interior
MoJ	Ministry of Justice
NGO	Non-government organisation
NMB	National Management Board
OECD	Organization for Economic Cooperation and Development
OHCHR	Office of the High Commissioner for Human Rights
PAF	Performance Assessment Framework
PCP	Police-court-prisons
RGC	Royal Government of Cambodia
SWAp	Sector-wide approach
TWG-LGR	Technical Working Group Legal and Judicial Reform
UNDP	United Nations Development Program
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development
WTO	World Trade Organization

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Executive Summary

The Cambodia Criminal Justice Assistance Project (CCJAP) is an AusAID-funded project designed to strengthen the criminal justice system in Cambodia, with a focus on juveniles and vulnerable groups. The first two phases ran from 1997 to 2007, with a total spend of AUD30 million. The current phase involves AUD30 million of assistance over 5 years, running until January 2012. This Independent Progress Report (IPR) is a formative evaluation taking place at the mid-point of the third phase of CCJAP. The conclusions are based on monitoring and reporting by CCJAP, together with key stakeholder interviews conducted over a 3-week period from 22 February to 12 March 2010.

Relevance: GoA objectives in the sector are not well articulated, and the project has suffered from the lack of a clear link to higher-level objectives in the country programme. The project is formally aligned with a range of RGC strategies. However, the emphasis within the RGC strategies is not on criminal justice, and particularly not on the position of juveniles and vulnerable groups within the criminal justice system. The objectives of the project have proved to be over-ambitious, in terms of both the political space available to accomplish major reforms and the capacity of the counterparts to absorb change. The design would have been improved by tighter, issue-based focus, and a more differentiated approach to capacity building across the counterparts.

Effectiveness: The level of achievement of project outputs is variable across the components. After a slow start up to the project, many of the activities are still in their infancy.

- Component 1, which supports the national Legal and Judicial Reform Strategy, has developed some useful tools for the Council on Legal and Judicial Reform and its General Secretariat to improve coordination across the sector, but has made slow progress on the higher-level objective of improved coordination of LJRS implementation owing to the structural problems of a highly fragmented sector.
- In the Crime Prevention and Community Safety (CPCS) (Component 2), the project has successfully integrated with the national Decentralisation and De-concentration (D&D) system, enabling it to deliver a low-cost set of activities on community safety and gender on a pilot basis in selected areas in six provinces.
- In the police component (Component 3), the project has supported the introduction of a strategic planning process, and helped develop a core forensic capacity that the CNP appears committed to building on. Pilots on crime data collection and community policing are only just getting underway.
- MoJ and court reform (Component 4) has been the most difficult component, due to the fragmented nature of the counterpart. There has been some effective support to case management in the Court of Appeal, helping address one of the principal sources of delay within the justice system, but the principal activity – the Cambodian Model Courts Project – is still in the preparatory phase (activity planning).
- Effectiveness has been highest in the corrections component (Component 5), where the counterpart demonstrates a high level of commitment to reform, there has been tight integration of capital works with institutional change and an effective set of partnerships with NGOs and other international organisations has been achieved.

The logic of the original design was to engage with all the main links in the criminal justice chain in order to improve the functioning of the system as a whole. This has been realised only to a very limited degree, with the bulk of effort in the project going to component-based activities rather than sectoral or thematic issues. The central theme of juvenile justice has not been pursued very systematically, and a planned series of activities on anti-corruption were abandoned in the face of counterpart opposition.

Efficiency: The project experienced substantial delays in its first 18 months, including on delivery of capital works, due to the complexity of the management processes that had to be put in place, the time required to build up relationships with multiple counterparts and the range of activities. The pace of implementation has not increased substantially. Fiduciary controls, particularly over allocation of FSF funds and the procurement of capital works, appear to be sound. While scrutiny of individual funding applications has been solid, ensuring the portfolio of activities as a whole remains strategic has been a challenge. The project has

generally focused on low-cost, high-return activities and delivered good value for money within individual activities.

Impact: The project works mainly through piloting activities in selected geographical areas. Impact is therefore only expected on a demonstration basis. Against that standard, there have been useful demonstration results in both the prisons and the CPCS components, but no visible impact yet in other components.

Sustainability: Sustainability in the strict financial sense is not achievable at this point. However, the project will need to make a concerted effort in its final phase of implementation to ensure that its achievements and lessons are documented and disseminated, and identify opportunities for keeping initiatives going beyond project end.

Monitoring and evaluation: The project has largely failed to establish a credible monitoring framework, and has generated little usable data, except in the CPCS component. It has appropriately sought to invest in the development of counterpart statistical systems, rather than impose stand-alone monitoring arrangements. However, this is a long-term goal which should not have substituted for the task of establishing appropriate baselines for assessing project results.

Conclusions: In general, the successes of CCJAP have been achieved in spite of, rather than because of, the project design, which was overambitious given the structural problems facing the sector and the limited absorption capacity of counterparts. The project has been through a process of progressive abandonment of unrealistic objective and activities, with high costs in terms of efficiency.

Recommendations: The review offers three main recommendations for the remaining period of project implementation, to be implemented across the components.

1. Introduce a stronger thematic, cross-component orientation. To improve its engagement with the criminal justice system as a whole, rather than parallel activities with individual counterparts, CCJAP should focus on one or more thematic areas that need to be pursued through joint initiatives across the counterparts. An example would be prison overcrowding, which can only be addressed through joint action by the police, courts and prisons, with support from the Ministry of Justice and the General Secretariat of the Council for Legal and Judicial Reform. CCJAP should seek to engage its counterparts on analysing the problem and identifying joint solutions at the policy, budgetary and operational levels. This may involve piloting some activities on which more than one counterpart is engaged, and reserving a portion of the final round of FSF funding for joint activities.
2. Develop activities around a community-based justice theme. A promising cluster of issues is emerging from the existing components around the theme of community-based justice, including more structured diversion programmes for youth in conflict with the law, piloting of non-custodial sentencing, community policing, legal aid provision, trafficking and gender-based violence and crime prevention and community safety. We recommend that CCJAP focus on direct service delivery by local state institutions in these areas, especially on activities that deliver improved relations between communities, police and other justice institutions.
3. Focus on sustainability and transition. As a project that works mainly through piloting, CCJAP needs to ensure that its activities are taken forward and the lessons absorbed and utilised beyond the life of the project. In its last round of annual planning, we recommend that CCJAP work through each of its activities in a systematic way to assess how to make this happen. For each activity, it includes documenting lessons learned (positive and negative) or preparing a handbook of best practices and disseminating them in forms that are meaningful to different stakeholders. It may also mean making arrangements for the transfer of on-going activities to national counterparts or other donors.

Evaluation Criteria Ratings

Evaluation Criteria	Rating (1-6)	Explanation
Relevance	3	The higher level objectives of this activity and its relationship to the goals in the GoA country program have never been clearly articulated. While the project is formally aligned to a range of RGC strategies, its focus on criminal justice, and within that on juveniles and vulnerable groups, is not obviously an RGC priority. The design of the project does not reflect the difficult political and institutional environment in which it operates.
Effectiveness	4	Effectiveness is highly variable across the components. We rate the individual components as follows: <ul style="list-style-type: none"> - Component 1: 3 - Component 2: 5 - Component 3: 4 - Component 4: 3 - Component 5: 6 - Cross-cutting and systemic issues: 4 This yields an overall score of 4. Progress in some components has been limited by environmental constraints largely beyond CCJAP control.
Efficiency	3	The project has moved slowly, due to the over-complexity of the original design and number of management problems, including difficulties in identifying appropriate personnel. Most of these problems have now been resolved, and the pace of implementation has picked up. The project demonstrates good fiduciary management, and an appropriate focus on low-cost, high-value activities, resulting in good value for money within individual activities.
Sustainability	4	The project works through a piloting modality, without the resources to implement activities nationally. Sustainability in the strict financial sense is not achievable. There are reasonable prospects of initiatives under Components 2 and 5 being continued beyond the life of the project. Other areas remain uncertain.
Gender Equality	4	The project has engaged in an extensive range of gender-related activities, particularly in Components 2 and 5, with some notable successes.
Monitoring & Evaluation	2	The Monitoring and Evaluation Framework has largely failed to produce usable data for management and accountability purposes. Although it is supporting statistics collection within its counterparts, this is a long-term goal and does not serve the monitoring needs of the project.
Analysis & Learning	3	The design of the project reflects a lack of analysis of what is achievable within the political and institutional context. While there has been adaptation in activities, there has been no process for reassessing basic strategies and approaches.

Rating scale: 6 = very high quality; 1 = very low quality. Below 4 is less than satisfactory.

Introduction

Activity Background

The Cambodia Criminal Justice Assistance Project (CCJAP) is an AusAID-funded project designed to strengthen the provision of law and justice in Cambodia. The first two phases ran from 1997 to 2007, with a combined spend of AUD30 million. The current phase involves AUD30 million of assistance over 5 years, running until January 2012.

The purpose of the project is “to support the Royal Government of Cambodia (RGC) to provide equitable access to a high standard of justice, with a particular focus on juveniles and other vulnerable groups.” Law and justice is one of the four priority areas in the draft Australia-Cambodia Country Program Strategy 2009-2015. The project is aligned with, and supports implementation of, the RGC Legal and Judicial Reform Strategy. It takes a systems approach to strengthening the criminal justice system, working simultaneously across the main institutions involved in the delivery of security and justice through six components:

- i) legal and judicial reform;
- ii) crime prevention and community safety (CPCS);
- iii) Cambodia National Police;
- iv) Ministry of Justice and courts;
- v) prisons;
- vi) management support team.

Its activities are programmed through an annual work plan, and a portion of its resources are channelled through a Flexible Support Fund (FSF) designed to increase flexibility and responsiveness. The project is implemented by a consortium of two contractors (Global Justice Solutions and Coffey International), with the Australian Federal Police (AFP) delivering the policing component within the same management structure. Its principal RGC counterparts are the Ministry of Interior, including the Cambodian National Police (CNP) and the General Department of Prisons (GDoP), the Ministry of Justice and the Council for Legal and Judicial Reform. Oversight of the project is provided by a two-tiered National Management Board (NMB), which includes executive members (both RGC counterparts and donor representatives) and a wider advisory group (including the project management).

Evaluation Objectives and Questions

This Independent Progress Report (IPR) is a formative evaluation taking place at the mid-point of CCJAP's third phase. It is a strategic assessment, examining the overall progress made by CCJAP in delivering its expected outputs, and the likelihood of it achieving its intended objectives. It is designed to test the design assumptions and programme logic behind the project – that is, the anticipated causal chain from outputs to impact – in light of the experiences to date in implementation. Among the propositions for testing are:

- That a systems approach (i.e., assistance provided across all the links in the criminal justice chain, including community protection, police, courts and prisons) is the best way to improve justice outcomes for poor men and women in Cambodia.
- That an approach based on model courts and prisons and pilot projects in a small number of provinces is suitable for achieving lasting change in the law and justice sector.
- That investment in capital works provides a useful entry point for engaging counterparts in systemic reforms.
- That the political conditions in Cambodia exist for alignment behind a country-led approach to law and justice reform and capacity development.

Detailed evaluation questions were set out in the IPR TORs, and then further refined in an Evaluation Plan dated 15 February 2010 (annexed to this Report). As well as making recommendations to AusAID, the project management and counterparts on how to strengthen implementation over the remaining two years of the project, the IPR is designed to inform discussions in AusAID about future assistance in the sector beyond January 2012.

Evaluation Scope and Methods

The IPR mission took place over a 3-week period from 22 February to 12 March 2010, during which the evaluation team conducted interviews with a wide range of stakeholders, including AusAID, CCJAP management and staff, counterparts, regional, district and commune officials, NGO partners, project beneficiaries and other donors (see Annex B). Between 28 February and 4 March, the IPR team visited project sites in Battambang, Banteay Meanchey and Kampong Cham.

Sources of information relied upon for the IPR included:

- i) CCJAP documentation, including the Strategic Framework, annual work plans and reports, thematic strategies, procedures and financial statements;
- ii) external monitoring reports, including reports by the Cambodia Criminal Justice Advisory Group (CCJAG) and the AusAID country post;
- iii) RGC policies and strategies on law and justice, and national development plans, including the Rectangular Strategy (2004 and 2008 update) and the National Strategic Development Plan Update 2009-2013;
- iv) review of published and grey literature on the Cambodian country context and the law and justice sector;
- v) detailed interviews with AusAID country post staff and project staff by component;
- vi) interviews with other GoA stakeholders, including DFAT, the Australian Federal Police (AFP) and Commonwealth Attorney-General's Department;
- vii) key informant interviews with RGC national stakeholders, including members of the National Management Board, the Council for Legal and Judicial Reform, representatives of the Ministry of Justice, General Department of Prisons and the Cambodia National Police;
- viii) visits to prisons, provincial police headquarters, courthouses (including the Court of Appeal in Phnom Penh) and provincial governments in Battambang, Banteay Meanchey and Kampong Cham, and to District and Commune officials in Morn Reusey (Battambang) and Chup (Kampong Cham);
- ix) interviews with donor representatives and other international partners, including Danida, OHCHR, UNDP, UNICEF, JICA, World Bank and USAID.

We note that, while CCJAP produces detailed reports at the activity level, there is a real shortage of hard data on emerging impact. Many of the views expressed in this report are based on the balance of opinion among stakeholders consulted. We have not attributed views to individual stakeholders.

Evaluation Team

The evaluation team consisted of two members: Dr. Marcus Cox, a consultant from Agulhas Applied Knowledge with a background in governance, aid effectiveness and political economy analysis, and KONG Phallack, a Cambodian lawyer (Khmerlex Legal Solutions) and academic. KONG Phallack was previously employed by the General Secretariat of the Council on Legal and Judicial Reform, which is one of the CCJAP counterparts, where he was involved in work on the Model Court initiative.

The IPR Team was accompanied for parts of the review mission by:

- Mr Don Whinfield, International Deployment Group, Australian Federal Police, who participated in the bulk of the review with a focus on policing aspects;
- Ms Erin Gleeson, Monitoring and Evaluation Officer, Office of the Australian Civilian Corps, AusAID Canberra, who participated in the field mission and interview process;
- Ms Kirsten Bishop, Law and Justice Adviser, AusAID Canberra and Mr Matthew Lapworth, Cambodia Desk, AusAID Canberra, who participated in the final week of the review to discuss future assistance in the sector.

Evaluation Findings

Relevance

CCJAP is formally aligned with GoA objectives in Cambodia. The draft Country Program Strategy 2009-2015 has four objectives, one of which is to “strengthen the law and justice system”. In the July 2009 Performance Assessment Framework (PAF), the purpose of this pillar of the country program is to contribute to “increased individual rights and responsibilities in the justice system for juveniles and vulnerable groups”, through the objective of “improved capacity and commitment of courts, prisons, police and provincial authorities to function effectively and equitably (particularly in dealing with vulnerable groups).” The objective-level indicators and milestones in the PAF are a mixture of activities and outputs drawn from CCJAP.

However, neither the draft Country Program Strategy nor its predecessor articulated clearly why the law and justice sector is a priority development intervention in the Cambodian context. There are various reasons why the country program might focus on the sector (e.g., improving human rights, protecting rural livelihoods, fostering economic growth, or strengthening governance and accountability). The focus on youth and vulnerable groups suggests a human rights and social justice rationale, but this is not spelled out, and there is no discussion in the project’s design document¹ of whether youth in conflict with the law reflected a significant social problem. On the face of it, the rationale for this thematic focus seems fairly thin. Overall, the PAF appears to have been constructed upwards from an existing set of activities, rather than downwards from a clear overall strategy. A clearer articulation of higher-level goals might have produced greater coherence within CCJAP and more synergy with the rest of the country program.

The project is formally aligned to a number of RGC strategies, including:

- The Rectangular Strategy for Growth, Employment, Equity and Efficiency in Cambodia from July 2004 sets out the national development vision. The core of the Rectangular Strategy is Good Governance, which includes legal and judicial reform. Its objectives include enhancing judicial independence to promote the rule of law, reducing corruption and impunity and promoting social justice. It includes commitments to the passage of various laws, together with pilot courts, judicial training and legal aid.
- The National Strategic Development Plan Update 2009-2013 contains a number of objectives for the justice sector, including developing model courts to strengthen the capacity of judges, prosecutors and court clerks, and supporting legal aid and alternative dispute resolution.
- The Legal and Judicial Reform Strategy (LJRS), approved in June 2003, is RGC’s strategy for implementing the principles in the Constitution of Cambodia on individual rights, liberal democracy, the separation of powers and the rule of law. It contains seven strategic objectives, of which CCJAP directly supports three:

Strategic Objective 1: Improve the protection of personal rights and freedoms;

Strategic Objective 4: Enhancement of the quality of legal processes and related services;

Strategic Objective 7: Strengthening of legal and judicial sector institutions to fulfil their mandates by strengthening management, planning and monitoring.²

¹ AusAID, “Australia’s assistance to criminal justice reform in Cambodia: Strategic Framework Document”, May 2007.

² Strategic objectives of the LJRS not directly supported by CCJAP include Strategic Objective 2: Modernisation of the legal framework (although CCJAP has supported legislative development in various areas), Strategic Objective 3: Provision of better access to legal and judicial information, Strategic Objective 5: Strengthening of judicial and prosecutorial services, and Strategic Objective 6: Introduction of alternative dispute resolution mechanisms.

At the activity level, the annual activity plan and spending from the FSF are decided by the National Management Board, a body in which the key RGC stakeholders are represented. In its 2010 Annual Plan, CCJAP has tightened its alignment by linking each of its activities to the specific provisions of the RGC strategies they support. CCJAP has also provided direct support to the Council on Legal and Judicial Reform (CLJRS) and its General Secretariat (GS) to strengthen its capacity to coordinate implementation of the LJRS, and has supported advocacy for legal and judicial reform issues to be incorporated in national development strategies.

While the project is formally aligned, there are some questions as to whether its areas of focus are genuine priorities for RGC. The LJRS does not have a strong emphasis on criminal justice, and makes only passing reference to juveniles and vulnerable groups. In areas where CCJAP has made the most progress, namely corrections in component 5 and CPCS in component 2, it has done so without visible support from RGC at the policy, legislative or financial level (despite good relations with counterparts at the operational level).

This raises the question of whether the design of the project is appropriate in the Cambodian context. The design takes a systems approach to criminal justice – that is, it works simultaneously with all the major institutions in the criminal justice chain. In principle, this enables it to address the capacity constraints that were endemic across the system, as well as to tackle systemic issues spanning the different institutional mandates. However, this design also assumes a supportive political environment for systemic reform. In practice, RGC has made little effort on tackling the major structural problems affecting the law and justice sector, such as the subordination of the judiciary to the executive or entrenched corruption across the courts, police and prisons, even though these have been stated objectives of its legal and judicial reform strategies since 2003. CCJAP experience suggests that, while progress is achievable in certain areas where there are no strong political interests involved, a systematic approach to reform across the sector is not at present feasible.

In such a political environment, we would have expected the design of the project to be based on a careful selection of entry points and thematic issues that were achievable in the current political climate. We would also have expected the focus to be on the experiences of ordinary Cambodians with the criminal justice system, rather than on top-down reform initiatives with uncertain political support. The broader donor experience in Cambodia has been that wide-reaching, horizontal reforms in areas like public financial management and public administrative reform have struggled to make much progress of major systemic problems. By contrast, working at the level of local institutions and their interactions with communities through the RGC's decentralisation and de-concentration programme has produced greater progress and more tangible benefits to the Cambodian people. CCJAP's experience mirrors this, with the most promising signs of impact emerging at the point of interaction between criminal justice institutions and local communities, rather than from top-down reform initiatives.

We also have concerns about the capacity building approach underlying the project design. The Strategic Framework Document (May 2007)³ sets out a standard package of capacity development support for the three main counterparts (MoJ, CNP and GDoP), including strategic planning, budgeting, executive development and HR systems. In practice, this proved both over-ambitious and undifferentiated, given the very different starting points of the three counterparts. For example, the CNP has a unified command structure and the capacity to implement new initiatives fairly rapidly. By contrast, the MoJ is a fragmented institution with limited capacity to manage complex initiatives. One would therefore expect different capacity building strategies for each counterpart. Where absorption capacity is limited, we would also expect to see a very focused approach to capacity development, tied to the delivery of specific objectives or initiatives. Instead, the project offered a template of assistance directed at broad reforms that have proved very difficult to implement in the Cambodian context. It may be that the project was designed at a point in time when horizontal initiatives like public financial management (PFM) reform appeared to have greater prospects of success. As it turns out, despite large-scale donor resources, progress has proved very difficult to achieve in

³ The Strategic Framework Document was prepared in July 2003 as the output of a design mission, and updated in April 2007 following consultations with counterparts. In the absence of a Project Design Document or logframe, it serves as a design document for CCJAP.

PFM or public sector reform across the line agencies. It was unreasonable to expect a project on this scale to address these issues successfully across three counterpart agencies.

We are also asked to assess whether the project has proved relevant to the context and needs of its beneficiaries. This question is hard to answer without a clearer articulation of higher level objectives in the country program. Opinion poll evidence indicates that Cambodians rate safety from crime as a concern, but not a critical one. In an International Republican Institute poll from August 2009,⁴ the average satisfaction rating on “security from crime” was 5.9, ahead of health care (5.7), water and sanitation (5.1) and electricity (3.7). When asked to choose one area where they would like to see government services improve, 17% selected security from crime – the second highest area after transport (21%) – with a much higher score among urban respondents (26%) than rural (14%). In our interviews, stakeholders raised a range of concerns, including youth delinquency (commonly mislabelled as ‘gangsterism’), drug and alcohol abuse, and labour and sex trafficking. Given that Cambodia’s demographic bubble is delivering large numbers of young people into the workforce each year with little chance of gainful employment, many people expect that these problems will become more acute in the future. At present, RGC has a tendency to respond to signs of social unrest, particularly youth delinquency, with a heavy-handed, law and order approach. According to our informants, the criminal justice institutions, including the police and judiciary, are still widely regarded as agents of a distant and rather intimidating state, rather than as agencies that serve and protect the public. Helping Cambodian institutions respond more appropriately to these challenges is therefore a potentially important investment in conflict management for the future.

Effectiveness

This section assess whether, after three years of implementation, the objectives of the project are on track to being achieved. The project proved fairly slow to get off the ground, due to various factors including the complexity of establishing a multi-component engagement, some early managerial problems (now largely resolved) and slow take-up by counterparts of some of the activities. The rate of progress has improved significantly over time, as over-ambitious elements in the capacity building approach in the Strategic Framework Document (e.g., executive capacity development for the CNP and MoJ leadership; reform of CNP training systems) were redefined or abandoned in favour of a sharper focus on promising activities. The result, however, is that many of the activities are still in their infancy.

Component 1

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

This component supports the capacity of the General Secretariat (GS) to the Council on Legal and Judicial Reform (CLJR) to coordinate and monitor implementation of the LJRS. It is jointly funded with Danida. The CLJR and its influential General Secretary are important advocates for policy and legislative reform within RGC, while the GS seeks to support LJRS implementation through planning capacity across the different line agencies. CCJAP has supported the GS with the development of a Sector Planning Guide, designed to introduce basic planning and project management techniques to partner agencies. This guide has been used by CCJAP in supporting planning within its three counterparts, and has been included in training curricula for the CNP and GDoP. It has provided the counterparts with some basic project management tools, and helped to develop the capacities they will need in the future to access budget resources under programme budgeting. CCJAP has also supported a number of communications activities around the LJRS, including a series of regional workshops. It has supported the GS with donor coordination in its role as secretariat to the Legal and Judicial Reform Technical Working Group (TWG-LJR). It has also supported the development of an Indicator Monitoring System (IMS), to track implementation of the 97 short, medium and long-term activities identified under the LJRS Implementation Plan.

CCJAP support for the implementation of the LJRS is consistent with a long-term, systems approach to strengthening the law and justice sector. However, its effectiveness to date in

⁴ International Republican Institute, “Survey of Cambodian Public Opinion”, July/August 2009.

making the CLJR and its GS into an effective agent for promoting sectoral reform has been modest. The 'sector' continues to be fragmented into separate agencies with divergent mandates, capacities and institutional cultures. They remain protective of their autonomy and resistant to external coordination. The CLJR has no authority to hold individual agencies (particularly powerful ministries such as MoI) to account for their contribution to implementing the LJRS. With few staff, it also has limited practical capacity to support them with their reform efforts. It has tried to address this by creating focal points in each of the counterpart agencies to improve communications, with variable success.

Donor coordination in the sector remains at a basic level, with donors continuing to pursue their own agendas in a fairly fragmented way. The AusAID /Danida cooperation is the only joint programming in the sector. There is still plenty of evidence of unbalanced support to the sector, in particular the bias towards legislative reform over implementation.⁵ The TWG-LJR serves as a useful forum for exchange of information and avoiding direct overlaps, with sub-groups occasionally formed to discuss technical issues. However, the donors have not attempted to use the LJRS as the basis for a more programmatic approach to supporting the sector, and are in agreement that is not realistic to do so for the time being. The CLJR reports that it has not pursued programmatic support for the LJRS, as the RGC is not in a position at this point to produce counterpart funding. However, with Danida support the CLJR is in the process of costing implementation of the LJRS, to assist with improving the allocation of resources within the sector.

The Indicator Monitoring System for the LJRS consists of dividing the 97 activities from the Implementation Plan into 386 individual steps and tracking their completion. The GS has struggled to get individual agencies to report regularly on progress. The CCJAP Annual Report for 2009 notes that the level of implementation went from 49% in December 2008 to 58% in December 2009. However, it also notes that most of the early steps were preparatory actions such as convening working groups or preparing action plans, and that the level of concrete implementation was significantly lower than this figure would suggest. The Secretary General reports that it is premature at this stage to introduce impact monitoring for the LJRS, and that the overall level of implementation at this stage remains 'disappointing'.

The activities in Component 1 may make a long-term contribution to the development of the sector, but within the life of the project are unlikely to deliver against the objective of putting in place an effective mechanism for coordinating and monitoring a sector-wide legal and judicial reform strategy. However, in the event that RGC decides to accord the sector higher priority in the future, some tools and processes have been created that would enable it to make more rapid progress.

Component 2

Goal: Sustainable collaborative CPCS initiatives established and improving community safety in targeted Districts

This component supports the delivery of crime prevention, community safety and gender-related pilot activities through the national decentralisation and de-concentration (D&D) system. The D&D system was developed by RGC as a means of channelling development resources to the district and commune level, using participatory planning methods, and has been used extensively by donors as a funding channel, particularly for small infrastructure. In a selection of districts and communes across six partner provinces, CCJAP has made use of funding mechanisms,⁶ support structures and participatory planning processes available under the D&D system to fund the delivery of a series of simple, low-cost interventions in areas including:

- vocational skill training;

⁵ The WTO accession process alone left Cambodia with over 20 new laws that have not yet been implemented, while implementation of the Criminal Code and Criminal Procedure Code remains at an early stage.

⁶ Rather than channelling funds into the D&D system at national level, GoA has concluded agreements directly with the six partner provinces, which hold the funds in dedicated bank accounts. While this is a limitation on the use of country systems, it is readily defensible for a project which works through piloting activities in limited geographical areas.

- gender capacity building;
- women and children's rights;
- gender legal protection;
- domestic violence prevention;
- anti-trafficking;
- child protection.

It has also begun a number of diversion programmes for youth from poor households, funding apprenticeships with local businesses in areas such as motorcycle maintenance, dressmaking and cosmetics. Activities have been delivered by district authorities (police; gendarmerie; departments of social affairs) with support from the provincial level.

Integrating with the D&D system at provincial level has consumed much of the effort in this component, requiring the negotiation of agreements between GoA and partner provinces, and the placement of CCJAP advisers within each provincial administration to facilitate the process. The pilot began in a single province (Kandal) in 2008, and expanded to five other provinces in 2009. By the end of 2009, it had supported a total of 97 activities involving around 60,000 direct beneficiaries (plus another 275,000 people reached through billboard public education projects). Each partner province is allocated US\$100,000 for 2010, of which around 25% goes to capacity building support for the mechanism itself and 75% is available for local interventions.

The integration of the CPCS component with the national D&D system has been accomplished very effectively, and has proved to be a highly strategic choice given the continued attention of both RGC and donors to the development of this system as a channel for delivering development activities. The D&D system has been one of the most important state-building processes in Cambodia in recent years, helping to establish functional linkages between provincial, district and commune authorities, improve relations with local communities and introduce participatory planning practices. To date, the D&D system has mainly focused on local infrastructure development. With RGC in the process of developing new D&D reforms, and the donor community scaling up its support through the development of sector-wide approach (SWAp), demonstrating that the system can also be used for service delivery around social welfare is potentially very important in attracting new support into this area.

The review team interviewed stakeholders at provincial, district and commune levels in three of the partner provinces, as well as a selection of beneficiaries. Feedback for the support was very positive. Stakeholders noted that awareness raising activities around crime prevention had improved relations between police and local communities, and had delivered an immediate benefit in terms of perceptions of improved community safety. They noted that awareness raising on gender-related violence had also produced early results, breaking down a tendency to treat family violence as a private matter, and making it more likely (according to the community representatives we spoke to) that neighbours, community leaders and the police would intervene in domestic disputes to prevent them becoming violent. Respondents also believed that, in areas where CCJAP activities had been implemented, the police were no longer seen as hostile and intimidating. According to provincial officials in Battambang, where the activities have been running in a number of districts for around 18 months, the CCJAP initiatives are well known throughout the province, and district authorities in non-CCJAP areas have expressed a strong interest in replicating them. This positive feedback is borne out by research by the company Domrei, commissioned by the project as part of its monitoring framework and described in the section below on Impact. It therefore appears that the pilot has successfully demonstrated that low-cost initiatives by existing authorities can make a rapid, visible contribution to community safety.

This component has made an important contribution to the CCJAP cross-cutting focus on women and children. Its activities have included vocational training for women, capacity building for commune and district women's affairs officers, awareness raising on women's and children's rights, diversion programmes for young people, prevention of domestic violence and anti-trafficking. In Kandal province, where the pilot is most advanced, the number of gender-related proposals generated through the commune participatory planning

process, and the number of proposals that are subsequently implemented, have increased significantly.⁷ Domrei interviews with 30 beneficiaries of CPCS activities captured a number of attitude changes (e.g., villagers regard the law as something for their protection; that the community is responsible for addressing community safety issues; that there is a better understanding of the link between family situations and crime; that people are less reluctant to approach local authorities).⁸ This suggests an important awareness-raising effect in the target communities, as well as a good range of pilot activities.

Diversion programmes for youth in conflict with the law have also been a focus under CPCS, but we found these to be less convincing. They depend on vocational training which, at a cost of between US\$300 and \$900 per apprenticeship, may be too expensive to take to scale. In addition, the vocational training in the areas we visited was not specifically targeted at juveniles in conflict with the law, but rather offered to the poorest families within each target village. We were therefore less convinced that this amounts to an effective pilot on youth diversion.

We received some feedback to the effect that there was little capacity at the district level to deal with more complex social problems, such as youth delinquency, drug addiction, human trafficking and domestic violence, and that the quality of interventions delivered through the CPCS pilots was not very high. We also found limited understanding among community leaders of issues like youth delinquency (commonly mischaracterised as 'gangsterism'). We note, however, that the CPCS pilots have been designed to be very low cost, so that they can be replicated by local authorities without external support. This means making use of existing local capacities. However, to increase the quality of the pilots, CCJAP should consider providing some additional capacity building and facilitation support to its district-level partners, possibly via NGO partners.

One final concern relating to the effectiveness of this component is that the target areas that we visited appear to have relatively low crime levels. In one district with a population of around 10,000, local police asserted that there were only 3-4 violent crimes per year (although this may be a result of under-reporting). In a survey commissioned by CCJAP of 1,200 households (including both CCJAP beneficiaries and a control group), only 33 households (less than 3%) reported being victim of a violent crime. It would be very useful to know whether the results that CCJAP has achieved in rural areas could be replicated in an urban setting where crime problems are more serious. It may therefore be appropriate for CCJAP to consider developing some pilot activities appropriate to urban areas, to inform the future development of a national crime prevention strategy.

Overall, this component has conducted some successful pilots in a strategic area, and produced a good foundation for future development of CPCS activities through the national D&D system.

Component 3

Goal: To strengthen the strategic, executive and technical capacity of the CNP to enable it to identify and respond to community, national and regional priorities in a considered manner

The original design envisaged ambitious institutional support to the CNP on planning and budgeting, executive development, HR systems and anti-corruption. In practice, the CNP has shown limited appetite for involving CCJAP in fundamental institutional reforms, which would in any case have been difficult for a project on this scale to deliver. Organisational support has therefore narrowed to a more practical focus on strategic planning. CCJAP support CNP to develop a Mission Statement (which was distributed in the form of posters to provincial and district offices), a 5-year Strategic Plan and annual Action Plans built up from the department level. For the time being, planning is not directly linked to the budget process (the CNP is not an independent budget centre within the Ministry of Interior), but the 2010 Action Plan will for the first time be used as the basis for budget submissions. Annual planning has not yet been

⁷ The number of gender-related proposal in the District Priority Activity Matrix in Kandal increased from 67 in 2006 to 289 in 2009, while the number of gender-related activities implemented increased from 46 to 164.

⁸ Domrei Research and Consulting, "CCJAP Phase III: Report on the Community Policing and Community Safety Impact Study", January 2010, p. 62.

introduced to the provincial centres. The CNP has introduced a small monitoring team, and is in the process of evaluating its 2009 Action Plan. A number of Police Academy trainers have been trained on monitoring techniques.

CCJAP has therefore succeeded in introducing a regular planning cycle – a novelty for the CNP, with potential long-term benefits. It has provided the CNP with the tools to implement a more ambitious reform agenda. There are some positive indications that the CNP senior leadership is interested in modernising and professionalising the force. However, the political space available to them to do so is uncertain, and we were unable to detect any understanding of a shared reform vision at lower ranks in the CNP or across the provinces.

CCJAP support for HR management has been deferred, pending the adoption of a new Police Act. A request was made in 2005 to GoA for support to the drafting of this legislation, which was picked up by CCJAP in 2008 (although reportedly with limited enthusiasm from the National Management Board). CCJAP coordinated drafting input from an AFP consultant and GoA's Attorney-General's Department to a CNP Working Group. Two versions of the draft legislation were produced – one with a new ranking system, and one with the current system. If adopted and implemented, the draft Police Act would accomplish important reforms of the CNP, in areas such as merit-based recruitment and promotion, ethical standards, disciplinary procedures and overall transparency. However, the draft Act inevitably touched on some difficult political issues, such as the relationship between the CNP Commissioner General and the Minister of Interior and the level of budgetary autonomy of the CNP. A number of informed observers on the RGC side warned that the political process for approving the draft might be difficult. Some observers are questioning whether the draft is appropriate for the Cambodian context. The prospects for adoption are therefore uncertain.

CCJAP has supported the CNP Gender Mainstreaming Action Group with capacity building, the preparation of an Action Plan and a number of national and regional events designed to explore issues confronting women in the CNP. While these events had high visibility within the CNP, the review team was unable to identify any concrete actions or issues that had emerged from these events and were being taken forward.

CCJAP has supported the development of forensics capacity within the CNP, by training science and technical trainers (training of trainers), supporting training in selected provinces, providing computer equipment, crime scene kits and consumables for district police, and providing some more sophisticated equipment (including a ballistic microscope donated by the WA police) for the national Forensic Laboratory. By the end of 2009, this had resulted in the placement of 995 trained officers in 22 provinces, with 199 Crime Scene Kits delivered.⁹ The support is designed to reduce the reliance by CNP on confessions in criminal prosecution, which should result in higher standards of justice. The assistance enjoys a very high degree of ownership from the CNP, which has developed a strategy for continuing forensics training on a national basis beyond the period of CCJAP support. It is also developing a system for continuous monitoring of its forensic capacity, which is an important institutional innovation. Until this monitoring system is operational, evidence on impact remains anecdotal. However, our enquiries suggested that some innovations in practice had been successfully introduced (e.g., improved protection of crime scenes, use of digital photography), but other capacities (e.g., fingerprinting) were not yet being used effectively (there is no national fingerprint database). It is likely that other elements of the criminal justice system, including handling and use of physical evidence by prosecutors and courts, will have to improve before the benefits of improved police forensic capacity are felt.

Development of police statistics has been disappointing, due both to lack of engagement by CNP and choices made by CCJAP advisers to focus on other areas. There was an early attempt to introduce a crime statistics reporting form on a trial basis in Kandal, but it duplicated existing CNP reporting processes and was discontinued as burdensome. A pilot of a new crime data collection system in Phnom Penh is just getting underway, which means that there will be little data available during the life of the project. Any achievements in this area will therefore be dependent upon a roll out of a crime data collection system by CNP after the completion of the project.

⁹ CCJAP, "Annual Performance Report: January to December 2009", January 2010, p. 37.

There is reportedly a strong interest on the part of the CNP leadership to introduce community policing. A Community Police Action Plan has recently been approved by the Minister of Interior, and a pilot project is being prepared for Kampong Cham province. CCJAP is supporting the development of training materials, and has sponsored a national workshop to begin the process of educating CNP officers about community policing. So far, understanding of the concept among the CNP staff we interviewed remains very limited, and we found no evidence that the idea had been disseminated at the regional or local level. Nonetheless, this is a strategic area of engagement for CCJAP, with potential synergies with CPCS activities, and a good way of capitalising on the desire of the senior CNP leadership to improve the public image of the force.

Overall, this component has succeeded in introducing a regular planning cycle into the CNP, with potential long-term benefits, and has demonstrated through its forensic work that, when the CNP leadership is fully engaged, significant operational innovations can be introduced. Crime statistics collection and community policing activities have been slow to get started, but there are still good prospects of successful pilots in these areas within the life of the project.

Component 4

Goal: To strengthen the capacity of the MoJ to effectively support the courts in delivering equitable and timely access to justice

This has been the least effective of the components, due mainly to the limited absorption capacity of MoJ and poor ownership of the initiatives being supported.

CCJAP has supported the development of a Strategic Plan for MoJ, but the work has been very slow to reach completion, and a draft Plan is only just being submitted to the Minister for approval. Other organisational capacity building goals have been shelved or deferred. MoJ is fragmented across its internal departments, and unable to provide strategic leadership to the development of the judicial system. Other donors active in the law and justice sector have had similar experiences to CCJAP, finding the internal organisational problems of MoJ to be a significant constraint on their support. If approved, the Strategic Plan may provide an opportunity for the donors to engage in more serious dialogue with MoJ on the organisational reforms that would be needed in order to implement it.

The flagship activity under this component has been the development of Model Courts, as a mechanism for introducing management and procedural innovations to the court system. The Model Court concept has had a long history, and is referred to in several RGC strategies from the Rectangular Strategy onwards. Phase II of CCJAP developed a Model Court in Kandal, but the focus appears to have been on the building rather than management processes. Phase III has taken a more systematic approach, working first with the CLJR under Component 1 on the development of the Model Court concept, standards and Strategic Plan. The initiative was then passed to MoJ in 2009 for implementation. It has taken some time for the MoJ to take ownership of the process, and for the four Model Courts to prepare Activity Plans. To encourage greater national ownership, CCJAP on AusAID's suggestion offered to support the initiative on a matching funds basis (although it continues to provide technical support in the meantime). A 2009 budget submission for RGC support to the Model Courts was unsuccessful, and a new submission will be prepared for 2010. In the meantime, some activities are already underway. We were shown an extract from a new court register developed by the President of Banteay Meanchey provincial court, that will be piloted as a manual system before being developed as an electronic system. The Model Court initiative is being supported by Danida as well as CCJAP.

During the review, we found varying expectations of what the Model Court initiative is likely to achieve. Some saw the initiative as piloting new procedures required by the civil and criminal procedure codes, which are still only partially implemented. Others saw it as a tool for tackling petty corruption in the court administration by introducing clear and transparent rules for file management and the issuing of documentation. (At present, it is reported that informal payments are required to move matters through the courts, which is a particular problem for poor people within the criminal justice system.) The President of Banteay Meanchey court informed us of his desire to have a glass wall to the court registry, so that all transactions take place under his personal supervision. Others saw the Model Court initiative as centred on the development of a new court registry, and its potential to produce more accurate data on caseloads and court performance for management and accountability purposes.

Taken together, these are a very ambitious set of objectives. As an institutional reform model, the Model Court process depends upon the capacity of the courts and the MoJ to adopt a flexible, managerialist approach to reform, using performance indicators to track the effects of institutional innovations and adapt them over time. It also depends upon the MoJ taking up useful innovations identified within the Model Courts and implementing them nationally through legislative and policy reform and administrative *Prakas*. So far, there is little indication that the capacity exists either in the courts or the MoJ to manage a process of this sophistication. At present, court management is the exclusive province of the court presidents, who vary in their level of engagement with managerial issues, and who rotate to new posts every few years. With ample evidence of corrupt practices at various levels within the court system, it is likely that economic incentives work against the reform process. The MoJ does not have a coherent structure for engaging with court administration, with responsibility divided across various departments that coordinate poorly or not at all with each other. The weakness of the MoJ suggests that judicial reform has not yet become a genuine priority for RGC. For all these reasons, there appears at this point little reason for confidence that the Model Court initiative will deliver significant benefits in the life of the project.

This component has provided some useful support to the Court of Appeal on file registration and data management, providing technical input, IT systems, some minor renovations and other equipment. Although focused on a single court, this has proved a strategic investment, as the Court of Appeal is the most important source of delays within the criminal justice system, as appeals from first instance courts (which are commonplace) require a complete retrial in the Court of Appeal before a panel of three judges. According to figures provided to the Review by the Court of Appeal President, the backlog of criminal appeal cases has been reduced from 2,226 in 2007 to 1,136 – a reduction of nearly 50 percent. The Court of Appeal has requested CCJAP's assistance in constructing a new court annex, that would further increase its case flow capacity.

This component has also supported the introduction of police-court-prisons (PCP) meetings, designed to improve operational coordination at the local level. After pilots supported by CCJAP, the MoJ has now issued a direction for them to be held in all provinces, although there is no monitoring as to whether this is being followed. Our consultations at the provincial level during the review revealed differing views on the purpose and value of the PCP meetings, but they appear in some instances to have been successful in opening up channels of communication between the institutions.

Overall, the effectiveness of this component remains constrained by the lack of active support from RGC, organisational problems within the MoJ and the lack of a strong institutional link between the MoJ and the court administration.

Component 5

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

The prisons component has been the most effective element of CCJAP to date. It has very good relations with its counterpart, the General Department of Prisons (GDoP), whose General Director has displayed a genuine commitment to modernising the corrections system. Given the very limited resources available from the RGC budget, his capacity to do so is heavily dependent on support from CCJAP. This component works on a set of issues where there are no strong political interests involved, making for a permissive environment for reform. The success of this component also rests on a number of other factors, including tight integration between capital works and institutional reforms, close working relationships with other international programmes and effective engagement with civil society.

Over the life of CCJAP, the GDoP has moved from being a section of the CNP into a separate department, requiring it to develop new systems and management structures. This transformation has provided a good opportunity for CCJAP capacity building support, which has had considerably more traction than in other components. The project has assisted with the preparation of a 5-year Strategic Plan and annual planning process, with associated budget submissions. It has supported the emergence of consultative processes. Annual plans and six monthly progress reports are presented to stakeholders, including NGOs, at a national workshop. CCJAP has supported the preparation of a draft Law on Corrections,

which is currently undergoing review by the Council of Jurists. Once this law is adopted, GDoP will acquire a budget of its own, giving its annual planning process greater importance. CCJAP has also conducted analysis of training needs, provided training for the GDoP management and executive group, and developed a training curriculum (integrating the Sector Planning Guide and relevant prison standards and regulations) for new recruits and existing prison officers. It has provided capacity building support for the development of a new Office of Archives. It is currently supporting the establishment of an Office for Inspections that will strengthen the capacity of the GDoP management to implement new standards.

The capital works connected to this component have been well integrated with the goal of establishing a new corrections management system. The focus has been on small-scale construction and renovations designed to produce significant impact in terms of prison conditions and services to prisoners. It has included the construction of new internal security to enable prisoners to spend more time out of their heavily overcrowded cells. The GDoP (both in Phnom Penh and the prisons we visited) informed the review team that this has delivered immediate results in terms of improved physical and mental well-being of prisoners, a reduction of incidents and consequent improvements in other aspects of prison management. Construction or renovation of health posts at three prisons has supported broader efforts to improve health services in prisons (see below). Construction of prison workshops has supported vocational training and prison labour schemes. Importantly, the capital works has enabled CCJAP to influence the development of new national prison design and construction standards, which reflect a new and more humane approach to prison management, with an emphasis on dynamic security and rehabilitation. This is potentially transformative in impact, although implementation of the standards may be limited by budget constraints. Careful monitoring will be needed over the remaining life of the project to ensure that new facilities (including those funded from the national budget, by non-OECD donors or through private sponsorship) comply with these standards.

CCJAP helped broker an agreement between GDoP and the Ministry of Health (MoH) that prison health posts would be accredited within the general public health system, with the result that prisoners now have access to medicines on the same basis as the general population, as well as referral to hospital care when needed. CCJAP helped provide the medical equipment required for its partner prisons to meet MoH health post standards. Focusing on HIV and TB, it has facilitated various pieces of research, supported training for prison medical staff, developed testing services and improved record keeping to keep track of cases. It has helped broker agreements between GDoP and NGOs on the provision of additional testing and treatment services.

CCJAP has supported the introduction of rehabilitation programmes for prisoners, including education and vocational training and industry and farming programmes. In 2009, 5,544 prisoners nationally took part in rehabilitation programmes – an increase of approximately 10 percent over the previous year. Most of this increase relates to expansion of prison industry programmes in CCJAP partner prisons (from 168 individuals in 2007 to 1,354 in 2009).¹⁰ (See below on risk management relating to prison labour.) Through the FSF, CCJAP has also supported rehabilitation and reintegration activities for women and children by Cambodian NGOs, and the construction of an NGO-managed supported accommodation facility for women leaving prison. It supported a national workshop for RGC, civil society and donors on rehabilitation. However, rehabilitation and reintegration services generally remain at a very basic level, and are constrained by the lack of enabling legislation and institutional structures for community-based early release schemes.

Across the board, the component has been effective at developing partnerships between GDoP and NGOs, encouraging prison management to see NGOs as partners in the provision of services. It has assisted with two workshops at Corrections Centre 2 to coordinate NGO activity for women and children. As well as health services, it has funded a Cambodian NGO to provide legal aid services, which resulted in a significant reduction of excessive pre-trial detention of women and children (from 25 to zero cases for women and from 85 to 8 cases for juveniles in the partner prisons). Given that, in the recent past, NGOs have been in a highly

¹⁰ From CCJAP Baseline Data File.

adversarial relationship with RGC over prison conditions, the creation of effective partnerships amounts to significant behavioural change on both sides.

This component has formed effective partnerships with other international partners active in prisons, particularly UNODC and ICRC, with effective joint working on a range of issues including health services for prisoners and the development of new prison standards. Feedback from these partners on the quality of CCJAP leadership in this area was very positive.

The original objective of developing community-based corrections has not been pursued. CCJAP management has proposed removing this from the C5 objective, on the basis that the legal and institutional prerequisites are not in place for CCJAP to work on community-based corrections.¹¹ However, the review team notes that there is a general reference to community-based corrections in the new Criminal Code that might provide a sufficient legal basis for some pilot activities in the area, if the Ministry of Justice were supportive of the idea.

Overall, the review team rates the effectiveness of this component as very high. We note, however, that the largest risk to the achievements to date comes from prison overcrowding, which continues to worsen. CCJAP is about to support a study by ICRC on the causes of prison overcrowding. Given the centrality of this issue, we are surprised that this work is coming so late in the life of the project. CCJAP as a whole has been poor at engaging counterparts on issues like prison overcrowding that would require effective collaboration across the sector.

Capital works

Approximately 13% of the project funds (around AUD 4 million) have been allocated to capital works, channelled via the FSF. The capital works were slow to get started, due to the complexities of putting in place effective procurement arrangements. Most of the construction work is still at an early phase or just getting underway, with the procurement for the MoJ component not yet complete at the time of the review. Nonetheless, CCJAP management remains confident that the bulk of the capital works will be completed by the end of 2010.

CCJAP appears to have struck an appropriate balance between ensuring sound fiduciary controls and giving counterparts responsibility for procurement and management of the works. Procurement Committees have been established in each counterpart. The project team prepares bidding documents, reviews bids and makes recommendation to the Procurement Committee, using standard RGC rules and procedures (which are based on the World Bank/Asian Development Bank manual). While financial management remains with the project, the counterpart and the project team are jointly responsible for supervising the works and approving payments. While putting these joint management arrangements in place caused delays to the works, it will hopefully result in the development of procurement and project management capacity within the counterparts.

The challenge has been effective integration of the capital works with institutional reforms. Here lessons have clearly been learned from previous phases. CCJAP III focuses on small construction and renovation works with an individual value of up to US\$100,000. Being largely additions to existing facilities, rather than new construction, these activities enjoy higher levels of ownership and are more likely to deliver sustainable results. As described above, capital works in the prisons component on items such as fencing, health posts and workshops have proved a good way of supporting the broader prison reform agenda. In other components, the link has not been as direct. The construction of police posts in Kampong Cham should in a general sense support the community policing pilot about to get underway there, but there does not appear to have been any detailed consideration of what facilities are required for community policing (the unit cost of the police posts are in any case very low, leaving little room for innovations in design). Similarly, the various capital works planned for

¹¹ In the 2010 Annual Plan, the objective was amended to replace the reference to “options for community-based corrections” with “options for prison reform”, while in the 2009 annual report, it reads “options for rehabilitation and re-integration programs”. However, AusAID informs us that the original objective remains in place.

the judicial system are not directly linked to the design of the Model Court initiative, and there has been no discussion as yet on what a Model Court would look like.

During our provincial visits, a number of the counterparts in the courts and police expressed concern that they had not been consulted on the design of the works. This may well be a result of poor communication between Phnom Penh and the regions and/or high turnover of provincial staff, rather than a failure of CCJAP to consult, but it does suggest that further communication may be required at provincial level as the works get underway.

Flexible Support Fund

A quarter of the total CCJAP funds (originally AUD 7.5 million, but now reduced to around AUD 7 million as a result of a budget reduction by AusAID) has been set aside for allocation through a Flexible Support Fund (FSF). Initially, around AUD 4 million was earmarked for capital works, AUD 3 million for other priorities within the annual planning process (including short-term technical assistance) and AUD 500,000 for NGO activities. In addition, Danida has channelled a further AUD 1 million through the FSF for components 1 and 4. Funds can be allocated through the annual planning process (now aligned to the RGC budget cycle), or within year to support emerging priorities.

The FSF was designed to build counterpart ownership of the support. The NMB approves the allocation of FSF funds through the annual planning process. In addition, the NMB Chair can approve additional grants on application, based upon the recommendation of a Screening Team (including representatives of the NMB and AusAID). Early CCJAG reports indicate that this mechanism was initially poorly understood by the counterparts, and there were attempts to allocate funds inappropriately. By the time of this review, however, the mechanism appeared well understood, and counterparts reported that a high level of technical scrutiny is now given to each proposal. The fact that the counterparts are involved in the allocation of funds to NGOs suggests some positive relationship building between government agencies and civil society may be developing, although for the time being this is only visible in the corrections component.

Where the FSF has been less effective is in building joint programming and operational linkage between the components. There has been no attempt to allocate funding specifically for inter-agency activities. For example, funding could have been allocated to a cross-agency theme like juvenile justice or reducing prison overcrowding, with preference given to activities that involve more than one agency working together. As it is, the FSF has defaulted into separate funding streams for the different components, which has been a missed opportunity.

Anti-corruption initiatives

It is widely reported that corruption is a significant constraint on the quality of justice in Cambodia. Salaries are below subsistence level right across the sector, leading to both absenteeism and corruption. In public opinion surveys, Cambodians consistently rank the police and judiciary as among the most corrupt institutions in the country, with 72% describing the judiciary as either very or extremely corrupt.¹²

The original Strategic Framework Document envisaged a systems approach to reducing corruption. Anti-corruption assessments were to be conducted in each partner institution, to identify and progressively close off opportunities for corruption at different points in the criminal justice system. The Strategic Framework states:

“This work would be carried out primarily by the RGOC institutions themselves, with technical advice and support from CCJAP III. It would therefore require high-level commitment from RGOC and agency heads.”

The project planned for 400 days of input from a specialist anti-corruption adviser to support this process.

However, the project received a direct instruction from the Mol not to pursue this, pending adoption of the national Anti-Corruption Law, which had been in the legislative process for many years. As a result, the inputs from the anti-corruption adviser were cancelled and

¹²

See Transparency International, Global Corruption Barometer 2009:
http://www.transparency.org/policy_research/surveys_indices/gcb/2009

explicit anti-corruption activities discontinued. However, a number of on-going activities, such as the Model Courts, the draft Police Act and reforms to prison procedures, have the potential to reduce corruption over the longer term.

The review team acknowledges that CCJAP had limited scope to pursue an explicit anti-corruption agenda in the absence of support from its counterparts. However, its limited engagement on this issue is a significant constraint on the effectiveness of the assistance, given the centrality of corruption among the problems facing the sector. It is difficult to see how, for example, how a successful pilot on community policing can be conducted without addressing the problem of petty extractions by local police.

During the review, the Anti-Corruption Law was finally passed. CCJAP and AusAID will need to make an assessment of the significance of this for the project, and whether there is any scope to support implementation of the Law in the criminal justice system.

Juvenile justice

Given that a focus on juveniles and other vulnerable groups is written into the purpose statement of CCJAP, it has not received the level of priority within the activities that we would expect. In March 2009, a Juvenile Justice Strategy was produced by a short-term adviser. It contains extensive analysis of the dimensions of the problem and the Cambodian legislative and institutional framework, but its proposed engagement appears too broad and ambitious for CCJAP, reading like a project design in its own right. The Strategy seems to have been largely neglected, showing no obvious link to the juvenile justice-related activities actually being pursued in the individual components.

CCJAP activities on juvenile justice have included:

- sponsoring RGC/civil society dialogue in partner provinces;
- a series of youth diversion programmes under the CPCS component (although as noted above these are not clear targeted on youth in conflict with the law, but on youth from poor households);
- technical inputs into a National Youth Policy being prepared by the General Department of Youth in the Ministry of Education, Youth and Sport;
- inclusion of juvenile issues in the development of new prison standards and training curricula for prison officers;
- funding of education for juvenile prisoners;
- participation in a Child Justice Working Group with UNICEF and other stakeholders.

While this list contains useful activities, no strategic engagement with the development of a juvenile justice system has emerged. While there are plans to record juvenile cases separately within the new court registers, there is no focus on specific services for juveniles within the Model Court process. Nor is there any ongoing work with police on dealing with child offenders.

The lack of strategic engagement is in part because of the slowness of the legislative process. A draft Juvenile Justice Law has been developed, which among other things will create the basis for non-custodial sentencing for juveniles. Until that legislation is in place, it is difficult for CCJAP to move ahead with supporting institutional development.

UNICEF, which is the most active international partner on this issue, reports that it finds CCJAP advisers to be a useful bridge into the MoJ for juvenile justice issues. However, it is disappointed that CCJAP has focused on 'macro' issues, rather than specifically on juvenile justice.

Efficiency

There were a complex combination of design shortcomings and implementation problems that have negatively impacted on how efficiently inputs have been utilised. First, the project was over-ambitious in scope, spreading its limited personnel and financial inputs across too many counterparts and issues. Second, the original design was based on a standard template of capacity building support, despite very different starting points among the counterparts. The result has been that a range of scheduled activities (e.g., executive development for the MoJ and CNP; CNP training programmes and human resource management) have not proved

viable, and have been either scaled back or abandoned. The project was designed with the flexibility to do this, with activities scheduled through an annual work planning process and the ability to fund emerging priorities through the FSF. What was lacking, however, was a clear set of decision points for reviewing and revising the overall strategic direction of the project. As a result, the adjustments have been piecemeal and not always very strategic. Overall, this has been a contributing cause to a relatively slow rate of progress within the project, with many of its core activities only just getting underway in the fourth year of implementation.

A project of this complexity in a difficult political environment requires a very high quality of managerial and technical input. A number of concerns were raised during the early years of the project, both by AusAID and by CCJAG, as to the appropriateness and skills mix of project staff. The managing contractor eventually responded to these concerns with some changes that have had a positive effect on the rate and quality of implementation, but only after considerable time had been lost. On the other hand, the project has made visible efforts to develop its Cambodian staff, and now uses them effectively in management and advisory roles. Although we did not undertake a detailed comparison, staffing costs appear comparable to other, similar projects.

Unusually, the AFP has been working under the managing contractor – a result of changes to GoA policy during the original procurement process. Both sides indicated that the arrangement has not caused undue difficulty, with successive AFP police advisers collaborating well with the project management team. However, AFP management expressed the preference that any future assistance on policing be structured in a different way, to give the AFP more autonomy.

There appear to have been some problems with the integration of short-term technical inputs into the project. For example, a number of the documents produced by short-term advisers, including the Juvenile Justice Strategy, HIV-AIDS Strategy and the Monitoring and Evaluation Framework, seem to have been treated as stand-alone outputs, rather than being well integrated into the project management or the design of component activities. For example, the Juvenile Justice Strategy reads like a design document for a new project, and it is difficult to see the linkage between the strategy and the juvenile justice activities that were subsequently undertaken. Reservations have also been expressed about the quality of short-term technical inputs on gender, anti-corruption and monitoring and evaluation.

Relationships between the project team and AusAID were fairly poor for much of the project, although they have improved significantly over the past year as a result of personnel changes. On a number of occasions, AusAID felt the need to intervene in management issues that would normally be the domain of the managing contractor. Some of these were matters that AusAID considered essential to the integrity of the project, particularly around recruitment practices. Having been drawn into the management sphere, AusAID then appears to have found it difficult to pull back to a more appropriate strategic oversight role. The result is that neither AusAID nor the managing contractor have given sufficient attention to ensuring effective performance management for the project.

As discussed below, the Monitoring and Evaluation Framework has proved to be largely ineffective, as few baselines have been established and little usable data is available. This has obviously limited the capacity of the project to improve its performance over time.

Fiduciary controls, particularly over allocation of FSF funds and the procurement of capital works, appear to be sound. The FSF has been independently audited, and management has responded appropriately to recommendations arising from the audits. Rules on eligibility for funding and procedures for assessing applications and releasing funds are clearly documented. There are obvious risks with a fund of this kind that the allocation process will be captured by counterparts, or used to fund activities of marginal relevance. CCJAP seems by and large to have avoided these dangers through clear rules and transparent processes. While scrutiny of individual funding applications has been solid, ensuring the portfolio of activities as a whole remains strategic has been a challenge. The nature of the prison reform process seems to have learnt itself better to making strategic use of small FSF inputs than either the police or the courts component, where the activities appear more scattered. Having said that, the review team found that the project has generally focused on low-cost,

high-return activities and delivered good value for money. Funding for NGOs has been short-term and project-based, but this is common practice for civil society support in Cambodia.

The CCJAP annual reports contain a risk matrix outlining a large number of environmental and activity-related risks, and assigning responsibility for mitigation actions. Many of the elements identified as risks are actually descriptions of the operating environment (e.g., institutional weaknesses, or the fragility of civil society), and should be factored into the design of the project or dealt with through performance monitoring. As both risks and mitigation actions have remained the same across the years, it does not appear that the risks are actively monitored or that the matrix is used as an active management tool. Leaving aside the matrix itself, the project seems generally solid at anticipating and minimising fiduciary risks. We were less convinced as to its approach to reputational risk. On more than one occasion, the project has made recruitment decisions that are potentially damaging to its reputation.

We were also concerned about the management of a specific set of risks around the use of prisoner labour in prison industry and farming programmes and CCJAP's own construction works. CCJAP has correctly pointed to significant benefits to the prisoners of these programmes, including more time out of cells, the acquisition of vocational skills and the opportunity to earn income. However, prison labour inevitably involves high risk of corruption and human rights violations, with consequent reputational risk for the project and GoA. While CCJAP appears to have put adequate measures in place to ensure that health and safety standards are being observed in its own capital works in prisons, there is presently no system for monitoring whether prisoners are receiving the payments they are entitled to (transactions are made in cash). Furthermore, with prison rations generally inadequate, prisoners may have no choice but to use their earnings to purchase additional food from canteens run by prison guards. A detailed assessment is needed as to whether this meets international human rights standards. In addition, there need to be adequate monitoring arrangements in place. More detailed recommendations are included in the final section.

Impact

CCJAP works primarily through piloting activities in selected geographical areas, and does not include the resources for scaling these up to national level. Furthermore, many of the activities are still at an early stage of implementation. Under this evaluation criterion, we are therefore looking for evidence of emerging impact that can serve as demonstrations to inform the development of the criminal justice system.

Against that standard, the prisons component has successfully demonstrated that relatively small-scale capital investments, changes in prison management procedures and partnerships with civil society on service delivery can deliver significant improvements to the welfare of prisoners. Some of the changes it has supported have been adopted on a national basis, particularly the minimum standards on prison design and construction, but wider implementation may be limited by budget constraints, the poor quality of infrastructure in non-CCJAP partner prisons and continuing problems with prison overcrowding. Impact can also be seen in the reduction of the number of prisoners in excessive pre-trial detention and in the increased level of health care for prisoners. For this component, we would rate the level of impact as significant for the scale of investment.

The CPCS component has also achieved some successful demonstrations of how low-cost activities at the local community level can generate quick results in terms of improved relations between communities and local police and increased perceptions of community safety. A survey commissioned from the local company Domrei, which covered around 600 households in CCJAP-supported communes and a similar number in neighbouring communes as a control group, found that the CPCS activities had achieved “palpable results in a rapidly changing social context”. Interviews with stakeholders suggested that understanding of women's and children's rights had improved, and that commune authorities and local police were perceived as better integrated and more equipped to respond to crime. It also found that reported crime was down 22% in the six CPCS communes, compared to an increase of 21% in the eight control communes. The latter is an unexpected result, as ordinarily an improvement in relations between communities and police would lead to increased reporting of crime, long before it led to any decrease in the incidence of crime.

However, it may simply be that the numbers involved in this survey are too small to support statistical analysis. It is a concern that the CPCS activities appear to be focusing mainly on areas that have low crime rates. It would be useful to test whether the same results can be replicated in more challenging urban environments.

In other components, impact is not yet visible. While the CNP has increased its forensic investigation capacity, there would need to be wider improvements in the criminal justice system before the public would experience higher quality justice. CCJAP support to the Court of Appeal may have produced marginal improvements in the speed of the criminal justice system and consequent reduction in human rights violations. Many of the processes supported by CCJAP, such as improvements in strategic planning at the sectoral and ministerial level, are investments in the long-term development of institutions that at present are not clearly oriented towards service delivery. It should be noted that CCJAP Monitoring and Evaluation Framework contains little or no data that could be used to assess impact.

Sustainability

Given that CCJAP is designed around short-term pilots in selected geographical areas, without the resources to roll them out nationally, sustainability is probably not achievable at this stage. Given the state of public finances in Cambodia, few donor-financed activities are sustainable in the strict financial sense. Working towards sustainability therefore means maximising the prospect that initiatives will be carried forward beyond the life of the project, including through support from other donors. The remaining 20 months of implementation will be critical in this respect. As it enters its final phase, CCJAP will need to intensify its efforts to document achievements and disseminate lessons learned to the appropriate national and international stakeholders.

We see some positive indications of sustainability in the prisons component. The adoption of new national standards on prison design and construction, for example, may prove to have lasting impact. Likewise, the creation of effective partnerships between prisons and NGOs in particular service-delivery areas is probably the best available long-term strategy for service provision, given the likelihood of continuing donor funding to civil society. However, there are a number of major risks to sustainability in the prisons component. One is the tendency for commercial interests to influence prison construction, which may undermine the new standards. In that respect, CCJAP should closely monitor construction works at Prey Veng prison if they go ahead, and ensure that any failure to comply with the new standards is raised with RGC at an appropriate level. An even greater concern is continuing prison overcrowding, which could threaten many of the gains under this component. By project end, CCJAP should have generated a clearer understanding among counterparts of the drivers of prison overcrowding, and an understanding of the systemic reforms needed to address them.

The CPCS also has potential for sustainable impact, despite being a small-scale pilot. The commitment from both RGC and donors to developing and scaling up the national D&D system provides a funding vehicle for future activities. The idea of incorporating social welfare-type activities into the D&D system appears consistent with current donor thinking regarding the development of the SWAp. Realistically, however, it may require a continuation of piloting activities beyond the life of CCJAP to develop programmes that could be supported via the SWAp.

Gender Equality

CCJAP has made visible efforts to mainstream gender across its operational components, based on a Gender Mainstreaming Strategy from May 2008. The Deputy Team Leader has been given responsibility for gender and other cross-cutting issues. The project tracks the number of women, men, boys and girls who benefited from each of its activities (for 2009, a total of 3,112 women and 505 girls). In each of its counterparts, it has provided technical and capacity building support to a Gender Mainstreaming Action Group (the official RGC structure for gender initiatives) and supported the development of Gender Action Plans. In the policing component, NGO partners have been engaged to provide capacity building support and facilitate workshops with female officers to discuss issues relating to working conditions for women within the police. The 2008 Annual Stakeholder Survey found evidence of some

change in attitudes towards careers for women in the police and prisons services, against a very low base, with small numbers beginning to make their way into management positions. While these activities have high visibility, and were mentioned to us by many counterpart officials, stakeholders were unable to identify specific gender-related issues that had emerged from these planning and consultation processes and were being taken forward.

In the CPCS component, gender is one of the two focus areas supported under Commune Investment Plans. CCJAP has piloted a number of initiatives relating to women's rights, trafficking and family violence, with early signs of positive impact. In particular, it has demonstrated that awareness raising activities on domestic violence can have immediate results in terms of breaking down the common attitude that family violence is a private matter. Local community representatives report that community leaders and police are now more likely to involve themselves in domestic disputes before they escalate into violence. Nonetheless, problems of gender inequality at the local level in Cambodia remain entrenched and will require sustained effort over many years to change.

CCJAP has also funded a number of NGO projects providing support services to victims of domestic violence, as well as the provision of legal aid to women in prison. The latter has reduced to zero the number of women facing excessive pre-trial detention in partner prisons, from 25 in 2007. It has facilitated improved partnerships between prison management and NGOs around services for women in prison, and has initiated a quarterly working group between NGOs and the management of CC3 on gender issues. It is developing a pre-release programme for women, concentrating on skills development and reconnection to families, and has supported a community-based facility for reintegrating former women prisoners. New prison design and construction standards include the requirement for separate accommodation for women and juveniles. A training manual on gender and imprisonment has been produced, and research has been commissioned from NGOs on problems facing women in prison. Reforms have been introduced to make it possible for mothers with infant children to be accommodated with their children. Overall, the prisons component has delivered significant benefits to the welfare of women in detention.

In the policing component, a pilot project in Kandal province to provide an integrated response to victims of rape, sexual assault and domestic violence has been discontinued, due to lack of police capacity and the lack of any support services to which victims could be referred. While the challenges are no doubt substantial, the project should have investigated simpler models for improving the way police respond to victims of sexual violence. A recent report by Amnesty International¹³ notes that there are major problems with attitudes of police and medical officers towards rape victims, with victims often not taken seriously. Police often negotiate compensation payments for rapes, rather than treating them as criminal offences. Even if sophisticated forensic techniques and support services are not feasible, programmes could be developed to alter attitudes to sexual violence within the criminal justice system.

In sum, CCJAP shows a high level of commitment to pursuing gender-related goals in its CPCS and prison components, the two areas which offer the most scope to do so. Attempts have been made to build gender capacity within the counterparts at national level, but against a low base line impact to date has been modest.

Monitoring and Evaluation

The project has largely failed to establish a credible monitoring framework, despite a number of attempts to do so. The Monitoring and Evaluation Framework contains 19 indicators across the components, with data captured on 15 of them. However, the data provides hardly any useful evidence for management or accountability purposes.

- The indicators for component 1 (legal and judicial reform strategy) mainly capture low-level or preliminary activities towards implementation of the LJRS. In the absence of any outcome or impact indicators, the 2009 figure of 58% completion of tasks under the LJR Action Plan presents a substantially misleading picture of the actual rate of progress.

¹³

Amnesty International, "Breaking the Silence: Sexual Violence in Cambodia", 2010.

- More attention has been given to the monitoring of component 2 (CPCS), through a combination of indicators measuring the roll out of CPCS activities in partner provinces and a periodic survey on impact commissioned from a local company, Domrei. This should provide an adequate basis for demonstrating the impact of the pilots at project completion.
- There is as yet no effective monitoring of component 3 (police), due to the failure to establish any system of crime statistics collection, and to the difficulty of tracking the use of forensic evidence in criminal case files. However, the CNP has established a monitoring unit to track the development of forensic capacity, and the first pilot on crime statistics collections is scheduled to begin shortly in Phnom Penh.
- For component 4 (MoJ and courts), the indicators have been chosen to capture results from the Model Court process. However, as that process has been extensively delayed, baselines have not yet been established, and it is doubtful whether any meaningful results will be identified within the life of CCJAP. There is data on the reduction of excessive pre-trial detention cases in partner prisons, but the progress is mainly attributable to the work of a CCJAP-funded NGO on providing legal aid to women and children. There is some data on reduction of individuals in custody awaiting retrial in the Court of Appeal, suggesting a slight reduction from December 2007 to December 2008, with 2009 data not yet captured.
- Component 5 (prisons) has very thin monitoring data which fails to capture the genuine progress under this component. There is data on the number of prisoners accessing rehabilitation programmes, together with increases in the number of HIV and TB cases detected through testing programmes. Data is being collected on the number of deaths in partner prisons, but with no data on causes, the figure has no analytical value.

On gender, the project collects data on gender-related proposals emerging from Commune Investment Plans, and the number of gender-related initiatives undertaken in the CPCS component, with an associated number of beneficiaries. Other data is disaggregated by gender and age (adult/juvenile) where possible – for example, figures on excessive pre-trial detention in partner prisons and case backlog at the Court of Appeal. The project has commissioned some research from NGO partners on the experiences of women in prison. No comparable research has been done on differential experiences of men and women in dealing with the police or courts.

In early 2009, after two years of implementation, the project commissioned Domrei Consulting to conduct a stakeholder survey, undertaking semi-structured interviews with 73 stakeholders. 64% of stakeholders rated the activities they were involved in as 'good', and 35% as 'very good'. Stakeholders identified a series of changes in systems, behaviours, practices and attitudes, covering areas such as planning practices, communications, NGO relations, gender mainstreaming and relationships with communities. This survey provides useful feedback on stakeholders views, including their 'likes' and 'dislikes' regarding the assistance. It is less convincing as a tool for monitoring emerging impact. While respondents were asked to identify 'system changes' resulting from the assistance, many of the responses in fact described CCJAP activities (e.g., "CCJAP supports developing strategic plans and structures", "CCJAP encourages collaboration", "CPCS is the first to support these target groups", "CCJAP supports our ideas, they don't do things by themselves"¹⁴). In addition, most of those interviewed were either direct beneficiaries of the assistance or CCJAP staff members, suggesting a possible source of bias in the responses.

Overall, CCJAP has attempted to align its monitoring arrangements with the development of statistical systems in the counterpart institutions. This was based on lessons learned from CCJAP Phase II, where stand-alone monitoring arrangements introduced by the project (e.g., parallel crime reporting forms and court registers) proved burdensome for counterparts without generating much usable data. It is entirely appropriate that CCJAP has invested in the long-term challenge of building up data collection capacity within the criminal justice system.

¹⁴ Domrei Research and Consulting, "CCJAP Phase III Annual Stakeholder Survey Report", March 2009, p. 16, 26 and 30.

However, given that this was always going to be a long-term challenge, it should not have substituted for project-specific monitoring – particularly the establishment of baselines against which impact can be measured. Where no routine data was available, CCJAP should have made more use of independent surveys and studies. CCJAP has invested little in qualitative analysis of the capacities and practices of its partner institutions, and in the experiences of Cambodians in the criminal justice system. Furthermore, for a systems approach, it has conducted little analysis of systemic problems. We note that CCJAP is about to support some ICRC research on the causes of prison overcrowding. We would have expected to see more research of this kind conducted in the early phase of the project, to help establish baselines and identify promising approaches.

Analysis and Learning

It should be stated at the outset that there are no well-established good practice models for how to deliver law and justice programmes in an environment as complex as Cambodia. A project such as this is inevitably experimental in nature, and needs to be designed around an active learning process.

Nonetheless, as stated above, the project design was not based on a solid analysis of the country context, in particular the political environment. It did not assess the full range of choices available for law and justice assistance, and how to balance top-down reform initiatives with bottom-up, legal empowerment or issue-based approaches. By and large, the existing set of activities from Phase II was continued, with some differences in approach and geographical focus. While the Strategic Framework Document noted various constraints on delivery, such as the weak leadership from counterparts and the fragmented nature of the sector, it does not appear to have responded to those challenges in the design.

The project was appropriately designed with a level of flexibility through its annual work planning process and the FSF, providing an opportunity to adjust its activities in response to lessons learned. It has, moreover, been through a process of discontinuing elements of the original assistance that were less successful, and focusing on areas with more potential. However, this learning has not happened in a very structured way, and a lot of time has been lost along the way. The project produces voluminous reporting on its activities, but this tends to be self-promoting rather than analytical. On principle, CCJAG should have been offered a mechanism for reassessing strategic direction. What appears to have occurred, however, is that CCJAG was requested by AusAID to focus on managerial problems as much as strategic questions. It produced long lists of recommendations in which strategic and managerial issues were given equal importance. It might have been more appropriate to have an inception period of 12-18 months, concluding with a formal process of reassessing and finalising the project design based on lessons learned.

Evaluation Criteria Ratings

Evaluation Criteria	Rating (1-6)	Explanation
Relevance	3	The higher level objectives of this activity and its relationship to the goals in the GoA country program have never been clearly articulated. While the project is formally aligned to a range of RGC strategies, its focus on criminal justice, and within that on juveniles and vulnerable groups, is not obviously an RGC priority. The design of the project does not reflect the difficult political and institutional environment in which it operates.

Evaluation Criteria	Rating (1-6)	Explanation
Effectiveness	4	<p>Effectiveness is highly variable across the components. We rate the individual components as follows:</p> <ul style="list-style-type: none"> - C1: 3 - C2: 5 - C3: 4 - C4: 3 - C5: 6 - Cross-cutting and systemic issues: 4 <p>This yields an overall score of 4. We note, however, that progress in Components 1 and 4 has been limited by environmental constraints largely beyond CCJAP control.</p>
Efficiency	3	<p>The project has moved slowly, due to the over-complexity of the original design and number of management problems, including difficulties in identifying appropriate personnel. Most of these problems have now been resolved, and the pace of implementation has picked up. The project demonstrates good fiduciary management, and an appropriate focus on low-cost, high-value activities, resulting in good value for money within individual activities.</p>
Sustainability	4	<p>The project works through a piloting modality, without the resources to implement activities nationally. Sustainability in the strict financial sense is not achievable. There are reasonable prospects of initiatives under Components 2 and 5 being continued beyond the life of the project. Other areas remain uncertain.</p>
Gender Equality	4	<p>The project has engaged in an extensive range of gender-related activities, particularly in Components 2 and 5, with some notable successes.</p>
Monitoring & Evaluation	2	<p>The Monitoring and Evaluation Framework has largely failed to produce usable data for management and accountability purposes. Although it is supporting statistics collection within its counterparts, this is a long-term goal and does not serve the monitoring needs of the project.</p>
Analysis & Learning	3	<p>The design of the project reflects a lack of analysis of what is achievable within the political and institutional context. While there has been adaptation in activities, there has been no process for reassessing basic strategies and approaches.</p>

Rating scale:

Satisfactory		Less than satisfactory	
6	Very high quality	3	Less than adequate quality
5	Good quality	2	Poor quality
4	Adequate quality	1	Very poor quality

Conclusion and Recommendations

Conclusions

In general, the successes of CCJAP have been achieved in spite of, rather than because of, the project design, which provided a poor foundation. The overall objectives of the assistance were not well articulated, and not clearly linked to the goals of the Australian country strategy. The project is aligned to RGC objectives in the formal sense, but the reality is that strengthening the rule of law is not high on the current political agenda. Political support for some elements of the project has been uncertain, and the greatest successes have come in areas where there are no strong political interests involved.

The project was designed with a high degree of flexibility through an annual workplanning process. This left it to the managing contractor to generate a political engagement strategy in a highly complex and often sensitive sector. In our view, this was an unrealistic expectation. The managing contractor had to put in place an extremely complex set of management process and activities within a short period of time, as well as building relationships with multiple counterpart institutions and the National Management Board. It quickly became locked into an established set of activities and relationships, with little scope to innovate at the strategic level. As a result, the project has lacked a workable real political strategy.

The design was also overambitious, given the structural problems facing the sector and the limited absorption capacity of counterparts. Although there are various reasons for the slow pace of implementation, probably the most important is that the project had too many objectives and activities, which had to be refined into a workable agenda over a period of time.

Effectiveness has been highly variable across the components.

- The support given to the national judicial reform strategy has developed some useful tools to improve coordination, but has struggled to overcome the structural problems of a highly fragmented sector.
- The CPCS has also been a successful pilot in two respects. First, it has demonstrated that interventions of this type can be delivered through national D&D systems. Second, it has shown that simple, low-costs interventions on issues like community safety and domestic violence can deliver early results – both in terms of changing public attitudes and improving relations between local authorities and communities.
- The policing component has made limited progress on institutional reforms, although it has introduced a regular cycle of strategic planning that may prove significant in the future. It has developed some useful capacity in forensics, but some of the most important component activities – pilots in community policing and data collection – are only just getting underway.
- Support to the MoJ and the courts has been the most difficult component, due to the fragmented nature of the counterpart. There has been some effective support to case management in the Court of Appeal, helping to address one of the principal causes of delay within the criminal justice system. However, the flagship activity – the Model Courts – has been extensively delayed, and the approach remains unproven.
- In the prisons component, the level of achievement has been genuinely impressive, given the resources available. The assistance demonstrates a high level of counterpart ownership, facilitated by a permissive political context. Different strands of assistance have complemented each other in strategic ways, including integration of capital works and institutional reforms, good partnerships with NGOs around service delivery and good cooperation with other international partners.

The logic of CCJAP's systems approach was to engage with all the main links in the criminal justice chain, in order to improve the functioning of the system as a whole. This has not been effectively implemented, with the project engaging with the counterparts in parallel through separate activities, rather than encouraging them to work on joint solutions to systemic

problems. While the project's National Management Board may have helped build some consciousness of a common sector among the counterparts, it is a purely project-related structure and the benefits are unlikely to be sustained beyond the life of the project. Little has been done to forge habits of joint working, other than at the local level through Police-Courts-Prisons (PCP) meetings.

The central theme of juvenile justice and vulnerable groups has been pursued within individual components, especially in the prisons and CPCS which have a good range of activities to benefit women and children. There has been little progress on addressing these themes at the systemic level, in large part because of delays in the legislative process. There has been little work with the police on dealing with either juveniles or victims of sexual violence. Hopefully these issues will be taken up within the community policing pilot.

Being designed around a series of pilots, the project is only expected to achieve results on a demonstration basis, and cannot deliver on financial sustainability. It should ultimately be judged by its success in persuading its counterparts, other donors and NGOs to take up successful ideas and initiatives and continue them beyond the life of the project. The review concludes that there are good prospects of this occurring with the prisons component and with the CPCS activities, although in the latter case continued piloting may be needed beyond the life of CCJAP. In the case of the courts and police, there will have to be substantial increases in the pace of implementation of the community policing and Model Courts activities, if there is to be any prospect of sustainable results commensurate with the investment.

Recommendations for the remaining project period

With only a single round of annual work planning left and around US\$500,000 of FSF funding still to allocate, there is limited scope to reallocate financial resources at this stage.

Opportunities for refocusing the project therefore lie in a rebalancing of effort within individual components, and a strengthening of the thematic focus and linkages across the components.

We have three high-level recommendations, for implementation across the components.

1. **Introduce a stronger thematic, cross-component orientation.** The tendency of the components to work in silos, rather than engage on systemic or thematic issues across the criminal justice system, has been a weaknesses of the project to date. It represents a missed opportunity to develop stronger operational linkages across the counterparts. One way to address this would be for the project to adopt an explicit focus on one or more thematic issues that need to be pursued through joint initiatives across the counterparts.

For example, the problem of prison overcrowding is obviously critical to CCJAP, with the potential to undermine some of its most important achievements to date. It is also an area that can only be addressed by joint work across the police, courts and prisons. CCJAP is currently supporting an ICRC study into the causes of prison overcrowding. This may provide a platform for opening a joint dialogue on the topic with counterparts. A systems approach to an issue like this means supporting the counterparts to engage in a joint process of identifying solutions to the problem that span the different institutional mandates. It means identifying what needs to happen at the legislative, policy and budgetary levels. It may mean piloting some activities in which more than one counterpart is involved (e.g., diversionary programmes involving both the CPCS process and the community policing pilot). It might be helpful for the National Management Board to consider reserving a portion of the next round of FSF funding for joint activities.

This recommendation would also have implications for the management of the project team. It might require the formation of small work teams spanning the different components, with advisers reporting to the Deputy Team Leader.

2. **Develop activities around a community-based justice theme.** A promising cluster of issues are emerging from the existing components around the theme of community-based justice. This offers a number of thematic issues that CCJAP could consider prioritising, including:

- more structured diversion programmes for youth in conflict with the law;
- piloting non-custodial sentencing for minor offences, particularly for juveniles;
- community policing;
- the further development of legal aid services;¹⁵
- trafficking and gender-based violence;
- crime prevention and community safety, including awareness raising and public education.

We recommend that, as far as possible, CCJAP focus on supporting this level of service delivery to communities by the criminal justice institutions, with a focus on activities that deliver improved relations between communities, police, courts and local authorities in the communes and provinces. This would continue the systems approach to criminal justice by working across the different links in the criminal justice chain, but it would involve an increased focus on bottom-up capacity building, working at the level that is most directly relevant to the intended beneficiaries. This is a level where there is both political space to work, and where demonstration activities by CCJAP have the potential to be taken up by RGC and donors in the future through the D&D system.

At present, there are legislative and institutional structures in place for non-custodial sentencing. However, there is a general reference to non-custodial sentencing in the Criminal Code, that might provide a sufficient legal basis for some piloting activities, if the MoJ were in favour of the idea.

3. **Focus on sustainability and transition.** As a project that works primarily through piloting, CCJAP's impact depends upon its activities being taken forward and its lessons absorbed and utilised beyond the life of the project. As CCJAP approaches its last round of annual planning, we recommend that the team work through each of its activities in a systematic way to determine how best to make this happen. For each activity, some combination of the following will be needed.
 - Dissemination of lessons. The team should analyse and document what has worked, and what has not. This should not be about producing promotional material, but documenting lessons in ways that are meaningful to the stakeholders most likely to make use of them. The lessons must be disseminated to different RGC agencies, to provinces and communes (using existing networks and platforms), to other donors and to NGO partners.
 - Arranging for the transfer of responsibilities for existing activities. For each activity or initiative, CCJAP should make an assessment of what has to happen between now and project completion for the activity to continue without CCJAP support. This might include finalising policies or administrative directives (*Prakas*), securing budgetary resources, concluding inter-agency agreements, engaging other donors and so on. An explicit analysis should be conducted for each activity, and transition arrangements should be in place as early as possible to reduce the chance of benefits being lost.

In addition to these general recommendations, we have a number of specific suggestions on individual components or areas. It may not be possible to implement all of these activities within the time and resources left to the project. We therefore recommend that AusAID, CCJAP and the NMB use the following points to aid a dialogue on what are the priorities for refocusing the project.

CPCS

- It is important that AusAID and CCJAP engage closely with the D&D process as it develops – both the evolving RGC policy framework and donor efforts to develop a SWAp. If CCJAP can demonstrate the potential of the D&D process as a funding channel for community safety and other social welfare-type activities, there are good

¹⁵ This might include negotiating a more structured and sustainable approach among donors to financing NGO provision of legal aid services.

prospects for attracting other funding into this area. AusAID should advocate this possibility in donor fora.

- CCJAP should produce a short document on its current CPCS mechanisms and circulate it to UNDP, the World Bank and other donors active on D&D. It should investigate the possibility of using existing networks and structures, such as the National League of Commune/Sangkat Councils, to disseminate information about its CPCS activities to communes.
- Given that the CPCS pilots have already achieved some significant demonstration results, and will produce more in 2010, there may be questionable value in simply repeating the same round of activities in 2011. In its final year, CCJAP should consider using the CCJAP funding mechanism to implement some more ambitious pilots around the community-based justice themes outlined above – for example, a more structured approach to youth diversion. This would require closer involvement from advisers in other components in designing activities. It would also involve more facilitation and capacity building support for district-level partners, possibly by engaging local NGOs.
- CCJAP should also consider extending some of its existing CPCS activities into urban areas with higher crime rates. For example, it might be useful to implement CPCS activities in the same parts of Phnom Penh where the CNP is piloting crime data collection.
- The CPCS youth diversion programmes need to be targeted directly on youth in conflict with the law, rather than simply on youth from poor families. Otherwise, the high unit costs of the vocational training programmes are difficult to justify.

CNP

- While the prospects of CCJAP being directly involved in the implementation of the draft Police Act do not seem particularly high, the AFP may consider raising the question of passage of the act during its next high-level visit to Cambodia. Given the resources devoted to this activity, it would be a shame if there is no follow up. A clear message from the AFP on the significance of this piece of legislation in building an internationally credible police force would be helpful.
- As it seems unlikely at this point that major institutional reforms to the CNP will be launched during the life of the project, we recommend that this component focus its attention on the pilots of community policing and crime statistics. In the latter case, the focus must be on creating a demand for data (including overcoming the CNP's reluctance to report on unresolved crime), as well as building mechanisms to collect it. As data becomes available, CCJAP should use its expertise to demonstrate to CNP the uses that can be made of accurate crime data for planning and operational purposes. To this end, CCJAP may also consider funding additional small research projects (e.g., opinion polling, victimisation surveys, research on types or causes of crime) by the CNP, in order to build a demand for data.
- CCJAP should continue to pursue a national crime prevention strategy at the policy and legislative level, in cooperation with components 1 and 4.
- CCJAP should explore the possibility of linking the community policing pilot with the mechanism established to fund CPCS activities. If CCJAP is able to offer financial support for community policing activities, it would be helpful to channel those funds via the D&D system, rather than directly to the CNP, so that local police are encouraged to be more responsive and accountable to the communities they serve.
- We recommend that the police adviser take another look at the possibility of developing an initiative around the response to victims of sexual crimes.¹⁶ It appears that current attitudes to sexual violence are standing in the way of an effective police response. An awareness raising and education campaign among police and medical

¹⁶

The recent Amnesty International report on rape in Cambodia provides a useful starting point: Amnesty International, "Breaking the Silence: Sexual Violence in Cambodia", 2010.

professionals might help to break down those attitudes. In particular, the CNP needs to ensure that sexual violence is treated as a criminal matter, whether or not compensation payments are also made to the victim.

- On-going support to the CNP's Gender Mainstreaming Action Group should encourage them to narrow their focus to realistic, measurable objectives. For example, they could be encouraged to analyse (based on feedback at the national and regional events held in 2009) what are the most important obstacles facing women working in the CNP, and then select two or three of them where concrete changes are possible.

Courts

- All of the donor partners we consulted shared the analysis that weaknesses within the MoJ represent a significant constraint on implementation of the LJRS and the effectiveness of donor assistance to the sector. This has a direct financial cost to the sector, with donors exiting or moving to NGO-based support. These weaknesses cannot be addressed purely at the technical level, as their origins are at least partly political. What seems to be needed is a higher level dialogue between donors and RGC on how to make the MoJ an effective leader on judicial reform. This could happen at two levels. First, once the MoJ Strategic Plan is adopted, CCJAP should launch a dialogue with the MoJ on what organisational reforms would be required to implement the strategy. Second, AusAID should open discussions with other donor partners on making a joint approach to RGC at an appropriate level to bring the problem to the attention of senior leaders, and request political support.
- In its support to the Model Court initiative, CCJAP should try as far as possible to advance issues or themes that advance CCJAP's cross-cutting objectives, such as juvenile justice, bail arrangements or non-custodial sentencing for minor offences.
- CCJAP should consider funding NGO partners to be involved in the Model Court initiative. For example, there is currently a court monitoring exercise funded by OHCHR that might be able to assist court presidents in identifying shortcomings in existing practices. There might be scope for strengthening NGO legal aid services by negotiating formal agreements between the Model Courts and NGO providers. There may be options for reducing prison overcrowding by priority cases of excessive pre-trial detention or facilitating the production of documents (e.g., final judgements) to prisoners.

Prisons

- As part of its sustainability strategy, it is very important that the CCJAP keep a close watch on Prey Veng prison (where a commercial land swap deal is under preparation) and other new construction projects, to make sure they comply with the new national standards on prison design and construction. If the standards are not being adhered to, AusAID should consider raising the matter with RGC at a senior level, as it has the potential to undermine some of the most important gains under CCJAP.
- The prisons component should consider what steps need to be taken to place prison-NGO partnerships around services delivery to prisoners on a sustainable basis. Is there a need for a national agreement between GDoP and civil society?
- This component should take a close look at the structural causes of prison overcrowding (beginning with the current ICRC study) and identify solutions. This means involving counterparts in the analysis. By the end of CCJAP, all the main stakeholders in the criminal justice should have a good understanding of the causes of prison overcrowding and the range of possible solutions, and have made a good start on developing inter-agency coordination mechanisms for implementing them.
- CCJAP needs a much more robust risk management strategy around prison labour (in both prison industry and farming programmes and CCJAP's own capital works). First, with OHCHR support, the international human rights standards applying to prison labour should be clearly documented in Khmer, in a form that is easily understood by GDoP and prison management. Second, an assessment should be

made as to whether existing rules and regulation on prison labour satisfy these standards. Third, a monitoring system should be introduced to ensure that current rules and regulations are being respected. CCJAP should investigate the possibility of involving the new Office of Inspections in this process. In addition, it should introduce independent monitoring arrangements in its partner prisons. This might involve a light, routine check, such as interviews with a sample of prisoners on a quarterly basis to determine whether rule on working hours, health and safety procedure and remuneration are being respected, followed by a more robust investigation if problems are detected. The routine check could be done by CCJAP staff or an NGO partner. The entire procedure should be clearly documented, to mitigate reputational risk.

Capital works

- The capital works programme appear to be broadly on track, with the pace of implementation set to increase dramatically in 2010. Our only recommendation is that CCJAP keep up consultations with regional counterparts to ensure ownership is maintained, in view of the fact that staff turnover is high and that information travels poorly within these institutions.
- At this stage, it appears unlikely that the proposed capital works for Prey Veng prison will go ahead. We recommend that CCJAP consider supporting the construction of a new annex in the Court of Appeal as an alternative project. Ideally, however, it should do so jointly with other donors. If other donor funds are not forthcoming, there may be more value in releasing the funds back into the FSF for general activities.

FSF

- We recommend that the National Management Board consider reserving a portion of the remaining FSF funds for inter-agency activities – for example, joint work on thematic issues like prison overcrowding or support for victims of sexual violence. In practice, such grants would have to be divided between the implementing partners, but the application should be a joint one.

Anti-corruption

- CCJAP should investigate whether the passage of the Anti-Corruption Law creates opportunities for supporting its implementation in the counterpart institutions.
- It is difficult to see how CNP can implement a credible community policing pilot without addressing the problem of petty extractions by police from citizens. We recommend that CCJAP use the community policing pilot to investigate this issue, and at the very least initiate a dialogue with CNP on the causes of petty corruption and its costs in terms of police-community relations.

Gender

- As stated above, we recommend that the police component revisit the possibility of undertaking an activity to change attitudes to victims of sexual violence.

Monitoring and evaluation

- While it is appropriate that support to the counterparts on development of statistical systems should continue, this is a long-term ambition that is unlikely to generate much usable data for the purposes of monitoring the project itself.
- The only effective part of the CCJAP monitoring strategy to date has been the research commissioned from Domrei. CCJAP should consider using Domrei or other service providers to establish baselines for the Model Courts¹⁷ and community policing pilot.

¹⁷ Currently, the monitoring framework includes as an indicator a Model Court Quality Checklist. While we have not reviewed this checklist, we presume it uses internal or process indicators. It may be useful to supplement this with a survey of the experience of users of the Model Courts, in terms of efficiency and probity, to establish a baseline for subsequent impact monitoring.

- There is limited value in trying to redo the monitoring and evaluation framework at this stage of implementation, as there would not be time to establish baselines for new indicators. Instead, the focus of attention should be on documenting activities and achievements before project completion, to ensure that the intended demonstration effects are achieved.

Lessons learned

The most important lessons to emerge from CCJAP for future engagement in law and justice relate to the initial design of the project.

For any intervention into the law and justice sector, it is important to be clear about what the intervention is trying to achieve – namely, what broader development goals it serves. There are many reasons why AusAID might wish to engage in law and justice – to improve human rights, promote rural livelihoods, improve the business environment, increase government accountability and so on. In a fragile state, a law and justice intervention may also be designed to reduce conflict and fragility, as well as promote the MDGs. There is no single causal link between justice and broader development goals, but multiple possible linkages that vary according to the country context. Interventions into the sector should be designed around a clear statement of what benefits are intended and an explicit theory of change for achieving them. This helps implementers to select among the many possible objectives and approaches within the sector.

In the Cambodian context, the law and justice sector presents a difficult entry point for addressing broader development goals. It seems unlikely that improvements in the justice sector will be a driver of poverty reduction in the short to medium term. However, there are various arguments that could be made for engagement in the sector. There are pressing human rights issues that need to be resolved. There is also a good case for seeing investments in law and justice as part of the long-term state-building process. At present, the police and other justice institutions are seen as agents of the state, rather than of the community, and are widely perceived as corrupt, unresponsive and intimidating. Changing the nature of the relationship between justice institutions and the community is key to Cambodia's long-term democratic development – hence the emphasis on community-based justice in the recommendations above. Cambodia is also facing the likelihood of increasing social pressures in the future as a result of its demographic bubble and low employment rates for youth. It needs the capacity to respond to these growing pressures in a sensitive way, and not just by cracking down on its symptoms. Building a responsive law and justice system, with a focus on keeping young people out of the courts and prisons wherever possible, is therefore a good investment in conflict management for the future.

When designing interventions in a difficult political environment, it is important to ground the design in solid political analysis, with an understanding of the vested interests involved and the potential drivers of change. In such an environment, a capacity building approach designed on purely technical criteria is unlikely to be sufficient. The alternative is to target interventions on particular issues where there is some political space to work, and which offer entry points for addressing systemic problems. In other words, rather than trying to implement a more or less standard package of technical capacity development programmes across all the main institutions in the criminal justice system, one could choose to focus on issues such as prison overcrowding or juvenile justice, and use them as entry points for tackling systemic challenges such as poor coordination within the sector.

It is also important to choose entry points that can deliver direct benefits to the population, while providing a platform for addressing wider policy and institutional reforms. This is particularly the case in Cambodia, where top-down reform initiatives can drag on for many years without much practical result. If government does not appear committed to addressing the fundamental problems facing the justice system, donors need to be cautious about elaborate processes such as the Law and Justice Reform Strategy. While they need to support the official reform process to some extent, directing the bulk of support to the point of service delivery is likely to deliver better development returns. The Paris Declaration commitment to alignment needs to be grounded in political analysis. Genuine country ownership and leadership of law and justice reform in Cambodia is an objective that has to be achieved over time.

The idea of treating criminal justice as a system, and approaching it from multiple angles and entry points, is sound. However, this does not necessarily mean offering dedicated capacity building resources to all the justice institutions – that was always going to be highly ambitious within a single project. It could also mean focusing on the interaction between different elements of the system. An effective way of doing this is to focus on issues or themes that cut across different institutional mandates (e.g., reducing prison overcrowding, improving juvenile justice, or supporting victims of sexual crimes). By supporting initiatives that require different institutions to work together, whether at the policy or operational level, it encourages them to recognise their role as elements in a larger system.

Capacity building programmes need to be carefully tailored to the starting point of the counterparts. In this project, two of the main counterparts – the CNP and the judiciary – are radically different in structure and institutional culture. In a hierarchical institution like the CNP, a focus on top-down planning makes sense. Donors can support the efforts of reformers at the top of the institution, while being conscious of the political constraints they face. For the MoJ and judiciary, there is at present no structure for formulating and implementing top-down reform. Although this may eventually emerge, in the short term the focus should be on discrete institutional reforms that are achievable in such an institutional environment. This might include working with NGO partners to address specific problems within the judicial system (as CCJAP has done by providing legal aid to cases of excessive pre-trial detention). It may include tailored support designed to alleviate bottlenecks in the system, as CCJAP has done with the Court of Appeal. It might include working with civil society to mobilise constituencies in favour of change. In a weak institutional environment such approaches may produce better results than comprehensive, top-down reforms.

The legislative process in Cambodia is slow and painstaking. There are many draft laws prepared with donor support awaiting adoption, and many new laws awaiting implementation. In this environment, it is risky to focus an intervention on an area like juvenile justice where the basic legislative framework is not yet in place.

CCJAP was designed with a high level of flexibility, with the ability to shift the balance of effort and resources over time through the FSF and annual work planning process. This was intended to give the managing contractor space to focus on the most promising issues and modes of engagement as they emerged, given a complex and dynamic political environment. In practice, this proved to be unrealistic. First, the managing contractor had to put in place a complex set of activities and management processes. Inevitably, the agenda was driven by the delivery of these activities, rather than by strategic questions. Second, resource allocation decisions were taken by the National Management Board, not the contractor. As a result, the flexibility and adaptability envisaged in the design was lost. The lesson for AusAID appears to be that, where a high level of flexibility over resource allocation is required, AusAID needs to retain the capacity to determine the strategic direction of the project. A management contractor is most likely to be effective where the activities and deliverables are clearly defined.

The CCJAG monitoring mechanism was an interesting innovation, with the potential to strengthen AusAID's oversight of the project. The more uncertain the environment, the greater the need for operational oversight of this kind. However, the mechanism did not quite work out as intended. At AusAID's request, CCJAG directed much of its effort to reviewing management problems within the project that would ordinarily have been left to the managing contractor to resolve. It is difficult to address issues of that nature through occasional visits, and it made the relationship between CCJAG and the management contractor more difficult. CCJAG produced lengthy lists of recommendations, in which its strategic recommendations were slightly lost among the volume of management issues. While AusAID may have had good reason to act as it did in this instance, in general it is better to keep a monitoring arrangement like this focused on strategic issues and performance management.

In its monitoring and evaluation framework, the project has struggled to find the right balance between investing in data collection systems within the counterparts and implementing project-specific monitoring arrangements. While it is certainly appropriate to invest in partner information-collection systems, if this is a long-term goal it should not substitute for the project establishing its own baselines and monitoring arrangements. In weak institutional environments, some independent monitoring will usually be necessary. Any such arrangement should be designed as far as possible to generate information that will be useful

to counterparts, as well as to the donor. Where the counterparts are able to conduct their own activity monitoring, an aid project can add value through external monitoring arrangements (e.g., surveys) to measure changes in the quality of services and development impact. Setting baselines also provides an opportunity to commission useful background research, which can be used to demonstrate to counterparts the value of quality information for policy making and planning.

Annex A Evaluation Plan

Cambodia Criminal Justice Assistance Project Phase III Independent Progress Report

Evaluation Plan

February 2010

Background

The Cambodia Criminal Justice Assistance Project (CCJAP) is an AusAID-funded project designed to strengthen the provision of law and justice in Cambodia. The first two phases ran from 1997 to 2007, with a total spend of AUD30 million. The current phase involves AUD30 million of assistance over 5 years, running until January 2012.

The purpose of the project is “to support the Royal Government of Cambodia (RGC) to provide equitable access to a high standard of justice, with a particular focus on juveniles and other vulnerable groups.” Law and justice is one of the four priority areas in the Australia-Cambodia Country Program Strategy 2009-2015. CCJAP is also aligned with, and supports implementation of, the RGC Legal and Judicial Reform Strategy. It takes a systems approach to strengthening the criminal justice system, working simultaneously across the main institutions involved in the delivery of security and justice. It has six components:

- i) legal and judicial reform;
- ii) crime prevention and community safety (CPCS);
- iii) support to the Cambodia National Police (CNP);
- iv) support to the Ministry of Justice and courts;
- v) support for corrections;
- vi) management support team.

Its activities are programmed through an annual workplan, while additional resources are provided through a Flexible Support Fund designed to increase the flexibility and responsiveness of the financial support. The project is implemented by a consortium of two contractors and the Australian Federal Police (AFP). Its principal RGC counterparts are the Cambodian National Police (CNP), the General Department of Prisons (GDoP), the Ministry of Justice and the Council for Legal and Judicial Reform. Oversight of the project by a two-tiered National Management Board (NMB), which includes executive members (both RGC counterparts and donor representatives) and a wider advisory group (including the project management).

This Independent Progress Report (IPR) is a formative evaluation taking place at the mid-point of the third phase of CCJAP. It assesses the overall progress made by CCJAP in delivering its expected outputs, and its likelihood of achieving its intended objectives. The IPR will make recommendations to AusAID, the project management and counterparts on how to strengthen implementation over the remaining two years of the project, and inform discussions in AusAID about future assistance in the sector.

Role of the IPR within the CCJAP Monitoring and Evaluation Strategy

The IPR is one element of the CCJAP monitoring and evaluation strategy. Other elements include:

- Annual Performance Review Reports and Six Monthly Progress Reports prepared by the CCJAP management, which report on the inputs, activities and outputs of the six components;
- Annual Stakeholders' Surveys conducted by an independent Cambodian company Domrei, which provides qualitative feedback from around 70 stakeholders and key informants through semi-structured interviews;
- Bi-annual CPCS Beneficiary and Household Surveys, which provide quantitative data on service utilisation and impact, tested against control groups;
- Periodic reports by the Criminal Justice Advisory Group – external monitors engaged by AusAID to produce periodic management and activity reviews (most recently in May 2009);
- Annual Monitoring Reports produced by the AusAID country team (most recently in December 2009).

The IPR differs from other monitoring process principally in its strategic orientation. It assesses at the overall level of achievement of the project. It looks at the design and delivery modalities, to determine whether they are appropriate for the Cambodian context. Looking forward, it asks the question whether, even if all the intended outputs of the project were achieved, the project would be likely to deliver its intended objectives on a sustainable basis.

The IPR will draw its information on project inputs, activities and outputs from existing monitoring and reporting and additional information collected during the evaluation. While field visits will be undertaken to consult with stakeholders, it is not the task of this evaluation to verify achievement of outputs.

The evaluation will draw out and test the logic or theory of change behind the project – that is, the intended causal chain from outputs to impact. Insofar as this logic is not already explicit in the project's Strategic Framework and other governing documents, it will need to be derived by the evaluation team based on dialogue with AusAID, the project management and counterparts. It will then be tested to determine whether it has proved to be valid.

Propositions for testing will include:

- That a systems approach (i.e., assistance provided across all the links in the criminal justice chain, including community protection, police, courts and prisons) is the best way to improve justice outcomes for poor men and women in Cambodia.
- That an approach based on model courts and prisons and pilot projects in a small number of provinces is able to achieve lasting change in the law and justice sector.
- That investment in capital works provides a useful entry point for engaging counterparts in systemic reforms.
- That the political conditions in Cambodia exist for alignment behind a country-led approach to law and justice reform and capacity development.

Evaluation questions

Under AusAID's standard evaluation methodology, the project is scored on a rating from 1 to 6 against eight principal evaluation criteria:

- relevance;
- effectiveness;
- efficiency;
- impact;
- sustainability;
- gender equality;
- adequacy of M&E arrangements; and
- quality of analysis and lesson learning by the project.

The evaluation also derives lessons for future interventions of this type.

The TORs set out suggested evaluation questions under each of these criteria. These have been slightly adapted as follows.

Relevance

- Are the objectives relevant to Government of Australia (GoA) and partner government priorities?
- Are the objectives relevant to the context/needs of the beneficiaries?
- Is the level of ambition of the objectives appropriate, given the achievement to date? Could a narrower set of objectives be formulated that would continue to meet GoA and RGC objectives?

Effectiveness

- Is the level of achievement of project outputs adequate at this stage of implementation? What are the main constraints on implementation? What changes could be made to delivery arrangements to improve the effectiveness of implementation?
- What level of progress towards project objectives has been achieved? What constraints have been encountered on achievement of objectives? If the project produced all its intended outputs, would the objectives be achieved?
- What risks does the project face regarding achievement of its objectiveness? Does the project have in place appropriate strategies to manage these risks?

In assessing effectiveness, the IPR will look into the following areas:

- i) the flexible support fund as a mechanism for promoting a rational allocation of resources across the sector, improving RGC ownership, building partnership between RGC and civil society and harmonising donor support;
- ii) capital works as a mechanism for generating RGC engagement in 'soft' elements of project-supported reform, including planning, budgeting and monitoring;
- iii) the approach to supporting RGC anti-corruption efforts, from corruption risk assessments to supporting Public Financial Management reform and internal inspection services within the Ministries of Justice and Interior;
- iv) capacity development of the General Secretariat for the Council for Legal and Judicial Reform, including its ability to lead donors and line ministries on reform and aid coordination, usefulness of the sector planning manual in promoting joint planning, and the development and use of sector indicators;
- v) support to the MoJ and Courts, including the effectiveness of the model courts approach, improvements in court administration including use of a single register, and progress on capacity development and strategic planning within MoJ;
- vi) support for CPCS, including incorporation of CPCS initiatives into the RGC Decentralisation and De-concentration programme and system of sub-national government, local police participation in CPCS, and effectiveness of CPCS activities in addressing the needs of women, girls and young men;
- vii) support for Corrections, including the GDoP annual planning and budget processes, progress on law reform, improved leadership and management of prisons, the development and implementation of gender mainstreaming plans, anti-corruption efforts and the inspectorate function, improvement of conditions for male, female and juvenile male prisoners through capital works and rehabilitation, responses to overcrowding, management of risks associated with use of prisoner labour, and engagement with other development partners and NGOs.
- viii) support for the CNP, including progress on law reform, the development of forensics capacity, the development of new crime data systems, progress towards community policing, moving from a CNP strategic plan to development and implementation of annual plans linked to resource allocation, and the development and implementation of gender mainstreaming plans.

Efficiency

- Has the project been implemented in a timely manner? What have been the causes of any delays?
- Has the implementation of the activity made efficient use of staff time and financial resources to achieve its outputs? Does it represent good value for money?
- Has the management and implementation of the project adapted effectively to changing needs and circumstances?
- Have the management structures of the project, including the relationships between the project management, AusAID and AFP, proved efficient?
- Has staffing been adequate and appropriate?
- Are the funding modalities used by the project, including the Flexible Support Fund, appropriate for achievement of the project objectives? Are fiduciary risks managed appropriately?

Impact

- Has the activity produced intended or unintended changes in the lives of beneficiaries and their environment, directly or indirectly?
- Is the project following the 'Do No Harm' principle? Is it conflict sensitive, given sources of fragility in Cambodia?
- How have the intended objectives been influenced by changes in the external environment during the project period, including political commitment to reform, status of counterpart institutions and coherence of donor activities?

Sustainability

- Do RGC and other stakeholders have sufficient ownership, capacity and resources to sustain progress towards the project outcomes after GoA funding has ceased? Assess sustainability across the elements outlined in the Strategic Framework Document, including: the policy and legal framework; ownership and participation; capacity building and improved management of institutions (including prospects for maintenance and appropriate use of capital works); and improved sector planning and resource allocation.
- Is there any evidence of innovations introduced through model courts and prisons and other pilot activities in CCJAP target provinces being implemented elsewhere in Cambodia?
- Are there any actions that can be taken now that will increase the likelihood that the activity will be sustainable? Are there any areas of the activity that are clearly not sustainable? What actions should be taken to address this?

Gender Equality

- Was the project designed to provide equal participation and benefits for women and men, boys and girls?
- Is the project promoting equal benefits for women and men, boys and girls? Are the activities tailored for the different needs of women and men, boys and girls?
- Is the project helping to promote women's rights?
- Is the project developing capacity among partners to understand and promote gender equality? Are gender mainstreaming plans an effective tool for promoting gender equality within partner organisations?

Monitoring and evaluation

- Is the project generating solid evidence on the achievement of outputs and objectives? Is the right information being collected? Does evidence from CCJAP assist in assessing GoA's strategic objective set out in the Cambodia Country Strategy (2009-2014 draft)?
- Is data gender disaggregated to measure differential outcomes for men, women, boys and girls?
- Is the M&E system collecting useful information on cross-cutting issues including HIV and anti-corruption? How could the M&E system be adjusted to include disability?

- To what extent does the project monitoring and evaluation strategy align with RGC monitoring arrangements including assessment of the RGoC Legal and Judicial Reform Strategic Objectives? Is the data generated useful to a range of stakeholders?
- How can monitoring and evaluation across the sector (including RGC, development partners and NGOs) be better integrated?

Analysis & learning

- How well was the design based on previous learning and analysis, including international best practice on law and justice support?
- How well has learning from implementation and previous reviews (self-assessment and independent) been integrated into the activity?

Lessons

- What lessons from the activity can be applied to our understanding of:
 - i) supporting legal and judicial reforms in a fragile state;
 - ii) operationalising aid effectiveness principles in the context of legal and judicial reform?

Information sources

The information sources used by the evaluation team will include the following.

- i) review of CCJAP documentation, including design documents, workplans, activity report, annual reports, financial statements, policies and procedures;
- ii) review of external monitoring reports, including reports by the Criminal Justice Advisory Group and the AusAID country post;
- iii) review of RGC policies, strategies and reports;
- iv) review of published and grey literature on the Cambodian country context and the law and justice sector;
- v) detailed interviews with AusAID country post staff and project staff (on strategy/management issues and activities by component);
- vi) interviews with other GoA stakeholders, including DFAT, the Australian Federal Police (AFP) and Commonwealth Attorney-General's Department;
- vii) key informant interviews with RGC national stakeholders, including members of the National Management Board, the Council for Legal and Judicial Reform, representatives of the Ministries of Interior and Justice and the General Department of Prisons and the Cambodia National Police;
- viii) interviews with donor representatives and other international partners, including Danida, OHCHR, Unicef, JCIA and USAID;
- ix) field visits to Battambang, Banteay Mean Chey and Kampong Cham to interview project staff and counterparts, visit activity sites and local civil society representatives.

The process of gathering information and views from key informants will be flexible and iterative, based on a combination of unstructured and semi-structured interviews. The evaluation team may develop some standard questions for project counterparts in the provinces, based on information collected during the first week of interviews in Phnom Penh.

Process

The main evaluation mission will take place over a three-week period from 22 February to 12 March 2010. The field visits will take place between 28 February and 4 March. A draft programme has been prepared by AusAID (see Annex).

The review team will be made up of Marcus Cox (Team Leader) and Kong Phallack. The team will be accompanied by Don Whinfield (AFP), Erin Gleeson (AusAID Canberra) and Michael Engquist (Danida governance adviser). Kirsten Bishop (AusAID law and justice adviser) and Michael Lapworth (AusAID Mekong desk) will join for the final week of the mission.

The first two weeks of the mission will be devoted to key informant interviews and information collection. The final week will be for follow-up meetings, strategic discussions with stakeholders and deliberation among the team. At the end of the mission, closing briefings will be held with AusAID staff, the National Management Board and the project team.

Outputs

The evaluation outputs will be as follows:

- i) an Aide Memoire, in accordance with the standard AusAID format, submitted at the conclusion of the mission on 12 March;
- ii) an internal Options Paper on future AusAID engagement in the law and justice sector in Cambodia, submitted in draft form by 17 March;
- iii) an Independent Progress Report in accordance with the standard AusAID format, with ratings against the principal evaluation criteria, submitted in draft by 29 March and revised following from AusAID;

Annex B List of individuals/organisations consulted

NO	NAME	POSITION AND PLACE
COUNCIL FOR LEGAL AND JUDICIAL REFORM		
1	H.E. Suy Mong Leang Deputy Chairman	Secretary General of the Council for Legal and Judicial Reform
2	HE Suong Leang Hay	Deputy Secretary General, GS-CLJR
3	HE Buon Somony	Deputy Secretary General in charge of Administration and Finance, GS-CLJR
MINISTRY OF INTERIOR		
1	H.E. Prum Sokha Chairman	Secretary of State – MOI
2	H.E. Gen. Heng Hak	Director General, General Department of Prisons – MOI
3	Gen. Mao Chandara	Deputy Commissioner General of National Police – MOI
4	H.E. Kuy Bunsorn	Deputy Director General, General Department of Corrections – MOI
5	Lt. Gen. Kieth Chantharith	Chief of Staff, General Commissioner of National Police – MOI
6	Maj. Gen. Morgn Kamsan	Director of Department of Technical and Scientific Police – MOI
7	Her. Ex. Major Maj Gen. Un Sokunthea	Deputy Director, Central Department of Judicial Police – MOI
8	Mr. Buth Borin	Chief of Health Office, General Department of Prisons – MOI
MINISTRY OF JUSTICE		
1	H.E. Ith Rady Deputy Chairman	Under Secretary of State – MOJ
2	Ku Khemlin	Deputy Director General of General Department of Research(MOJ), Model Court Focal Point
3	Mr. Tong Peav	Deputy Director General, General Department of Administration/ Finance Department – MOJ
APPEAL COURT		
1	Mr Youn Bunleng	President of Court of Appeal
AUSAID-AUSTRALIAN EMBASSY		
1	Margaret Adamson	Ambassador, DFAT
2	Matthew Duckworth	DFAT
3	Phil Hunter	AFP
4	Lachlan Pontifex	AusAID

NO	NAME	POSITION AND PLACE
5	Arthi Patel	AusAID
6	Ros Chhay	AusAID
7	Ms. Susan Ball	Representative of Australian Federal Police
DANIDA		
1	Mr. Michael Engquist	DANIDA Representative
CCJAG		
1	Mr. James McGovern	Consultant
UNDP		
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2	Ms Janelle Plummer	Advisor, World Bank, Local Administration
OHCHR		
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2	James Turpin	Human Rights Officer, OHCHR
3	Mr Khut Nary	Representative, OHCHR-North-West Province
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2	Ms Stephanie Garvey	Office of General Development, USAID
EWMI		
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UNICEF		
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4	Ms KAMEI Naoko	Resident Representative-JICA
5	Mr PHOK Phira	Program Officer, JICA
6	Ms ISOI Miha	Attorney at Law, JICA
7	Ms NISHIHATA Emi	Deputy Assistant Director, JICA
8	Mr HIWATASHI Rui	Consultant, Waseda University
9	Ms Ai Watada	Training Officer, Research and Training Institute of the Ministry of Justice

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1	Mr. Alan McCagh	Representative of Global Justice Solutions
2	Mr. David Moore	Australian Team Leader
3	Ms. Cheryl Clay	Deputy Team Leader & Corrections Adviser
4	Mr. Peter May	Justice Systems Advisor
5	Mr. Eam Yuth	Admin & Finance Manager
6	Ms. Sao Sam Sak	Communications Officer
7	Mr. Vathana Chan	Manager, Flexible Support Fund
8	Mr. Huot Veng Chan	Senior Project Officer – Police
9	Mr. Lam Kun Both	Senior Project Officer – Corrections
10	Mr. Yan Sokha	Senior Project Officer – Ministry of Justice - Courts
11	Mr. Chor Siek Veng	National Adviser – Aid Effectiveness and Capacity Building
12	Mr. Heng Jolie	Senior Project Officer – CPCS
13	Ms. Chrea Dalya	Provincial Project Officer Kandal
14	Mr. Ky Bunnal	Senior Project Officer – CPCS (Battambang)
15	Mr. Um Sok Chamroeun	Provincial Project Officer Prey Veng
16	Ms. Long Silux	Provincial Project Officer Banteay Meanchey
17	Mr. Sum Sokha	Provincial Project Officer Kampong Thom
18	Mr. Khiev Sothy	Provincial Project Officer Kampong Cham
19	Mr. Nou Arun	Project Officer – Capital Works Planning & Design
20	Mr. Sath Vuthy	Project Officer – Capital Works Construction
HAGAR		
1	Emelita Santos Goddard	HAGAR
CLEC		
1	Mr Yeng Vireak	Director, CLEC
BATTAMBANG PROVINCE		
1	H.E El Soy	Deputy Govenor, Battambang Province
2	Teav Choulong	Permanent member of EX-com/PRDC
3	Mr Kim Ravy	Vice President, Battambang Provincial Court
4	Mr Gnoun San	Prosecutor, Battambang Prosecution Department
5	Mrs. Teang Sam Bo	Chief of Court Clerk
6	Mr Kong Saren	Prison Chief, Battambang Prison
7	Mr Hing Chamroeun	Deputy Prison Chief
8	Col. So Sam Ann	Dep Police Commissioner
9	Maj. Chea Cheng	Chief of Technical and Scientific Office
10	Lt.Col Rath Mora	Chief of Central Office-Battambang
11	Mr. Nou Sitheoun	Deputy Governor, Mornng Reusey District

NO	NAME	POSITION AND PLACE
12	Ms. Ouk Kimhoeun	Deputy Governor, Morng Reusey District
13	Capt. Siek Phea	Deputy District Police Inspector, Morng Reusey District
14	Mrs. Yean Tharn	Chief of Women office, Moug Reusey District
15	Mr. Soun Chea	Provincial Facilitator- Battambang
16	Mr. Chheang Chang	Chief of Prey Touch Commune, Moug Reusey District
17	Mr. Eung Sovann	Chief of Police Post- Prey Touch- Moug
18	Mr. Thieth Bunthai	Commune Council, Prey Toch Commune, Morng Reusey District
19	Mr. Seng Khoun	Commune Council, Prey Toch Commune, Morng Reusey District
20	Mr. Va Montha	Clerk, Prey Toch Commune, Morng Reusey District
21	Ms. Gnoun Sarun	Gender Committee, Prey Toch Commune, Morng Reusey District
22	Mr. Gney Loch	Villager of Prey Touch Commune, Morng Reusey District
23	Mr. Ros Sokhun	Villager of Prey Touch Commune, Morng Reusey District
24	Ms. Pou Sitha	Villager of Prey Touch Commune, Morng Reusey District
25	Ms. Srey Mon	Villager of Prey Touch Commune, Morng Reusey District
26	Mr Sun Tek	Representative of Licadho, Battambang Province
27	Mr Khut Nary	Representative, UNHCHRC-North-West Province
28	Mr Sokun Pidor	A Lawyer, LAC

BANTEAY MEANCHEY PROVINCE

1	Mr. Chong Phet	Deputy Governor, Banteay Mean Chey Province
2	Mr. Ouk Keo Rattanak	Deputy Cabinet
3	Mr. Chip Pharin	Permanent member of EX-com/PRDC
4	Mr. Chhoeurn Kraiyong	Deputy of Local Administration unit
5	Mr. Soun Sothy	Chief finance Unit of ExCom PRDC
6	Mr. Suy Bunthan	Deputy of contract administration unit of ExCom PRDC
7	Mr Ang Mealaktei	Court President, Banteay Mean Chey
8	Mr.Ton Sihadeg	Deputy Prosecutor, Banteay Mean Chey
9	Mr. Lim Sinat	Chief of Court Clerk, Banteay Mean Chey
10	Mr. Chheang Son	Deputy Commissioner, COL
11	Mr. Duch Kim Heang	Deputy of central Statistics and fire LT- COL
12	Mr. Chuop Sothea	Chief of Administration LT- COL
13	Mr. Nuon Vanna	Prison Chief,
14	Mr. In Kong Chin	Representative, Licadho
15	Mr. Sopheap	Representative, CWCC

KAMPONG CHAM PROVINCE

NO	NAME	POSITION AND PLACE
1	Mr Cheam Ran	Ex-com Permanent Member
2	Mr. Vong Sarin	Deputy Prosecutor, Kampong Cham Prosecution
3	Mr Teng Ratana	Vice President, Kampong Cham Court
4	Mr Chum Naran	Chief of Finance, Kampong Cham Court
5	Mr Am Samath	Chief of Court Clerk, Kampong Cham Court
6	Mr Kea Sovanna	Chief, Correctional Centre 3
7	Mr Kea Sophal	Prison officer, Correctional Centre 3
8	Mr. Ho Hout	Save Children Australia, Kampong Cham
9	Mr. Moun Samnang	Save Children Australia, Kampong Cham
10	Mr. Tep Sovann	LAC, , Kampong Cham
11	Mr. Bou Virak	Licadho, Kampong Cham
12	Ms. Tan Kim Rany	Adhoc, Kampong Cham
13	Mr. Sim Sol	Vigilan, Kampong Cham
14	Mr. Chhim Seng Hong	Col. Kampong Cham Police
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16	Mrs. Kuy Phallany	KHEMERA Local organisation
17	Mrs. Sit Ni Soy	Deputy District Governor, Thbong Khmom
18	Mr. Pong Em	DFT, Thbong Khmom
19	Mr. Long Sarin	Lit. Thbong Khmom Police
20	Mr. Ting Rin	Lit. Thbong Khmom Gendarmerie
21	Mrs. Tin Sokhom	Chief of Women Affair Thbong Khmom district office
22	Mr. Larch Veng	Tbong Khmom, Communce, , Kampong Cham
23	Mr. Phin Vandy	Chief of Chup Village
24	Mr. Chea Lim	Chief of Toul Treachhoeung village
25	Mr. Mok Limhorn	Chief of Chroch Chambork village