

Internal Ex-Post Evaluation for Technical Cooperation Project

conducted by Laos office: October, 2011

Country	The Legal and Judicial Development Project
Laos	

I. Project Outline

Project Cost	About 265 million yen	
Project Period	May 26, 2003 to May 25, 2006. Extension period: May 25, 2006 to May 24, 2007 (1 year). Additional extension period: May 25, 2007 to March 31, 2008 (10 months).	
Implementing Agency	Ministry of Justice (MOJ), Office of the Public Prosecutor General (OPP)*, People's Supreme Court (PSC) (*change the name to be the Office of Supreme People's Prosecutor (OSPP))	
Cooperation Agency in Japan	International Cooperation Department, Research and Training Institute of the Ministry of Justice, Nagoya University	
Related Projects (if any)	Japanese cooperations: Technical Cooperation: Project for Human Resource Development in the Legal Sector (2010-2014) Other donors' cooperations: MOJ: Legal Sector Master Plan, supported by UNDP	
Background	In order to cope with promoting the market-oriented economy under the New Economic Mechanism (NEM), there was a pressing need to strengthen the legal framework. However, because the legal education had been suspended until the late 1980's, there were only few human resources who specialized the market-oriented economic reform and the capacity of human resources of legal field in Lao PDR was much limited. Furthermore, only few relevant legal documents and judicial references were available to deal with legal affairs. Therefore, the government of Lao PDR requested the government of Japan for technical cooperation to enhance legal knowledge, and strengthen practice of legal and judicial officers.	
Inputs	Japanese Side	Laos Side
	<ol style="list-style-type: none"> Experts: 4 Long-term experts in 3 fields for 91.5MM in total, and 16 short-term experts in 5 fields for 3.97MM in total. Trainees Received: 95 CPs trained in Japan Equipment: PCs, Office Supplies, Books amounting for US\$47,872.00 Local Cost: US\$297,870.00 	<ol style="list-style-type: none"> Staff Allocated: 35 CPs assigned Buildings and facilities: Project Offices in MOJ, OPP and PSC with utilities Others: salary of CP and utility charges for the offices.
Project Objectives	Overall Goal	
	<ol style="list-style-type: none"> Continuous trainings for legal and judicial officers, by lecturers and materials based on the project outputs, are established by legal and judicial authorities. Practice of public prosecutors and local judges are improved. 	
	Project Purpose Institutional capacity of the legal and judicial authorities* in order to enhance legal knowledge and practice of legal and judicial officers is strengthened. (* MOJ, OSPP and PSC)	
Outputs		
Output 1: Textbooks and dictionary on civil and commercial law, made up through a series of workshops and seminars, are available to legal and judicial officers. Output 2: Legal database system loaded with all laws and presidential ordinances is available to officers of central government agencies. Output 3: Public Prosecutor's manual prepared by a working group in the Office of Public Prosecutors is available to public prosecutors. Output 4: The statute book and the judgment writing manual are available to local judges. Output 5: Experienced lecturers in civil and commercial law increase in number.		

II. Result of the Evaluation

Summary of the Evaluation

The Lao government continued to strengthen the legal and judicial sectors through streamlining the regulatory laws and legal framework. However, formulation of laws and relative processes did not progress as planned at the central level, and the capacity of human resources of legal field was much limited. Furthermore, only few manuals for prosecutors and judicial references for justices have been available in practice. Shortage of those human resources as well as the unavailability of such manuals and references often prevented the prompt and fair solution of cases.

This project has achieved its project purpose of strengthening institutional capacity of legal and judicial authorities in order to enhance the knowledge and practice of legal and judicial officers, as shown in Laotian lecturers who became able to handle trainings themselves as well as officially-approved textbooks and manuals. As for the overall goal, the project has somewhat achieved it by establishing continuous trainings for legal and judicial officers and improving the practices of public prosecutors and local judges though data was not available to fully verify the achievement of the target.

As for sustainability, some problems have been observed in terms of technical and financial aspects of the implementing agencies: further improvement of some practical skills is needed for their staffs, and the budget from the government for human resources development is limited. However, there are no problems of policy, institutional and operational aspects.

For relevance, the project has been highly relevant with the development policy of Lao PDR, development needs, as well as Japan's ODA policy. For efficiency, the originally-planned inputs were not sufficient for producing the outputs and both project cost and project period exceeded the plan. In the light of above, this project is evaluated to be partially satisfactory.

1 Relevance

This project has been highly consistent with the development plans (5th and 6th of National Socio-Economic Development Plan (NSED) (2001-2005/2006-2010) of Lao PDR in strengthening the legal framework), and development needs such as the establishment of the firm legal framework and human resources development in the legal and judiciary field, as well as Japan's ODA policy, at the time of planning /project completion. Therefore, its relevance is high.

2 Effectiveness/Impact

This project has achieved its project purpose of strengthening institutional capacity of the legal and judicial authorities in order to enhance legal knowledge and practice of legal and judicial officers. Lecturers trained in this project are capable of teaching in trainings, seminars and workshops, and the textbooks and manuals developed by this project were approved and utilized as reference books by MOJ. It should be also noted that the process to develop such documents has served to strengthen the capacity of working group members.

As for the overall goal, the project has somewhat achieved it by establishing continuous trainings for legal and judicial officers, and improving practice for public prosecutors and local judges. Manuals developed by the project were distributed to relevant authorities and used as a reference in their practices. Since the project completion, approximately 1,000 legal and judicial officials, according to the interviews, have been trained by lecturers who use the materials as reference for trainings though data was not available to verify whether it achieved the target number or not. According to the interviews, members of some working group formed under the project also acquired the knowledge and skills on researching and drafting. Unavailability of some quantitative information could be covered by the qualitative information mentioned above. Therefore, its effectiveness/impact is high.



Training course at OSPP



Textbooks and manuals kept in MOJ



Training course at PSC

3 Efficiency

Both project cost and project period exceeded the plan (ratio against plan: 133% and 161%) due to the extension of the project period to complete the planned outputs (e.g., dissemination seminars for the materials produced). Although the inputs were appropriate in terms of quality, the quantity of the originally-planned inputs was not sufficient for producing the outputs. Therefore, efficiency of this project is low.

4 Sustainability

As for sustainability, some problems have been observed in terms of technical and financial aspects of the implementing agencies. It was found that further improvement of skills in terms of court's doctrine and normative documentation as well as updating of some reference books produced by the project is needed. Also, the database developed by this project has been partially sustained after the project due to few staffs with knowledge to update it and being not widely utilized by relevant officers. In the financial aspect, the budget constraint from the government for human resources development for prosecutors and judges needs to be resolved. However, there are no problems of policy, institutional and operational aspects. The project is consistent with the Legal Sector Master Plan of Lao PDR in an ongoing manner, especially with the capacity development of human resources in the legal sector. Also, the structure of the implementing agencies has been sustained in a similar manner with the implementation period, and it is considered appropriate for continuity of the project effectiveness. Therefore, sustainability of the project is fair.

III. Recommendations & Lessons Learned

Recommendations for Implementing agency:

- MOJ, OSPP, and PSC should allocate budget to conduct more trainings and seminars with materials developed by the project to further utilize the outcomes of this project to enhance capacity of related staff.
- MOJ should find out the corresponding OS to the database and Lao Language, to update the database more often and to open to the public to be used by wide range of related staff.
- MOJ, OSPP, and PSC should continue to revise and disseminate the materials and database based on actual situation and amended of law and policy.
- All relative organization such as MOJ, OSPP, and PSC should work closely to develop human resources development in the field of legal, and to share information after the project. The close relationship between the relative organizations should be carried out through the on-going project for Human Resource Development in Legal Sector.

Lessons learned for JICA:

- It is imperative that the project should train the sufficient number of human resources who can manage to utilize the database developed by the project. Otherwise the database developed by the project might have been left unused or not effectively utilized after the project termination.
- Development of reference materials to be used by relevant officials is proven to be effective under the situation that only few materials for prospectors and judicial references for justices have been available in practice. Furthermore, the process to develop such documents has served to strengthen the capacity of working group members of the project as well.