

Summary of the Terminal Evaluation

I. Outline of the Project	
Country: CAMBODIA	Project title: The Project for the Improvement of the Training on Civil Matters at the Royal School for Judges and Prosecutors of the Royal Academy for Judicial Professions (Phase2)
Issue/Sector: Governance (Law and Justice)	Cooperation scheme: Technical Cooperation Project
Division in charge: Law and Justice Division, Public Policy Department	Total cost: Approx. JPY 180 million
Period of Cooperation	(R/D): March 21st, 2008 From April 1st, 2008 to March 31st, 2012
	Partner Country's Implementing Organization: Royal School of Judges and Prosecutors of Royal Academy for Judicial Professions
	Supporting Organization in Japan: Supreme Court, Ministry of Justice, Japan Federation of Bar Associations
Related Cooperation :	
1 Background of the Project	
<p>Cambodia, which suffered from civil war for 20 years from the 1970s, positioned reform of legal and judicial systems as one of the top priorities. Disintegration of the legal system due to the war and significant decline in the number of intellectuals, including legal professionals, however, made it difficult for the country to develop in this regard under its own steam.</p> <p>JICA has supported the efforts of the Cambodian government since the launch of the Legal and Judicial Development Project in 1999. The project was implemented with full cooperation from dedicated Japanese law scholars and practitioners from related institutions in Japan, especially the Ministry of Justice. A joint Japanese-Cambodian working group was formed to draft the civil code and a code of civil procedure, and provide support in enacting bills. However, some of the concepts used in the Civil Code and Code of Civil Procedure that were drafted with support from Japan were unfamiliar to legal professionals and officers of the Ministry of Justice. In order for the Civil Code and Code of Civil Procedure to be adequately applied and implemented, it was necessary to foster legal professionals who sufficiently understood these codes.</p> <p>In response to a request by the Cambodian government, JICA launched The Project for the Improvement of the Training on Civil Matters at the Royal School for Judges and Prosecutors of the Royal Academy for Judicial Professions from November 2005 to March 2008. Prior to that, the Cambodian government decided to establish the Royal School for Judges and Prosecutors in 2002. JICA supported the school in establishing the basis for education of civil affairs with support in formulating and revising curriculum and teaching materials, and improving the skills of trainers. To tackle the problem in terms of a shortage of qualified legal professionals, JICA helped create a system enabling the Royal School for Judges and Prosecutors to provide education on civil affairs under its own steam, through the Phase 2 of the project from April 2008 until March 2012.</p>	
2 Project Overview	
(1) Overall Goal	
Civil trials are appropriately conducted based on the Civil Code (the CC) and the Code of Civil Procedure (the CCP)	
(2) Project Purpose	

Royal School for Judges and Prosecutors (RSJP) is able to implement the practical training on civil matters self-reliantly.

(3) Outputs

Output 1:

School management skills and know-how on recruiting and maintaining sufficient trainers, formulating and implementing curriculums are built up within RSJP.

Output 2:

Trainers and prospective trainers of RSJP, including those to be recruited / selected, develop and improve skills and know-how of developing and revising teaching materials.

Output 3:

Continuous legal education on civil matters is conducted.

(4) Inputs

Japanese side :

Long-term Expert: 3 persons

Short-term Expert: 15 persons

Trainees received: 37 persons

Equipment: 1,040 USD

Local cost: JPY 20 million

Others: Advisory group (13 members)

Total Cost Approx. JPY 180 million

Cambodian Side :

● **Staffing**

Project Director: The President of the Royal Academy for Judicial Professions

Project Managers: The Director of the Royal School for Judges and Prosecutors

Working Groups

● **Facilities**

1. Land, building and facilities necessary for the Project
2. Office space and facilities for the Japanese experts
3. Room and space necessary for seminars and workshops

II. Evaluation Team

Members of Evaluation Team	(1) Ms. Kyoko KUWAJIMA (Leader): Director General, Industrial Development and Public Policy Department, JICA (2) Ms. Miha ISOI (Legal Assistance): Visiting Senior Advisor (3) Mr. Mitsuyasu MATSUKAWA (Legal Profession Nurture): Lecturer and Government Attorney, International Cooperation Department, Research and Training Institute, Ministry of Justice of Japan (4) Mr. Masayuki KANEDA (Evaluation Planning): Assistant Director, Law and Justice Division, Public Policy Department, JICA (5) Mr. Takayuki KURITA (Evaluation and Analysis): Senior Consultant, ICONS Inc. (6) Ms. Megumi AMAKAWA (Interpreter): Japan International Cooperation Center	
Period of Evaluation	21/8/2011 - 7/9/2011	Type of Evaluation: Terminal

III. Results of Evaluation

1. Summary of Evaluation Results

(1) Relevance

The relevance of this Project is deemed to be high.

The Project is consistent with the strategy and the policy needs of the Royal Government of Cambodia, such as those in "the Rectangular Strategy 2004", "the Second Rectangular Strategy 2008", "the Strategy for Legal and Judicial Reform 2003", and the "Plan of Action for Implementing the Strategy for Legal and Judicial Reform 2005" and the "National Strategic Development Plan 2009-2013". The Project is aligned with the Japan's ODA policy and strategy such as "the Basic Policy of Assistance for Legal and Judicial System Development" of the Overseas Economic Cooperation Council in 2009, "Cambodia Country Assistance Program of 2002" of the Ministry of Foreign Affairs, and JICA's "Country Assistance Implementation Strategy for Cambodia of 2009).

Taking into consideration of the remaining scarcity of legal professionals, the Project is highly relevant to the Cambodian needs with regards to the contribution to the enlarged production of the qualified legal professionals with proper knowledge on the CC and the CCP.

Japan has comparative advantages in the utilization of the experiences, resources and knowledge accumulated through the cooperation for Cambodia in the past. In addition to the Project, Japan has been carrying out the support for the draft and legislation of the CC, the CCP and relevant laws and regulations through the Legal and Judicial Development Project (Phase 1, 2 and 3) (hereinafter referred to as "MOJ Project").

(2) Effectiveness

The effectiveness of the Project is deemed to be high.

The approach to improve the capacity of the Prospective Trainers was effective in the sense that the graduates of RSJP who serve as judges or prosecutors are motivated to apply gained knowledge in actual court exercises and eager to reflect their practical experience on realistic curriculums and teaching materials. Some Prospective Trainers have not only developed the teaching materials but also developed the capacity to give lectures at RSJP and other institutions for legal education.

The RSJP management is aware of the importance of securing sufficient number of the Prospective Trainers to be able to give lectures in RSJP. The lectures on civil matters at RSJP in general have been implemented by the qualified trainers and Prospective Trainers.

(3) Efficiency

The efficiency of the project is deemed to be high.

The timing and quantity of the inputs from the Japanese side were appropriate as planned. In response to the increased importance of training the Prospective Trainers, JICA has started dispatching a Japanese judge as an additional long-term expert since April 2010. This input has helped the Prospective Trainers to learn civil affairs more effectively from the practical point of view. The combined assistance of Japanese experts, the MOJ of Japan and Japanese Advisory Group as well as the combination of assistance methodologies like dispatching short-term experts for implementing seminars in Cambodia, JICA-Net seminars and training in Japan enabled the Project to respond properly to the needs of the Cambodian side.

All the teaching materials and published documents were mutually shared and utilized among the Project and the other two JICA projects for legal and judicial sector development: the ongoing MOJ Project (Phase 3) and the Legal and Judicial Cooperation Project with the Bar Association of Kingdom of Cambodia (hereinafter referred to as "BAKC Project") which was ended in 2010 June. Besides, inviting the MOJ officials to the

seminars organized by RSJP has provided the opportunities for them to learn the practical issues faced by the judges in applying the CC and the CCP in the courts. The MOJ Project has also invited the Prospective Trainers to attend their seminars which contribute to achieve deeper understanding of the CC and the CCP. These have brought about the complementary effects.

The management of the RSJP and the Japanese experts have held regular meetings 3 to 4 times a year to discuss the progress of the Project and policy of the school management. These efforts have contributed to the efficient implementation of the Project.

(4) Impact

The impact of the Project is expected to be relatively high.

As the Prospective Trainers have acquired necessary knowledge and skills through the Working Group activities, following impacts have been observed:

1) The Prospective Trainers have voluntarily developed the teaching manual “Manual of Demand Procedure”. Some of them have already started teaching in the Royal School of Court Clerk and universities. These activities are considered as spill-over effects of the Project.

2) Many judges have been asking questions to the Prospective Trainers mainly on the CCP and they have shared what they learnt on civil matters at RSJP with other judges in their courts.. This kind of knowledge transfer is effective for the proper implementation of the CCP in local courts.

(5) Sustainability

Sustainability of the Project is deemed to be relatively high.

55 judges and prosecutors have been produced per year based on the five-year plan (2008-2012) of RAJP. In Cambodia, two new courts of first instance were installed recently, and the CC will be applied in December 2011. Accordingly, much more legal professionals will be required in the future.

The Prospective Trainers have been steadily selected and trained through the project activities. Some of them have acquired the capacity of providing lectures, and took initiatives in developing the manuals on civil matters. In total 40 Prospective Trainers will contribute to the sustainability of the education of the RSJP, while playing important roles as judges in their courts.

Issue of concern is that CLE has not been implemented since 2010, because of the lack of financial sustainability of this activity.

2. Conclusion

Based on the results stated in the previous sections, it has been agreed that the achieved Project Outputs are expected to lead to the achievement of the Project purpose, with the continuous efforts by the Cambodian counterparts. Therefore the Project will be concluded as scheduled.

3. Recommendations

Issues to be considered after the completion of the Project

(1) Continuous capacity development of the Prospective Trainers

From the long-term perspectives, it is important to improve qualified Prospective Trainers further as the core legal professionals in the future. The knowledge on the CC will be especially necessary to be deepened in reference to the issues raised from the practical application of the CC.

(2) Implementation of CLE

The management of the school has recognized the importance of the CLE and has indicated their intention to implement CLE near future. It has currently implemented the needs survey targeting on the judges and prosecutors. For better application of the CC in December 2011, it is recommended for RSJP to take necessary measures to implement CLE as soon as possible.