

KINGDOM OF CAMBODIA

NATION – RELIGION - KING

Cambodia Criminal Justice Assistance Project Phase III

Annual Plan

January – December 2010

OCTOBER 2009



Australian Government

AusAID

Funded by the Australian Agency for International Development

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Abbreviations

AAA	Accra Agenda for Action
APR	Annual Performance Review
AusAID	Australian Agency for International Development
CCJAG	Cambodia Criminal Justice Advisory Group
CCJAP	Cambodia Criminal Justice Assistance Project
CDC	Cambodia Development Committee
CIDP	Commune Investment and Development Plan
CLJR	Council for Legal & Judicial Reform
CNP	Cambodia National Police
CPCS	Crime Prevention & Community Safety
DANIDA	Danish International Development Agency
D&D	Decentralisation and Deconcentration
DPAM	District Priority Activity Matrix
EWMI	East West Management Institute
FSF	Flexible Support Fund
GoA	Government of Australia
GDoP	General Department of Prisons
HRM	Human Resource Management
ICRC	International Committee of the Red Cross
LRS	Legal & Judicial Reform Strategy
M&E	Monitoring & Evaluation
MBPI	Merit Based Pay Initiative
MCWG	Model Court Working Group
MoA	Memorandum of Agreement
MOH	Ministry of Health
MOI	Ministry of Interior
MOJ	Ministry of Justice
MOWA	Ministry of Women's Affairs
MSF	Medecins sans Frontieres
NCDD	National Committee to Support Sub-national Democratic Development through the Decentralisation and Deconcentration
NGO	Non-Government Organisation
NMB	National Management Board
NSDP	National Strategic Development Plan
PAR	Public Administration Reform
PCP	Police Courts Prisons (provincial meetings)
PFM	Public Financial Management
PMU	Project Management Unit (of the CLJR)
PPO	Provincial Project Officers

RGOC Royal Government of Cambodia
S&T Scientific and Technical
UNICEF United Nations Children’s Fund

INTRODUCTION

The CCJAP Annual Plan 2010 is presented for the 12-month period from 1st January to 31st December 2010. The CCJAP annual planning cycle is now realigned with that of the RGoC and its Ministries and line agencies.

This Annual Plan was collaboratively developed with key counterparts and stakeholders taking into consideration lessons learnt arising from the Annual Performance Review Report (APR) 2008, the Six Month Performance Review Report (SMPR) to June 30th 2009 and the CCJAG 4th Mission Report.

The CCJAP Annual Plan 2010 Output and Activity Matrix¹ and Flexible Support Fund (FSF) Priority Matrix² was approved by the CCJAP III National Management Board (NMB) on Wednesday 30th September 2009.

The Annual Plan 2010 narrative with accompanying annexes is now provided for the information, review and approval of AusAID.

DEVELOPMENT PRIORITIES AP 2010

Key capacity development priorities reflected in this annual plan are applied from lessons learnt at the halfway point of the project using all available information to consider project implementation progress and management performance. The planning process, undertaken with key stakeholders (government, NGOs and community) and the NMB, was strategic by nature, linked to national reform objectives and partner agency priorities, considered stronger civil society engagement and, its development focussed on sustainability as an underpinning priority. Other key development priorities are:

- Strengthened sector and community knowledge and commitment to NSDP, LJRS, D&D Strategy, PFM Reform; and, PAR: e.g. implementation of the Planning Guide for Justice Sector Institutions with key executives in partner agencies; strengthened dialogue between key stakeholders at the national and sub-national levels (inc. government and community); continuing support to the implementation of GS LJRS Communications Strategy (website, Bulletin); and, continued support to the implementation of CIP-aligned CPCS Activities and LJRS implementing activities in six partner provinces within the RGoC's D&D policy framework.
- CCJAP Sustainability Strategy collaboratively developed and approved by the NMB by working with partner agencies to identify and agree to priority activities that may be strengthened with the objective of achieving sustainability upon project completion.

¹ Attached at Annex A: CCJAP AP 2010; Output and Activity Matrix

² Attached at Annex C: CCJAP AP 2010; FSF Priority Matrix

- Aid effectiveness principles underpin the design and implementation of 2010 Activities to strengthen opportunity for sustainability: e.g. the establishment of the Planning Guide for Justice Sector Institutions (trainings nationally and to 6 partner provinces); More counterpart and senior executive engagement in planning activities and strategy development; increased dialogue between government, NGOs and community at the national level and within partner provinces; where possible activities are aligned to partner government systems; a strengthened focus to the establishing M&E systems within partner agencies and reporting to national LIRS Objectives; and, continued collaboration with Donors in formal and informal settings.
- Stronger support to cross-cutting activities: e.g. implementation of component action plans for gender, Juvenile Justice and HIV/AIDs activities specific; implementation support to partner agency Gender Action Plans; and, the implementation of component outputs and activities that support vulnerable people (women and children), juvenile justice, people with HIV/AIDs, gender equality and that reduce opportunity for corruption.
- To increase the implementation pace of planned Capital Works projects with multiple constructions planned for 2010.
- To hand over implementation responsibilities of selected activities to counterparts in partner agencies during 2010 (e.g. Implementation of the Planning Guide to the GS and partner agencies; Forensics to the CNP; completion of the MoJ strategic plan).
- To ensure sufficient operational flexibility to manage and respond to emerging risks, challenges and issues that may arise during 2010.

COMPONENT 1

Component 1 activities are directed at 4 key priorities outputs: support to the GS CLJR to effectively implement reform priorities; implementation of the Planning Guide for Justice Sector Institutions; development of the IMS; and, Donor harmonisation and coordination and civil society engagement. Overall planned activities are intended to strengthen the General Secretariat (GS) to coordinate the implementation of the Legal and Judicial Reform Strategy by sector agencies. As a coordination and facilitation agency, the GS relies upon RGOC agencies to implement LIRS Action Plan.

In 2010 with CCJAP support the GS will strengthen its commitment to policy implementation as is reflected in the new General Secretariat Strategic Plan. The endorsement of the Planning Guide for Justice Sector Institutions (Planning Guide) by the CLJR is a milestone for CCJAP. This approval will enable the GS with CCJAP assistance to implement a sector training plan for the Planning Guide. National and sub-national workshops will be conducted and facilitated by trained trainers from the GS, CNP; GDoP and MoJ within multi-agency settings to promote consistency and collaboration between partner agencies.

CCJAP will continue to support the development and implementation of the Indicator Monitoring System (IMS) which progressed well in 2009 with a focus to quantitative data. In 2010 the component will assist the General Secretariat to further develop the IMS but this time with a broader focus to qualitative evaluation in measuring progress against the LIRS Objectives. A review of donor and sector information to evaluate achievements against LIRS strategic objectives will be undertaken early in the year.

Aid Effectiveness and coordination are also key priorities as are reflected in two of this component's outputs. More financial support and technical support will be provided to improve donor coordination and harmonisation; increase civil society and government dialogue; increase cooperation between Ministries and partner agencies; and, to strengthen communications and knowledge of reforms at the sub-national level in partner provinces.

Financial Management Reform and Administrative Reform were introduced to justice sector agencies in 2009. In 2010 the component will strengthen these links particularly in relation to program budgeting and the MBPI.

During 2009 a number of activities did not align with the RGOC planning and budget cycle which caused some synergy problems, especially in relation to the Model Court program budget submission. The component will place greater emphasis on ensuring the timeliness of inputs, including those of RGOC and other development partners, to reduce the risk of RGOC non-financing for key policy initiatives.

At the 31/12/09 technical inputs for the international Capacity Building and Aid Effectiveness advisor will be completed. A National Adviser: Capacity Building and Aid Effectiveness will be appointed to continue technical support to this component. A full-time translator working from the CCJAP project

office will support the National Adviser as required to ensure technical inputs focus on implementation.

C1: ANNUAL PLAN OUTPUTS

C1: Chart 1

COMPONENT 1 - LEGAL AND JUDICIAL REFORM STRATEGY IMPLEMENTATION SUPPORT

Output		Reference
	To support the capacity of the RGOC to effectively develop, coordinate and monitor the implementation of a sector-wide legal and judicial reform strategy	
1.1	General Secretariat CLJR coordination function effectively supported	General Secretariat Strategic Plan 2010-2014: Goal 3; Obj 3.1, 3.3 NSDP Rectangular strategy – LJR LRS PA 7.6.2 LRS PA 1.4.5
1.1.1	Provide technical advice for the Technical Working Group (TWG) and associated groups.	
1.1.2	Provide training and technical assistance to support the development of the General Secretariat – CLJR.	
1.1.3	Provide ongoing technical assistance as requested to support AusAID's TWG co-chair and sector facilitation roles.	
1.1.4	Provide administrative, technical and financial support to implement the GS LRS Communications Strategy (e.g. distribution of the LRS Bulletin; update the GS Website; and, facilitate government-civil society dialogue through forums).	
1.1.5	Support dialogue at the national level (National Workshop)	
1.2	Support the implementation of the Planning Guide for Justice Sector Institutions	General Secretariat Strategic Plan 2010-2014: Goal 1; Obj 1.4 LRS PA 7.5.1
1.2.1	Provide technical and financial support to finalise and sustain implementation of the Planning Guide for Justice Sector Institutions in partner agencies, using trained trainers to provide training at the national and sub-national level.	
1.3	Key Sector Performance Indicators developed and implemented	General Secretariat Strategic Plan 2010-2014: Goal 2; Obj 2.2 LRS PA 7.4.1
1.3.1	In collaboration with key stakeholders provide technical support to the ongoing development of the Indicator Monitoring System.	
1.3.2	Provide technical support to a review of current donor and sector information on the achievement of Strategic Objectives of the LRS	
1.4	Aid effectiveness and organisational capacity development support provided to relevant agencies	General Secretariat Strategic Plan 2010-2014: Goal 3; Obj 3.4 NSDP – PFMR NSDP – AR LRS PA 7.7.1 LRS PA 7.6.2 NSDP – LJR: reform acceleration
1.4.1	Assist the General Secretariat – CLJR to coordinate and harmonise the efforts of donors and Ministries in the implementation of LRS Reforms.	
1.4.2	Support implementation of RGOC's Public Financial Management Reforms in MoJ and MOI	
1.4.3	Support implementation of RGOC's Public Administrative Reforms - MBPI/PMG, for CCJAP salary supplemented positions	

COMPONENT 2

The Crime Prevention and Community Safety component will continue to focus on the implementation of sustainable, collaborative crime prevention and community safety initiatives that improve community safety within partner province target districts. As can be seen at C2 Chart 2 below CCJAP's activities are directed at 4 key priority areas: strengthening national and sub-national communication and coordination mechanisms and practices to implement NSDP, LJRS, D&D and CCJAP reform activities; strengthening support to the CIP and DPAM processes by funding prioritised activities in partner provinces in accordance with the NCDD framework; increase and sustain government and civil society dialogue and engagement to provide improved community services; and, increase Donor, civil society, and NGO engagement in the implementation of project initiatives that support a safer Cambodia.

CCJAP will continue to align support activities to and through existing government policy, laws, systems, structures and processes to provide greater opportunity for sustainability of select activities and to link national level policy (NCDD guidelines and the LJRS) to tangible activities at sub-national level in partner provinces involving the government and the community.

This will be the first year that financial and technical support will be provided to all six partner provinces to prioritise, implement and manage multiple CCJAP activities through the CIP and DPAM process in accordance with the NCDD framework. All six provinces and their target districts have prioritised planned activities ensuring that they are within project scope and/or aligned cross-cutting themes.

C2: ANNUAL PLAN OUTPUTS

C2 Chart 2

COMPONENT 2 - CRIME PREVENTION AND COMMUNITY SAFETY

Output	Reference
	Sustainable collaborative crime prevention and community safety initiatives established and improving community safety in targeted Districts.
2.1	Provincial Coordination and Communication strengthened in Partner Provinces to implement Reform Activities
2.1.1	Support Partner Province Government Committees to coordinate LJRS, D&D and CCJAP implementation activities in accordance with signed MOAs
2.1.2	Support Sub-national Government Committees in partner Districts and Communes to implement CCJAP activities
2.1.3	Cooperate with key counterparts and stakeholders in sub-national partner agencies (Police Courts and Prisons) to coordinate CCJAP activities
2.1.4	Provide technical support to key government stakeholders about CCJAP implementation activities within partner provinces

2.2	Sub-national Systems and Practices Strengthened in Partner Provinces	NCDD- Output #2
2.2.1	Provide technical and financial support to the Commune Investment Planning (CIP) processes and the development of the District Priority Activity Matrix (DPAM) for CPCS activities in accordance with the NCDD framework	LRS 7.4.1
2.2.2	Provide technical and financial support to the implementation, management and monitoring of CCJAP supported CPCS Activities in accordance with the DPAM NCDD Framework and implementing agencies.	
2.2.3	In accordance with signed MOAs utilize ExCom financial systems to procure project sponsored CPCS, capital works and other activities	
2.2.4	Provide technical and financial support to partner provinces to strengthen and sustain monitoring, evaluation and reporting of CIP gender and security activities relevant to crime prevention and community safety	
2.2.5	Undertake annual risk reviews and audits of FSF funded activities including those aligned to partner government systems	
2.3	Government and civil society engagement and dialogue strengthened in Partner Provinces	NCDD- Output #2
2.3.1	Facilitate government and non-government participation in planning, budgeting and implementation of approved CIP activities in Partner Provinces	LRS PA 1.4.5
2.3.2	Facilitate cooperation and coordination between sub-national government agencies and with civil society, NGOs and Donors to develop and implement initiatives financed by CCJAP, particularly those that supports the project's cross-cutting themes	
2.3.3	Promote cooperation between Police, Courts, NGOs, and the MoH to respond to and improve services for victims of sexual crimes in partner provinces	
2.4	Increased Civil society, NGO and Donor participation in CCJAP Initiatives in Partner Provinces	NCDD- Output #1
2.4.1	Establish networks with Donors and NGOs to improve implementation and identify new initiatives that contribute to CCJAP's objectives.	LRS 1.4.5
2.4.2	Cooperate with partner NGOs and Donors to plan for and implement approved FSF-funded projects and initiatives	

There is an expectation expressed by some partner provinces to expand to additional target districts for the implementation of CPCS programs and activities in 2010. It is CCJAP's view, which has been expressed to Provincial Deputy Governors, that further expansion should only be considered if current target districts are able to sustain activities without project support.

The engagement of District Facilitators to support the CIDP within partner provinces will continue to provide good support to Provincial Project Officer (PPO) whilst facilitating an implementation model that encourages national Cambodians to implement reform activities.

Given the diverse geographical spread of the project, CCJAP continues to strengthen team integration, communications and activity coordination with a particular emphasis to be inclusive of sub-national personnel and activities. Senior Project Officers and PPOs are well informed and continue to grow confidence to undertake the broad mandate that their role now requires.

COMPONENT 3

In 2010 CCJAP assistance will be provided to 5 key priority outputs as are detailed in C3 Chart 3 below: assistance to ensure business planning activities are appropriately implemented and properly monitored and evaluated, including implementation of the CNP gender mainstreaming plan and CNP HIV/AIDS strategy; development and implementation of a CNP Crime Prevention and Community Policing Strategy, including undertaking a pilot program to implement a community police model in a police administration post; technical and financial support to enhance CNP capacity to collect and analyse crime data; final phase of forensics capacity development program; and, continued support to progress the development of the draft Police Act.

In 2010 Forensics support to the CNP will focus on: sustaining the forensics training program, which is delivered by Scientific and Technical trainers; strengthening established audit and review procedures to ensure qualifications of scientific and technical people and quality management of forensic equipment and consumables; and, to work with component 4 to have greater effect in the examination of physical evidence and the acceptance of such evidence before the courts in accordance with the provisions of the Code of Criminal Procedure. This output will be completed in 2010 and handed to the CNP for continued implementation.

The introduction of Community Policing to Cambodia is a key strategy to modernise and reform the CNP in line with the CNP Strategic Plan and the priority to community policing given by the Police Commissioner General. Whilst the development of the CNP Crime Prevention and Community Policing strategy is fundamental to this activity, the implementation of a pilot program will enable evaluation to ensure implementation activities meet the needs of the Cambodian environment and culture.

The implementation of the CPCP Strategy and pilot will be a longer term endeavour that is reliant on the CNP's improved capacity to collect and analyse crime data and crime trends and the public's willingness to report crime (increased confidence to report). Without accurate and reliable data it is impossible to identify the level of crime being committed and to identify where prevention activities should be targeted. Without the collection of data from all provinces it is difficult to draw reliable conclusions on the level of crime issues facing Cambodia and how they may be dealt with appropriately in many instances. In 2010 a newly developed crime data collection form will be rolled out, firstly in a pilot program, and then later within a partner Provinces. An indicator of success in this CPCP project will be an increase in reported crime.

Ensuring support to implement the Police Act once enacted will be crucial to its success and the reform of the CNP into a modern police service of international standing. The GoA Attorney-Generals Department is currently preparing a schedule of work that needs to be taken to properly implement the Police Act.

C3: ANNUAL PLAN OUTPUTS

C3 Chart 3

COMPONENT 3 : CAMBODIA NATIONAL POLICE

To strengthen the strategic, executive and technical capacity of the Cambodia National Police to enable it to identify and respond to community, national and regional priorities in a considered manner		
Output		Reference
3.1	CNP Strategy implemented and monitored and gender mainstreaming plan implemented	CNP Strategic Plan 2008-2013: Obj 5,6,8,10
3.1.1	Provide technical and financial support to the implementation and monitoring of key priorities of the CNP Strategic Plan.	LJRS PA 7.5.2
3.1.2	Support the CNP to implement their HIV/AIDS strategy including Harm reduction training with HAARP	
3.1.3	Assist the Gender Working Group to implement gender mainstreaming activities in accordance with the GMAP	
3.1.4	Provide technical and financial support to strengthen CNP M&E capacity and systems in partner provinces for collecting and analysing information on agreed indicators to monitor agency performance.	
3.2	Forensics Capacity Enhanced and ongoing management handed over to CNP	CNP Strategic Plan 2008-2013: Obj 4
3.2.1	Provide equipment and facilitate training to Police Posts in partner Provinces to secure crime scenes.	
3.2.2	Facilitate final round of specialized training for Provincial Scientific and Technical Officers in the examination of evidence.	
3.2.3	Support the annual review and inspection of District and Provincial S&T Offices to ensure personnel skills and management of forensic equipment is sustained.	
3.3	Enhanced capacity to Collect and analyse crime data	CNP Strategic Plan 2008-2013: Obj 3,4,6,8
3.3.1	Provide technical and financial assistance to conduct, monitor and evaluate a pilot program for the introduction of the Crime Data Recording Form and the collection and analysis of crime data in at least one partner province (ensuring that data is disaggregated by sex and age).	LJRS PA 7.6.1
3.3.2	Provide technical and financial assistance to roll-out the use of the Crime Data Collection Form to all partner provinces, including training and the supply of computers and appropriate software.	LJRS PA 7.4.1
3.4	Support development of a CNP Crime Prevention and Community Policing Strategy and community policing model	CNP Strategic Plan 2008-2013: Obj 1,4,10
3.4.1	Provide technical and financial support to develop a CNP crime prevention and community policing strategy.	LJRS PA 7.6.2
3.4.2	Provide technical and financial assistance to support the CNP to develop and implement a community policing model for Police Administration Posts through a pilot in a partner province.	
3.4.3	Provide technical support to monitor and evaluate the pilot program to ensure it is achieving intended outcomes.	
3.5	Support passage of the draft Police Act	CNP Strategic Plan 2008-2013: Obj

3.5.1	Facilitate the passage of draft CNP legislation through the legislative enactment phase, including technical assistance to explanatory workshops to key stakeholders.	1,2,8,10 LRS PA 2.1.6
3.5.2	Provide technical and financial assistance to prepare necessary administrative, policy and operational tools to progress legislation through a phased-in approach.	

At the commencement of this AP a Senior Project Officer, Police, will be appointed to support C3 implementation activities. This position is in effect an upgrade of the current Project Officer position because of: increased responsibilities to be undertaken by the SPO (particularly relating to the development and implementation of the Crime Prevention and Community Policing Strategy, the Community Policing Pilot and the enhanced capacity to collect and analyse crime data); recognition of performance and professional development opportunities across phases 1 & 2; and, management's increased focus to strengthening technical implementation roles and responsibilities of national project officers.

COMPONENT 4

The Ministry of Justice and Courts component reflects 6 key priority outputs for 2010 are detailed in C4 Chart 4 below: the development of the MoJ strategic plan and activity plans; strengthened procedures in the Cambodian court system with a focus to increased monitoring of pre-trial and post-trial detention and final extracts of judgement; support to the MoJ Model Courts Working Group to implement model court plans; PCP meetings; Court of Appeal case management systems strengthened; and, continued technical support to the Child Justice Working Group.

As can be seen the work to be undertaken in the MoJ and Courts has taken a more strategic focus. The MCWG has become the principal body for the development of policies for the implementation of the model courts project. The MCWG has a high level of donor input, through representation of CCJAP, AusAID, USAID, DANIDA and EWMI. It is chaired by a Secretary of State and includes judicial and clerical participation from each of the model courts. As appropriate, the working group will include the CCJAP partner courts that are not a part of the model courts project in its discussions and deliberations. During this year the MCWG will be used to promote and encourage the use of the single register book or a variation of that register.

The Strategic Planning Working Group has approached its work enthusiastically in preparing the first strategic plan for the MoJ. The significance of this step is yet to be fully appreciated within the MoJ as the plan has not yet become a part of the operational culture of the Ministry. Activities that ought to be related and subordinate to the statement of a clear strategic intention, such as budget negotiation, continue to be done independently of the strategic planning exercise. The Ministry has yet to develop a planning calendar that would assist it to ensure that planning precedes action rather than being a record of action. CCJAP will provide support to the Ministry in this development.

The work has, however, highlighted some significant structural issues that the Ministry should address. The work of the Ministry is the administration of the law and accordingly, the Ministry should be structured so as to more efficiently deliver legal services, including judicial and prosecution services. The strategic planning work has highlighted an enormous breadth of work that should be done and a correspondingly low level of resource with which to do that work and it has highlighted challenges associated with the interaction of the courts and the Ministry, and, to a lesser extent, the prosecution service and the Ministry.

A positive development during the past six months has been the development within the MoJ of a directive relating to the conduct of Police, Court and Prison meetings. The directive was drafted independently of CCJAP advice but implements advice about the manner in which those meetings should occur so as not to compromise judicial independence. This directive should remove some of the previous blockages and enable increased support to these regular meetings.

In this Annual Plan there will be a greater focus to strengthen the organisational capacity of the MoJ through continuation of the strategic planning to incorporate that planning into a broader planning

matrix and to strengthen links to government-wide administrative reform programs such as the Public Administration and the Public Financial Management reforms. The MCWG will be utilised to promote reform of the courts and judiciary at all levels and to integrate those reforms into the ministry's operations and planning.

In addition, the Component will increase its engagement with the Supreme Court and the Court of Appeal to provide assistance in the development of court governance structures and case management systems. The component will work with the superior courts and the MoJ to assist those organisations to resolve issues concerning the monitoring of court activity and the accountability of the judiciary.

The exact nature of the work to be undertaken to support the implementation of the Model Courts is yet to be determined and will to a greater extent be reliant on the level of financial commitment to be provided by the RGOC. DANIDA, through DIHR, will continue to operationalise the Model Court Strategic Plans through the development and implementation of Model Court Activity Plans. However, CCJAP planned activities at 4.1.4; 4.2.1-2; 4.2.4-5; 4.4.2; 4.5.1 – all support implementation of the Model Court concept.

C4: ANNUAL PLAN OUTPUTS

C4 Chart 4

COMPONENT 4 - MINISTRY OF JUSTICE AND COURTS

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

Output		Reference
4.1	MOJ Organisational capacity developed.	LJRS PA 7.7.1
4.1.1	Support the development of the MoJ strategic plan	LJRS PA 7.5.1
4.1.2	Provide technical support to the continued development of the MOJ Activity Plan	NSDP - PFMR
4.1.3	Assist the MoJ to improve its financial management and implementation of PFM Reforms	
4.1.4	Provide technical and financial support to the General Inspectorate to inspect court administration (model courts and partner province courts).	
4.1.5	Provide technical and financial support to the MOJ Prosecution Department to supervise corrections.	
4.1.6	Support the GMAG to implement the GMAP	
4.1.7	Support organisational awareness-raising and education of HIV/AIDS and its implications to people working within the Ministry and Courts	
4.2	Procedures within the Cambodian Court System developed and implemented.	LJRS PA 5.3.2 LJRS PA 5.3.3
4.2.1	Support improved data management and methods for dealing with criminal cases (including juveniles) within the courts.	
4.2.2	Assist the MoJ to develop Policy, procedures and legislation (if required) to govern court administration	

4.2.3	Support the development of systems for the widespread distribution of the decisions of the Supreme Court and Court of Appeal	
4.2.4	Assist MoJ to develop measures to ensure that all physical detention is authorised by a court and monitored effectively by the Inspector General and Prosecutions Department, including ensuring that the delivery of final extracts of judgment and monitoring of pre-trial and post-trial detention.	
4.2.5	With other components, support the development of protocols and other mechanisms for cooperation between the courts, police and prisons concerning matters such as medical examination, evidence handling, victim support and suspect management.	
4.3	Court of Appeal case management systems reviewed and new systems implemented.	LJRS PA 5.3.3
4.3.1	Assist Court of Appeal staff to develop appropriate data and report mechanisms	
4.3.2	Support the implementation of new case management practices and procedures within the Court of Appeal	
4.3.3	Assist the court of Appeal to establish a court secretariat	
4.3.4	Assist the Court of Appeal to develop an infrastructure strategy	
4.4	PCP Meetings supported with partner Provinces	LJRS PA 7.6.2
4.4.1	Support the implementation of the PCP meetings in partner province courts, including Phnom Penh.	
4.4.2	Facilitate a system of information sharing that enables lessons learnt from PCP meetings to further support the development of the model court concept	
4.5	Support Implementation of the Model Courts	LJRS PA 5.3.2
4.5.1	Support the MoJ in the Model Courts Working Group, including its consideration of a national budget submission for implementation.	
4.5.1	Support the development of an infrastructure strategy for courts of first instance	
4.6	Support the Child Justice Working Group	LJRS PA 2.2.3
4.6.1	Provide technical assistance to finalise the draft Juvenile Justice Law	

There is a lack of uptake by the MoJ and courts of first instance in many reform objectives because there is no effective legislative framework to support good governance of the court system and no economic incentive to engage in managerial development work. Until laws such as, the law on judges and prosecutors and the law on the administration of courts are resolved along with responsibility for the supervision of the courts (between the Supreme Council of Magistracy and the MoJ) it will be difficult to achieve progress in improving the governance of the courts.

At the commencement of this AP a Senior Project Officer, MoJ and Courts, will be appointed to support C4 implementation activities. This position is in effect an upgrade of the current Project Officer position because of: increased responsibilities to be undertaken by the SPO (particularly relating to developing law and procedures on the administration of the courts, the implementation of the model courts and the further development of the PCP meetings); recognition of performance and professional development opportunities; and, management's increased focus to strengthening technical implementation roles and responsibilities of national project officers.

COMPONENT 5

CCJAP will continue to support the General Department of Prison in implementing the Policy Framework for Prison Reform and transforming the prison system from one based on incarceration with a high focus on static security to one that now has a greater focus on rehabilitation and dynamic security. There are 5 key priority areas of support identified in C5 Chart 5 below: strengthening organisational capacity through legislative change, procedural and systems changes (including the Office of Inspection and Office of Construction) and leadership and management training; prisoner health services improvement; prisoner rehabilitation and reintegration programs; overcrowding; and, increased civil society dialogue and partnerships.

Key to achieving this reform is the implementation of prisoner rehabilitation and reintegration programs. Prison Industry and Farming programs are the primary focus to provide employment, education, and vocational skills development. The quality of life within the prison is improved as participation in programs provides incentives for reward and good behavior, increased hours out of cell and improves mental and physical health. As a result of these activities, the anecdotal information suggests that the number of incidents associated with security and prisoner unrest has been greatly reduced which creates a safer prison environment for prisoners and staff.

Increased partnerships with civil society organisations and improved inter-ministerial co-operation will assist with the sustainability of the prisoner rehabilitation program. There are a number of NGO and donor organisations currently working in the prisons and their continued participation in rehabilitation and reintegration programs will remain a key objective of the GDoP.

Support is being provided in the review of key legislation. CCJAP is continuing to provide assistance in the progression of the draft correctional law through the RGoC legal processes. The review of the Royal Decree on the Separate Status of Prison Guards is also being undertaken with the support of CCJAP. This is essential to support the human resource development program of the GDoP.

To improve prisoner health civil society organisations, the Ministry of Health and CCJAP will continue to assist in the provision of health care to prisoners. CCJAP have identified a range of assistance that includes provision of medical equipment, upgrading of health facilities and training for prison health staff and prisoners with particular attention to the increasing incidence of HIV/AIDS and TB in prison.

Prison overcrowding continues to be the overriding issue of concern and is having significant impact on a number of areas of prison management. It puts more pressures on health care and other services such as the water supply and the sewerage systems. It also creates stress for staff rosters and routines and as a result it undermines the capacity of the prison staff to secure the good order and safety of the prison. This in turn increases the focus on static security and prevents implementation of the prison reform approach.

There has been more support to increase new prison facilities and to renovate existing prison facilities as one avenue to address this problem however, buildings alone are not going to address the overcrowding without consideration being given by the justice sector to alternative sentencing options. In considering alternatives to imprisonment as a response to overcrowding it has been highlighted that cooperation and the working relationships between General Department of Prison and the courts could be improved. Issues of pre-trial detention, sentence reduction and amnesty continue to be problematic.

The lack of appropriate facilities and the overcrowding also make it difficult to ensure appropriate separation between prisoners such as separation of male, female and juvenile prisoners and separation of remand and convicted prisoners.

C5: ANNUAL PLAN OUTPUTS

C5 Chart 5

COMPONENT 5 - CORRECTIONS

To strengthen the capacity of the General Department of Prisons to identify and respond to prison management priorities, the physical and mental health needs of prisoners, and to identify options for prison reform

Output		Reference
5.1	GDoP Organisational capacity developed	GDOP Strategic Plan 2008-2013: Goals 1, 2 and 4
5.1.1	Assist GDOP in progressing the draft correctional law and other sub legislation through the RGO legal process	LIRS PA 2.1.8
5.1.2	Provide assistance with implementation of correctional law including review of prison procedures and other sub legislation	LIRS PA 7.7.1
5.1.3	Assist the Gender Working Group to implement gender activities	
5.1.4	Facilitate training for leadership and management development and technical operational development	
5.1.5	Support implementation of inspection procedures and practices in the Office of Inspection with a focus on prison security and prisoner rehabilitation in partner prisons	
5.1.6	Provide assistance to improve procedures and practices of the Office of Construction to ensure sustainability of the capital works program	
5.1.7	Conduct an analysis of the causes and medium term impacts of overcrowding, in partnership with ICRC and GDoP	
5.2	Prisoner health services improved	GDOP Strategic Plan 2008-2013: Goal 1 Obj 1.2
5.2.1	In partnership with MoH and NGOs implement health services for prisoners that address HIV/AIDS and TB in partner prisons	NSDP – HIV/AIDS
5.2.2	In partnership with MoH, NCHADS, CENAT and NGOs provide health training and education for prison staff and prisoners on universal precautions and harm reduction	LIRS PA 1.2.1
5.2.3	Provide training and equipment to improve health data management	
5.2.4	Upgrade prison health posts including construction and renovation and equipment in partner prisons	

5.3	Prisoner rehabilitation and reintegration programs implemented	GDOP Strategic Plan 2008-2013: Goal 3 Obj 3.1, 3.2, 3.3, 3.4 LIRS PA 1.4.5
5.3.1	Implement NGO forums for provincial prisons (partner provinces) and correctional centres to strengthen cooperation and coordination of rehabilitation activities	
5.3.2	Improve prison industry and farming program including construction and renovation of industry workshops and equipment for vocational training and employment in partner prisons	
5.3.3	In partnership with MOSVY and NGOs provide assistance to improve access to programs by juvenile prisoners in partner prisons	
5.3.4	In partnership with MOSVY and NGOs provide assistance to improve access to programs by female prisoners in partner prisons	
5.3.5	Provide support to develop and implement new rehabilitation initiatives identified through the Policy Framework for Prison Reform in partner prisons	
5.4	Prison facilities improved to address overcrowding and to support prison reform	GDOP Strategic Plan 2008-2013: Goal 4 Obj 4.1, 4.2
5.4.1	Implement renovation and construction of facilities to address the overcrowding consistent with the new standards of GDOP in partner prisons	
5.4.2	Provide support to develop and implement new initiatives identified through the Policy Framework for Prison Reform that support the separation of prisoners in partner prisons	
5.4.3	Provide technical support to the GDOP in the development and implementation of the new prison farm (CC4)	
5.5	GDOP Partnerships strengthened	GDOP Strategic Plan 2008-2013: Goal 3 Obj 3.1, 3.2, 3.3, LIRS PA 1.4.5
5.5.1	Provide assistance with promoting and increasing civil society engagement with GDOP	
5.5.2	Provide assistance with improving and increasing inter-ministerial cooperation with GDOP	

COMPONENT 6

In developing this AP for 2010, AusAID, DANIDA and CCJAP facilitated a comprehensive planning and consultation process. The NMB, key agency counterparts and Donor stakeholders have contributed significant support to the planning process, by identifying and agreeing on key partner agency strategic priorities³ for further development support and approving the use of FSF resources to implement the AP. The total planned budget expenditure for 2010 (disaggregated into 6 month timeframes, components and component outputs and contract/FSF funds) is attached at Annex B.

In 2009 the Managing Contractor received a satisfactory performance rating in all assessment criteria pursuant to the conditions of the Head Contract with AusAID.

In 2010 it is proposed that CCJAP reduce the size of its administrative structure by one national position and engage the full-time services of a project translator. CCJAP is well into implementation progress with systems and structures fully established and there is now less of an administrative burden on the project. With the previous appointment of three Senior Project Officers and pending appointment of a National Adviser and two Senior Project Officers there will be an increased need for translation support to free national officers up for technical implementation support. The reductions in administrative costs will off-set wages increases for SPOs and the new translator. The contract amendment will reflect a \$0.00 change - to the total value of contract amendment 3.

NATIONAL MANAGEMENT BOARD AND FSF

The NMB has increased its membership number in line with the provincial expansion strategy to include the Provincial Governors from Banteay Meanchey; Kampong Thom; Kampong Cham.

2010 Annual Planning meetings involving NMB members and senior counterparts were business-like, well structured and involved robust discussion. Formal and Informal meetings continue to be regularly undertaken with members of the NMB and key counterparts to address implementation challenges and progress opportunities.

CCJAP continues a good working relationship with the NMB who have taken ownership of CCJAP and the management of the FSF through the FSF Screening Team. Under the management of the NMB (and Screening Team) the guidelines for the management and use of FSF have become more clearly understood and applied. Approved applications have supported planned agency priority activities (endorsed by key counterparts); new or emerging priorities; or, applications from NGOs (that support reform activities and CCJAP cross-cutting themes)⁴.

³ In Charts 1-5 all component outputs are referenced in the right column to key reform strategies such as the NSDP; LIRS; Agency Strategic Plans and Goals

⁴ Total allocation of USD\$1,000,000 approved by the NMB for engagement of NGOs

The FSF Screening Team (Chaired by the NMB Deputy Chair, Mr. Suy Mong Leang, and comprising of NMB representatives) takes a very mature approach to management of the FSF. All applications are comprehensively explained, discussed and rated in accordance with agreed criteria and FSF guidelines. Approved applications are then monitored and reported on in review reports.

The FSF Priority Matrix is attached at Annex: C. FSF funding continues to be mapped and allocated against component outputs to enable NMB to monitor spending patterns against LJRS and agency priority activities.

SUSTAINABILITY & GOVERNMENT OWNERSHIP

The Annual Performance Review 2008 found that project ownership is high amongst key counterparts and this status quo remains. The key principles of the Paris Declaration and the AAA underpin and influence the project's approach to activity design and implementation (i.e. without commitment from our development partners the implementation of reform activities cannot be sustained). The NMB recognise that activities are aligned with government priorities and systems and within policy frameworks and that that project activities support the development of human resources within partner agencies and provinces.

All components now have key implementation activities that promote more effective and inclusive partnerships with government institutions, NGOs, Donors and other stakeholders to deepen engagement with civil society.

The development and implementation of the CCJAP Sustainability Strategy will be a key reckoning point in the project that is intended to identifying counterpart-agreed activities that are likely to be sustained (and to what degree) beyond project end date. It will call for specific implementation activities to further strengthen opportunity for sustainability of identified development priorities.

CAPITAL WORKS

The alignment of capital works and institutional strengthening activities is an ongoing process. The Capital Works Program initially slowed due to several factors, including insuring appropriate financial/procurement systems was established to procure the work. It is now progressing on schedule with several capital works programs in Prey Veng and Battambang due for commencement late 2009. The Implementation and Resource Schedule for the 2010 Annual Plan has allocated AUD \$ 1,416,456.00 to capital works.

The FSF Priority Matrix CWs budget enabling CCJAP to complete capital works priorities was approved by the NMB on the 30th September 2009. This annual plan will provide significant support in developing police, prisons and court small scale construction and renovation projects. It is expected that these projects will be completed during this planning period.

MONITORING & EVALUATION

Based on a review and update of CCJAP Monitoring and Evaluation Framework and its Baseline Data File in August-September 2009, CCJAP has made some modifications to its M&E system. Its indicator set has increased 19 to 25 to incorporate new indicators. In the course of reviewing CCJAP baseline data file, several indicators listed in the baseline data file were identified as feasible to collect and in line with the CCJAP 2010 and 2011 direction and imported into CCJAP performance indicator set.

The updated M&E Framework also describes the mixed-method (qualitative and quantitative) research design for monitoring Component 2 CPCS program over 2010 and 2011. The main elements of the updated CPCS monitoring plan are:

- CPCS Project Beneficiary Survey (at least 2009 and 2011).
- CPCS Perception Household Survey (2009 and 2011).
- CPCS Stakeholder Survey at Commune, District and Provincial levels (at least 2009 and 2011).
- Analysis of crime data reported in Police Posts in sampled communes (2009 and 2011).
- Analysis of crime data reported in Ministry of Planning's Commune Database (CDB) annually.
- Analysis of CPCS project data in Ministry of Planning's Commune Development Planning Database (CDPD) annually.

A new indicator action plan detailing the steps to implement CCJAP indicators and build the capacity of partner agencies to take-over full responsibility has been included in the revised M&E Framework. Action plan implementation will be monitored over the next two years. The action plan reflects CCJAP commitment of additional time and resources to strengthening partner agency M&E systems in a sustainable manner.

GENDER

The Annual Plan has been structured to ensure issues of gender and equity are mainstreamed through the CCJAP. Specific details are provided in the CCJAP Gender Strategy. The Gender Strategy continues to provide a sound and well articulated foundation for the implementation approach of CCJAP. This strategy also reflects Royal Government of Cambodia gender mainstreaming policy initiative Neary Rattanak, the 5 year strategic plan of the MOWA.

In this Annual Plan vulnerable groups are defined as: women; young people and children who are victims of crime; women and children exposed to domestic violence, sexual violence and human trafficking; women in prisons; women with children in prisons; and, children in prison.

Implementing activities that have directly supported “vulnerable groups” have featured across all components of CCJAP with some of these activities also being reflected in the Gender Strategy and the Juvenile Justice Strategy. Whilst there has been contribution from across all components, the predominant activity has been in C2; CPCS and C5; Corrections as reported in the APR 2008.

CCJAP has increased its support to vulnerable people in regional Cambodia with the continued implementation of the provincial expansion strategy now into 6 provinces: Kandal; Battambang; Prey Veng; Banteay Meanchey; Kampong Thom; and, Kampong Cham.

HIV / AIDS

The CCJAP HIV/AIDS strategy was completed in February 2009. This strategy recognises that HIV/AIDS is a critical issue both globally, regionally and nationally and that strategies to address it must become a cornerstone of the project's implementation approach. In this Annual Plan CCJAP will participate in and promote HIV/AIDS mainstreaming through activities that embrace a harm minimization approach to address factors which increase vulnerability and susceptibility to HIV/AIDS and other serious communicable diseases.

To preserve the good health of all community members who have contact with the Cambodia Justice System in partner Provinces, CCJAP supports a harm minimisation approach as a public health measure which is recognised internationally as being an effective response to the transmission of communicable disease.

CCJAP will continue to develop strategic partnerships and cooperation with local and international actors in this area including: MOH; ICRC; MSF and UNAIDS. Our approach will ensure that activities undertaken do not increase the risks associated with contracting HIV or other serious communicable diseases and we will seek to address HIV/AIDS as workplace and individual issues as well as professional and development issues.

JUVENILE JUSTICE

The CCJAP Juvenile Justice Strategy was completed in January 2009. This strategy was developed in close consultation with key sector stakeholders particularly UNICEF. The Juvenile Justice Strategic Plan is underpinned by component action plans over the life-cycle of the project. The action plans are designed to be flexible in order to adjust to new opportunities that may arise once the Juvenile Justice Legislation is passed.

CCJAP will continue to work closely with the Child Justice Working Group and UNICEF who are overseeing the final consultation before presentation to the Council of Ministers. This new law will inform the approach of all donor agencies in the future and provides a positive guide to actions that CCJAP can now be undertaking to assist the RGoC prepare for its introduction.

All components include some activities that strengthen sector support to juvenile offenders and children in conflict with the law. CCJAP will continue to develop strategic partnerships and cooperation with local and international actors in this area including Cambodia Ministry of Social Affairs, Veterans and Youth Rehabilitation and key youth organisations such as Mith Samlanh, Friends International and UNICEF.

GOVERNANCE AND STANDARDS (ANTI-CORRUPTION)

This Annual Plan continues to have a strong focus to working and aligning with government systems, across all components. It is intended to support the substantial work already done to strengthen governance and standards in several key areas:

- In partner provinces working with ExComm Finance Units and other Units in: the implementation and management of (project supported) CPCS activities in Kandal, Battambang, Prey Veng, Banteay Meanchey, Kampong Thom and Kampong Cham).
- Strengthening national systems to improve organisational transparency and accountability such as courts registers, developing the Court of Appeal Data Base and through implementation of the Model Court plans.
- Planned institutional support and capacity building activities within the GDoP Office of Inspection.
- Planned institutional support and capacity building activities within the MoJ General Inspectorate Office to inspect court administration.
- Strengthen support to the development of agency specific monitoring and evaluation indicators that measure improved standards and governance (particularly for the IMS and within partner provinces).

Through this proposed approach CCJAP intends to further invest in those areas that will: improve capacity of agencies where able to undertake their oversight roles to improve governance and standards; improve systems and processes such as courts registers and implement the model court plans, develop and establish a CNP audit function for forensic equipment and consumables, strengthen financial management within ExComm Finance Units and continue to support the implementation of corrections management practices and prisoner classification systems with partner prisons.

C6: ANNUAL PLAN OUTPUTS

C6 Chart 6

COMPONENT 6 - MANAGEMENT SUPPORT TEAM & FLEXIBLE SUPPORT FUND

	To support effective project implementation, achievement of results, accountability for resource use and the sustainability of benefits
Output	
6.1	Effective and relevant forward planning conducted and risks managed to ensure threats to project success are mitigated.
6.1.1	Conduct consultation meetings and workshops to review the effectiveness of the 2009 Work Plan (1/7/09 to 31/12/09).
6.1.2	Undertake ongoing risk assessments, documenting risk mitigation strategies and their effectiveness and update the Risk Management Strategy as required.
6.1.3	Undertake ongoing revision of the communication strategy and website, using it to ensure timely communication of key messages.
6.1.4	In collaboration with stakeholders and all project personnel, prepare the 2011 Annual Plan.
6.1.5	Project Sustainability Strategy developed and agreed to by AusAID and the NMB
6.2	Project staff and resources effectively managed.
6.2.1	Project staff performance managed and developed in accordance with the Project Procedures Manual.

6.2.2	Short-term advisers mobilized in a timely way and fully briefed of project objectives/requirements.
6.2.3	Project staff recruited in accordance with the Procedures Manual.
6.2.4	Regular team meetings; technical advisory meetings; and, project officer meetings, conducted
6.3	Administration and financial systems operating efficiently to support sound project management and operations.
6.3.1	Project finance and administration systems procedures manual regularly reviewed and updated.
6.3.2	Ongoing management of project administrative and logistical needs, including procurement and financial management of local acquittals.
6.3.3	Periodic and ad hoc auditing of CCJAP financials systems (including the Flexible Support Facility).
6.4	Effective coordination mechanisms operational, including the National Management Board.
6.4.1	Provide ongoing support and communications to relevant Counterparts, Working Groups, Donors, NGOs and Missions.
6.4.2	Provide Secretariat support to the ongoing operations of the National Management Board.
6.4.3	Support bi-annual (or as required) preparation for and conduct of the National Management Board.
6.5	Flexible Support Facility operating effectively.
6.5.1	FSF Guidelines updated and approved by the NMB as required.
6.5.2	FSF operations managed transparently and effectively and external audited conducted annually.
6.5.3	Provide ongoing training and awareness to counterparts and relevant NGOs on the FSF guidelines.
6.6	Project Monitoring and Evaluation Framework effectively implemented.
6.6.1	Review and update Monitoring and Evaluation Plan and baseline data file as required.
6.6.2	With project team and stakeholders review approaches, responsibilities and monitoring tools.
6.6.3	Design and commission annual qualitative surveys.
6.6.4	Prepare six-monthly and annual performance review reports.
6.7	Gender mainstreaming strategy implemented.
6.7.1	Implement, monitor and report on the progress of CCJAP's gender mainstreaming strategy and cross-cutting activities.
6.8	Juvenile Justice Strategy implemented
6.8.1	Implement, monitor and report on the progress of CCJAP's juvenile justice strategy and cross-cutting activities.
6.9	HIV/AIDS strategy implemented
6.9.1	Implement, monitor and report on the progress of CCJAP's HIV/AIDS strategy and cross-cutting activities.
6.10	Capital Works Program/Projects Designed and Implemented
6.10.1	Capital Works Projects monitored and audited with the FSF.

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|---------------|--|
| 6.10.2 | Undertake Capital Works in the CNP, Courts and National and Provincial Prisons that align with and strengthen national and sub-national procurement and fiscal management systems. |
| 6.10.3 | Undertake small capital works projects that support vulnerable people, victims of crime and juvenile justice. |
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CONCLUSION

CCJAP recommends the approval of this Annual Plan January to December 2010. It was developed in consultation with a broad range of stakeholders and all outputs and activities as per the attached Output and Activity Matrix⁵ which was approved by the NMB Executive Meeting on 30/9/09. The Annual Plan continues to address CCJAP priorities and the reform priorities of the RGoC.

The Plan is resourced by an annual allocation from the Head Contract (operational funds)⁶ and the FSF priority Matrix attached at Appendix C.⁷ The Implementation and Resource Schedule disaggregates funding across components and identifies the funding source (i.e. Head Contract Operating Account and FSF Priority Matrix).

The Global Economic Crisis is still having an impact upon CCJAP delivering on all strategic priorities as planned across the project life-cycle and as a result, project scope may be reduced and reprioritised. There is likelihood that some activities may be reduced during the implementation of this Annual Plan. This project risk will be monitored and managed in conjunction with both AusAID and the NMB. The CCJAP Updated Risk Matrix (September 2009) considers this and other management issues.

⁵ Annex A: CCJAP Annual Plan 2010: Integrated Output and Activity Matrix

⁶ Annex B: CCJAP Annual Plan 2010: Implementation and Resource Schedule (with costs)

⁷ Annex C: CCJAP Annual Plan 2010: FSF Priority Matrix

A n n e x A

**Annual Plan (January – December) 2010
Output & Activity Matrix**

A n n e x B
Implementation and Resource Schedule
(with costs)

A n n e x C

FSF Priority Matrix