

KINGDOM OF CAMBODIA

NATION – RELIGION - KING

Cambodia Criminal Justice Assistance Project Phase III

Annual Plan

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Contents

INTRODUCTION	6
DEVELOPMENT PRIORITIES ANNUAL PLAN 2011.....	6
COMPONENT 1	8
<i>C1: ANNUAL PLAN OUTPUTS</i>	<i>9</i>
COMPONENT 2	10
<i>C2: ANNUAL PLAN OUTPUTS</i>	<i>11</i>
COMPONENT 3	12
<i>C3: ANNUAL PLAN OUTPUTS</i>	<i>13</i>
COMPONENT 4	14
<i>C4: ANNUAL PLAN OUTPUTS</i>	<i>15</i>
COMPONENT 5	17
<i>C5: ANNUAL PLAN OUTPUTS</i>	<i>18</i>
COMPONENT 6	19
<i>National Management Board and FSF</i>	<i>19</i>
<i>Sustainability & Government Ownership.....</i>	<i>19</i>
<i>Capital Works</i>	<i>20</i>
<i>Monitoring & Evaluation</i>	<i>20</i>
<i>Gender.....</i>	<i>21</i>
<i>Vulnerable Groups</i>	<i>21</i>
<i>HIV / AIDS.....</i>	<i>21</i>
<i>Juvenile Justice.....</i>	<i>21</i>
<i>Disability.....</i>	<i>22</i>
<i>Governance and Standards (Anti-Corruption)</i>	<i>22</i>
<i>C6: ANNUAL PLAN OUTPUTS</i>	<i>23</i>
CONCLUSION	24
INTRODUCTION	7

DEVELOPMENT PRIORITIES ANNUAL PLAN 2011.....	7
COMPONENT 1	9
<i>C1: ANNUAL PLAN OUTPUTS</i>	<i>10</i>
COMPONENT 2	11
<i>C2: ANNUAL PLAN OUTPUTS</i>	<i>12</i>
COMPONENT 3	13
<i>C3: ANNUAL PLAN OUTPUTS</i>	<i>14</i>
COMPONENT 4	15
<i>C4: ANNUAL PLAN OUTPUTS</i>	<i>16</i>
COMPONENT 5	18
<i>C5: ANNUAL PLAN OUTPUTS</i>	<i>19</i>
COMPONENT 6	20
<i>National Management Board and FSF</i>	<i>20</i>
<i>Sustainability & Government Ownership.....</i>	<i>20</i>
<i>Capital Works</i>	<i>21</i>
<i>Monitoring & Evaluation.....</i>	<i>21</i>
<i>Gender.....</i>	<i>22</i>
<i>Vulnerable Groups</i>	<i>22</i>
<i>HIV / AIDS.....</i>	<i>22</i>
<i>Juvenile Justice.....</i>	<i>22</i>
<i>Disability.....</i>	<i>23</i>
<i>Governance and Standards (Anti-Corruption)</i>	<i>23</i>
<i>C6: ANNUAL PLAN OUTPUTS</i>	<i>24</i>
CONCLUSION	25

Annex:

A	CCJAP Annual Plan January 2011 – January 2012: Implementation and Resource Schedule
B	CCJAP Annual Plan January 2011 – January 2012: FSF Priority Matrix
C	CCJAP Annual Plan January 2011 – January 2012: Output and Activity Matrix (for NMB approval)

Abbreviations

AAA	Accra Agenda for Action
AFP	Australian Federal Police
APR	Annual Performance Review
AusAID	Australian Agency for International Development
CC4	Cambodia's new prison farm outside Phnom Penh
CCJAG	Cambodia Criminal Justice Advisory Group
CCJAP	Cambodia Criminal Justice Assistance Project
CDP	Commune Development Plan
CDPD	Commune Development Planning Database of the Ministry of Planning
CIP	Commune Investment Plan
CLJP	Council for Legal and 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
ExComm	Provincial Executive Committee
FSF	Flexible Support Fund
GMAG	Gender Mainstreaming Action Group
GMAP	Gender Mainstreaming Action Plan
GS	General Secretariat
IMS	Indicator Monitoring System
LJRS	Legal & Judicial Reform Strategy
M&E	Monitoring & Evaluation
MCWG	Model Court Working Group
MOA	Memorandum of Agreement
MOH	Ministry of Health
MOI	Ministry of Interior
MOJ	Ministry of Justice
MOP	Ministry of Planning
MOSVY	Ministry of Social Affairs, Vocational Training and Youth Rehabilitation
MOWA	Ministry of Women's Affairs
MSF	Medecin Sans Frontiers (Doctors Without Borders)
NCDD	National Committee Decentralisation and Deconcentration
NSDP	National Strategic Development Plan
NGO	Non-Government Organisation
NMB	National Management Board
PAR	Performance Assessment Review
PCP	Police Courts Prisons (provincial meetings)
RAJP	Royal Academy for Judicial Professions
RGOC	Royal Government of Cambodia
SFD	Strategic Framework Document

SMPR	Six Monthly Performance Report
TOT	Training of Trainers
TWG	Technical Working Group
UNICEF	United Nations Children's Fund

INTRODUCTION

This CCJAP III Annual Plan is presented for the 13 month period from January 2011 to January 2012. Guided by the CCJAP III Strategic Framework Document, the intent of this annual plan is to plan, coordinate and link CCJAP implementation activities with RGoC reform priorities and the strategic plans of counterpart agencies and provinces. CCJAP's approach will continue to be guided by the principles of the Accra Agenda for Action (AAA) to facilitate best opportunity to sustain agreed component activities after CCJAP III is completed.

This Annual Plan has been collaboratively developed with key counterparts and stakeholders taking into consideration lessons learnt from the APR Report 2009, the Mid-Term Independent Performance Review (IPR), the SMPR to 30th June 2010, and previous CCJAG Mission Reports. The IPR has attracted significant discussion with Counterparts, realignment of some activities and the implementation of an alternative-sentencing, community-based pilot program. This Annual Plan is underpinned by three main criteria:

1. A continuance of agreed outputs and activities from the previous Annual Plan with a key focus on sustainability and transition to the RGoC where possible;
2. The inclusion of additional priority outputs and activities as identified by key stakeholders after discussion surrounding the recommendations of the Independent Performance Review, and
3. A continuing underpinning thematic focus to cross-cutting issues and aid effectiveness.

It is proposed that this CCJAP Annual Plan Output and Activity Matrix and Flexible Support Fund Priority Matrix be presented at the CCJAP III National Management Board on Thursday 4th November 2010 for formal approval.

The Annual Plan January 2011 – January 2012 narrative with accompanying annexes is now provided for the information, review and approval of AusAID. Annexes attached are:

- **Annex A:** CCJAP Annual Plan January 2011 – January 2012: Implementation and Resource Schedule (with Cost Schedule, Unit Cost Assumptions and Implementation Schedule).
- **Annex B:** CCJAP Annual Plan January 2011 – January 2012: FSF Priority Matrix.
- **Annex C:** CCJAP Annual Plan January 2011 – January 2012: Output and Activity Matrix (for NMB approval).

DEVELOPMENT PRIORITIES ANNUAL PLAN 2011

Key capacity development priorities reflected in this annual plan are again applied from lessons learnt at this point of the project using all available information to consider project implementation progress and management performance. The planning process, undertaken with counterparts, key stakeholders (government, NGOs and community) and the NMB, was comprehensive and strategic.

It linked national reform priorities, particularly those of the NSDP and LJRS, and counterpart strategic plans and priorities to planned CCJAP activities articulated in this Annual Plan. CCJAP activities in this Annual Plan particularly focus on deeper civil society engagement and collaborative implementation approaches that will strengthen opportunity for agreed activities to be transitioned into and sustained by counterpart agencies.

Other key focal areas of the Annual Plan include:

- Increasing communication and community awareness of CCJAP-supported legal and judicial reform activities including success stories, case studies and initiatives. This will include: increased dialogue between key stakeholders at the national and sub-national level; more conversations between government and community at the national and sub-national levels; greater media planning and exposure of CCJAP-supported reform initiatives; and, approaches that will foster an increased partnership between community and government in the planning for and implementation of CIP- aligned CPCS activities in partner provinces.
- Increasing support to community-based activities and initiatives such as the alternative sentencing/diversion pilot program to be implemented.
- Working with partner agencies, key stakeholders and counterparts to collaboratively identify and agree on component priority activities that may be further strengthened and then transitioned into counterpart agencies to implement in a sustained way without ongoing support from CCJAP.
- Ensuring that aid effective principles underpin the design and implementation of 2011 activities to strengthen opportunities for sustainability, demonstrated by the significant level of engagement in developing this annual plan.
- A strengthened focus to the development and implementation of M&E tools and approaches within partner agencies and provinces that includes monitoring and reporting of outcomes against counterpart strategic and business plans and to national LJRS Objectives.
- An increase in support to counterpart GMAGs to implement their respective agency gender action plans; continued support to vulnerable people (women, children), disabled people, juveniles that come into conflict with the law, people with HIV/AIDs and opportunities to reduce corruption have also been included.
- The implementation of all planned Capital Works projects will be completed during 2011.
- Sufficient operational flexibility to manage and respond to emerging risks, challenges and issues that may arise during 2011.

This Annual Report has considered lessons learnt, implementation challenges, failures, recommendations from independent reports and 6 monthly reports and feedback from key stakeholders to produce the following Annual Plan for consideration by AusAID and the National Management Board.

COMPONENT 1

Component 1 activities are directed at 4 key priorities outputs: support to the GS CLJR to effectively implement reform priorities; further support for implementation of the Planning Guide for Justice Sector Institutions; more strengthening 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.

The GS LIRS Communications Strategy and the Compendium for Judicial Services (previously known as the Access to Justice Manual) are seen as key activities in the further development of relationships between civil society and the RGoC. CCJAP will provide both technical and financial support to both these initiatives. Public Forums in selected provinces, arranged by the GS with support of DANIDA and CCJAP have shown success. These will be continued in other provinces during 2011.

CCJAP will continue to support the development and implementation of the Indicator Monitoring System (IMS) which has progressed slowly over the past 2 years. In 2011 the component will continue assistance to 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 from counterpart agencies and partner provinces. Monitoring tools, mechanisms and training have been developed and implemented at the sub-national level with counterparts from Partner provinces, DOLA and the Ministry of Planning. Renewed efforts will now focus on establishing monitoring tools, systems and focal points in the MOJ, MOI, CNP, GDOP and MOP to enable counterpart reporting against agency-specific strategic plans and LIRS objectives.

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. The component noticed an improved emphasis upon the principles of aid effectiveness as the General Secretariat worked much closer with CDC, including formal structured links, throughout 2009 and 2010. The component will continue to assist in the strengthening of these links to promote practices that improve adherence to the principles outlined in the AAA.

Lessons learnt from CCJAP's own monitoring, from independent advisory reviews and the Independent Performance Review of March 2010 have indicated some difficulties in implementation efficiency in Component 1. Whilst there were some useful tools and approaches learnt and implemented by the GS for the CLJR and that coordination had improved across the sector, it was evident that progress towards the higher the higher-level objective of improved coordination and monitoring of the implementation of the LIRS had progressed slowly. Contributing factors to this are

the structural problems of a highly fragmented sector. Given that the GS is not an implementing agency and it lacks the authority to oversight implementation of reforms in key agencies, its role and function has been limited to giving advice and making recommendations to RGoC Ministries. Much of this information and advice is not acted upon for various reasons.

The IMS has been largely ineffectual at evaluating implementation progress against LRS priorities. Additional support is required to strengthen the capacity of counterpart agencies to evaluate their own progress to output and outcome level in the implementation of LRS priorities through a structured and collaborative approach and through line Ministries to the GS.

C1: ANNUAL PLAN OUTPUTS

Component 1 Annual Plan outputs and associated activities are detailed in C1: Chart 1 below.

C1: Chart 1

COMPONENT 1 - LEGAL AND JUDICIAL REFORM STRATEGY IMPLEMENTATION SUPPORT		
To support the capacity of the RGoC to effectively develop, coordinate and monitor the implementation of a sector-wide legal and judicial reform strategy		
Output		Reference
1.1	General Secretariat CLJR coordination function effectively supported	
1.1.1	Provide advice and support for the Technical Working Groups (TWG) and associated groups at the national level	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
1.1.2	Provide training and technical assistance to support the development of the General Secretariat - CLJR	
1.1.3	Provide administrative, technical and financial support to implement the GS LRS Communications Strategy	
1.1.4	Provide technical and financial support to the distribution and dissemination of the Compendium for Judicial Services.	
1.1.5	Provide technical and financial support to the GS to facilitate government-civil society dialogue at national and sub-national levels.	
1.2	Planning Guide for Justice Sector Institutions established	
1.2.1	Provide technical and financial support to the printing, distribution, and dissemination of the Planning Guide.	GS Strategic Plan 2010-2014: Goal 1; Obj 1.4 LRS PA 7.5.1
1.2.2	Provide technical and financial support to establish the Planning Guide for Justice Sector Institutions in partner agencies at national and sub-national levels.	
1.3	Key Sector Performance Indicators developed and implemented	
1.3.1	In collaboration with key stakeholders provide technical support to the ongoing development of the Indicator Monitoring System.	GS Strategic Plan 2010-2014: Goal 2; Obj 2.2 LRS PA 7.4.1
1.3.2	Provide technical support to mainstream LRS priority actions into implementing agency plans.	
1.3.3	Support implementing agencies to strengthen monitoring and reporting capacity to enable reporting against LRS objectives.	
1.4	Support aid effectiveness and LJR implementation	
1.4.1	Assist the General Secretariat – CLJR to coordinate and harmonise the efforts of donors and Ministries in the implementation of LRS Reforms.	GS 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
1.4.2	Coordinate update of LJR action plan with relevant donors, line agencies, and stakeholders.	

COMPONENT 2

The Crime Prevention and Community Safety component will continue to focus on supporting key stakeholders in Target Districts to identify, problem-solve prioritise, plan and implement community-based initiatives and activities that support vulnerable people, prevent crime and improve community safety within partner communities. 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, strengthen the monitoring and reporting capability of the 6 provinces with a further emphasis on improving the learning capacity of key stakeholders and counterparts.

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 is the second year that financial and technical support has been 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.

Lessons continue to be learnt, shared and applied in the implementation of this component's activity. The Independent Performance Review found that the project has successfully integrated component 2 activities 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. Based on this review and the advice of counterparts and key stakeholders, CCJAP through these activities, will continue to strengthen this component.

There is a very real possibility that these activities can be sustained post CCJAP. However there is little likelihood that the RGOC will be able to continue funding CPCS activities in CCJAP partner provinces to the level that the GoA has done through CCJAP phases II and III. This will have an impact upon the effectiveness of CPCS supported activities implemented through the CIP process in partner provinces and will certainly not create an environment conducive to implementation of CPCS activities in other non-partner provinces without additional supported assistance from the Donor Community and/or NGOs.

C2: ANNUAL PLAN OUTPUTS

Component 2 Annual Plan outputs and associated activities are detailed in C2: Chart 2 below.

C2: Chart 2

COMPONENT 2 - CRIME PREVENTION AND COMMUNITY SAFETY		
Sustainable collaborative crime prevention and community safety initiatives established and improving community safety in targeted Districts.		
Output		Reference
2.1	Provincial Coordination and Communication strengthened in Partner Provinces to implement Reform Activities	NCDD- Output #1 and 2 LIRS PA 7.6.2
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 LIRS 7.4.1
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	
2.2.2	Provide technical and 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	
2.3	Increased Civil society and Government dialogue and collaboration at the sub-national level.	NCDD- Output #1 LIRS 1.4.5
2.3.1	Establish networks with Donors and NGOs to improve implementation and identify new initiatives that contribute to CCJAP's objectives.	
2.3.2	Facilitate improved cooperation and dialogue with NGOs, Donors and government departments to plan for and implement approved projects and initiatives to support vulnerable people.	
2.3.3	Provide technical support to the development of the commune investment plan to implement programs/activities for youth at risk or in conflict with the law	
2.3.4	Where required provide technical advice to support the development of a draft National Youth Policy document	
2.4	Strengthened Monitoring, Reporting and Learning Capacity of Provincial Partners	NCDD- Output #2 LIRS 7.4.1
2.4.1	Facilitate government and non-government participation in planning, implementation monitoring and reporting of approved CIP activities in Partner Provinces	
2.4.2	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 ensuring attention to sex and age data	
2.4.3	With project team and stakeholders review approaches, responsibilities, monitoring and evaluation tools including support to CDPD system with the MoP	
2.4.4	Obtain approval from the MoP for the establishment of new tools and mechanisms for monitoring, evaluation and reporting	

COMPONENT 3

In 2011 CCJAP assistance will be provided to 4 key priority outputs as are detailed in C3 Chart 3 below: assistance to ensure strategic planning activities are appropriately implemented and properly monitored and evaluated, including implementation of the CNP gender mainstreaming plan; technical and financial support to enhance CNP capacity to collect and analyse crime data; development and implementation of a CNP Crime Prevention Strategy and strengthening of Post Police for community safety, including undertaking a pilot program in 2 communes to implement a model in these police administration posts; and, continued support to progress the development of the draft Police Act.

The introduction of CNP Crime Prevention Strategy and Strengthening of Post Police for Community Safety (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 this strategy given by the Police Commissioner General. Whilst the development of the CNP Crime Prevention Strategy and Strengthening of Post Police for Community Safety (Community Policing) strategy is fundamental to this activity, the implementation of a pilot program in 2 communes (Chup and Chiro 2) will enable evaluation to ensure implementation activities meet the needs of the Cambodian environment and culture.

A lesson learned during consultation was use of the term “Community Policing Strategy”. Whilst that term is widely used and understood by CNP and the project, it does not translate into Khmer and caused some confusion with many counterparts and key stakeholders being of the view that a new police agency, or at the least a new section of the CNP, was to be formed with addition resources. As a result of RGoC considerations the NMB directed that the term “Strengthening of Post Police for Community Safety (Community Policing)” be substituted.

The implementation of the CPCP Strategy and pilot is 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 was rolled out, firstly in a pilot program, and then later within a partner Provinces. In 2011 this will continue to be built upon. 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. CCJAP will both financially and technically support a review by the working group and various ministerial committees to specifically consider administrative, policy and operational implications to implementation.

C3: ANNUAL PLAN OUTPUTS

Component 3 Annual Plan outputs and associated activities are detailed in C3: Chart 3 below.

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 Strategic Plan implemented and monitored	CNP Strategic Plan 2008-2013: Obj 5,6,8,10 LJRS PA 7.5.2
3.1.1	Provide technical and financial support to strengthen the CNP's capacity to monitor and evaluate implementation of its Strategic Plan.	
3.1.2	Provide technical and financial support to strengthen the CNP's monitoring, evaluation and reporting capacity for agreed performance indicators nationally and in partner provinces.	
3.1.3	Assist the Gender Working Group to implement gender mainstreaming activities in accordance with the GMAP	
3.2	Enhanced capacity to Collect and Analyse Crime Data	CNP Strategic Plan 2008-2013: Obj 3,4,6,8 LJRS PA 7.6.1 LJRS PA 7.4.1 LJRS PA 1.7.1
3.2.1	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).	
3.2.2	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.	
3.3	CNP Crime Prevention and Strengthening of Police Posts for Community Safety (Community Policing) model implemented	CNP Strategic Plan 2008-2013: Obj 1,4,10 LJRS PA 7.6.2
3.3.1	Provide technical and financial support to the CNP to develop and establish a draft CNP Crime Prevention strategy	
3.3.2	Provide financial and technical support to develop and implement Strengthening of Post Police for Community Safety through a pilot program in Chup and Chiro 2 Communes.	
3.3.3	Provide technical and financial support to develop and implement a CNP community engagement approach in the implementation of the pilot program.	
3.3.4	Provide technical and financial support to monitor and evaluate the pilot program to ensure it is achieving its intended outcomes, including the extent of community engagement.	
3.4	Support passage of the Police Act	CNP Strategic Plan 2008-2013: Obj 1,2,8,10 LJRS PA 2.1.6
3.4.1	Provide technical and financial assistance to review the final draft legislation as amended by the working group and various ministerial committees specifically to consider administrative, policy and operational implications to implementation.	

COMPONENT 4

The Ministry of Justice and Courts component reflects 7 key priority outputs for 2011 detailed in C4 Chart 4 below: further 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; Court of Appeal case management systems strengthened; further strengthening of the conduct and reporting by PCP meetings; additional support within MoJ and the partner province courts to implement court registers; continued technical support to the Child Justice Working Group, and the development and implementation of an alternate sentencing pilot program.

In this Annual Plan there will be a greater focus to strengthen the organisational capacity of the MoJ in strategic and activity planning 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 ministries operations and planning.

The first MOJ Strategic Plan has now been approved by the Minister of Justice and as required CCJAP will support its implementation in 2011.

The Component will increase its engagement with the Cambodia Court system 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. Included in these activities will be the development of formal policy to govern court administration.

Whilst activities undertaken in the MoJ and Courts in respect to the model courts project have been disappointing with outputs and activities slowing considerably, 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. CCJAP will continue to support the model court project as able, particularly in the further development of court registers in all the partner province courts

A positive development during 2010 was the development of a MoJ directive relating to the establishment of Police, Court and Prison meetings. The directive was drafted independently of CCJAP advice and contains instructions about the frequency and functions of PCP meetings. Significantly these PCP meetings are now being conducted regularly, not only in partner provinces but across Cambodia. During 2011 additional support will now be provided to facilitate dialogue and problem solving at these meetings, including a significant focus on addressing outstanding judgements and excessive pre-trial detention.

An additional output for this annual plan will be to implement an Alternate Sentencing Pilot Program in a partner province. It is intended that a Working Group analysis of RGoC policy and legislative

framework for alternative sentencing, diversion and release programs; develop a concept paper and framework of approach for approval by counterpart Ministries, AusAID and the NMB; and, effectively implement and evaluate the pilot over an 8 month period. This activity is intended to be a pilot to learn lessons, not to implement any wholesale institutional strengthening activity to transition or sustain post CCJAP.

C4: ANNUAL PLAN OUTPUTS

Component 4 Annual Plan outputs and associated activities are detailed in C4: Chart 4 below.

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.	LIRS PA 7.7.1
4.1.1	Support the implementation of the MoJ strategic plan	LIRS PA 7.5.1
4.1.2	Provide technical support to the MoJ to develop their activity plan based on the strategic plan	
4.1.3	Provide technical support to the General Inspectorate to inspect court administration and use of the Courts Registers.	
4.1.4	Support the General Inspectorate to monitor: pre-trial and post-trial detention and issue of Judgements through analysis of data from the newly implemented Courts Registers in 6 partner Provincial Courts.	
4.1.5	Conduct workshop on pre-trial detention between courts and prosecutors in 6 partner Provincial Courts	
4.1.6	Support the GMAG to implement the GMAP (including the promotion of women in MoJ and Courts)	
4.2	Procedures within the Cambodian Court System developed and implemented.	LIRS PA 5.3.2
4.2.1	Assist the MoJ to develop Policy and legislation to govern court administration	LIRS PA 5.3.3
4.2.2	Support the development of systems for the widespread distribution of the final judgements of the Supreme Court	
4.3	Improve Court of Appeal case management systems.	LIRS PA 5.3.3
4.3.1	Assist Court of Appeal staff to develop appropriate data and reporting systems and practices.	
4.3.2	Support the implementation of new case management practices, procedures and filing systems within the Court of Appeal	
4.4	PCP Meetings Established within partner Provinces	LIRS 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 courts.	
4.4.3	Facilitate dialogue and problem-solving at PCP meetings for addressing outstanding judgements and excessive pre-trial and post-trial detention, leveraging from data and analysis on newly installed Courts Registers and information from Prisons	
4.5	Court Registers Implemented in 6 Partner Provinces	LIRS 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.	
4.5.2	Develop Draft Court Registers for implementation in 6 partner province courts	
4.5.3	Obtain approval for implementation of Court Registers by Model Court Working Group and the Minister of Justice.	
4.5.4	Support the implementation of a Ministerial Instruction to use the Courts Registers	
4.5.5	Training materials developed and printed	
4.5.6	Trainers identified/selected and trained from RAJP for new Court Clerks and Prosecutor Clerks	

4.5.7	Trainers identified/selected and trained from MoJ for existing Court Clerks and Prosecutor Clerks	LJRS PA 2.2.3
4.5.8	Training and workshops conducted for ToTs and 20 personnel from Partner Courts (Court Clerks and Prosecutor Clerks)	
4.5.9	Print and distribute the Courts Registers to 6 partner Provincial Courts for implementation/use.	
4.5.10	Undertake 6-month evaluations to feedback and improve performance.	
4.6	Support to the Child Justice Working Group	
4.6.1	Provide technical support to the Child Justice Working Group to prepare for implementation of the Juvenile Justice Law	
4.7	Alternative Sentencing Pilot Program implemented	
4.7.1	Develop Concept Paper for pilot Alternative Sentencing Program	
4.7.2	Establish Working Group from Key Stakeholder Agencies	
4.7.3	With Working Group Develop Framework of Approach	
4.7.4	Present Framework and Approach to key stakeholders in MOJ and MOI for approval	
4.7.5	Implement the pilot Alternative Sentencing Program according to the approved Framework	

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 supporting the passage of, and implementing legislative change, continued support to the Office of Inspection and improving data collection; continued prisoner health services improvement; further support for 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. For these reasons further technical and financial support to the GDoP to continue with the development of the new prison farm (CC4) has been provided.

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

CCJAP is continuing to provide assistance with the passage of the draft correctional law through the RGoC legal processes and will then further support the GDoP to implement it.

Prisoner health services have improved considerably during 2010, particularly with the support now being provided direct to prisons by the MoH and NGOs. In 2011 CCJAP will continue to provide support through the provision of medical equipment, upgrading of health facilities and training for prison health staff and prisoners with particular attention to strengthening cooperation between the MOH, MOI and GDOP to sustain high quality prison health services.

Lessons learnt again reflect on the overcrowding issue which has a significant impact on prison management, putting more pressures on health care and other services such as the water supply and the sewerage systems. The subject of prison overcrowding has been discussed with Ministries, the NMB and other key stakeholders to raise awareness and to seek integrated solutions to reducing overcrowding. It is important that this is not seen as a GDOP problem but a whole of government issue that requires an integrated approach to reduce prison overcrowding. Some integrated activities in 2011 include: PCP meetings, the alternative sentencing pilot program, the

implementation of crime prevention and community safety activities (to reduce crime and imprisonment and to increase safety in target Districts), the “strengthening police posts to increase community safety” pilot and the rehabilitation and reintegration programs implemented in Component 5 to reduce recidivism. This is intended to improve cooperation, problem-solving and collaboration and communications between the GDoP, MoI, CNP, MoJ and Courts.

C5: ANNUAL PLAN OUTPUTS

Component 5 Annual Plan outputs and associated activities are detailed in C5: Chart 5 below.

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 LJRS PA 2.1.8 LJRS PA 7.7.1
5.1.1	Assist GDOP in to finalise the passage of the draft correctional law through the RGOc legal process	
5.1.2	Provide assistance with implementation of correctional law	
5.1.3	Assist the Gender Working Group to implement gender activities	
5.1.4	Support the Office of Inspection to undertake inspections of prison operations utilising the inspections standards manual	
5.1.5	Assist the Department of Operations to work in partnership with the Office of Inspection to implement a program for strengthening prison operations.	
5.1.6	Improved Data Collection between Courts and GDoP using existing data base systems	
5.2	Prisoner health services improved	GDOP Strategic Plan 2008-2013: Goal 1 Obj 1.2 NSDP – HIV/AIDS LJRS PA 1.2.1
5.2.1	In partnership with MoH and NGOs strengthen health services to address HIV/AIDS and TB in partner prisons	
5.2.2	Continue to upgrade prison health posts including construction and renovation and equipment in partners prisons	
5.2.3	Support the Office of Health to implement the agreement between MOI and MOH in the provision of healthcare services across all prisons, including maternal healthcare.	
5.3	Provision of prisoner rehabilitation and reintegration programs increased	GDOP Strategic Plan 2008-2013: Goal 3 Obj 3.1, 3.2, 3.3, 3.4 LJRS PA 1.4.5
5.3.1	Assist partner prisons to strengthen cooperation and coordination of local NGOs to improve provision of rehabilitation and reintegration activities	
5.3.2	Strengthen the prison industry and farming program in partner prisons	
5.3.3	Provide assistance to improve access to programs by juvenile prisoners in p/prisons	
5.3.4	Provide assistance to improve access to programs by female prisoners in p/prisons	
5.3.5	Provide support to strengthen rehabilitation initiatives identified through the Policy Framework for Prison Reform in partner prisons	
5.4	Prison facilities improved to address overcrowding	GDOP Strategic Plan 2008-2013: Goal 4 Obj 4.1, 4.2
5.4.1	Continue to implement capital works in prisons to address overcrowding and prisoner separation consistent with the new GDOP design standards.	
5.4.2	Provide support to the GDoP to continue to develop the new prison farm at CC4	
5.5	GDOP Partnerships strengthened	GDOP Strategic Plan 2008-2013: Goal 3 Obj 3.1, 3.2, 3.3, LJRS PA 1.4.5
5.5.1	Provide assistance to increase civil society engagement with the GDOP and partner prisons.	
5.5.2	Provide assistance to increase inter-ministerial cooperation to reduce prison overcrowding	
5.5.3	Strengthen the partnerships between the commune police and GDoP through the Strengthening Post Police for Community Safety pilot and the MoI policy on village and commune safety.	

COMPONENT 6

In developing this Annual Plan 2011, 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 priorities¹ for further development support and approving the use of FSF resources to implement the annual plan.

Capital Works construction activities are well underway and all planned projects will be completed during 2011.

National Management Board and FSF

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.

2011 Annual Planning meetings involving NMB members and senior counterparts 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.

This Annual Plan is resourced by a combination funds/resources allocated under the Head Contract; existing (approved) accounts in the FSF and a new FSF Priority Matrix for new applications to be approved by the NMB.

The Annual Plan 2011 Implementation and Resource Schedule is attached at Annex A. On the cost schedule TAB it analysis and disaggregates costs/resources by: contract funding; FSF funding (approved accounts); FSF Priority Matrix funding (new applications); and, by component and monthly costs over the 13th month period to project completion date.

The FSF Priority Matrix is attached at Annex B. 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

Annual Performance Reviews have 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). In CCJAP the NMB have strong ownership of the project. They continue to 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.

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

All components 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.

A significant focus of this annual plan is on sustainability and transition to the RGoC. The development and implementation of outputs by counterpart-agreed activities that are likely to be sustained (and to what degree) beyond project end date were central focus on all planning meetings. To that end this plan addresses specific agreed activities to further strengthen opportunity for sustainability of identified development priorities by the RGoC in 2012.

Capital Works

The alignment of capital works and institutional strengthening activities is an ongoing process. It is progressing on schedule with several capital works programs in Kandal, Prey Veng and Battambang completed and formally handed over to the RGoC. The Implementation and Resource Schedule for the 2011 Annual Plan has allocated AUD \$ 2,753,863.00 to capital works during this period.

The FSF Priority Matrix will be placed before the NMB on 4th November 2010 seeking approval for the budget enabling CCJAP to complete capital works.

Monitoring & Evaluation

Based on a review and update of CCJAP Monitoring and Evaluation Framework and its Baseline Data File in August-September 2009, CCJAP made modifications to its M&E system. Its indicator set increased from 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 Independent Performance Review was critical of the CCJAP M&E stating *“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.”*

However, CCJAP defends its approach to monitoring and evaluation because the M&E framework and principles were based on the guiding principles of the Strategic Framework Document (which was also criticised by the IPR). At the sub-national (post the IPR) CCJAP has strengthened LIRS monitoring capacity significantly through trainings and the development and establishment of monitoring tools and systems as approved by the Ministry of Planning.

Since inception CCJAP has maintained that the law and justice sector now must ensure that its policies, procedures and administrative arrangements are aligned to work within the multi-tiered system of local government. The key implication for the project is to ensure it works clearly through government systems and is highly reflective of the public sector reforms down to the local level. It has been important to strengthen systems if they need as opposed to trying to develop new arrangements within agencies that may have no relevance or do not support national systems.

Gender

The Annual Plan has again been structured to ensure issues of gender and equity are mainstreamed through the CCJAP and facilitated through counterpart agencies and gender working groups. Specific details are provided in the CCJAP Gender Strategy which continues to provide a sound and well articulated foundation for the implementation approach to be undertaken in 2011. Financial support to gender-related activities has increased in 2011.

Vulnerable Groups

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.

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.

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 also 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.

CCJAP will continue to develop strategic partnerships and cooperation with local and international actors in this area including MOSVY and key youth organisations such as Friends International and UNICEF. The alternative sentencing pilot program will also focus strongly on supporting convicted women and juvenile offenders to participate in alternative sentencing options.

Disability

CCJAP support to disabled persons is mainly through component 2 (CPCS activities), component 5 (disabled people in prison) and component 6 through capital works. All capital works projects have disabled facilities either built or planned.

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 Administration, Finance, Monitoring and Procurement Units/Sections 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 and developing the Court of Appeal Data Base.
- 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 in 2011 CCJAP will further invest in areas that will: improve capacity of agencies and sub-national governments to monitor their own performance; to improve governance, standards and reporting of counterparts; and, to improve transparency of counterpart systems and processes such as courts registers and the implementation of corrections management practices.

C6: ANNUAL PLAN OUTPUTS

Component 6 Annual Plan outputs and associated activities are detailed in C6: Chart 6 below.

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 2011 Work Plan.
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	Undertake Risk Reviews and Audit of FSF Activities.
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 operations managed transparently and effectively and external audited conducted annually.
6.5.2	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.
6.6.5	Prepare the CCJAP Activity Completion Report
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.
6.7.2	Financial support to MOWA to develop framework for "One Stop Shop" to Gender Based Violence
6.8	Capital Works Program/Projects Designed and Implemented
6.8.1	Capital Works Projects monitored and audited with the FSF.
6.8.2	Undertake Capital Works as planned and approved by the NMB
6.8.3	Undertake small capital works projects that support vulnerable people, victims of crime and juvenile justice.

CONCLUSION

CCJAP recommends the approval of this Annual Plan January 2011 to January 2012. It was developed in consultation with a broad range of stakeholders and all outputs and activities were planned and agreed to as per the component outputs and activities detailed in charts 1 to 5, consolidated into the attached Output and Activity Matrix at Annex C.

The 2011 Annual Plan is resourced by:

- An annual allocation from the Head Contract (operational funds).
- The FSF from existing approved applications that are yet to be fully expended.
- The FSF priority Matrix which contains applications for new FSF funding for the 2011 Annual Plan priorities.

The attached Implementation and Resource Schedule (Cost schedule TAB) disaggregates funding across components and identifies the funding source (i.e. Head Contract Operating Account, FSF Priority Matrix and Existing FSF Account). This is an important tool for project management and implementation. The Implementation and Resource Schedule is for the information of AusAID, the Managing Contractor and the Team Leader only.

The following Annexes are to be placed before the NMB on the 4th November 2010 for approval:

- Annex B: CCJAPIII AP 2011 FSF Priority Matrix.
- Annex C: CCJAPIII AP 2011 Output and Activity Matrix.

This CCJAP 2011 Annual Plan and all supporting annexes are commended for AusAID consideration prior to the release of Annexes B&C to the NMB executive.

The draft CCJAPIII Contract Amendment 4 (Schedules 1 and 2) and associated draft Change Frame is also attached for AusAID reference and consideration.