

Legal Aid of Cambodia



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“Indigenous people who necessarily need legal service from Legal Aid of Cambodia”

Supported By:

n(o)vib
Oxfam Netherlands

and

 OPEN SOCIETY INSTITUTE
& Soros Foundations Network

Implemented By:



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OUR VISION

LAC envisions a Cambodian society where rule of law and human rights are respected and implemented.

OUR MISSION

LAC's mission is to provide quality legal service to and advocate for the Cambodia's poor so that they are fairly and equally treated in the society.

OUR GOAL

Cambodia's poor people have improved their living conditions resulting from using their rights according to the law.

TABLE OF CONTENTS

MANAGEMENT TEAM AND SUPERVISORY BOARD	1
VISION, MISSION, GOAL	2
TABLE OF CONTENTS	3
1. INTRODUCTION	4
1.1 Internal organization	4
1.2 LAC's main program activities	4
1.3 Important events	5
2. ORGANIZATIONAL DEVELOPMENT	6
2.1 Progress to plan	6
2.1.1 Introduction	6
2.1.2 Advocacy	6
2.2 Management and staff development	7
2.2.1 Expatriate advisor/consultant	7
2.2.2 Human resource development	7
2.2.3 Seminar worldwide	9
2.2.4 Networking	9
3. STAFF OF LEGAL AID OF CAMBODIA	10
3.1 New recruited staff members	10
3.2 Staff rotation/internal promotion	11
3.3 Departing staff members	11
3.4 Job contract termination staff	12
3.5 Interns and volunteers	12
4. FINANCIAL SECTION	13
5. ACTIVITIES	14
5.1 Core legal work	14
5.2 Criminal and civil cases	14
5.3 Street law program	14
5.4 Advocacy and legal reform	15
6. ACTIVITIES OF THE UNITS	16
6.1 Juvenile Litigation Project	16
6.2 Juvenile Unit	18
6.3 Land Law Unit	20
6.4 Correction Center 2 Prison Project	23
6.5 Women's Rights Education Project	25
7. LESSON LEARNT	26
8. SUPPORT BY DONORS	27
9. CONCLUSION	27

1. INTRODUCTION

1.1 Internal organization

Legal Aid of Cambodia (LAC) is a non-profit, non-governmental organization (NGO) with its mission is to provide quality legal service to and advocate for the Cambodia's poor so that they are fairly and equally treated in the society. LAC's central office is based in Phnom Penh and there are seven provincial branch offices such as Battambang, Banteay Meanchey, Rattanakiri, Koh Kong, Kandal, Sihanouk Ville and Siem Reap province.

During the report period of January-December 2006, LAC is still implementing its in force Statute and Internal Regulations that LAC is directly led by its Management Team (MT) composed of the director, administrative vice-director, legal vice-director and finance manager with assistance from the assisting committee that composed of Gender Committee, Human Resource Development Committee, Planning Committee and Finance Committee.

With financial support from the ICCO and the Lawyer for Lawyer Foundation based in the Netherlands, Ms. Dorine van der Keur, a Dutch lawyer is selected as the Legal Advocacy and Management Advisor for LAC in replacing to the Junior Consultant, Mrs. Marlou Pijnappel who finished her work with LAC last year. Ms. Dorine van der Keur has started her work since September 15, 2006 and will stay with LAC for 2 years.

The LAC's Supervisory Board (SB) is still playing its important role in strengthening and improving the management of LAC, including a check and balances on the management team, controlling the financial management, financial utilization and transparency within LAC, assist the MT in looking for possibilities for fundraising and developing and improving policies and procedures.

1.2 LAC's main program activities

With the approved Strategic Plan (SP) 2003-2006, LAC is now at the end of this 4-year plan. Within this context, LAC as one of the charitable legal aid organisations has contributed in strengthening and improving the legal and judicial system in Cambodia through providing legal aid services to the Cambodia's poor in the court and outside the court free of charge, participation in the legal and judicial reform and rule of law.

To achieve its mission, LAC has implemented its core activity that focused on criminal and civil cases since its inception and other four specific programs have been implemented in response to the problems in the society.

1. Based in Phnom Penh and in other six branch offices including the province of Battambang, Kandal, Siem Reap, Koh Kong, Sihanouk Ville, and Rattanakiri, LAC's General Lawyer Unit (GLU) have played a crucial role in providing legal representation for both criminal and civil cases while our lawyers based in Banteay Meanchey and Rattanakiri are working very active on big land cases.
2. Cambodia had signed and ratified the United Nations Convention on the Rights of the Child (UNCRC), and in response to this Legal Aid of Cambodia-Juvenile Unit (LAC-JU) is established in 1997 and has worked in focusing on the promotion of children's rights in Cambodia especially in the context of protecting the rights of children who are in conflict with the law through the Cambodian Justice System.
3. The Legal Aid of Cambodia-Land Law Unit (LAC-LLU) is formed in response to the needs of legal aid services to the poor whom their lands are grabbed illegally.

4. The Legal Aid of Cambodia-Juvenile Litigation Project ([LAC-JLP](#)) is also established to fulfill the needs of legal aid services to the child offenders and child victims.

1.3 Important events

With core financial support from the Oxfam Netherlands ([Oxfam NOVIB](#)) and Open Society Institute ([OSI](#)) in 2006 as planned LAC has conducted some important activities in response to the development of the organization.

- **Annual staff conference**

On June 29-30, 2006 LAC conducted an annual staff conference in Phnom Penh. 70 staff members of LAC are invited to participate in the conference including the members of the MT, lawyers, legal assistants, investigators, office supported staff, intern students and volunteers. The conference was facilitated by the MT and some heads of the units. LAC also invited Mr. You Bunleng, judge from the Appeal Court as speaker.



LAC's staff in the Annual Conference

On the first day of the conference, a presentation on the achievements of LAC is presented by the MT's

members, especially Mrs. Peung Yokhiep, the legal vice-director presented the achievements made by LAC's MT and staff as a whole related to the situation of providing legal services to the poor. She further addressed the legal cases that need to provide legal representation inside and outside the court in response to the approved strategic plan 2003-2006 and the annual plan. The administrative vice-director, Mr. Meas Samnang, presented the achievements regarding the administrative tasks. The heads of the JLP, JU, LLU and GLU presented the achievements made by their own projects and lastly the financial officer, Mr. Kim Hor Han and his assistants, Miss Se Vichka and Miss Choeun Sokhom presented the financial situation and the finance policy for the participants. Future Strategies and solutions the work obstacles have been discussed and found during the first day of the conference.

On the same day we have also presented the LAC Strategic Plan 2007-2010 that was approved by the MT and the Supervisory Board to all LAC's staff members.

On the second day of the conference Mr. You Bunleng, the judge from the Appeal Court, presented to LAC's staff the Civil Code and Civil Procedure and emphasized the important role of lawyers in the Civil Code and Civil Procedure.

- **The Management Team election**

As stated in the article 7 of the LAC Statute and article 112 and article 113 of the LAC Internal Regulations that was approved by the MT and the SB, LAC has held the election on June 30, 2006 to elect the new MT's members. The MT's members except the finance manager are elected by LAC's staff members.



LAC's staff during the MT election

All staff in Phnom Penh office and from the provinces have the right to vote except the new recruited staff who are in the probation period. The election was held under the observation of one of the Supervisory Board members. As results, Mrs. Peung Yokhiep was elected as the new

LAC director, Mr. Lor Chunthy was elected as the legal vice-director and Mr. Meas Samnang was re-elected as the administrative vice-director.

- **Annual Management Team and Supervisory Board meeting**

On July 3rd-4th, 2006 LAC has held its Annual Supervisory Board and Management Team Meeting in Phnom Penh.



The Board members in attendance included Mr. Thun Saray from the Cambodian Human Rights and Development Association (ADHOC), Mr. Willem van Manen (Lawyers for Lawyers Foundation-Netherlands), Mr. Francis J. James (UNDP-New York), Ms. Oung Chanthol from Cambodian Women Crisis Center (CWCC), Mr. Nick Rine (University of Michigan), Mr. Judd

Board's members during the Annual Board Meeting

Iversen (University of San Francisco). Mr. Bora Touch (Lawyer based in Australia) and Mr. Ok Libounna (Finance Manager-Church World Service) were unable to attend.

Representing the MT were Ms. Peung Yokhiep, director; Mr. Meas Samnang, administrative director; Mr. Lor Chunthy, legal director and Mr. Kim Hor Han, finance manager. Heads of the specialized units: the Juvenile Unit, the Juvenile Litigation Project, the Land Law Unit were also present.

The MT provided a comprehensive overview of LAC's activities since our last meeting a year ago and especially the MT has addressed the achievements made by the MT and LAC's staff as a whole. Moreover, the LAC Strategic Plan 2007-2010 was discussed and approved by the SB and the MT. The SB and the MT also reflected on the MT election and it was decided to revise the LAC Statutes and the Internal Regulations in order to abolish the MT election system and adopt an appointment system of the MT by the SB. The SB and the MT also discussed funding opportunities and donor support for LAC in the future.

2. ORGANIZATIONAL DEVELOPMENT

2.1 Progress to plan

2.1.1 Introduction

The most important objective of LAC is to provide legal services to the poor free of charge and to provide legal consultations or advice in criminal or civil cases. To raise legal awareness, LAC also provides legal education through training, our street law program and talk shows on radio or national TV programs. To assist in reforming the fragile Cambodian judicial system in the provincial levels, LAC provincial offices have discussed workshops with local courts to find suitable methods for better implementing the laws.

In 2006, LAC improved the quality of its legal services, and improved leadership skills within the organization. LAC has strong commitment from the staff and MT to trainings, such as in-house training on leadership, management, reporting, monitoring and evaluation etc by the ICCO Advisor.

2.1.2 Advocacy

LAC acknowledges that advocacy is a very important component of the activities of LAC in order to achieve its mission. By promoting the rule of law, the rights of the poor and fair trial practices, the rights of the poor can be enhanced and their situation can improve. In order to streamline the advocacy activities within LAC, the Advocacy Working Group (AWG) of LAC

was established in 2004. In 2006 the AWG decided to write a strategy to enhance its capacities. This plan will be effectuated in 2007 in cooperation with EWMI and CLEC.

2.2 Management and staff development

2.2.1 Expatriate advisor and consultant

Since Ms. Marlou Pijnappel, LAC former junior consultant supported by ICCO, has finished her contract working in LAC then Ms. Dorine van der Keur, a female Dutch lawyer, was selected by ICCO to replace Mrs. Marlou Pijnappel and work in LAC for the position of LAC Legal Advocacy and Management Advisor for 2 years to build the capacity of the LAC's staff members and the MT members, especially in advocacy work. Ms. Dorine van der Keur has started her work in LAC from September 15, 2006. The challenge for LAC is to coordinate, improve and communicate their advocacy more effectively. Ms. Dorine van der Keur also assisted the MT in the organizational development that was started with the previous consultant and with the Training Institute for Managers of the Organizations Working for the Development of Cambodia (VBNK) intervention. With the help of Ms. Dorine van der Keur advice in the area of organization development, LAC is now building a solid foundation with a donor diversification strategy, an advocacy strategy and started drafting new statutes to abolish the election system of the MT.

Thanks to another Dutch female consultant, Ms. Aekje Teeuwen, LAC recently expanded its project activities with a project called "CC2 Prison" that stands for Correction Center 2 Prison and is supported by the East West Management Institute (EWMI) for a fifteen month period. The project aims at improving the legal procedure within the Cambodian Justice System, ensuring prompt and appropriate access to legal aid for juveniles held in pre-trial detention in the Correction Center Prison. Ms. Aekje Teeuwen developed the project and is the Legal Consultant for the project. She works with a team composed of one project coordinator, two lawyers, and one legal assistant.

2.2.2 Human resource development

In 2006, LAC kept its focus on capacity building for its staff as a basic principal in developing the organization and to enhance its capacity to implement activities.

During this period of time LAC received capacity building with funding support from our donors. LAC's staff members including the MT members strengthened their capacity by participation in the training sessions, short courses and university programs.

As we have mentioned in our last report of 2005 that in the context of cooperation in providing capacity building program VBNK has signed a new contract with ICCO to launch a 3-year ICCO Partners Project (ICCO-IPP) that focused on the Management Development (MD) and Financial Management (FM).



LAC's staff in participation with ICCO-IPP Project

On July 24th, 2006 LAC met with VBNK on the Partners Orientation Session. We have discussed within the concept of *trainer institution and the trainee institution* and that some conditions have been met such as *commitment, indicators for change, participation, sharing/contribution, evaluation, agreement, reporting, transparency, expectation from VBNK to LAC, expectation from LAC as partner to VBNK and expectation from VBNK and ICCO to LAC.*

From the session, LAC has identified the 5 priority main topics to be discussed in the first 12 months. Those topics are:

- Project Design and Planning
- Strategic Planning
- Human Resource Development
- Monitoring and Evaluation
- Learning and Adaptation

During this reporting period, LAC has also participated in a session conducted by VBNK called “*Learning Organization*” on August 15 to 17, 2006. Mr. Meas Samnang, the chairperson of the LAC Human Resource Development Committee and also responsible for the MD within the IPP program and Mr. Kim Hor Han, the LAC’s finance manager, has participated in the session. The purpose of the session is to remind us about the previous implementation in supporting to the training within our own NGO, reflect to the past experience and learning events, learn from the past experience and identify what should be added to learn or decrease in order to support the learning within the NGO.

As planned, LAC’s MT members, heads of units and some of the key staff have participated in the Project Design and Planning session conducted by VBNK on October 17-18, 2006.

In addition, with funding support from our core-funding and donors that support the project program, some of LAC’s staff including the MT’s member, lawyers, legal assistants, investigators and office supported staff are provided opportunity to strengthen their knowledge and understanding to implement their work effectively. Those staff members are listed below:

Name	Course	Position and Program Location	Remarks
Chev Sophea	English	Investigator based in Rattanakiri province	
Ek Mealea	English and report writing	Lawyer to the JU	
Kim Hor Han	Master of writing and auditing	Finance manager/MT	
Leoum Saleat	English	Guard in Siem Reap province	
Long Salux	English	Lawyer from the JLP based in Sihanouk Ville	Year I
Mean Samnang	Computer	Investigator based in Phnom Penh	
Oue Chantrea	Computer	Investigator to the JLP based in Phnom Penh	Year I
Touch Chiva	Computer	Legal assistant to the JLP based in Phnom Penh	Database
Un Som	English	Driver based in central office	
Pang Vuthy	Law and English class	Driver to the JLP based in Phnom Penh	
Op Vibol	Computer, English and general and project management	Legal assistant and head of the JU	Database
Tep Neth	English	Legal assistant to the JLP	

But Puthirith	English	based in Phnom Penh Lawyer to the JLP based in Phnom Penh	
Hok Meng Eam	English	Lawyer to the JU based in Phnom Penh	
Choeun Sokhom	Accounting (BBA)	Finance assistant based in Phnom penh	Year 4

2.2.3 Seminar worldwide



Singapore, China and Thailand are invited to participate.

As Legal Aid of Cambodia is one of the ECPAT-Cambodia member organizations, Mr. Tep Neth, legal assistant to the LAC-JLP, was invited to attend the training workshop on “Investigation of Child Trafficking and Criminal Justice Professional” held on October 9-12, 2006 in Bangkok, Thailand. Countries’ representatives from the Mekong Sub-Region such as Cambodia, Laos PDR, Malaysia, Myanmar, Vietnam,

2.2.4 Networking & cooperation with other NGOs

The newly elected MT recognizes the importance of good communication and cooperation with other NGOs and government and has been networking more actively and successfully. LAC is still playing its very important roles in the context of cooperation, coordination and leading in most of the human right, social development, women and children networks.

Mrs. Peung Yokhiep, the director and replacement of Mr. Ouk Vandeth, has participated actively as one of the members of the [CHRAC](#) in which this committee is working against the Human Rights Violation in Cambodia and the Khmer Rouge Tribunal ([KRT](#)) issues. Mrs. Peung Yokhiep is also a member of the NGO Forum and Cooperation Committee for Cambodia ([CCC](#)) in which she is working on advocacy on land cases. LAC has also provided recommendations to the sub-decree on forest concession, social concession, economic concession and the effect from the WTO. Mrs. Peung Yokhiep, is also a Board member of Partnership for Development in Kampuchea ([PADEK](#)) and Cambodian Social Development ([CSD](#)). Furthermore she is a representative from LAC to join the networking with the Project Against Domestic Violence ([PADV](#)) and ([CEDAW](#)) committee.



LAC's MT and lawyers meet with KRT expert

Mr. Meas Samnang, administrative director, has joined the NGO Committee on the Rights of the Child ([NGOCRC](#)) as vice-chairperson for three years ago but now he is elected as the chairperson of this committee. The committee’s mission is to monitor the implementation of the UN Convention on the Rights of the Child ([UNCRC](#)) in Cambodia and also raised awareness on the UNCRC among NGOs, government agencies and professional groups. Lastly, this committee has to write the NGOs supplementary report to the UN Committee on the Rights of the Child in Geneva. In this direction, Mr. Meas Samnang has played his very important roles in high level of decision making among NGOs and he also assisted the government agencies, especially the Cambodian National Council for Children, in writing the government report on Children’s rights implementation in Cambodia and also for the NGOs report to the UN Committee in Geneva.

Mr. Samnang is also a member of the executive committee of the [ECPAT-Cambodia](#) in which this committee is to eliminate child trafficking and exploitation in Cambodia.

As LAC has signed the Memorandum of Understanding with the organization called Equal Access, Mr. Lor Chunthy, the legal vice-director has joined this NGO's program as editor to the Radio Talk show program related to the legal issues.

LAC-JLP's lawyers attended monthly meetings conducted by EWMI on Women and Children issues. The meetings included lawyers from EWMI partner organizations such as Cambodian Defender Project ([CDP](#)), Legal Support for Women and Children ([LSCW](#)), Protection of Juvenile Justice ([PJJ](#)), the Bar Association of the Kingdom of Cambodia ([BAKC](#)), Agir Pour les Femmes En Situation Precaire ([AFESIP](#)), Friends International, LICADHO and [CWCC](#) who joint to discuss cases involving women and children to share experiences in order to find better strategies and resolutions for difficult cases. LAC lawyers are regular contributors to these meetings.

During this year LAC-JLP has also formed a network with Child Rights International ([CRI](#)) in Australia. We have improved and publicized our project activities through the CRI's website. CRI has invited one of the JLP staff members to participate in a Child Rights Justice Visit to Australia at the beginning of 2007 to gain knowledge and experience from the system in Victoria. CRI has also provided a technical advisor to assist in project grant development in order to ensure that the JLP's work can be sustained beyond the lifetime of the current project.

The LAC-LLU has maintained its commitment to participate in community activities with other representatives from civil society that engaged in land reform, land management and land dispute.

During the project cycle, the LAC-LLU participated in numerous networking activities such as strengthening relationship with the Community Legal Education Center ([CLEC](#)). CLEC has also been invited to participate in the Phnom Penh's eviction cases. LAC-LLU also strengthened its ties with other provincial local NGOs in the areas such as Adhoc, Human Rights Vigilance, CDP as well as participation in local meetings addressing land issues, land management and legal/judicial reform.

LAC-LLU continued its regular collaborative work with NGO Forum, CHRAC, and the UN High Commissioner for Human Rights ([UNHCHR](#)) as well as EWMI.

The LAC-LLU is relatively well-known and appreciated in the legal, land and human rights communities in Cambodia as well as among many poor people who seek legal service from LAC. External evaluators stated in their report that, "The work of the land unit is the best known of LAC and its contribution to the Land Law NGO working group is of singular importance. We have received many positive comments about the effectiveness of the two units---labor and land. Specifically what is appreciated (by persons commenting) is the understanding and commitment to these issues¹.

3. STAFF OF LEGAL AID OF CAMBODIA

In 2006 LAC has implemented its core activities and the specific projects through its 67 staff members, including MT members, advisors and consultants, lawyers, and supported staff. During this reporting period we also received 6 intern students from the U.S.A. and three Cambodian volunteers. (The interns and volunteers staffs are not included into structure of LAC).

3.1 Newly recruited staff members

¹ (Source: "Enhancing Impact, an Evaluation of Legal Aid of Cambodia", October 2002, Ouch Phoumy and Brian Rowe)

Based on the need in implementing the core activities and the projects, a number of human resources have been recruited as the following:

- 1- Mr. Koy Veasna, a member of the BAKC, is recruited as a lawyer to the LAC-LLU based in Rattanakiri province.
- 2- Miss Ouk Sinaketh, also a member of the BAKC is recruited as a lawyer to the land law work based in Rattanakiri province.
- 3- Mr. Diep Kuylam, a member of the BAKC, is also recruited as a lawyer based in Banteay Meanchey province to replace Miss San Sony who has been resigned from this position.
- 4- Mr. Yeav Sopheavuth has been recruited as legal assistant to the JU to replace Mr. Eung Kim Unn who has been resigned from his position.
- 5- Mr. Long Mesa, a representative from the Ministry of Justice (MoJ), is recruited as the legal assistant to the JU for part time in the context of cooperation in between LAC and the ministry.
- 6- Mr. Ty Sokun is recruited as the investigator to the LLU based in Banteay Meanchey province to replace Mr. Ho Chheng Orn who is promoted to work in the LLU in Phnom Penh as the legal assistant to the unit.
- 7- Mr. Chuob Sophanna is recruited as the investigator to the land law work based in Rattanakiri province
- 8- Due to the fact that Miss Khann Sothaly, a receptionist is promoted to the position of investigator based in Battambang, Miss Smith Sophorn is recruited to replace her.
- 9- Miss Nhan Samphors is recruited to work as the receptionist based in Siem Reap to replace the LAC former receptionist who had resigned to work in the Canada Bank.
- 10- Ms. Dorine V. van der Keur, Legal Advocacy and Management Advisor, sponsored by ICCO and Lawyers for Lawyers.

3.2 Staff rotation/internal promotion

Based on the need from the core activities and the units several staff are required to change their offices and position.

1. Mr. Chin Bunthan, lawyer to the LLU in Phnom Penh is required to go to work in the LLU based in Rattanakiri province to replace Mr. Meach Sam On who is promoted as the head of the LLU based in Phnom Penh but later on these two lawyers are resigned from the organization due to the fact that Mr. Meach Sam On has to work with the government as the Secretary of State of the MoJ.
2. Mr. Ho Chheng Orn is promoted to be the legal assistant to the LLU in Phnom Penh
3. Due to the fact that LAC has conducted the MT election on June 30, 2006, Mrs. Peung Yokhiep is elected as the director for another 3-year. Mr. Ouk Vandeth who is the former director was failed in the election and he is appointed to work as lawyer of the GLU based in Phnom Penh.

3.3 Departing staff members

In the year 2006 especially during the period of April to October, some staff has been resigned from LAC as the following:

1. Mr. Koy Veasna, a lawyer to the LLU based in Rattanakiri has resigned from his position.
2. Mr. Chin Bunthan, a lawyer to the LLU also resigned from the position due to the fact that the MT has appointed him to go to work in Rattanakiri province and that the province is so far from his family.

3. Mr. Oeung Kim Unn, a legal assistant to the JU has also resigned from the unit due to the fact that he has to work within the government ministry.
4. Miss Ith Mathura, a lawyer to the LAC-JLP has also resigned from the unit.
5. Miss San Sony, a lawyer to the LLU based in Banteay Meanchey province also resigned from her position due to the fact that the province where she worked is too far from her parent.

3.4 Job contract termination staff

At the end of 2006 the LAC terminated the job contracts of three staff members including Mr. But Puthirith, lawyer to the LAC-JLP based in Phnom Penh office; Mr. Ty Sokun, investigator to the LAC-LLU based in Banteay Meanchey province and Miss Nhim Darineth, receptionist based in Sihanouk Ville.

3.5 Interns and volunteers



Based on the principle of developing human resource and cooperation context inside and outside Cambodia, during this period of time with the approval from the SB, LAC has also received six intern students from the U.S.A. They are:

1. Michael Chhung is from Chicago. Michael has started his work from March through May, 2006 in the LAC- LLU.
2. Tran Ly is from the University of California. She has started her work from June through August 2006 in the LAC-JLP.
3. Tiana Gierke is from the University of Iowa and she has started her work from June through August 2006 in the LAC-JLP and LAC-LLU.
4. Laura Lisabeth Conn is from University of Pennsylvania. Laura has started her work from June through August 2006 in the LAC-JU.
5. Nicholas Marantz is from the Harvard University. He has started his work in the LAC-LLU from June through August, 2006
6. Kate Cronin-Furman is from New York and she has started her work in the LAC-JLP from September through December, 2006.

Even this is a short period of time for the six interns but they have learned a lot from the Cambodian concepts regarding the Cambodian Legal System, especially they have learned from the Khmer Rouge Tribunal (KRT) issue, Cambodian court system, the Bar Association of the Kingdom of Cambodia (BAKC), and the legal aid services that need to provide to the poor through the Cambodian legal aid civil society such as LAC. Moreover, these six interns have used their potential efforts in assisting the MT in developing the LAC 4 Year-Strategic Plan 2007-2010 for English checking and comments. They have assisted the specialized units in writing the project proposal for funding supports for their projects.



We also accepted three Cambodian volunteers who have finished their bachelors from the faculty of law in Phnom Penh and faculty of information and technology. The two volunteers who have their legal background are required to work in the administrative section for about six months and then they are required to work to assist the legal vice-director and the director. The volunteer from the faculty of information is required to work with the LAC Phnom Penh computer specialist and the investigator to assist them in entering the data into the database system.

4. FINANCIAL SECTION

Set out below are significant changes implemented in response to the auditor and comments from the management to the funding policy and financial management:

- The accounting manual was distributed to all staff concerned and emphasized the need for strict compliance.
- The payroll listing is maintained for all staff paid for each month and the list is categorized into staff paid by bank and by cash.
- All staff transferred from one project to another was properly recognized and approved from the Management and documented and sent to related departments.
- The vouchers were marked as “receipt voucher” and “payment voucher” to record the income and expenses respectively.
- All LAC staff members signed on their individual pay slips and not on the summary of the payroll listing.
- Pertaining to the staff Tax on salary, the auditor recommended that the Management should arrange the meeting with the Tax Department with regard to the Tax on salaries regulations and implementation but the management commented that they will comply in case the NGO law passes by the National Assembly, which required all NGOs to pay taxes. However, there is no such law yet from the Government.
- Tax on salary was properly grossed up for tax calculations.
- The organization has assessed its exposure to tax and considered voluntary disclosure of any unpaid amounts.

Overview of income in 2006

Project	Donors	Proposed budget in USD	Approved budget in USD	Received amount in USD	Remarks
Core Project	OSI	130,557.33	72,481.62	69,975.00	-Offset ending balance 2005
	Oxfam Novib	233,859.57	161,377.95	92,253.21	-Offset secured funding
Juvenile Unit	Save the Children Norway	49,400.00	49,400.00	48,906.00	Offset ending balance 2005
Land Law Unit	East West Management Institute (EWMI)	44,875.02	44,875.02	67,547.36	Change projection request and activities
Juvenile Litigation Project	European Union through DanChurch Aid	86,720.14	86,720.14	46,650.87	
Land Law program based in Rattanakiri	Canadian International Development	16,623.00	16,623.00	11,636.00	Received second installment

	Agency				amounting to 3,325.00 in 2007
Street Law Program	U.S.A Embassy	19,800.00	19,800.00	10,000.00	Waiting for second installment
Women's Rights Education Project	Deutscher Entwicklungsdienst (DED) Germany	4,459.00	4,459.00	4,459.00	
General Lawyer based in Rattanakiri	International Bridge to Justice (IBJ)	18,938.35	18,938.35	14,955.00	Offset ending balance 2005
Enhancing implementation of UNCRC and Cambodian law in Battambang province	European Commission	129,953.40	101,380.58	101,380.58	

5. ACTIVITIES

5.1 Core legal work

As mentioned in the LAC's Operational Plan 2006, LAC's core mission is critically important to the functioning of the Cambodian Justice System as well as to the protection of the rights of poor people through out the country. In 2006, LAC continued providing quality legal services to the poor in criminal and civil cases in Phnom Penh and other seven provinces through its specialized units and projects such as the Juvenile Unit, Juvenile Litigation Project, Land Law Unit and the General Lawyer Unit, the CC2 Prison Project and the Women's Rights Education Project.

5.2 Criminal and civil cases

2006 is the last year of the LAC's Four-Year Strategic Plan 2003-2006. During the reporting period and based on actual achievements in 2006, LAC received the total amount of cases for both criminal and civil cases amounting to 1415 cases in which 1,338 are criminal cases including 38 cases as criminal legal advice. The criminal cases representing to 77% in which 435 cases were closed and 665 cases are still ongoing. LAC also received 336 cases as civil cases plus including 21 cases as civil legal advice cases. The civil cases representing to 23% in which 110 cases were closed and 205 cases still ongoing.

5.3 LAC street law program



As strategy, LAC has implemented its street law program – an outreach program - since 2005. In 2006 we have continued this activity. NGOs activists, local authorities and poor people were very interested to the program. The program were participated by villagers, group leaders, chief of village, laymen and nun, workers, teachers, students and commune council members. LAC's lawyers with assistance from investigators and legal assistants in PNH and from the LAC's seven

branch offices are very active in implementing street law program. The program was recognized and authorized by governor of Phnom Penh municipal and provincial governors. The program focused on:

- Consultation on criminal and civil laws and procedures.
- Questioning and answering on law on marriage and family.
- Law on Domestic Violence.
- Land law and related regulations and sub-decree and solutions.
- Court procedure.
- Children Rights Laws and related International Instruments.
- Law enforcement.

During the process of street law program, LAC's lawyers, legal assistants and investigators introduced about Legal Aid of Cambodia and its mission in providing quality legal service to and advocate for the Cambodia's poor free of charge so that they are fairly and equally treated in the society. In response to the LAC's Strategic Objective, that poor people have more access to legal advice and representation in and outside the court by qualified LAC's lawyers. The above individuals have gained more knowledge and understanding about their rights and the judicial system where they felt that they lacked of access to the information on the legal issues. And they have gained benefits from the legal and judicial reform process. Street law program is really linked to providing quality legal services in court and outside the court by LAC's lawyers and legal supported staff.

Individuals who attended the program received hand-outs and documents such as LAC brochures on Free Legal Assistance, LAC's clients' bill of rights, LAC posters on land law, child rights laws, LAC's bulletins, books on Legal Education for Women on women's rights, law on marriage and family, criminal law, Cambodian Constitution, books on Tear of Victim Women, books on My Land My rights, CEDAW and the Convention on the Rights of the Child.

The following is the data coming from 2006 achievement made in Street Law Program:

Street Law Program					
No	Office LAC	Sessions	Participant		Total
			Men	Women	
1	Phnom Penh	11	181	193	374
2	Kandal	12	171	224	415
3	Koh Kong	08	56	290	346
4	Sihanouk Ville	20	378	401	779
5	Battambang	22	430	382	812
6	Banteay Meachey	07	131	180	311
7	Siem Reap	13	214	138	352
8	Rattanakiri	16	288	309	597
Total		109	1,849	2,137	3,986

5.4 Advocacy and legal reform

Issues that LAC concentrated on with our advocacy work in 2006 are:

- Excessive pre-trial detention, LAC-JLP monitors illegal pre-trial detention of its juvenile clients. Where a client is found to be held in detention beyond the legal limit a JLP lawyer filed a pre-trial motion with the court for their release. LAC-JLP process the issues depend on UNTAC criminal law 1992.
- Rights of children in prison
- Land law issues, mainly advocating for the rights of poor people whose land is grabbed away by powerful Cambodians

- The right to legal representation by accused (access to justice)
- To enhance the protection of the rights of the poor by advocating for their rights in the development of new laws:
 - The draft Criminal Procedure Code
 - The draft Civil Code
 - The Anti-Corruption Code
 - Anti-Trafficking Law
 - Draft Law on the Supreme Council of Magistracy
 - Draft Law on Peaceful Assembly and Demonstration

Besides the coordinated advocacy activities within the AWG and LAC units, the MT is also contributing to advocating for the rights of the poor, the rule of law and fair trials by participating in advocacy working groups/committees such as Cambodian Human Rights Action Committee (CHRAC), End Child Prostitution, Abuse and Trafficking in Cambodia (ECPAT-Cambodia), the Non-Governmental Organization on the Rights of the Child (NGOCRC), Cambodian Committee of Women (CAMBOW) and Convention on the Elimination of All Form of Discrimination Against Women (CEDAW).

Example of LACs Advocacy work

LAC-JLP undertook research at the end of 2005 into two key project issues – excessive pre-trial detention and access to legal representation. The research was undertaken in the four project areas and involved interviewing juveniles in detention, court and prison officials and experienced child rights lawyers.

The research findings were presented at the National Workshop on Juvenile Justice held in 2006 and co-organized under the project. The workshop was an opportunity for the advocacy that the key officials from government ministries and that the courts and prisons were all presented. It is planned that the workshop followed up with network meetings at which updates on the position of

excessive pre-trial detention in particular is highlighted to key stakeholders.



The research findings and related advocacy campaigns at which these have been presented have offered a significant opportunity to achieve the expected activity result of working towards the police and judges respecting the law on detention. However, it is unlikely that clear results

are seen in this area in the short term, and it is for this reason that LAC-JLP will continue to work towards achieving this result.

6. ACTIVITIES OF THE UNITS

This chapter describes the activities of the specialized Units of LAC. Their work was crucial to the success and impact of LAC. Their specific activities were contributing to a wider understanding of the lawyers and staff from the GLU and the lawyers in the provincial offices of the various issues that faced Cambodian’s poor. The units worked closely with all of the provincial offices depending on where their projects were being held.

6.1 Juvenile Litigation Project (JLP)

The Juvenile Litigation Project is implementing a project entitled “Securing Children’s Rights in Cambodia”. This is a joint project in between LAC, Cambodian League for the Promotion and Defense of Human Rights ([LICADHO](#)) and DanChurch Aid ([DCA](#)).

The project aims at providing access to legal aid for minors in conflict with the law and child victims of labor abuse, sex trafficking and other forms of sexual abuse as well as juvenile offenders. The project is funded by the European Union on "European Initiative for Democracy and Human Rights Support for Democratization, Good Governance and the Rule of Law".

The project is implemented by the LAC-JLP staff members compose of eleven staff including seven lawyers that three of them are based in the province of Siem Reap, Battambang and Sihanouk Ville; two legal assistants; one investigator and a driver.

The project covers most of the provinces in Cambodia including Phnom Penh, Kandal, Svay Rieng, Prey Veng, Takeo, Kampong Speu, Kampong Cham, Kampong Chhnang, Rattanakiri, Siem Reap, Preah Vihear, Kompong Thom, Odor Meamchey, Battambang, Banteay Meanchey, Pust, Pailin, Sihanouk Ville, Kompot and Koh Kong.

Activities and achievements

In 2006 LAC-JLP has seen improvement in performing its activities, particularly in relation to the cooperation in between LAC-JLP and LICADHO-Child Rights Unit. This has occurred because all partners have taken the time to work towards a better understanding and implementation of the project MoU. The cooperation has produced regular meetings at the provincial level, senior staff level and management levels. Based on the improvement cooperation and communication the number of cases referred by LICADHO to LAC-JLP has increased from 37 to 66 cases in comparison to the first year of the project. Also both organizations have cooperated in relation to the advocacy activities such as radio broadcasts and training activities.

Lastly, in case the emergency cases have occurred the LAC-JLP and LICADHO have worked jointly to conduct the investigation and support for the victims.

- ***Investigation***

In case the Juvenile Litigation Project received the juvenile cases referred by LICADHO or/and other human rights organizations and other sources such as judges, family and by word-of-mouth and in compliance with LAC's Case-Intake Policy then the JLP's lawyers investigate the case. The project staff traveled to the provinces and interviewed clients, their relatives, witnesses, meet with local authorities, court officials, relevant NGOs and people.

JLP's lawyers usually worked in cooperation with lawyers of LAC branch offices in the seven provinces and local NGOs. Furthermore, the LAC provincial offices' investigators also assisted JLP's lawyers and legal assistants for their investigation activity. Investigation is undertaken to discover information and gather evidence for trial.

- ***Legal Representation***

To achieve successful legal representation in court the JLP's lawyers brought forwards both testimony and documentary evidence in the trial sessions after thorough analysis and in-dept investigation with witnesses and enough evidences. Project staff with potential checked the case files with collecting all supported documents and work with supported institutions such as NGOs, Provincial Child Protecting Network, the office of the United Nations High Commissioner for Human Rights ([UNHCHR](#)) provincial-based and children themselves. During the trial, the JLP's lawyers tried to represent children for their best interests by using all means especially using all national and international laws such as the Convention on the Rights of the Child, the UN

Standard Minimum Rules for the Administration of the Juvenile Justice, the United Nations guidelines for the Prevention of Juvenile Delinquency and Cambodian laws.

The provision of legal representation to children who are either victims or offenders is a core element of LAC-JLP activities under this project. This activity involves a number of steps through which LAC-JLP carry out their work.

- ***Caseload***

During the reporting period, achievement of this activity has shown that:

- 238 cases, of which 121 have been closed during 2006 and 117 remain open. This is in excess of the project expectation of a minimum of 120 cases per year.
- Provided legal representation to 261 clients
- 128 child victims were represented, of whom 118 were females and 10 males
- 133 juvenile accused were represented, of whom 8 were females and 125 males.

Rape and attempted rape accounted for the largest group of offences dealt with by JLP lawyers, 40% of all cases.

- ***Radio Talk show***

Radio Talk Show is one of the important activities that the LAC-JLP staff has taken to raise awareness issues related to the project program, activities, resolutions and intervention made by the joint project; especially we took this opportunity to broadcast about the juvenile justice, legal assistance and answered to the questions raised by listeners. This task is recognized as the Community Education on the Cambodian Juvenile Justice System and Children's Rights Laws.

- ***Intervention for social service***

In the context of cooperation in between NGOs, LAC-JLP has intervened to have the clients receive the social services from the professional institutions. Certainly, during this report period the JLP referred 22 clients to specialist psychological services, shelters and rehabilitation centers for vocational training for 20 victims and 2 accused.

- ***Client assistance***

LAC-JLP provided transportation assistance and per-diem to clients, their family members and witnesses who are unable to afford the cost of attending interviews and court hearings. The project also paid for forensic testing for victims, such as medical examinations/certificates, where they needed for the case and where clients cannot afford the costs themselves. This assistance has improved attendance of relevant people in the court hearings and improved evidence gathering.

Obstacles

The relatively low success rate of pre-trial release motions continues to be explained by the reluctance of judges to release juveniles from pre-trial detention. As in first year of the project the Prime Minister issued the "Iron Fist" campaign, for the purpose of eliminating corruption within the courts but it caused resulted that the judges are afraid to release accused before trial, even when they are held beyond the legal limit. Some courts applied the 1999 law on duration of the pre-trial detention for the minors. According to the law, the defendants are allowed to be on bail motion unless they have stable resident. The motion for release can be applied on misdemeanor

while criminal is not allowed. LAC's clients are destitute so they can not afford to find money for bail, and most of them do not have residents, the court afraid that the accused can be escaped.

6.2 Juvenile Unit (JU)

The "Promotion of the United Nations Convention on the Rights of the Child" project is supported by Save the Children Norway-Cambodia Office (SCN-CO). LAC has signed the Cooperation Agreement with the SCN-CO for four years started from 2006 to 2009. 2006 is the first year of the four years plan.

The project aims at protecting and supporting vulnerable children, child victims and children in conflict with the law through promotion of the legal awareness and strengthening children's rights laws implementation.

The project is implemented by the LAC-JU that composes of five staff members including one head of the unit, two lawyers and two legal assistants that one of them is a representative from the Ministry of Justice who worked as part time staff in the framework of cooperation between the organization and the government ministry.

The project has covered seven municipalities and provinces where there are LAC's provincial offices there. A child diversion program has been implemented as a pilot project in Battambang province. Meanwhile, legal and child rights capacity programs are provided to all competent authorities in Battambang province. The target groups of the project are police, court officials, lawyers, commune council members, village chiefs, villagers, children, youth, civil society and volunteers in the community.

Activities and achievements

- ***Workshop/legal consultation and meeting***

Based on the objective that local authorities and relevant stakeholders will gain the basic knowledge on children's rights and the law on children, during this reporting period the LAC-JU has conducted four workshops on *children's rights and the law* to teachers in Battambang province. As annual expected results within this activity, 175 teachers will be participated in the workshop but according on the actual achievements 161 teachers have participated in the workshop. The LAC-JU during the reporting period has conducted 4 meetings on summative report on child cases, Child and Youth Network and Domestic Violence with 83 participants in Battambang province. Linked to this activity, the project staff has also conducted four legal consultation sessions to the 42 children who are detained in Battambang provincial prison.

To strengthen people capacity on children's rights, the laws and regulations to improve the situation of prevention and protection to shift children of being vulnerable children, child victims and children in conflict with the law, the LAC-JU has conducted legal consultations on Domestic Violence. 190 villagers in Battambang province have participated in the session.

- ***Investigation***

In response to one of the objectives of the project plan that the judicial system will be strengthened and the law will be implemented effectively in order to safeguard children's rights through advocacy and provision of legal representation in court, the LAC-JU has conducted investigation to the juvenile cases before trial. The investigation is conducted when the project received the cases or complaints made by children themselves, from parents, from local authorities or local NGOs. Evidences, records and supporting documents were proved to the court so as to benefit to them during trial. During this reporting period, 20 juvenile cases including 7 child victim case of rape and 13 child offender who are accused of selling and drug use, assault and battery, trafficking, voluntarily manslaughter and stealing.

- ***Legal representation***

Through legal representation provided by the two experience and young female lawyers of the unit, 4 child offender cases have opened trial. They are accused of rape, voluntarily manslaughter, selling and use drug and robbery. A girl aged 13 years old is a victim of voluntarily manslaughter case. The accused is sentenced to 12 years in prison and ordered to pay 1,5 million Riels (About USD 400.00) as compensation. LAC's lawyer defended the victim. Another girl aged 5 years old, LAC's client, is also a victim of rape. She is raped by a man with mental disease according to the certificate of expertise and that the accused is discharged but the prosecutor appealed the case to the Appeal Court. So, the accused is still detaining in the prison. He is actually ordered to pay one million Riel as compensation. Other two cases are rape and robbery cases. A boy aged 16, LAC's client, is accused of rape. He is sentenced to 8 years in prison and is ordered to pay 3 million Riels as compensation. And last boy aged 17 is accused of robbery. He is sentenced to 3 years in prison.

- **Publication**

In supporting to the activity of legal consultations, meetings and workshops for relevant stakeholders including police, government agencies, local authorities, NGOs, commune council members and villagers, 1,500 copies of the posters on prevention and protection of rape are reprinted and disseminated to the above individual in Battambang province.

- **Diversion program**

A Child Diversion Program has been organized and processed at the local levels so as to provide education to people and local authorities in the community. In the context of this program the LAC-JU has conducted 10 meetings within the Children and Women Protection Committee to identify the structure, roles and responsibilities of the committee's members and strengthened the capacity of its members on children's rights issues and the laws and especially strategies in providing all information within the community members in case children are involved in violation or accused of committing the crime.

The Child and Youth Network has formed since 2005. The members are children and youths in the community and they work for the network voluntarily. The project staff has conducted 5 legal consultation sessions on children and the law and that 300 children and youths are participated.

Obstacles

During this reporting period and based on the project implementation the project staff has met a numbers of obstacles. All children in conflict with the law at any cases, police always sent to the court and that the accused are detained without any consideration on the reason or scope of their actions whether it is a small crime or serous crime. It is rare to have the responses from the court to the bail motions submitted by lawyers to have their clients released outside the prison. Some criminal cases are conciliated by local authorities without sending the cases to the court. Local authorities are still lack of professional experience and lack of understanding of the law and children's rights issues and the local administrative working system is still slow.

6.3 Land Law Unit (LLU)

LAC-LLU is established to help the poor and vulnerable solve their land disputes caused by the abuse of government officials, and the rich and powerful. One of the most critical issues facing Cambodia today is the resolution of land disputes and the establishment of a stable, equitable system of land registration and social land concession. The rapid population growth in Cambodia is a well-documented phenomenon.



Land Law's staff with indigenous people

The LAC-LLU is implementing a project entitled “Legal Access Project”. The project aims is at improving living standards of Cambodia’s poor and vulnerable peoples resulting from being able to access their land rights.

The project is funded by the United States Agency for International Development ([USAID](#)) through the East West Management Institute ([EWMI](#)) under its Program on Rights and Justice ([PRAJ](#)).

The project is implemented by the LAC-LLU’s staff members compose of nine staff members that one lawyer, one investigator and a receptionist are based in Banteay Meanchey province; two lawyers and two investigators are based in Rattanakiri province where indigenous people are living and one lawyer as head of the unit and one legal assistant are based in Phnom Penh head office. In the working context, the land unit’s staff members who are working in the province of Rattanakiri and Banteay Meanchey are responsible in front of the head of LAC-LLU based in Phnom Penh.

The LAC-LLU office based in Rattanakiri province has expanded its activity to the nearby provinces such as the province of Stung Treng, Kratie and Mondulakiri. The LAC-LLU office based in Banteay Meanchey has expanded its activity to the nearby other provinces such as Battambang, Pailin, Odor Meanchey and Siem Reap. The head office based in Phnom Penh will cover the rest of the provinces such as Koh Kong, Kompong Cham, Svay Rieng, Prey Veng, Kandal, Takeo, Kompot, Pursat, Kompong Chhnang, Kompong Speu and Sihanouk Ville. The LAC-LLU concentrated on major land cases that involved multiple poor families against powerful opponents, in which a significant amount of land is at issue where the small land cases will be cover by the LAC-GLU in Phnom Penh and at the LAC provincial offices.

Activities and achievements

- Provide free legal advice.
- Provide free legal representation in courts.
- Provide free party assistance to clients representing themselves before the district and provincial Cadastral Commissions.
- Communicate with local authorities, the Government, and the King concerning high-profile cases.
- Work closely with the NGO Forum, EWMI, Land Law Working Group, CHRAC, Oxfam GB, CDP, CLEC and other related NGOs to resolve land disputes.
- Conduct Street Law sessions

- ***Provide free legal advice and legal representation***

The productive legal representation and legal advice provided by the LAC-LLU could not have been possible without the generous support of EWMI. This assistance and support made it possible for the LAC-LLU to receive 82 cases that 31 cases were closed and win/reach a just settlement/compromise for 17 cases, all of which involved serious land disputes with LAC representing the poor, disadvantaged plaintiffs against powerful and influential respondents. However, during the report period, the LAC-LLU has a total of 51 major land cases pending that 16 cases are at the LAC-LLU in Phnom Penh, 20 are cases at LLU-Banteay Meanchey and 15 cases are at LAC-Rattanakiri provincial office).

In our efforts to provide legal representation, and legal advice during the project cycle, the LAC-LLU has maintained the nine staff members. In addition, over the summer 2006, two law intern students from the United States of America assisted us.

The LAC-LLU represented and provided legal advice in the land dispute resolution procedures before the Cadastral Commission, at the provincial and district levels, approximately over 8,365 families in 82 cases from the various parts of Cambodia. LAC-LLU serves the poor in these

circumstances after careful consideration whether it is in the clients' best interest to take disputes to the District Cadastral Commission or to seek means of alternative resolution. In addition, LAC-LLU has increased its cooperation with other NGOs and engaged with authorities in meaningful negotiations to resolve the cases.

- ***Provide free party assistance to clients representing themselves before the district and provincial Cadastral Commissions.***

This project cycle was not only a productive period of time in terms of representation or advice in land dispute cases, but also this period covered the commencement of operations of the cadastral commissions at the provincial and district levels.

- ***Street Law session***

Furthermore, 7 Streets law had been provided by LAC-LLU staff to the people. 4 Street Law sessions were conducted in Rattanakiri Province involved with 140 people and 3 were conducted in Banteay Meanchey, involved 110 people. The 250 people involved in the street law sessions were legally benefited. By the Street Law sessions, the poor especially vulnerable people gained more knowledge and understanding of the law; judicial system and communal mechanisms for the dispute resolution.

All these works are essential in increasing representation of the poor in land dispute cases in the courts and improving the public's awareness of the 2001 Land Law, the dispute resolutions, the functions and operation of the cadastral commission and other alternative of legal instruments by street law events. It is crucial that the people know their rights so that they can at least take initial resistant action on their own to possibly prevent a prolonged legal battle at the end. In addition, to the Street Law program, LAC-LLU's lawyers provided private meetings to the clients at the office and gave clients opportunities to obtain legal advice and learn about their rights. The LAC-LLU's legal representation gives clients a better understanding of the law and the judicial system.

- ***Communicate with local authorities, the Government, and the King concerning high-profile cases.***

From April until June 30, 2006, there were several other notable cases. The LAC-LLU was extremely active and productive in pursuing land dispute cases. At the end of June, 2006, there were a total of 56 cases, involved in a dispute against a powerful, influential or military person. During this time frame, LAC continued its important case work in Battambang, Banteay Meanchey, O'Dor Meanchey and Koh Kong. There was a special high-light profile case after the Prime Minister proclaimed to stop detaining people whose involved land conflict but the representative of 70 families LAC's client was arrested, charged and convicted with destroying private property, even he did nothing to the opponents. This case involved Mrs. Kong Mealea that Hun Mana (Prime Minister's daughter) stayed behind. The LAC-LLU's lawyer continues their work and tried to transfer several penal cases to civil case such as 70 families in Koh Kong court, 35 families in Battambang court as well as 11 families in Siem Reap-O'Dor Meanchey Court.

Furthermore, during this period the government releases a regulation (Brakas) to confiscate the state land from the person who the government stated that they took state land. In contrary, because of this regulation, the local authority tried to confiscate people's land concession without investigation such as the case of 190 families from Kampong Cham province and 63 families from Pailin municipal. For these two cases, LAC-LLU's lawyer, investigator and local NGOs were working very hard with Kampong Cham provincial governor and Pailin municipal governor. Then the people received the best resolution. During this time, many complaints have sent to National Land Dispute Resolution Authority but there are no resettlements and any pressure to the local authority or courts personnel.

Between July and September of 2006, LAC-LLU's staff members continued to work on its many important pending cases. The LAC-LLU's lawyer continued to negotiate with courts personnel,

Provincial and Cadastral Commission on many cases. In the result of its works, the representative of LAC's client was released on bail, case of 35 families in Battambang court has been sent to civil case and case 11 families in Siem Reap-O'Dor Meanchey court sent to civil case. During this time frame many of pending cases are closed to final resolution and were successful in several of these cases after we have established a good relationship with certain officers and were seen as a fair and reasonable negotiation for the poor people. Furthermore, the LAC-LLU attempted to keep major land cases out of court, preferring Cadastral Commissions or directly to the National Land Dispute Resolution Authority.

Obstacles

Over the preceding budget cycle, LAC-LLU has encountered numerous constraints and challenges. A reoccurring challenge has been the development of effective methods to be used with a consistently corrupt and inept judiciary and how to develop a balance of power between disputants where there is an imbalance in power, i.e., the poor versus the influential.

It has become apparent during discussions with other land law lawyers and consultants that learning our way around the cadastral commissions and its rules will be an on-going process. It is already clear to us that some of our clients and their land dispute cases may receive favorable treatment by filing complaints at the district commission level, while other cases may not be appropriate or fare particularly well given this forum. There is also considerable discussion about the limitations of jurisdiction of the cadastral commissions.

One constraint that was encountered during this project cycle was a lack of law enforcement and the mechanism of land dispute resolution did not work properly and late to respond to many complaints. This is generally the result of the great resistance by opposing party's result in little to no headway or movement in some cases despite LLU's best efforts. The influence of such influential opponents may also often be the cause for languid procedures in the courts despite our best efforts to speed up the process. Where LLU clients are not in possession of the disputed land, this situation constitutes a significant loss over time, as whoever is in possession tends to deepen their hold or claim on the land. Further, the party in possession generally prohibits the opposing party to cultivate the disputed land, therefore, resulting in financial hardship for the party not in current possession of the land.

In addition, many cases are finally resolved after threats, bribes to officials or inadequate compensation to clients, which results in clients withdrawing their complaints. For example, in one case, a businessman in Keo Phos, Koh Kong province evicted people from land where they had lived and worked for ten years. Some families accepted money as compensation because of threats and are no longer clients of LLU.

Another continual challenge and constraint on the LLU's lawyers and legal assistants is attempting to obtain a fair resolution within a system, judicial and its administrative that is relatively corrupt and tainted by outside influences. LLU has learned to appeal to high government officials in the relevant ministries to intervene and support our clients' position when confronted with unjust judicial findings.

One final challenge that LLU has faced throughout the past project cycle and will continue to address is the issue of indigenous people's land rights. Although indigenous people only comprise approximately one percent of the total population in Cambodia, in the provinces of Rattanakiri and Mondulkiri, they comprise a majority of the population. These tribal are most likely the most marginalized and disadvantaged groups in Cambodia and they are extremely vulnerable to land swindles and other illegal means for outsiders to obtain their communal properties. Although there is a portion of the 2001 Land Law that addresses the rights of indigenous people regarding land, a sub-decree is required to fully implement the protective mechanisms required in the 2001 law. This sub-decree has been drafted but has not been

amended and the lack of this specific mechanism presents a great challenge to LLU's lawyers and others concerned with protecting indigenous land rights.

6.4 Correction Center 2 Prison Project "CC2 Prison Project"

Concerning to the juvenile culprits who are incarcerated in the Correction Center 2 prison called "Prey Sar Prison" without defenders/lawyers, the fifteen months project called "CC2 Prison" started from October 2006 to December 2007 is submitted to the EWMI through the Program on Rights and Justice (PRAJ) and it is supported.

The aims of the project is to improve the legal procedures within the Cambodian Justice System, ensuring prompt and appropriate access to legal aid for the juvenile held in pre-trial detention in CC2 prison.

The project based in Phnom Penh head office is implemented by the five staff members including one foreign legal consultant, one Cambodian national coordinator, two lawyers and one legal assistant.

Activities and achievements

Due to the fact that currently there is an insufficient amount of lawyers representing impoverished juvenile pro-bono in Cambodia. There are also many unnecessary obstacles in the legal process that prevent the lawyers that are available from reaching the juveniles. Juvenile are also unaware of their legal rights. In addition, there is insufficient coordination and cooperation between both the government and NGOs working on child legal rights issues.

Based on this, the CC2 Prison project has raised activities as the following:

- Developing linkages and procedures with government and NGOs. Creating a stakeholders working group. Enabling discovery of procedures and current efforts among the stakeholders highlighting potential synergies and avoidance of potential replication of efforts.
 - Expand the ability of LAC to serve the juvenile incarcerated in CC2 prison through the recruitment of two lawyers specifically tasked with the responsibility of serving juveniles held in CC2 prison.
 - Create and educational awareness program informing the juveniles currently held in pre-trial detention in CC2 prison about their statutory legal rights once they are arrested and the process through to their trial.
 - Identify the total amount of juveniles currently held in pre-trial detention in CC2 prison with no prior legal representation. Create a database detailing information on each child each child and specifics relating to their detention.
 - In collaboration with the Phnom Penh court, the Ministry of Justice, the Ministry of Interior and the prison officials of CC2 prison source appropriate legal representation for the juveniles incarcerated.
 - Design and implement a system streamlining the process, improving access to legal representation of juveniles incarcerated in the CC2 prison.
-
- ***Launching of the project***

According to the project plan, the project has started in October 2006. Some achievements have been made in during three months. All project staff members are recruited. The office is set up with cost sharing to the head office of Legal Aid of Cambodia based in Phnom Penh. Meetings with stakeholders such as government institutions (MoJ and MoI), Phnom Penh Court personnel and the chief of the CC2 prison were conducted. As one of the important part of the activities, the whole CC2 project staff members have traveled to the CC2 prison. Approximately 60 juveniles incarcerated in the CC2 prison are interviewed for the purpose of starting the legal representation process.

- ***Provide free legal advice and legal representation***

Through legal representation provided by the two experience and young lawyers of the unit, 6 criminal cases which represented to 7 juvenile accused were accepted. One case has been closed and other 5 cases are still on-going.

6.5 Women's Rights Education Project (WREP)

The six months Women Rights Education Project started from May to October, 2006 is designed to increase compliance with international Human rights standards by creating and reinforcing a belief in the value and rights of women through education and the dissemination of information.

This proposal was developed by LAC under, and the project will be run under, the guidance of Mrs. Peung Yok Hiep, Director of LAC. Mrs. Peung identified the need for a broad-based education campaign based upon her professional experience in providing legal aid, consultations with other NGOs and conversation with victims, alleged perpetrators and the families and villagers and involved in LAC's many representations.

As objectives the project aims at informing the Cambodian general population and local non-governmental organizations all over the country about women rights and providing women with the tools, information and legal support necessary to protect themselves and to defend their rights.

National and international instruments have been disseminated to the public such as the Law against the Domestic Violence, Marriage and family Law, Convention on the Elimination of all Forms of Discrimination against Women, UNTAC criminal code, Risk of Sexual Trafficking, Rape, Property Rights and Cases Study on the Responsibility of a professional Lawyer.

The Women's Rights Education Project is implemented by LAC's lawyers from the GLU based in Rattanakiri, Koh Kong, Kandal, Sihanouk Ville, Siem Reap, Battambang and Phnom Penh head office. Lawyers from LAC-JU and LAC-JLP also participated in implementing this project in Phnom Penh.

Activities and achievements

With good cooperation from the Phnom Penh municipal governor and provincial governors and through project implementation by LAC's lawyers, 117 training sessions on the Law against Domestic Violence and international instruments concerning women's rights have been conducted in which every 12 sessions are conducted in the province of Battambang, Siem Reap, Koh Kong, Rattanakiri, Sihanouk Ville and Kandal. 45 training sessions have been conducted in Phnom Penh. From the 117 training sessions there are 4,665 people participated in which 2,365 are female and 2,300 are male.

The training sessions provided legal knowledge and understanding on Women Rights and the law against the domestic violence to the public such as people, chief of village, commune council members, police, government agencies and relevant local authorities and civil society. On the other hand, women have access to legal representation and exercise their rights. As the impact economic status of women will be improved by ensuring they can protect their land and properties through the legal system. Since they understand their rights women will seek justice when they have been rape, trafficked or sold into prostitution and they will protect themselves against HIV/AIDS, especially women will be protected from the act of domestic violence.

The participants have more confidence and have a better understanding of their right and how to exercise them.

The training sessions also increased LAC Lawyers' capacity and understanding and implied it to the practice through explaining and solving the problems. The session also strengthened the capacity of the lawyers to deal with clients

Obstacles

During the project implementation we met some problems in co-operating with the commune council members due to their time constrain with the commune election registration voters, so some time we have delayed out activities.

Some communes in the Koh Kong, Battambang, Kandal, Sihanuk Ville are far away from the LAC office with crucial road that our lawyers and people felt difficult to attend.

LAC's lawyers in Phnom Penh handle many cases and need to attend the trials so that it caused to the delay in implementing the project.

There is a lack of information and materials to be used as handouts for the training.

7. LESSON LEARNED

In the area of the organizational development

- Further strengthen strategic and operational management skills of Management Team through participation in the IPP program.
- Open to have deepen levels of staff participation through project design, developing plan and policies and procedures development
- Strengthen the existing Advocacy Work through the LAC Advocacy Working Group and through LAC legal work with assistance from the Legal Advocacy Advisor.
- Increase gender awareness and sensitivity.
- Mechanism of checks and balances in the organization's Statute and Internal Regulations to have more improvement.
- Further need for program integration.

In reflection to the legal services providing, LAC still used its strategies in combining judicial action with petitions to the appropriate governmental entities or the Head of State to seek remedy.

To the Juvenile issues, the LAC-JU, LAC-JLP and the CC2 project tried to work with relevant local authorities, provincial child protection networks, NGOs and the UN bodies, commune councils in order to divert children away from the justice system but through mediation system due to the weak of prison management system and supports that prisoners including children have not yet received any rehabilitation programs but they learn many serous things instead.

To the land work, lawyers and legal assistants have learned that the most effective means of advocating a land dispute case involves the active participation and cooperation of the affected families. Villagers must be asked to designate family representatives and those representatives must be willing to assist LAC lawyers, legal assistant and investigators. Active participation and "ownership" of efforts towards resolution of land dispute cases is essential for a successful outcome.

LAC lawyers and legal supported staff have an obligation to keep all clients informed as to the status of their cases. This is an on-going obligation and requires organization and monitoring of lawyers' cases. LAC is committed to improving its case management system in the next project cycle to overcome this weakness in our current operations.

The Legal Vice-Director and the head of the unit are still assigning cases to lawyers and legal assistants by geographical breakdown, to maximize travel and time resources. There is such geographical distribution of cases to lawyers and this has resulted in ineffective time management and travel expenses.

Finally, LAC Land Law Unit has learned the importance of strengthening communication between lawyers and legal assistants within the unit, thereby improving capacity and "team management" techniques. Although it is difficult to pull the entire staff together on a regular basis because of individual lawyers and legal assistants' heavy case loads and travel requirements,

LAC is committed to having regular, mandatory, monthly staff meetings. The head of the unit is also committed to conduct regular reviews and evaluations of the other lawyers and legal assistants' case files.

LAC firmly believes that the acknowledgement of these lessons learned during this past period will result in a better-organized, efficient and responsive organization that maximizes its resources for legal representation in Cambodia.

8. SUPPORT BY DONORS

On behalf of the Cambodia's poor, LAC's Management Team, advisor, consultant and supported staff as a whole are highly appreciate the financial and technical support given by LAC's donors and its back donors. We thanks to all supports that made LAC available in continuing its important work for Cambodia's poor and this country to change their lives condition, to have better law implementation and to have legal and judicial reform. We particularly appreciate efforts from donors to establish links with other relevant organizations inside and outside Cambodia to share experiences and develop best practices.

Once again in 2006, especially in the period of April to October, LAC needs to thank the OSI for its financial support to LAC for its implementation in providing legal assistance to the Cambodia's poor free of charge and for its development.

9. CONCLUSION

From January to December 2006 which is the last year of the 2003-2006 Strategic Plan, LAC has moved forward toward the organizational development and efficiency of providing legal assistance to the Cambodia's poor free of charge.

After the major evaluation made by its core-donor along with the revolution within the organization from last year, LAC found itself as a developed organization among the civil society in Cambodia. Donors have more confidence and that they have contributed their funding supports for LAC. Partner organizations have seen a very good cooperation and communication made by LAC to their work, especially participation in the networking context. Internal policies and procedures are improved unanimously among the Supervisory Board, Management Team and LAC's staff as a whole with assistance/advice from the legal advocacy advisor and the MT advisor.

During the reporting period it was the first time for LAC's history that the female director has been elected to run the organization for another 3 years mandate. From that LAC has made more considerable improvement on a gender policy and concepts. Effort of working in the context of checks and balances have resulted in a new management style and procedures, new director and more inputs by staff and MT members.

The Management Team is still continuing to work on a transparency basis, openly with strong commitment in compliance with the LAC's core-values and policies and procedures. A system to ensure staff participation in planning and decision making and to increase accountability of the management to the staff was established and insert into the real implementation.

Management Team members, heads of units and key staff are strengthened with their capacity through funding support from ICCO-IPP project. 5 main topics have been prioritized such as Project Design and Planning, Strategic Planning, Resource Development, Monitoring and Evaluation and Learning and Adaptation.

LAC has improved understanding and mainstreamed into the real practice as this has been inserted into the LAC's Statute and Internal regulations.

The presence of the Legal Aid of Cambodia is a very important and needed for the Cambodia's poor who are hunger of legal aid services. LAC has contributed to the Cambodian society in participating in developing and strengthening the legal and judicial system. From this sense poor

people have received free legal services through the court process and also received legal advice and legal education. This will enable them to be aware of the Cambodian law and international instruments, their legal rights and they knew how to protect themselves and their community.

10. STAFF IN 2006

	Name	Position	Comments	
Management Team	1. Peung Yok Hiep	Director		
	2. Lor Chunthy	Legal Vice-Director		
	3. Meas Samnang	Administrative Vice-Director		
	4. Kim Hor Han	Finance Manager		
Consultant	5. Dorin V. Van Der Keur	Legal Advocacy and Management Advisor		
	6. Aekje Teeuwen	Legal Consultant	For CC2 Project	
Administrative Staff	7. Choeun Sokhom	Finance Assistant		
	8. Se Vichka	Finance Assistant		
	9. Sry Srive	Computer Specialist		
	10. Mean Samnang	Investigator		
	11. Kao Dyna	Translator		
	12. Un Som	Driver		
	13. Sok Sokha	Receptionist		
	14. Khuon Sony	Cleaner		
	15. Peach Lorn	Guard		
	16. You Sovong	Guard		
	17. Sek Vanna	Guard		
	GLU	18. Sim Sithan	Lawyer/Head of Unit	
		19. Ouk Vandeth	Lawyer	
		20. Yem Neang Au	Investigator	
		21. Touch Buntiev	Investigator	
		22. Man Pherarak	Investigator	
	JUJ	23. Op Vibol	Legal Assistant/Head of Unit	
24. Ek Mealea		Lawyer		
25. Hok Meng Eam		Lawyer		
26. Eung Kim Un		Legal Assistant	Resigned	
27. Long Mesa		Legal Assistant/MoJ		
JLP	28. But Puthirith	Lawyer/Head of Unit		
	29. Touch Chiva	Legal Assistant		
	30. Tep Neth	Legal Assistant		
	31. Srey Sary	Lawyer		
	32. Sao Kanha	Lawyer		
	33. Ith Mathura	Lawyer	Resigned	
	34. Ith Phum	Lawyer		
	35. Oue Chantrea	Investigator		
	36. Pang Vuthy	Driver		
	37. Vann Borath	Lawyer	Based in Battambang	
	38. Long Salux	Lawyer	Based in Sihanouk Ville	

LLU	39. Meach Sam On	Lawyer/Head of Unit	Resigned
	40. Ho Chheng Orn	Legal Assistant	
	41. Chin Bunthan	Lawyer	Resigned
	42. San Sony	Lawyer	Resigned
	43. Heang Sokha	Investigator	Based in Rattanakiri Pro.
	44. Ty Sokun	Investigator	Based in B. Meanchey
Battambang Province	45. Prak Phin	Lawyer	
	46. Khann Sothaly	Investigator	
	47. Smith Sophon	Receptionist	
	48. Suon Chhorn	Guard	
Siem Reap Province	49. Tep Sovann	Lawyer	
	50. Pech Yorn	Investigator	
	51. Nhem Darineth	Receptionist	
Rattanakiri Province	52. Ny Chandy	Lawyer	
	53. Chev Sophea	Investigator	
	54. Yun Thyda	Receptionist	
	55. Ouk Sinaket	Lawyer	
	56. Chuob Sophanna	Investigator	
Kandal Province	57. Chhoeung Chantha	Lawyer	
	58. Kuch Soeun	Investigator	
	59. Ouk Chandyna	Receptionist	
	60. Peng Sovann	Guard	
Koh Kong Province	61. So Bengtharun	Lawyer	
	62. Khan Canal	Investigator	
	63. Vann Sina	Receptionist	
Siem Reap Province	64. Chim Dara	Lawyer	
	65. Yos Samrong	Investigator	
	66. Nhan Samphors	Receptionist	
	67. Loeum Saleat	Guard	