

LEGAL AID OF CAMBODIA Annual Report 2009



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1. Introduction

This activity report starts with the activities of LAC in 2009, but also contains background information about the organization in chapters 7-11.

2. Activities

The reporting on activities by LAC and its programs will be done as follows:

LAC activities/services:

- A. **Legal Aid** to improve access to justice including legal advice, legal representation in court, requests for court orders, investigations. When a case is appealed this is registered as a new case for LAC.
- B. **Advocacy** to improve access to justice and proper implementation of the rule of law
- C. **Outreach** to improve the implementation of the rule of law by legally empowering the poor through education
- D. **Training** to improve the implementation of the rule of law by training government officials in proper implantation of the law

The General Legal Services and the Programs will also report on their **lessons learned** and the **capacity building** that has taken place in 2009.

2.1 General Legal Aid Program

In the General Legal Services lawyers provide general legal aid. There are two specific projects that fall under the General Legal Services: Kandal Model Court Project and the Khmer Rouge Project.

2.1.a General Legal Aid Services

The lawyers provide their services in Phnom Penh, Koh Kong, Battambang, Siem Riep, Kampong Som and Rattanakiri. On 31 December 2009, 9 lawyers provided general legal services, together with 9 legal investigators. The services are sponsored by Oxfam Novib and OSI.

1 Output

A. Legal Aid:

- 1073 cases open 01/01/2009
- 1407 cases open 31/12/2009
- 954 new cases in 2009
- 597 women
- 1992 men
- 115 children
- 510 civil cases and 1517 criminal cases (Total = 2027 cases)
- 2704 accused clients

2 Outcome

A. Legal Aid:

372 cases received a fair and just trial, amongst which 180 lost cases. 68 cases were prematurely struck off the court records due to the fact that the court processes were too long or e.g. the courts or lawyers could not find the clients.

A fair and just trial was defined as following:

Civil cases

- The procedure of the case was conducted properly;

Criminal cases on behalf of accused

- The procedure of the case was conducted properly;
- The clients were acquitted of charge and found not guilty whenever that seemed just; or
- The charge to clients was changed to a lower charge whenever that seemed just; or
- Mitigating circumstances were applied to the case when applicable; or
- The punishment was in accordance with the offence committed by the clients and in accordance with the findings of the investigation by the lawyers; or
- The punishment of the clients matched the crime the client was found guilty of; or
- The client found no reason to appeal.

Criminal cases on behalf of the victim

- The procedure of the case was conducted properly;
- Fair compensation was defined as a compensation that is proper compared to the damage;
- The perpetrators were found guilty and punished accordingly.

3 Lessons Learned (External and Internal Obstacles)

a. External Obstacles

- A number of local authorities were not so cooperative, which hampered LAC's efforts, and prevented dissemination in some areas. LAC staff experienced before that good communication with local authorities and the targeted communes/sangkats is crucial for a positive outcome. LAC therefore took more time to explain to commune/sangkat officers the purpose and benefit of legal outreach to people and themselves. But some local authorities remain uncooperative especially right before the National Elections.
- We noticed that most NGOs concentrate on communes/sangkats that are easy accessible from the big cities in Cambodia, but that there is little work done with communes/sangkats in more remote areas. LAC therefore concentrated on communes/sangkats that have not yet received dissemination, especially communes/sangkats in some provinces and cities where there are not that many NGOs.
- A continuing problem is the transportation fee for participants. Currently there is no budget to provide this and it should be provided. However, we did pay travel allowances for commune/sangkat officers to ensure their attendance. But in the future LAC would also like to give them further travel allowances so that the commune/sangkat officers can travel beforehand to inform people to attend the sessions.
- Scheduling conflicts with other dissemination programs of Communes/Sangkats (the content of the dissemination programs is not duplicated; only the dates of the sessions overlap).
- Prior to the outreach sessions, people had very little knowledge of law, making it difficult for them to understand all of the content of the sessions.

b. Internal Obstacles

- A difficulty the program still faces, is the high turnover of LAC's lawyers working at branch offices in the provinces and cities. This turnover causes delays in dissemination. It remains very difficult for LAC to retain its lawyers, especially in the province. To encourage lawyers to work in the province, LAC does already pay them USD 75 per month extra, but there still seems to be a reluctance to work in the provinces.
- LAC lawyers are busy at court, and sometimes had scheduling conflicts with the set outreach sessions.

4. Capacity Building

The lawyer attended the training as following:

- Investigate and Expert on criminal case (EWMI)
- Role and responsibility of the news writer

2.1.b Kandal Model Court project

This project provides legal aid to detainees in the Kandal prison and provides legal representation before the Kandal Model Court. The project operates with 4 lawyers. The donor is EWMI.

1 Output

A. Legal Aid:

- 133 cases open 1/1/2009
- 159 cases open 31/12/2009
- 208 new cases in 2009
- 276 clients
- 17 women, 240 men and 19 children
- 0 civil and (133+208=) 341cases criminal
- 273 accused clients and 3 victim clients

B. Advocacy:

- Topics: The strengthening of legal rights and criminal procedure practice.
- Actions:
 - We have regular meetings with the court president and some judges on the exceeding of the allowed pre-trial detention period (Article 208-214), unreasonable delay of open hearings (Article 249), giving public notices later than allowed by law (Article 303), rendering decisions without judgment, intervention in cases that have been unprogressive for a long time or blocking cases, court administration processing, the misconduct processing of judges and court clerks, criminal code interpretation and procedure issues that the court is not able to apply. Beside this, we demand the Court to change their habit for lawyer's nomination become to lawyer's request in order to honor the lawyer's value.
 - We arrange meetings with the prosecutor on his competence and ability to push case files to an open trial on time and by law. We also request him to reconsider some unreasonable appeal cases related to judge decisions on a lower punishment, time served within pre-trial detention, and acquittal or release.
 - We discuss the matter of excess pre-trial detention with prison officials in order to push them to make a report of the number of accused persons who are kept

in pre-trial detention longer than permitted by law to the prosecutor and the court.

- We made a good cooperation and relation with Rasmey Kampuchea and Cambodia Daily journalists in order to push and promote law practice by sharing the information about irregular cases in the court's process. Public release by the press forces the court officials to pay attention to their activities, change their attitude in work, and conduct a better law practice.

2. Outcome

A. Legal Aid:

- o 179 closed cases
- o 108 cases won/lost 71 cases
- o 257 clients of closed cases
From whom 175 clients received a fair trial or fair compensation
The fair and just trial was defined in 2.1.a sub 2.A.

B. Advocacy

- o Changes in laws or policy: After we had meetings with the court president and the prosecutor regularly, we saw that some court officials changed their attitude related to the processes such as pre-trial detention, informing lawyers to join in the interrogation stage, keeping accused awaiting trial into provisional detention not longer than allowed by law, speeding up the hearing.
- o Improvements in implementation of the law by the government: the Kandal court officials now have a good practice with the model court, which practice is not only a message to other courts but also for the government officers to execute as is done within the Kandal Model Court. The prison officers reformed their attitude in respect to rights of accused, especially focusing on human rights and having an open mind for lawyer service in prison.
- o Improved relation/cooperation with other NGOs or stakeholders: The Project improved its good relation and cooperation with NGOs such as ADHOC, CCHR, CWC, CLEC, LICADHO, SSC, EWMI, and other NGOs located in Kandal provincial in order to achieve the same goal by providing legal services to all poor people. As for the stakeholders, the project staff got to know them closely in order to make sure good quality legal aid can be provided on time.

3. Lessons Learned (External and Internal Obstacles)

Internal

- o There is no management system in place to manage the many cases. There is a database, but only to register all cases and it does not regard the management.

External

- o Sometimes court officials work very slow and are thus harming the rights of the accused and causing delays in the pre-trial phase.
- o Some judges are not independent thus making it difficult for us to ensure a fair trial for our clients who are poor.

4. Capacity Building

A. List of trainings and education

The project staff attended:

- o Investigate and Expert on criminal case (EWMI)
- o Memo writing
- o Role and responsibility of the news writer

- Business and human rights
- Bachelor of law and English language

B. Staff participated

- One of project staff got support fund from LAC and is studying Bachelor of law and English language with this support.

C. Trips abroad

- The Kandal Model court Project Manager went to join the South East Asia Media Legal Defense Network conference at the Philippines. The conference was designed to allow lawyers and media practitioners from South East Asia to share their experiences on legal threats to freedom of speech and to the press and to formulate new legal strategies responsive to the current situations in their respective countries. This is the first regional network of lawyers dedicated to the defense of free media in South East Asia and the training of legal professionals for that purpose.

2.1.c Khmer Rouge Tribunal project

This project provides legal representation to the victims of the Khmer Rouge who participate in the Khmer Rouge Trial as civil parties. The project operates with 3 lawyers. The donor is DED.



A lawyer is interviewing a client who was forced to marry in the regime at Kompot province.



Regional CHAM Civil Parties Applicants and Co-lawyers Meeting on 30 December 2009, Kompong Chheng Province



A lawyer is interviewing a victim who survived Pol Pot's regime at Baray, Siem Reap province

1 Output

A. Legal Aid

- 01 of cases open (a case file No: 002/19-09-2007-ECCC)
- Number of clients:
 1. More than 50 court recognized civil parties in different groups
 2. Nearly 600 victims' complaints have the Power of Attorney (PoA)
- Two third are female and the rest is male

2 Outcome

A. Legal Aid

- There is only one case in the process

- Civil parties understand their legal rights and participate fully and actively in the legal proceedings
- The lawyers for civil parties have legally represented their selected groups

3 Lesson Learned (external and internal obstacles)

With limited lawyers available in 2008, the project strategy focused on general civil parties without classifying any specific group and represented civil parties against who have been committed all sorts of crimes. In mid 2009, an internal coordination came amid a significant increase in the victims' complaints and the court's recognition of different groups and crimes. In August 2009, like other lawyers, LAC's lawyers had reversed the strategic plan to represent only specific groups of civil parties in various crimes in close cooperation with international lawyers.

To implement the strategic plan, the lawyers chose to represent some specific groups: a general group, the Cambodian Americans, the Khmer French, the ethnic Cham/Religious Group, and the ethnic Khmer Kampuchea Krom/Vietnamese. The lawyers also clearly targeted the charged persons. For the ethnic Cham/religious group, Mr. Lor Chunthy will concentrate mainly on two charged persons: Noun Chea and Ieng Sary who have been accused of "*Crimes against humanity, War Crimes or Grave breach to the 1949 Geneva Convention and Genocide*" while for the Khmer Kampuchea Krom/Vietnamese, the Cambodian Americans and the Khmer French Group Mr. Ny Chandy will focus on all charged persons. For this to happen, the lawyers work closely with international and individual lawyers assisted by intermediary NGOs (CHRAC, Adhoc, KID, KKKHRA).

There were some other lessons learned as follows:

- There has been a significant increase in victims' complaints to apply as the civil parties and the process of their recognition as civil parties is still in process
- All the charged persons are still in custody
- The court respects the rights of the charged persons and the civil parties as well as gives an opportunity for them to participate fully and actively in all stages of the legal proceedings.
- The court's legal process and decisions apply the Cambodian law, international law and jurisprudence from other countries
- The ECCC brings the flow of discussion to the entire country and the prominence of victims' participation in the process and also gives those who suffered a chance to be involved in the proceedings
- Lawyers gained much experience from the court and will bring inspiration to strengthen the judicial system in Cambodia

4 Staff Capacity Building

- 19-20 August: KRT staff attended the training on *News Writing and Role and Responsibility of News Writer* organized by LAC
- 17-21 December: KRT staff participated in a training on the Penal Code of the Kingdom of Cambodia prepared by LAC in cooperation with MoJ

2.2 Child Justice Program (“CJP”)



Lawyer investigates case



Children discuss Children’s issues in community



Child repairs motor for his client

General

The Child Justice Program (“CJP”) is comprised of five projects regarding child justice and is lead by a Program Manager. The CJP consists of 26 staff members including 1 program manager, 3 project managers, 10 lawyers, 6 legal assistants, 2 legal trainers, 3 investigators and 1 social worker. The program is supported by Save the Children Norway-Cambodia Office (“SCN-CO”), UNICEF, EWMI, Every Child (and DFID) and the European Union.

The CJP focuses on promoting the United Nations Convention on the Rights of the Child by Providing legal aid to CICL and Child victims; Building capacities on children’s rights and laws of Judicial police, court officials, social affair department staff, DCWC, and CCWC members; and support to DCWC and CCWC network. Moreover, CJP provided vocational training and life skill training for children in prison and in communities. Currently, the CJP advocates against excessive pre-trial detention and convicted who have not received their final judgment and CICL’s rights at the police custody stage based on the new Criminal Procedure Code of Cambodia.

The objective of the CJP is to provide proper legal assistance to children in conflict with the law as well as juveniles held in pre-trial detention in Correction Center 2 and child victims of labor abuse, sex trafficking and other forms of sexual abuse through improving and strengthening the implementation of laws regarding children’s rights.

The program covered 20 municipalities and provinces throughout Cambodia including Phnom Penh, the provinces of Kandal, Svay Rieng, Prey Veng, Takeo, Kompong Speu, Kompong Cham, Kompong Chhnang, Ratanakiri, Siem Reap, Preah Vihea, Kompong Thom, Odor Meanchey, Battambang, Banteay Meanchey, Pursat, Pailin, Sihanouk Ville, Kompot and Koh Kong.

1. Output (= activities)

A. Legal Aid

- 80 cases open 1/1/2009
- 197 cases open 31/12/2009
- 326 new cases in 2009
- 398 clients
- Male: 372 persons and female: 26 persons
- 326 criminal cases in 2009 (09 criminal cases remained from previous year)
- 377 accused clients and 21 victim clients

B. Advocacy

- **topics**
 - UNCRC adopted by General Assembly in 1989
 - Excessive pre-trial detention and convicted who have not received their final judgment.
 - Legal rights of Children in Contact with the Law (CICL) at police custody
 - Diversion CICL from the formal justice system
- **Actions:**
 - Printed 3500 posters on legal rights of Children in Contact with the Law (CICL) at police custody and provided to authorities, parents, children, and stakeholders working on child issues.
 - Published 3000 newsletters on children and law.
 - 680 documents on national law (Criminal Procedure Code, Instruction on how to implement the principles of national and international law in forces relating to Juvenile Justice, Sub-decree on the Roles, Duties and Organizational Structure of the Rehabilitation Centre for Juvenile Delinquency,...) and international instruments (UNCRC, the Beijing Rule, the Riyadh Guidelines and Standard Minimum Rules for treatment of prisoners) for the district training level and 1 prison of Prey Veng province.
 - Follow up the implementation of police officers, military police, and commune authorities on children's rights.
 - Workshop on Summative and Evaluation on Implementation of Children's Rights and Cambodia Law
 - Joined NGOWGCJ to create a two-year strategic plan for 2010-11 to enact the Juvenile Justice Law and related policy.
 - LAC-CJP has provided financial support to DoSVY to organize the 60th anniversary of international children's day and the 8th anniversary of the world event against child labour held on 12 June 2009. Around 600 children from NGOs, schools, and centre joined the events.
 - LAC-CJP has cooperated with Kompong Cham Dosvy, prison and the Provincial Governor to organize the 10th December 2009 on International Human Rights Days in Kompong Cham Prison with supported food and material to all prisoners.
 - Celebrated to mark international Human Rights day on 10th December, 2009.

C. Training

- **Training to government officials**
 - Assisted Commune Committee for Women and Children (CCWC) to organize 28 meetings in Kar, Moug, Omal and Watkor commune; and 12 meetings in Moug district and BTB city in BTB province. Participated by all members of CCWC and NGO working in the target area.
 - Meeting with the commune child and youth protection / CCWCs to support the development of community diversion programs including case conferencing, the concept of diversion and development of diversion programs, information on children's rights, criminal legislation and procedure and laws on rape, domestic violence, drugs, alcohol and gambling.
 - Follow up district training session on UNCRC and Cambodian law on children's rights and juvenile justice to judicial police.
 - Organized 2 days training workshop about UNCRC, Juvenile Justice in Cambodia context and International Standards on Child Rights, Criminal Code and role of duty bearers, and Draft Law on Juvenile Justice and

diversion for court officers, prison officers, judicial police, military police, social workers, local officials, commune councilors and NGO staff.

- **Legal & Civic Education for Children at Risk/CICL**
 - Basic civics education and life skill training for children at risk and children in conflict with the law in the community
 - Basic civics education and life skill training for children in conflict with the law in prison
 - Meeting with child/youth network including training on children's rights, the law and legal procedure, leadership, the advantages of child participation, the right to freedom of association, and understanding on method of child safe kits
 - Rights of children from arrest to trial for juvenile accused
- **Vocational training, nutrition and health check-up for children in prison and target community**
 - Vocational training on motor repair to children in prison
 - Vocational training on motor repair to children in community
 - Vocational training on cassette player repairing to children in community
 - Vocational training on spraying color of the car to children in community
 - Vocational training on hair cutting to children in community
 - Vocational training on tailoring to children in community
 - Non-formal education on Khmer literature and math for children in prison
 - Additional food program (63 children in prison)
 - Health check-up (63 children in prison and 9 children in community)
- **Community-Based prevention, diversion, rehabilitation and reintegration services**
 - Identification and screening of children arrested by law enforcer for possible diversion
 - Mediation by the CCWC juvenile delinquency prevention sub-committee, preparation of statement, agreement and individualized diversion plan of activities for each diverted child
 - Execution of diversion plan, rehabilitation, reintegration and follow-up of diverted children
 - Provide support and follow up children to be reintegrated with family (40 children)
 - Provision of foodstuff and school materials to children and families at risk
 - Meeting with CWCC in Commune level and District level in targeted province
 - Meeting with parents of child-network
 - Meeting with volunteer social workers from the villages
 - Development of a release transition plan for children in prison who are due for release
 - Provide clothes, books, pens, and football to children in community and prison
 - Provide material for vocational training, clothes, and rice for children who joined vocational training
 - Provide 2 sets of tools for repairing motorbikes to 2 children who finished their vocational training. 200 kits for peer-to-peer community education among children were re-printed.
- **Number of training/meeting sessions**
 - Number of training sessions for officials / stakeholders: 81 sessions

- Number of training sessions for children: 116 sessions
- Number of meeting sessions for Parents of CICL: 18 sessions
- Number of meeting sessions for volunteer social workers: 6 sessions
- **Numbers Attending**
 - Officials / stakeholders: 1514 persons
 - Children: 3078 children
 - Parents of CICL: 90 persons
 - Volunteer social workers: 75 persons

D. Outreach:

- **Session and meeting**
Topics
 - Meeting in pilot village to disseminate information on children's issues, law and children's rights, criminal offence, law on prevention of domestic violence and protection of victims, parent skills, capacity building, incidents, abuse and violence intervene and report;
 - Meeting in Prey Svay and Chey commune on children rights, criminal offence, law on prevention of domestic violence and protection of victims;
 - Meeting with community parents to help prevent crime and delinquency;
 - Discuss UNCRC, Criminal procedure code (police custody, prosecutor, investigating judge stages), and the implementation of UNCRC and Cambodia law for radio talk shows
- **Number of sessions**
 - 85 meetings/sessions
- **Number of people reached**
 - 3652 persons
- **Number of women/ men**
 - Male: 1665 Persons
 - Female: 1987 persons
- **Broadcastings (TV or radio)**
 - 6 radio talk shows
 - 2 re-broadcasts

2. Outcome (= result or achievements)

B. Advocacy

a. Improvements in implementation of the law by the government

- In case of crimes involving children, Judges now take into account that a child is involved and work to reduce the punishment as much as possible or dismiss the case;
- Police and military police are helping to divert the children if they committed minor crimes, and, if both parties agree, to stop at the police station stage;
- Increased understanding of police on the concept of CRC and diversion program;
- Police and CCWC members contact a lawyer when a child commits a crime;
- The meetings of CC2 working group push the government to collect data of excessive pre-trial detention of accused in the whole country. The government encourages courts to speed up trials for accused who are waiting in pre-trial detention for a long time;

- Parents/guardians have access to CICL when CICL are questioned at the police detention stage;
- 70% of Children in prison were able to participate in all activities in prison (do exercise, play sports, activities with LAC and so on);
- Increased understanding of parent and child on the legal concept, practice and social issues;
- Increased opportunity of the children to express their opinion and participate in activities

b. Improved relation/cooperation with other NGOs or stakeholders

- LAC-CJP has become a member of NGOWGCJ. This working group is also collaborating with MOI, MOJ, MoSAVY, UNICEF and CCJAP
- LAC-CJP has partnered with Children's Rights International (Australia) and domestic organizations/institutions to increase knowledge and skills, improving advocacy for children's rights and juvenile justice. It improved publicity efforts for project activities through the CRI website, and disseminated information to the 5th World Congress on Family Law and Children's Rights at Halifax, Canada to promote for national and international government involvement in a Children's Court pilot project in Cambodia.
- CJP program manger and CC2 project manager joined a conference on Asian Law in Vietnam
- Increased networking of LAC with other key NGOs involved in children's rights and child justice issues through NGOCRC
- Good relationship with stakeholders especially law enforcement officials and local authorities

C. Trainings

a. Evaluation results after the training sessions

Based on the evaluation results after the training sessions and our child justice practice in Cambodia we noted an improvement of implementation of the law by government officials: targeted judges, prosecutors, court officials and judicial police have increased knowledge and understanding of children's rights in the UNCRC, Juvenile Justice in Cambodian context and International Standards on Children's Rights, Criminal Code and Criminal Procedure Code and role of duty bearers, and Draft Law on Juvenile Justice, the concept of diversion and development of diversion programs, information on children's rights, laws on rape, domestic violence, drugs, alcohol and gambling.

b. Improvement of implementation of the law by government officials

There is also an increased willingness and capacity to implement children's rights and relevant procedures relating to juvenile justice from government officials both on provincial level and commune level. LAC has assessed in particular that following training, the majority of police acted in compliance with the law:

- Judges are increasingly taking into account the age of the child and children's rights under the UNCRC and Cambodian legislation when making judgments in the case of a child and will work to reduce the punishment or dismiss the case;
- Prosecutors and judges are now working to provide diversion and community service alternatives to imprisonment;
- Accused juveniles are aware of their legal rights and they can exercise their legal rights before the court; especially, during trial, they are able to answer to judge, prosecutor and lawyer questions;
- Judicial police (police and PM): The police are increasingly contacting the parents and lawyers when they arrest a child and are now helping to divert children when they commit minor crimes and, if both parties agree, to stop the

- case at the stage of the police station in the commune. Police now appear more patient and caring towards children, including repeat offenders, and are now more willing to discuss ways in which to divert the child;
- Court officials are informed about the legal rights of accused juveniles when they are examining the accused. Additionally, they invite lawyers to attend the interrogation of the accused;
 - CCWC are encouraging families and their communities to provide more care, support and follow if their children are experiencing problems;
 - Project staff are providing education and support if children are at risk and/or experiencing problems;
 - Authorities are contacting legal services for both child victims and children in conflict with the law and visit and provide help and follow-up support to families and children;
 - Children have increased life, social and vocational skills and opportunities;
 - Decline in the number of children who offend, a declining trend in the rate of recidivism, improved re-integration of children back into school and re-integration of children in conflict with the law back into their family and local community;
 - Acting to protect children against crime, abuse and exploitation by providing family support and developing prevention and protection action plans and community strategies to prevent exploitation and abuse;
 - Providing mediation between community and police when there is disagreement in dealing with a child who is in conflict with the law.

D. Outreach

Improved knowledge and understanding of grassroots' people about their rights:

- Parents give time to their children to attend school and share time for children doing homework and housework;
- People are friendly and welcome to children who just reintegrated into commune. Moreover, they never ignored CICL:
- Increased knowledge of parents about children's rights and their rights as parents with regard to children in conflict with the law;
- Increased participation of young people in the commune child networks and increased knowledge of their rights;
- Increased participation of youth gangsters in meetings on children's rights and the law and conflict resolution (reduced violence and confrontation between gangs in villages);
- Decrease in number of parents using violence with children;
- Increased knowledge of parents of their children's rights and how to protect them;
- Decrease in number of young people involved in street and village gangs;
- Children requested more document of laws – including law on domestic violence, drugs and gambling – and story books to be sent to them twice to read so that they could gain more knowledge;
- Children know how to work in a group and how to share ideas during discussion;
- Increasing cooperation and trust between CJP team, children and parents.

3. Lessons learned (external and internal obstacles)

A. External

- The project activities and networks are now mainly working at the provincial court. The court officers are willing to cooperate, such as with the provision of workspace. Further activities need to focus on the provincial level to ensure sustainability as well as developing the work already completed on the district and commune level.
- There is a need for community volunteers and social workers to work together to monitor and provide advice to children, parents and to network with CCWC members in order to share information. This will enable immediate intervention when children and their parents experience problems. Further inclusion of parents and the local community in the development of action plans and activities designed to protect children is necessary for a wider impact on children's lives and to ensure sustainability of the project.
- The project activities and network are now mainly working at the district and commune authority level but the work has not been extended to the provincial level, and in particular the provincial police commissariat. Some work of the district and commune police relies upon the decisions of the provincial commissioner so some of our work has been frustrated because of this structure. In order to make the future work of the project easier, we have to work with authorities at the provincial level, not only with the police but also with all departments of government in the province. Further activities need to focus on the provincial level as well as develop the work already completed on the district and commune level.
- Resources for the training of community volunteers and social workers need to be allocated.
- All network, committee and law enforcement officials need to be strengthened in terms of knowledge and understanding of national law and policy and their practical implementation.
- Further resources and work are needed to support the participation of young people within the network and at the CCWC level in order to increase their role in the decision making and development of community action plans and programs and to develop further measures and programs to protect children.
- CCWC need to be supported to develop their action plans based on identified needs with clear set objective and to identify their own and local resources for their implementation.
- It is a bit difficult to call for an urgent meeting of sub-CCWC to discuss the diversion plan when a child is arrested.
- Soft advocacy is a good tool to work with the court officials. The lawyers always talk orally to the judges or court clerks when they found out the challenge with the procedures. Sometime, the lawyers go directly to the judge when the procedures were not implemented properly.

A number of difficulties were experienced in working with children at risk, children in conflict with the law and their families, including:

- Children have different capacities in terms of reading and writing;

- Children at risk or CICL mostly abandoned school or are uneducated, and crowded from family so they are too slow to go along with the new lesson;
- In terms of the poor living conditions, the children have no choice but to give up their training to help their families;
- The training space in prison is too small for 50 plus children and prison guards always stand close to the training place so that the children are not so free to talk;
- Child prisoners who learnt a skill in the prison could not use their skill after released in terms of having had not enough practice in the prison so they need to be additionally trained on their skill;
- Children have moved more often to the Cambodia-Thai border to find a job to support their family, so that it is difficult for CJP to continue supporting them;
- Most children don't have a birth certificate, making it difficult for a lawyer / CJP staff to file petition. Furthermore, there's a restriction on putting out of the bail by the prosecutor.

B. Internal

- Limited experience in advocacy work

4. Capacity Building

A. List of trainings

- Role of judicial police working in collaboration with pro-bono lawyer: 1 (project staff)
- Civil Procedure Code: 1 (project staff)
- Case analysis, record writing and legal memo analysis: 1 (project staff)
- Newsletter practice writing: all project staff and manger
- Law firm management: 1 (project staff)
- Training on the new Criminal Procedure Code: 2 (project manager & lawyer)
- Sharing experiences on child protection procedures in Cambodia's judicial system: 1 (project staff)
- Alternative dispute resolution: 1 (project staff)
- Penal code: All project staff
- USA law on corruption: 1 (project staff)
- Civil code: 1 (legal assistant)
- Academic Writing: 2 (legal assistants)
- Problem solving: 1 (legal assistant)
- Team building: 1 (legal assistant)

B. Trips abroad

- Program Manager attended the 5th world congress on Family law and Children's Rights at Halifax, Canada
- Juvenile Litigation Project Project Manager attended the 5th world congress on Family law and Children's Rights at Halifax, Canada
- Program Manager attended Law Asia Conference at Vietnam
- CC2 Project Manager attended Law Asia Conference at Vietnam

2.3 Land Law Program (“LLP”)

		
<p>LAC Management Team is meeting with the Kandal provincial court officials with regard to the legal proceedings.</p>	<p>LLP lawyers are interviewing accused people in Siemreap provincial prison.</p>	<p>LLP lawyer is discussing with Buddhists at a pagoda in Kompong Speu province where military abused the pagoda premise.</p>

LAC-Land Law Program (“LLP”) is established to help and train the poor and indigenous to solve their land disputes caused by some big companies, powerful people and army/government officials. The most critical issues facing Cambodia are the resolution of land disputes and the establishment of a stable, equitable system of land registration and social land concession.

LLP staff work to resolve disputes and establish an equitable system of land registration and concession. Key activities include legal representation to the poor, strategic advocacy on the governmental level, and street law sessions to educate the public.

Donor is EWMI.

The program is implemented by the LAC-LLP composed of 10 staff including 1 lawyer, 1 investigator and 1 receptionist based in Banteay Meanchey province; 1 lawyer, 1 investigator and 1 receptionist based in Rattanakiri province where indigenous people are living and 3 lawyers, 1 lawyer as Program Manager and 1 legal assistant are based in Phnom Penh head office.

The LLP office based in Rattanakiri province provides its services also in the nearby provinces Stung Treng, Kratie and Mondulakiri while the office based in Banteay Meanchey covers Battambang, Odor Meanchey, Siem Reap and Pailin City. The head office based in Phnom Penh covers the remaining provinces in Cambodia such as Koh Kong, Kompong Cham, Svay Rieng, Prey Veng, Kandal, Takeo, Kompot, Pursat, Kompong Chhnang, Kompong Speu, Phreah Viha, Kampong Thom and Sihanouk Ville. The LLP worked on major land cases that involved multiple poor families against powerful opponents, in which a significant amount of land is at issue, whereas the small land cases will be covered by the LAC Office in Phnom Penh and by the LAC provincial offices.

1. Output (= activities)

A. Legal Aid

- 01 Jan 09: 2 high profile cases and 5 medium cases
- 01 Jan 2009 - 31 Dec 2009: 25 cases
- Of which 2 high profile cases and 23 medium cases
- Ongoing: 2 high profile cases and
- 18 medium cases
- 5 closed cases

- 18 new cases in 2009
- Number of clients: 3245 families = 25.960 persons (14278 women, 11682 men)
- Land size: 6059.34 Ha
- 25 civil cases
- 18 criminal cases
- 56 accused

B. Advocacy

- Not conducted by LLP, but LLP joined an NGO partner on Human Rights Day campaign.
- In terms of legal aid, LLP met with government officials and courts personnel to discuss the cases and to submit motions and complaints.
- LLP met regularly with United Nation High Commissioner of Human Rights (UNHCHR), East-West Management Institute (EWMI), Cambodian Human Rights Action Committee (CHRAC), NGO Forum and CLEC discussing and finding strategies to win the cases.
- LLP regularly met Cambodian Human Rights Action Committee (CHRAC) and NGO Forum, discussing land law and logical framework as well as government indicator reports on land law development.
- LLP accompanied CHRAC and NGO Forum to intervene in and investigate the eviction cases.
- LLP joined an NGOs working group, discussed and commanded on new law and policy, and reported on the land law implementation.
- LLP spoke with the local and international media (Cambodia Daily, Democracy Radio, Civil Society Voice, Radio Free Asia, Voice of America etc.).

2. Outcome (= results or achievements)

A. Legal Aid

- 3 accused were released
- 4 cases were won (meaning the people can use their land safely)
- charges against 7 accused were dropped while for 14 people, the court stopped its procedures waiting for the Cadastral Commission to find out who the land belongs to.

B. Advocacy

*** Changes in laws or policy**

The government is developing and strengthening law practice and a regulatory framework such as:

- Law on Expropriation
- Law on Demarcation and Mapping
- Law on Construction
- Code of Urbanization
- Law on Pre-emption
- Disaffecting Law
- Law on Farming Land
- Other additional regulatory frameworks concerning land transfer, land consolidation, land sub-division, land valuation, land market, construction standards, as well as amendments of some articles within laws and some legal norms relevant to land law, taxation law, law on land management, urbanization and construction pursuant to the nation's progress.

*** Improved relation/cooperation with other NGOs or stakeholders**

- Once each month, LLP attended in the Land Law Working Group (LLWG) managed by EWMI.
- LLP joined meetings with NGOs working groups and networking, such as NGO Forum on Resettlement Action Network (RAN) and Land Action Network Development (LAND) two times a month.
- LLP worked with Cambodian Human Rights Center (CHRC) on the Law of Expression.
- LLP joined the meeting with CHRAC on the petition and hot issue cases.

3. Lessons learned

- LLP learnt on how to attract the media to spread the unjust cases and the detain cases. Because the court procedures are very slow in responding to the people's complaints and because the court always charged and detained the villagers involved in land disputes, we spoke to the media and raised awareness of the government leaders, commenting that the court should not detain people involved in the land disputes. Later then, the court seemed to decide quickly on the relevant cases.
- LLP learnt on how to encourage the local authorities and court personnel to take on a case to solve it or find a resolution. Having learned this lesson, LLP met regularly with those officials, asked them and told them about the cases' situation and the impact of the case if we keep them quiet (in stead of solve them).
- When villagers were arrested and detained, the courts always maximized their imprisonment.
- The authorities always promise to solve the cases when they come to see the people but they never keep their promise.
- By the law, land cases should be considered as civil cases but the court always changed them to criminal cases to arrest people.
- Many times, the provincial court did not obey the instruction of the Ministry of Justice.
- The court never charged and detained the rich or high ranging people.
- Corruption still persisted and the government did not investigate or put any pressure to the officials involved.
- Sometimes the prosecutor and judge confessed by themselves that they have to protect their position rather than protect or secure the villager but the government did not investigate those cases, which are why the poor always lost their cases.
- The Supreme Council of Magistracy did not investigate or respond to the people's complaints against judges and prosecutors.
- The local authorities are afraid to support their people.

4. Capacity Building

A. List of trainings

- Human Rights training
- Newsletter Writing Training
- Penal Code and its Procedure, Civil procedure training, prepared by the Bar Association of the Kingdom of Cambodia and LAC in cooperation with the Ministry of Justice.
- Legal Memo Writing
- The Concept of the expertise, conducted by EWMI in cooperation with the Ministry of Interior.

B. Staff participated

- LAC Management Team and Program meeting
- LAC bulletin working group
- LAC quarterly meeting
- LAC staff retreat

2.4 Women's Justice Program ("WJP")



Activities of Legal Trainer:
Provide Legal Training to
Judicial Police at Tek Pos
District, Kompong Chhnang
Province.

WJP program manager and
lawyer interview an accused
woman in Prison at
Battambang Province.

Investigation action:
our lawyer interviews a client
at the client's house at
Kampong Spue Province

The Women's Justice Program ("WJP") was launched beginning 2008 by comprising three projects regarding women's justice, lead by a program manager. The WJP focuses on access to justice for women through providing legal aid to vulnerable women, educating communities on women's rights, training government authorities on proper implementation of related laws, and undertaking impact litigation to effect lasting change. Legal representation is provided to both victims and accused in and outside of court. In addition the Women's Justice Program identifies strategic advocacy issues to enhance protection of women's rights.

The Women's Justice Program is comprised of 13 staff members including 1 program manager, 5 lawyers, 4 legal assistants, 1 investigator, 1 legal Trainer, 1 assistant trainer. The Women's Justice Program is working to provide legal representation for women in seven provinces (which is funded by UNDP in Siem Reap province, Kompong Speu province and Kompong Chhnang province and funded by the Cambodia Criminal Justice Assistance Project (CCJAP with help from AusAid) in Battambang province, Kompong Thom province Preyveng province and Kampong Cham Province) and to provide legal training to government authorities and outreach related to women's laws and women's rights at Kampong Chhnag and Kampong Speu province (which is funded by OSI).

1. Output

A. Legal Aid

a- Project Legal Representation for Women

- 67 cases open 1/1/09
- 94 cases open 31/12/09
- 122 new cases in 2009
- 124 clients
- 124 women
- 67 civil cases, 55 criminal cases
- 0 accused women

b- Project Legal Access for Accused Women

- 26 cases including cases from December open on 1/1/09
- 39 cases open 31/12/09
- 69 new cases in 2009

- 71 clients
- 71 women
- 69 criminal
- 71 accused clients

B. Advocacy

- Topic: Advocate for two accused women at Banteay Meanchey that the court had put in pretrial detention for more than three years.
- Action: Program Manager and project staff interviewed the accused women in the prison and followed up the case at the court by meeting the judge, our lawyer submitted a motion to copy the case files a long time ago but the clerk did not copy it for our lawyer.

C. Trainings & outreach of the trainings

- Topics: Domestic Violence Law, Monogamy Law, Law on Human Trafficking, Family Law, Civil Law, Criminal Procedure Code
 - 12 sessions for representatives from the authorities
 - 570 officials attended
- Topics: Domestic Violence Law, Monogamy Law, Law on Human Trafficking, Family Law, Civil Law, Criminal Procedure Code
 - 12 sessions for the grassroots' people
 - 572 people reached
 - 196 women and 376 men

D. Outreach

- 4 broadcastings of a radio talk show on human trafficking, rape and domestic violence at FM 102 and Sambok Khmom Radio Station.

2. Outcome

A. Legal Aid

a. Legal Representation for Women

In total, 58 cases were closed of which 50 cases in which the project Legal Representation for Women represented the women in trial. 45 of them were won, 5 were lost. In the other 8 cases, the clients withdrew their complaints and agreed to living with their husbands. 7 of all the cases were processed unfair.

b. Legal Access for Accused Women

In total, 30 cases were closed of which 27 in which the project Legal Access to Justice for Women represented their clients in trial. 9 cases were won and 18 were lost. In 2 other cases, the clients had a private lawyer and in the last one, the client passed away.

6 clients received unfair trial, because the judge did not inform the lawyer to join the trial.

B. Advocacy

We got successful in advocating the cases at Banteay Meanchey where our clients were put in pretrial detention by the court for more than three years without trial: after project staff strongly advocated before the court, the judge set a schedule for our clients to

be heard as soon as possible, and as a result the judge decided to acquit one client of charges.

We observe a decreased number of women in excessive pretrial detention.
Furthermore:

- Women are gradually empowered so that sooner or later they can exercise their rights accordingly.
- The project beneficiaries learned to understand some legal concepts of the legal procedures through legal representation and consultations.
- Potential clients learned how and where to get appropriate and timely legal access in the provinces.
- The beneficiaries learned to respond to issues or offences they may face, for instance instead of confronting issues directly they can seek assistance from NGOs.
- Rural villagers, esp. women are braver to seek for legal aid.
- Rural villagers, esp. women do not trust local authorities; when having problems they come to seek help from NGOs directly.
- Cooperation of NGOs and government institutions.
- Government commitment through fund raising: MOJ from UNDP for victims and MOI from CCJAP for accused. This shows government commitment by supporting legal aid for the poor, especially vulnerable people.
- Most of the cases referred to our lawyer include mandate cases and consultation cases.
- Decrease of excessive pretrial detention of women
- The accused women can be released on bail or acquitted.
- The convicted women can be subject to early release or parole.
- The charge to clients was sometimes changed to a lower charge or even suspended.

C. Training

Based on the evaluation results after the training sessions and our project practice in the target province we noted an improvement of implementation of the law by government officials:

- Judicial police are now more understanding on the laws related to women's rights;
- There is a decrease of domestic violence in the target province;
- Judicial police clearly know about the Law on Human Trafficking, because they made an early intervention when the offence was conducted in their province. They also understood clearly about the Monogamy Law, because they give advice to people who have problems with monogamy in the family;
- People and authorities have more understanding of their rights and obligations.

D. Outreach

- Decrease of domestic violence, because villagers understand more of the laws and know about their obligation to intervene when the offence of domestic violence happens in their village; they especially inform the authorities early.
- Understanding the Law on Human Trafficking, the villagers gave information to the authorities early after they knew humans were trafficked.
- The villagers also cooperate well with the authorities.

3. Lessons Learned

- Clearer laws or published jurisprudence, and law enforcement officers should strengthen their commitment to enforce the laws neutrally and based on a highly ethical professional code of conduct.
- Legal aid NGOs should persuade the government to raise more funds for legal aid programs, and encourage the international community to provide more support to legal aid
- Divorcing women seem not equally protected by the law if they do not have a civil status.
- It is challenging to work with the courts, especially the Kampong Chhnang appeal court. Some court officials do not want to cooperate with NGOs and are not sufficiently committed to public interests.
- The court procedure is slow.
- Some court officials do not care about cases when the clients have no legal representation.
- The court lacks administration skills.
- In most divorce cases, spouses? Don't know what is meant, but this makes no sense? Without civil status. It is hard for the lawyers to help women who seem to be considered inferior.
- Some clients are not cooperative with their lawyer in the case. They want to be represented but they do not tell the lawyer the truth.
- When a criminal case is filed in court and the court officials do not want to take legal action against the suspect, they usually refer the case back to the police to start the complaint process again. It may take a long time to get the case back or in some circumstances, the police may keep the case dormant. There is no legal timeframe for the police to investigate the complaint and report back to the court.
- A long time is spent on scheduling trial. In some of the criminal cases 3 judges were required and invited to preside over the case. On the trial date all concerned people and duty bearers were present at the court but one judge disappeared and consequently the trial of the case was postponed. The postponement can affect the rights of the defendant as he continued staying in pretrial detention awaiting reschedule of the trial. The postponement also affect the victim's right as if the trial is postponed, the accused is not yet found guilty and the victim is not yet given civil compensation.
- The trial procedure is very slow due to the court's lack of judges, making the court having to request a judge from another province to be the trial judge.
- The court did not inform the lawyers to attend the trial of the clients they represented
- The appeal and supreme court conduct trials without the accused women
- Court officials spent a long time to transfer the case from appeal court to Supreme Court after our client requested cassation to the Supreme Court.
- It takes a long time to release accused women from prison after a judge has acquitted them of the charges against them.
- The courts omit to register cases; they keep a case unregistered until it reaches the investigation process.
- Some prosecutors charge suspects inappropriately because they usually follow the police record without conducting any investigation.
- The judges and prosecutors base their cases only upon the laws. They never consider the situation of the client, social problems or psychological issues.
- The judge and the clerk handling cases have no professional responsibility.

4. Capacity Building

- Training on Khmer Unicode at Open Institute for 20 hours on June 22-26, 2009 attended by one legal assistant
- Training on Communication Skills at National Education Center on October 22-24, 2009 attended by one legal trainer
- Training on NGO CEDAW at Baitong Restaurant on November 17-19, 2009 attended by one legal assistant
- Training on the new criminal code at LAC on December 17-21, 2009 attended by all of project staff
- Training on news writing and role and responsibility of news writing for 2 days on August 19-20, 2009 attended by all of project staff.

3. Monitoring & Evaluation

- Top management or respective program managers go to the fields or provinces to follow up the project activities to ensure that the activities are met with planning schedule or they reach the objective of the program.
- Regular monthly and quarterly reports are made.
- Regular monthly and quarterly meeting among the program managers and project managers and implementing staff to exchange experiences about their project implementation.
- Supervisory Board Meeting – 4 x in 2009
- Quarterly Staff Meeting – 3 x in 2009
- Annual Staff Conference – 1 x in 2009
- Legal Staff Meeting – 4 x in 2009
- MT meetings – 12 x in 2009
- Directors meeting – 9 x in 2009
- Program meeting – monthly and/or quarterly
- Project meeting – weekly

As part of the LAC Strategy 2009-2011 LAC agreed to develop and adopt a proper M&E system for 2009-2011.

4. Organizational Development

4.1 Restructure of LAC

Restructuring of LAC started in 2007 when all child justice related projects were merged into the Child Justice Program. LAC was further restructured in 2008 and all activities were organized in 3 specialized programs and our core business, general legal services.

4.2 Launch of new Women's Justice Program

A new Women's Justice Program was launched in 2008 by the Program Manager Mr. Kao Dyna. Projects were set up and sponsored by CCJAP (AusAid), UNDP and OSI. In 2009, WJP has been able to contract a new donor for 2010 namely the European Union (EU).

4.3 Supervisory Board

LAC now maintains a 9-member Supervisory Board composed of 1 well-respected member of Cambodian civil society and 1 international lawyer, 2 Americans, 1 former Australian family judge, 2 Cambodian University Professor/Consultants and 2 Cambodian lawyers, who advise the organization and provide technical support to the Directors.

4.4 Directors

Formerly the Directors were elected by the LAC staff. This system was abandoned in 2007 when the new Statutes were adopted. Under the new Statutes the Supervisory Board selects the Executive Director and the Executive Director selects the Legal Director and Admin & HR Director. The Legal Director and Admin & HR Director were both replaced in late 2008. The Executive Director was replaced in the beginning of 2009. The new Executive Director was appointed by the Supervisory Board in February 2009.

4.5 Management Team

In 2007 the MT was established. In 2009 the MT held 12 monthly meetings where all main organizational issues were discussed between the Program Managers, the Finance Manager and the Directors.

4.6 Policies

In 2009 the management still worked very hard to revise and adopt policies that will help LAC to implement its mission in a more effective way:

- Salary scales were developed in 2008, then approved by the Supervisory Board on 19 January 2009.
- Financial Policy was revised and adopted by the Supervisory Board on 27 July 2009
- Revised Internal Regulations were approved by the Supervisory Board on 30 September 2009
- Statutes were revised and approved by the Supervisory Board on 30 September 2009

4.7 Strategy 2009-2011

LAC developed a new strategy for 2009-2011. Although the former strategy was developed for 2006-2009, LAC decided to re-strategize due to many internal and external changes. The internal changes are described in this chapter. The external changes are e.g. the fact that Oxfam NOVIB has indicated they will stop their funding in 2010 due to a change of their strategy. Oxfam NOVIB has communicated this to LAC end of 2006 and since then LAC is preparing itself to continue without NOVIB support. Drafting a new strategy was part of this preparation.

5. Staff of Legal Aid of Cambodia

At the end of 2009 LAC implemented its program with:

98 staff members: 60 males, 38 females

Including:

- 3 Directors
- 7 MT members
- 1 Directors' advisor
- 1 Directors' assistant
- 39 lawyers

During 2009 some new LAC staff are recruited for new positions, some of them are promoted / rotated based on the needs as well as encouraging and giving opportunity to build their capacity and experience and some of them have resigned.

5.1 Newly recruited staff members

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

- On January 02, 2009, Ms. Sarunny Chetra is recruited to work as a receptionist to the LAC Head Office.
- On January 02, 2009, Mr. Koy Veasna, a lawyer, is recruited to work as the head of Battambang branch office.
- On January 02, 2009, Mr. Kim Sithan is recruited to work as a guard to the LAC Head Office.
- On January 02, 2009, Mr. Heng Vuthy is recruited to work as a guard to the LAC Head Office.
- On January 20, 2009, Mr. Van Borath, a lawyer, is recruited to work as the head of LAC Banteay Meanchey branch office.
- On January 22, 2009, Ms. Bou Nary is recruited to work as an office assistant to the LAC Banteay Meanchey branch office.
- On February 01, 2009, Mrs. Ong Sileth is recruited to work as a lawyer to the Correction Center II Project of the Child Justice Program at the LAC Head Office.
- On February 01, 2009, Mr. Im Phanna is recruited to work as a lawyer to the Preventing Violence Against Children Project of the Child Justice Program at the LAC Head Office.
- On February 03, 2009, Mr. Mark Phat is recruited to work as an investigator to the Correction Center II Project of the Child Justice Program at the LAC Head Office.
- On February 03, 2009, Mr. Chan Socheat is recruited to work as a lawyer to the General Lawyers Unit at the LAC Head Office.
- On February 03, 2009, Mrs. Pich Choeurn is recruited to work as a cleaner to the Kandal Model Court project of the LAC Kandal branch office.
- On February 07, 2009, Mrs. Kong Sothea is recruited to work as an administrative and finance assistant to the Kandal Model Court project of the LAC Kandal branch office.
- On March 10, 2009, Mr. Chea Sokun is recruited to work as a finance manager to the LAC Head Office.
- On March 25, 2009, Mr. Reach Hok Seng is recruited to work as a legal trainer's assistant to the Women's Justice Program at the LAC Head Office.
- On May 01, 2009, Ms. Ly Sokha is recruited to work as a legal assistant to the Correction Center II Project of the Child Justice Program at the LAC Head Office.
- On June 17, 2009, Mr. Phonn Thearin is recruited to work as a project manager to the Child Justice Program at the LAC Head Office.
- On July 06, 2009, Mr. Meak Von is recruited to work as an investigator at the LAC Battambang branch office.
- On August 01, 2009, Mr. Benjamin M. Stanciu is recruited to work as a junior advisor to the Director.
- On August 25, 2009, Mr. Chhem Roth is recruited to work as a legal trainer's assistant to the Women's Justice Program at the LAC Head Office.
- On September 01, 2009, Mr. Houn Chendorn, a lawyer, is recruited to work for the Women's Justice Program as the head of LAC Kompong Speu branch office.

- On October 14, 2009, Mr. Un Chanthol is recruited to work as a legal assistant to the Preventing Violence Against Children Project of the Child Justice Program at the LAC Head Office.

5.2 Staff rotation/internal promotion

Based on the needs of the core activities and the units several staffs were required to change their offices and position.

- On May 01, 2009, Ms. Sok Sokha, a legal assistant to the CC2 project at the LAC Head Office, was promoted as the legal trainer of Women's Justice Program.

5.3 Departing staff members

In 2009, some staff have resigned from LAC as following:

- On January 20, 2009, Mr. Ty Srinna, a lawyer of the Preventing Violence Against Children Project of the Child Justice Program, resigned from her position to work for the ECCC.
- On May 07, 2009, Mr. Tep Neth, a project manager of the Child Justice Program, resigned from his position to work for a private law firm.
- On May 31, 2009, Mr. Im Rithea, an investigator of the LAC Rattanakiri Branch Office, resigned from his position due to the fact that project funding from CIDA ended.
- On June 30, 2009, Mrs. Peung Yok Hiep left her position as Executive Director due to the fact that her mandate and employment contract ended.
- On July 28, 2009, Ms. Dorine V. Van De Keur, management advisor, resigned from LAC Head Office to work for LICADHO and CLEC.
- On August 01, 2009, Mr. Reach Hok Seng, a legal trainer's assistant of the Women's Justice Program, resigned from his position.
- On August 31, 2009, Ms. Poeung Kalyan, a lawyer of the Women's Justice Program and Head of the LAC Kompong Speu Branch Office, resigned from her position to work for another NGO.
- On September 24, 2009, Mr. Khiev Kanal, a legal assistant of the Preventing Violence Against Children Project of the Child Justice Program, resigned from his position to work for a private law firm.
- On September 30, 2009, Mr. Morn Pheareak, an investigator of the General Lawyers Unit, resigned from his position.
- On December 25, 2009, Mr. Chea Sokun, a finance manager, resigned from LAC Head Office to work for Pact Cambodia.

Due to the fact the decision of Oxfam Novib to end their core funding they had started since the inception phase of the organization, Legal Aid of Cambodia has been in the unfortunate position to have to let go the staff working on General Legal Aid Services and some administrative staff working in the head office as of 31 December 2009:

1- Mr. Sim Sithan	Lawyer and Project Manager of General Legal Aid Unit
2- Mrs. Teng Rithyvoan	Lawyer
3- Mr. Chan Socheat	Lawyer
4- Mrs. Yem Neang Au	Investigator
5- Mr. Kuch Soeun	Investigator
6- Mr. Touch Bunteav	Investigator
7- Mr. Koy Veasna	Lawyer and Head of Battambang Branch Office
8- Mr. Meak Von	Investigator

9- Ms. Hout Pichmony	Lawyer and Head of Siemreap Branch Office
10- Mr. Yous Samrong	Investigator
11- Mr. Long Salux	Lawyer and Head of Sihanouk Ville Branch Office
12- Mr. Pich Yorn	Investigator
13- Ms. Prak Dany	Branch Office Assistant
14- Mr. Ly Kosal	Lawyer and Head of Koh Kong Branch Office
15- Mr. Khan Kanal	Investigator
16- Mrs. Van Sina	Branch Office Assistant
17- Mrs. Choeun Sokhom	Finance Officer
18- Mr. Soeung MonVichet	Directors' Assistant
19- Mr. Sry Srive	IT Technician
20- Mr. Long Rithypol	Investigator and Database Entry Executive
21- Mr. Kim Sithan	Guard
22- Mrs. Chhun Sokha	Cleaner

6. Financial report

See appendix for Financial Audit and Financial Report 2009.

7. General Information

7.1 Offices

Legal Aid of Cambodia (LAC) is a non-profit, Khmer administered and non-governmental organization. LAC was founded in 1995. LAC's head office is located in Phnom Penh. Besides from the head office there are 9 branch offices of LAC throughout Cambodia:

- Battambang
- Banteay Meanchey
- Kampong Chhnang
- Kampong Speu
- Kandal
- Koh Kong (closed in 2010)
- Rattanakiri
- Siem Reap
- Sihanouk-ville (closed in 2010)

Please see the map which indicated 10 LAC offices throughout Cambodia:



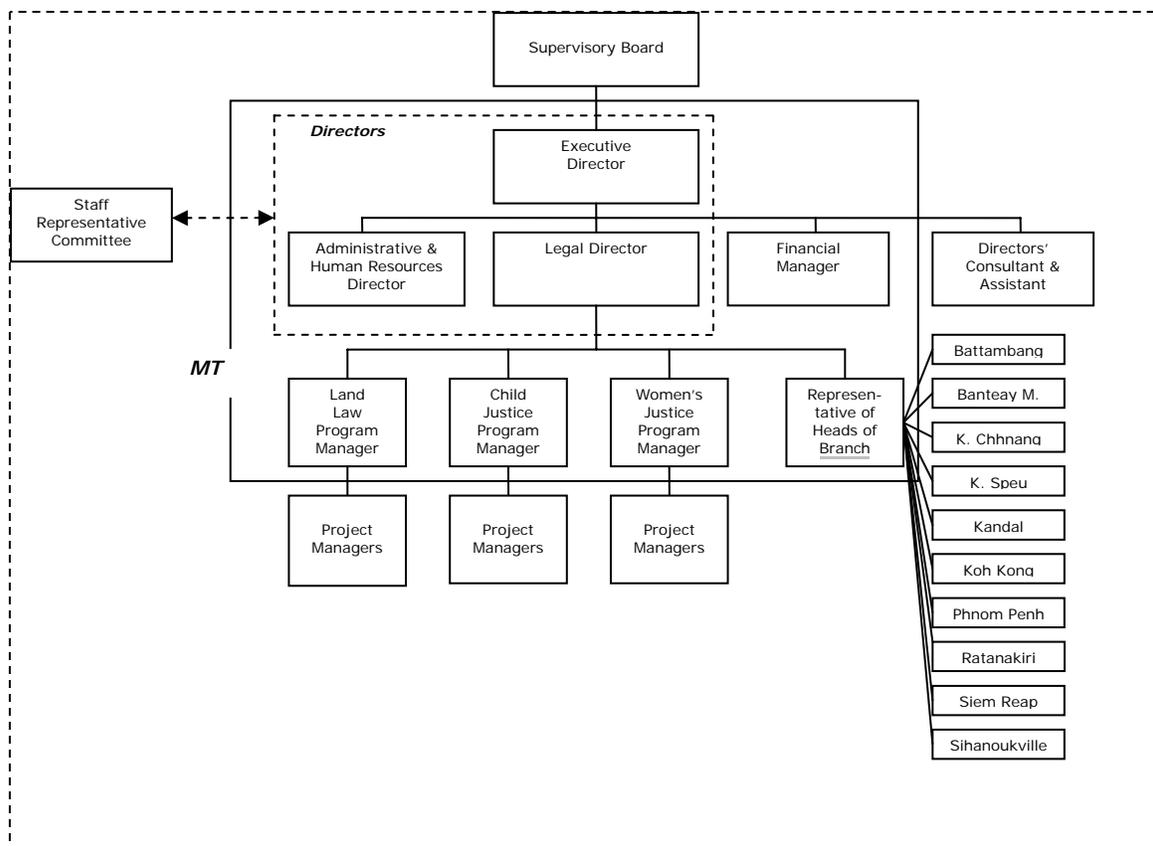
7.2 Structure of LAC

LAC is governed by the Supervisory Board, managed by the Directors and MT and implemented by the general lawyers and by the staff.

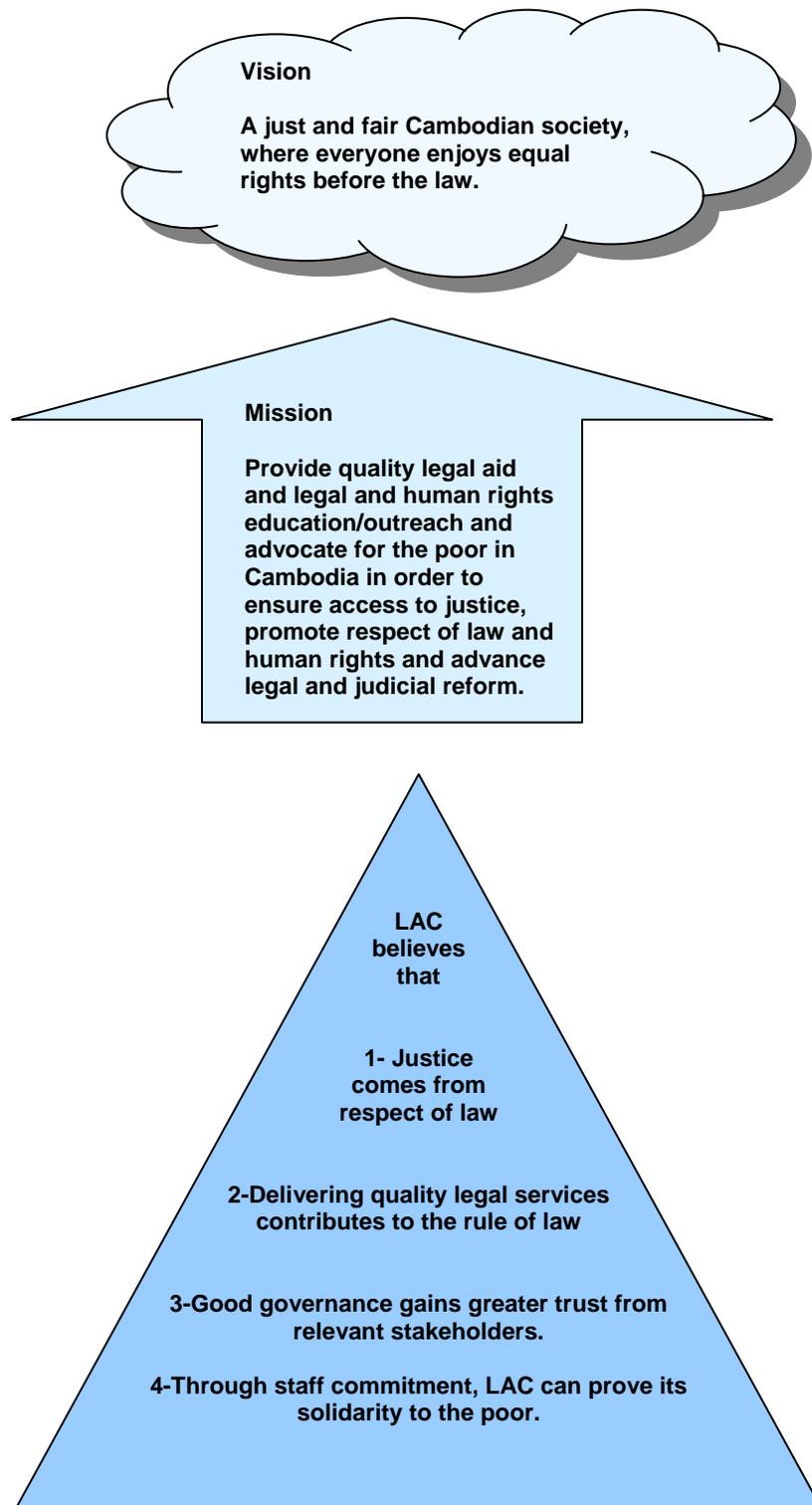
LAC has carried out the following programs:

1. General Legal Aid Program
 - a. General Legal Aid Service
 - b. Model Court Project
 - c. Civil Parties and Victims of the Khmer rouge project;
 Plus 3 specialized programs;
2. Child Justice Program
3. Land Law Program
4. Women's Justice Program

LAC's work is structured as follows:



8. LAC Mission and Vision

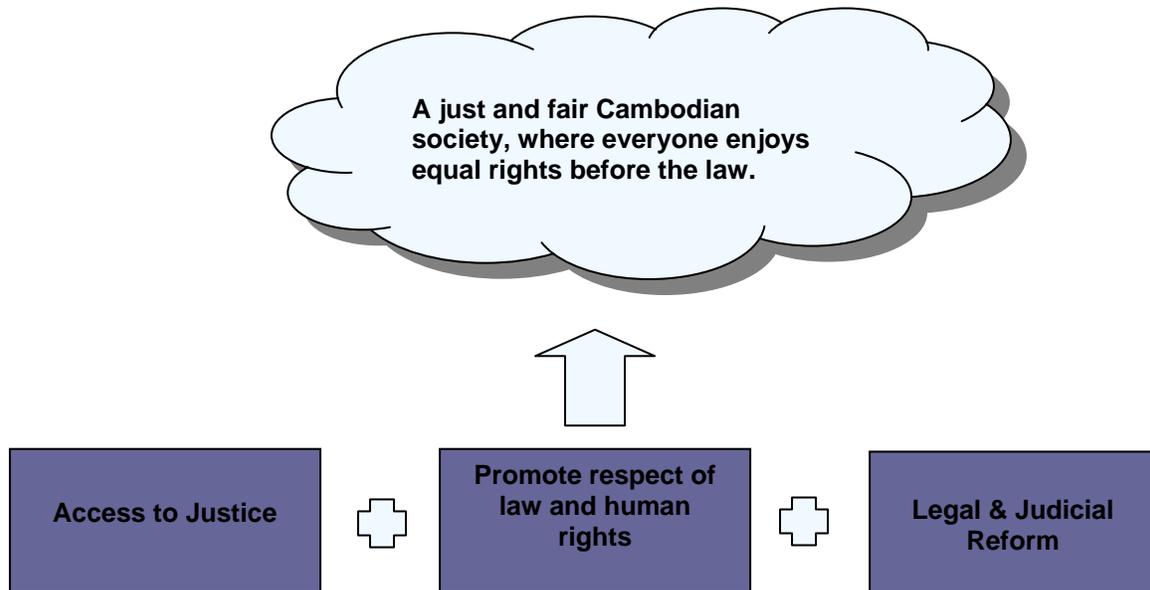


9. LAC Strategic Objectives

- a. Ensure poor people have **access to justice**
 - Provide legal aid in/outside court by qualified LAC lawyers
 - Identify and raise advocacy issues regarding access to justice for the poor

- b. **Promote respect of laws and human rights** in Cambodia
 - Build awareness in communities about their legal rights and laws
 - Build capacity of law enforcement officers so that laws are properly implemented
 - Identify and raise advocacy issues regarding law implementation

- c. **Legal and judicial reform** is strengthened through *advocacy by and for the poor*
 - Advocate for pro-poor policies and legal frameworks
 - Empower poor people to advocate for their rights



10. Donors

LAC has received core-funding from NOVIB and OSI for 2009. Besides from the core funding we received project funding as follows:

1. Canadian International Development Agency Fund (CIDA) has provided grant to LAC to implement Land Projects;
2. Cambodia Criminal Justice Assistance Project (CCJAP), has provided grant to LAC to implement the Women's Justice Projects;
3. Finnish Embassy has provided grant to LAC to implement the Land Rights Project;
4. German Development Service (DED) has provided grant to LAC to implement the Khmer Rouge Tribunal Project;
5. European Union (EU) has provided grant to LAC to implement the Child Justice Projects;
6. East-West Management Institute (EWMI/USAID) has provided grant to LAC to implement the Land Rights, Child Justice and Model Court Projects;
7. EveryChild (DFID) and Save the Children Norway (SCN) have provided grants to LAC to implement the Child Justice Projects;
8. The United Nations Children's Fund (UNICEF) has provided grants to LAC to implement the Child Justice Projects;
9. Interchurch Organization for Development Co-operation (ICCO) and Lawyers for Lawyers have provided grant to support and strengthen organization development;
10. International Bridge to Justice (IBJ) has provided grant to LAC to implement the Land Rights Project;
11. United Nations Development Programme (UNDP) has provided funding support to LAC to implement the Women Justice Projects;
12. Oxfam Novib and Open Society Institute (OSI) have provided core funding support to LAC;
13. Besides core-funding, the Open Society Institute (OSI) has also provided funding support to LAC to implement the Women's Justice Project with regard to legal outreach to women and legal training to government officials.

11. LAC Governing Board and Management Team

11.1 Supervisory Board

- 1. Ms. Chim Manavy, Chair of the SB**
Executive Director, Open Institute
Address: # 61, Street No 261, Tuol Kok district, Phnom Penh, Cambodia
Mobile: +855 12 964 286
Email: ma_chim2002@yahoo.com or ma@open.org.kh
- 2. Mr. Nick Rine**
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