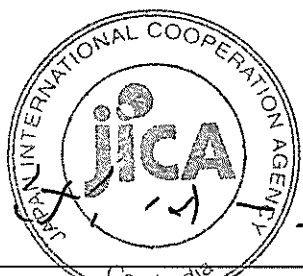


**RECORD OF DISCUSSIONS  
BETWEEN  
JAPAN INTERNATIONAL COOPERATION AGENCY AND  
THE AUTHORITIES CONCERNED OF THE ROYAL GOVERNMENT OF  
CAMBODIA  
ON JAPANESE TECHNICAL COOPERATION  
FOR  
THE PROJECT FOR THE IMPROVEMENT OF THE TRAINING ON CIVIL  
MATTERS AT THE ROYAL SCHOOL FOR JUDGES AND PROSECUTORS OF  
THE ROYAL ACADEMY FOR JUDICIAL PROFESSIONS (PHASE 2)**

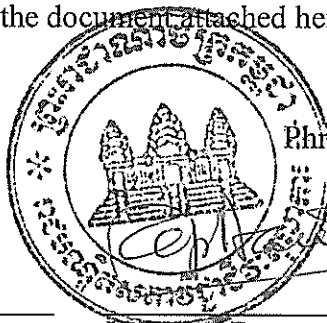
In response to the request of the Royal Government of Cambodia, Japan International Cooperation Agency (hereinafter referred to as "JICA") has decided to implement Japanese Technical Cooperation on the Project for the Improvement of the Training on Civil Matters at the Royal School for Judges and Prosecutors of the Royal Academy for Judicial Professions (Phase 2) (hereinafter referred to as "the Project").

Accordingly, JICA, the independent administrative institution responsible for the operation of the technical cooperation program of the Government of Japan, will cooperate with the authorities concerned of the Royal Government of Cambodia.

JICA and the Cambodian authorities concerned exchanged views and had a series of discussions with respect to desirable measures to be taken by JICA and the Royal Government of Cambodia for the successful implementation of the Project. As a result of discussions, and in accordance with the provisions of the Agreement on Technical Cooperation between the Government of Japan and the Royal Government of Cambodia signed in Phnom Penh on June 17, 2003 (hereinafter referred to as "the Agreement"), JICA and the Cambodian authorities concerned agreed to recommend to their respective Governments the matters referred to in the document attached hereto.



Mr. Kazuhiko YONEDA  
Resident Representative,  
Cambodia Office  
Japan International Cooperation Agency



H.E. Tep Darong  
President  
Royal Academy for Judicial Professions  
Kingdom of Cambodia

Phnom Penh, March 21, 2008

## ATTACHED DOCUMENT

### I. COOPERATION BETWEEN JICA AND THE ROYAL GOVERNMENT OF CAMBODIA

1. The Royal Government of Cambodia will implement the Project in cooperation with JICA.
2. The Project will be implemented in accordance with the Master Plan in Annex I.

### II. MEASURES TO BE TAKEN BY JICA

In accordance with the laws and regulations in force in Japan and the provisions of Article III of the Agreement, JICA as the executing agency for technical cooperation program by the Government of Japan, will take, at its own expense, the following measures according to the normal procedures of its technical cooperation scheme.

#### 1. DISPATCH OF JAPANESE EXPERTS

JICA will provide the services of the Japanese experts as listed in Annex II. The provisions of Article V of the Agreement will be applied to the above-mentioned experts.

#### 2. PROVISION OF MACHINERY AND EQUIPMENT

JICA will provide such machinery, equipment and other materials (hereinafter referred to as "the Equipment") necessary for the implementation of the Project as listed in Annex III. The provisions of Article VII of the Agreement will be applied to the Equipment.

#### 3. TRAINING OF CAMBODIAN PERSONNEL IN JAPAN

JICA will receive Cambodian personnel connected with the Project for technical training and for conducting seminars or workshops in Japan.

### III. MEASURES TO BE TAKEN BY THE ROYAL GOVERNMENT OF CAMBODIA

1. The Royal Government of Cambodia will take necessary measures to ensure that the self-reliant operation of the Project will be sustained during and after the period of Japanese technical cooperation, through full and active involvement in the Project by all related authorities, beneficiary groups and institutions.
2. The Royal Government of Cambodia will ensure that the technologies and knowledge acquired by the Cambodian nationals as a result of the Japanese technical cooperation will



contribute to the economic and social development of the Kingdom of Cambodia.

3. In accordance with the provisions of Article V of Agreement, the Royal Government of Cambodia will grant in the Kingdom of Cambodia privileges, exemptions, and benefits to the Japanese experts referred to II-1 above and their families.
4. The Royal Government of Cambodia will take the measures necessary to receive and use the Equipment provided by JICA under II-2 above and equipment and materials carried in by the Japanese experts referred to in II-1 above.
5. The Royal Government of Cambodia will take necessary measures to ensure that the knowledge and experience acquired by the Cambodian personnel through technical training in Japan will be utilized effectively in the implementation of the Project.
6. In accordance with the laws and regulations in force in the Kingdom of Cambodia, the Royal Government of Cambodia will take necessary measures to supply or replace at its own expense machinery, equipment, instruments, vehicles, tools, spare parts and any other materials necessary for the implementation of the Project other than the Equipment provided by JICA under II-2 above.
7. In accordance with the laws and regulations in force in the Kingdom of Cambodia, the Royal Government of Cambodia will take necessary measures to meet the running expenses necessary for the implementation of the Project.
8. The Royal Government of Cambodia will provide the services of Cambodian counterpart personnel and administrative personnel as listed in Annex IV.
9. The Royal Government of Cambodia will provide the buildings and facilities as listed in Annex V.

#### IV. ADMINISTRATION OF THE PROJECT

1. The President of the Royal Academy for Judicial Professions (hereinafter referred to as "RAJP"), as the Project Director, will bear overall responsibility for the administration and implementation of the Project.
2. The Director of the Royal School for Judges and Prosecutors (hereinafter referred to as

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“RSJP”), as the Project Manager, will be responsible for the managerial and technical matters of the Project.

3. The Secretary General of RAJP will be also responsible for the managerial matters of the Project.
4. The Japanese experts will provide necessary recommendations and advice to the Project Director, the Project Manager and Cambodian counterpart personnel on technical matters pertaining to the implementation of the Project.
5. The Japanese Support Group, established under the Project, will give necessary technical guidance or advice to the Cambodian side necessary for the implementation of the Project activities. Members of the Japanese Support Group will be dispatched to Cambodia as short-term experts and/or provide training to the Cambodian counterparts in Japan.

## V. MONITORING AND JOINT EVALUATION

The progress of the Project will be monitored properly through various measures such as mutual consultations or dispatch of monitoring missions. Evaluation of the Project will be conducted jointly by JICA and the Cambodian authorities concerned, at the middle and during the last six (6) months of the cooperation term in order to examine the level of achievement.

## VI. CLAIMS AGAINST JAPANESE EXPERTS

In accordance with the provision of Article VI of the Agreement, the Royal Government of Cambodia undertakes to bear claims, if any arises, against the Japanese experts engaged in technical cooperation for the Project resulting from, occurring in the course of, or otherwise connected with the discharge of their official functions in the Kingdom of Cambodia except for those arising from the willful misconduct or gross negligence of the Japanese experts.

## VII. MUTUAL CONSULTATION

There will be mutual consultation between JICA and the Royal Government of Cambodia on any major issues arising from, or in connection with this Attached Document.

## VIII. MEASURES TO PROMOTE UNDERSTANDING OF AND SUPPORT FOR THE PROJECT

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For the purpose of promoting support for the Project among the people of the Kingdom of Cambodia, the Royal Government of Cambodia will take appropriate measures to make the Project widely known to the people of the Kingdom of Cambodia.

## VI. TERM OF COOPERATION

The duration of technical cooperation for the Project under this Attached Document will be four years starting from 1 April, 2008 to March 31, 2012.

ANNEX I	MASTER PLAN
ANNEX II	LIST OF JAPANESE EXPERTS
ANNEX III	LIST OF MACHINERY AND EQUIPMENT
ANNEX IV	LIST OF CAMBODIAN COUNTERPART AND ADMINISTRATIVE PERSONNEL
ANNEX V	LIST OF BUILDINGS AND FACILITIES

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## ANNEX I      MASTER PLAN

Project Title: The Project for the Improvement of the Training on Civil Matters at the Royal School for Judges and Prosecutors of the Royal Academy for Judicial Professions (Phase 2)

### 1. Overall Goal

Civil trials are appropriately conducted based on the Civil Code (the CC) and the Code of Civil Procedure (the CCP).

### 2. Project Purpose

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

### 3. Outputs

1. School management skills and know-how on recruiting and maintaining sufficient trainers, formulating and implementing curriculums are built up within RSJP.
2. Trainers and prospective trainers of RSJP, including those to be recruited/selected, develop and improve skills and know-how of developing and revising teaching materials.
3. Continuous legal education on civil matters is conducted.

### 4. Activities

- 0-1 Japanese experts study and report baseline indicators on the overall goal, project purpose and outputs of this Project.
- 0-2 Share results of the baseline study in 0-1 between the Japanese and Cambodian sides.
  
- 1-1 RSJP management officials hold regular meetings of management on the practical training on civil matters including the policy of school management with the participation of other officials and Japanese experts.
- 1-2 Study and discuss on qualifications and the number of trainers to be recruited.
- 1-3 Formulate a plan of recruiting trainers on when, how many and how to recruit.
- 1-4 Develop required budget application documents for recruiting trainers in discussion and coordination with relevant parties based on 1-3.
- 1-5 Based on 1-3, formulate a plan of training prospective trainers on when, how many and how to train.
- 1-6 Select prospective trainers based on 1-5.
- 1-7 Train prospective trainers including teaching and serving as an assistants at RSJP, Royal School of Court Clerk, and Royal School of Bailiff.
- 1-8 Hold trainer meetings led by RAJP president/RSJP director, study, discuss and draft curriculums and guidelines for developing teaching materials.
- 1-9 RSJP recruit and maintain trainers based on the curriculums developed in 1-8.
- 1-10 Conduct the practical training on civil matters (initial training) based on the curriculums developed in 1-8.
- 1-11 The Japanese side advises in the process 1-1 through 1-10 appropriately and in a timely manner.

- 2-1 Trainers and prospective trainers develop and produce teaching materials for the practical training on civil matters.
  - 2-2 Invite members from relevant parties to develop teaching materials, according to necessity.
  - 2-3 Trainers and prospective trainers revise the teaching materials, according to the necessity.
  - 2-4 The Japanese side advises in the process 2-1 through 2-3 appropriately and in a timely manner.
- 
- 3-1 Courses of continuous legal education are planned and designed by RSJP in coordination with the Ministry of Justice.
  - 3-2 Implement continuous legal education based on the course plan developed in 3-1.
  - 3-3 The Japanese side advises in the process above appropriately and in a timely manner.

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## ANNEX II LIST OF JAPANESE EXPERTS

### 1. Long-Term Experts

- (1) Advisor on the training of legal professions
- (2) Project coordinator

This list is subject to change through the discussion between both sides whenever necessity arises.

### 2. Short-Term Experts

Short-term experts will be dispatched in accordance with necessity for effective implementation of the Project.

#### NOTE:

The assignment schedule of the experts will be fixed depending on the progress of the Project and availability of suitable experts. The number and Terms of Reference of short-term experts will be decided in consideration of the progress of the Project through mutual consultation.

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### **ANNEX III LIST OF MACHINERY AND EQUIPMENT**

Equipment necessary for the implementation of the Project might be provided to Cambodian during the cooperation period, subject to the limitation of budgeted allocation.

**NOTE:**

- 1) The above-mentioned equipment is limited to that necessary for the transfer of technology by the Japanese experts.
- 2) Content, specifications, and quantity of the above-mentioned equipment will be decided through mutual consultations within the allocated budget of each Japanese fiscal year (April 1<sup>st</sup> to March 31<sup>st</sup>).

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**ANNEX IV LIST OF CAMBODIAN COUNTERPART AND ADMINISTRATIVE PERSONNEL**

1. Project Director

President, RAJP

2. Project Manager

Director, RSJP

3. Counterpart Personnel

President of RAJP, Director of RSJP, Secretary General of RAJP

Trainers and Prospective Trainers of civil matters at RSJP

4. Administrative Personnel

The Cambodian side will assign a sufficient number of administrative personnel to ensure effective operation of the Project.

5. Other personnel mutually agreed upon as necessary

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## **ANNEX V LIST OF BUILDING AND FACILITIES**

1. Land, building and facilities necessary for the Project
2. Office space and facilities for the Japanese experts
3. Room and space necessary for seminars and workshops
4. Other facilities and equipment mutually agreed upon as necessary

