

**RECORD OF DISCUSSION BETWEEN
THE AUTHORITIES CONCERNED OF THE ROYAL GOVERNMENT OF CAMBODIA
AND
JAPAN INTERNATIONAL COOPERATION AGENCY
ON
JAPANESE TECHNICAL COOPERATION ON
LEGAL AND JUDICIAL COOPERATION PROJECT
WITH THE BAR ASSOCIATION OF THE KINGDOM OF CAMBODIA**

In response to the request of the Royal Government of Cambodia (hereinafter referred to as "RGC"), the Japan International Cooperation Agency (hereinafter referred to as "JICA") has decided to implement Japanese Technical Cooperation on Legal and Judicial Cooperation Project with the Bar Association of the Kingdom of Cambodia (hereinafter referred to as "the Project").

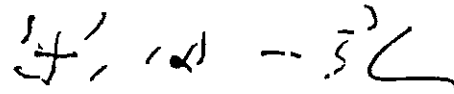
JICA, the independent administrative institution responsible for the operation of technical cooperation program of the Government of Japan, will cooperate with the authorities concerned of the RGC and the Bar Association of the Kingdom of Cambodia (hereinafter referred to as "BAKC") in the implementation of the Project.

JICA and Cambodian authorities concerned and BAKC have exchanged views and had a series of discussions with respect to desirable measures to be taken by JICA, RGC and BAKC with a view to successfully implement the Project. By virtue of the result of the discussions and the Agreement on Technical Cooperation between the Government of Japan and the RGC, signed in Phnom Penh on June 17, 2003 (hereinafter referred to as "the Agreement"), JICA and the Cambodian authorities concerned and BAKC agreed to recommend to their respective Governments the matters referred to in the document attached hereto.

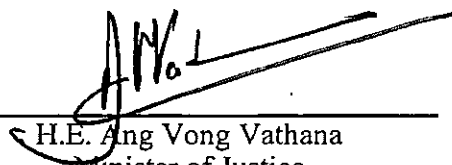
Phnom Penh, February 26, 2007



Mr. Ky Tech
President
The Bar Association
of the Kingdom of Cambodia



Mr. Kazuhiro Yoneda
Resident Representative
JICA Cambodia Office
Japan


H.E. Ang Vong Vathana
Minister of Justice
Kingdom of Cambodia

Witness with Honor

THE ATTACHED DOCUMENT

I. COOPERATION BETWEEN JICA AND RGC

1. The Authorities concerned of the RGC and BAKC 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 expenses, 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 and in accordance with Article V of the Agreement.

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 and in accordance with Article VII of the Agreement.

3. TRAINING OF CAMBODIAN PERSONNEL IN JAPAN

JICA will receive the Cambodian personnel involved in the Project for training in Japan if necessary.

III. MEASURES TO BE TAKEN BY THE AUTHORITIES CONCERNED OF RGC AND BAKC

1. The Authorities concerned of RGC and BAKC will take necessary measures to ensure that the self-reliant operation of the Project to be sustained during and after the completion of Japanese technical cooperation, through full and active involvement in the Project by all related authorities, beneficiary groups and institutions.
2. The Authorities concerned of RGC and BAKC will ensure that the skill and knowledge acquired by the Cambodian nationals through the Project will contribute to the economic and social development of the Kingdom of Cambodia.

3. The Authorities concerned of RGC and BAKC will take necessary measures to ensure that the skill and knowledge acquired by the Cambodian personnel from technical training in Japan will be utilized effectively in the implementation of the Project.
4. In accordance with the laws and regulations in force in the Kingdom of Cambodia, the Authorities concerned of RGC and BAKC will take measures to supply or replace at their own expenses 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.
5. In accordance with the laws and regulations in force in the Kingdom of Cambodia, the Authorities concerned of RGC and BAKC will take necessary measures to meet the running costs necessary for the implementation of the Project.
6. The Authorities concerned of RGC and BAKC will provide the services of Cambodian counterpart personnel and administrative personnel as listed in Annex V.
7. The Authorities concerned of RGC and BAKC will provide the building and facilities as listed in Annex V.

IV. ADMINISTRATION OF THE PROJECT

1. The President of the BAKC, as the Project Director, will bear overall responsibility for the administration and implementation of the Project.
2. The Director of the Center for Training and Improvement of Legal Profession (hereinafter referred to as "LTC"), as the Project Manager, will be responsible for the managerial and technical matters of the Project where such matters fall under the scope of LTC's competence.
3. A Working Group which consists of associate professors and staff attorneys at LTC will be responsible for writing / developing textbook for each subject together with professors.
4. The Resident Representative of JICA Cambodia Office, on behalf of JICA, will bear responsibility for smooth implementation of the Project.
5. The Japanese experts will provide necessary recommendations to the Project Director and the Project Manager on any matters pertaining to the implementation of the Project. They will give necessary technical guidance and support to Cambodian counterpart personnel on technical matters pertaining to the implementation of the Project.

V. MONITORING AND JOINT EVALUATION

The progress of the Project will be monitored properly through various measures such as mutual consultation. Evaluation of the Project will be conducted jointly by JICA and the authorities concerned of the RGC and BAKC within the last six months of the cooperation term in order to determine the level of achievement.

VI. CLAIMS AGAINST JAPANESE EXPERTS

In accordance with the provisions of Article VI of the Agreement, the RGC 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 among JICA, the Authorities concerned of RGC of Cambodia and BAKC on any major issues arising from, or in connection with this Record of Discussions.

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

For the purpose of promoting support for the Project among the people of the Kingdom of Cambodia, the Authorities concerned of RGC and BAKC will take appropriate measures to make the Project widely known to the people of the Kingdom of Cambodia.

IX. TERM OF COOPERATION

The duration of the technical cooperation for the Project under this Attached Document will be two (2) years from June, 2007.

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

ANNEX I: MASTER PLAN

1. Title of the Project

Legal and Judicial Cooperation Project with the Bar Association of the Kingdom of Cambodia

2. Overall Goal

Cambodian public access to legal services is improved.

3. Project Purpose

BAKC through LTC provide qualified training for the development of qualified lawyers.

4. Outputs

- (1) Capacity of LTC staff to manage LTC and to implement training is improved.
- (2) The content of the training materials at LTC are improved.
- (3) Qualified trainers are retained and prospective trainers at LTC are trained.
- (4) The internship programme is redesigned.
- (5) Continuing training is provided to practicing lawyers.

5. Activities

- (1) Capacity of LTC staff to manage LTC and to implement training is improved.
 - (1)-1 LTC reviews the internal regulations and the exam guidelines to identify necessary changes to ensure effective management of LTC.
 - (1)-2 LTC reviews the current situation of the implementation of the internal regulations and the exam guidelines.
 - (1)-3 LTC develops recommendation for revising the internal regulations and the exam guidelines as necessary and submit to the Bar Council.
 - (1)-4 LTC monitors the level of implementation of the revised internal regulations and the exam guidelines.
 - (1)-5 LTC implements training for 8th intake according to the curriculum.
 - (1)-6 LTC monitors the implementation of training for 8th intake and adjusts the curriculum as necessary.
 - (1)-7 LTC revises the curriculum for 9th intake based on the assessment of 8th intake training.
 - (1)-8 LTC implements the training for 9th intake according to the revised curriculum.
 - (1)-9 LTC monitors the implementation of training for 9th intake and adjusts the curriculum as necessary.
 - (1)-10 LTC revises the curriculum for 10th intake based on the assessment of 9th intake training.
 - (1)-11 LTC conducts appropriate capacity building of staff.
 - (1)-12 BAKC supervises LTC with regard to the activities written above.

- (2) The content of the training materials at LTC are improved.
 - (2)-1 LTC sets up a working group consisting of associate professors and staff attorneys for writing textbooks for each subject together with professors.
 - (2)-2 LTC reviews the quality of the existing textbooks.
 - (2)-3 LTC develops standard formats for developing textbooks.
 - (2)-4 LTC develops guidelines on minimum contents of each subject which lacks textbooks.
 - (2)-5 The working group members develop textbooks.
 - (2)-6 BAKC supervises development of textbooks.

- (3) Qualified trainers are retained and prospective trainers at LTC are trained.
 - (3)-1 LTC submits the request for recruiting professors and associate professors to the BAKC for approval.
 - (3)-2 LTC provides guidance on terms of reference to professors and associate professors.
 - (3)-3 Associate professors attend professors' classes and develop lecture notes.
 - (3)-4 Associate professors join the working group to develop textbooks.
 - (3)-5 LTC organizes regular meetings with associate professors.
 - (3)-6 Associate professors take part in training held by LTC and continuous training seminars held by BAKC, as appropriate.
 - (3)-7 LTC monitors and evaluates professors' and associate professors' performance.

- (4) The internship programme is redesigned.
 - (4)-1 BAKC assesses the current situation of the internship program.
 - (4)-2 BAKC develops manuals for supervising lawyers and intern lawyers.
 - (4)-3 BAKC develops a plan for piloting new activities (e.g. mock trial, additional lectures) for the internship program of 8th intake.
 - (4)-4 BAKC implements the activities based on the plan ((4)-3).
 - (4)-5 BAKC evaluates the results of the activities written above.

- (5) Continuing training is provided to practicing lawyers.
 - (5)-1 BAKC develops a plan for seminars for practicing lawyers.
 - (5)-2 BAKC implements the seminars with inputs from Japanese experts
 - (5)-3 BAKC evaluates the results of the seminars.
 - (5)-4 BAKC develops a Khmer version of the Lawyers' Handbook.

ANNEX II: LIST OF JAPANESE EXPERTS

1. Long-Term Expert

- (1) Advisor on Lawyers Training
- (2) Project Coordinator

2. Short-Term Experts

JICA will dispatch the following short-term experts on specific topics, whose number and terms of reference will be determined depending on the progress of the Project and the availability of suitable experts.

- (1) Expert on Civil Procedure Code
- (2) Expert on IT and Intellectual Property
- (3) Expert on Gender

ANNEX III : LIST OF MACHINERY AND EQUIPMENT

JICA will provide the following equipment to the Cambodian side, the specifications and quantity of which will be determined through mutual consultation within the allocated budget during the Project period.

1. Computers
2. Office equipment and supplies
3. Other items mutually agreed upon as necessary

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

1. Counterpart personnel

The Cambodian side will assign the following officials as counterpart personnel of this Project.

- (1) Project Director
President, BAKC
- (2) Project Manager
Director, LTC
- (3) Working Group to Develop Training Materials
Associate Professors and staff attorneys

2. Administrative personnel

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

ANNEX V: LIST OF BUILDINGS AND FACILITIES

1. Land, buildings 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