

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

Based on the recommendation of the Final Evaluation, signed by the president of The Bar Association of the Kingdom of Cambodia (hereinafter referred to as "BAKC") and the head of the Japanese Final Evaluation Team on December 10, 2008, the Japan International Cooperation Agency (hereinafter referred to as "JICA") and the BAKC have agreed to extend the term of cooperation of the Japanese Technical Cooperation on Legal and Judicial Cooperation Project for one year with the Bar Association of the Kingdom of Cambodia (hereinafter referred to as "the Project").

JICA and BAKC have exchanged views and had a series of discussions with respect to desirable measures to be taken by both sides with a view to successfully implement the Project. As a result of the discussions, and in accordance with the provisions of the Agreement on Technical Cooperation between the Government of Japan and the Royal Government of Cambodia (hereinafter referred to as "RGC"), signed in Phnom Penh on June 17, 2003 (hereinafter referred to as "the Agreement"), JICA and BAKC agreed on the matters referred to in the document attached hereto.

Phnom Penh, March 25, 2009



Mr. Kazuhiro Yoneda
Chief Representative
JICA Cambodia Office



Mr. Chiv Songhak
President
The Bar Association
of the Kingdom of Cambodia

THE ATTACHED DOCUMENT

I. TERM OF COOPERATION

The duration of the Project will be extended for one year from June 11, 2009 to June 10, 2010.

II. SCOPE OF EXTENTION

The Project will be implemented in accordance with the Master Plan, which is given in ANNEX I.

III. 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 1.

IV. 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 JAPANAESE 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.

V. MEASURES TO BE TAKEN BY BAKC

1. 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. 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. 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, BAKC will take necessary measures to meet the running costs necessary for the implementation of the Project.
5. BAKC will provide the services of Cambodian counterpart personnel and administrative personnel as listed in Annex IV.
6. BAKC will provide the building and facilities as listed in Annex V.

VI. 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. The Commission on Civil Affair will be responsible for providing recommendations on civil matters for practicing lawyers in order to improve civil practice.
4. The Working Group on Civil Affair will be responsible for developing Civil Guidelines standardized for civil matters for lawyers and others involved in the practice.
5. The Resident Representative of JICA Cambodia Office, on behalf of JICA, will bear responsibility for smooth implementation of the Project.
6. 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. ៥

VII. MONITORING AND EVALUATION

The progress of the Project will be monitored and evaluated properly through various measures such as mutual consultation.

VIII. 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.

IX. MUTUAL CONSULTATION

There will be mutual consultation between JICA and BAKC on any major issues arising from, or in connection with this Record of Discussions.

X. 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, BAKC will take appropriate measures to make the Project widely known to the people of the Kingdom of Cambodia.

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

1. Title of the Project

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

2. Overall Goal

Cambodian public's access to legal services is improved.

3. Project Purpose

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

4. Outputs

- (1) LTC management (curriculum, personnel etc.) is appropriately implemented.
- (2) Quality of education on Civil matters is improved in LTC.
- (3) Quality of Continuous Legal Education (CLE) is improved and systematically implemented by BAKC.
- (4) Institutional capacity of BAKC concerning providing guidances and support to lawyers' practice is improved.

5. Activities

- (1) Activities related to management of the Legal Training Center
- (2) Activities related to the quality of education on civil matters in LTC : Seminars for 10th intakes
- (3) Activities related to the Continuous Legal Education on civil matters
- (4) Activities related to the Commission on Civil Affairs



ANNEX II

LIST OF JAPANESE EXPERTS

1. Long-Term Expert

- (1) Advisor on Lawyers' Training

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) Experts on the Civil Code and the Code of Civil Procedure 4



ANNEX III

LIST OF MACHINERY AND EQUIPMENT

JICA will provide the equipment to the Cambodian side based on the request of BAKC, if the necessity of the equipment is agreed by the both parties. The specifications and quantity of the equipment will be determined through mutual consultation within the allocated budget during the Project period.

A handwritten signature in black ink, located in the bottom right corner of the page. The signature is stylized and appears to consist of the letters 'M' and 'J'.

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 of Civil Matters
Lawyers

2. Administrative personnel

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

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 1/2

