

ANNEX I Tentative Project Design Matrix (PDM)

(Version 1.0)

Duration : 8/4/2004-7/4/2007

Target Group: Members of the Civil Code and the Code of Civil Procedure, and personnel in the various stages of legislation

Narrative Summary	Objectively Verifiable Indicators	Means of Verification	Important Assumptions
<p>[Overall Goal] Laws and regulations with respect to civil affairs and their applications are reliable and useful for Cambodian People.</p>	<ul style="list-style-type: none"> • Increase in the number of civil cases (No. of filings, and final adjudication). • Enactment and application of new Civil Code and Code of Civil Procedure. • Degree of satisfaction of Cambodian people with civil court system. 	<ul style="list-style-type: none"> • Case records. • Questionnaire survey to Cambodian People 	
<p>[Project purpose] Conditions for promoting legislation of the Civil Code and the Code of Civil Procedure are prepared.</p>	<ul style="list-style-type: none"> • Level of understanding by people in legal and judicial sector on the contents of each law. • Actual results of deliberating the draft codes in the legislation process by the Defending Committee 	<ul style="list-style-type: none"> • Project activity report • Observation of the deliberation process • Interview 	<ul style="list-style-type: none"> • Legislation of both Codes is not interrupted by unforeseen events.
<p>[Outputs]</p> <p>(1) Knowledge and capacity of the personnel involved in the various stages of legislation, in addition to the Members of the Defending Committee of the Codes in MOJ, are enhanced enough to manage and advance the legislation process appropriately.</p> <p>(2) Level of understanding of legal and judicial experts in Cambodia with respect to technical details of the Codes is improved.</p> <p>(3) Draft provisions of transitional measures, etc., regarding application of the Code of Civil Procedure are prepared.</p> <p>(4) Draft provisions of transitional measures, etc., regarding application of the Civil Code, and draft laws and bylaws to enforce the Civil Code are prepared.</p> <p>(5) Draft laws related to the Code of Civil Procedure are prepared.</p> <p>(6) Draft laws related to the Civil Code are prepared.</p>	<p>1-1 Completion of annotation to each article. 1-2 Completion of explanation documents on the both Codes (Q&A). 1-3 Completion of the Lexicon</p> <p>2-1 No. of seminars 2-2 No. of participants to the seminars.</p> <p>3-1 Completion of the enforcement law 4-1 Completion of the enforcement law</p> <p>5-1 Completion of the related laws. 6-1 Completion of the related laws</p>	<ul style="list-style-type: none"> • Project reports • Observation • Interview 	<ul style="list-style-type: none"> • The personnel engaged in the project activities will continue to work in the legal and judicial sector.

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<p>[Activities]</p> <p>(1)-1 Formulate detailed work plan of the Committee based on the legislative schedule.</p> <p>(1)-2 Introduce monitoring system for measuring the achievements of project activities.</p> <p>(1)-3 Prepare annotations for each article.</p> <p>(1)-4 Prepare Q & A for the Codes.</p> <p>(1)-5 Prepare Lexicon for the Codes.</p> <p>(1)-6 Advise the Committee on the revision of the Codes as well as for securing consistency between the Codes and other related laws at the respective stages of deliberation process (Council of Jurists, Inter-Ministerial Meeting, National Assembly, Senate¹, etc²).</p> <p>(1)-7 Conduct workshops and training sessions for the members of the Committee to deepen their understanding of the Codes.</p> <p>(2)-1 Conduct seminars on the Codes for practicing judges, prosecutors, lawyers.</p> <p>(2)-2 Prepare outline or manual for executing the Code of Civil Procedure, including a textbook and forms of some fundamental documents to be used in civil proceedings.</p> <p>(3)-1 Draft the provisions of transitional measures, etc., regarding the application of the Code of Civil Procedure and hold workshops or training session for explaining the contents.</p> <p>(3)-2 Finalize the draft of the provisions, etc., by holding terminology-selecting meetings.</p> <p>(4)-1 Conduct preliminary survey on the relevant laws (including the Land Law, Draft Secured Transactions Law, etc.) to the provisions of transitional measures, etc., regarding the application of the Civil Code.</p> <p>(4)-2 Draft the provisions, etc., and hold workshops or training session for explaining the contents.</p> <p>(4)-3 Draft the laws and bylaws to enforce the Civil Code, including provisions on procedure in non-litigation matters related to the Civil Code, and hold workshops for explaining the contents.</p> <p>(4)-4 Finalize the draft of the provisions, etc., and the laws and bylaws by holding terminology-selecting meetings.</p>	<p>[Inputs]</p> <p>(1) Inputs by the Cambodian side</p> <p>[Personnel for the Project]</p> <p>1) Project director: The Minister of Justice</p> <p>2) Project manager: Undersecretary of State, MOJ, who has been a member of the Committee for Defending the Draft Civil Code and the Code of Civil Procedure.</p> <p>3) Members of the Committee for the Civil Code and the Code of Civil Procedure, MOJ.</p> <p>[Buildings and Facilities]</p> <p>1) Appropriate office space in MOJ with necessary facilities for long-term experts.</p> <p>2) Rooms necessary for seminars and workshops at MOJ.</p> <p>3) Other facilities and equipment mutually agreed upon as necessary.</p> <p>[Administrative and Operational Costs]</p> <p>1) Salaries and per diem allowances for Cambodian personnel.</p> <p>2) Expenses for custom clearance, storage, domestic transport, installation of equipment, machinery and any other materials provided by JICA.</p> <p>3) All local expenses necessary for the maintenance of equipment and machinery and any other materials.</p> <p>(2) Inputs by the Japanese Side*</p> <p>[Working groups and units]</p> <ul style="list-style-type: none"> • Working groups for drafting Civil Code, enforcement law and laws related to the Code. • Working groups for drafting Code of Civil Procedure, enforcement law and laws related to the Code. <p>[Long-term Experts]</p> <p>1) Legal Adviser</p> <p>2) Project Coordinator</p> <p>[Short-term Experts]</p> <ul style="list-style-type: none"> • Experts on the Civil Code, enforcement law on the Code. • Experts on the Code of Civil Procedure, enforcement law on the Code. 		<p>Counterparts are engaged in the Project activities continuously.</p>

¹ Regarding the support for the deliberation at the National Assembly and Senate, the actual contents or degree of cooperation would be reconsidered depending on the progress of the legislative schedule.

² If the essences of the Draft Codes are vastly modified or eliminated through the deliberation process, the contents or degree of cooperation for the legislative process will be reconsidered through the mutual consultations.

³ Whether the support for drafting the Legislation Law on Family Status is possible or not would be considered when the actual contents of Family Law in the Civil Code are to be determined during the course of the deliberation.

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<p>(5)-1 Conduct preliminary survey on the laws related to the Code of Civil Procedure (Law on Bailiff, Law of Procedure in Family Matters.).</p> <p>(5)-2 Formulate detailed work plan including the persons in charge of drafting each law both in Japan and in Cambodia, as well as the time schedule for drafting the laws.</p> <p>(5)-3 Draft the laws and hold workshops for explaining the contents.</p> <p>(5)-4 Conduct training session in Japan for promoting the understanding on the articles in each law.</p> <p>(5)-5 Finalize the draft of the laws by holding terminology-selecting meetings.</p> <p>(6)-1 Conduct preliminary survey on the laws related to the Civil Code (Law on Deposit, Registration Law on Civil Status³).</p> <p>(6)-2 Provide information on the aforementioned laws and other related laws in foreign countries including Japan.</p> <p>(6)-3 Formulate detailed work plan including the persons in charge of drafting the laws both in Japan and in Cambodia, as well as the time schedule for drafting them.</p> <p>(6)-4 Draft the laws and hold workshops for explaining the contents.</p> <p>(6)-5 Conduct training session in Japan for promoting the understanding of the articles in each law.</p> <p>(6)-6 Finalize the draft of the laws by holding terminology-selecting meetings.</p>	<ul style="list-style-type: none"> • Experts on the laws related to the Civil Code. • Experts on the laws related to the Code of Civil Procedure. • Experts on the terminology translation of the Codes. • Experts on the legislation process. <p>[Training in Japan] One or two training sessions a year for the following purposes.</p> <ul style="list-style-type: none"> • Support for the legislation process • Support for the drafting of laws related to the Civil Code and the Code of Civil Procedure. <p>[Equipment] To be determined.</p>	<p>[Means of Verification]</p>	<p style="text-align: center;"><u>Preconditions</u></p> <p>Social environment in Cambodia remains stable.</p>