

Gender Mainstreaming Action Plan of the Ministry of Justice

2009 - 2013

Prepared by the Gender Mainstreaming Action Group of the Ministry of Justice
in cooperation with the Cambodia Criminal Justice Assistance Project
~ 2009 ~



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Contents

Forward Note	v
Acknowledgment	vi
1 Introduction	
1.1 Government commitment	1
1.2 Purpose for the preparation of the Gender Mainstreaming Action Plan (GMAP)	1
2 Gender Situation in the Justice Sector	
2.1 Background of the Ministry of Justice	3
2.2 Structure of the Ministry of Justice	4
2.3 Gender disparity within the justice sector	5
2.4 The Gender Mainstreaming Action Group (GMAG) of the Ministry of Justice	9
3 Goals, Strategic Objective and Indicators	
3.1 Goals of the Gender Mainstreaming Action Plan	11
3.2 Objectives of the Gender Mainstreaming Action Plan	12
3.3 Indicators of Gender Mainstreaming Action Plan	12
3.3.1 Objective one	12
3.3.2 Objective two	13
3.3.3 Objective three	13
3.3.4 Objective four	13
3.3.5 Objective five	14
4 Gender Mainstreaming Action Plan	
4.1. Table of activities	15
4.2. Implementation framework	20
4.2.1 Gender Mainstreaming Action Group	20
4.2.2 Personnel Department	20
4.2.3 Legislation Department	20
4.2.4 Department of Civil Affairs and Department of Criminal Affairs	21
Annexes	
Annex 1 Gender Terminology	22
Gender	22
Gender equality	22
Gender equity	22
Gender balance	22
Gender mainstreaming	22
Gender analysis	23
Annex 2 Sub-Decree No. 47 of the Ministry of Justice	24
Annex 3 Prakas on the Amendment of the Composition of Gender Committee for the Ministry of Justice	36



His Excellency Ang Vong Vathana, Minister of Justice.



His Excellency Ang Vong Vathana has an audience with MoJ Gender Committee and CCJAP working in Ministry of Justice.

Forward Note

Equal participation of men and women will ensure the sustainable development of the nation. The Royal Government of Cambodia under the wise leadership of Samdech Akkak Moha Sena Padei Techo Hun Sen, Prime Minister of the Kingdom of Cambodia continues to keep gender equity enhancement as an important issue in rebuilding the country. The implementation of gender policy is mentioned clearly in corner 3 of the Rectangular Strategy Phase II of the Royal Government, which describes women as the backbone of national economic and social development. The full participation of women is a factor that cannot be ignored.

To achieve the Rectangular Strategy, Phase II the Royal Government is currently paying more attention to increasing the level of women's participation as much as possible in all levels within national institutions, including the central level and local levels.

As the secretariat of the Royal Government and in order to promote gender equity participation, the Ministry of Justice has established the MoJ gender working group to implement all gender activities in order to reduce inequity of gender within the justice sector.

At the initial stage, the Ministry's gender working group commenced work by developing good cooperation with the relevant institutions and development partners in preparing for the next phases of work including the policies and the development of the Gender Mainstreaming Action Plan (GMAP) for 2009-2013 through support from the Cambodia Criminal Justice Assistance Project (CCJAP).

To support the ongoing actions required to implement this strategy successfully, I would like to appeal for active participation from all leaders and officers in the justice sector and also appeal to all development partners and donors to continue the good cooperation to promote gender mainstreaming into the justice sector with the goal to achieve the required policies and the 2009-2013 GMAP of the Ministry of Justice.

Through the Gender Mainstreaming Action Group (GMAG), I strongly believe that the policy and strategic plans above will be successfully implemented and that gender inequity will be reduced in the justice sector. In the mean time, I also would like to express my appreciation for all the efforts, undertaken with highly responsible spirit of the members of GMAG and the development partners especially the Cambodia Criminal Justice Assistance Project who cooperated with GMAG in the preparation of this policy and key strategy.

On behalf the Ministry of Justice I would like to give my full support to the policy and Gender Mainstreaming Action Plan (GMAP) 2009-2013 in the justice sector and wish that GMAG successfully carries out its duties.



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អង្គការសហប្រតិបត្តិការ

Minister of Justice
H. E. Ang Vong Vathana

Acknowledgment

The members of the Ministry of Justice's Gender Mainstreaming Action Group (GMAG) would like to express our most profound thanks to His Excellency Ang Vong Vathana, Minister of Justice who initiates, supports and encourages the Gender Mainstreaming Action Group to establish this Gender Mainstreaming Action Plan (GMAP).

We also would like to express our sincere thanks to the Cambodia Criminal Justice Assistance Project (CCJAP) especially Mr. Ian Mcphee, Court Adviser, Ms Mehrak Mehrvar, Gender Adviser, Mr. Yan Sokha, Project Officer and Ms Nuon Sokchea, Project Officer who provided technical and financial support in the preparation of this Gender Mainstreaming Action Plan from the beginning to the end.

Finally we would like to thank all Excellencies, Ladies and Gentlemen who provided comments, information, data and other documents so that the GMAG was able to prepare the Gender Mainstreaming Action Plan successfully.

Chair of GMAG

Chan Sotheavy

1 Introduction



1.1 Government commitment

Cambodia has signed and ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). This reflects the commitment of the Royal Government of Cambodia in eliminating the disparity of gender and aiming to achieve gender equity in all sectors and relevant institutions throughout Cambodia. To achieve this goal, the Royal Government of Cambodia has set priorities to promote gender equity through preparation of key policies and documents including the National Strategic Development Plan (2006-10), the Cambodian Millennium Development Goals (2003), the Government's Rectangular Strategy and especially the Constitution of the Kingdom of Cambodia, and the supreme law of the state which clearly states that "all forms of discrimination against women shall be eliminated". In addition, the Royal Government has adopted a legal reform policy and a number of laws are being drafted with the aim to ensure that men and women are treated equally.

1.2 Purpose for the preparation of the Gender Mainstreaming Action Plan (GMAP)

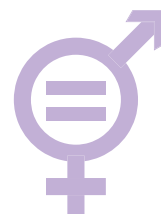
This Gender Mainstreaming Action Plan has been prepared to be a guide with the aims:

- To achieve gender equity within the justice sector;
- To develop indicators for results achieved under the objective and implementation framework;
- To provide a guide for the management teams and officers within the justice sector to follow;
- To cooperate with relevant ministries, institutions, development partners, and national and international organizations in seeking technical and financial support to implement this Gender Mainstreaming Action Plan successfully.



H.E. Ang Vong Vathana presents flowers to his wife on the occasion of International Women's Day, 8 March 2008.

2 Gender Situation in the Justice Sector



2.1 Background of the Ministry of Justice

The Ministry of Justice was established through Royal Decree No ៣៧៧/២៤/១៩៩៦ dated 24 January 1996 in the first mandate of the Royal Government of Cambodia. In the first and second mandates of the government, the Ministry of Justice had the structure described in sub-decree No. 19 រក្សា.បក្ស dated 7 April 2000. Due to an increase in the scope of work, under the third mandate the Ministry of Justice reviewed its structure as mentioned in sub-decree No 47 រក្សា.បក្ស dated 11 May 2007 with its main tasks and duties revised as follows:

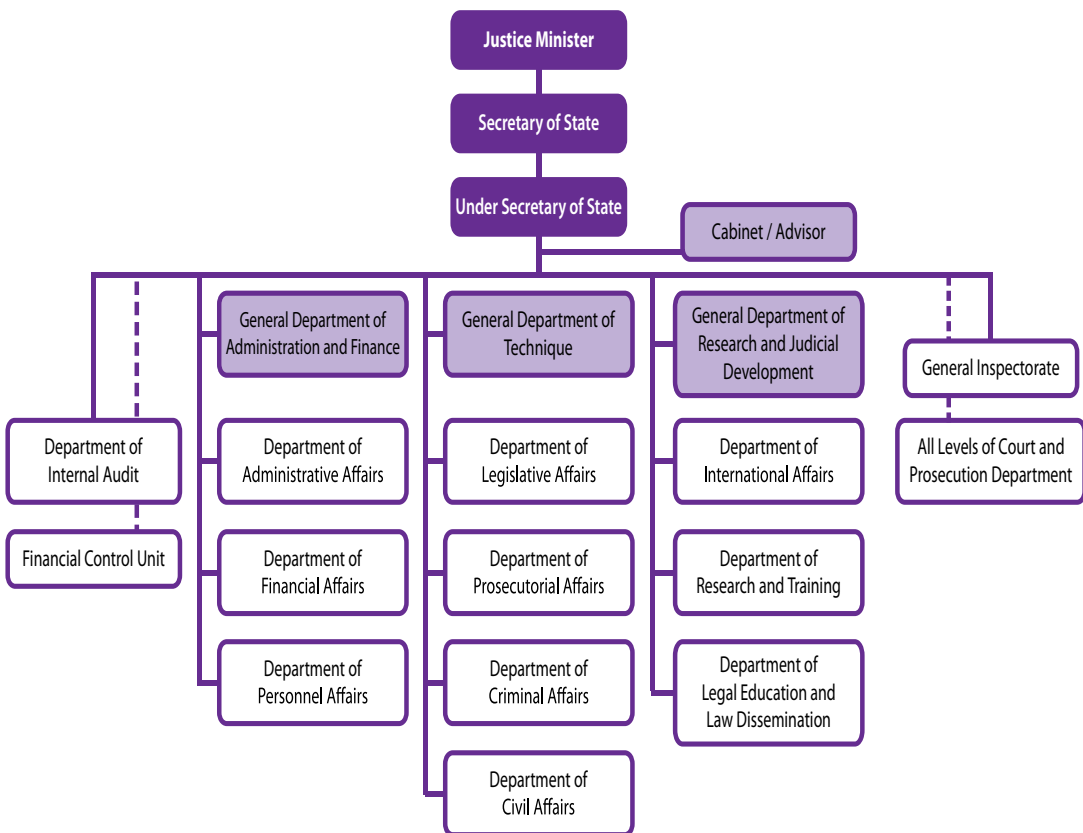
- Protect the independence of judges in performing their functions;
- Ensure justice for all according to the law;
- Establish and monitor the administration of all courts and prosecution offices;
- Ensure the functioning of all levels of court and prosecutions offices;
- Ensure the implementation of laws and all court and prosecution decisions;
- Monitor and oversee the implementation of laws, judgments and all decisions of courts and prosecutors;
- Inspect cases where there are complaints from any individuals or legal persons about courts or prosecutors;
- Monitor the legal and operational performance of the prisons and correctional centres;
- Develop draft laws within the justice sector;
- Receive and give recommendations on draft laws from other ministries and relevant institutions;
- Prepare and implement recommendations within the legal framework of the justice sector;
- Research, educate and disseminate the laws in the justice sector;
- Develop cooperation with the Royal School for Judges and Prosecutors in relation to the training of bailiffs and judicial officers;
- Cooperate with the Royal School for Judges and Prosecutors in judge, prosecutor and clerk training;
- Monitor education and dissemination of all laws relevant to the justice sector;
- Develop relationships with international agencies within the justice sector to assist in the development of relevant laws;
- Create and manage the production of extracts of criminal records;

- Receive and prepare applications for sentence reduction and amnesty in accordance with the law;
- Manage all government officers working within MoJ;
- Manage the budget for MoJ, courts, and prosecutions at all levels;
- Report quarterly on MoJ activities to the RGOC;
- Implement other activities as required by the RGOC.

2.2 Structure of the Ministry of Justice

The Ministry of Justice has its organizational structure as per sub-decree No 47 រក្សា.ប័ក្តិ dated 11 May 2007 which consists of a General Inspectorate of Court Affairs, a General Department for Administration and Finance, a General Department of Technique and a General Department of Research and Judicial Development. Each of the general departments has 3 or 4 departments. Please see the organization chart below.

Organization Chart of the Ministry of Justice





Participants in a workshop on the dissemination of CEDAW at the Ministry of Justice, 23 - 25 April 2008.

2.3 Gender disparity within the justice sector

The Ministry of Justice supports the implementation of the Royal Government of Cambodia's policy to enhance gender equity and also to contribute to the improvement of the role of women in Cambodia as well as to provide opportunity for promotion of female officers, positions and the participation in training courses and other activities. However, although many efforts have been made, we observe that still the number of women standing as candidates or participation in politics is limited and therefore not meeting the required standards. This is because of:

- The knowledge and understanding of women in the areas of rights and law is limited;
- Perception of discrimination against women;
- Understanding of gender concepts is limited;
- The Convention on the Elimination of all Forms of Discrimination Against Women has not been disseminated widely throughout the country, especially relating to law enforcement officers with regards to laws on, domestic violence etc.

Seeing such challenges, the Ministry of Justice has made further efforts through the GMAG to prepare this Gender Mainstreaming Action Plan (GMAP) as a key measure to implement and provide solutions aimed to achieving gender equity within the justice sector.

The following two tables compare numbers of men and women working within the Ministry of Justice and in provincial and municipal courts in 2003 and 2008:

Table A - Officials in July 2003

	President		Judge		Prosecutor		Court Clerk		Personnel		Total
	M	F	M	F	M	F	M	F	M	F	
Minister's Office	4	-	-	-	-	-	-	-	-	-	4
Court Inspectorate	4	-	2	-	-	-	3	-	1	-	10
Office/advisor	-	-	-	-	-	-	1	-	-	-	1
Administrative Dept	9	2	-	-	-	-	20	6	4	-	41
Criminal Dept	5	-	1	-	-	-	10	11	8	4	39
Personnel Dept	5	-	-	-	-	-	18	5	49	8	85
Prosecution Dept	2	-	1	-	-	-	14	4	3	2	26
Civil Affairs Dept	2	1	-	1	-	-	13	2	2	3	24
International Dept	3	-	1	-	-	-	3	-	4	-	11
Subtotal	34	3	5	1	0	0	82	28	71	17	241
Courts											
Supreme	1	-	14	-	3	-	30	17	2	2	69
Appeals	-	-	9	2	7	1	58	14	5	-	96
Phnom Penh	-	-	13	1	6	-	104	14	7	1	146
Sihanoukville	-	-	4	-	3	-	20	-	-	-	27
Kandal	-	-	8	2	4	-	65	8	4	1	92
K.Speu	-	-	3	-	2	-	18	2	2	-	27
Kampot	-	-	4	1	2	-	15	5	2	-	29
Takeo	-	-	3	-	2	-	39	2	1	-	47
Koh Kong	-	-	3	-	2	-	10	2	1	-	18
K.Cham	-	-	5	2	3	-	36	2	1	-	49
K.Chhnang	-	-	4	-	2	-	21	2	1	-	30
K.Thom	-	-	4	1	3	-	13	4	-	-	25
Pursat	-	-	4	-	2	-	18	2	1	-	27
Battambang	-	-	5	1	3	-	31	5	8	-	53
Bantey Meanchay	-	-	6	-	3	-	17	3	4	-	33
Siem Reap	-	-	4	-	3	-	25	5	3	-	40
Preah Vihear	-	-	2	-	1	-	2	2	-	-	7
Kratie	-	-	3	-	3	-	6	2	-	1	15
Svay Rieng	-	-	4	-	2	-	15	-	2	-	23
Prey Veng	-	-	3	1	3	-	19	6	6	1	39
Stung Treng	-	-	2	-	2	-	4	2	-	-	10
Rattanak Kiri	-	-	4	-	1	-	5	2	1	-	13
Monduliri	-	-	2	1	1	-	5	-	-	-	9
Pailin	-	-	-	-	-	-	6	-	9	1	16
SCM	-	-	1	-	-	-	3	-	-	-	4
Out of Cadre	-	-	-	1	-	-	1	-	-	-	2
Subtotal	1	0	114	13	63	1	586	101	60	7	946
Total by sex	35	3	119	14	63	1	668	129	131	24	
Total	38		133		64		797		155		1187

Table B - Officials in September 2008

	President		Judge		Prosecutor		Dep Pros		Pro General		D.P.G		Clerk		Personnel		Total
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
MoJ Office	1	-	6	2	1	-	1	-	-	-	-	-	-	-	-	-	11
Minister's Office	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
General Dept of Admin & Finance	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
Dept of Administration	9	2	-	-	-	-	-	-	-	-	-	-	2	1	5	-	19
Dept of Finance	8	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	9
Dept of Personnel	5	2	-	-	-	-	-	-	-	-	-	-	4	-	64	31	106
Technical General Dept	1	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	3
Dept of Legislation	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
Dept of Pros Affairs	4	1	1	-	-	-	-	-	-	-	-	-	4	1	3	1	15
Dept of Crim Affairs	11	1	-	-	-	-	-	-	-	-	-	-	6	5	10	5	38
Dept of Civil Affairs	7	3	-	-	-	-	-	-	-	-	-	-	2	-	5	-	17
Gen Dept of R&D	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
Dept of Int Relations	5	3	-	-	-	-	-	-	-	-	-	-	1	-	3	-	12
Dept of Research & Training	1	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3
Dept of Dissemination	1	2	-	-	-	-	-	-	-	-	-	-	-	-	2	-	5
General Inspectorate	10	-	1	1	-	-	-	-	-	-	-	-	-	-	1	-	12
Internal Auditing Dept	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4
Subtotal	76	16	9	3	1	0	1	0	0	0	0	0	20	7	93	37	263
Courts																	
Supreme	3	4	11	1	2	-	-	-	1	-	-	-	14	11	7	4	58
Appeals	-	-	12	1	6	1	-	-	1	-	1	-	39	13	11	5	90
Phnom Penh	-	-	14	2	1	-	7	-	-	-	-	-	95	21	4	1	145
Sihanoukville	-	-	5	2	1	-	3	-	-	-	-	-	12	-	1	-	24
Kandal	-	-	11	4	1	-	6	1	-	-	-	-	58	6	2	1	90
K.Speu	-	-	5	2	1	-	1	-	-	-	-	-	9	-	5	1	24
Kampot	-	-	8	-	1	-	2	-	-	-	-	-	16	3	2	1	33
Takeo	-	-	7	-	1	-	3	-	-	-	-	-	30	2	3	-	46
Koh Kong	-	-	4	-	1	-	2	-	-	-	-	-	9	2	1	-	19
K.Cham	-	-	8	2	1	-	3	-	-	-	-	-	28	2	3	-	47
K.Chhnang	-	-	6	-	1	-	2	-	-	-	-	-	17	2	2	-	30
K.Thom	-	-	5	1	1	-	2	-	-	-	-	-	8	3	2	-	22
Pursat	-	-	6	-	1	-	2	-	-	-	-	-	13	1	3	1	27
Battambang	-	-	10	-	1	-	4	-	-	-	-	-	18	6	5	-	44
Bantey Meanchay	-	-	7	1	1	-	3	-	-	-	-	-	17	2	5	-	36
Siem Reap	-	-	9	-	1	-	3	-	-	-	-	-	29	7	5	-	54
Preah Vihear	-	-	4	-	1	-	1	-	-	-	-	-	2	2	-	-	10
Kratie	-	-	3	1	1	-	2	-	-	-	-	-	5	3	1	-	16
Svay Rieng	-	-	5	-	1	-	2	-	-	-	-	-	11	-	2	-	21
Prey Veng	-	-	5	-	1	-	2	-	-	-	-	-	15	7	6	1	37
Stung Treng	-	-	5	-	1	-	1	-	-	-	-	-	3	2	1	-	13
Rattanak Kiri	-	-	4	-	1	-	1	-	-	-	-	-	4	1	1	2	14
Mondulkiri	-	-	3	1	1	-	1	-	-	-	-	-	4	-	-	-	10
RAJP	-	-	1	-	2	-	-	-	-	-	-	-	-	-	-	-	3
Pailin	-	-	-	-	-	-	-	-	-	-	-	-	6	-	6	1	13
Subtotal	3	4	158	18	31	1	53	1	2	0	1	0	462	96	78	18	926
Total by sex	79	20	167	21	32	1	54	1	2	0	1	0	482	103	171	55	
Total	99		188		33		55		2		1		585		226		1189

According to Table A, which shows the number of civil servants at the Ministry of Justice together with all judges and prosecutors in provinces and municipalities as of July 2003 (Second Mandate of the Government), there were only 4 women in leadership positions and in management positions within the Ministry of Justice ranging from department head to bureau head, as for the provincial and municipal courts there were no female presidents except the President of the Court of Appeal. The total of number of judges was 133 including 14 women; as for prosecutors there was only one female prosecutor out of 64 prosecutors throughout the country; out of 797 court clerks there were only 192 female court clerks. There were only 24 female personnel out of 155 personnel working at the Ministry of Justice, provincial and municipal courts and prosecution departments.

Table B demonstrates that the number of female officers in management positions, the number of judges, prosecutors, and court clerks and the number of officials of the Ministry of Justice and courts of all levels had increased in the term of the Third Mandate of the Government by comparison with the first and second mandates.



The Gender Mainstreaming Action Group of the Ministry of Justice.

2.4 The Gender Mainstreaming Action Group (GMAG) of the Ministry of Justice

The Gender Mainstreaming Action Group (GMAG) was first established in 2002 under Prakas No.49 បន.ក, បបប/ 2002 dated 17 December 2002. It was composed of 7 members. Some of the members of the group retired and a new composition was established through review of the old composition and replacement of those who retired in order to meet the requirement of the Ministry according to Prakas No. 2 បន.បបប/04 dated 14 January 2004. In 2007 after a request from the Chair of MoJ Gender Mainstreaming Action Group and with the aim to expand and improve gender activities, the Ministry of Justice reviewed the composition of the GMAG under Prakas No. 82 កប.បន.ក dated 24 December 2007 with the following composition:

1	H.E. Chan Sotheavy	Secretary of State	Chair
2	Ms So Dany	Deputy Director of Department	Deputy Chair
3	Miss Mao Phirun	Deputy Director of Department	Member
4	Ms Nil Philip	Director of Department	Member
5	Miss Phan Chanly	Deputy Director of Department	Member
6	Ms Dan Chantravatey	Kandal Court Clerk	Member
7	Ms Meoung Samyea	Vice chief of Bureau	Secretary

GMAG roles and responsibilities as listed below:

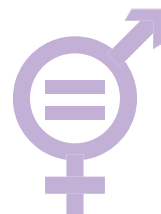
- Facilitate, cooperate and seek financial and technical support from relevant institutions, NGOs, national and international development partners to promote gender in the justice sector;
- Lead and initiate the preparation of the Gender Mainstreaming Action Plan of the Ministry of Justice by cooperating with relevant partners;
- Prepare a strategy for cooperation with different partners to implement GMAG;
- Organize meetings to present the GMAG of the Ministry of Justice;
- Lead and facilitate the planning process and implement gender related activities of various departments under the Ministry of Justice;
- Prepare the strategic plan, train and disseminate gender concepts, gender analysis and CEDAW to MoJ and court officials;
- Cooperate with relevant agencies to advocate and promote gender equity according to the gender policy set forth by the government.



Her Excellency Chan Sotheavy, Secretary of State and chair of MoJ Gender Committee has visited the soldiers stationed at Preah Vihea temple in the occasion of International Women's Day, 8 March 2009.



3 Goals, Strategic Objectives and Indicators



3.1 Goals of the Gender Mainstreaming Action Plan

All objectives and indicators stated in the GMAP seek to reach the following overall goals:

- Ensure equality between men and women in access to justice;
- Ensure equity between men and women in all areas;
- Ensure equity between men and women in the recruitment and selection of candidates;
- Reduce violence against women.



Workshop on the dissemination of the result of the research of national laws and CEDAW Convention in Himawari Hotel, 5 April 2009.

3.2 Objectives of the Gender Mainstreaming Action Plan

- 1 Strengthening the capacity of the Gender Mainstreaming Action Group (GMAG) to lead and coordinate the development and implementation of MoJ's gender mainstreaming action plan.
- 2 Strengthening the capacity of officials of the Ministry of Justice and provincial and municipal courts; integrate gender initiatives into activities of all departments and establish contact officers in all provincial and municipal courts.
- 3 Increasing gender mainstreaming and understanding of relevant laws at local levels.
- 4 Setting up appropriate mechanisms and allocating adequate resources to mainstream gender into policy formulation, organizational planning, drafting of new legislations, regulations and capacity development.
- 5 Increasing women's representation at all levels and in particular senior positions and participation of women in all other activities.

3.3 Indicators of the Gender Mainstreaming Action Plan

3.3.1 Objective one

Strengthening the capacity of the Gender Mainstreaming Action Group to lead and coordinate the development and implementation of MoJ's Gender Mainstreaming Action Plan.

Achievement of the objectives is to be measured using the following seven indicators:

- 1 By 2009, the GMAG members will have drafted and reviewed the GMAP.
- 2 By 2009, the GMAG annual activity plan is implemented with finance allocated to each activity.
- 3 By 2009, the MoJ's GMAP is drafted, approved, and officially launched.
- 4 By 2009, a capacity development assessment is carried out to determine the required skill trainings for each individual as well as the group.
- 5 By 2009, a series of on-the-job training is supported to enhance the capacity of GMAG members.
- 6 By 2010, the MoJ's gender mainstreaming annual activity plan is integrated as part of MoJ overall annual plan and financed.
- 7 By 2010, GMAG members are competent and skillful to lead the development of a gender mainstreaming annual activity plan and coordinate its implementation.

3.3.2 Objective two

Strengthening the capacity of officials of the Ministry of Justice and provincial and municipal courts and integrate gender initiatives into activities of all departments and establish contact officers in all provincial and municipal courts.

Achievement of the objective is measured by the following four indicators:

- 1 By 2010, documentation and methodology on gender and CEDAW trainings are designed and disseminated.
- 2 By 2010, MoJ core management and operational staff have received necessary capacity development support in order to include gender perspectives and CEDAW into their activities.
- 3 By 2010, contact officers at provincial and municipal courts established throughout the country.
- 4 By 2012, all MoJ officials and officials of provincial and municipal courts have knowledge about gender issues and CEDAW and have the capacity and commitment to exercise their roles and responsibilities in a way that respects gender perspectives.

3.3.3 Objective three

Increasing gender mainstreaming and understanding of relevant laws at local levels.

Achievement of the objective is measured by the following five indicators:

- 1 By 2011, documentation for the delivery of training for contact officers at provincial and municipal courts and general public is established.
- 2 Between 2010 and 2012, gender awareness training is delivered to contact officers at provincial and municipal courts.
- 3 Between 2010 and 2013, dissemination of gender concepts and relevant laws are provided to relevant officers and the public.
- 4 By 2013, prepare a mechanism to monitor the participation of law enforcement officers and people in the implementation of CEDAW.
- 5 By 2013, monitor the implementation of the law on the prevention of the domestic violence and other relevant laws.

3.3.4 Objective four

Setting up appropriate mechanisms and allocating adequate resources to mainstream gender into policy formulation, organizational planning, drafting of new legislations, regulations and capacity development.

Achievement of the objective is measured by the following six indicators:

- 1 By 2010, in a joint partnership with Ministry of Women's Affairs and consultation with relevant stakeholders, modules are developed to support the implementation of the Law on Prevention of Domestic Violence and the Protection of Victims of Domestic Violence; the Law on Suppression of Human Trafficking and Sexual Exploitation and other relevant laws.
- 2 By 2011 at least four selected departments have applied gender responsive mechanisms in planning and implementation of their activities.
- 3 By 2013, data inventory in two provincial courts have incorporated a gender differentiated system and included all required information to support the implementation of the Law on the Prevention of Domestic Violence and the Protection of Victims, and the Law on Suppression of Human Trafficking and Sexual Exploitation.
- 4 By 2013, gender perspectives are discussed and integrated in the drafting process of a maximum of 7 legislations.
- 5 By 2011, all MoJ departments have in place mechanisms to integrate gender issues and perspectives into their roles and responsibilities and the MoJ overall annual plan.
- 6 By 2013, all MoJ departments collect data and report in a gender differentiated manner.

3.3.5 Objective five

Increasing women's representation at all levels and in particular senior positions and participation of women in all other activities.

Achievement of the objective is measured by the following seven indicators:

- 1 By 2011, specific capacity building initiatives are designed to enhance the capacity of female staff at all levels.
- 2 By 2013, MoJ departments and GMAG propose to lobby activities to increase the number of female officials at all levels and participation of women in all activities.
- 3 By 2013, the number of women in senior positions is increased by five per cent (5%).
- 4 By 2013, the number of women in MoJ's legislation committee and other sub-committees is increased by three per cent (3%).
- 5 By 2013, the number of female judges is increased by five per cent (5%).
- 6 By 2013, the number of female court clerks is increased by seven per cent (7%).
- 7 By 2013, the number of female MoJ civil servants is increased by five per cent (5%).

4 Gender Mainstreaming Action Plan



4.1. Table of activities for 2009 - 2013

MoJ Gender Mainstreaming Action Plan 2009 - 2013				
Objective 1				
Strengthening the capacity of the Gender Mainstreaming Action Group to lead and coordinate the development and implementation of MoJ's Gender Mainstreaming Action Plan (GMAP).				
Planned Activities	Responsible	Indicators	Date	Resources
1.1 The Gender Mainstreaming Action Plan (GMAP) is drafted and reviewed	GMAG	GMAP is prepared and reviewed	2009	-
1.2 The GMAP draft is finalized, approved, and officially launched	GMAG	GMAP is approved & officially launched	2009	-
1.3 Develop the GMAP annual activity plan	GMAG	GMAP annual plan is implemented with financial support	2009	-
1.4 A capacity development assessment is carried out to determine the trainings required for GMAG members	GMAG	Members of GMAG are trained and their capacity is built	2009	-
1.5 Prepare subsequent training to enhance the capacity of the GMAG members	GMAG	Capacity of GMAG members is improved through supported trainings	2009	-
1.6 The MoJ's gender mainstreaming annual activity plan is integrated as part of MoJ overall annual plan and financed	GMAG Relevant departments	GMAP is incorporated into MoJ's plan and financed through government budget	2010	-
1.7 Prepare, lead and coordinate the implementation of annual planning activities	GMAG	Annual activity plan is managed and coordinated by GMAG in cooperation with CCJAP	2010	-

Objective 2

Strengthening the capacity of officials of the Ministry of Justice and provincial and municipal courts and integrate gender initiatives into activities of all departments and establish contact officers in all provincial and municipal courts.

Planned Activities	Responsible	Indicators	Date	Resources
2.1 Prepare manual and methodology for gender and CEDAW trainings	GMAG	Manuals and method for gender and CEDAW training are developed	2010	-
2.2 Arrange the dissemination of gender concepts and request for an inclusion of gender concepts into the Ministry's activity plan	GMAG and relevant departments	Officials and management team are supported and gender concepts are integrated into MoJ Activity Plan	2010	-
2.3 Establish contact officers at provincial - municipal courts of first instance and prosecutors' offices	GMAG and provincial - municipal courts of first instance and prosecutors' offices	Contact officers at provincial - municipal courts of first instance and prosecutors' offices are established	2010	-
2.4 Prepare, encourage and monitor the implementation of gender concepts in various departments under the Ministry of Justice and in provincial - municipal courts of first instance and prosecutors' offices	GMAG and relevant departments; Provincial - municipal courts of first instance and prosecutors' offices	Gender perspectives are respected and implemented by departments under the Ministry of Justice and by provincial - municipal courts of first instance and prosecutors' offices	2012	-

Presentation by H.E. Chan Sotheavy, Secretary of State of the Ministry of Justice, in a workshop on formulation of the assessment on the consistency between CEDAW and national laws in Siem Reap, 8 - 12 September 2008.



Objective 3

Increasing gender mainstreaming and understanding of relevant laws at local levels.

Planned Activities	Responsible	Indicators	Date	Resources
3.1 Prepare the manual for the delivery of training to contact officers at provincial - municipal courts of first instance and prosecutors' offices and to the general public	GMAG	A manual for training of contact officers at provincial - municipal courts of first instance and prosecutors' offices and public dissemination information on gender is available	2011	-
3.2 Gender awareness trainings are delivered to contact officers at provincial - municipal courts of first instance and prosecutors' offices	GMAG Focal points at provincial - municipal courts of first instance and prosecutors' offices	Contact officers at provincial - municipal courts of first instance and prosecutors' offices understand gender and relevant laws	2010 to 2012	-
3.3 Organize workshops to disseminate gender and relevant laws to the public and involved officers	GMAG	People and relevant officers understand gender and relevant laws	2010 to 2013	-
3.4 Prepare a mechanism to monitor the participation of law enforcement officers and people in the implementation of CEDAW	GMAG	Clear information on the participation and implementation of CEDAW by law enforcement officers and the public is available	2013	-
3.5 Monitor the implementation of Law on the Prevention of Domestic Violence and Victim Protection and other relevant laws at provincial courts and relevant institutions	GMAG	Clear information on the implementation of Law on the Prevention of Domestic Violence and Protection of Victims is available at provincial courts and relevant institutions	2013	-

Objective 4

Setting up appropriate mechanisms and allocating adequate resources to mainstream gender into policy formulation, organizational planning, drafting of new legislation, regulations and capacity development.

Planned Activities	Responsible	Indicators	Date	Resources
<p>4.1 Develop modules to disseminate the implementation of the Law on Prevention of Domestic Violence and Protection of Victims and explanatory note for the Law on Human Trafficking and Sexual Exploitation and other relevant laws</p>	GMAG MoWA Donors Relevant institutions	Manuals on the dissemination of Law on the Prevention of Domestic Violence and Protection of Victims and Law on Suppression of Human Trafficking and Sexual Exploitation and relevant laws are developed	2010	-
<p>4.2 Develop plan and implement activities in four selected departments</p>	GMAG Relevant departments	Four departments have gender responsive mechanisms in accordance with the Gender Mainstreaming Action Plan	2011	-
<p>4.3 Data inventory in two provincial courts has incorporated a gender differentiated system and included all required information to support the implementation of the Law on the Prevention of Domestic Violence and the Protection of Victims, and the Law on Suppression of Human Trafficking and Sexual Exploitation</p>	GMAG Provincial - municipal courts of first instance and prosecutors' offices	Data inventory is available and information on the domestic violence and human trafficking laws is mainstreamed into two courts	2013	-
<p>4.4 Gender perspectives discussed and integrated in the drafting process of a maximum of seven legislations</p>	Relevant departments GMAG Drafting legislation working group	Seven drafted legislations included gender perspectives	2013	-
<p>4.5 Include gender issues and perspectives into all departments and into MoJ's annual plan</p>	Managers All departments GMAG	Gender issues and perspectives included into all departments and into MoJ's annual plan	2011	-
<p>4.6 Collect data and reports on gender from all departments</p>	All departments GMAG	Data and reports on gender are collected	2013	-

Objective 5

Increasing women's representation at all levels and in particular senior positions and participation of women in all other activities.

Planned Activities	Responsible	Indicators	Date	Resources
5.1 Specific capacity building initiatives are designed to enhance the capacity of female staff at all levels	GMAG	Measure to build capacity of female civil servants is developed	2011	-
5.2 Prepare recommendations and lobby for an increase of the number of female officials in important positions and participate in all activities	All departments GMAG	Recommendations are developed	2013	-
5.3 Push for an inclusion of female officers in senior positions	Managers GMAG	Number of women in senior positions increases by 5%	2013	-
5.4 Prepare recommendations or requests to the management to include a number of women in the legislation committee and sub-committees	All departments GMAG	Recommendations or suggestions are developed	2013	-
5.5 Work with competent institutions to prepare the strategy for an inclusion of gender issues into the principles of recruitment of judges and prosecutors	Managers GMAG Personnel department Relevant institutions	Number of female judges increases by 5%	2013	-
5.6 Work with competent institutions to prepare the strategy for an inclusion of gender issues into the principles of recruitment of court clerks	Managers GMAG Personnel department Relevant institutions	Number of female court clerks increases by 7%	2013	-
5.7 Prepare the strategy to include gender issues into the Ministry's staff recruitment policy	Managers GMAG Personnel department	Number of female civil servants in the Ministry increases by 7%	2013	-

4.2 Implementation framework

4.2.1 Gender Mainstreaming Action Group

- Lead and coordinate the implementation of the Gender Mainstreaming Action Plan and provide guidance on the implementation of the Gender Mainstreaming Action Plan;
- Draft and prepare the Gender Mainstreaming Action Plan;
- Coordinate the efforts of relevant departments and contact officers at provincial courts with regards to gender affairs and report to the Minister;
- Prepare the integration of the Gender Mainstreaming Action Plan into the Ministry's plan;
- Seek support from development partners and engage in Gender Mainstreaming Action Plan activities;
- Cooperate with relevant institutions and NGOs to share information and experience;
- Monitor the progress of the outcome objectives and indicators;
- Prepare dissemination documents and implement the activities of disseminating CEDAW and relevant laws;
- Prepare progress reports and submit to the Minister of Justice.

4.2.2 Personnel Department

- Prepare updated data of female officers in the Ministry of Justice and the sector;
- Compile the background of female officers who are successful in their positions in the Ministry of Justice and the sector;
- Prepare the principles of equity between male and female officers in the Ministry of Justice and the sector;
- Include female officers in the composition of staff recruitment committee and the committee for assessment for promotion etc;
- Prepare reports and recommendations on gender affairs for the Chair of GMAG to report to the Minister;
- Participate in any gender related training programs;
- Participate in gender mainstreaming activities.

4.2.3 Legislation Department

- Review the composition of the legislation committee and sub-committee and provide recommendations for the review to ensure a balance between male and female members of the various committees and sub-committees;
- Select two draft laws for piloting the integration and mainstreaming of gender perspectives;

- Prepare gender related reports and recommendations in the department and submit to the Chair of the Gender Mainstreaming Action Group to report to the Minister of Justice;
- Participate in training courses in relation to gender mainstreaming;
- Participate in the implementation of gender mainstreaming activities.

4.2.4 Department of Civil Affairs and Department of Criminal Affairs

- Select two draft laws for piloting the integration and mainstreaming of gender perspectives;
- Prepare gender related reports and recommendations in the Department of Civil Affairs and Department of Criminal Affairs for the Chair of the Gender Mainstreaming Action Group to report to the Minister;
- Cooperate with the Gender Mainstreaming Action Group in the preparation of a training manual for the dissemination of the Law on Prevention of Domestic Violence and Protection of Victims and the Law on the Suppression of Human Trafficking and Sexual Exploitation and other monitoring mechanisms;
- Participate in gender related workshops and trainings;
- Participate in the implementation of gender activities.



Gender mainstreaming activity of GMAG and CCJAP officers in Koh Kong Province, 27 April to 4 May 2008.



Annex 1 Gender Terminology

Gender:

Gender refers to ideas and opinion absorbed culturally and socially which include the value, behavior, roles and responsibilities something that women or men can change from time to time and makes a difference between cultures. In most societies, feminism or masculinity is a challenge of different expectations depending on the roles determined by society according to what we have learnt when growing up.

Gender equality:

Gender equality refers to equal participation of women and men or boys or girls in the implementation of rights, employment opportunities, services, and resources. These need to have at the time that men and women or boys or girls have equal conditions through understanding of their own rights and potential to engage in social, economic and political development and equal distribution of benefits is made through results. Equality means women and men or boys and girls shall be treated the same; however, their rights and employment opportunities around are not limited even though a person is borne as a male or a female.

Note: Women may have the same access to opportunity as men but if women don't have access to opportunity as men then the conditions are not sufficient.

Gender equity:

Gender equity refers to the way to reach gender equality. Equity contributes to the equality. To ensure equality, usually there are interventions to response to the loss of society and hindrance of traditions that separates men and women from being treated equally.

Gender balance:

Gender balance refers to the number of women in comparison with the number of men who equally work in any institution in the sector and in various areas. It can be said that achieving a balance or normally the greater the number of women as representatives does not create any issue to gender program nor all men don't want to know about gender. Moreover, the balance between men and women in all workplaces and meeting for a of communities creates the incorporation of all voices.

Gender mainstreaming:

Gender mainstreaming may reflect the concept of any process by incorporating the requirements, interests, and concerns from women, men, girls and boys at all stages of preparing plans in the implementation and assessment of gender mainstreaming to assist us:

- To meet requirements and priorities as set forth in the specific goals on the basis of understanding by women, men, boys and girls who are affected by any specific issue such as legal issue, project establishment etc.

- To facilitate the preparation and establishment of programs in a more effective way;
- To ensure that there is attention to the requirement and concern of women, and men, boys, and girls.

Gender analysis:

Gender analysis assists us to understand the work and various programs that may affect women, men or boys and girls differently and how they are benefiting equally. Gender analysis makes us foresee different methods in coordinating and disseminating information in relation to gender or makes us foresee the activities of men and women. Usually an analysis to gender issue poses a question: Who does what? Who receives what? Who loses what?



Annex 2 Sub-Decree No 47 of the Ministry of Justice

SUB-DECREE
ON
ORGANIZATION AND FUNCTIONING OF THE MINISTRY OF JUSTICE

ROYAL GOVERNMENT

- Referring to the Constitution of the Kingdom of Cambodia
- Referring to the Royal Decree No. **នស/រកត**/0704/124 dated July 15, 2004 on Formation of the Royal Government of Cambodia
- Referring to the Royal Assent No. 02/**នស**/94 dated July 20, 1994 on Promulgation of the Law on Organization and Functioning of the Council of Ministers
- Referring to the Royal Assent No. **នស/រកម**/0196/04 dated January 24, 1994 on Promulgation of the Law on Establishment of the Ministry of Justice
- Referring to the Royal Assent No. 09/**នស**/94 dated December 22, 1994 on Promulgation of the Law on Organization and Functioning of the Supreme Council of Magistracy
- Referring to the Sub-Decree No. 20 **អនក្រ/បក** dated April 30, 1996 on Organization and Functioning of the Ministries and State Secretariats
- Pursuant to the Approval of the Council of Ministers at its Cabinet Meeting dated April 20, 2007

IT IS HEREBY DECIDED

CHAPTER I
GENERAL PROVISIONS

Article 1

The purpose of this Sub-Decree is to determine the mission, role, duties organization and functioning of the Ministry of Justice and function of the General Inspectorate and General Departments, where are under the supervision of the Ministry of Justice.

CHAPTER II

MISSION, ROLE, DUTY, AND STRUCTURE

Article 2

The Ministry of Justice shall direct and manage the administration of justice of the Kingdom of Cambodia.

Article 3

The Ministry of Justice shall be responsible for:

- Protect the independence of judges in performing their functions;
- Ensure justice for all according to the law;
- Establish and monitor the administration of all courts and prosecution offices;
- Ensure the functioning of all levels of court and prosecutions offices;
- Ensure the implementation of laws and all court and prosecution decisions;
- Monitor and oversee the implementation of laws, judgments and all decisions of courts and prosecutors;
- Inspect cases where there are complaints from any individuals or legal persons about courts or prosecutors;
- Monitor the legal and operational performance of the prisons and correctional centres;
- Develop draft laws within the justice sector;
- Receive and give recommendations on draft laws from other ministries and relevant institutions;
- Prepare and implement recommendations within the legal framework of the justice sector;
- Research, educate and disseminate the laws in the justice sector;
- Develop cooperation with the Royal School for Judges and Prosecutors in relation to the training of bailiffs and judicial officers;
- Cooperate with the Royal School for Judges and Prosecutors in judge, prosecutor and clerk training;
- Monitor education and dissemination of all law relevant to the justice sector;
- Develop relationships with international agencies within the justice sector to assist in the development of relevant laws;
- Create and manage the production of extracts of criminal records;
- Receive and prepare applications for sentence reduction and amnesty in accordance with the law;
- Manage all government officers working within MoJ;
- Manage the budget for MoJ, courts, and prosecutions at all levels;
- Report quarterly on MoJ activities to the RGOC;
- Implement other activities as required by the RGOC.

Article 4

The Ministry of Justice shall be endowed with the following organizational structure:

- Cabinet of the Minister
- Internal Audit Department
- General Inspectorate
- General Department of Administration and Finance
- General Department of Technique
- General Department of Research and Judicial Development

The organization chart of the Ministry of Justice shall be attached in the annex of this Sub-Decree.

CHAPTER III CABINET OF THE MINISTER

Article 5

The Cabinet of the Minister shall be responsible for all missions defined by the provisions of Sub-Decree No. 20/១៣៧៧/ពត្តិ dated April 30, 1996 on Organization and Functioning of the Ministries and State Secretariats.

CHAPTER IV INTERNAL AUDIT DEPARTMENT

Article 6

The Internal Audit Department shall be directly supervised by the justice minister and shall be responsible for duties defined by the Sub-Decree No. 40/១៣៧៧/ពត្តិ dated February 15, 2005 on Organization and Functioning of the Internal Audit Departments of the Institutions, Ministries, and Public Enterprises.

The Internal Audit Department shall be managed by a director assisted by a number of deputy directors as necessary.

CHAPTER V GENERAL INSPECTORATE

Article 7

The General Inspectorate shall be responsible for:

- Conducting regular inspections of institutions subjected to the jurisdiction of the Ministry of Justice.
- Conducting permanent inspections of administrative process and laws implementation of all levels of court and prosecution department.
- Conducting inspections at the courts and prosecution department in case where there are the complaints from the person against the courts and

prosecution departments and report to the justice minister and the Supreme Council of Magistracy and defend such report at the Discipline Council of the Supreme Council of Magistracy.

- Preparing reports to the justice minister on the administrative process and the laws implementation of all levels of court and prosecution department and institutions under supervision of the Ministry of Justice, which has been inspected and providing suggestion for their improvement.
- Reviewing and disposing the evidences kept by the courts and prosecutions departments.
- Reviewing and mediating administrative disputes related to the competence of civil servants and agents of the Ministry.
- Performing duties as provided by the justice minister.

The General Inspectorate shall assist the justice minister in coordination the affairs with the Supreme Council of Magistracy and shall assist the Supreme Council of Magistracy and shall be responsible for:

- Contacting and coordinating the affairs of the Ministry of Justice with the Supreme Council of Magistracy with the purpose to better and uniform the process of judiciary system.
- Receiving complaints filed against judges and prosecutors and submitting documents related to complaints to the Discipline Council of the Supreme Council of Magistracy.
- Obtaining responsibility to process the administrative affairs, made reports and minutes of meetings of the Supreme Council of Magistracy and its Discipline Council, and keep these reports and minutes and other documents.

The General Inspectorate shall be managed by a general inspector assisted by one deputy general inspector and a number of inspectors as necessary.

CHAPTER VI

GENERAL DEPARTMENT OF ADMINISTRATION AND FINANCE

Article 8

The General Department of Administration and Finance shall be responsible for coordination and management on administrative affairs, officials, plans, statistics and finances of the Ministry and the Supreme Council of Magistracy.

The General Department of Administration and Finance shall be endowed with the following three Departments:

- Department of Administrative Affairs
- Department of Financial Affairs
- Department of Personnel Affairs

The General Department of Administrative and Finance shall be managed by a general director assisted by a number of deputy general inspectors as necessary.

Article 9

The Department of Administrative Affairs shall be responsible for:

- Coordinating administrative management at the central level and between local institutions under its jurisdiction.
- Managing and circulating administrative documents of the Ministry.
- Ensuring administrative efficiency and safety and handling social affairs of the Ministry.
- Preparing and disseminating statistics of judicial and prosecution affairs.
- Preparing and managing the data system of the Ministry and fixing up development programs.
- Receiving and allocating materials to the courts and prosecution departments.
- Preparing service of receive and provide information.
- Managing affairs of keeping the documents.
- Organizing meetings, conferences, seminars, protocols, and other ceremonies within the Ministry.
- Summarizing and making reports on affairs and activities of the Ministry.
- Preparing monthly, trimester, semester, nine months, and annual reports to leaders.
- Performing other duties as provided by the justice minister.

The Department of Administrative Affairs shall be managed by a director assisted by a number of deputy directors as necessary.

Article 10

The Department of Financial Affairs shall be responsible for:

- Managing budgets and Finances, state budgets other than the budgets of the Ministry, for processing of the Supreme Council of Magistracy's affairs and the justice minister is a supervisor.
- Gathering requests for expenditure, preparing outcome lists, preparing expenditure plans, managing material repairs, building renovation and construction.
- Compiling and reconciling budgets of the Ministry.
- Administering movable and immovable properties, assets, and inventories.
- Managing personnel files and bookkeeping on property regularly.
- Managing budgets of the Ministry and courts and prosecution departments.
- Managing and disposing revenues in accordance with the Financial Law.
- Computerizing financial and accounting activities.
- Operating public procurement tenders of the Ministry.
- Preparing economics, social affairs, and public investments projects of the Ministry.
- Preparing Ministry expenditure plans and monitoring their operation.
- Preparing monthly, trimester, semester, nine months, and annual reports to leaders.
- Performing other duties as provided by the justice minister.

The Department of Financial Affairs shall be managed by a director assisted by a number of deputy directors as necessary.

Article 11

The Department of Personnel Affairs shall be responsible for:

- Administering civil servants of the Ministry in collaboration with the State Secretariat of Civil Service.
- Preparing policies for recruitment, appointment, promotion, removal, and retirement for the Ministry as determined by law.
- Completing documents and requesting for labor medals and other decorations for leaders, civil servants, and foreign experts to the Ministry, who have good labor performance.
- Determining the functions and number of civil servants and collecting information related to activities of all levels of court and prosecution department.
- Preparing administrative letters for personnel management.
- Preparing statistics and production of decision making tools for personnel management.
- Preparing determination of number of judges and prosecutors in accordance with the proportion of people in provincially and municipality project for the process of the courts and prosecution departments.
- Preparing monthly, trimester, semester, nine months, and annual reports to leaders.
- Performing other duties as provided by the justice minister.

The Department of Personnel Affairs shall be managed by a director assisted by a number of deputy directors as necessary.

CHAPTER VII

GENERAL DEPARTMENT OF TECHNIQUE

Article 12

The General Department of Technique shall be responsible for coordination and management of legislative, prosecutorial, criminal, and civil affairs and preparation the policies for development of technical affairs of the whole tribunal.

The General Department of Technique shall be endowed with the following three Departments:

- Department of Legislation Affairs
- Department of Prosecutorial Affairs
- Department of Criminal Affairs
- Department of Civil Affairs

The General Department of Technique shall be managed by a general director assisted by a number of deputy general directors as necessary.

Article 13

The Department of Legislation Affairs shall be responsible for:

- Preparing the draft laws related to justice domain and legal text related to

organization and functioning of all levels of court and prosecution department and relevant regulations.

- Reviewing and providing consultations on the draft laws of the other Ministries and Institutions.
- Participating in discussion on, negotiation of, and entering into the international agreement related to administrative law.
- Participating in education of, training on and dissemination of laws related to justice sector.
- Preparing draft laws and regulations of the Ministry project.
- Collaborating with foreign countries and organizations in process of national and international legislative affairs.
- Studying, researching and compiling national and international criminology data system.
- Preparing monthly, trimester, semester, nine months and annual reports to leaders.
- Performing other duties as provided by justice minister.

The Department of Legislation Affairs shall be managed by a director assisted by a number of deputy directors as necessary.

Article 14

The Department of Prosecutorial Affairs shall be responsible for:

- Participating in preparation of draft laws and regulations related to prosecutorial affairs.
- Participating in review and consultations of the draft laws of the Ministries and Institutions related to prosecutorial affairs.
- Monitoring the laws implementation at the penal institutions.
- Monitoring the statistic lists and activities of all levels of prosecution department.
- Following up and monitoring the execution of judgments and rulings of all levels of court and prosecution department.
- Reviewing and proceeding complaints related to prosecution departments.
- Making relationship with local and foreign organizations related to prosecution and human right affairs.
- Reviewing and providing consultations of the problems related to prosecutorial affairs.
- Following up the laws implementation's activities of the prosecution departments.
- Preparing prosecutorial affairs statistics and reports.
- Preparing monthly, trimester, semester, nine month, and annual reports to leaders.
- Performing other duties as provided by the justice minister.

The Department of Prosecutorial Affairs shall be managed by a director assisted by a number of deputy directors as necessary.

Article 15

The Department of Criminal Affairs shall be responsible for:

- Participating in preparation of draft laws and regulations related to criminal affairs.
- Reviewing and providing consultations of the problems related to criminal affairs.
- Collaborating with relevant Ministries or Institutions in negotiation of the treaties, conventions, or international agreements related to criminal sector.
- Reviewing proposal made by foreign government and prosecution departments of the Kingdom of Cambodia related to the implementation of extradition and the ensuring of the execution of ruling order to investigate in the manner of internationally in criminal case.
- Preparing and enforcing the measure for prevention in advance of the offense's commitments in collaboration with relevant Ministries and local organizations.
- Receiving and forwarding complaints related to the enforcement of criminal punishment, retrial, and actions for amnesty as provided by law.
- Collecting judgments and decisions related to criminal case from all levels of court.
- Controlling criminal case statistics.
- Administering criminal record lists and issuing criminal records.
- Preparing statistics and achievement reports of criminal affairs.
- Preparing monthly, trimester, semester, nine months, and annual reports to leaders.
- Performing duties as provided by the justice minister.

The Department of Criminal Affairs shall be managed by a director assisted by a number of deputy directors as necessary.

Article 16

The Department of Civil Affairs shall be responsible for:

- Participating in preparation of draft laws and regulations related to civil affairs.
- Reviewing and providing consultations of the draft laws and regulations of the other Ministries and Institutions related to civil affairs.
- Participating in discussion on, negotiation of and entering into the international agreement related to private law, commercial law, social law, and patent and intellectual property.
- Reviewing, disposing, and forwarding complaints related to civil case.
- Ensuring the proper functioning of the cooperation of international court of civil jurisdiction and ensuring of the execution of ruling order to investigate in the manner of internationally in civil case.
- Collecting judgments and decisions related to civil case from all levels of court.
- Examining books of court fees of the courts and books of civil case statistic.
- Reviewing and providing consultations of the problems related to civil affairs.
- Preparing statistics and achievement reports of civil affairs.
- Preparing monthly, trimester, semester, nine month, and annual reports to leaders.
- Performing other duties as provided by the justice minister.

The Department of Civil Affairs shall be managed by a director assisted by a number of deputy directors as necessary.

CHAPTER VIII

GENERAL DEPARTMENT OF RESEARCH AND JUDICIAL DEVELOPMENT

Article 17

The General Department of Research and Judicial Development shall be responsible for coordination of international relationship, education, dissemination, and research on justice domain for the development in the Ministry.

The General Department of Research and Judicial Development shall be endowed with the following three Departments:

- Department of International Affairs
- Department of Research and Training
- Department of Legal Education and Laws Dissemination

The General Department of Research and Judicial Development shall be managed by a general director assisted by a number of deputy general directors as necessary.

Article 18

The Department of International Affairs shall be responsible for:

- Coordinating foreign affairs related to the Ministry of Justice.
- Coordinating international justice fund.
- Making relationship with other countries on justice domain.
- Collaborating with other foreign countries, ministries, and institutions on terrorism, the fighting against illegal drugs, money laundering, trafficking in person, and cross-border crime.
- Obtaining responsible for working related to ASEAN affairs, justice affairs.
- Developing cooperation programs, memoranda, and agreements on justice domain with other countries and international organizations.
- Coordinating and arranging missions at oversea for leaders and delegations of the Ministry.
- Preparing statistics and achievement reports of international affairs.
- Making monthly, trimester, semester, nine month, and annual report to leaders.
- Performing other duties as provided by the justice minister.

The Department of International Affairs shall be managed by a director assisted by a number of deputy directors as necessary.

Article 19

The Department of Research and Training shall be responsible for:

- Gathering visions for promotion and development of the Ministry.
- Researching and evaluating requirements for organizing training courses and pre-service trainings.
- Researching documents related to process of justice system of other countries

with the purpose to compile these documents and keep at the library of the Ministry.

- Administering and collaborating with the Royal Academy for Judicial Professions to offer trainings to bailiffs and justice officials serving at the Justice Offices.
- Preparing trainings and pre-service trainings project for and offering trainings and pre-service trainings to civil servant of the Ministry of Justice.
- Collaborating with the Royal Academy for Judicial Professions to offer trainings to judges, prosecutors, and court clerks.
- Coordinating and dispatching civil servants of the Ministry, who got scholarships and courses of instruction at overseas.
- Supervising trainees who got course of instruction in the Ministry.
- Cooperating between the Ministry of Justice and civil social organizations and international organizations related to training and pre-service training affairs.
- Preparing monthly, trimester, semester, nine month, and annual reports to leaders.
- Performing other duties as provided by the justice minister.

The Department of Research and Training shall be managed by a director assisted by a number of deputy directors as necessary.

Article 20

The Department of Legal Education and Laws Dissemination shall be responsible for:

- Educating and disseminating of laws related to justice domain.
- Monitoring educations and disseminations of laws related to justice domain.
- Compiling and publishing all regulation in force related to justice domain.
- Preparing and administrating library of the Ministry.
- Installing and administrating information technology system and website of the Ministry.
- Preparing information strategy project.
- Preparing monthly, trimester, semester, nine month, and annual reports to leaders.
- Performing other duties as provided by the justice minister.

The Department of Legal Education and Laws Dissemination shall be managed by a director assisted by a number of deputy directors as necessary.

CHAPTER IX FINANCIAL CONTROL UNIT

Article 21

The Financial Control Unit shall be established by the Ministry of Economy and Finance pursuant to the conditions provided in Sub-Decree No. 81/๑๙๙๓/๓๓๓ dated November 16, 1995 on the Financial Control of Budgeted Expenditures within Ministries.

CHAPTER IX FINAL PROVISIONS

Article 22

The organization and functioning of the Ministry at the central administration levels lower than the department level shall be declared by a Prakas of the Ministry of Justice.

Article 23

For duties related to the competence of other institutions, the chiefs of those institutions and the Minister of Justice shall collaborate to allocate responsibilities and implement them through a joint Prakas of both institutions concerned.

Article 24

Sub-Decree No. 19/រាជក្រឹត្យ dated April 07, 2000 on organization and functioning of the Ministry of Justice, Decision No. 03/អង្គចុះថ្ងៃទី០១ ខែមីនា ឆ្នាំ២០០៦ on Creation of Working Group of the Ministry of Justice to the Supreme Council of Magistracy and any provisions contrary to this Sub-Decree shall be null and void.

Article 25

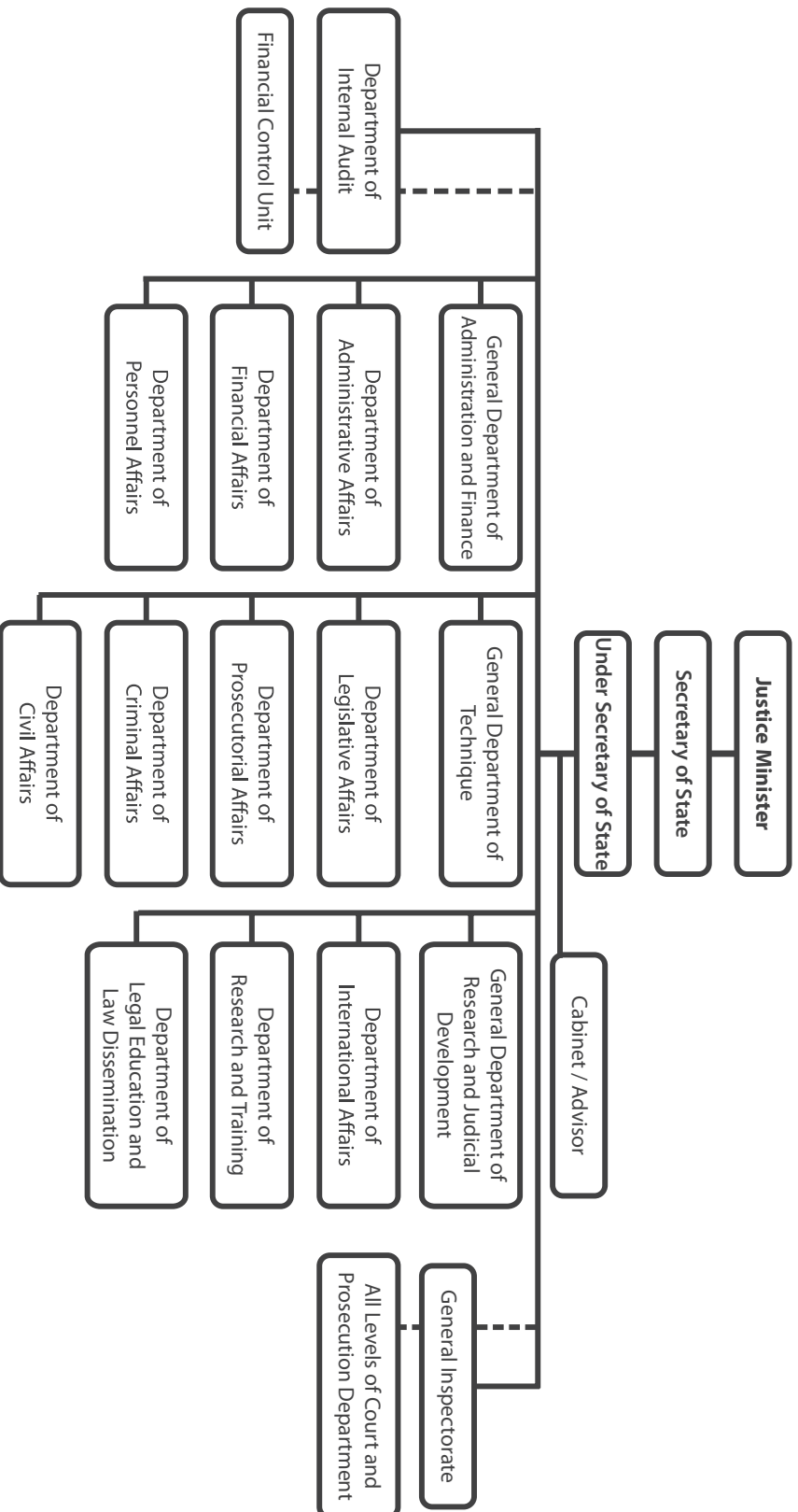
The Minister in charge of the Office of the Council of Minister, the Minister of the Ministry of Economy and Finance, the Minister of the Ministry of Justice, the Secretary of State of the State Secretariat of Civil Services, ministers and secretaries of state of relevant ministries and institutions shall be responsible for implementing this Sub-Decree from the date of its signature.

Phnom Penh, May 11, 2007

Prime Minister

Hun Sen

Organizational Chart of the Ministry of Justice



Annex 3 Prakas on the Amendment of the Composition of Gender Committee for the Ministry of Justice

Prakas

On

Amendment of the composition of Gender Committee for the Ministry of Justice

Minister of justice

- Having seen the Constitution of Cambodia
- Having seen the Royal Decree (Preah Riech Kret) No. **នស/រកត/0704/124** dated 15 July 2004 on the Appointment of the Royal Government of Cambodia
- Having seen the Royal Code (Preah Riech Kram) No. **នស/រកត/0196/04** promulgated the Law on Establishment of Ministry of Justice
- Having seen the Law on the organization and functioning of the court of the Sate of Cambodia promulgated by the Decree No. 06 dated 08 February 1993
- Having seen the Sub-Decree No. 47 **អនក្រ.ប្រក** dated 11 May 2007 on the Organization and Functioning of the Ministry of Justice
- Pursuant to the policy of the Royal Government in encouragement and promotion of women's rights
- Pursuant to the Prakas NO. 02 **ប្រក.ប.ប.ប/2004** dated 14 January 2004 on the creation of Gender Committee for the Ministry of Justice
- Pursuant to the agreement in the meeting on 13 November 2003 between the Gender Committee and CCJAP II representative
- According to the necessity of the Ministry of Justice

HEREBY DECIDED

Article 1

To amend the composition of the Gender Committee of the Ministry of Justice with the member as follows:

1	Chan Sotheavy	Secretary of State	Chairman
2	So Dany	Deputy Director of Research and Training Dept	Deputy
3	Nil Philip	Director of Education and Legal Dissemination Dept	Member
4	Mao Phirun	Deputy Director of Civil Affairs	Member
5	Phan Chanly	Deputy Director of Administration Affairs	Member
6	Dann Chantravatey	Court Clerk of Kandal Court	Member
7	Moeung Samyeon	Deputy Chief of Personnel Office	Secretary

Article 2

This committee has the duty to review, prepare and present strategies with regards gender equity.

Article 3

All units under the control of the Ministry of Justice and the concern person have the duty to effectively carry out this Prakas from the date of signature.

Phnom Penh, 24 December 2007

Minister

Ang Vong Vathana