

ラオス人民民主共和国 法整備支援プロジェクト 延長期間実施報告書

平成21年5月
(2009年)

独立行政法人国際協力機構
ラオス事務所

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序 文

ラオスは1975年の建国以来、1990年代の初めまでは、一部の法律を除き、事実上、政令、通達等の行政命令によって統治されていました。しかしながらこの状況は、1986年に「新経済メカニズム (New Economic Mechanism)」が導入されたことを契機に変わり始めました。ラオス国政府は、市場経済への移行を支えるための法制度枠組みの確立を重要課題の一つとし、1991年には、ラオスに初めての憲法が制定されました。それ以降、各種法律が制定・改定され、2009年4月現在、80の法律が制定されています。ラオスの司法制度は、憲法が2003年に改正された他、中央・県・郡の人民裁判所や人民検察院の体制整備や弁護士会の設立など、着実に発展してきています。しかしながら、1975年の建国から約10年間は法学に関する人材の育成に重きが置かれていなかったこともあり、法学教育を受けた人材が非常に少なく、特にこのような状況は地方ほど顕著で、法学基礎知識がない者であっても、裁判官や検察官に任命せざるを得ない状況がありました。

このような背景のもと、ラオス国政府の要請に基づき、日本国政府は法整備に係る技術協力プロジェクトの実施を決定し、2003年から2006年の3年間にわたって、教材や実務マニュアル等の法律基礎文書の整備及び法律関係者の人材育成を行なう技術協力プロジェクトを実施しました。また、同プロジェクトは、プロジェクトの成果を普及させるため、1年間の延長を行ない、またその後、さらに10ヶ月間、成果をさらに普及させるために追加的に支援を行なってきました。

本報告書は、プロジェクト終了後、延長及び追加期間の1年10ヶ月間の活動を取りまとめたものであり、本報告書が今後の法整備支援活動の参考資料として広く利用されることを願うものであります。

最後に、これまでのプロジェクトにご協力をいただきました内外の関係者各位に心から謝意を表するとともに、今後の更なる発展に向け、一層のご支援をお願いする次第であります。

平成21年5月

独立行政法人国際協力機構

ラオス事務所長 高島 宏明

目 次

序文

| | |
|-------------------------------|---|
| 1. 当初プロジェクトの概要 | 1 |
| 2. 延長期間及び追加期間の内容 | 2 |
| 3. 延長及び追加期間中の実施体制の長所と短所 | 5 |
| 4. 普及活動のモニタリングを通じたの考察 | 6 |

添付資料

- 1 延長時 Minutes of Meetings
- 2 追加期間の要請に関する Minutes of Meetings
- 3 C/P 機関からの活動実施報告書

1. 当初プロジェクトの概要

当初プロジェクトの概要を以下に示す。詳細は、終了時評価調査報告書を参照。

(1) ラオス側実施機関

司法省、最高人民裁判所、最高人民検察院

この他、ラオス側ワーキング・グループには、ラオス国立大学及び商業省（現在の商工省）職員も参加している。

(2) 日本側協力機関

法務省（法務総合研究所）、大学

(3) 当初協力期間

2003年5月26日～2006年5月25日

(4) 協力内容

1) 上位目標

- ① プロジェクトにより作成・養成された教材・教官を活用した法務・司法関連職員養成コースが関連当局により確立する。
- ② 司法省における法案審査業務が改善する。
- ③ 中央政府機関における法案起案業務が改善する。
- ④ 検察官の業務遂行が改善する。
- ⑤ 地方裁判所判事の業務実施が改善する。

2) プロジェクト目標

法務・司法関連職員の法律知識・実務向上のための、法務・司法関連機関（司法省、最高人民裁判所、最高人民検察院）の組織能力が強化される。

3) 成果

- ① 法務・司法関連職員のために民・商法教科書及び用語集が整備される。
- ② 中央政府職員のために法令データベースが整備される。
- ③ 検察官のために、検察官マニュアルが整備される。
- ④ 裁判官のために、法令集及び判決起案マニュアルが整備される。
- ⑤ 民・商法の講義経験のある講師の数が増加する。

4) 日本側投入

長期専門家派遣 4名、短期専門家派遣 16名
研修員受入 95名

2. 延長期間及び追加期間の内容

(1) 期間

延長期間：2006年5月25日～2007年5月24日

終了時評価調査団の延長に関する提言に基づき、ラオス側との合意の下でプロジェクトを延長した。

追加期間：2007年5月25日～2008年3月31日

ラオス側の更なる要請に基づき、ラオス事務所に配分された在外事業強化費を活用してプロジェクトの成果の普及・定着に係る活動の支援を実施した。

(2) 延長及び追加期間中の活動内容

① 民法教科書・用語集

民法教科書作成・印刷

2007年3月印刷製本（3,000部）、用語集の印刷も同時に行った。

民法教科書セミナー

民法教科書最終版作成前に司法学校の講師に対するセミナー、司法学校講師による模擬講義、ディスカッションを行い、民法教科書の内容向上と講師の能力向上を図るとともに、地方の裁判所、検察院職員に対する普及を行った。

第1回：2006年9月25日～28日（ビエンチャン）、17人

第1回追加セミナー：2006年10月12日～13日（ビエンチャン）、10人

第2回：2006年12月25日～29日（ルアンパバン）、45人

第3回：2007年2月26日～3月2日（サバナケット）、45人

民法普及活動

民法教科書を用いて、地方の法律家の人材育成及を目的として研修を実施した。

第1回：2007年7月16日～20日（ポンサリー）、60人

第2回：2008年3月11日～14日（セコン）、45人

② 法令データベース

法令データベース CD 作成

2007年3月作成（150部）、マニュアルも同時に作成・印刷を行った。

法令データベース普及セミナー

司法省職員、司法関係機関職員、関連省庁職員に対して、法令データベースの内容や利用方法に関する説明と普及のためのセミナーを実施した。

2007年3月29日（ビエンチャン）、40人

③ 企業法注釈書（商法教科書）

企業法注釈書の作成・印刷

2007年5月印刷製本（1000部）

企業法注釈書英仮訳、英仮訳版の印刷

2007年11月印刷製本（200部）

企業法注釈書セミナー

企業法に関連する省庁や組織を招いての企業法に関するセミナーを実施した。

2006年10月31日～11月3日（首都ビエンチャン）、55人

企業法注釈書普及活動

企業法注釈書を用いて、地方の法律家、商業局（商工局）に対する研修を実施した。

第1回：2007年8月6日～10日（サバナケット）、37人

第2回：2007年10月22日～26日（ルアンパバン）、41人

④ 判決起案マニュアル

判決起案マニュアルの作成・印刷

2007年1月印刷製本（600部）

判決起案マニュアル普及活動

マニュアルを全国の裁判官に説明し、普及するためのセミナーを実施した。

第1回：2007年1月15日～19日（ルアンナムタ）、55人

第2回：2007年1月22日～26日（ルアンパバン）、55人

第3回：2007年2月12日～16日（アタプー）、45人

第4回：2007年2月19日～23日（チャンパサック）、45人

第5回：2007年3月12日～16日（カムアン）、69人

第6回：2007年3月19日～23日（ビエンチャン県）、70人

第7回：2007年12月17日～21日（ビエンチャン県）、40人（裁判官補対象）

判決起案マニュアル活用モニタリング

マニュアル普及活動後、業務にどのように活用されているかをモニタリングするためのワークショップを実施した。

第1回：2007年11月19日～21日（シェンクアン）、30人

第2回：2007年11月26日～28日（サバナケット）、30人

⑤ 検察官マニュアル

検察官マニュアル修正箇所印刷

2006年8月（750部）

検察官人事・組織マニュアル増刷

2007年3月（100部）

検察官捜査マニュアル増刷

2007年3月（300部）

2007年7月（100部）

検察官マニュアル普及活動

全国の検察官、捜査官及び警察官に対し、検察官捜査マニュアルの説明及び普及を行った。

第1回：2006年7月3日～6日（チャンパサック）、58人

第2回：2006年8月28日～31日（カムムアン）、40人

第3回：2006年10月16日～19日（サイヤブリ）、40人

第4回：2006年12月25日～28日（ウドムサイ）、40人

第5回：2007年2月5日～8日（シェンクアン）、46人

第6回：2007年3月14日～16日（ポリカムサイ）40人

第7回：2007年3月19日～21日（ビエンチャン県）40人

第8回：2007年7月30日～8月1日（ビエンチャン県）、40人（主に警察官）

第9回：2007年9月18日～20日（チャンパサック）、40人（主に警察官）

第10回：2007年10月23日～25日（サバナケット）、40人（主に警察官）

検察官マニュアル活用モニタリング

マニュアル普及活動後、業務にどのように活用されているかをモニタリングするため、ワーキング・グループが出張しインタビュー等を行った。

第1回：2007年4月2日～7日（ポリカムサイ、カムムアン、サバナケット、チャンパサック、セコン、アタプー）

第2回：2007年5月6日～13日（サイヤブリ、ルアンパバン、ウドムサイ、ルアンナムタ、ボケオ、ポンサリー）

(3) 延長及び追加期間中の実施体制

延長及び追加期間中は、業務調整員を含めた日本人専門家が不在の中で活動を展開していくこととなった。日本人専門家が不在であるため、技術的指導を行うことはできず、JICA ラオス事務所によってプロジェクト活動のモニタリングを行った。活動全体の進捗管理については、司法省、裁判所、検察院のそれぞれの担当者と JICA ラオス事務所との間で3ヶ月に1回程度で会議を行い、進捗状況の把握及びその後の計画に関する打合せを行った。

また、研修やワークショップのような個別の活動については、その都度、開催方法、日数、対象者、必要経費などについて、カウンターパート（以下、C/P と記す）側から計画書が提出され、それに基づき協議し、実施内容を決定した。参加者への連絡、会場や資料の手配などの準備は、プロジェクトで契約（JICA ラオス事務所が契約）している秘書とラオス側 C/P が行き、必要経費は C/P 機関からの請求書に基づき、ラオス事務所から C/P 機関に対して資金を預け、支払い及び精算報告を C/P 機関が行った。講義は、ラオス側 C/P が実施した。活動終了後には、C/P から実施報告書が提出されており、本報告書の付属資料として添付している。

プロジェクト事務所は当初プロジェクト期間に引き続いて司法省内に設置し、上述のとおり JICA ラオス事務所との契約で秘書を雇用し、日々のプロジェクト業務の管理を行った。

(4) 延長及び追加期間中の経費

| | |
|--------------|-----------|
| プロジェクト運営管理関係 | : 178 万円 |
| ワークショップ関係 | : 1902 万円 |
| 成果物作成（印刷等）関係 | : 595 万円 |
| 合計 | : 2675 万円 |

3. 延長及び追加期間中の実施体制の長所と短所

当初プロジェクト期間終了後は、日本人専門家が不在の中での活動となった。その実施体制について、在外事務所認識している長所及び短所を以下に記す。

(1) 長所

1) ラオス側のオーナーシップの向上

- * 資金的には JICA に頼らざるを得ないが、その他の計画立案、実施、報告を自ら行うことで、自らの活動であることを強く意識している。
- * 中央機関としての威信から、地方での活動が無責任に実施することはできないため、専門家が不在であっても効果の高い研修を目指している。

2) 少ない投入量

- * JICA 事務所によるモニタリングのみであるので、専門的知識を必要としない場合

には、投入量と比べて効率的な活動が実施できる。

3) 身の丈にあった活動

- * 専門家がいなくなり、C/Pにとっては日々の業務に追われながらの活動である一方、それはプロジェクト終了後の現実に即した活動を行っていることになる。資金的な観点を除き、持続性を高める活動方法になりうる。

(2) 短所

1) 技術的支援は不可能

- * 支援を行えるのは、計画・立案方法、評価及びフィードバックのみ。
- * ただし、事務所担当者が本プロジェクトに従事しているわけではないので、計画・立案から実施、評価、フィードバックの一連の流れを深くサポートすることができない。

2) 事務所によるモニタリング機能の限界

- * 事務所からの運営管理では、常時 C/P をサポートすることができないため、活動が計画から遅れていたとしても、なかなかその活動を早めることはできない。
- * 個々の活動に全て参加することは、時間的に不可能で、ワークショップの初日から最終日まで JICA 事務所から参加したのは3、4回程度。

4. 普及活動のモニタリングを通じての考察

普及活動をモニタリングし、内容に関する技術的な支援だけでなく、研修のマネジメントの必要性も感じられた。

- * 事前準備：必要とされている研修内容の検討・検討方法
- * 実施中：講義と参加型研修との配分、講義方法
- * 事後：研修の評価及びそのフィードバック

これらの手法は、JICA 事務所からも提言することができるが、上述のとおり、モニタリング機能や時間的な限界がある。本プロジェクトにおいては、当初のプロジェクト期間において C/P 自らによるワークショップの実施が少なかったため、これらの手法を習得しているとは言いがたい。今回のような、事務所のみによるモニタリング実施という方法の効果を高めるには、研修マネジメントに関する投入を事前に行っておくのが望ましい。

この普及活動方法で実施できたのは、当初のプロジェクト期間中に C/P の能力向上を十分に果たすことができたためである。この普及活動において、C/P の知識・能力は格段に伸びたと思われるが、それ以前に、この普及活動を実施するだけの基礎力の蓄えが当初プロジェクト終了時には達成されていたとすることができる。

延長及び追加期間の支援は、専門家による技術支援ではなく、資金的な支援が中心であった。ラオスのような財政基盤の非常に弱い国においては、普及活動への予算配

分もままならない状況であるが、本プロジェクトの成果物は、ラオス側関係者から高い評価を受けており、そのような成果物であれば、資金的な支援に近い形であっても、できる限り多くの対象者に、徹底した普及活動を行う意義は非常に大きいと思われる。

特に地方においては、基本的な知識のレベルが低いのが現状で、多くのことを1度聞いただけで理解できる人材は少なく、そのような人材こそ、研修やその他の機会を通じて育成していくことが必要とされている。上記と関連するが、その国にとって重要であると判断できる成果であれば、それを徹底して普及していくことも重要であり、そのための中・長期的な活動の支援も一つの選択肢であると考えられる。

最後に、普及活動により、C/Pは地方の実情を知り、地方職員の意見や抱えている問題を把握し、自国の抱えている問題を再認識している。ラオス人なら、ラオスの実情をよく理解しているはずである、と考えるのは日本側からすれば通常であるが、中央政府職員が地方視察を行なうための予算は非常に限られており、自国の状況であってもよく理解できていないというのが実情である。また、この活動によって成果物を創造する際に向上した技術・能力を更に深め、自らのものとしてできており、そのような観点からも普及活動の意義は大きかったと考えられる。

以上

添付資料

- 1 延長時 Minutes of Meetings
- 2 追加期間の要請に関する Minutes of Meetings
- 3 C/P 機関からの活動実施報告書

添付資料 1 延長時 Minutes of Meetings

MINUTES OF MEETING
ON THE EXTENSION OF JAPANESE TECHNICAL COOPERATION
FOR
THE LEGAL AND JUDICIAL DEVELOPMENT PROJECT

With regard to the extension of Japanese technical cooperation for Legal and Judicial Development Project (hereinafter referred to as “the Project”), based on the Minutes of Discussion signed in Vientiane on March 24th 2006, the Japan International Cooperation Agency (hereinafter referred to as “JICA”) held a series of discussion with Laotian authorities concerned. These discussions were in accordance with the result of the evaluation conducted from March 09th to March 25th, 2006.

As a result of these discussions, both sides agreed to recommend to their respective governments the extension of the Japanese technical cooperation for the Project in accordance with the matters referred to in the document attached hereto



Mr. Senya MORI
Resident Representative
Laos Office
Japan International Cooperation Agency



Vientiane Capital, May 22, 2006
Mr. Ket KIETTISAK
Vice Minister
Ministry of Justice



H.E Mr. Davone VANGVICHITH
Vice President
People's Supreme Court



H.E Mr. Somth CHANTHACHACK
Deputy Prosecutor General
Office of the Supreme People's Prosecutor

THE ATTACHED DOCUMENT

I. BACKGROUND

JICA and three legal and judicial organizations of the Government of Lao PDR, namely Ministry of Justice, People's Supreme Court, and Office of the Supreme People's Prosecutor, have been implementing the "Legal and Judicial Development Project" since May 2003. The Project has been successfully progressing and substantially achieved its outputs.

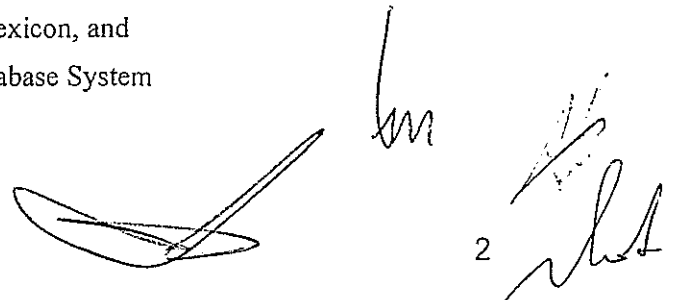
In March 2006, the Terminal Evaluation Mission Team (hereinafter referred as "the Team") was dispatched by JICA. The Team and Lao side evaluators confirmed the achievement of the Project. However, it was also recommended that the duration of the Project shall be extended to completely achieve the expected Project Purpose. Based on this recommendation, the Government of Lao PDR requested JICA to continue its support to three organizations through the extension period.

II. TERM OF COOPERATION

The duration of the Project will be extended from 25 May 2006 to 24 May 2007.

III. SCOPE OF EXTENTION

1. The Project will be implemented in accordance with the Master Plan as shown in ANNEX I, which is also written in the form of the Project Design Matrix (PDM) as shown in Attachment. The Plan of Operations (PO) for the Project is given as shown in Attachment 2.
2. The main activities during the follow-up period are;
 - (1) to finalize, approve, and disseminate the Civil Law Textbook to the concerned organizations and personnel,
 - (2) to finalize, approve, and disseminate the Commercial Law Textbook to the concerned organizations and personnel,
 - (3) to finalize, approve, and disseminate the Judgment Writing Manual to the concerned organizations and personnel,
 - (4) to disseminate the Prosecutor's Manual to the concerned organizations and personnel,
 - (5) to finalize, approve, and disseminate the Lexicon, and
 - (6) to modify and fix the developed Legal Database System



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3. The measures to be taken by the both Government in the Record of Discussion signed on 26 May 2003 for the project implementation will be continued until 24 May 2007.

IV. PROJECT INPUT BY JICA

1. Dispatch of Japanese Experts

JICA will dispatch the following Japanese short term experts.

- (1) Commercial Law
- (2) Civil Law
- (3) Prosecutor's Manual
- (4) Judgment Writing

The schedule of dispatching each expert will be decided. Dispatching Experts on "Prosecutor's Manual" and "Judgment Writing" will be further considered when it is needed. Input of these two experts may be replaced by the long-distance conference.

2. Training of the Laotian Personnel in Japan

Series of training for counter-parts and concerned personnel will be provided in Japan. Subjects and duration of training will be discussed and decided in need.

3. Support for the In-country Workshops and Dissemination

JICA will support implementation of the in-country workshops and seminars for the Civil Law Textbook, Commercial Law Textbook, Judgment Writing Manuals, and Prosecutor's Manuals through JICA Laos Office.

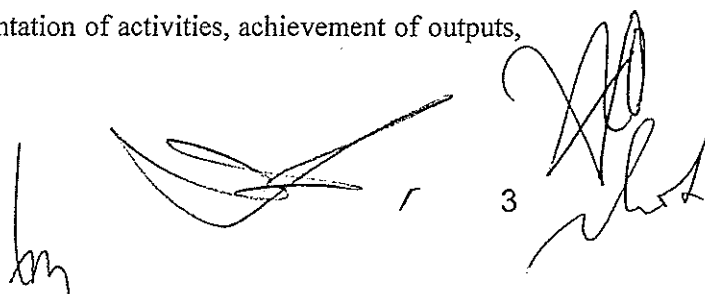
4. Distance Conference through JICA-Net System

Long-distance conference through JICA-Net will be provided between the concerned organizations in Japan and Lao PDR as supplement of the training in Japan. Schedule will be confirmed if it is needed.

IV. PROJECT INPUT BY LAO SIDE

1. Staff Assignment

Management and technical staff such as Project Director, Project Manager, Counterparts, and others will be continuously assigned for implementation. Each organization will also assign the following officials as a chief of counterparts. The chief of counterparts will be responsible for the implementation of activities, achievement of outputs, and coordination with JICA Laos Office.



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- (1) Ministry of Justice:
Mr. Nalonglith NORASING; Civil Law Textbook & Lexicon
Mr. Ketsana PHOMMACHANH; Commercial Law Textbook
Mr. Souliya SIDAVONG; Legal Database Development & Lexicon
- (2) People's Supreme Court:
Mr. Phomsouvanh PHILACHANH; Judgment Writing Manual
- (3) Office of the Supreme People's Prosecutor:
Mr. Khammoun SENG OUTHAI; Workshops and Seminars for Prosecutor's Manual

2. Building and Facilities

Buildings and Facilities used for the follow-up activities will continuously be arranged and provided to the Project.

3. Running Expenses

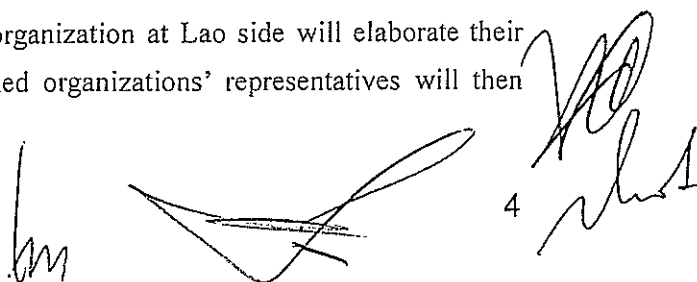
Running expenses such as water supply and electricity will be provided by the Lao side.

V. JOINT IMPLEMENTATION AND EVALUATION

1. The Laotian members of the Joint Coordination Meeting, which was established based on the Record of Discussion signed on 26 May 2003, will continuously supervise the progress of the implementation of the Project.
2. The Japanese experts will provide necessary technical advice to the Counterparts on technical matters pertaining to the implementation of the Project through various forms.
3. Evaluation of the Project will be conducted jointly by JICA and the Laotian authorities concerned at the final stage of the cooperation term in order to examine the level of achievement.

VI. OTHER RELEVANT ISSUES

1. Other issues raised during the extension period will be considered based on the Record of Discussions and the Minutes of Meetings exchanged by the both sides.
2. After the exchange of the signatures, each organization at Lao side will elaborate their detailed implementation plans. The concerned organizations' representatives will then exchange the plans with signatures.



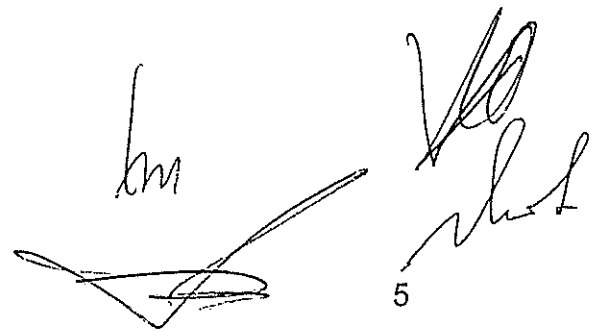
4

END

ANNEX 1: Master Plan

Attachment 1: Project Design Matrix (PDM)

Attachment 2: Plan of Operation (PO)



Handwritten signatures and a date. On the left, there is a signature that appears to be 'km' with a large, sweeping flourish underneath. To the right, there is another signature that appears to be 'V. A. ...' with a date '5' written below it.

MASTER PLAN

1. Overall Goal

- (1) Continuous trainings for legal & judicial officers, by lectures and materials based on the project outputs, are established by legal & judicial authorities
- (2) Practice of scrutinizing the bill is improved in MOJ.
- (3) Law drafting procedures are improved in the central government agencies
- (4) Practice of people's prosecutors is improved.
- (5) Practice of local judges is improved

2. Project Purpose

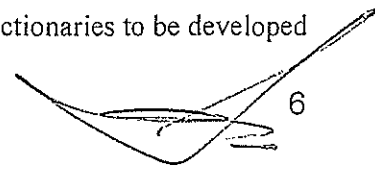
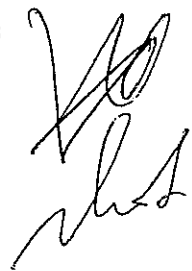
Institutional capacity of the legal & judicial authorities* in order to enhance legal knowledge and practice of legal & judicial officers is strengthened

3. Outputs of the Project

- (1) Textbooks and dictionary on civil and commercial law, made up through a series of workshop and seminar*, are available to legal & judicial officers
<* workshop & seminar held regularly and attended mainly by C/Ps and the representative of officers>
- (2) Legal database system loaded with all laws and presidential ordinances is available to officers of central government agencies.
- (3) Public Prosecutor's manual prepared by a working group* in the Office of the Supreme Prosecutors is available to public prosecutors
<* The working group is mainly composed of C/Ps and other selected public prosecutors.>
- (4) The statute book and the judgment writing manual are available to local judges.
- (5) Experienced lecturer in civil and commercial law increases in number

4. Activities of the Project

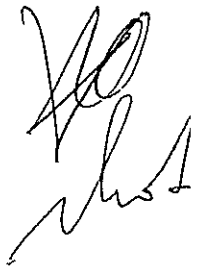
- (1)-1 To establish the working group in Ministry of Justice and formulate detailed work plan.
- (1)-2 To hold working group meetings regularly to check the progress, determine measures necessary to be taken and report them
- (1)-3 To deliver lectures to the authors
- (1)-4 To draft the textbooks and dictionary
- (1)-5 To revise draft and complete the textbooks and dictionary
- (1)-6 To introduce textbooks through workshops and seminars
- (1)-7 To evaluate project activities and make plan of text books and dictionaries to be developed



after the project period

- (2)-1 To establish the working group in Ministry of Justice and formulate detailed work plan.
- (2)-2 To hold working group meetings regularly to check the progress, determine measures necessary to be taken and report them
- (2)-3 To develop database programme
- (2)-4 To compile electronic data input for database
- (2)-5 To introduce the database and its usage
- (2)-6 To monitor the utilization of the database and evaluate project activities
- (3)-1 To establish the working group in Office of the Supreme People's Prosecutors and formulate detailed work plan.
- (3)-2 To hold working group meetings regularly to check the progress, determine measures necessary to be taken and report them
- (3)-3 To deliver lectures on the relevant subjects to C/Ps (authors).
- (3)-4 To write a draft of the manual
- (3)-5 To revise the draft based on the comments received (& contents of amended law)
- (3)-6 To make final draft and get approval from the authority (OSPP)
- (3)-7 To introduce manuals to prosecutors
- (3)-8 To monitor the utilization of manual and evaluate project activities
- (4)-1 To establish the working group in People's Supreme Court and formulate detailed work plan.
- (4)-2 To hold working group meetings regularly to check the progress, determine measures necessary to be taken and report them
- (4)-3 To deliver lectures on the relevant subjects to C/Ps (& judges in PSC)
- (4)-4 To distribute statute book to local judges
- (4)-5 To draft, revise and distribute writing manual
- (4)-6 To review and evaluate project activities
- (5)-1 To make detail work plan
- (5)-2 To identify the legal & judicial officers for the candidate of the law lecturer
- (5)-3 To train candidates officers of the law lecturer
- (5)-4 To determine candidates qualified for the law lecturer
- (5)-5 To have the appointed lecturers to take part in lectures at workshops and seminars
- (5)-6 To review and evaluate project activities

NOTE: In case in which the Master Plan should be changed due to the situation of the Project, both Governments will agree to and confirm the changes by exchanging the Minutes of Meeting.



Project Design Matrix :Attached with Minutes of Meeting for the extension

| NARRATIVE SUMMARY | VERIFIABLE INDICATOR | MEANS OF VERIFICATION | IMPORTANT ASSUMPTIONS |
|---|--|--|--|
| OVERALL GOAL (Impacts) | | | |
| 1 Continuous trainings for legal & judicial officers, by lecturers and materials based on the project outputs, are established by legal & judicial authorities | 1.1 Until 2010, at least 20% of the local officials is newly trained annually 1.2 Mid-long term action plans of human resource development for the legal and judicial authorities are implemented. | 1.1 -Annual report of MOJ, PSC, and SPP -Annual report of JTC(MOJ) 1.2 -Annual report of MOJ, PSC, and SPP -Annual report of JTC(MOJ) | Policy aiming at capacity building in legal & judicial sector is sustained |
| 2 Practice of scrutinizing the bill is improved in MOJ. | 2 Structure, contents and usage of legal terms in laws are improved | 2 -Survey (report) conducted by legal experts | |
| 3 Law drafting procedures are improved in the central government agencies | 3.1 The Ministry of Justice starts keeping records of inter-agency collaborative work with other central government agencies in drafting and amending laws, based on knowledge and experiences acquired through the project. 3.2 The legal database is updated regularly and adopted by other governmental offices. | 3.1 -Records of work to draft and amend legislation kept in central government agencies 3.2 -Annual report of MOJ -Record of the Dissemination Dept. of MOJ | |
| 4 Practice of public prosecutors is improved. | 4 Public Prosecutors' manuals are frequently referred to and appreciated by public prosecutors. | 4 -Survey (report) conducted by legal experts | |
| 5 Practice of local judges is improved | 5 Judgment writing manuals are frequently referred to and appreciated by local judges. | 5 -Survey (report) conducted by legal experts | |
| PROJECT PURPOSE (Outcome) | | | |
| Institutional capacity of the legal & judicial authorities* in order to enhance legal knowledge and practice of legal & judicial officers is strengthened <* MOJ, PSC,SPP> | 1 The number of lectures by Lao lecturers, who are trained/maed by the project, on the current civil and commercial laws with materials* made in the project increases in seminars organized by the project. <* text book, manual, statute book, dictionary, database> 2 At least 4 materials and/or lecturers made/trained by the project are adopted in the regular training courses organized by legal & judicial authorities. 3 The officers involved in the project activities (making materials, attending workshops, seminars in Laos and/or training course in Japan) indicate improvement of knowledge and practice 4 Mid-long term action plans of human resource development for legal and judicial officers, in which usage of the materials developed and/or lecturers trained by the project are clearly referred to, are approved by the legal and judicial authorities. | 1 -Project report (summary of the seminar) 2 -Project report 3 -Monitoring survey (report) conducted by the project 4 - An action plan of human resource development by each legal and judicial authority | Policy and plan for training of officers are clearly established and shared among organizations concerned. Necessary budget and personnel are allocated for revision, re-development, and dissemination of the project outputs in a continuous manner by legal & judicial authorities |
| OUTPUTS | | | |
| 1 Textbooks and dictionary on civil and commercial law, made up through a series of workshop and seminar*, are available to legal & judicial officers <* workshop & seminar held regularly and attended mainly by C/Ps and the representative of officers> | 1.1 A theoretical textbook on civil law is developed by December 2006 and is introduced to the policy-makers, the drafters of laws, the legislation sections in the legal/judicial authorities, and selected judges and prosecutors through symposia or seminars. Copies of the textbook are distributed to the legal and judicial officers. 1.2 A commentary on the Lao enterprise law, as a theoretical textbook on commercial law, is developed and introduced through symposia or seminars to the directors of the department in legal and judicial authorities, the National Assembly, the Ministry of Commerce by December 2006. Copies of the textbook are distributed to the legal and judicial officers. 1.3 A dictionary containing legal terms defined in the Lao laws and other significant legal terms is developed. Copies of the dictionary are distributed to the legal and judicial officers. | 1.1 -Project report 1.2 -Project report 1.3 -Project report | |
| 2 Legal database system loaded with all laws and presidential ordinances is available to officers of central government agencies. | 2.1 By December 2006, all laws and presidential ordinances are computerized, and continuously updated according to amendment of laws throughout the project period. | 2.1 -Project report | |

Project Design Matrix :Attached with Minutes of Meeting for the extension

| NARRATIVE SUMMARY | VERIFIABLE INDICATOR | MEANS OF VERIFICATION | IMPORTANT ASSUMPTIONS |
|--|--|---|--|
| <p>3 Public Prosecutor's manual prepared by a working group* in the Office of Public Prosecutors is available to public prosecutors</p> <p><* The working group is mainly composed of C/Ps and other selected public prosecutors.></p> | <p>2.2 From December 2006, legal database system loaded with updated data is introduced to the officers related to legislation at central government agencies and ministries (16 in total) through a seminar.</p> <p>3.1 By December 2005, two manuals, the "Personnel & Organization" manual and the "Investigation" manual, in which the amendment of the related laws are reflected, are completed respectively.</p> <p>3.2 The "Personnel & Organization" manual is distributed to all of the personnel sections in the public prosecutors' office (approximately 160 offices in total).</p> <p>3.3 The "Investigation" manual is distributed to all of the prosecutors (approximately 400) in the public prosecutors' office and investigators in other investigation agencies.</p> | <p>2.2 -Project report</p> <p>3.1 -Project report</p> <p>3.2 -Project report</p> <p>3.3 -Project report</p> | |
| <p>4 The statute book and the judgment writing manual are available to local judges.</p> | <p>4.1 By May 2004 (the end of the first year), Statute book composed of all laws are distributed to all local judges.</p> <p>4.2 By September 2005, judgment writing manual is completed and thereafter introduced through seminars by Lao lecturers.</p> <p>4.3 Selected judges at the district, provincial and central levels (180 maximum) are trained at least once through the seminars in which the developed manual is used.</p> | <p>4.1 -Project report</p> <p>4.2 -Project report</p> <p>4.3 -Project report</p> | |
| <p>5 Experienced lecturer in civil and commercial law increases in number</p> | <p>5.1. Legal officers who have drafted the theoretical textbook on civil law or commercial law are trained to be lecturers with capacity to provide presentations/lectures in symposia/seminars based on the textbook through the project activities toward publishing the textbook.</p> <p>5.2. More than twelve (12) officers have experienced teaching civil law or commercial law at least three (3) times in the seminars and workshops. (8 for civil law, 4 for commercial law)</p> | <p>5.1. -Project report (Record of seminars and workshops)</p> <p>5.2. -Project report (Record of seminars and workshops)</p> | |
| <p>ACTIVITIES</p> <p>1.1 To establish the working group in MOJ and formulate detailed work plan.</p> <p>1.2 To hold working group meetings regularly to check the progress, determine measures necessary to be taken and report them</p> <p>1.3 To deliver lectures to the authors</p> <p>1.4 To draft the textbooks and dictionary</p> <p>1.5 To revise draft and complete the textbooks and dictionary</p> <p>1.6 To introduce textbooks through workshops and seminars</p> <p>1.7 To evaluate project activities and make plan of textbooks and dictionaries to be developed after the project period</p> <p>2.1 To establish the working group in MOJ and formulate detailed work plan.</p> <p>2.2 To hold working group meetings regularly to check the progress, determine measures necessary to be taken and report them</p> <p>2.3 To develop database programme</p> <p>2.4 To compile electronic data input for database</p> <p>2.5 To introduce the database and its usage</p> <p>2.6 To monitor the utilization of the database and evaluate project activities</p> <p>3.1 To establish the working group in SPP and formulate detailed work plan.</p> | <p>INPUTS</p> <p>INPUTS by Lao Government</p> <p>1 Assignment of counterpart (C/P)</p> <p>2 Equipment / facilities</p> <p>3 Budget Allocation</p> <p>INPUTS by Japanese Government</p> <p>1 Assignment of Experts (Long Term)</p> <p>(1) Judicial Adviser: 12.0 MM x 3 = 36.0 MM</p> <p>(2) Project Coordinator: 30.0 MM</p> <p>(3) Legal Advisor: 18.0 MM</p> <p>(Short Term)</p> <p>(1) 1st year: 8.0MM;</p> <p>Seminars in a. Prosecutor's Manual, b. Legal Practitioner, c. Commercial & Civil Laws</p> | | <p>Amended laws and new laws concerned * are enacted as scheduled</p> <p><*People's Court Law, Prosecutor Law, Land Law, Criminal Procedure Law, Civil Procedure Law, Foreign Investment Law Business Law, Commercial Law, Customs Law, and etc></p> <p>Personnel reshuffle doesn't affect implementation of the project adversely</p> |

Project Design Matrix :Attached with Minutes of Meeting for the extension

| NARRATIVE SUMMARY | VERIFIABLE INDICATOR | MEANS OF VERIFICATION | IMPORTANT ASSUMPTIONS |
|---|--|-----------------------|--|
| <p>3.2 To hold working group meetings regularly to check the progress, determine measures necessary to be taken and report them</p> <p>3.3 To deliver lectures on the relevant subjects to CIPs(authors).</p> <p>3.4 To write a draft of the manual</p> <p>3.5 To revise the draft based on the comments received (& contents of amended law)</p> <p>3.6 To make final draft and get approval from the authority(SPP)</p> <p>3.7 To introduce manuals to prosecutors</p> <p>3.8 To monitor the utilization of manual and evaluate project activities</p> | <p>(2) 2nd year: 6.0MM: Seminars in a. Judgment Writing, b. Civil & Commercial Laws</p> <p>(3) 3rd year: 6.2MM: Seminars in a. Judgment Writing, b. Civil & Commercial Laws, c. Prosecutor's Manual</p> <p>2 Training program In Japan Country-Focused Training Course (6 times / 66 participants)</p> <p>(1) Legal and judicial staffs :</p> <p>(2) Authors :</p> | | |
| <p>4.1 To establish the working group in PSC and formulate detailed work plan.</p> <p>4.2 To hold working group meetings regularly to check the progress, determine measures necessary to be taken and report them</p> <p>4.3 To deliver lectures on the relevant subjects to CIPs (& judges In PSC)</p> <p>4.4 To distribute statute book to local judges</p> <p>4.5 To draft, revise and distribute writing manual</p> <p>4.6 To review and evaluate project activities</p> <p>5.1 To make detail work plan</p> <p>5.2 To identify the legal & judicial officers for the candidate of the law lecturer</p> <p>5.3 To train candidates officers of the law lecturer</p> <p>5.4 To determine candidates qualified for the law lecturer</p> <p>5.5 To have the appointed lecturers to take part in lectures at workshops and seminars</p> <p>5.6 To review and evaluate project activities</p> | <p>3 Provision of Equipment Office equipment and supplies necessary for the Project activities will be provided.</p> | | <p><u>PRECONDITIONS</u></p> <p>Inter-ministries relationship of 3 organizations is maintained.</p> |

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| Activities | JFY 2006 | | | | | | | | | | | | JFY 2007 | | | | Remarks |
|---------------------------------------|----------|------|------|------|------|------|------|------|------|------|-------|-----|----------|------|------|---------------------------------------|---------|
| | June | July | Aug. | Sep. | Oct. | Nov. | Dec. | Jan. | Feb. | Mar. | April | May | June | July | Aug. | | |
| 3. Prosecutor's Manual | | | | | | | | | | | | | | | | | |
| Distribution of Prosecutor's Manual | | | | | | | | | | | | | | | | Updating version or adding appendices | |
| Dissemination Seminar in Champasack | | | | | | | | | | | | | | | | 58 (Prosecutors + 10 Police Officers) | |
| Dissemination Seminar in Khammouane | | | | | | | | | | | | | | | | 59 (Prosecutors + 6 Police Officers) | |
| Dissemination Seminar in Xayabouly | | | | | | | | | | | | | | | | 50 (Prosecutors + 6 Police Officers) | |
| Dissemination Seminar in Oudomxay | | | | | | | | | | | | | | | | 53 (Prosecutors + 6 Police Officers) | |
| Dissemination Seminar in Xiengkhouang | | | | | | | | | | | | | | | | 50 (Prosecutors + 6 Police Officers) | |
| 4. Judgment Writing Manual | | | | | | | | | | | | | | | | | |
| Revision of the Draft of Chapter 2 | | | | | | | | | | | | | | | | | |
| Seminar with Council of Judges | | | | | | | | | | | | | | | | | |
| Approval by the Senior Officials | | | | | | | | | | | | | | | | | |
| Final Revision & Printing | | | | | | | | | | | | | | | | | |
| Dissemination Seminars | | | | | | | | | | | | | | | | 60*6 (Judges) - 4days each workshop | |

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| Activities | JFY 2006 | | | | | | | | | | | | JFY 2007 | | | | Remarks |
|---|----------|------|------|------|------|------|------|------|------|------|-------|-----|----------|------|------|-----------------------------------|---------|
| | June | July | Aug. | Sep. | Oct. | Nov. | Dec. | Jan. | Feb. | Mar. | April | May | June | July | Aug. | | |
| 5. Lexicon | | | | | | | | | | | | | | | | | |
| Finalization | | ◇ | | | | | | | | | | | | | | To consolidate in total 300 words | |
| Consultation and Approval by Senior Officials | | | ↔ | | | | | | | | | | | | | | |
| Printing | | | | ↔ | | | | | | | | | | | | | |
| Distribution of Lexicon | | | | | ▶ | ● | ● | ● | ● | ● | ● | ● | ● | ● | ▶ | | |
| 6. Legal Database | | | | | | | | | | | | | | | | | |
| Updating existing data & inputting additional information | | | ↔ | | | | | | | | | | | | | | |
| Data verification | | | | ↔ | | | | | | | | | | | | | |
| Fixing the current technical problems | | | | | ↔ | | | | | | | | | | | | |
| CD Production & Distribution | | | | | | ↔ | | | | | | | | | | | |
| Updating & monitoring the update | | | | | | | ▶ | ● | ● | ● | ● | ● | ● | ● | ● | | |
| <p><i>Required Technical advise from Japan</i></p> <p>Distribute to National Assembly, People's Supreme Court, Ministry of Justice and concerned institutions</p> | | | | | | | | | | | | | | | | | |

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添付資料 2 追加期間の要請に関する Minutes of Meetings

MINUTES OF MEETING
ON THE TERMINATION OF JAPANESE TECHNICAL COOPERATION
FOR
THE LEGAL AND JUDICIAL DEVELOPMENT PROJECT

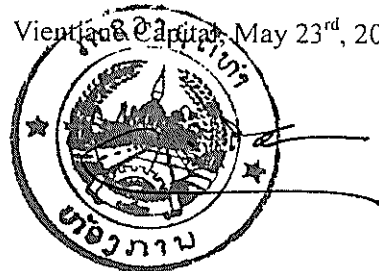
With regard to the extension of Japanese technical cooperation for Legal and Judicial Development Project (hereinafter referred to as “the Project”), based on the Minutes of Discussion signed in Vientiane Capital on May 22nd, 2006, the Japan International Cooperation Agency (hereinafter referred to as “JICA”) held a series of discussion with Laotian authorities concerned. These discussions were in accordance with the completion of the Project and its achievements of activities during the extension period from 25 May 2006 to 24 May 2007 and with the sustainability of the Project’s outputs after its official termination.

As a result of these discussions, JICA Laos agrees to convey proposal plans from each respective organisation to JICA Headquarter in Japan in order to request for its approval to further collaborate and support the implementation of Follow up activities of the Japanese technical cooperation project in accordance with the matters referred to in the document attached hereto.

Vientiane Capital, May 23rd, 2007



Mr. Senya MOEIS
Resident Representative
Japan International Cooperation Agency



Mr. Vilath PHIU-ONE
Deputy Chief of Cabinet
Ministry of Justice



Mr. Bouathong CHANTHAMALINH
Chief of Cabinet
People’s Supreme Court



Mr. Oun LASOUKANH
Chief of Cabinet
Office of the Supreme People’s Prosecutor

THE ATTACHED DOCUMENT

I. BACKGROUND

JICA and three legal and judicial organizations of the Government of Lao PDR, namely Ministry of Justice, People's Supreme Court, and Office of the Supreme People's Prosecutor, have been implementing the "Legal and Judicial Development Project" ("the Project") since May 2003. The Project has been successfully progressing and substantially achieved its outputs.

In March 2006, the Terminal Evaluation Mission Team was dispatched by JICA. The Team and Lao side evaluators confirmed the achievement of the Project and it was also recommended that the extension of the Project for another year. Based on this recommendation, the Government of Lao PDR and JICA had agreed to extend the Project from 25 May 2006 to 24 May 2007 to carry out some remaining activities.

However, according to the Legal Sector Master Plan and in order to sustain and expand the developments achieved through the implementation of the Project, therefore the Government of Lao PDR has expressed their strong demand to request JICA to provide additional support to the implementation and mobilization of the Project's outputs.

II. TERM OF COOPERATION

Although the Project will be officially terminated as of 24 May 2007, the duration of Follow up period will be up to 31 December 2007.

III. SCOPE OF WORK

1. During the Follow up, the three organizations namely Ministry of Justice, People's Supreme Court, and Office of the Supreme People's Prosecutor will implement their activities in accordance with the Proposal Plan as shown in ANNEX I. The Tentative Plan of Operations (PO) for activities during the mentioned period is also given ANNEX II.
2. The main activities during the Follow-up Period are;
 - (1) to expand the target group of users of the Civil Law Textbook to cover more local areas and from solely law lecturers to legal and judicial officers including lawyers and legal practitioners;
 - (2) to disseminate the Commentary to Enterprise Law Textbook to the concerned organizations and personnel as well as to extend the effective relations to the

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- implementation of the Enterprise Law;
- (3) to further disseminate the Lexicon and Legal Database to the concerned organizations and personnel;
 - (4) to evaluate and review the impact and effectiveness of the actual application of the Textbooks;
 - (5) to assess the impact and effectiveness of workshops conducted by People's Supreme Court during the Project's Extension and to extend the scope of dissemination of the Judgment Writing Manual to more judges and relevant personnel; and
 - (6) to expand the dissemination of the Prosecutor's Manuals to the concerned organizations and personnel in the investigation and inspection tasks such as polices.

IV. INPUT BY JICA

1. Support for the In-country Workshops and Dissemination

JICA will support implementation of the in-country workshops and seminars for the Civil Law Textbook, Commentary to Enterprise Law Textbook, Legal Dictionary (Lexicon) and Database, Judgment Writing Manual, and Prosecutor's Manuals through JICA Laos Office.

2. Evaluation and Assessment Activities

JICA will support implementation of activities which are in accordance with the utilization and assessment of the Project's outputs.

IV. INPUT BY LAO SIDE

1. Staff Assignment

Management and technical staff such as Project Directors, Project Coordinators, Counterparts, and others will be continuously assigned for implementation. Each organization will also assign the following officials as a chief of counterparts. The chief of counterparts will be responsible for the implementation of activities, achievement of outputs, and coordination with JICA Laos Office.

(1) Ministry of Justice:

Mr. Nalonglith NORASING; Civil Law Textbook & Lexicon

Mr. Ketsana PHOMMACHANH; Commentary to Enterprise Law Textbook

Mr. Souliya SIDAVONG; Legal Database & Lexicon

(2) People's Supreme Court:

Mr. Phomsouvanh PHILACHANH; Judgment Writing Manual

(3) Office of the Supreme People's Prosecutor:

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lm *[Signature]* 3 *[Signature]*

2. Building and Facilities

Buildings and Facilities used for the Follow-up activities will continuously be arranged and provided.

3. Running Expenses

Running expenses such as water supply and electricity will be provided by the Lao side.

V. JOINT IMPLEMENTATION AND EVALUATION

1. The Laotian members of the Joint Coordination Meeting, which was established based on the Record of Discussions signed on 26 May 2003, will continuously supervise the progress of the implementation of activities during the Period of Follow up.
2. The JICA Laos officers in charge will continuously provide necessary supports with regards to the management and implementation of the planned activities.

VI. OTHER RELEVANT ISSUES

1. After the termination of the Project has been activated, the equipment and assets under the Legal and Judicial Development Project shall be officially handed over to the three counterpart organisations accordingly. Therefore, the three organizations have full responsibilities towards management and maintenance of the transferred assets.
2. Other issues raised during the Follow up Period will be considered based on the Record of Discussions and the Minutes of Meetings exchanged by the both sides.
3. After the exchange of the signatures, each organization at Lao side will elaborate their detailed implementation plans and submit to JICA for its approval.

END.

- ANNEX I: Proposal Plan from Each Organisation
ANNEX II: Tentative Plan of Operation (PO)
ANNEX III: Certificate of Asset Hand Over

Handwritten signatures and initials, including a large 'M' and a signature that appears to be 'ao', followed by the number '4' and another signature.

Tentative plan for activities during the follow-up period

OBJECTIVES

The objectives of this purpose plans is aiming to:

1. Continue the strengthening capacities of the judicial officials in civil and commercial laws;
2. Distribute and disseminate the outputs of the project;
3. Monitor and assess the project's activities.

Purposed Activities

The following activities are purposed to conduct in follow-up period:

A. 2 Civil Law Training-Seminars:

A seminar in Phongsaly province will be held in June 2007;

A seminar in Xekong province will be held in September 2007.

B. 2 Seminars on Enterprises Law and a Law Forum:

A seminar in Savannakhet province, will be held in August 2007;

A seminar in Oudomxay province, in November 2007.

A Law Forum will be held in Vientiane in October 2007

C. Distribution and disseminate the project products

All project's products included Legal database, Lexicon, Civil law textbook and Commentary on Enterprises Law will be delivered to specified target groups starts from June 2007.

D. Assessment and Evaluation of the project products

All products and activities of the project will be assessed and evaluated by the interview-questionnaires to all users of the project's products in order to mark the achievement and identify the needs and improvement.

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**Tentative
Proposal plan
for additional seminars on evaluation workshop and
remain judges and judges assistant
to disseminate the judgment writing manual.**

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Proposal plan for the next seminars after closing project

Overview:

Since Judgment writing manual have been distributed to all judges around the country, but few judges cannot participated because of other assignment to do another importance and urgently work which cause them cannot attended seminar. One importance issues is the judges assistant who dealing with case and submitted draft of judgment to judges doesn't have chance to up grade and improve their knowledge on civil writing judgment which these qualities person will be chose to appoint to be judges in coming years. The last but not least evaluation seminar are necessary to organize in order to estimate the implementation as well as feedback and others comment from the selected participants to the JWM after few months experiences of using new model of writing civil judgment. Therefore the people's Supreme Court has decided to select the target group and request to JICA for kindly funding to the seminars.

Objectives:

The objectives of the seminars are aiming to:

1. To review, estimate and evaluate the result of seminars;
2. To collect the ideas and comments from participants after applying the new format of writing judgment for few months;
3. To disseminate the JWM, office management, morality of judges and personnel organization activities to few judges and judges assistant who not yet participate the seminars;
4. To upgrade the knowledge and unity of understanding about writing judgment for the first instance to judges and judges assistant who not yet participated in order to apply into their work;
5. Strengthen ability of judges and judges assistant to do the work effectively.

Training purposes and expected outcomes

Through these seminars, the all judges and judges assistant would be able to write judgment at the first instance as uniformity and effectiveness. Moreover, review the implementation of JWM and other lesson that have been introduced in order to get uniformity and fit to the demand of the society.

Target groups

There will be 70 participants (exclude 5 organizers) as follow:

1. **Evaluation seminar is 40 which divide into 2 seminars**
 - a. 15 judges from the northern people's court;
 - b. 25 judges from the middle and southern people's court;
2. **Disseminate seminar for judges and judges assistant is 30 participants (exclude 5 organizers)**
 - a. Judges who was absent for attending the seminars;
 - b. Judges assistants who will be appointed to be judge;

Methodology

Two seminars will be designed difference methodology which suitable for each proposes;

Schedule and Venue

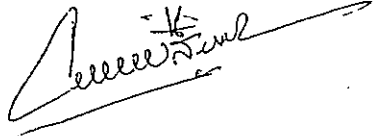
Target venues are Xiengkhouang, savannakhet and borlikhamxay.

Cost

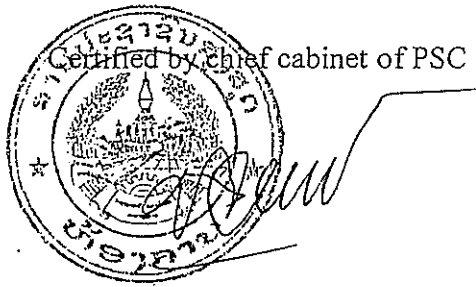
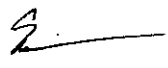
The estimate budget for the seminars is LAK 27.000.000 and US\$ 7.000

Thank you very much in advance for your kindly consideration and assistance;

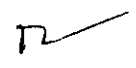
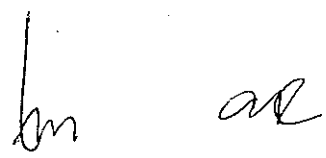
Vientiane capital, 22nd May 2007
JICA counterpart unit at PSC
Project Manager



Phomsoutvanh PHILACHANH



Bouathong CHANHTHAMALINH



Planning for seminar workshop on dissemination Prosecutor's manual to the police

1 Background

The Office of the Supreme People's Prosecutor is an organization responsible for independently inspecting compliance to the constitutions and laws throughout the whole country and the concurrent rights to claim enforcement of the laws. Its primary roles are to ensure a stable and transparent of justice system of the country and enhance trust of the public. The prosecutor's role are to the investigate and solve Disputes according to the laws. The prosecutor investigates incidents and obtains all evidence in order to conclude the cases.

- Function and Role of the Office of the Supreme People's Prosecutor Organ

The Supreme People's Prosecutor Organ is state organ responsible for monitoring and inspecting the proper and uniform performance of the laws by ministries, State Organizations Governments and Lao front for National construction, Mass Organizations, and Social Organizations, local administrative authorities, citizens and enforcement of the legal right of prosecution.

Especially monitor and inspect adherence to laws by the investigation and interrogation agencies (police)

2 Previous Supporting

At the previous time in 2006 - 2007. The Office of the Supreme People's Prosecutor is supported by JICA on the legal and Judicial Development Project as:

- Complete making the prosecutor manual (investigation, cabinet and personal text book)

- 1100 Copies of the Prosecutor's manual (investigation procedures), and 300 cabinet text book were printed for distribution to the prosecutor offices in whole country.

- Organized seminar workshop on dissemination Prosecutor's manual 7 times in whole country, the number of participants attended 355 People.

3 Proposed Planning

The Office of the Supreme People's Prosecutor will organize seminar workshop on dissemination prosecutor manual to the police 3 times

1. Organize seminar workshop in V T province in July 2007 the number of participant in total 40. Target group are the investigation of the police from V T province, V T capital city, Ministry of security, District investigation of police and some lawyers who never attend the seminar

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2. Organize seminar workshop in Khammouane province in August 2007 the number of participant in total 40. Target group are the investigation of the police from province and district some lawyers who never attend the seminar: Khammouane, Savannakhet, Bolikhamxai
3. Organize seminar workshop in Sekong province in September 2007 the number of participant in total 40. Target group are the investigation of the police from province and district some lawyers who never attend the seminar : Salavan, Champasak, Sekong and Attapeu

4 The purpose of seminar workshop

To disseminate Prosecutor's manual to the local areas, and to disseminate some contents and some articles of the criminal procedures law that the National assembly amended in 2004 to the investigation of the police

5 The participants will attend 3 seminars in total 120 people Now we still have 100 prosecutor manual text books we need to print more 100 text books to give them in seminar and other investigation – interrogation agencies

6 The budget estimate for each seminar among 7000 \$ 3 seminars are 21000 \$

The Office of the Supreme People's Prosecutor of Lao PDR avails it self of this opportunity to renew to the JICA office the assurances of its highest consideration

Vientiane 21/5/2007



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添付資料3 C/P 機関からの活動実施報告書

Report on
the 2nd Workshop on Dissemination of Civil Law Textbook
in Luang Prabang Province at the Northern Law Training School,
from December 25th – 29th, 2006

I. Background and Objective of the Seminar

The Legal and Judicial Development Project “JICA LJDP” is a technical cooperation project which is supported by Japan International Cooperation Agency (JICA). The Project has been started since 2003 and will be terminated by 2007. Writing a Civil Law Textbook is one of the main activities of the Project. Currently, the working group has completed the first draft and had organized a final review workshop to civil law trainers on September 25 – 28, 2006 at the Judicial Training Institute (JTI), Vientiane.

The primary purposes for conducting this workshop are:

1. To continue disseminating knowledge and lessons on civil law based on theoretical contents of the Textbook to civil law trainers/lecturers
2. To exchange views and experience in terms of dispute settlement and to gather feedbacks for further improvement of the Civil Law Textbook and for future production.
3. To enhance the capacity and understanding of legal and judicial staff concerned with civil law.

II. Overview of the Seminar

In this training, we divided into 2 sections:

- a. Training for the Trainers: This is a 2 day workshop starting from December 22nd to 23rd, 2007. The participants in this training included 9 working group, 3 lecturers from Vientiane JTI, 10 lecturers from Luang Prabang JTI in which 3 of them have already been trained in the first workshop and the others have not yet, each representative from National University of Laos, Faculty of Law, and 3 from Savannakhet JTI. The purpose of this Section was to make a curriculum, exchanges opinions on areas that are not yet clear and bring the feedbacks to improve the Textbook.
- b. The second section was a 3 days training course starting from December 24th – 29th, 2007. This course was mainly moderated by the lecturers from Luang Prabang Judicial Training Institute. (Please refer to attachment for details of agenda)

Civil Law - MoJ

However, due to miscommunication, there were a number participants understood that the training commenced on December 22nd instead of December 24th.

Overall, in the 3 days training course, there were 55 attendees including working group members (Please see list of all participants attached)

Schedule and Content of the Seminar

December 22nd, 2006

- The first 2 chapters on the Section I on Basic Principles of Civil Law were lectured by Mr. Bounlom KHANSA-NGA – lecturer from Northern JTI.
- After that, Mrs. Duangmany PHOTHISANE explained about the Ordinary entity. In this session, the participants found very interesting and they raised a number of issues to discuss, recommend and gave comments for improving the Textbook namely spelling check, rephrasing, the coherence and appropriateness of using words and terminology.

December 23rd, 2006

- Mr. Bounlom KHANSA-NGA gave a session on Chapter 5 on Assets and Property. This was one the sessions that majority of trainees found useful and interesting because there were also a lot of questions raised and discussion to exchange ideas about the definition of “Assets”.
- At 10:15 just after a coffee break, Ms. Anchalee VORAJACK, the lecturer from Northern JTI continued explaining on the Right to Assets which is the Section II. With regards to this issue, this is relatively new to trainees and many had asked about the property right and claim right and how important to define the property right.
- In afternoon, Mr. Anchalee also explained about the Law on Right especially about its definition of full right and right to make a decision, how to obtain the right, benefits, and termination of right and duration of right holding.

December 24th, 2006

- Due to the urgent meeting at the Department of Justice, Luang Prabang, majority of participants could not attend our workshop in the morning. So we have to switch the session with the programme of tomorrow which was the discussion between trainers and working

Civil Law - MoJ

group members.

- In the discussion, Mr. Nalonglith NORASING exchanged about the experience of legal education in Japan (based on the training on Nov 20 – Dec 1, 2006 in Tokyo). He mainly compared techniques and style of lecture delivering their lesson and sources of legal information between Japan and Laos. After that, we opened the discussion among the 3 JTI lecturers to exchanged and learned from each other about their teaching style.
- After finish the discussion, Mr. Nalonglith prepared a note and transformed into a recommendations and manual for teaching.
- Then, based on questions and comments from participants, we resumed to the edition of Chapter 1 and 2 of Section I. In this regards, we appointed Ms. Phetsamay XAYMONGKHON to be the main person in charge.
- In the afternoon, at 14:00 Ms. Anilath VANNABOUPHA – lecturer from Northern JTI explained about the Section IV of Civil Law Textbook which was the Law on guarantee. In this session, participants were mainly interested in the guarantee by intangible assets, priority of repayment and register of guarantee.
- After completing all sessions, it was coming to the end of the seminar. During the closing ceremony, firstly Mr. Nalonglith reported on the result of their 3 days seminars. Next, Mr. Hideaki MATSUMOTO – Assistant Resident Representative of JICA Laos gave a statement about the output and aim of the workshop. Finally, Mr. Khonesy KHONECHALEUN – deputy director of Luang Prabang Department of Justice gave a closing remark to the Meeting.

December 28th - 29th, 2006

- The working group of civil law and the lecturers from Law schools had discussed and amended on Part I of section 1 and section 3 of part II was complete as basically. Mainly, the lecturers from Luangprabang and Vientiane Capital Law School had assisted in drafting and updating additional points to the textbook.

So the team came back to Vientiane on December 29th, 2006 at 15:00.

III. Feedbacks from participants about the Seminar.

In this seminar, the evaluation form distributed to the participants consists of three main questions on: part 1. Organization and Administration, part 2. Civil Law

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Textbook, and part 3. Quality of teaching by each lecturer. After collecting all forms, we could conclude the result as follows:

1. Venue, refreshment and sound system were very well set up.
2. With regard to the content, some parts need further improvement.
3. Generally, the textbook is very useful. However, some words need to be rephrased and clarified.
4. The way that each lecturer delivering their lessons was basically fine but it would be better to improve their presentations and be more prepared for questions and answers.
5. The Seminar is too short, 5 days is preferable.

IV. Evaluation and lesson learnt

After holding this seminar, we can assess and have lesson learnt as following:

- Overall, this seminar was successful as plan with details belows:
 - We have accomplished to enhance and upgrade knowledge of the law lecturers at the northern school of law, central and southern, including human resources from faculty of law and political science. On this occasion, it also provided a chance for young and few experiences teachers to discuss and exchange lessons and improve their teaching techniques as well as to upgrade their own understanding about the law.
 - We have successfully disseminated the principles of civil law to stall who are working in various judicial areas such as district court, district justice office, people prosecutor, attorney and other urgencies. By having them participated in this seminar, we could earn more ideas, comments and create a unify understanding for applying the Lao law principles. This involvement is very useful for improving the content and quality of the civil law textbook.
 - The seminar has been successful because we have strong cooperation from Luangprabang provincial justice section, Laungprabang Law School and from all attendants, besides in terms of budget, the seminar was also supported by JICA.
 - By the other hand, because the working groups and all attendants were very active, the seminar has been successful and going smoothly.

Although the Seminar appears to be run successfully, there are still weaknesses in which we should find a solution and avoid for future work:

- Due to the ineffective communication between organizations concerned for example Justice Division, Law school, it has caused a misunderstanding on

Civil Law - MoJ

information about the agenda of the Seminar, as well about the facility and accommodation of participants included transportation. In addition, we also faced other problems concerning with administration management.

- Some participants were quite passive and shy.
- The series of lectures was still inconsistent, some explanations were unclear and some questions raised were not directly relevant to the subject. So this issue is something that we need to improve in the future.

Lesson learnt from this seminar:

1. The Organizer should improve the communication with concern organizations. In particular, we need to make sure that both sides understand the same thing.
2. In order to ensure the effectiveness and great success of the Seminar, the Organizer should monitor and provide more assistance to participants during the seminar. We should also evaluate and discuss with instructor about their performance and together plan for next sessions.
3. Textbook and materials should be distributed to all participants before having the seminar.

Future Action:

1. In order to ensure the sustainability of capacity building for lecturers, we shall organize the next seminar in the Southern Law school, Savannakhet province.
2. The textbook should be completed before handing to participants in order to allow them to read and be ready for comments.
3. After the seminar, we shall bring all feedbacks to accommodate in the textbook in order to finalise and approve and send for printing as planned.

V. Budget

With regard to settlement of budget supported by JICA, the total expenditure was 31,776,500 kip and 1,812 US\$, for details of expenditure please see the settlement report.

Vientiane Capital, 10 January 2007.

Project Coordinator.

Signature

Nalonglith NOLASING

Report on
the Workshop on Dissemination of Civil Law Textbook
in Phongsaly Province from July 16th – 20th, 2007

- In pursuant with the Agreement from the Minister of Justice No. 56/MoJ, dated July 12th, 2007 on the Approval for staff to organize workshops in provinces;
- According to the achievement gained from previous workshops on Civil Law

I. Overview

1. Objectives of the Seminar

The primary purposes for conducting this workshop are:

- To disseminate knowledge and lessons on civil law based on theoretical contents of the Textbook
- To enhance the capacity and understanding of legal and judicial staff with regards to the civil law
- To exchange views and experience in terms of dispute settlement and to gather feedbacks for further improvement of the Civil Law Textbook and for future production.

2. Participants

Total number of participants is 36, who came from various offices and departments as follow:

- | | |
|---|----|
| - Phongsaly provincial Justice department: | 11 |
| - Phongsaly provincial court | 5 |
| - Phongsaly provincial prosecutor office | 3 |
| - Phongsaly police station | 2 |
| - Phongsaly provincial governor office | 2 |
| - Phongsaly district governor office | 2 |
| - Phongsaly district justice office | 2 |
| - Phongsaly district police station | 2 |
| - Phongsaly district people prosecutor office | 1 |
| - Boun Neua District Justice Office | 2 |
| - Boun Neua District court | 1 |
| - Boun Tai District Justice Office | 1 |
| - Boun Tai District people prosecutor office | 1 |

Civil Law - MoJ

In addition to the trainees, we also have officials from the Ministry of Justice 7 people. Therefore, the total number of participants is 42.

3. **Schedule and Content of the Seminar**

The Workshop was held in the Provincial Governor Club from July 16th – 20th, 2007. For details of schedule please refer to the attachment.

The majority of the training curriculum was taken from the Civil Law Textbook. The method is by workshop meaning to discuss and compare the theory with actual practices. Some of the topics discussed are listed below:

- Assurance of contractual agreement
- Primary principles of Civil Law and Civil Relationships
- Rights and Land use right
- The basic principles of claim right
- The general principles of contractual commitments
- The general principles of non-contractual commitments

4. **Travel and Budget**

The team left Vientiane on July 14th by the Lao Air Plane then arrived in Boun Neua Airport, Phongsaly in the afternoon. The team came back to Vientiane on July 21st. Generally, the trips were ok and safe.

The estimated budget requested to JICA for conducting this seminar was: USD1,674 and LAK27,125,000. However, after completing the workshop, we have concluded the total expenditure as USD1,438 and LAK 22,965,000. Thus, the remaining budget of USD236 and LAK4,160,000 have been refunded to JICA Laos Office already.

Reasons for remaining budgets are:

- 2 Lecturers did not attend and there were a few participants did not attend the whole duration of workshop, for instance, only 3 out of 5 days.
- The price of stationery was discounted from the quoted price
- The fee for car rental was cheaper due to actual calculation.

II. **Outcomes of the Seminar, Strengths and Difficulties**

The general findings can be summarized as following:

- Overall, we are confident to say that the workshop has achieved its objective (according to feedbacks from the Director of Justice Department in Phongsaly). Most participants actively took part in the discussion and managed the time

Civil Law - MoJ

very punctually. In addition, each person gave a number of useful feedbacks and comments to the textbook, theory and the relevant laws. They also raised a lot of questions which were driven from the actual implementation and the cases that already settled (more than 30 questions both about civil and criminal cases).

- Through the discussion and exchange of opinions and experience, the knowledge and understanding of trainees in particular about the requirements and provision stipulated in the existing Laws have enhanced
- Through the discussion and comparison between theory and the actual practices in Phongsaly, the Lecturers could understand better the real situation on the implementation of law, the realization of policy and the tradition and cultural aspects related to their way of solving disputes. In fact, this result would considerably contribute to the planning and future development of the civil law as well as overall plan of the Ministry of Justice.

Strengths

Factors contribute to the success of the Workshop are:

- We have received a strong support from the leaders of the Ministry
- We received a full support from the provincial party committee as well as the Phongsaly Justice Department for arrangement, organization, coordinate with relevant parties, providing a warm welcome and providing conveniences to the Team
- Active participation from all attendees especially in the discussion times and recommendation for improving the current situation as well as the future tasks
- Tireless contribution from lecturers in providing lessons, explaining both domestic and international theory, raising issues to discuss and answering all questions from trainees
- The Law Research and International Cooperation Institute have well prepared all equipment to be used for the Seminar, for instance hand outs, and stationery. In addition, we have maintained regular coordination and collaboration with relevant parties such as the Phongsaly Justice Department and JICA.
- We have received a financial support and supervision from JICA.

Civil Law - MoJ

Difficulties

Despite of the success in conducting this Seminar, we still encountered a number of issues:

- Problems with communication and coordination among internal organization. Thus, it has resulted in the postponement of workshop dates.
- The weather climate in Phongsaly is inconsistent, for instance, a heavy rain on some days caused a late class attendance.
- As the trainees wanted to know several things, and some questions were not directly relevant to the topics. With regards to this, although it is relatively not a serious matter, we will take this as a lesson for future preparation and method of handling the questions more efficiently.

III. Lessons learnt and Recommendations

1. In this seminar, we mainly focus on the local especially remote province. It is a good opportunity to exchange the experience and know the practice of local officials. After the seminar, we could gain a better understanding and ensure that we have a unified system for law implementation for all. Anyway, we highly recommend that there is a necessity to extend the dissemination to district level, because they are more touching the primary level which is the people or public, so in order to ensure that people can have access to justice, it is essential to ensure that the legal and judicial officials understand and enforce the law properly.
2. From experiencing the actual practice in local areas, the technical staff from MoJ has a better vision towards the implementation of the law as well as the future drafting and amending the existing law. For instance, Ministry of Justice has a plan to make a Statutory of Civil Law.
3. We have learnt that in order to successfully organize a workshop, effective communication and coordination are every important. Thus, in the future we will try to contact and closely coordinate with local counterparts more.
4. We highly appreciate to the continuous support from JICA, without the budget from JICA, Ministry of Justice would face difficulties in arranging activities like this.

IV. Future Plan

In order to extend the dissemination of Textbooks, our next workshop will be held in Sekong province from November 12th – 16th, 2007. For detailed plan will be presented later.

Vientiane, July 31st, 2007

Reported by: Nalonglith NORASING

Report on
the Workshop on Dissemination of
Commentary to Enterprise Law Textbook
in Savannakhet Province from August 6th – 10th, 2007

- Pursuant to the Decision of the Minister of Justice No. 175/MoJ, dated July 31st, 2007 on the Approval for staff to organize workshops in provinces;
- According to the achievement gained from previous workshops on Dissemination of Commentary on Enterprise Law.

I. Overview

1. Objectives of the Seminar

The primary purposes for conducting this workshop are:

- To disseminate knowledge and lessons on commentary on Enterprise Law based on theoretical contents of the Textbook
- To enhance the capacity and understanding of legal and judicial staff in Savannakhet and neighboring provinces with regards to the Enterprise Law
- To exchange views and experience in terms of dispute settlement and to gather feedbacks for further improvement of the Commentary on Enterprise Law Textbook and for future production.
- To ensure the accurate application and unified understanding on the Enterprise Law at nationwide level.
- To publicize and distribute the Commentary, Civil Law, Legal Database and Lexicon to close by provinces (in order to reduce the courier cost)

2. Participants

| | |
|---|-----------|
| Participants from Savannakhet Province: | 21 people |
| - Provincial Governor Office: | 2 |
| - Commercial Court (Judges): | 2 |
| - Provincial prosecutors: | 2 |
| - Arbitration Office: | 2 |
| - Dept of Industry and Commerce | 2 |
| - Dept of Justice | 2 |
| - Dept of Planning and Investment | 2 |
| - Dept of Finance | 2 |
| - Special Economic Zone | 2 |

Commercial Law - MoJ

| | |
|--|----------|
| - Lecturer from Southern Law School | 3 |
| Participants from Khammouane Province: | 3 people |
| - Commercial Court (Judges): | 1 |
| - Dept of Justice | 1 |
| - Dept of Industry and Commerce | 1 |
| Participants from Saravan Province: | 3 people |
| - Commercial Court (Judges): | 1 |
| - Dept of Justice | 1 |
| - Dept of Industry and Commerce | 1 |
| Participants from Sekong Province: | 3 people |
| - Commercial Court (Judges): | 1 |
| - Dept of Justice | 1 |
| - Dept of Industry and Commerce | 1 |
| Participants from Champasak Province: | 3 people |
| - Commercial Court (Judges): | 1 |
| - Dept of Justice | 1 |
| - Dept of Industry and Commerce | 1 |
| Participants from Attapue Province: | 3 people |
| - Commercial Court (Judges): | 1 |
| - Dept of Justice | 1 |
| - Dept of Industry and Commerce | 1 |
| Working groups (Lecturers - 6 and financial staff - 1) | |
| - Ministry of Justice | 4 |
| - Ministry of Industry and Commerce | 2 |
| - Faculty of Law | 1 |

So the total number of participants was 43 people.

3. Schedule and Content of the Seminar

The Workshop was held in the Southern School of Law, Savannakhet Province from August 6th – 10th, 2007. For details of schedule please refer to the attachment.

The majority of the training curriculum was taken from the Commentary to Enterprise Law Textbook. The method is by workshop meaning to discuss and compare the theory with actual practices. Some of the topics discussed are listed below:

Commercial Law - MoJ

- Types and forms of Enterprises
- Business Registration
- Sole entrepreneurs
- Partnership companies
- Limited companies
- Public limited companies
- State owned enterprises and joint ventures

4. **Travel and Budget**

The team left Vientiane on August 5th by a rental van then arrived in Savannakhet around 5:00PM. The team then came back to Vientiane on the afternoon of August 10th. Generally, the trips were smooth and safe.

The estimated budget requested to JICA for conducting this seminar was: USD2,644 and LAK13,886,000.

However, after completing the workshop, we have concluded the total expenditure as follow:

- Actual expenditure is USD2,548 and LAK13,396,000. Thus, the remaining budget of **USD96** and **LAK490,000** have been refunded to JICA Laos Office already.
- Reasons for remaining budgets are:
 - The chairperson and his driver did not attend the whole programme as planned;
 - The offsets from the actual calculation of petrol charges of provincial participants.
 - However, the budget for photocopy of documents was exceeded due to more handouts than planned especially from MoIC lecturers.

II. **Outcomes of the Seminar, Strengths and Difficulties**

The general findings can be summarized as following:

- Overall, the workshop was successfully achieved its objective (according to feedbacks from H.E Ket KIATTISACK – Vice Minister of Justice). Most participants actively took part in the discussion and managed the time very punctually. In addition, each person gave a number of useful feedbacks and comments to the textbook, theory and the relevant laws. They also raised a lot of questions which were driven from the actual implementation and the cases that already settled. That made the discussion more fruitful and constructive.

Commercial Law - MoJ

- Through the discussion and exchange of opinions and experience, the knowledge and understanding of trainees in particular about the types of enterprises and the management principles of each type of company have been enhanced.

Strengths

Factors contribute to the success of the Workshop are:

- We have received a strong support from leaders of the Ministry;
- We have received good cooperation from Ministry of Industry and Commerce by dispatching 2 lecturers to help and exchange experiences with us thoroughly ;
- We received full supports from the provincial party committee who are particularly the Savannakhet Justice Department and other nearby provincial departments for arrangement, organization, coordinate with relevant parties to send participants to attend the workshop;
- We received strong supports from the Southern School of Law for venue preparation, and provide conveniences and necessary arrangements throughout the whole workshop period;
- Active participation and initiatives from all attendees to contribute to the discussion and exchanges with lecturers and other colleagues;
- Tireless contribution from all lecturers in providing lessons, explaining both domestic and international theory, raising issues to discuss and answering all questions from trainees
- The Law Research and International Cooperation Institute have well prepared all equipment to be used for the Seminar, for instance hand outs, and stationery. In addition, we have maintained regular and effective coordination and collaboration with relevant parties such as Savannakhet Department of Justice, and nearby provinces and the Southern School of Law.
- We have received a financial support and good supervision from JICA.

Difficulties

Despite of the success in conducting this Seminar, we still encountered a number of issues:

- The weather climate in Savannakhet was inconsistent, for instance, a heavy rain on some days caused a late class attendance. This resulted in

Commercial Law - MoJ

some people were late for the class. Thus, for future workshop, we need to gather more forecasting information and ensure to avoid this problem.

- Some trainees still have limited knowledge about the Enterprise Law especially about type of enterprises and the roles and obligations of shareholders/stakeholders. The causes of this problem were because the Business Law was not widely disseminated during the year 1994 (for instance, only disseminate to some areas and one workshop in several years). This has resulted in the repetition and inappropriateness of some questions raised. For this issue, the team will identify ways to improve and gather more information in order to be able to correspond to questions more effectively.

III. Lessons learnt and Recommendations

1. In this seminar, we mainly focus on the local especially remote province. It is a good opportunity to exchange the experience and know the practice of local officials. After the seminar, we could gain a better understanding and ensure that we have a unified system for law implementation for all. Anyway, we highly recommend that there is a necessity to extend the dissemination to district level, because they are more touching the primary level which is the people or public, so in order to ensure that people can have access to justice, it is essential to ensure that the legal and judicial officials understand and enforce the law properly.
2. From experiencing the actual practice in local areas, the technical staff from MoJ has a better vision towards the implementation of the law as well as the future drafting and amending the existing law.
3. We have learnt that in order to successfully organize a workshop, effective communication and coordination are every important. Thus, in the future we will try to contact and closely coordinate with local counterparts more.
4. We highly evaluate the continuous support from JICA, without the budget from JICA, Ministry of Justice would face difficulties in arranging activities like this.
5. We propose to strengthen cooperation among concerned ministries in central level especially in terms of information sharing and other inputs;
6. We should invite the private sector to attend;
7. At the end of workshop, there should be a certificate presentation session.

Commercial Law - MoJ

IV. **Future Plan**

In order to extend the dissemination of Textbooks, our next workshop plan is to hold a seminar in Oudomxay province by late October 2007, and conduct a Law Forum in mid November 2007. For detailed plan will be presented later.

Vientiane, August 20th, 2007

Reported by: Souliya SIDAVONG
Acting Enterprise Law WG Leader

The People's Supreme Court

JICA Japan international agency

**Report the seminars on dissemination of the Judgment
Writing Manual from January to March 2007
Organized by PSC and JICA**

Overview:

Dissemination seminar on judgment writing manual is the final goal of the project activities at the people supreme courts; Judgment writing manual is the most importance outputs for the People's Supreme Court's component under the Lao-JICA legal and judicial development project, as prescribed in output 4 of the PDM.

As we all know the objective of the seminar are aiming to:

1. To disseminate the JWM, office management, morality of judges and personnel organization activities to all judges in the whole country;
2. To upgrade the knowledge and unity of understanding about writing judgment for the first instance in order to apply in daily work of the judges from now on;
3. To exchange and collect the ideas or opinions for future development;
4. Strengthen all judges' ability to do the court's work as well as court of conduct effectively.

And the expected outcomes and purposes of the seminars are

1. The judges would be able to write judgment at the first instance as uniformity and effectiveness.
2. Introduced the lesson of the office management and personnel management;
3. Exchanged the working experience from each others.
4. Introduced the morality of judges
5. And Mock trials are performed by experiences judges.

Target groups

1. Organizer and lecturers is 6 person in total which composed of
 - a. Mr. Bouathong CHANHTHAMALINH, chief cabinet;
 - b. Mr. Phomsouvanh PHILACHANH, PSC judge and director general of judges training center;
 - c. Mr. Vilaseng SATHONGYODTH, Deputy director general personnel department;
 - d. Mr. Sonephachanh THAVIKHAM, Deputy director General of judges training center;
 - e. Mr. Somsack TAYBOUNLACK, Vice president of the central appellate court, working group;
 - f. Mr. Sengkeo VILAPHONHDETH, head of inspection judgment division, working group

However, each seminar is 4 people attended and the others was changing from seminar to seminar which remained two person who accompanied with all seminars;

2. Participant is 297 Judges in total and divided in to six seminars
 - a. First seminar is 46 person
 - b. Second seminar is 46 person
 - c. Third seminar is 40 person
 - d. Fourth seminar is 39 person
 - e. Fifth seminar is 63 person
 - f. Sixth seminar is 63 person (absent 3 person)

Leader and Driver is 2 person which attended only 4 seminars from the 3rd to the sixth seminar

Methodology

This seminar is designed into three phrases:

- a. 3 days lecture on Judgment Writing Manual
- b. 1 days work in group and practice writing judgment
- c. 1 days lecture on office management, morality of judges and personnel management

Schedule and Venue

Schedule of the seminar is from Jan to March 2007 and the venues are Louangnamtha, Louangprabang, Attapue, Champasack, Khammouane and Vientiane provinces.

Upon the seminars have been finished I would like to report the result of the workshop as follow:

Advantages:

1. The leadership committee of the People's supreme court have closely advised and supported to working group in order to fulfill the task on organizing seminars;
2. The JICA as well as the coordinators have closely facilitated, significant observed and support enough fund which lead the workshop going very well;
3. The seminar was facilitated and assisted by the local host provincial court very well;
4. The seminar was enriched by honor participated of chief justice of the PSC distributed speech either at the opening session or closing session.
5. Each seminars have a representative of the local governor at the host provinces who is a permanent provincial party committee or vice governor or leadership of provincial judiciary sector or holding many positions to participated in the opening and closing ceremony which closely observed to the result of seminars;
6. Trainers have tried all their effort to give lecture to participants in order to convey the JWM to the trainees;
7. Organizer have closely oral report to PSC office and JICA coordinator if some problems happened during the seminars in order to find the best way to solve that problems;
8. The participants are response to the objectives of the seminar very well, they have paid attention on the lesson, raised practical questions not only civil procedure but also few of criminal matter and then they actively shared the ideas and their own practice in order to get the consistent answers;
9. The working group have changed the tactic of teaching in order to make the seminars successful, suitable and useful for the trainees such as changing the reports from the differences representatives on case study to be mock trial, raised the case study which asked them to brainstorm first and get the final answer from the participants which they reached satisfied answer at the end and etc.
10. The JWM and others subjects are introduced which made all judges have a consensus understanding of the civil procedure, writing civil judgment and basically judicial conducted etc;

11. The judges knowledge on writing judgment were improved, and JWM will be applied in all people's court especially at the court of first instance;
12. Formulate several mock trials in order to set up the model of teaching material and uniform mock trial in the future.

Disadvantaged:

1. It's limited times for the working group concerning to prepare and settlement budgets doesn't on times as we defined which might be difficult of approved by JICA and other concerned parties;
2. The trainers have differenced knowledge and experiences which some answer are difference;
3. Few trainers have lack of experiences on conveying the knowledge to participants;
4. Some teachers cannot remember the content of JWM or others subjects that they teach very well, therefore sometimes they missed some points of their lesson;
5. Sometimes personal attitude and teaching manners doesn't qualified;
6. Some practical questions cannot get the consent answer, therefore we brought its back to the PSC, after get the uniformity answer then we will distributed to all judges soon;
7. We respect both JICA regulation and Participants ideas, it's difficult to allocate and define the exactly budget for participants especially the local journey which participants have to show both two ways ticket as evidence in order to get money back, otherwise they have to response themselves;

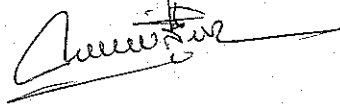
Lesson learned:

1. Each seminar shall ensure the approval and settlement process have enough times ;
2. Trainer must have enough time to review and preparing their own lesson, up date the knowledge and fully understand the lesson content as well as the consent answer at the end;
3. JICA might be flexible and consider for those who doesn't have copy ticket but they paid and oil for the organizer car if possible;
4. The participants are fully interested in practical problems both in civil cases and criminal cases therefore we should allow them to raise any issues if they have in order to get consent answer.
5. Rule and procedure of trial shall be created, because each court have difference manner on trial
6. Evaluation workshop shall be organized to estimate how do they use the knowledge from the seminar and are there any unclear matter remain or not;
7. Additional seminar shall be organized for those who absent and judges assistant who will be appointed to be judges soon;

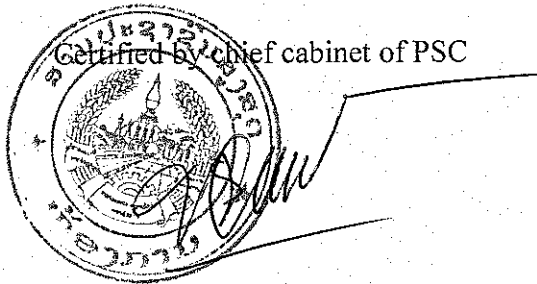
In conclusion:

Even there are some difficulty happened, but excellent coordinate with Leadership committee of PSC and JICA staff we find very good way to solve the problems which causes the seminars going smoothly and effectively. Base on the goal of the seminars and on behalf of the organizer I would like to estimate the seminars were effectively organized and we obtained over the expectation of the seminars.

Vientiane capital, 22nd May 2007
JICA counterpart unit at PSC
Project Manager



Phomsouvanh PHILACHANH



Bouathong CHANHTHAMALINH

The People's Supreme Court (PSC)
of The Lao People's Democratic Republic

JICA Japan International Agency

**Report on the 7th dissemination of the Judgment
Writing Manual from December 17- 22, 2007
Organized by PSC and Supported by JICA**

Overview:

Dissemination seminar on judgment writing manual is the final goal of the project activities at the people supreme courts; Judgment writing manual is the most importance outputs for the People's Supreme Court's component under the Lao-JICA legal and judicial development project, as prescribed in output 4 of the PDM.

As we all know the objective of the seminar are aiming to:

1. To disseminate the JWM, office management, morality of judges and personnel organization activities to all judges in the whole country;
2. To upgrade the knowledge and unity of understanding about writing judgment for the first instance in order to apply in daily work of the judges from now on;
3. To exchange and collect the ideas or opinions for future development;
4. Strengthen all judges' ability to do the court's work as well as court of conduct effectively.

And the expected outcomes and purposes of the seminars are

1. The judges would be able to write judgment at the first instance as uniformity and effectiveness;
2. Introduced the lesson of the office management and personnel management;
3. Exchanged the working experience from each others;
4. Introduced the morality of judges;
5. And Mock trials are performed by experiences judges.

▪ Target groups

1. Organizer and lecturers is 7 persons in total which composed of
 - a. Mr. Bouathong CHANHTHAMALINH, chief of cabinet;
 - b. Mr. Sengsouvanh CHANTHALOUNNAVONG, PSC judge and director general of judges Training Center;
 - c. Mr. Vilaseng SATHONGYODTH, Deputy director general personnel department;
 - d. Mr. Sengkeo VILAPHONHDETH, Head of judgment inspection division, working group;
 - e. Ms. Souksavath BOUNMASENGMr, Head of Technical division, Judges Training Center;
 - f. Mr. Thipphasone Ladvongxay, Organizer's assistant, Judges Training Center;
 - g. Mr. Khamphai Xayyasouk, Organizer's assistant, Judges Training Center;
2. Participants are 40 Judges;
 - a. (absent one person)
3. Leader and Driver is 3 person;

▪ Methodology

This seminar is designed into three phrases:

- a. 3 days lecture on Judgment Writing Manual;
- b. 1 days work in group and practice writing judgment;
- c. 1 days lecture on office management, morality of judges and personnel management;

▪ **Schedule and Venue**

Schedule of the seminar is from December 17-22, 2007 and the venue is in Thalath, Vientiane provinces.

Upon the 7th final seminar I would like to report the result of the workshop as follow:

▪ **Benefits:**

1. The leadership committee of the People's supreme court have closely advised and supported to working group in order to fulfill the task on organizing seminars;
2. The JICA as well as the coordinators have closely facilitated, significant observed and supported enough fund which lead the workshop going very well;
3. The seminar was enriched by honor participated of deputy chief justice of the PSC distributed speech either at the opening session or closing session;
4. The governor of the Vientiane Province had been honorably delivered opening remark, the president of Vientiane Provincial Court, Prosecutor of the Vientiane Province, the representative of the Police and Justice division of Vientiane province were also participated in the opening and closing ceremony which closely observed to the result of seminars;
5. Trainers have tried all their effort to give lecture to participants in order to convey the JWM to the trainees;
6. Organizer have closely made oral report to PSC office and JICA coordinator if some problems occurred during the seminars, and find the best way to solve that problems;
7. The participants are response to the objectives of the seminar very well, they have paid attention on the lessons, raised practical questions not only civil procedure but also few of criminal matter and then they actively shared the ideas and their own practice in order to get the consistent answers;
8. The working group have changed the tactic of teaching in order to make the seminars successful, suitable and useful for the trainees such as changing the reports from the differences representatives on case study to be mock trial, raised the case study which asked them to brainstorm first and get the final answer from the participants which they reached satisfied answer at the end and etc.
9. The JWM and others subjects are introduced which made all judges have a consensus understanding of the civil procedure, writing civil judgment and basically judicial conducted etc;
10. The knowledge on writing judgment were improved, and JWM will be applied in all people's court especially at the court of first instance;
11. Formulate the mock trial in order to set up the model of teaching material and uniform mock trial in the future.

▪ **Limitation:**

1. It's limited times for the seminar and the participants are unable to gain all of the lesson;
2. The trainers have differenced knowledge and experiences which some answer are difference;

3. Few trainers have lack of experiences on conveying the knowledge to participants;
4. Some content of JWM are out of date because the some laws have been changed. So that the content of JWM must be changed;
5. We respect both JICA regulation and Participants ideas, it's difficult to allocate and define the exactly budget for participants especially the local journey which participants have to show both two ways ticket as evidence in order to get money back, otherwise they have to response themselves;

Lesson learned:

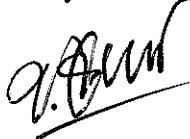
1. The seminar shall ensure the approval and settlement process have enough times;
2. Trainer must have enough time to review and preparing their own lesson, up date the knowledge and fully understand the lesson content as well as the consent answer at the end;
3. JICA might be flexible and consider for those who doesn't have copy ticket but they paid and oil for the organizer car if possible;
4. The participants are fully interested in practical problems both in civil cases and criminal cases therefore we should allow them to raise any issues if they have in order to get consent answer.
5. Rule and procedure of trial shall be created, because each court have difference manner on trial
6. Additional seminar shall be organized for those who doe not have chance to participate and judges assistant who will be appointed to be judges soon;

In conclusion:

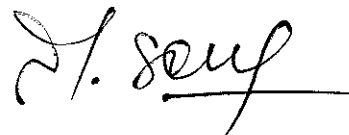
The 7th final dissemination seminar on JWM is one of the final activities of the project which is the bridging point to improve legal knowledge for judges and technical staffs and to ensure daily work in writing judgment. This is a basic path to upgrade human resources. Therefore the lesson and practical work have been taught in this seminar. Moreover problems and unclear issues have been discussed and responded, and the participants have gained certain knowledge for further use. The seminar has been organized well and effectively and we obtain our goals.

Vientiane capital, 21st Jan 2008
JICA counterpart unit at PSC
Project Manager

Certified by chief cabinet of PSC



Bouathong CHANHTHAMALINH



Sengsouvanh CHANTHALOUNNAVONG

The People's Supreme Court (PSC)
of The Lao People's Democratic Republic

JICA Japan International Agency

**Report on the 1st and 2nd Evaluation seminars on Judgment
Writing Manual, December 2007**
Organized by PSC and Supported by JICA

Overview:

The Evaluation seminars on Judgment Writing Manual (JWM) is the final project activities at the people supreme courts; The Evaluation seminars on Judgment Writing Manual (JWM) is significant task for the People's Supreme Court's component under the Lao-JICA legal and judicial development project, as prescribed in the project mission..

The objective of the evaluation seminar is aiming to:

1. To assess the JWM after using its for a certain time;
2. To collect comment and suggestion from the Judges for future development;

▪ Target groups

1. Organizer and lecturers is 12 persons. The following staffs are the main personnel who works as a working group:
 - a. Mr. Bouathong CHANHTHAMALINH, chief of cabinet;
 - b. Mr. Sengsouvanh CHANTHALOUNNAVONG, PSC judge and director general of judges Training Center;
 - c. Mr. Vilaseng SATHONGYODTH, Deputy director general personnel department;
 - d. Mr. Sengkeo VILAPHONHDETH, Head of judgment inspection division, working group;
 - e. Mr. Thipphasone Ladvongxay, Organizer's assistant, Judges Training Center;
 - f. Mr. Khamphai Xayyasouk, Organizer's assistant, Judges Training Center;
2. Participants: 60 Judges;
3. Leader and Driver: 8 persons;

▪ Methodology

This Evaluation seminar is designed into three phrases:

- a. 1 days lecture on Judgment Writing Manual;
- b. 1 days collecting comment and opinions from judges;
- c. 1 days continuing collection comment and making conclusion of the evaluation seminar;

▪ Schedule and Venue

Schedule of the **first** seminar is from December 19-21, 2007 in Xiengkhouang provinces and the **second** seminar is from December 26-28, 2007 in Savannakhet province.

Upon the first and the second Evaluation seminar I would like to report the result of the workshop as follow:

▪ Benefits:

1. The President and vice president of the People's supreme court have closely given advice and support evaluation seminars;

2. The JICA as well as the coordinators have closely facilitated, observed and supported enough fund which lead the workshop going very well;
3. The seminar was honorably participated by president and vice president of the PSC as well as delivered speech either at the opening session or closing session;
4. Both acting governor of the Xiengkhouang and Savannakhet Province had also been honorably made opening and closing remark;
5. Both Evaluation seminars had also attended by president of the provincial court, provincial prosecutor, the representative of the Police and Justice division;
6. The participants are actively response to the JWM especially the contents of the manual. They also raised practical questions on civil procedure;
7. Generally the JWM is very useful for judges and the manual is a guidance for the judges to draft and write civil decision more accurately;
8. The knowledge on writing decision have been improved, and JWM will be applied in all people's court especially at the court of first instance;
9. The JWM are also provided theories and practical use to form the mock trial in leading the judges to set up the court trial easily.

▪ **Weak point:**

1. Although the JWM is helpful for judges. However the contents of the JWM are still needed to fix or change because some words, sentences and legal articles in the Manual is outdated as well as the form of decision;
2. The seminar on using JWM must be continuing;
3. Additional seminar shall be organized for those who do not have chance to participate and judges assistant who will be appointed to be judges soon;

In conclusion:

The evaluation seminar on JWM is one of the final projects which are the significant point to improve legal contents of the JWM as well as legal understanding for judges and judges' assistant in order to make all of them in drafting and writing decision more accurately. Therefore the contents of the JWM must be changed for practical use. The daily work has been complied with the laws and useful of JWM. Moreover the JWM will be a model for writing decision.

Vientiane capital, 21st Jan 2008
 JICA counterpart unit at PSC
 Project Manager

Certified by chief cabinet of PSC



Bouathong CHANHTHAMALINH



Sengsouvanh CHANTHALOUNNAVONG

Report
on the Dissemination Seminar of the OSPP's manuals on
July 3rd – 6th at the Government Office's Club Hall, Champasack
Province

- According to the plan of JICA LJDP;
- According to the completion and readiness for usage of the OSPP Manuals
- According to the bilateral cooperation between JICA and OSPP.

Details of the Seminar:

- The Seminar was conducted for 4 days starting from July 3rd to 6th, 2006 at the Government Office's Club, Champasack Province. On the first day of seminar at 8:30, the deputy Prosecutor General, H.E Somlith Chanthachack had given an honor to be the chairman as well as to give an opening speech to the Seminar.
 - Total numbers of participants was 73 including 15 from OSPP and 58 from provincial prosecutor offices and central and southern appeal prosecutors;

July 3rd, 2006

- ◇ Morning: Procedures and documents, explanation on the roles and responsibilities of the Cabinet Department (H.E Mr. Somlith Chanthachack – Deputy Prosecutor General);
- ◇ Afternoon: Topic on the OSPP and the investigation organisation (Mr. Bounma Phonsanith – DDG of Cabinet Department) Roles of officers who are involved in the case proceeding (Mr. Bounma Duangmalasinh – investigator from the Central Appeal People Prosecutor)

July 4th, 2006

- Morning: Case proceeding and process of investigation & obtaining evidences (Mr. Bounma Phonsanith – DDG of Cabinet Department);
- Afternoon: Group discussion on the proceeding and process of investigation and evidences gathering. After the discussion, a representative from each group presented their ideas and comments on the manuals to the class

July 5th, 2006

- Morning: Implementation of measures to prevent the fraud and timeframe for investigation/Detection (Mr. Saysamai Alounthong – Deputy Prosecutor of the Central Appeal People Prosecutor). The finalization of investigation process by (Mr.

Bounma Duangmalasinh – investigator from the Central Appeal People Prosecutor);

- Afternoon: Explanation on the court proceeding and answers to all questions raised by trainees (Mr. Bounma Phonsanith – DDG of Cabinet Department)

July 6th, 2006

- Morning: Roles and Responsibilities of Personnel Department (Mr. Xomphou Phothisane – Chief of Personnel Division);
- Afternoon: Human Resource Development Policies (Mrs. Vila Keovilayvanh)

Feedbacks from participants:

Cabinet Department:

The DG of cabinet from provincial OSPP and detector and investigator should have different stamps.

Personnel Department:

- Based on the ToR the post of investigators is divided into 3 levels, has it been implemented and put into practice already?
- Insufficient number of staff.

Investigation & Detection:

- Some documents still have no topics or headers;
- Some wordings are inappropriate and needs clearer explanation;
- Typing errors.

Other issues:

Request the OSPP management to provide copies of all related laws that already approved by the National Assembly to the provincial and district prosecutor offices.

In response to the questions, and requests from attendees, the OSPP and trainers took turned answering and clarifying points that raised by trainees and ensured that they were clear before moving on. In regard to the errors and mistakes in the Investigation manual, the OSPP will make correction and update all missed out information, then will provide those as an appendix to the Manual and resend to all trainees.

Evaluation Result:

| | <u>Too short</u> | <u>Just right</u> | <u>Too long</u> |
|---------|------------------|-------------------|-----------------|
| 1. Time | 90% | 10% | |

| | <u>Good</u> | <u>Moderate</u> | <u>Satisfactory</u> |
|----------------------|-------------|-----------------|---------------------|
| 2. Venue | 95% | 5% | |
| 3. Services | 85% | 15% | |
| 4. Technical aspects | 90% | 10% | |
| 5. Organisation | 100% | | |

Conclusion:

From observations based, we can conclude that the Dissemination Workshop from July 3rd – 6th, 2006 went very well. Most trainees participated actively in the discussion session as well as raised a number of relevant and useful comments. Thus, it can be shown that participants can understand the manuals well.

The factors led to this successful seminar are:

- Full support and supervision from the senior officials of OSPP;
- Good relationship and effective cooperation with the Project's coordinator;
- Well participation from southern prosecutors.
- Budgetary support from JICA.

Weak points:

- Some trainees did not bring the manuals and documents related to cabinet and personnel tasks with them;
- Some trainees, e.g. from Champasack province arrived late;
- There was a misunderstanding in terms of information provision (Traveling cost)

Lessons learnt:

- Should ensure that name, and position of trainees in the Registration Document is accurate and clear;
- Seating arrangement should be improved (especially seats for high ranking officers and experts);
- Trainers should be more prepared before giving the session;
- The DSA and traveling rate should be revised and compared to other donor organizations;
- The trainees should follow the instruction strictly in order to avoid problem shooting (especially should respect the rate for traveling).

Recommendations:

- In order to ensure the sustainability of understanding about the roles and tasks of prosecutors, it is recommended to continue disseminating manuals until 2008;

- For the next workshop, the organizer should invite custom or forestry officer to participate as they are closely working together working with prosecutors especially in terms of investigation tasks;
- Manuals for Organisation and Personnel should be printed more and dissemination to offices that have not yet received.

Vientiane Capital, August 1st, 2006

Mr. Linthong Saibounma
Organisation Committee

Activity Report
on the Dissemination Seminar of the OSPP's manuals on
August 28th – 31st, 2006 at the Phouphakeo Resort,
Khammouane Province

- According to the plan of JICA LJDP;
- According to the completion and readiness for usage of the OSPP Manuals
- According to the bilateral cooperation between JICA and OSPP.

Details of the Seminar:

- The Seminar was conducted for 4 days starting from August 28th – 31st, 2007 at the Phouphakeo Resort, Khammouane Province. On the first day of seminar at 8:30, the deputy Prosecutor General, H.E Somlith Chanthachack had given an honor to co-chair with H.E Khambay DAMLATH, Permanent Secretariat, Central Party Committee, Governor of the Province as well as to give an opening speech to the Seminar.
 - Total numbers of participants was 56 including 21 from OSPP and 35 from provincial prosecutor offices and central and southern appeal prosecutors;

August 28th, 2006

- ◇ **Morning:** At 8:15, Mr. Somlith gave an opening remark and stressed on the importance and achievement on the Investigation Manual and encouraged all participants to give feedbacks for further improvement.
After that, Mr. Hideaki Matsumoto – Assistant Resident Representative of JICA Laos continued addressing the general overview of JICA LJDP project and especially about the previous and future plan.
At 9:45, Procedures and documents, explanation on the roles and responsibilities of the Cabinet Department were lectured by Mr. Ounla SOUKANH – Chief of Cabinet, OSPP;
- ◇ **Afternoon:** At 13:00, the information about the Personnel Structure was given by Mr. Xomphou PHOTHISA – Director of Personnel Division, Personnel Department, OSPP.

August 29th, 2006

- **Morning:** At 8:00, before starting the session, there was an entertainment activity, such as singing in order to refresh the day. After that, at 8:30, Mrs. Vila KEOVILAYVANH, the Director of Policy Division, Personnel Department, explained about the Personnel Policy within Prosecutor Offices.

- Afternoon: At 13:00, Mr. Soukhala KHAMMANIVONG gave a lecture on Investigation Organisation. Then, he divided participants into group in order to discuss about the current roles of Investigation Organisation and asked a representative from each group to present their findings.

After that, Mr. Bounma DOUANGMALASINH – technical officer from Central Appellate Court explained on the Documentations and procedures of parties involved in investigation task.

August 30th, 2006

- Morning: At 8:30, Mr. Bounma PHOLSANITH gave a session on the criminal case proceeding, investigation procedures, and evidence gathering. Then, he divided participants into group in order to discuss their investigation methods and asked a representative from each group to present their findings.

He went on explaining about the court proceeding and answers to all questions raised by trainees.

August 31st, 2006

- Morning: At 8:30, the Trainer continued explaining on the duration of investigation task, finalization and prosecution.
- Afternoon: Dividing into groups then asked the representative from each group to present their findings.

Over the Seminar, all participants had actively raised a lot of questions and topics for discussion. The summary of their comments are as following:

Feedbacks from participants:

Cabinet Department:

- The Chief of cabinet in provincial prosecutor offices and administrative officers should have a regular training at the OSPP;
- Each provincial officer should have their own stamp and with the proper instruction for the usage;
- There are still minor mistakes in the Manual such as spelling and sentence structure, so please get the correction done and reprint if there is a budget.

Personnel Department:

- Request the OSPP to consider issuing the staff criteria working in the Personnel Department as well as in the Provincial Prosecutor Offices.
- What should we do if a staff is absent for 1 month (give punishment or dismiss from the

Organization)

- With regards to staff recruitment, it is better to coordinate with local prosecutor office.

Investigation & Detection:

- Request the OSPP management to provide copies of all related laws that already approved by the National Assembly to the provincial and district prosecutor offices.
- Request the OSPP to distribute manual to every prosecutor especially those in provinces.

In response to the questions, and requests from attendees, the OSPP and trainers took turned answering and clarifying points that raised by trainees and ensured that they were clear before moving on. In regard to the errors and mistakes in the Investigation manual, the OSPP will make correction and update all missed out information, then will provide those as an appendix to the Manual and resend to all trainees.

Evaluation Result:

| | <u>Too short</u> | <u>Just right</u> | <u>Too long</u> |
|----------------------|-------------------------|--------------------------|----------------------------|
| 1. Time | 5% | 95% | |
| | <u>Good</u> | <u>Moderate</u> | <u>Satisfactory</u> |
| 2. Venue | 90% | 10% | |
| 3. Services | 70% | 30% | |
| 4. Technical aspects | 90% | 10% | |
| 5. Organisation | 100% | | |

Conclusion:

From observations based, we can conclude that the Dissemination Workshop from August 28th – 31st, 2006 went very well. Most trainees participated actively in the discussion session as well as raised a number of relevant and useful comments. Thus, it can be shown that participants can understand the manuals well.

The factors led to this successful seminar are:

- Full support and supervision from the senior officials of OSPP;
- Good relationship and effective cooperation with the Project's coordinator;
- Well participation from southern prosecutors.
- Budgetary support from JICA.

Weak points:

- Some trainees did not bring the manuals and documents related to cabinet and personnel tasks with them;
- One participant was absent;
- There was a misunderstanding in terms of information provision (Traveling cost)

Lessons learnt:

- Should ensure that name, and position of trainees in the Registration Document is accurate and clear;
- Seating arrangement should be improved (especially seats for high ranking officers and experts);
- Trainers should be more prepared before giving the session;
- Before sending documents for photocopying, we should make sure that there is no errors or mistakes.
- The DSA and traveling rate should be revised and compared to other donor organizations;
- The trainees should follow the instruction strictly in order to avoid problem shooting (especially should respect the rate for traveling).

Recommendations:

- In order to ensure the sustainability of understanding about the roles and tasks of prosecutors, it is recommended to continue disseminating manuals until 2008;
- For the next workshop, the organizer should invite custom or forestry officer to participate as they are closely working together working with prosecutors especially in terms of investigation tasks;
- Manuals for Organisation and Personnel should be printed more and dissemination to offices that have not yet received.
- The timetable for the next workshop will be from 8:00 – 11:30 in AM and 13:30 – 16:30 in PM.
- When having a group discussion, the participants should raise more specific queries.

Vientiane, September 13th, 2006

Mr. Linthong Saibounma
Organisation Committee

Activity Report
on the Dissemination Seminar of the OSPP's manuals on
October 16th – 19th, 2006 at the New Xayaboury Hotel,
Xayaboury Province

- According to the plan of JICA LJDP;
- According to the completion and readiness for usage of the OSPP Manuals
- According to the bilateral cooperation between JICA and OSPP.

Details of the Seminar:

- The Seminar was conducted for 4 days starting from October 16th – 19th, 2007 at the New Xayaboury Hotel, Xayaboury Province.
- On the first day of seminar at 8:00, the Deputy Permanent Secretariat/Vice governor of Xayaboury province – Mr. Mek PHANLACK gave his hornour to chair the Seminar and co-chaired by Mr. Oun LASOUKANH – Chief of Cabinet, OSPP
 - Total numbers of participants was 53 including 13 from OSPP, 6 from Borkeo provincial prosecutor and police office, 13 from Xayaboury, and 21 from Luang Prabang.

October 16th, 2006

- ◇ Morning: At 8:00, Mr. Oun LASOUKANH gave an opening remark and stressed on the importance and achievement on the Investigation Manual and encouraged all participants to give feedbacks for further improvement.
After that, Mr. Hideaki Matsumoto – Assistant Resident Representative of JICA Laos continued addressing the general overview of JICA LJDP project and especially about the previous and future plan.
At 9:45, Procedures and documents, explanation on the roles and responsibilities of the Cabinet Department were lectured by Mr. Ounla SOUKANH – Chief of Cabinet, OSPP;
- ◇ Afternoon: At 13:30, Mr. Bounma PHOLSANITH shared information about the criminal case proceeding, investigation procedures, evidence gathering. After that, we divided participants into groups and discussed about their experience then present their findings to the class.

October 17th, 2006

- Morning: At 8:00, there were sessions on duration of investigation, finalization of case and court prosecution by Mr. Bounma PHOLSANITH, Mr. Saysamai

ALOUNTHONG, Mr. Soukhala KHAMMANIVONG and Mr. Bounma DUANGMALASINH.

- Afternoon: Dividing participants into group again in order to discuss about their experience and practice, and asked a representative from each group to present their findings.

October 18th, 2006

- Morning: At 8:30, Mr. Bounma PHOLSANITH gave a session on the criminal case proceeding, investigation procedures, and evidence gathering. Then, he divided participants into group in order to discuss their investigation methods and asked a representative from each group to present their findings.
He went on explaining about the court proceeding and answers to all questions raised by trainees.

October 19th, 2006

- Morning: Mr. Xomphou PHOTHISA gave a session on Organization Structure.
- Afternoon: At 13:30, in order to refresh trainees after lunch, we organized a singing which inquired participation from both trainees and trainers. After that at 13:45, Mrs. Vila KEOVILAYVANH gave a lecture on the personnel policy within the Prosecutor organizations.

Over the Seminar, all participants had actively raised a lot of questions and topics for discussion. The summary of their comments are as following:

Feedbacks from participants:

Cabinet Department:

- The Chief of cabinet in provincial prosecutor offices and administrative officers should have a regular training at the OSPP;
- Each provincial officer should have their own stamp and with the proper instruction for the usage;
- There are still minor mistakes in the Manual such as spelling and sentence structure, so please get the correction done and reprint if there is a budget.
- What the Structure of Cabinet Office would be like for the provincial offices?

Personnel Department:

- Request the OSPP to consider issuing the staff criteria working in the Personnel Department as well as in the Provincial Prosecutor Offices.

- With regards to staff recruitment, it is better to coordinate with local prosecutor office.
- When having an annual appraisal, is it possible to consider both performance in vertical (line ministry) and horizontal (provincial authority)
- Request the leaders of OSPP to visit and give advice for the structuring of district prosecutor offices
- For appointing staff to investigate the case in district or remote areas, do they still receive the same traveling allowance rate.
- Request the OSPP to consider sending provincial staff to training both domestic and international courses
- If a staff is equipped with experience and qualification but only he/she has not yet become a party member, can we promote the person to be an investigator?

Investigation & Detection:

- Request the OSPP management to provide copies of all related laws that already approved by the National Assembly to the provincial and district prosecutor offices.
- Request the OSPP to distribute manual to every prosecutor especially those in provinces.
- Based on experience, we have been facing difficulty with dealing with the forestry and custom officers. What would be an advice?
- With regards to time schedule, the submission of investigation details is not yet done effectively, sometimes if there is any further information needed, there is no budget for officer to go back to the field.
- In some cases, it is acceptable to only have arbitration and not sending the case for court judgment.
- The order for common arrestment can only be issued by prosecutor and/or judge. So when can the judge issue an order?

In response to the questions, and requests from attendees, the OSPP and trainers took turned answering and clarifying points that raised by trainees and ensured that they were clear before moving on.

In regard to the errors and mistakes in the Investigation manual, the OSPP will make correction and update all missed out information, then will provide those as an appendix to the Manual and resend to all trainees.

Evaluation Result:

| | <u>Too short</u> | <u>Just right</u> | <u>Too long</u> |
|----------------------|-------------------------|--------------------------|----------------------------|
| 1. Time | 5% | 95% | |
| | <u>Good</u> | <u>Moderate</u> | <u>Satisfactory</u> |
| 2. Venue | 80% | 20% | |
| 3. Services | 70% | 30% | |
| 4. Technical aspects | 85% | 15% | |
| 5. Organisation | 100% | | |

Conclusion:

From observations based, we can conclude that the Dissemination Workshop from October 16th – 19th, 2006 went very well. Most trainees participated actively in the discussion session as well as raised a number of relevant and useful comments. Thus, it can be shown that participants can understand the manuals well.

The factors led to this successful seminar are:

- Full support and supervision from the senior officials of OSPP;
- Good relationship and effective cooperation with the Project's coordinator;
- Well participation from southern prosecutors.
- Budgetary support from JICA.

Weak points:

- Some trainees did not bring the manuals and documents related to cabinet and personnel tasks with them;
- There was a misunderstanding in terms of information provision (Traveling cost)
- Inconvenient transportation due to only one car and not enough petrol
- The budget and actual expenditure do not match, therefore, difficult to make a settlement.

Lessons learnt:

- Should ensure that name, and position of trainees in the Registration Document is accurate and clear;
- Seating arrangement should be improved (especially seats for high ranking officers and experts);
- Trainers should be more prepared before giving the session;
- Before sending documents for photocopying, we should make sure that there are no

errors or mistakes.

- The DSA and traveling rate should be revised and compared to other donor organizations;
- The trainees should follow the instruction strictly in order to avoid problem shooting (especially should respect the rate for traveling).

Recommendations:

- In order to ensure the sustainability of understanding about the roles and tasks of prosecutors, it is recommended to continue disseminating manuals until 2008;
- For the next workshop, the organizer should invite custom or forestry officer to participate as they are closely working together working with prosecutors especially in terms of investigation tasks;
- Manuals for Organisation and Personnel should be printed more and dissemination to offices that have not yet received.
- When having a group discussion, the participants should raise more specific queries.
- Request for reprinting and distribute to police officers.

Vientiane, November 7th, 2006

Mr. Oun LASOUKANH
Organisation Committee

Activity Report
on the Dissemination Seminar of the OSPP's manuals on
December 25th – 28th, 2006 at the Government Administration
Club, Oudomxay Province

- According to the plan of JICA LJDP;
- According to the completion and readiness for usage of the OSPP Manuals
- According to the bilateral cooperation between JICA and OSPP.

Details of the Seminar:

- The Seminar was conducted for 4 days starting from December 25th – 28th, 2006 at Government Administration Club, Oudomxay Province.
- On the first day of seminar at 8:30, the Deputy Permanent Secretariat/Vice governor of Oudomxay province – Mr. Khamla LINGNASONE gave his honor to chair the Seminar
 - Total numbers of participants was 50 including 10 from OSPP, 13 from Oudomxay provincial prosecutor and police office, 12 from Phongsaly, 11 from Luang Namtha, and 4 from Northern Appellate Prosecutor Office.

December 25th, 2006

- ◇ Morning: At 8:30, Mr. Khamla LINGNASONE gave an opening remark and stressed on the importance and achievement on the Investigation Manual and encouraged all participants to give feedbacks for further improvement.
After that, Mr. Hideaki Matsumoto – Assistant Resident Representative of JICA Laos continued addressing the general overview of JICA LJDP project and especially about the previous and future plan.
At 9:45, Procedures and documents, explanation on the roles and responsibilities of the Cabinet Department were lectured by Mr. Somsanouk PHENGPHAVANH – Deputy Chief of Cabinet, OSPP;
- ◇ Afternoon: At 13:30, Mr. Xomphou PHOTHISA gave a session on Organization Structure.

December 26th, 2006

- ◇ Morning: Mrs. Vila KEOVILAYVANH gave a lecture on the personnel policy within the Prosecutor organizations.
- ◇ Afternoon: A session on the role of OSPP and investigation organization given by Mr. Saysamai ALOUNTHONG, and another lecture on the role of parties involved in investigation task by Mr. Bounma DUANGMALASINH.

December 27th, 2006

- Morning: Mr. Bounthone MANISENG – Prosecutor from Northern Appellate Office explained on the Criminal case proceeding. Then in the afternoon, Mr. Bounma

PHOLSANITH gave a session on investigation procedures, and evidence gathering.

December 28th, 2006

- Morning: There was a lecture on the counter measure application, the identification of duration, finalization and prosecution of defend by Mr. Saysamai ALOUNTHONG and Mr. Bounma DUANGMALASINH.
- Afternoon: At 13:30, in order to refresh trainees after lunch, we organized a singing which inquired participation from both trainees and trainers. After that at 13:45,

Over the Seminar, all participants had actively raised a lot of questions and topics for discussion. The summary of their comments are as following:

Feedbacks from participants:

Cabinet Department:

- The Chief of cabinet in provincial prosecutor offices and administrative officers should have a regular training at the OSPP;
- Each provincial officer should have their own stamp and with the proper instruction for the usage;
- There are still minor mistakes in the Manual such as spelling and sentence structure, so please get the correction done and reprint if there is a budget available.
- What the Structure of Cabinet Office would be like for the provincial offices?

Personnel Department:

- Request the OSPP to consider issuing the staff criteria working in the Personnel Department as well as in the Provincial Prosecutor Offices.
- With regards to staff recruitment, it is better to coordinate with local prosecutor office.
- For appointing staff to investigate the case in district or remote areas, do they still receive the same traveling allowance rate.
- Request the OSPP to consider sending provincial staff to training both domestic and international courses
- If a staff is equipped with experience and qualification but only he/she has not yet become a party member, can we promote the person to be an investigator?

Investigation & Detection:

- Request the OSPP management to provide copies of all related laws that already approved by the National Assembly to the provincial and district prosecutor offices.
- Request the OSPP to distribute manual to every prosecutor especially those in provinces.
- Based on experience, we have been facing difficulty with dealing with the forestry and custom officers. What would be an advice?
- With regards to time schedule, the submission of investigation details is not yet done

effectively, sometimes if there is any further information needed, there is no budget for officer to go back to the field.

- In some cases, it is acceptable to only have arbitration and not sending the case for court judgment.
- The order for common arrestment can only be issued by prosecutor and/or judge. So when can the judge issue an order?

In response to the questions, and requests from attendees, the OSPP and trainers took turned answering and clarifying points that raised by trainees and ensured that they were clear before moving on.

In regard to the errors and mistakes in the Investigation manual, the OSPP will make correction and update all missed out information, then will provide those as an appendix to the Manual and resend to all trainees.

Evaluation Result:

| | <u>Too short</u> | <u>Just right</u> | <u>Too long</u> |
|----------------------|-------------------------|--------------------------|----------------------------|
| 1. Time | 10% | 90% | |
| | <u>Good</u> | <u>Moderate</u> | <u>Satisfactory</u> |
| 2. Venue | 95% | 5% | |
| 3. Services | 90% | 10% | |
| 4. Technical aspects | 90% | 10% | |
| 5. Organisation | 100% | | |

Conclusion:

From observations based, we can conclude that the Dissemination Workshop from December 25th – 28th, 2006 went very well. Most trainees participated actively in the discussion session as well as raised a number of relevant and useful comments. Thus, it can be shown that participants can understand the manuals well.

The factors contribute to this successful seminar are:

- Full support and supervision from the senior officials of OSPP;
- Good relationship and effective cooperation with the Project's coordinator;
- Well participation from southern prosecutors.
- Budgetary support from JICA.

Weak points:

- Some trainees did not bring the manuals and documents related to cabinet and personnel tasks with them;

- There was a misunderstanding in terms of information provision (Traveling cost)
- The budget and actual expenditure do not match, therefore, difficult to make a settlement.

Lessons learnt:

- Trainers should be more prepared before giving the session;
- Before sending documents for photocopying, we should make sure that there are no errors or mistakes.
- The DSA and traveling rate should be revised and compared to other donor organizations;
- The trainees should follow the instruction strictly in order to avoid problem shooting (especially should respect the rate for traveling).

Recommendations:

- In order to ensure the sustainability of understanding about the roles and tasks of prosecutors, it is recommended to continue disseminating manuals until 2008;
- For the next workshop, the organizer should invite custom or forestry officer to participate as they are closely working together working with prosecutors especially in terms of investigation tasks;
- Manuals for Organisation and Personnel should be printed more and dissemination to offices that have not yet received.
- When having a group discussion, the participants should raise more specific queries.
- Request for reprinting and distribute to police officers.
- In order to promote and advertise the activity of Project, requesting the project to provide souvenirs for trainees such as bags
- Should inform the daily allowance rate to trainee
- For investigation session, request the trainers to give more concrete evidence and example to analyse.

Vientiane, February 10th, 2007

Mr. Somsanouk PHENGPHAVANH
Organisation Committee

Activity Report
on the Dissemination Seminar of the OSPP's manuals on
February 5th – 8th, 2007 at the Government Administration Club,
Xieng Khuang Province

- According to the plan of JICA LJDP;
- According to the completion and readiness for usage of the OSPP Manuals
- According to the bilateral cooperation between JICA and OSPP.

Details of the Seminar:

- The Seminar was conducted for 4 days starting from February 5th – 8th, 2007 at Government Administration Club, Xieng Khuang Province.
- On the first day of seminar at 8:30, the Deputy Permanent Secretariat/Vice governor of Xieng Khuang province – Mr. Viengthanom PHOMMACHANH gave his honor to chair the Seminar
 - Total numbers of participants was 46 including 14 from Xieng Khuang provincial prosecutor and police office, 14 from Huaphanh, 18 from Vientiane Prosecutor and Police Office.

February 5th, 2007

- ◇ Morning: At 8:30, Mr. Viengthanom PHOMMACHANH gave an opening remark and stressed on the importance and achievement on the Investigation Manual and encouraged all participants to give feedbacks for further improvement.

After that, Mr. Hideaki Matsumoto – Assistant Resident Representative of JICA Laos continued addressing the general overview of JICA LJDP project and especially about the previous and future plan.

At 9:45, Procedures and documents, explanation on the roles and responsibilities of the Cabinet Department were lectured by Mr. Somsanouk PHENGPHAVANH – Deputy Chief of Cabinet, OSPP;

- ◇ Afternoon: At 13:30, Mr. Xomphou PHOTHISA gave a session on Organization Structure.

February 6th, 2007

- ◇ Morning: Mrs. Vila KEOVILAYVANH gave a lecture on the personnel policy within the Prosecutor organizations.
- ◇ Afternoon: A session on the role of OSPP and investigation organization given by Mr. Saysamai ALOUNTHONG, and another lecture on the role of parties involved in investigation task by Mr. Bounma DUANGMALASINH.

February 7th, 2007

- Morning: Mr. Bounthone MANISENG – Prosecutor from Northern Appellate Office explained on the Criminal case proceeding. Then in the afternoon, Mr. Bounma PHOLSANITH gave a session on investigation procedures, and evidence gathering.

February 8th, 2007

- Morning: There was a lecture on the counter measure application, the identification of duration, finalization and prosecution of defend by Mr. Saysamai ALOUNTHONG and Mr. Bounma DUANGMALASINH.
- Afternoon: At 13:30, in order to refresh trainees after lunch, we organized a singing which inquired participation from both trainees and trainers. After that at 13:45,

Over the Seminar, all participants had actively raised a lot of questions and topics for discussion. The summary of their comments are as following:

Feedbacks from participants:

Cabinet Department:

- The Chief of cabinet in provincial prosecutor offices and administrative officers should have a regular training at the OSPP;
- Each provincial officer should have their own stamp and with the proper instruction for the usage;
- There are still minor mistakes in the Manual such as spelling and sentence structure, so please get the correction done and reprint if there is a budget available.

Personnel Department:

- Request the OSPP to consider issuing the staff criteria working in the Personnel Department as well as in the Provincial Prosecutor Offices.
- With regards to staff recruitment, it is better to coordinate with local prosecutor office.
- For appointing staff to investigate the case in district or remote areas, do they still receive the same traveling allowance rate.
- Request the OSPP to consider sending provincial staff to training both domestic and international courses

Investigation & Interrogation:

- Request the OSPP management to provide copies of all related laws that already approved by the National Assembly to the provincial and district prosecutor offices.
- Based on experience, we have been facing difficulty with dealing with the forestry and custom officers. What would be an advice?
- With regards to time schedule, the submission of investigation details is not yet done effectively, sometimes if there is any further information needed, there is no budget for officer to go back to the field.

- In some cases, it is acceptable to only have arbitration and not sending the case for court judgment.
- The order for common arrestment can only be issued by prosecutor and/or judge. So when can the judge issue an order?

In response to the questions, and requests from attendees, the OSPP and trainers took turned answering and clarifying points that raised by trainees and ensured that they were clear before moving on.

In regard to the errors and mistakes in the Investigation manual, the OSPP will make correction and update all missed out information, then will provide those as an appendix to the Manual and resend to all trainees.

Evaluation Result:

| | <u>Too short</u> | <u>Just right</u> | <u>Too long</u> |
|----------------------|-------------------------|--------------------------|----------------------------|
| 1. Time | 15% | 80% | 5% |
| | <u>Good</u> | <u>Moderate</u> | <u>Satisfactory</u> |
| 2. Venue | 85% | 15% | |
| 3. Services | 75% | 25% | |
| 4. Technical aspects | 90% | 10% | |
| 5. Organisation | 95% | 5% | |

Conclusion:

From observations based, we can conclude that the Dissemination Workshop from February 5th – 8th, 2007 went very well. Most trainees participated actively in the discussion session as well as raised a number of relevant and useful comments. Thus, it can be shown that participants can understand the manuals well.

The factors contribute to this successful seminar are:

- Full support and supervision from the senior officials of OSPP;
- Good relationship and effective cooperation with the Project’s coordinator;
- Well participation from southern prosecutors.
- Budgetary support from JICA.

Weak points:

- Some trainees did not bring the manuals and documents related to cabinet and personnel tasks with them;
- There was a misunderstanding in terms of information provision (Traveling cost)
- The budget and actual expenditure do not match, therefore, difficult to make a

settlement.

Lessons learnt:

- Trainers should be more prepared before giving the session;
- Before sending documents for photocopying, we should make sure that there are no errors or mistakes.
- The DSA and traveling rate should be revised and compared to other donor organizations;
- The trainees should follow the instruction strictly in order to avoid problem shooting (especially should respect the rate for traveling).

Recommendations:

- In order to ensure the sustainability of understanding about the roles and tasks of prosecutors, it is recommended to continue disseminating manuals until 2008;
- For the next workshop, the organizer should invite custom or forestry officer to participate as they are closely working together working with prosecutors especially in terms of investigation tasks;
- Manuals for Organisation and Personnel should be printed more and dissemination to offices that have not yet received.
- When having a group discussion, the participants should raise more specific queries.
- Request for reprinting and distribute to police officers.
- In order to promote and advertise the activity of Project, requesting the project to provide souvenirs for trainees such as bags
- Should inform the daily allowance rate to trainee
- For investigation session, request the trainers to give more concrete evidence and example to analyse.

Vientiane, February 15th, 2007

Mr. Khammoune SENG-OUTHAI
Organisation Committee

OSPP Military Workshop in Bolikhamsay Province

Activity Report
on the Dissemination Seminar of the OSPP's manuals
to Military Prosecutors
on
March 14th – 16th, 2007
At Governor's Office Club, Bolikhamsay Province

- According to the plan of JICA LJDP;
- According to the completion and readiness for usage of the OSPP Manuals
- According to the bilateral cooperation between JICA and OSPP.

Details of the Seminar:

- The Seminar was conducted for 3 days starting from March 14th – 16th, 2007 at the Governor's Office Club, Bolikhamsay Province.
- The Opening Ceremony started at 8:00, the deputy Prosecutor General H.E Somlith CHANTHACHAK had given an honor to be the chairman as well as to give an opening speech to the Seminar.
 - Total numbers of participants was 48 including 7 from the Office of Supreme People's Prosecutor, and 41 from the Office of Supreme Military Prosecutor and Northern Military Prosecutor Offices.

March 14th, 2007

- ◇ Morning: At 8:30am, opened the Seminar by H.E Onchanh PHETSALATH. In his remark, he has explained about the background of formulating the Investigation manual as well as the previous workshops and activities the OSPP has conducted. He went on informing the participants about the future plan of the OSPP in terms of disseminating the Investigation Manuals to parties concerned;
- ◇ At 9:45am, Mr. Kongphet Latbounheung, technical staff/deputy chief of cabinet at the Central Appellate Prosecutor, gave a session on procedures and document related investigation tasks.
- ◇ Afternoon: Mr. Bounma Duangmalasinh, the head of investigation division, gave an explanation on the roles of parties involved in the investigation, and Case Proceedings.

March 15th, 2007

- Morning: Case proceeding and process of investigation & obtaining evidences (Mr.

OSPP Military Workshop in Bolikhamsay Province

Bounma Phonsanith – DDG of Cabinet Department);

- Afternoon: Group discussion on the proceeding and process of investigation and evidences gathering. After the discussion, a representative from each group presented their ideas and comments on the manuals to the class

March 16th, 2007

- Morning: Implementation of measures to prevent the fraud and timeframe for investigation/Detection (Mr. Saysamai Alounthong). The finalization of investigation process by (Mr. Bounma Duangmalasinh);
- Afternoon: We formed groups for discussion. The purpose was to allow them to exchange opinion and raise questions. After that, we invited the representative of the group to present their findings and inquiry.

After that, it was the question time. There were a lot of questions being raised during the Seminar and most of participants were actively discussed.

Feedbacks from participants:

During the Seminar, the majority of attendees were giving a lot of questions and actively raising a number of issues for discussion. They also gave suggestions for improving the Manual as follows:

Investigation & Detection:

- Request the OSPP management to provide copies of all related laws that already approved by the National Assembly to the provincial and district prosecutor offices.
- In terms of case proceedings, we still face a lot of difficulties when dealing with Forestry and Custom. What should be an immediate solution?
- When implementing or on the actual case proceeding process, there are still a few weaknesses such as sometimes there is a need to further investigation , but the Government cannot provide the traveling budget.
- In case of arbitration or mediation, is it always necessary to send to the court for judgment?
- The order for common arrestment can only be issued by the People's prosecutor and judge, but when or to what extent the case will be brought to the court level
- The lecturers and concerned authority had tried to answer and explain as clear as possible to ensure that all trainees can understand. In addition, for errors and mistakes occur in the Manual, the OSPP will resolve those problems immediately.

OSPP Military Workshop in Bolikhamsay Province

Evaluation Result:

| | <u>Too short</u> | <u>Fine</u> | <u>Too long</u> |
|----------------------|------------------|-------------|---------------------|
| 1. Time | 50% | 50% | |
| | <u>Very good</u> | <u>Good</u> | <u>Satisfactory</u> |
| 2. Venue | 90% | 10% | |
| 3. Services | 90% | 10% | |
| 4. Technical aspects | 95% | 5% | |
| 6. Organisation | 100% | | |

Conclusion:

For the evaluation, we can conclude that through the seminar, the trainees have gained a lot of lessons from lecturers and explored more to the Manual. We also notice that the trainees have a better understanding about their procedures and learnt extensively from the Seminar.

So, the Workshop would not have been successful unless we have:

- Full support and supervision from the senior officials of OSPP;
- Good relationship and effective cooperation with concerned authority especially from Supreme Prosecutor Office and Provincial Military Prosecutor Offices;
- Well participation from every trainee in particular in terms of regular attendance and time management
- Received support from Provincial Authority of Bolikhamsay
- Budgetary support from JICA.

Weak points:

- There was a misunderstanding in terms of information provision (Traveling cost)
- The budget estimation was not accurately match the actual expenditure, thus, it causes a difficulty for settlement

Lessons learnt:

- Trainers should be more prepared before giving the session;
- Handout and documents should be spelling checked before photocopying;
- The DSA and traveling rate should be revised and compared to other donor organizations;
- The trainees should follow the instruction strictly in order to avoid problem shooting

OSPP Military Workshop in Bolikhamsay Province

(especially should respect the rate for traveling).

Recommendations:

- In order to enhance the effectiveness of performance of provincial prosecutors and military prosecutors, we should carry on the workshop activity until 2008.
- When forming a group discussion, the group should raise more specific questions and it would be efficient to have an instructor supervising the task.
- It is recommended to provide a souvenir for trainees, e.g bag (the purpose is to advertise the activity of OSPP)
- The Trainer should provide more practical examples (real cases) to discuss and compare with another situation

Vientiane, March 26th, 2007

Mr. Khammoune SENG-OUTHAI
Organisation Committee

OSPP Military Workshop in Vientiane Province

Activity Report
on the Dissemination Seminar of the OSPP's manuals
to Military Prosecutors
on
March 19th – 21st, 2007
At Napakuang Guesthouse, Vientiane Province

- According to the plan of JICA LJDP;
- According to the completion and readiness for usage of the OSPP Manuals
- According to the bilateral cooperation between JICA and OSPP.

Details of the Seminar:

- The Seminar was conducted for 3 days starting from March 19th – 21st, 2007 at Napakuang Guesthouse, Vientiane Province.
- The Opening Ceremony started at 8:00, the deputy Prosecutor General/the Senior Military Prosecutor, H.E Onchan PHETSALATH had given an honor to be the chairman as well as to give an opening speech to the Seminar.
 - Total numbers of participants was 47 including 8 from the Supreme People's Prosecutor, and 39 from the Office of Supreme Military Prosecutor and Northern Military Prosecutor Offices.

March 19th, 2007

- ◇ **Morning:** At 8:00am, opened the Seminar by H.E Onchanh PHETSALATH. In his remark, he has explained about the background of formulating the Investigation manual as well as the previous workshops and activities the OSPP has conducted. He went on informing the participants about the future plan of the OSPP in terms of disseminating the Investigation Manuals to parties concerned;
- ◇ At 9:45am, Mr. Kongphet Latbounheung, technical staff/deputy chief of cabinet at the Central Appellate Prosecutor, gave a session on procedures and document related investigation tasks.
- ◇ **Afternoon:** Mr. Bounma Duangmalasinh, the head of investigation division, gave an explanation on the roles of parties involved in the investigation, and Case Proceedings.

March 20th, 2007

- **Morning:** Case proceeding and process of investigation & obtaining evidences (Mr.

OSPP Military Workshop in Vientiane Province

Bounma Phonsanith – DDG of Cabinet Department);

- Afternoon: Group discussion on the proceeding and process of investigation and evidences gathering. After the discussion, a representative from each group presented their ideas and comments on the manuals to the class

August 1st, 2007

- Morning: Implementation of measures to prevent the fraud and timeframe for investigation/Detection (Mr. Saysamai Alounthong). The finalization of investigation process by (Mr. Bounma Duangmalasinh);
- Afternoon: We formed groups for discussion. The purpose was to allow them to exchange opinion and raise questions. After that, we invited the representative of the group to present their findings and inquiry.

After that, it was the question time. There were a lot of questions being raised during the Seminar and most of participants were actively discussed.

Feedbacks from participants:

During the Seminar, the majority of attendees were giving a lot of questions and actively raising a number of issues for discussion. They also gave suggestions for improving the Manual as follows:

Investigation & Detection:

- Request the OSPP management to provide copies of all related laws that already approved by the National Assembly to the provincial and district prosecutor offices.
- In terms of case proceedings, we still face a lot of difficulties when dealing with Forestry and Custom. What should be an immediate solution?
- When implementing or on the actual case proceeding process, there are still a few weaknesses such as sometimes there is a need to further investigation , but the Government cannot provide the traveling budget.
- In case of arbitration or mediation, is it always necessary to send to the court for judgment?
- The order for common arrestment can only be issued by the People's prosecutor and judge, but when or to what extent the case will be brought to the court level
- The lecturers and concerned authority had tried to answer and explain as clear as possible to ensure that all trainees can understand. In addition, for errors and mistakes occur in the Manual, the OSPP will resolve those problems immediately.

OSPP Military Workshop in Vientiane Province

Evaluation Result:

| | <u>Too short</u> | <u>Fine</u> | <u>Too long</u> |
|----------------------|------------------|-------------|---------------------|
| 1. Time | 60% | 40% | |
| | <u>Very good</u> | <u>Good</u> | <u>Satisfactory</u> |
| 2. Venue | 80% | 20% | |
| 3. Services | 80% | 20% | |
| 4. Technical aspects | 95% | 5% | |
| 6. Organisation | 100% | | |

Conclusion:

For the evaluation, we can conclude that through the seminar, the trainees have gained a lot of lessons from lecturers and explored more to the Manual. We also notice that the trainees have a better understanding about their procedures and learnt extensively from the Seminar.

So, the Workshop would not have been successful unless we have:

- Full support and supervision from the senior officials of OSPP;
- Good relationship and effective cooperation with the Ministry of Public Security;
- Well participation from every trainee in particular in terms of regular attendance and time management
- Budgetary support from JICA.

Weak points:

- There was a misunderstanding in terms of information provision (Traveling cost)
- The budget estimation was not accurately match the actual expenditure, thus, it causes a difficulty for settlement

Lessons learnt:

- Trainers should be more prepared before giving the session;
- Handout and documents should be spelling checked before photocopying;
- The DSA and traveling rate should be revised and compared to other donor organizations;
- The trainees should follow the instruction strictly in order to avoid problem shooting (especially should respect the rate for traveling).

OSPP Military Workshop in Vientiane Province

Recommendations:

- In order to enhance the effectiveness of performance of provincial prosecutors and military prosecutors, we should carry on the workshop activity until 2008.
- When forming a group discussion, the group should raise more specific questions and it would be efficient to have an instructor supervising the task.
- It is recommended to provide a souvenir for trainees, e.g bag (the purpose is to advertise the activity of OSPP)
- The Trainer should provide more practical examples (real cases) to discuss and compare with another situation

Vientiane, March 26th, 2007

Mr. Khammoune SENG-OUTHAI
Organisation Committee

Report
on the Field Trip Survey on the Evaluation of OSPP's Manual
Dissemination Workshops
April 2nd – 7th, 2007 to the Southern Provinces in Lao PDR

Objectives:

- To conduct a field survey to the provinces in southern part in order to assess the actual implementation of the provided OSPP Manuals; and
- To evaluate the results from the dissemination of those manuals.

Target visiting areas:

Provinces in southern part of Lao PDR:

1. Borikhamsay
2. Khammouane
3. Savannakhet
4. Champasak
5. Saravan
6. Sekong
7. Attapeu

Duration: April 2nd to 7th, 2007 (5 Nights 6 Days)

No. of Team: 6 People including 1 driver.

Methods of Evaluation:

- (ア) Interview the Chief of Cabinet and Personnel Department staff with regards to the compliance with the Organisation and Management Manual;
- (イ) Interview the Provincial prosecutors, investigators, District prosecutors and polices with regards to the application of the Investigation Manual; and
- (ウ) On site check on the actual case proceedings documents against the instruction stated in the manual.

I. Result of the Evaluation:

1. **Strengths:**

- *Impact and Effectiveness from the Dissemination of Investigation Manual:*
 - ① After attending the seminars, prosecutors across the whole country appear to

have better and common understandings towards investigation and security protection tasks;

- ② The manual is regarded as a good references for compilation with the law and implementation of their daily jobs;
- ③ It is also shown that the case preceding documents preparation is complete, clear, and more systemized as compared with before;
- ④ The investigation task has become more efficient and effective in terms of timing and procedures compliance;
- ⑤ Not only prosecutors but also polices understand their tasks and duties with regards to the pubic security protection better;
- ⑥ The collaboration and relationship between prosecutors and polices are strengthen;

- *Impact and Effectiveness from the Dissemination of Organization Manual:*

- ① The manual provides staff with guidance for planning and management of their office;
- ② The manual enhances a better understanding with regards to the compliance with personnel policy, defining and restructuring of their organization, and effective staff allocation.

2. Weaknesses:

- ① Due to time limitation so that the Team cannot extend their scope to remote district prosecutor offices;
- ② The Scope of Manual Dissemination is not able to cover all organizations working on security protection and investigation of criminal incidents yet. Some others investigation and inspection organizations such as Tax and Custom, Forestry officers and a number of polices who are involved in investigation job do not yet receive a manual and neither has ever attended any workshop.

Although some polices from provincial offices have been participated in the dissemination seminars, the number of attendance is relatively insufficient.

Therefore, in order to assure the proper implementation of investigation task and to enhance a unify procedure, there is a strong need to further disseminate the knowledge and information from Investigation manual to investigators and polices throughout the whole nation.

- ③ The implementation of Organisation and Human Resource management is not highly efficient due to the lack of capable human resources.

II. Lesson learnt:

- For the next survey trip, the proper timing should be taken into careful consideration;
- Staff allocation should be properly done and should ensure that there is a sufficient number of staff; and
- A dissemination workshop for other investigation organizations such as Tax, Forestry and polices is urgently required.

III. Recommendations:

- In order to ensure the effectiveness of investigation and inspection, the Office of Supreme People's Prosecutors (OSPP) needs to strengthen the coordination and collaboration with Tax & Custom, Forestry and Polices;
- For future cooperation, the OSPP would like to request for the support from JICA to launch dissemination seminars for investigators (polices) from all provinces and districts of the whole country.

Report by:

Mr. Khammoune SENG-OUTHAI
Project Coordinator

Report
on the Field Survey on the Evaluation of OSPP's Manual
Dissemination Workshops
May 6th – 13th, 2007 to the Northern Provinces in Lao PDR

Objectives:

- To conduct the approval of the supreme people prosecutor No 143/OSPP dated 3/5/2007
- To monitor and supervise the prosecutor activities implementation
- To monitor and making evaluation the benefit after organized seminar workshop
- To conduct a field survey to the provinces in Northern part in order to assess the actual implementation of the provided OSPP Manuals; and
- To evaluate the results from the dissemination of those manuals.

Target visiting areas:

Provinces in Northern part of Lao PDR:

1. Xaiyabouly
2. Luangprabang
3. Oudomxai
4. Luangnumtha
5. Bokeo
6. Phongsalyg

Duration: May 6th to 13th, 2007 (7 Nights 8 Days)

No. of Team: 6 People including 1 driver.

Methods of Evaluation:

- () Making the Questionnaires on Cabinet, personnel system and investigation and interrogation system for interviewing them
- () Interview the Chief of Cabinet and Personnel Department staff with regards to the compliance with the Organization and Management Manual;
- () Interview the Provincial prosecutors, investigators, District prosecutors and polices with regards to the application of the Investigation Manual; and

- (¶) On site check on the actual case proceedings documents against the instruction stated in the manual.
- (¶) Interview other technical staff, Who never attend on seminar workshop Prosecutor manual
- (¶) Recommendation them how to use and follow the contents of the prosecutor manual
- (¶) Hand over the prosecutor manual to the district police

Activities

- On May 7th 2007 we work and interview Provincial Prosecutor, police, Chief of cabinet investigators and district prosecutor in XAiyabouly province
- On May 7th 2007 in the after noon we work and interview Provincial Prosecutor, police, Chief of cabinet investigators and district prosecutor in Luangprabang province
- On May 8th 2007 we work and interview Provincial Prosecutor, police, Chief of cabinet investigators and district prosecutor in Oudomxai province
- On May 9th 2007 we work and interview Provincial Prosecutor, police, Chief of cabinet investigators and district prosecutor in Luangnumtha province
- On May 10th 2007 we work and interview Provincial Prosecutor, police, Chief of cabinet investigators and district prosecutor in Bokeo province
- On May 11th 2007 we work and interview Provincial Prosecutor, police, Chief of cabinet investigators and district prosecutor in Phongsaly province
- On May 12th 2007 Back to Luangprabang
- On May 13th 2007 Back to V T

I. Result of the Evaluation:

1. Strengths:

- *Impact and Effectiveness from the Dissemination of Investigation Manual:*
 - After attending the seminars, prosecutors across the whole country appear to have better and common understandings towards investigation and security protection tasks;
 - The manual is regarded as a good references for compilation with

the law and implementation of their daily jobs;

- It is also shown that the case preceding documents preparation is complete, clear, and more systemized as compared with before;
 - The investigation task has become more efficient and effective in terms of timing and procedures compliance;
 - Not only prosecutors but also polices understand their tasks and duties with regards to the pubic security protection better;
 - The collaboration and relationship between prosecutors and polices are strengthen;
 - They understood on the function and role of the cabinet better.
 - They understood how to divide the human resources to the each unit in the local office
 - They understood well the organization system and working standardize
- *Impact and Effectiveness from the Dissemination of Organization Manual:*
- The manual provides staff with guidance for planning and management of their office;
 - The manual enhances a better understanding with regards to the compliance with personnel policy, defining and restructuring of their organization, and effective staff allocation.

2. Weaknesses:

- Due to time limitation so that the Team cannot extend their scope to remote district prosecutor offices;
- The Scope of Manual Dissemination is not able to cover all organizations working on security protection and investigation of criminal incidents yet. Some others investigation and inspection organizations such as Tax and Custom, Forestry officers and a number of polices who are involved in investigation job do not yet receive a manual and neither has ever attended any workshop. Although some polices from provincial offices have been participated in the dissemination seminars, the number of attendance is relatively insufficient. Therefore, in order to assure the proper implementation of investigation task and to enhance a unify procedure, there is a strong need to further disseminate the knowledge and information

from Investigation manual to investigators and polices throughout the whole nation.

- The implementation of Organization and Human Resource management is not highly efficient due to the lack of capable human resources.

II. Lesson learnt:

- For the next field survey, the proper timing should be taken into careful consideration;
- Staff allocation should be properly done and should ensure that there is a sufficient number of staff; and
- A dissemination workshop for other investigation organizations such as Tax, Forestry and polices is urgently required.

III. Recommendations:

- In order to ensure the effectiveness of investigation and inspection, the Office of Supreme People's Prosecutors (OSPP) needs to strengthen the coordination and collaboration with Tax & Custom, Forestry and Polices;
- For future cooperation, the OSPP would like to request for the support from JICA to launch dissemination seminars for investigators (polices) from all provinces and districts of the whole country.

Report by:



Mr. Khammoune
SENG-OUTHAI
Project Coordinator

Activity Report
on the Dissemination Seminar of the OSPP's manuals to Police
on
July 30th – August 1st, 2007
in Vientiane Province

- According to the plan of JICA LJDP;
- According to the completion and readiness for usage of the OSPP Manuals
- According to the bilateral cooperation between JICA and OSPP.

Details of the Seminar:

- The Seminar was conducted for 3 days starting from July 30th to August 1st, 2006 at the Khem Ngeum Guesthouse, Vientiane Province.
- The Opening Ceremony started at 8:00, the deputy Prosecutor General, H.E Somlith Chanthachack had given an honor to be the chairman as well as to give an opening speech to the Seminar.
 - Total numbers of participants was 40 including 2 from the Central Appellate Prosecutors, 3 Vientiane Capital Prosecutors, 2 Vientiane Provincial Prosecutors, 8 investigation officers from Ministry of Public Security, 11 from Vientiane Capital and District Police Stations and finally 14 officers from Vientiane Provincial and District investigation units.

July 30th, 2007

- ◇ Morning: At 8:00am, opened the Seminar by H.E Somlith CHANTHACHACK. In his remark, he has explained about the background of formulating the Investigation manual as well as the previous workshops and activities the OSPP has conducted. He went on informing the participants about the future plan of the OSPP in terms of disseminating the Investigation Manuals to parties concerned;
- ◇ At 9:45am, Mr. Kongphet Latbounheung, technical staff/deputy chief of cabinet at the Central Appellate Prosecutor, gave a session on procedures and document related investigation tasks.
- ◇ Afternoon: Mr. Bounma Duangmalasinh, the head of investigation division, gave an explanation on the roles of parties involved in the investigation, and Case Proceedings.

July 31st, 2007

- Morning: Case proceeding and process of investigation & obtaining evidences (Mr. Bounma Phonsanith – DDG of Cabinet Department);
- Afternoon: Group discussion on the proceeding and process of investigation and evidences gathering. After the discussion, a representative from each group presented their ideas and comments on the manuals to the class

August 1st, 2007

- Morning: Implementation of measures to prevent the fraud and timeframe for investigation/Detection (Mr. Saysamai Alounthong). The finalization of investigation process by (Mr. Bounma Duangmalasinh);
- Afternoon: We continued with the dissemination of the Instruction from the Minister of Public Security No. 630 on the Guidance for investigators and interrogators on the application of orders, instructions and recommendation on case proceedings. In particular, the General Kiengkham Inphenthavong put a special emphasis on:
 - ✧ Prevention and counter crime issues
 - ✧ Investigation, detection and suspect case analysis
 - ✧ Report on a special case
 - ✧ Building network and utilize the intruder.
 - ✧ Case proceedings
 - ✧ Information collection, and confiscation
 - ✧ Finalization of the case and reporting

After that, it was the question time. There were a lot of questions being raised during the Seminar and most of participants were actively discussed.

Feedbacks from participants:

During the Seminar, the majority of attendees were giving a lot of questions and actively raising a number of issues for discussion. They also gave suggestions for improving the Manual as follows:

Investigation & Detection:

- Request the OSPP management to provide copies of all related laws that already approved by the National Assembly to the provincial and district prosecutor offices.
- According to the Law, after completing the investigation, the officers have to prepare a record of its investigation in 3 copies – one for the police, for prosecutor and another one for the suspect. However, there were a lot of disagreements and suggested to reduce to 2 copies only.

- The discussion went very well with a fruitful atmosphere. The OSPP and the MoPS had taken turned in responding to questions and clarifying. For some difficult questions, the OSPP promised to bring for further research and reply later. For comments on Manual, the OSPP will take into account and to solve the problems as much as they can.

Evaluation Result:

| | <u>Too short</u> | <u>Fine</u> | <u>Too long</u> |
|----------------------|-------------------------|--------------------|----------------------------|
| 1. Time | 15% | 85% | |
| | <u>Very good</u> | <u>Good</u> | <u>Satisfactory</u> |
| 2. Venue | 80% | 20% | |
| 3. Services | 90% | 10% | |
| 4. Technical aspects | 95% | 15% | |
| 5. Management | 83% | 17% | |
| 6. Organisation | 95% | 5% | |

Conclusion:

From observations based, we can conclude that the Dissemination Workshop from July 30th – August 1st, 2007 went very well. Most participants could understand the concept and receive very useful knowledge from the trainers and documents distributed.

Assessment and Evaluation of results:

a. Strengths:

- The seminar has given an opportunity for prosecutors and investigation officers to have a common understanding toward the investigation tasks. Especially, we both seem to have a unified system in terms of:
 - Criminal case proceeding
 - The procedures and process of case proceeding
 - The Application of counter measures
 - The prosecution of suspect
 - Documentation and information gathering process
- The Manual has become a helpful reference for the police
- The Seminar has created a better collaboration and coordination between prosecutors and police officers

- It allows the police to understand the roles and responsibilities of prosecutors more
- Through the seminar, we have achieved the primary step in disseminating knowledge and the manual itself to police at central and district level

b. Weak points:

- There was a misunderstanding in terms of information provision (Traveling cost)
- The budget estimation was not accurately match the actual expenditure, thus, it causes a difficulty for settlement
- The Meeting room was too small especially when having a group working

The factors led to this successful seminar are:

- Full support and supervision from the senior officials of OSPP;
- Good relationship and effective cooperation with the Ministry of Public Security;
- Well participation from every trainee in particular in terms of regular attendance and time management
- Budgetary support from JICA.

Lessons learnt:

- Trainers should be more prepared before giving the session;
- The DSA and traveling rate should be revised and compared to other donor organizations;
- The trainees should follow the instruction strictly in order to avoid problem shooting (especially should respect the rate for traveling).

Recommendations:

- In order to ensure the sustainability of understanding about the duty of investigation organization mainly police, it is strongly recommended to continue disseminating manuals to all police at the level of nationwide.
- When forming a group discussion, the group should raise more specific questions and it would be efficient to have an instructor supervising the task.
- The Trainer should provide more practical examples (real cases) to discuss and compare with another situation
- The duration of workshop should be revised to 4 days.

Vientiane, August 6th, 2007

Mr. Khammoune SENG-OUTHAI
Organisation Committee

Report
on the Dissemination Seminar of the OSPP's manuals to Police
on
18 - 20th September 2007
in Champasack Province

The Seminar was conducted for 3 days starting from 18 - 20th September 2007 at the km 04 Provincial Governor Office, Champasack Province.

- The Opening Ceremony started at 8:00, the deputy Prosecutor General, H.E Somlith Chanthachack had given an honor to be the chairman as well as to give an opening speech to the Seminar.

There were 40 participants such as:

- 2 from the Attapue Provincial Prosecutor Office
- 3 from Sekong Provincial Prosecutor Office
- 2 from Saravan Provincial Prosecutor Office
- 2 from Champasack Provincial Prosecutor Office
- 6 investigation officers from Police Office of Attapue Province
- 5 investigation officers from Police Office of Sekong province
- 9 investigation officers from Police Office of Saravan province
- 11 investigation officers from Police Office of Champasack province

First day, Sep 18th , 2007

1. At 8:00am, the seminar was official opened by H.E Somlith CHANTHACHACK. In his remark, he has explained about the background of formulating the Investigation manual for participants to discuss and commendation on improve the manuals and he was also mentioned the previous workshops and activities of the project which the OSPP has conducted.
2. At the same day the seminar listened to the lecture on organization system of the Supreme People's Prosecutor and Investigation Agencies, presented by Mr. Kongphet Latbounheung, deputy chief of cabinet at the Central Appellate Prosecutor, and participants to criminal proceedings which presented by Mr. Bounma Phonesanith, Chief of Cabinet of OSPP.
3. Afternoon: the seminar worked in group to discuss on the topic, after that a representative from each group presented the idea and comment to the seminar.

Sep 19th, 2007

- Morning: Mr. Bounma Duangmalasinh, the head of investigation division, presented on the topic of investigating procedures and supplying of information and evidence gathering.
- Afternoon: Group discussion. After the discussion, a representative from each group presented their ideas and comments on the manuals to the class

Sep 20th, 2007

- Morning: the seminar listened to the presentation on Implementation of measures to prevent the fraud and timeframe for investigation/Detection, and the Instruction from the Minister of Public Security No. 630 on the Guidance for investigators and interrogators on the application of orders, which were presented by Mr. Saysamai Alounthong, deputy chief of central appellate prosecutor, Mr. Bounma Phonsanith. And Mr. Kiengkham Inphenthavong, deputy of Police Department, Ministry of Public Security, he recommended to the police on case proceedings. In particular, put a special emphasis on:
 1. Prevention and counter crime issues
 2. Investigation, detection and suspect case analysis
 3. Report on a special case
 4. Building network and utilize the intruder.
 5. Case proceedings
 6. Information collection, and confiscation
 7. Finalization of the case and reporting

After that, Mr. Somlith Chanthachack was answered the questionnaires of participants to made clear and unity, there were a lot of questions being raised during the Seminar and most of participants were actively discussed.

This seminar, the participants raised some very good comment and idea to the manuals with a colorful atmosphere to improve and complete the manuals.

Evaluation Result:

| | <u>Too short</u> | <u>Fine</u> | <u>Too long</u> |
|----------------------|-------------------------|--------------------|----------------------------|
| 1. Time | 5% | 95% | |
| | <u>Very good</u> | <u>Good</u> | <u>Satisfactory</u> |
| 2. Venue | 85% | 15% | |
| 3. Services | 90% | 10% | |
| 4. Technical aspects | 90% | 10% | |
| 5. Management | 80% | 20% | |
| 6. Organization | 97% | 3% | |

Conclusion:

From observations based, we can conclude that the Dissemination Workshop from Sep 18-20, 2007 we listened to the idea and propose from participants to the topic of each part of the manual, as we mentioned above and seem that all participants understood and received very useful knowledge from the trainers and documents distributed.

Assessment and Evaluation of results:

a. Strengths:

- The seminar has given an opportunity for prosecutors and investigation officers to have a common understanding toward the investigation tasks. Especially, we both seem to have a unified system in terms of:
 - Criminal case proceeding
 - The procedures and process of case proceeding
 - The Application of counter measures
 - The prosecution of suspect
 - Documentation and information gathering process
- The Manual has become a helpful reference for the police
- The Seminar has created a better collaboration and coordination between prosecutors and police officers
- It allows the police to understand the roles and responsibilities of prosecutors more
- Through the seminar, we have achieved the primary step in disseminating knowledge and the manual itself to police at central and district level

b. Weak points:

- The budget estimation was not accurately match the actual expenditure, thus, it causes a difficulty for settlement
- Some of participants were quite passive, and shy
- The lectures lack of lesson preparation
- During the discussion time, the lectures should monitor and work closely with participant to provide some assistance and suggestion.

The factors led to this successful seminar are:

- Full support and supervision from the senior officials of OSPP;
- Good relationship and effective cooperation with the Ministry of Public Security;
- Well participation from every trainee in particular in terms of regular attendance and time management
- Budgetary support from JICA.

Lessons learnt:

- Trainers should be more prepared before giving the session;
- The DSA and traveling rate should be revised and compared to other donor organizations;
- The trainees should follow the instruction strictly in order to avoid problem shooting (especially should respect the rate for traveling).
- In order to ensure the sustainability of understanding, unity for police investigation officers and to prevent the law implementation, we shall organize more seminars mainly police.
- During the time discussion, the group should raise more specific questions and it would be efficient to have an instructor supervising the task.
- The lecturers should bring more examples of real cases on investigation-interrogation to comparative.
- The duration of workshop should be revised to 4 days.

Recommendations:

- In order to ensure the sustainability of understanding about the duty of investigation organization mainly police, it is strongly recommended to continue disseminating manuals to all police at the level of nationwide.

Vientiane, September 28th, 2007

Mr. Khammoune SENG-OUTHAI
Organization Committee

Report on
Seminar for Dissemination on the People's Prosecutor Manual to
Investigation -Interrogation to the Police, date 23-25 October 2007 at
Savannaket Province

The seminar was conducted in three days from 23-25 Oct 2007 at Sai Kong Guesthouse.

At 8:00 of 23 Oct 2007 the opening was officially opened by the Deputy People's Prosecutor General - Mr. Somlith CHANTHACHACK.

There were forty participants to the seminar which were from:

Two participants from Khammouan provincial prosecutor office.

Two participants from Borlikhamxay provincial prosecutor office

Three participants from Savannakhet provincial prosecutor office

Seven participants from Borlikhamxay provincial Police Investigator - Interrogation Office

Ten participants from Khammouane provincial Police Investigation - Interrogation Office

Sixteen participants from Savannakhet provincial Investigation-Interrogation Police Office

The 1st day which is 23 Oct 2007: at 8:00 the seminar was officially opened by Mr. Somlith CHANTHACHACK, the deputy prosecutor of OSPP, he mentioned strongly on the prosecutor's manual which was created by the working group members to the participants to discuss and provide the comments ideas to improve the manual and he was also mentioned on the project's activities which the OSPP had implemented the past and will be continued in the near future.

On the 23 Oct 2007 the seminar presented on the prosecutor's duty on investigation- interrogation, the attendees on the case procedure were presented by teachers - Mr. Bounma PHONSANITH, investigator and Mr. Kongphet LADBOUNHEAUNG, deputy chief of central appellate court. In the afternoon of the same day, we divided in group to study and discuss, after that the representative of each group reported the result of their discussion to the class.

On the 24th Oct 2007 the trainees listened to Mr. Bounma DOUANGMALSINH, chief of civil division of central appellate prosecutor office, presented on investigation-interrogation and information of evidence supply. In the afternoon of the day, the teachers divided participants in group to study after that the representative of each group present and reported the result of study to the seminar.

On the 25 Oct 2007, the trainees listened to the topic on restrictive measures, period of investigation, completion of investigation, prosecution and order on the Instruction from Minister of Public Security No; 603 from Mr. Bounma PHONESANITH and Mr. Keangkham INPHENGTHAVONG, deputy of police department, the Ministry of Public

Security, he urged and stressed to the police to be active and concentrate to each order on advisory order and mainly on the case investigation, he was also deeply mentioned on the basic content as:

1. Prevention and restrictive measures
2. Interrogation and case detection
3. Case implementation
4. Secret networking and connection
5. Resolve and case procedure
6. Filling, copy and evidence keeping
7. Report and case conclusion

There were a lot questions raised by participants and interesting comments and idea from participants to improve the manual.

We could summary the result of evaluation as below:

| Time | Short | fair | long |
|------|-------|------|------|
| | 5% | 95% | 0% |

| No; | | Good | Fair | Poor |
|-----|----------------|------|------|------|
| | Location | 90% | 10% | |
| | Content | 92% | 8% | |
| | Lecturers | 95% | 5% | |
| | Administrative | 90% | 10% | |
| | Organization | 95% | 5% | |

During the whole seminar period from 23-25 Oct 2007, we have listened to the presentations from participants related the manual as mentioned above and seem that all participants had understood the content of the documentation deeply.

- The achievements of the seminar:
 - A. good point:
 - After the seminar, the investigation-interrogation police officer can gain a unified understanding over the legal work implementation.
 - the criminal procedure
 - the stage of criminal procedure
 - the restrictive measures
 - prosecution
 - compile other forms
 - Manual can be used as a basic reference to the police.
 - Through the Seminar, the cooperation between prosecutors and police is enhanced.
 - The seminar allows for upgrading and understanding of the role and duty of the people's prosecutor to the police.
 - We can disseminate the prosecutor's manual to investigation- interrogation police in local area.

B. Weak point:

- The estimated budget and actual expenditure were not usually matched, so we found the problems while making payments and settlement.
- Some participants were shy to ask questions during the seminar
- The lecturers were still lacking preparation
- During the discussion, actually the lecturers should distribute questions and should be close with the group working to provide suggestion.

* The factors contribute to the success of the seminar are:

1. We received very useful advises from the OSPP committee
2. We have a strong and good cooperation between OSPP and Investigation Interrogation department, Ministry of Public Security.
3. We received the good cooperation from local prosecutors, provincial polices and three southern provinces together with attendants active and came on time.
4. We received good supports from JICA

* Lesson learnt:

1. Lecturers should be more prepared before giving a lecture
2. Accommodation and transportation allowances should be adjusted to equal to other donors.
3. Participants should follow up the notice which informed to prevent from the problems such as the lack of supporting documents (especially transportation of participants)
4. In order to unify the legal work implementation, the seminar should invite all investigation-interrogation polices in the whole country to join the seminar.
5. While working in a group, the lecturers should stay closed and supervise participants.
6. During the seminar, we should have more examples of real cases to compare with actual experience on investigation-interrogation
7. The period seminar should be lengthening to 4 days.

Propose/request:

1. We need to enhance knowledge and upgrade understanding on law for the police investigators; the seminar should be continued and organized for the police organs of investigation-interrogation.

Vientiane, 10 November 2007.

Seminar organizer

Khammoun SENG-OUTHAI

