

Information Sheet - Cambodia

I General Information

1 Number of stakeholders in the Country

1-1-1 Population

Approximately 13 millions

1-1-2 Number of lawyers/attorneys-at-law

640 lawyers

1-1-3 Number of judges

275 judges and prosecutors

1-1-4 Number of prosecutors

To be confirmed

2 Number of court cases handled by first instance courts

No data

1-2-1 Number of civil cases

No data

1-2-2 Number of family cases

No data

1-2-3 Number of criminal cases

No Data

3 Attorneys for Defendants in Criminal Procedures

Please explain in what kinds of criminal cases attorneys must be appointed for suspects or defendants in your country. Please also explain who appoints and bears the costs for the attorneys appointed.

4 Profile of the Bar Association/ Organization and Attorney System

1-4-1 Location and contact information

1-4-2 History of Organization

1-4-3 Governmental Supervision of the Organization and Registration of Members (Please explain whether or not, and if so how, your organization is supervised by the government.)

1-4-4 Main Activities of the Organization

1-4-5 Categories of Membership

1-4-6 Number of Members (as of 2011)

1-4-7 Membership (voluntary or compulsory, please also explain where such registration should be filed)

1-4-8 Executives and Officers, Number of Positions

1-4-9 Finances and membership fees (Please provide the yearly budget amount of your organization and also the yearly membership fees in USD)

1-4-10 Journal, Newsletter, Website

1-4-11 Other Bar Associations (including the provincial associations) in the Country and the Number of Members of such Other Organizations

1-4-12 Qualifications To Become an Attorney

1-4-13 Laws, Decrees or Regulations on Attorneys (Please explain if there are any laws, decrees or regulations on attorneys in your country. Please provide the JFBA an English translation if they are available.)

1-4-14 Code of Ethics and/or Rules of Professional Conduct (Please provide the JFBA an English translation if an English translation of these is available.)

1-4-15 Disciplinary Functions (Please explain who has the power to take disciplinary action against members.)

1-4-16 Continuous Legal Education for Members (Please explain about the program, if any)

1-4-17 Challenges the Organization is Facing (Please briefly explain the problems and challenges your organization is currently facing.)

II Legal Aid

2-1 Please describe briefly the history of legal aid in your country.

BACK begins its legal aid service in 1996.

2-2 Please outline the legal aid organization and its programs.

BACK/ASF: Provision of free legal consultation and representation at 22 provincial courts and higher courts in Phnom Penh.

2-2-1 Name of the legal aid organization/head office location

22 provinces in Phnom Penh.

2-2-2 When was the above organization established?

BACK was established in 1995.

2-2-3 Please describe briefly the organization structure such as branches and other offices.

Private law office providing legal aid in the provinces and from BAKC's head office.

2-2-4 Please explain about the organization's service delivery model such as salaried legal professional (staff attorney) and/or private legal professional (judicare).

Salaried staff attorney and financial support to non-salaried attorney.

2-2-5 Please explain about the budget for the legal aid system.

-US\$50000 per year from Government budget

-US\$...(to be confirmed) from ASF/EU/French government

2-2-6 How many recipients have received the legal aid assistance in main legal aid programs in recent years?

-Number to be confirmed.

2-2-7 Please explain about the main activities of the legal aid organization, including entitlement to legal aid and reimbursement of the assisted legal aid costs

2-3 What are the future issues or challenges with respect to the legal aid system in your country?

- Shortage of budget for legal aid services
- Corporation from judicial officers

2-4 Please let me know if the legal aid organization have an English language website.

- Yes

III Legal consultation (other than that covered by the Legal Aid system explained in above II.)

3-1 Legal Consultation Programs (Please explain if there are legal consultation programs managed by your organization (or other institutions) other than those covered under the Legal Aid system in your country.)

In average 3 lawyers per province

3-2 Fees for Legal Consultation (Please explain the fee structure for such legal consultation programs.)

No

3-3 Management of the Legal Consultation Program (Please explain how such program is run by the organization.)

Financial support for lawyers

3-4 Appointment of an Attorney for Legal Consultation (Please explain how an attorney (consultant) is appointed.)

Yes

3-5 Flow to the legal representation (Please explain how such legal consultation may lead to legal representation by an attorney)

BACK wishes to continue the operation of its legal aid offices at all provinces in Cambodia.

3-6 Number of Consultations (Please provide statistics on how many legal consultations have been carried out per year.)

Violation of human rights and delay in court procedures.

IV Shortages of Lawyers in Local Areas

4-1 Is there any figure of lawyers who work in local areas in your country?

Inefficient court process and lack of knowledge from public regarding legal service.

4-2 Do you think that there are a sufficient number of qualified lawyers working for citizens in local areas in your country?

4-3 If the answer of Question 3-2 is negative, what have caused such shortage of lawyers?

Four yers legal education at university and two years training at lawyers training center.

4-4 Does the legal aid organization or the bar association/law society has any programs in dealing with legal services in local areas in your country?

Yes.

4-5 If the answer of Question 3-4 is affirmative, please describe briefly such programs.

Yes. Between 40 to 50 lawyers.

4-6 What are the future issues or challenges with respect to the shortage of legal services in local areas in your country?

V Other Obstacles to Hinder Access to Justice

5-1 Are there any obstacles to hinder access to justice other than the problems with the legal aid system and the shortage of lawyers in local areas?

5-2 If the answer of Question 4-1 is affirmative, please describe briefly such obstacles.

5-3 Please explain briefly the educational system to produce qualified lawyers in your country.

5-4 Do you think that your country has enough lawyers to substantiate the access to justice?

5-5 Do you think that your country produces newly qualified lawyers every year to substantiate the access to justice?

5-6 If the answer of Question 4-4 or 4-5 is negative, please describe briefly the reason for such shortage and your thoughts on how to solve such problems.

VI Cooperation with Foreign Organizations

6-1 Please explain the details of recent and future projects relating to any of the above discussed issues in your country, in regard to which any foreign (governmental or non-governmental) organizations are providing assistance.

VII Others

7-1 Recent Judicial Movement

Please describe briefly the recent movements or topics in the legal community, including the bar association/law society in relation to the topics above.

7-2 Comments

Please fill in any comments or your thoughts to way to achieve the well-organized access to justice in your country.