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Lao PDR

**INDEPENDENT
MID-TERM EVALUATION
OF
DONOR-FUNDED PROJECTS
AT THE
LAO BAR ASSOCIATION**

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EXECUTIVE SUMMARY

The progress made by the projects at the Lao Bar Association (LBA) funded by four donor organizations, the United Nations Development Programme (UNDP), The Asia Foundation (TAF), the European Commission (EC) and AusAID forms the subject matter of this report. The LBA's capacity to implement donor assisted activities is also examined. At the time of the evaluation, February-March 2010, the EC project was about to end and the AusAID project had ended.

The LBA has 88 members, including 09 women, the average age being 50. The Executive Committee elected in January 2010 has an average age of 38, down from over 60 for the previous Committee. Most members do other jobs due to the low income from the profession. They operate from the 09 unit offices in Vientiane and 07 regional offices. Most prefer advising clients in their offices rather than appearing in courts. While lawyers complain of inadequate recognition by officials, officials say that lawyers do not assert themselves. There is a lack of analytical thinking and presentation skills while the role of lawyers is not well understood. Much is expected from the proposed Law on Lawyers which would clearly lay down the rights and duties of lawyers.

UNDP Project

In the UNDP project, all activities under Outputs 3 (improved awareness of the role and functioning of the LBA) and 4 (increase in the number of practicing lawyers) and many activities under Outputs 1 (improved functioning of the LBA), 2 (improved knowledge, skills and professionalism) and 5 (improved access to justice for the poor and vulnerable) have been completed. Activities of Output 6 (formulating a long term programme of assistance) are due to be carried out in 2010.

Workshops were organized in the provinces and in Vientiane to raise awareness. Participants reported that the events led to better awareness. Meetings were held with provincial justice officials to discuss local legal issues. More contacts were made with other bar associations and a donor information kit revised and updated.

A recruitment strategy has been formulated and activities to popularize the Bar conducted at law schools. More young law graduates joining the LBA as interns show that the activities have begun to bear fruit, although slowly.

The recruitment of a full time Training Assistant has strengthened the education sub-committee. The continuing legal education curriculum has been approved and CLE and intern training programmes conducted. Trainee participation improved in 2009 compared to 2008. Feedback from trainees showed better planning but lack of training material and inexperienced trainers was commented upon. A bi-annual newsletter was produced and the LBA website was launched and updated in both English and Lao languages.

Activities related to access to justice services appear successful. These included legal dissemination, providing legal advice, assistance to minors, preparation of submissions on

legal issues and representation in courts. Lawyers and law students operate a legal aid clinic in Vientiane on a shift basis. Legal advice is also given through a telephone hotline and through a popular TV programme. Legal dissemination activities were conducted in the capital, usually in temples.

Among activities behind schedule is the Code of Conduct for Lawyers due to delay on the part of the LBA. Attendance at the English language training programme for lawyers has been poor. The Access to Justice (A2J) Survey was delayed pending MoJ approval. The importance of the Survey, which would benefit the LBA in the long run, has not been understood by some members, but many, especially the younger members, were involved in it.

The National Project Director (NPD) in the UNDP project has been the LBA President, selected by the implementing partner, the LBA. A new Project Manager took over in August 2008. She resigned in December 2009, followed by other staff members. The present Project Manager is a lawyer and a Vice President of the LBA.

PLE activities funded by AusAID as well as EC were executed by the UNDP project as were TAF funded activities during the initial stages.

Relations between some members of the Executive Committee and the NPD appear to have soured after the changes in management in mid-2008. According to members of the Executive Committee and some LBA members, project activities were not very transparent and the Executive Committee was not given an opportunity to oversee Project activity. According to the NPD, the second PM and UNDP officials, there was little enthusiasm on the part of Executive Committee members, especially after the change in management in 2008. There have been allegations that project activities have not been transparent, a claim vigorously denied by the management.

Lack of oversight on the part of the LBA was evident. The President and Executive Committee, as the leaders of the LBA, must take full responsibility.

Some UNDP Project staff received supplements for work they did in relation to activities funded by TAF, EC and AusAID. No permission was obtained from the UNDP or the LBA. This could have been avoided if the donor intending to pay such supplements discussed the issue with UNDP in advance.

Some LBA members felt the UNDP's reporting to be too rigorous and time-consuming. This is unacceptable. These are requirements applied universally. Lenient reporting requirements may lead to non-transparent conduct. The solution is to recruit efficient staff and provide them with the necessary training.

TAF Project

Under the TAF project, legal aid clinics operate in Oudomxay and Champasak. They provide free legal advice, including by phone, operate mobile legal aid clinics and free legal representation in courts. Under the community legal educator training programme villagers are trained to serve as paralegals. They educate villagers about legal aid clinics and serve as

volunteers in legal education and outreach activities. As a result of clinic activities, the profile of lawyers had been raised even in rural areas.

Legal dissemination activities were also conducted in Xieng Khuang, Hua Phan, Savannakhet and Vientiane provinces. Handbooks on legal issues were prepared for village chiefs, district and sub-district officials and Police. No activities were behind schedule.

TAF-funded activities are conducted through an Implementation Unit consisting of LBA members, which is part of the LBA's legal aid sub-committee. There are 02 project assistants, one of whom is an LBA member. There are Legal Aid Offices in Oudomxay and Champasak.

TAF considers the project as an LBA project funded by TAF and not as a TAF project at LBA. LBA appears happy working with TAF; plans and budgets were clear and activities well managed and planned.

AusAID Project

AusAID funded a part of the LBA's public legal education (PLE) programme. Under this programme, brochures on a range of common legal questions were produced. They promoted the LBA too and have been well received. Although posters on the same topics were produced, all of them have not been distributed. One educational video on family law was produced. Television and radio programmes were aired and press releases and advertisements published. Many legal aid recipients had become aware of the legal aid scheme through the TV programme.

LBA members visited 16 provinces for seminars, training sessions and informal legal consultations. According to team reports, workshops were highly interactive, with some workshops having to be extended overtime.

Australian Youth Ambassadors provided technical support to the UNDP project. They did good work, which has been appreciated by LBA members and project staff.

AusAID funded public legal education activities were executed by the UNDP-funded project. Positive feedback was provided by the donor on the project staff. Reports were submitted on time.

EC Project

The EC co-funded the PLE activities. EC funds were used for printing brochures and posters on the role of the Lao Bar, land law, rights of lawyers, rights of accused persons and rights of children accused of crimes. Television and radio programmes were aired and newspaper articles on issues of legal importance published.

Dissemination workshops were held in 16 provinces in 2008/9 and in 11 provinces in 2009/10, covering a total of 50 villages. The events were very interactive, with questions relating land and property rights, family issues and criminal matters being the issues most raised.

Because brochures and posters were reprinted using UNDP funds none were printed in 2009/10 using EC funds. Many brochures and posters are still left, undistributed. However, funds could have been used to print brochures and posters on topics not covered and such

material could have been used in the future. Videos were not produced in 2008/9 and 2009/10, the reason given being that TV programmes that had been produced were available. Here too, funds could have been used to produce videos to be used in the future.

Visits to 05 provinces planned for March 2010 were not undertaken due to incorrect advice received that the project is to end on 31 January. In any event, covering as much as 5 provinces, 4 of them quite remote, should not have been left to the last month.

EC assistance was under its small grants scheme. Although funding was available from April 2007, they were used only for office expenses until April 2008 as AusAID funds were available. Although budgeted for, a PLE Manager was not recruited. Two months of project activity were lost due to incorrect advice about the terminal date of the project.

Because all activities were not conducted and a PLE Manager was not recruited, as much as EUR 44,350 were not utilized.

Generally about the projects

As the evaluation was conducted over a limited period of two weeks and in Vientiane only and those interviewed were mainly GoL officials, LBA members, project officials, donors and partners, the impact of project activities had to be assessed on the basis of the limited information. Also, the impact of the activities of the four projects could not be assessed separately.

Overall, project activities appear to have been satisfactory, although things could have been better. The Law on Lawyers is likely to be adopted soon. The Code of Conduct for lawyers is awaiting formal approval by the Government. Intern training and continuing legal education activities are on a firmer footing. Access to justice activities have covered all provinces.

Lawyers are better known; the LBA's profile has improved. The public have a better, yet inadequate, knowledge of legal issues. Legal advice and free legal aid have helped weaker sections of society. The number of LBA members has grown over the years, as also the number of women lawyers. The average age of LBA members has dropped.

The new Executive Committee has recognized the mistakes of the past. It has put in place a mechanism for the Executive Committee to oversee projects activities. Monthly meetings will be held with projects staff. Staff would not be permitted to work in more than one project. There will be regular interactions with donors.

The Executive Committee considers that LBA officials need training in management, a proposal that the Evaluation Team endorses. Key documents translated into Lao would lead to more transparency as many LBA members are not adequately proficient in English.

The Lao Bar: From the Present to the Future

The Legal Sector Master Plan (LSMP) is committed to making the LBA an independent, self-regulatory institution. The LBA too would have a role to play in the implementation of the LSMP.

LBA members pin much hope on the Law on Lawyers to raise their profile. While such a Law would provide a sound legal basis for the profession, proper dissemination and follow-up action would be necessary. The Government needs to play a pro-active role in this regard.

Although members of the new Executive Committee being young and inexperienced, they are full of new ideas and much is expected from them. Officials wish that the new leadership interacts with legal sector and law enforcement organizations, much more than in the past.

The new leadership appears to realize what needs to be improved and how. Already, several steps to ensure proper record keeping, planning ahead, better project management and oversight, transparency in financial matters etc have been taken. This interest and enthusiasm should not be allowed to wane. The LBA has the necessary potential and should be given opportunities to deliver.

It would be useful for the LBA to meet regularly with donors jointly. Joint meetings would also ensure donor coordination. Donors need to be careful not to be too directive in areas where the LBA should be making decisions and too hands-off in the details of project implementation.

Future assistance

Donor assistance is recommended in the following areas:

- The LBA needs to be assisted in the finalization of the Law on Lawyers. Assistance is also recommended for the effective dissemination of the new law among the people and officials down to the lowest level with the active participation of senior GoL officials. Non-traditional methods of dissemination are strongly recommended.
- The quality of training that interns receive is a matter of concern. Interns are left to learn by themselves. “Mentoring”, where an experienced lawyer helps shape the outlook or attitude of the intern must be considered. The training programme should also include court visits. The development of an intern training manual should be considered. Assistance for a better training programme for interns and continued assistance for continuing legal education programmes is recommended.
- With the results of the Access to Justice Survey soon available, stakeholders would have a better understanding of the needs of the Lao people, especially the weaker sections of society. LBA members are very concerned that funding for access to justice programmes would dry up. This would also affect the LBA’s profile, especially because public perceptions about the Bar have improved. The LBA too needs to develop a clear strategy in this regard, especially in a possible multi-donor situation.
- While over 600 law graduates pass out annually, only a small minority is attracted by the legal profession. Past attempts to popularize the Bar among law students have not borne fruit. A new programme with more interaction is in the making and should be extended to all the law schools.
- In developing the LBA to be a self-regulatory body, knowledge of developments in other countries is a must. Donors should continue assistance to the LBA to develop relations with other bar associations and regional associations.
- Officials and members working in projects should be given training in management skills and oversight.

- The Team recommends that the GoL and donors assist the LBA to have its own headquarters. With membership growing and more activities being undertaken, spacious premises would be needed. Having its own premises would also give the LBA a better sense of independence.

Potential donors

The UNDP, as a long standing donor in the Lao legal sector and now supporting the LSMP, should continue to support the LBA to grow into a strong and independent organization. UNDP's investment in the LBA needs to be taken to its logical conclusion. The new leadership of the LBA too wishes the UNDP to not only continue supporting it but also to take the leading role in supporting it, including in resource mobilization.

TAF has succeeded in building up good relations in the legal sector and appears willing to continue to assist the LBA but to move away from core-support. The healthy relationship between the two organizations should form the basis for a long-term relationship.

The LBA has the opportunity to apply for small grants from the EC. The EC would also consider joining other donors through a Contribution Agreement.

For future AusAID funding, the LBA needs to apply for grants under the Human Rights Small Grants Scheme. Hopefully, the LBA would receive Australian Youth Ambassadors in the future as well.

Other potential donors who have indicated their willingness to consider assisting the LBA are United Nations Children's Fund (UNICEF), United Nations Office on Drugs and Crime (UNODC), United Nations Interregional Crime and Justice Research Institute (UNICRI), United Nations Development Fund for Women (UNIFEM) and United Nations Population Fund (UNFPA).

Potential Partners

Several institutions and organizations have expressed interest in partnering the LBA. They are: International Law Project (UNDP) at the Ministry of Foreign Affairs, Lao Women's Union (LWU), CARE International, Village Focus International (VFI), Gender Development Group (GDG), Legal Co-ordination Group (LCG) and international and local firms. The LBA should explore the possibilities of partnering these and other organizations.

Donor Coordination

Many stakeholders as well as the Government prefer donors pooling their resources into a single project at the LBA. Such a project with funds from different donors pooled would be easier to manage, given the LBA's present capacity and would also help avoid duplication.

Even if there is more than one project, harmonization of activities within a programme-based approach is a must. A formal committee for the above purpose is recommended. Such a committee could facilitate donor coordination and may also assist the LBA in resource mobilization.

PART 1

INTRODUCTION

The Evaluation Team, consisting of two independent consultants, was tasked with assessing the progress made by the projects at the Lao Bar Association (LBA) funded by four donor organizations, namely, the United Nations Development Programme (UNDP), The Asia Foundation (TAF), the European Commission (EC) and AusAID. The report covers multiple components of the projects, including project strategies and approach, impact, sustainability, management, coordination mechanisms between donors and capacity. While identifying successes and areas that need improvement, this evaluation will provide recommendations for the future as well.

1.1 Donor-Funded Projects at the Lao Bar Association

1.1.1 UNDP-funded Project

Phase I of the UNDP-supported project at the LBA, “Strengthening Access to Justice through the Lao Bar Association,” ran from 2004 until early 2008. Phase I had two main objectives: (i) strengthening the LBA in order to enable it to eventually function as a professional, independent institution able to provide legal services including legal aid, and (ii) reviewing traditional systems of justice and linkages with the formal system through a study of the Village Mediation Units. It was later agreed that the second objective should be achieved through the Ministry of Justice (MoJ).

The current phase, Phase II, began in April 2008 and is due to be completed by April 2011.

The main objectives and outputs Phase II are as follows:

- Improved functioning of the Lao Bar Association as a professional self-regulatory organization;
- Improved legal knowledge, skills and professionalism of members of the Lao Bar Association;
- Improved awareness of the role and function of the LBA;
- Increase in the number of practicing lawyers in Lao PDR and the LBA membership; and
- Improved access to justice for the poor and vulnerable, particularly women and children.

UNDP support to Phase II amounts to USD 600,000. Assistance to Phase I totaled USD 265,000.

1.1.2 The Asia Foundation-funded Project

The TAF project began in January 2008 and will continue for three years. The overall goal of this project is to improve access to justice in Lao PDR, particularly for poor and rural citizens.

The objectives are to:

- Improve the services and capabilities of the LBA;
- Provide legal aid for the poor, especially those in rural areas;
- Increase the understanding of laws, rights and the legal system amongst citizens and professionals in the legal field; and
- Gain a better understanding of the legal environment in Lao PDR and address targeted areas in need of improvement.

TAF's support to the LBA under this programme is USD 500,000.

1.1.3 Support from the European Commission

The EC provided support to the LBA under its Small Grants Scheme, under Grant Contract no. DDH/2006/129-204, to design and implement public legal education campaigns through posters, pamphlets and electronic media as well as legal education in rural and remote areas.

The project ran from 01.04.2007 and ended on 31.03.2010. The EC committed a total of Euro 100,000.

1.1.4 Support from AusAID

AusAID provided support to the LBA through the Australian Government's Human Rights Small Grants Scheme (HRSGS). The project started in early 2007 and ended in May 2008. The grant supported public legal education activities of the LBA in the form of publications, TV and radio programmes and dissemination of information in rural areas. AusAID also supported the LBA with Australian Youth Ambassadors for Development, who provided technical support to its project activities, principally legal aid and public legal education.

The total funding for the HRSGS project was AUD 70,000 or USD 55,363. This does not include the cost of funding Youth Ambassador positions.

1.2 Mid-Term Evaluation

By the Vientiane Declaration on Aid Effectiveness (November 2006) developments partners and the Government of Lao PDR (GoL) committed themselves to explore the feasibility of using increasingly programme-based approaches. Partners agreed to seek ways “to rationalize their regulations and procedures by implementing common arrangements for planning, design, funding, disbursement, implementing, monitoring, evaluating, and reporting to the government on the Partners’ activities and aid flows.”

Partners would also seek to work together to reduce the number of separate and duplicate missions to the field and to harmonize their monitoring and reporting requirements.

It was in the spirit of the above guiding principles that the four donors agreed to conduct an independent joint mid-term evaluation of all donor supported activities at the LBA in order that it would enable partners to evaluate the implementation of the activities in meeting objectives and results as well as to identify areas for improvement and future focus.

This evaluation would also examine and assess the LBA’s capacity to implement donor assisted activities. The overall management of interventions, including the effectiveness of donor funding mechanisms and modalities to the LBA, would be reviewed. Strategies to enhance the LBA’s capacities to manage and implement donor supported activities in a sustainable and coordinated manner would also be recommended.

1.3 Methodology

The methodology consisted of desk review of documents and interviews conducted in Vientiane over the 2-week period, 22 February to 05 March 2010. The Evaluation Team interviewed a wide range of persons associated with the LBA. Among them were the President and members of the Executive Committee, the immediate Past President who was also the National Project Director (NPD)¹ of the UNDP-funded project, members of the former Executive- committee, senior and junior members, candidate members, UNDP, TAF and EC project staff and the former UNDP Project Manager. The team also met senior officials of the Supreme Court, Office of the Supreme Prosecutor (OSPP), Ministry of Justice (MoJ) and the Department of International Co-operation. Among the others interviewed were other Government officials, donors and potential donors, international and local non-governmental organizations and teachers and students of the Faculty of Law and Political Science. Telephone interviews were conducted with TAF legal aid clinic staff and former Australian Youth Ambassador volunteers. Several other persons were contacted by email. A list of persons interviewed and persons contacted is given in Appendix I. Documents reviewed are listed in Appendix II.

A major constraint was that due to the limited time available, the Team did not have the opportunity to ascertain public perceptions about the LBA and the legal profession. The Team wished to interview a few persons who had come to a court as litigants or as interested parties

¹ The correct description of this position is “Executive of the Project Board.” However this position will be referred to in this report as “National Project Director” (NPD) as it is the term popularly used and also to avoid any possible confusion with the LBA’s Executive Committee.

but this could not be organized due to the very tight schedule. The Team met just one person who had received legal aid. The Team wished to be present at a public legal education event but this was not possible. However, a video recording of such an event was made available. Opportunities to meet with members of the public, especially those who had attended public legal education activities and those who received legal advice and representation in courts would have helped the Team to better assess the impact of project activities. Perceptions of the people, including officials, from outside the Vientiane capital would have been valuable. However, useful information was received from persons interviewed, including stakeholders and Government officials.

Preliminary findings were shared with stakeholders at a workshop. Stakeholders made comments and clarifications. The Team also benefitted by attending the Annual Review Meeting of the UNDP-funded project. The draft report was circulated among stakeholders and comments and clarifications received taken into account when finalizing the report. The evaluation was thus conducted with the active involvement of all stakeholders.

PART 2

LAO BAR ASSOCIATION AND THE LEGAL PROFESSION

The Lao Bar Association was founded in 1991 under Decree 24 of 1989 shortly after the adoption of the Lao PDR Constitution. It was suspended from 1992 to 1996, the reason given being that lawyers had repeatedly violated ethical rules and the internal rules of the Association. The LBA was reactivated by a decision of the Minister of Justice. Prime Ministerial Decree 64 on the Organization and Activities of the Lao Bar Association (LBA) was adopted in 1996 and replaced Decree 24. Initially the Bar Association had only four members.

2.1 The Structure and Membership of the Lao Bar Association

Under Decree 64, the Executive Committee of the LBA consisted of 05 members. In December 2009, this number was increased to 09 by an amendment to the Decree. The average age of the 05-member Executive Committee immediately prior to the General Meeting held in January 2010 was over 60. The average age of the present 09-member Executive Committee is 38, a drastic drop. One of the members is a woman.

However, compared to the earlier Executive Committee, the new Executive Committee is less experienced in terms of the number of years as LBA members. Each of the 09 members has less than 05 years in practice. Infusion of new blood certainly has its advantages, but the presence of a few experienced members in the highest decision-making body helps in decisions carrying more weight and being accepted especially by senior members. Also, Government officials, donors etc tend to take more serious note when proposals emanate from seniors. However, the new Executive Committee could demonstrate by example that they can be equal to the task.

At the time of the Legal Sector Evaluation² (LSE) commissioned by the UNDP with the support of the Government of Lao PDR (GoL) in 2003, the LBA had only 19 members, all based in Vientiane, just two of them being women. The average age was 60 years. 17 candidate members were awaiting enrolment.

A 2006 report prepared for consideration at the mid-term review of the Lao-Sweden Informal Group on Human Rights³ showed that the number of full members had grown to 66, 04 of them women. The average age had dropped to 53. There were 23 candidates who were due to become full members in July 2007. Of these, two were women.

Presently, the LBA has 88 full members, out of whom 09 are women. The average age of members is 50. There are 13 candidates, of whom 05 are women. There are 35 persons in the

² *Evaluation of the Implementation of the Rule of Law in Lao PDR, 1997-2003, Lessons and Challenges* (UNDP Vientiane 2004).

³ *Human Rights and Access to Justice in the Legal Sector in Lao PDR, 2003-2006*, a report prepared for the Swedish International Development Assistance Agency (Sida), 2006 (unpublished).

incoming batch of candidates, 09 of them women. Thus the next couple of years will see 48 new entrants to the Bar, including 14 women.

While there are a few lawyers who maintain their own individual offices, most operate from LBA offices organized in the form of units in Vientiane or regional offices in the provinces. Members are assigned to a such a unit or regional office. There are 09 unit offices in Vientiane. 07 regional offices have been established; in Luang Prabang, Oudomxay, Xieng Khouang, Vientiane Province, Khammuan, Savanakheth and Champasak. In 2006, there were 08 unit offices in Vientiane and 06 regional offices.

2.2 The Status of the Legal Profession

Some preliminary observations about the legal profession may be useful. As conceded by all stakeholders and persons interviewed, the LBA's profile in the country is very low. While lawyers are known better in urban areas, they are still an unknown breed in most rural areas. The role and functions of lawyers in the legal and judicial processes are not well known even to those who know about lawyers. An official of a non-governmental organization who attended a national event organized by the LBA was surprised at the low level of knowledge about lawyers among officials from remote districts who attended the event. Another pointed out that even some international and national non-governmental organizations do not have a clear idea about the role of the LBA and stressed on the need for better networking.

Very few LBA members are in full-time practice. Most, including senior lawyers, have other jobs too as the income from the legal profession is inadequate.

A long-standing complaint from the Bar has been that lawyers are not recognized by officials. Lawyers speak of how Police officers, described as powerful by some Government officials too, do not permit them to meet with clients in detention. There are reports of law enforcement officials and even prosecutors discouraging parties from retaining lawyers.

Lawyers complain that they are not adequately recognized even in courts, by judges and prosecutors. Even some Provincial Courts do not have separate tables for the Bar and lawyers have to sit with people who have come to watch court proceedings. A more serious complaint is that in practice lawyers do not have equal status as prosecutors, with many judges not taking submissions made by lawyers seriously. Court officials are not always helpful, especially when lawyers need to peruse court documents.

It appeared to the Team that senior GoL officials too were aware that lawyers are not adequately recognized by officials and that the balance of power may be against lawyers in courts. The Team also notes that the capacity of many judges too is not high and this too may be a contributing factor. The percentage of successful prosecutions is very high, confirming an imbalance. A better balance is needed and lessons need to be learnt from other countries, especially ones with similar judicial systems but with a more vigorous legal profession.

The Team sees merit in the complaint by lawyers that some judges may have a negative attitude towards lawyers and some court officials may not always assist lawyers, seeing them rather as rivals. The Team was however encouraged by senior Supreme Court officials who insisted that lawyers must be seen as partners in justice. They assured the Team that every effort is being taken to instruct judges to facilitate lawyers and stated that there is a need to work especially in the provinces and explain the role of lawyers to judges and officials. The Team was encouraged by the statement of the Vice-President of the Supreme Court that there should be regular meetings between the Supreme Court and the LBA. The LBA should follow up on this offer.

Senior GoL officials stated that lawyers also must take a share of the blame for the situation they are in. Many lawyers, they said, are timid and do not assert themselves. The MoJ receives complaints about unethical acts on the part of some lawyers, e.g. advising both sides involved in a conflict; not completing the task undertaken and charging very high fees.

Most lawyers expect things to change once the proposed Law on Lawyers is adopted. They believe that a law which clearly lays down the rights and duties of lawyers, rights of citizens to be advised and assisted by lawyers, duties on the part of the various authorities towards lawyers and the role of lawyers in the judicial process would raise the profile of the lawyers and give them their much needed recognition.

2.3 Developing the Capacity of Lawyers

A foreign professional with experience in the country found many Lao lawyers to lack critical and analytical thinking, which may also be partly due to cultural factors. He stated that lawyers need to understand that they are retained by clients to do the best for them and not work as “arbitrators”. Feedback from clients referred by him to many lawyers was not very positive. A senior GoL official stated at the Annual Review Meeting of the UNDP-funded project that he was not able to recommend a Lao lawyer to a foreigner, due to poor capacity.

Observations noted above highlight the need to develop the capacity of lawyers, not only in respect of their knowledge on legal issues but also in respect of a proper understanding of the role of lawyers and advocacy and presentation skills. Most lawyers prefer advising clients in their offices but do not follow up by appearing for them in courts in the event of the matter ending up in litigation. Non-recognition of lawyers in some courts may be an inhibiting factor, but this is one of the challenges that the LBA faces and which the leadership must take up. Further, as pointed out earlier, senior Supreme Court officials have offered to discuss any issues facing lawyers and this offer must be accepted.

Continuing Legal Education programmes are presently conducted for lawyers under the UNDP-funded project. There are 04 one-day sessions and 02 three-day sessions per year.

Candidate members who wish to enter the profession are given training for a period of 06 weeks. Thereafter, they are assigned to a unit to learn their work as interns. According to interns whom the Team met, seniors in the units have little time to teach them because most seniors have other jobs as well. There are also questions of capacity of seniors to teach. So, interns learn mostly by themselves, by listening and going through case files. They sometimes go to court with seniors. Interns would like to have at least fortnightly meetings with seniors and wish that some training given to seniors to train others. Another issue is that while some LBA units are strong, some are weak.

The Team is encouraged by the commitment of the interns who, despite the shortcomings they face, stated that they are proud to be a part of LBA. This commitment certainly augurs well for the future of the Lao Bar. It is the duty of senior lawyers, GoL officials and donors to ensure that this commitment does not diminish. In fact, PAGE: 19 this could be a key area of engagement for future assistance to the LBA – working to support interns enter into the profession and gain meaningful work experience – to raise the profile of the profession and ensure sustainable careers in the profession.

While more practical training needs to go into training programmes for interns and also to Continuing Legal Education programmes, the Team wishes to emphasize the need to strengthen the clinical component of the curricula at all the Faculties and Schools of law. The LBA should make arrangements through for lawyers to be more involved with the Faculties and Schools of law and law students need to be given more opportunities to interact with the legal profession through a proper internship programme.

The LBA and other concerned authorities, including educational authorities, should take serious note of observations coming from different sources that many lawyers lack critical and analytical thinking, have poor advocacy and presentation skills and do not understand what the role of a lawyer should be, in designing curricula, intern programmes and Continuing Legal Education programmes. Lawyers and law students also need to be exposed to developments in other countries and international best practices. PAGE: 19 The reality is that not many lawyers have the necessary capacity to satisfactorily engage with counterparts at international level. It is therefore necessary that capacity be developed through training and mentoring etc for lawyers to make full use of attendance at international legal fora, rather than merely attending such events. Perhaps, this is one issue that could be done through the Legal Sector Master Plan.

PART 3

PROJECT ACTIVITIES

Of the four projects at the LBA, the UNDP-funded “*Enhancing Access to Justice through Lao Bar Association Project Phase II*” has a timeframe of three years. The project began in April 2008 and will run until March 2011. The TAF project began in January 2008 and will continue for three years. The EC project began in April 2007 and was due to end in March 2010. The present evaluation was thus conducted at a time when the UNDP and TAF funded projects were in progress, the EC funded project was about to end and the AusAID funded project had ended.

3.1 UNDP-funded Project

As given in the project document, UNDP committed itself to provide funding amounting to USD 600,000 for carrying out 06 key outputs as follows:

Output 1: Improved functioning of the LBA as a Professional, Self-Regulatory Organization

Output 2: Improved Legal Knowledge, Skills and Professionalism of Members of the LBA

Output 3: Improved Awareness of the Role and Functioning of the Lao Bar Association

Output 4: Increase in the number of practicing Lawyers in Lao PDR and the LBA Membership.

Output 5: Improved Access to Justice for the Poor and Vulnerable, Particularly Women, Elderly, Ethnic Groups, Disabled and Children.

Output 6: Long Term Programme of Assistance Formulated.

3.1.1 Activities conducted on schedule

A review of the activities against intended outputs shows that all activities under Outputs 3 and 4 and many activities under Outputs 1, 2 and 5 have been completed. The single activity under Output 6 is due to be carried out in 2010.

The key activities under Output 3 were the organization of workshops to disseminate and raise the awareness on the role and functions of the LBA at central and provincial levels and contacts with overseas Bar Associations at international level.

Annual workshops were organized in the provinces and in Vientiane at central level.. One of the purposes of the Legal Conference held in Vientiane in December 2008 was to raise awareness and catalyze discussions on legal aid and improve networks and cross-referral between organisations/departments servicing similar target groups. Representatives of legal aid agencies from Cambodia and Vietnam also attended. 80% of those who filled up evaluation forms stated that they now had a better awareness of the LBA and its services showing that the activity has been productive.

The LBA met with provincial justice officials in relation to local legal issues and also obtained information from the government in relation to such issues. The LBA was to hold a meeting

with MoJ in Vientiane each month to discuss LBA activities. The President did meet with the MoJ regularly but on an ad hoc basis rather than have a set formal monthly meeting, as that was considered “more appropriate.”

Representatives of the LBA attended a Legal Aid Conference in Malaysia, the Conference of Presidents of Law Associations in Asia (POLA) Conferences in Ho Chi Minh City in Vietnam in 2008 and in Seoul in the Republic of Korea in 2009, the Access to Justice conference organized by the Japan Federation of Bar Association, the Annual Legal Sector Conference on Legal Aid in Cambodia and the Annual Legal Sector Conference on Legal Aid in Vietnam. Three LBA members and the PM of the UNDP-funded Project attended the Access to Justice Conference in Malaysia in 2008. Through this conference, information was gained on the legal sector, bar associations and legal aid regimes of Indonesia, Japan, Malaysia, Vietnam, Mongolia, Korea, Australia and the Philippines.

The LBA also visited overseas bar associations and received representatives. On the invitation of the LBA, the Hanoi Bar Association visited the LBA in July and a MoU providing for information sharing and cooperation was signed. At the invitation of the National Legal Aid Agency of Vietnam, two LBA members attended a conference on Legal Aid in Danang, Vietnam in 2008.

Organizations with which relations were developed include the American Bar Association in relation to cooperation pertaining to training of LBA members, the Canadian Bar Association which provided a CBA Intern and AusAID which provided Australian Youth Ambassadors for Development

A senior member who represented the LBA at the Conference of Presidents of Law Associations in Asia (POLA) in Vietnam in 2008 met with a delegation from LAWASIA, a network of regional bar associations and law societies, in relation to potential membership of the LBA, and had meetings with representatives from the Law Council of Australia, Law Society of Hong Kong, Korean Bar Association, Law Society of Singapore, International Bar Association and the American Bar Association.

Although it was originally envisaged that the LBA would become a member of LAWASIA, the LBA decided that it still did not have the capacity to be an active member of LAWASIA. LAWASIA has however agreed to continue supporting the LBA. The Team recommends that the new Executive Committee revisits the issue of joining LAWASIA as soon as possible and that contacts made and relationships built be strengthened for the general membership of the LBA in to benefit from such relationships rather than for purposes of formal contact between leaderships.

A donor information kit about the goals and services of LBA was revised and updated in soft copy.

The successful activities carried out under Output 4 were the formulation of a recruitment strategy for the LBA resulting in more law students applying to join the LBA, presentations by LBA members at the Faculty of Law to encourage students to join the LBA and engaging law students to assist legal aid and PLE activities. . In 2008 (April-December) 14 law students were involved in legal aid and public legal education activities while 06 law student volunteers interned with the LBA for a total of more than 06 months. In 2009, 16 law students (50% of them, females) were involved in legal aid clinics and public legal education activities. In addition, LBA members made presentations to the students at the Faculty of Law and Political Science, Vientiane Law School (MOJ), Luang Prabang Law School, and Champasak

Law School and at the Vientiane High School. More than 100 students attended each of these presentations.

More young law graduates joining the LBA as interns and the increasing number of women so joining (detailed in section 2.1) show that the activities under Output 4 have begun to bear fruit, although slowly. This kind of activities needs to be continued and reference has been made elsewhere in this report to this issue.

Activities carried out under Output 2 were as follows: recruitment of a Training Assistant to provide technical assistance and advice to the education sub-committee; approval of the Continuing Legal Education (CLE) curriculum and conducting a CLE programme in Vientiane for 5 days with female participants amounting to more than 70%; an intern training programme was conducted over 30 days; a bi-annual newsletter was produced and distributed; and the LBA website was launched and updated in both English and Lao languages.

Originally, the Training Assistant was to be full-time. The person originally recruited in 2008 declined to work full-time and later even part-time. A full time Training Assistant (who is now a member of the Executive Committee) was finally recruited in September 2009.

It was envisaged that the Training Assistant and a Canadian Bar Association Intern would critically review and assess the CLE needs of LBA members, and recommend a sustainable CLE curriculum. This was to be done in 2008 and the new curriculum implemented by 2009. Apart from the problem of not having a permanent Training Assistant from the beginning, there was delay in conducting a needs assessment and the LBA's Training Sub-Committee was often unavailable to meet with the Project and did not provide meaningful guidance. But things improved with the recruitment of a full time Training Assistant and strengthening the Training Sub-Committee and now the new CLE curriculum is in place.

The intern training programme for 2008 was attended by 19 interns (07 females) although 25 interns had been approved. In 2009, 38 interns (11 females) attended out of 40 eligible interns. Among the topics covered were: the role of lawyers and lawyers' ethics; interviewing clients and consultation skills; relationship between lawyers and courts; negotiations, compromises and arbitration; drafting commercial contracts; and important laws. Resource persons were drawn from institutions such as the National Assembly, Supreme Court, OSPP, Ministries of Justice, Public Security and Foreign Affairs, Land Authority, Industry and Commerce, Intellectual Property Department and the Mekong Law Group.

The contents of LBA evaluation reports for the two years reveal several positive and negative features.

In 2008, there were positive comments on planning, advance preparation by trainers, trainees being attentive, all topics being covered as scheduled and trainees benefitting from both theory and practical issues covered. Among the negative comments were that some trainees did not attend all sessions and facilities were inadequate. It was also mentioned that 03 interns who were trained were not assigned to LBA units as their documents were not complete.

In 2009, the positive aspects mentioned were good planning and arrangements, a suitable atmosphere, appropriate training schedule and quality discussion and trainee participation. The lack of a training manual, inadequate sharing of experiences between trainees, lack of experience on the part of trainers and irrelevancies being discussed were the negative aspects commented upon.

Activities related to access to justice services conducted under Output 5 included legal dissemination, providing legal advice, assistance to minors, preparation of submissions on legal issues and representation in courts. The services are managed by a Legal Aid Manager and 02 lawyer-supervisors.

The LBA's pilot legal aid clinic has been operating from 2007 and is housed at the LBA premises in Vientiane. It is open on weekdays during office hours. Lawyers attend the clinic on a shift basis, with one or 02 lawyers and one to 03 volunteer law student present at any given time. In the year 2009, the clinic served 230 clients, 94 of them females. 28 were from the provinces, indicating that the clinic was known outside Vientiane as well. Of the 230, 43 were criminal cases, 130 were civil case and 19 family cases. The other 38 cases involved labour, commercial, social and public issues. Free legal representation was provided in courts in 23 cases- 13 criminal, 02 civil, 05 family and 03 land cases.

Legal aid clinics operate in 05 units in Vientiane since August 2008 on weekdays, with one lawyer available on a shift basis. In 2009, these clinics served 141 clients. 30 of these involved criminal matters, 83 related to civil matters while 17 were family matters.

Legal advice is also given through a telephone hotline, operating on weekdays during office hours. On Saturdays, a TV programme named "Sing-Song-Phang" is telecast from 4 to 5 pm and during that time questions related to the programme can be asked through the hotline. In 2009, there were 156 calls to the hotline. 464 persons asked questions during the TV programme.

Access to justice activities are advertised through television, radio, brochures, posters and the internet. Road signs to the legal aid clinics have been erected. Activities also spread by word of mouth. A female recipient of free legal aid whom the Team met heard of the legal aid activities on TV. She had a family matter that was taken up by the legal aid team, action filed in Savannakhet courts and relief obtained.

Legal dissemination activities were conducted in 05 out of 06 districts in the capital. These are conducted during the evenings, usually in temples. Information about the Lao legal system, the LBA, legal aid schemes and various legal issues raised by villagers are given 08 villages are covered monthly on an average. Usually, 05 lawyers and 01 intern attend. 4448 villagers attended such programmes during the period January-September 2009. A video recording of such an event conducted in a temple was viewed by the Team. The programme went for long, with participants raising questions and lawyers, both senior and junior, patiently answering them with lengthy explanations.

The project also assisted organizations such as the Lao Women Union, United Nations Inter-Agency Project on Human Trafficking (UNIAP) and Village Focus International (VFI) in legal dissemination.

3.1.2 Activities behind schedule

A few activities under Outputs 1, 2 and 5 fell behind schedule.

Of the activities under Output 1, the Code of Conduct for Lawyers was not completed and approved until January 2010 and was thus not available for dissemination to LBA members as well as to clients as was originally envisaged. The delay was due to the LBA not finalizing the draft and getting it approved by the General Meeting of the LBA, which was postponed and finally held in January 2010. There has been progress on the much-awaited core legal document, the Draft Law on Lawyers but is yet to be finalized, the delay again being on the part of the LBA, which it accepts. See also section 5.2.

The activities not fully carried out under Output 2 are the English language training programme and the establishment of a legal resource center at the LBA. The English training course was organized but attendance by LBA members has been poor, despite a teacher being available at times during which lawyers would be most available to attend. This lack of enthusiasm on the part of lawyers is very regrettable and it is hoped that the LBA would discuss this important issue with its members and prevent recurrence if the training course is to continue. The LBA has not been able to obtain a separate room to be used as the Legal Resource Centre due to lack of space at the present premises. As such, it had been decided that the Legal Aid Clinic premises could be used for this purpose.

The Access to Justice (A2J) Survey began in June 2009, delayed awaiting MoJ approval. 04 teams in worked in 04 provinces- Vientiane Capital and Province, Oudomxay, Khammouan and Sekong. 08 districts and 24 villages were covered. For villages inhabited by ethnic groups, ethnic teams were used. Altogether, 600 persons were interviewed. They were categorized into 04 age groups; 03 socio-economic groups (poor, middle income and high income) and according to gender.

The methodology and questionnaire used were agreed to by the MoJ and the survey was assisted by Provincial and District Justice Offices.

It appeared to the Team that the importance of the Survey has not been fully understood by some of the members of the LBA. This is unfortunate, given that it was included in the original work plan in both Phases I and II. The original idea did come from the UNDP. But the survey would ultimately benefit the LBA in the long run, a matter that has not have been fully understood by some members. Results of such a survey would be very useful in formulating a long-term strategy for the Bar or for that matter for the legal sector as a whole. Nevertheless, LBA members, especially the younger members, were involved in the Survey. 02 LBA members worked in each province and obtained data from courts, prosecutors, party committees etc. Project personnel and expatriate volunteers assisted the survey.

The Survey was costlier than PAGE: 24 originally estimated. There were three main reasons for this: remoteness of many of the provinces entailed more transport costs and time; ethnic diversity required specialist support

from interpreters for ethnic languages and anthropologists; and the lack of local capacity to design and implement such a survey.

Collection of data has now been completed and data compilation is being done.

The single activity under Output 06, namely the formulation of a new strategy for the long-term strengthening of the legal profession and the legal aid system is planned for 2010 and there has been discussion between the UNDP-funded project and the LBA about the future of the project and the need for sustainability. The Mid-term Review as well as the results of the A2J Survey would also certainly be very useful in formulating future strategy and the LBA has an onerous responsibility in this regard. This is another challenge that the new LBA leadership faces.

3.1.3 Finances

The UNDP planned to support the LBA with USD 600,000 for a period of 3 years. Because the Access to Justice Survey was costlier than expected, some more money needs to be raised. UNDP officials indicated to the Evaluation Team that a substantial amount has already been raised.

The Team is concerned that any shortfall would result in the curtailment of important activities such as intern training, continuing legal education, public legal education and legal aid. Alive to the problem at hand, LBA officials told the Team that they plan to approach new donors. The Canadian Bar Association was mentioned as a possible donor. The Team recommends that the UNDP assist the LBA in this regard. Unspent EC funds amounting to USD 60,570 (see section 3.4.3) may be a possible source if EC rules permit.

3.2 The Asia Foundation Funded Project

As indicated in the project document, the Asia Foundation (TAF) would provide assistance amounting to USD 500,000 for three years for the following activities:

1. Core support to the LBA to strengthen its institutional capacity;
2. Establishing legal aid clinics in Oudomxay and Champasak provinces;
3. Supporting mobile legal aid and community legal educators (paralegal training);
4. Enhancing legal education and outreach;
5. Building legal survey skills; and
6. Other special projects.

3.2.1 Activities conducted on schedule

Under this particular agreement, TAF began supporting the LBA in January 2008. Until it set up its country office in Vientiane in May 2009, TAF-funded activities were executed using staff of the UNDP-funded project.

As stated in TAF work plans and budgets, core support extended included purchase of office equipment and stationary, supplements paid for some UNDP project staff and other administrative costs. A vehicle was purchased for use in mobile legal aid work.

Legal aid clinics have been opened in the northern province of Oudomxay and the southern province of Champasak. Each legal aid clinic has its own office and Manager. The clinics provide free legal advice, including by phone, operate mobile legal aid clinics to people living in remote areas and arrange for free legal representation in courts.

Since the opening of the two legal aid clinics, a total of 13,592 villagers have been beneficiaries of legal consulting services as at the end of 2009. Of these, 8,583 were from Oudomxay while 4,089 were from Champasak. In addition, 920 persons benefitted from activities operated from the Vientiane office. 167 persons were given legal advice in Oudomxay and 140 in Champasak, making a total of 307.

The extent of activities done is reflected by figures for a selected period, July to December 2009. During this period, legal education and outreach activities were provided to 8,648 villagers in 63 villages in a total of 16 districts in the Oudomxay and Champasak provinces. Of these, 4269 were women, 46% in Oudomxay and 55% in Champasak.

During the period, July to December 2009, 86 persons (50% females) received legal advice in Oudomxay and 106 (31% females) in Champasak, making a total of 192. In Oudomxay, 50% of the cases were criminal, 33% civil, land 7%, family 5% and others 6%. In Champasak, the respective percentages are 24, 56, 19 and 2.

Of the persons served in Oudomxay, 55% were ethnic Lao while 45% were from ethnic minorities, 24% Khmu, 14% Hmong and 7% others. In Champasak, all who sought legal advice were ethnic Lao.

Of the persons who sought advice in Oudomxay, 28% visited the legal aid clinics upon learning of clinics through legal education activities conducted in their villages. 16% were referred by authorities and 09% learned about the clinic after reading a brochure.

In Oudomxay, 09 cases were referred for legal aid representation during the period July to December 2009, bringing the total so referred in 2008 and 2009 to 17. In Champasak, 04 cases were referred during July to December 2009 making it a total of 10 for 2008 and 2009. The total for both clinics for 2008 and 2009 is thus 27.

Another activity which is on schedule is the community legal educator training (also called paralegal training) in Oudomxay and Champasak provinces. Under this programme, villagers are trained to serve as community-based paralegals. Paralegals educate villagers about legal aid clinics and connect them to the clinics when they have legal problems. They also serve as volunteers in legal education and outreach activities.

In May 2009, a 5-day paralegal training course was conducted for 53 participants from 07 districts from Oudomxay province and 37 participants from 08 districts from Champasak province. The numbers of female participants were 10 and 11 respectively.

Since being trained, paralegals in Oudomxay brought 22 persons in need of legal advice to the legal aid clinics. In Champasak, 28 persons were brought. These resulted in 02 legal aid cases in each province.

The Manager of the Oudomxay legal aid clinic and the Assistant Manager of the Champasak clinic, both of whom are lawyers, told the Evaluation Team that as a result of clinic activities, the profile of lawyers had been raised even in rural areas. The response from the people was good and there was no negative feedback. They also reported that clinic activities had resulted in better co-operation to lawyers from courts, prosecutors and Police.

Among other activities carried out to promote the profile of lawyers and the LBA's roles were the production and distribution of brochures, posters, and T-shirts. Legal aid radio programmes were aired in 3 languages (Lao, Hmong, and Khmu) in 2008. In addition, the project also supported LBA and other stakeholders for a study tour to Thailand with T-LAC. USD 20,000 was provided for the Access to Justice Survey.

The project also conducted legal dissemination activities in Xieng Khuang, Hua Phan and Savannakhet provinces. Mobile legal aid clinics in 05 districts in Vientiane Province were supported. Handbooks on legal issues were prepared for village chiefs, district and sub-district officials and Police.

3.2.2 Activities behind schedule

The Evaluation Team did not hear of any major constraint on project activities. No activities were behind schedule.

Building legal survey skills have not yet begun. No special projects are in the pipeline.

3.2.3 Finances

According to the project document, TAF is to provide USD 500,000 for LBA activities. Expenses up to the end of 2009 were USD 306,128.27.

3.3 AusAID Funded Project

AusAID funded a part of the LBA's public legal education (PLE) programme with the EC providing the balance. AusAID supported activities began in the first quarter of 2007 and were concluded by May 2008.

The overall general objective of the project was to raise public and government awareness of the law, rights and obligations, the operation of the legal system, and the role of lawyers. Two results were expected: to make people aware of their human rights and of the legal framework and to ensure that people could use the legal framework to protect their human rights.

3.3.1 Activities conducted on schedule

The project envisaged 06 objectives. The objectives and the corresponding achievements may be listed.

- (i) 05 brochures on a range of common legal questions

Brochures were produced, one on each of the following 05 topics- legal aid services of the LBA (i.e. where to find free legal assistance), labour law in relation to child labour, law regarding domestic violence, law on human trafficking and gender equality before the law. The brochures also promote the LBA and refer to the LBA as being able to assist with providing further information. They are in simple language and have been well received.

- (ii) 05 posters on the same topics as the brochures but in less detail

Five posters were produced on the same topics as the brochures. The posters were disseminated through the same means as the brochures. Although brochures and posters were printed for 05 provinces, they were not all distributed. The undistributed ones still lie in the LBA premises.

- (iii) One video which explains key areas of the law using role-plays to be produced for screening to citizens and officials

One educational video on Family Law, focusing on divorce and legal issues arising out of a divorce, was produced. The topic was identified as one that is of relevance to all provinces and about which there was relatively little education and awareness. The video included role plays and character discussions and touched upon divorce proceedings, consequences of a divorce, property division and rights/duties in relation to care and protection of children. The video was viewed by the public as well as government officials and other citizens at the Outreach Visits.

- (iv) One television, radio and press advertisement each, explaining who lawyers are, how they can help and how to contact them

This component was conducted differently than originally envisaged. Many articles were published in the local newspapers on the LBA, on legal aid and LBA unit offices. Promotional features were also included in the television programme on the LBA, legal aid and public legal education. The TV programme was aired on Chanel 3 of Lao television and linked to the LBA hotline. Radio programmes were presented by LBA members and thus helped raise the lawyers' profile. These programmes discussed legal issues and provided legal advice.

- (v) One press release per month and one television programme per month on current issues of legal and social importance

At least one press release prepared by a member of the LBA on a current issue of legal and social importance was published in the Vientiane Mai. Other articles referring to LBA projects and their role in addressing such were also published in both Lao and English newspapers as press releases.

One weekly television programme was produced and telecast over Lao TV Channel 3 on an issue of current legal and social importance. The programme began in August 2007 and is being continued. Each programme was an original production running for 60 minutes. The format comprised dramatized stories followed by a question and answer session or a promotional spot on the LBA, legal aid or public legal education. LBA members wrote the scripts and also acted. The programme was also linked to the legal aid hotline. According to Lao TV, the programme has been extremely well received and was the second most viewed programme towards the end of 2007.

The number of legal aid cases went up as a result of the TV programmes and many who sought legal aid stated that they became aware of the legal aid scheme through the programme.

The LBA also purchased radio time from the Ministry of Justice on the 2nd and 3rd Friday of each month. Each week, a current issue of legal and social importance was discussed. An original script was prepared for each week. LBA members were involved in drafting and approving the script and appearing on the programme.

- (vi) Each province of the country to be visited at least once annually by LBA members and seminars/training sessions/informal legal consultations given

16 provinces were visited. Outreach Visits included workshops for officials or the public and planned to suit the audience. They were developed so as to increase awareness of issues and of the LBA.

The average attendance at workshops for officials in the South was about 60 while public workshops attracted around 190 participants each. Attendance at public workshops was in the North as high as 240 on the average. According to team reports, workshops were highly interactive, with some workshops having to be extended overtime.

During the period 2007 to 2009, AusAID provided the LBA with 04 Australian Youth Ambassadors for Development. They provided technical support to UNDP-funded project too, mainly on legal aid and public legal education and participated in Access to Justice Survey activities. These volunteers were very popular among LBA members and project staff and were ambassadors in the real sense of the word.

3.3.2 Activities not conducted

Although the video produced under objective (iii) above was to cover key areas, only one area- divorce- was covered. The explanation given was that several related areas such as property, child care and protection were in fact included and that including more areas would have made it less detailed.

3.3.3 Finances

As committed by AusAID, a total of USD 55,363 was transferred to LBA, beginning January 2007. This amount was completely spent by May 2008. The final completion report has been submitted.

3.4 EC Funded Project

The specific objective of the three-year programme of EC assistance was to raise public and government awareness of the law, rights and obligations, the role and operation of the legal system and the role of lawyers by engaging with the public, directly and through brochures and the mass media, to educate them on legal issues of concern and raise awareness of the role of lawyers. The expected outputs from EC support were:

- 05 brochures per year (total 15) on a range of common legal questions, including arrest and the role of lawyers in the defence process, prisoners' rights, sexual violence, family law, domestic violence, human trafficking, land title and property law, among others;
- 05 posters per year (total 15), on the same topics as the brochures but in less detail;
- 01 video per year (total 03) for screening to government officials and citizens which explain key areas of the law (such as the operation of the criminal justice system) using role-plays;
- One press release per month (total 36) on an issue of legal importance;
- Weekly television appearances on an issue of legal importance, supported by the UNDP as well;
- Fortnightly radio appearance on an issue of legal importance; and
- Each province of Laos to be visited annually by LBA members and seminars/training sessions/informal legal consultations to be given.

These activities were the same as those were to be done under AusAID funding, PLE activities being co-funded by EC and AusAID as explained later in section 4.3. After AusAID funding was used, the LBA used EC funds for PLE activities from May 2008 until the end of project.

3.4.1 Activities conducted

In 2008/9, EC funds were used for printing 05 brochures and 05 posters on the role of the Lao Bar, land law, rights of lawyers in criminal procedure, rights of accused persons and rights of children accused of crimes.

Television and radio programmes about lawyers and their roles and legal issues were aired through Lao National TV weekly and through FM 103.7 radio station fortnightly. Newspaper articles were published monthly on an issue of legal importance in the Vientiane Mai newspaper.

Public legal education activities were conducted through dissemination workshops in 16 provinces in 2008/9 and in 11 provinces in 2009/10. Around 100 members of the public attended a PLE activity on the average. Over 50 villages were covered. 50 to 75 officials attended a PLE activity conducted for them. LBA members who participated in these activities told the Team that the events were very interactive, with questions relating land and property rights, family issues and criminal matters being the issues most raised.

3.4.2 Activities not conducted

Some key activities were not conducted.

In 2008/9, EC funds were used for printing 05 brochures and 05 posters as stated above. In 2009, brochures and posters that had been printed with AusAID and EC funds were reprinted

using UNDP funds. Since enough brochures and posters were available, none were printed in 2009/10 using EC funds. Many brochures and posters are still left, undistributed. However, these funds could have been used before the project ended to print brochures and posters on topics not covered and such material could have been used in the future. Videos to explain key areas of the law using role-plays for screening to citizens and government officials were not produced in 2008/9 and 2009/10. The reason given was that TV programmes that had been produced were available and these were used during outreach activities rather than producing the videos. Again, available funds could have been used before the project ended as budgeted for and the videos so produced used in the future.

Only 11 provinces were visited by LBA members for outreach activities in 2009/10. Visits to 05 provinces, Phongsaly, Luang Namtha, Bokeo, Oudomxay and Vientiane Province, were planned for March 2010 but were not undertaken due to incorrect advice later received that the project is to end on 31 January. However, covering as much as 5 provinces, 4 of them quite remote, should not have been, in any event, left to the last month, a serious mistake.

The Evaluation Team was able to review limited documents from the LBA regarding EC-funded activities. EC provided a set of documents relating to the grant contract. The only progress report on PLE activity was the presentation made at the Annual Review Meeting of the UNDP-funded project which the Team attended. References were made in the presentation to EC-funded activities as well. Narrative technical reports were not submitted as such reports are not required under the applicable EC rules. Although regular reports need not be sent to the EC, Australian Youth Ambassadors prepared such reports to be filed. The final report is due after the end of the project.

3.4.3 Finances

Of the EUR 100,000 committed by the EC, 80% or EUR 80,000 was made available upfront in accordance with applicable EC rules.

The total spent during the entire project period was approximately EUR 55,650, including the sum provided by the UNDP for PLE activities, leaving a balance of EUR 24,350. Thus, together with the balance of 20% or EUR 20,000 due on completion of the project, a sum of EUR 44,350 (approx. USD 60,570) or as much as 44.35% was unused.

3.5 Impact of Activities and General Remarks

As stated earlier, the evaluation was conducted over a limited period of two weeks and in Vientiane only and those interviewed were mainly GoL officials, LBA members, project officials, donors and partners. Thus, the impact of project activities had to be assessed on the basis of the limited information received. Also, the information was not enough for the Team to assess the impact of the separate activities of the four projects under review, especially in relation to public legal education, legal advice and legal representation.

Taken together, the activities conducted by the 04 projects at the LBA have been satisfactory, although things could have been better.

After years of the LBA and the GoL working on this issue, a Law on Lawyers is likely to be in the Lao statute books soon. The Code of Conduct for lawyers has now been adopted by the LBA and would need formal approval by the GoL.

Intern training and Continuing Legal Education activities for lawyers seem to be on a firmer footing with a Training Assistant, who is the most senior Executive Committee member, now leading the activities.

Access to justice activities, including public legal education, legal advice and free legal representation, conducted under the 04 projects, have touched all provinces, with more work being done in some than in others. By all accounts, lawyers are better known and the LBA's profile has improved. The public have a better, yet inadequate, knowledge of legal issues. Legal advice and free legal aid provided have been very helpful to the poor and other weaker sections of society. This was also the perception of senior GoL officials as well as of partner organizations such as the Lao Women's Union, CARE International, Village Focus International and Gender Development Group which have a close rapport with the people.

The few indicators available confirm this finding. As set out in section 2.1, the number of LBA members has grown from 66 to 88 between 2006 and 2010, an increase of 33%. The number of women lawyers has increased from 04 to 09. The number of candidate members has increased from 23 (02 women) to 48 (14 women). One more LBA unit office in Vientiane and one more regional office have been established. The average age of LBA members which was 60 in 2003, dropped to 53 in 2006 and is now 50. The fact that LBA membership is growing and that more women and young law graduates are joining the profession is indirectly indicative of the increase in legal literacy among the people and increased knowledge of the role of lawyers, resulting in more people approaching lawyers for advice and the profession becoming better known.

Certainly, much more remains to be done but the good work done so far needs to be acknowledged.

PART 4

PROJECT MANAGEMENT

Part 4 deals with the management of the four projects under review.

4.1 UNDP-funded Project

The key personnel in the project are: PAGE: 33
Executive of the UNDP Project Board, described as the National Project Director (NPD) in this report (see footnote 1), Project Manager (PM), Assistant Project Manager, Secretary and Accountant.

The NPD under both phases has been the President of the LBA, which the Team considers to be rational and practical. As in other UNDP projects, the NPD was selected by the implementing partner, the LBA in this case.

The PM under Phase I was a member of the LBA and served until February 2008. The Assistant Project Manager took over as PM in August 2008 having been selected through a competitive selection process including public advertisement and interview and continued until she resigned in December 2009. Many project staff members, including the PM, left in the last few months. The present PM, selected through a competitive process, is a member of the LBA and has since been elected as one of the Vice Presidents.

Public Legal Education (PLE) activities under the AusAID project began in early 2007 and were executed by the UNDP-funded Project, as were the activities funded by the EC. It is not clear whether or not a formal decision to do so was taken at any stage. TAF began supporting the LBA in January 2008 under this project, operating initially from Bangkok. After TAF came in, it was agreed at a meeting with TAF representatives from Bangkok that UNDP rules will be applied if the UNDP LBA Project team delivers TAF activities. Separate staff members were appointed for TAF-funded activities in 2008.

By all accounts, while Phase I also had management problems, these became a bit more acute in Phase II.

For reasons which were not very clear to the Team, relations between some members of the Executive Committee and the NPD appear to have soured after the changes in management in mid-2008.

There are two accounts as to what happened and the Team is of the considered view that it is best that both accounts be set down as briefly as possible and unsubstantiated allegations left out so as to avoid an acrimonious debate that may follow after the report becomes public, leading to the detriment to the LBA as a whole.

Members of the Executive Committee and some LBA members told the Team that project activities were not very transparent and the Executive Committee was not given an opportunity to oversee Project activity. Supervision was by the NPD, who coordinated with the PM, with members of the Executive Committee playing little or no role. It was also alleged that reports to the Executive Committee were broad and not detailed.

According to the NPD, the second PM and UNDP officials, there was little enthusiasm on the part of Executive Committee members to be involved with the Project, especially after the change in management referred to above. There had been efforts to change the newly selected PM but this was resisted by both the NPD and the UNDP and this aggravated the situation.

Because the second PM was well versed in English while the NPD and many Executive Committee members were not, it was the PM that dealt mostly with the UNDP and other international agencies and this may not have been to the liking of some LBA members. Regarding reports submitted to Board meetings, the NPD explained that most documents were in English and a complete Lao translation was not always possible and so, a summary in Lao was provided.

The Evaluation Team notes that according to the project document, all members of the LBA Executive Committee are members of the Project Board, ex officio, together with the President of the LBA (NPD) in an executive role and a UNDP representative. According to the UNDP, Board meetings were usually held quarterly and all members were invited. However, hardly any Executive Committee member ever attended.

It might be mentioned that the essence of both versions were presented at the Stakeholders' Workshop but was not commented upon by any of the participants.

Comments about project management differ. Some LBA members claimed that information was withheld saying that "this is a UNDP project." When this was put by the Team to the former 8PM, she explained that requests from members were always complied with if the records asked for were relevant to the member concerned and also that quarterly narrative and financial reports were submitted to head of the administration section of the LBA as well as to the MoJ.

Many expatriates who worked at the Project were complimentary of the project management, especially the second PM. But they too were quite aware of that relations between Project staff and some LBA members had taken a turn for the worse.

It appears to the Evaluation Team that for the management team, priority was to be accountable to the donors and to ensure that the activities set out in the annual and quarterly work plans were executed. However, the Team's perception is that many lawyers did not feel that the project really belonged to the LBA and that they did not know where the funding was going or did not understand why the LBA did not have a bigger say in fund management. This may be a reason for Executive Committee members or even other lawyers not always being particularly supportive in meeting targets. But it must be emphasized that members of the Executive Committee had the right of access to all project documents by virtue of being members of the Project Board. There are quite a few lessons to be drawn from this experience.

It is clear that, for whatever reason, there was little LBA oversight. The fact that the PM was a non-lawyer may not have been to the liking of some members, which certainly should not have been the case. The Team found the PM to be a strong personality and, in all seriousness, hopes that that was not another reason for the lack of a healthy relationship.

The lack of LBA oversight was not only in relation to the UNDP-funded project but other projects as well. Management issues too are equally relevant to the activities of the EC, AusAID and TAF projects which were executed by the UNDP-funded project, although in the case of TAF-funded activities, separate staff was later appointed. References to the lack of LBA oversight is detailed in this section only to avoid repetition when discussing the other three projects and should not be considered as being applicable to the UNDP-funded project only.

Rather than point a finger at one or more persons, the Evaluation Team would consider the entire LBA responsible for the lapses that have occurred. The President and Executive Committee, as the leaders of the LBA, must take full responsibility for any lapses, delays etc. The failure of the Executive Committee, for whatever reason, to be involved and monitor project activities no doubt contributed to the delay of some very important project activities such as the Law on Lawyers and the Code of Conduct for lawyers. Better efforts by Executive Committee members to get involved in the activities of the Project Board, which they had a right to, and comment upon and improve reports, work plans and budgets etc would have produced much better results. If Executive Committee members were being kept out of Project activities, they should have brought it to the notice of the general membership. At the same time, the NPD, as President of the LBA, should have alerted the general membership of the LBA of the inadequate involvement of the Executive Committee in Project activities, so that remedial measures could have been taken. Given the relationship that the LBA has with the MoJ, taking the issue up with the MoJ was another option that was not availed of by either the NPD or the members of the Executive Committee.

Perhaps what could be the closest to the truth was expressed to the Evaluation Team by a group of senior lawyers who were not members of the last Executive Committee nor are members of the present Committee: "Projects activities were satisfactory overall but LBA oversight was inadequate and the Executive Committee as a whole must take responsibility for all what happened."

Another serious issue that arose was that some UNDP Project staff received payments over and above their salaries for the work they did in relation to activities funded by TAF, EC and AusAID. In fact, TAF work plans and budgets for July-December 2008 and January-June 2009 made provision for such supplementary payments. Supplementary payments came to light in June 2009 and were thereafter stopped.

The staff members concerned were full time employees of the UNDP-funded project and should have sought and obtained permission from the UNDP and LBA before accepting such payments. Such acts on the part of employees may even sour relations between donors and, as such, there is a responsibility cast on donors involved in multiple-donor situations too, to be alive to such possibilities. Similarly, there is a duty on the part of the donor intending to pay such supplements to discuss the issue with the donor whose employees are to be so paid and reach agreement on the issue in advance. Better communication between the LBA and donors and between donors could have avoided this inappropriate situation.

Some LBA members felt that UNDP's reporting and other requirements were too rigorous and too time-consuming and that, as a result, project staff had less time for project activities. It must however be stressed that most of these requirements are enforced across the globe. UNDP spends international tax payer money and is accountable for every dollar spent. Recipients too have a duty to so account. In fact, good performance in accounting and reporting will be a plus point in obtaining more funding. On the other hand, reporting requirements that are too lenient may leave doors open for non-transparent conduct.

One of the requirements cited as being too time-consuming was the necessity to have maintenance plans and backup data for IT systems. However, it must be pointed out that the requirement cited is in the interests of the recipients themselves. The solution is not to do away with such requirements but to recruit efficient staff and provide them with the necessary training. In fact, most funding agencies, including the UNDP, provide training on reporting requirements.

Especially in view of the unfortunate souring of relationships and claims of lack of transparency referred to above, the Team wishes to point out that the project had been independently audited annually by a reputed audit firm and that audit reports have been satisfactory.

4.2 TAF-funded Project

TAF-funded activities under this Project began in January 2008.

TAF-funded activities are conducted through an Implementation Unit consisting of LBA members, which is part of the LBA's legal aid sub-committee. One of them, who is now a member of the Executive Committee, is the Project Coordinator. He was appointed in November 2008. There are 02 project assistants, one of whom is an LBA member.

One of TAF's Programme Officers at its Lao country office was formerly a member of the LBA Executive Committee. He was the PM of the UNDP-funded project until February 2008.

There are Legal Aid Offices in Oudomxay and Champasak. The Office Manager in Oudomxay is a member of the LBA, as is the Assistant Manager of the Champasak office. Other lawyers too work at these offices.

TAF considers the project as an LBA project funded by TAF and not as a TAF project at LBA. The project is managed by a PM hired by the LBA. TAF funds the LBA to hire staff, but not as TAF staff. TAF works in partnership with LBA and LBA members have been getting experience in the process. This is as it should be and is to be commended.

It might be mentioned that this is the case with the UNDP-funded project at the LBA too. Like at the TAF project, staff is hired by the LBA and has contracts with the LBA, not with the UNDP.

LBA members who spoke to the Team appeared happy working with TAF. It was stated to the Team that plans and budgets were clear. Activities were well managed and planned in advance. According to these members, reporting requirements are less onerous and this appears to be to their liking.

An issue that may result in difficulties in a multi-donor setting is that TAF's payment rates are higher than those of other donors. Different rates of payments by different donors have created problems and more references to this issue will be made later in this report.

TAF's payments to non-full time lawyers have been according to the time spent on the activity concerned. Even the LBA President has been paid on that basis for work done for the TAF-funded Project.

The Team notes that a healthy relationship has been built between TAF and the LBA and this augurs well for the future.

4.3 AusAID-funded Project

AusAID co-funded public legal education activities of the LBA under the Human Rights Small Grants Scheme. As stated earlier, these activities were executed by the UNDP-funded project.

A total of USD 55363 was pledged and the full amount was spent.

Positive feedback was provided by the donor on the project staff. The former PM was described as having been very professional. Quarterly reports were submitted on time. The final report has been submitted.

Since 2007, AusAID also provided the LBA with 04 volunteers, Australian Youth Ambassadors for Development (AYADs), who provided technical support to the project activities, mainly legal aid and public legal education.

AYADs worked more closely with the UNDP-funded project staff and activities than with LBA members.

AYADs assisted the project in the drafting of documents, including the draft Law on Lawyers and Code of Conduct and organising and attending workshops on drafts. They also played a key role in preparing the Annual Work Plans and Quarterly Reports and helped prepare correspondence with the EC to secure contract amendments. Proposals were also prepared seeking funding under AusAID's Human Rights Small Grants Scheme and for additional UNDP funding for the A2J Survey.

Among other activities in which the AYADs helped the project were: the establishment and facilitation of linkages with outside organisations; the establishment of the Legal Sector Working Group, organization of annual legal conferences; facilitating the review of PLE materials by outside experts such as by VFI on the land disputes materials; evaluating effectiveness of outreach seminars; work with the legal aid team; developing training materials and facilitation of intern training sessions; and preparation and recruitment for Access to Justice survey.

Youth Volunteers also facilitated regular English discussion groups open to LBA members to help improve their technical English language skills but these were often quite poorly attended.

Everyone who interacted with the Youth Ambassadors spoke well of them. LBA members as well as Project staff were happy with them. They were friendly and helpful and encouraged others.

4.4 EC-funded Project

The LBA responded to the EC's call for small grants under the "European Instrument for Democracy and Human Rights" thematic programme and was awarded a grant for Euro 100,000 to design and implement a public legal education (PLE) campaign, especially in the rural areas. According to Article 2.2 of the contract, the implementation of the action shall begin on the first day of the month following the date on which the first instalment of pre-financing is paid by the EC. The first instalment was paid on 16 March 2007 and as such, the project began on 01.04.2007. The period of implementation of the project being 36 months, the project ends on 31.03.2010.

In accordance with EC rules, 80% of the funding was given upfront. The balance was to be disbursed upon the submission of the final report.

Under the small grants scheme, the EC funds 65% of the activities and the balance has to be raised or provided by the grantee. In the instant case, the LBA used funding from the Australian Government (AusAID, under the Human Rights Small Grants Scheme) to finance

the balance. Documents reviewed by the Team do not indicate the extent to which donors knew about this co-funding arrangement. The Team was unable to get concrete information on this issue. The EC budget has references, under “Contributions from other organizations”, to EUR 20,000 from AusAID and EUR 31221.50 from UNDP but with a note that funding has not been finalized. This raises a question about donor-coordination and donor-LBA coordination. While better coordination would have increased the donors’ awareness of the co-funding arrangement, the LBA also had a duty to keep the donors aware of such an arrangement.

Although EC-funding was available from April, 2007, EC money was used only for office expenses until April 2008 for reasons unexplained. During that period, AusAID funds available under the co-funding arrangement were used for public legal education activities. EC funds were used for such activities thereafter.

Although budgeted for, a PLE Manager was not recruited. Applications were called for and interviews held, but no selection was made, the reason given being that there was no suitable candidate. Sometime later into the project, a PLE Assistant was hired. The PLE Assistant, a member of the LBA, was one of those interviewed for the post of PLE Manager. He is a member of the new Executive Committee.

Public legal education activities were not conducted in 2009/10 in the five provinces named earlier, although according to the LBA/EC Project Document, all provinces in the country were to be visited annually. These activities had originally been planned for March 2010, which the former PM had correctly advised was the last month under the project. However, in late 2009, an EC official advised that the contract actually ended on 31 January 2010. When this advice was received, the then Project Accountant referred to the contract and the date of payment of the first installment and she too advised that the project ended on 31 January 2010. In fact, during the evaluation, both the EC and the LBA went on the assumption that the project had indeed ended in January 2010. However, it was later discovered that the correct end-date was 31.03.2010. As it turned out, the advice was wrong and two months of project activity were lost.

The PLE Assistant told the Evaluation Team that he had not even been shown the LBA/EC project document. This gives credence to the version that there was a general lack of transparency in projects activities. On the other hand, if the document was not shown, the PLE Assistant should have raised the matter with the LBA leadership. Be that as it may, that as many as five provinces, four of them quite remote, were left to be covered in the last month of the project shows poor planning on the part of all concerned. The PM’s position is that she advised that the visits to the remaining provinces should be made at least by December. As mentioned in Part 3, several PLE activities had not been carried out. The PM of the UNDP-funded project had enough on her plate and hiring a PLE Manager, for which there was provision made, would have certainly made things better.

Because all activities were not conducted and a PLE Manager was not recruited, as much as EUR 24,350 was not spent and has to be returned and the balance Euro 20,000 will not be given.

A coordination meeting between EC and three European Instrument for Democracy and Human Rights projects including the LBA project was held in December 2007. A further meeting with the UNDP also participating was held in October 2008 to discuss a proposed addendum to the budget. A meeting with the project staff and the EC programme officer was

held in July 2009. The EC Task Manager based in Bangkok visited the LBA in the same month.

Under EC rules, no interim reports are required to be sent in the case of small grants. Nevertheless, sending at least bi-annual reports would have kept the donor better informed and would have been indicative of keenness on the part of the LBA. However, quarterly reports prepared by Australian Youth Volunteers are available on file.

4.5 Lessons Learned

The new Executive Committee frankly admitted that all has not been well with the projects. The present PM of the UNDP-funded Project, who is also a Vice President with responsibility in international co-operation and donor-funded projects, stated that negative factors of the past must be seen as lessons and the challenge was to avoid such mistakes.

The new Executive Committee has decided to put in place a mechanism that will ensure and enable the Executive Committee to oversee projects activities. Monthly meetings will be held with projects staff at which work done would be assessed and future needs discussed. Staff would not be permitted to work in more than one project to avoid possible conflict of interests. The Committee expects to interact with donors in a more regular manner in order that mistakes, lapses etc could be discussed.

The PM told the Evaluation Team that he realizes that questions of conflict of interests may arise in his dual capacity and that he would take a decision after the mid-term evaluation. Many of those interviewed, from different organizations, spoke high of his capabilities and commitment. The Team too agrees. Perhaps, he will do still better in his new capacity as Vice President with special charge of international co-operation and donor-funded projects. The Team has since learned that he would be away on a scholarship for some time. In the meantime, a proposal to pay him 75% of the salary so that he could also attend to his duties as the Vice-President of the LBA is under consideration.

The question of conflict of interest may arise with other present and future projects as well. For instance, the Project Coordinator of the TAF-funded project is also a member of the LBA Executive Committee. It is best that these issues are discussed within the Executive Committee and also with the donor concerned and a solution found.

The Executive Committee also feels that LBA officials need training in management. This was echoed by GoL officials as well. Lawyers are not persons trained in management skills and, as such, training in basic management would be very helpful. Training on how to create, carry out, and understand work plans and how to write project reports and financial reports should be included. The Team recommends that Executive Committee members, heads and other officials of Units and Regional Offices and members working in projects as well as others who so wish be given such training. Capacity building at the LBA is as important as at the projects. It may be noted that the UNDP had offered similar training earlier but the LBA had not responded positively to such offers.

As many LBA members and project staff are not sufficiently proficient in English, at least key documents should be translated into Lao. This would also lead to more transparency.

With regard to rules and regulations, it must be mentioned that less rigorous rules do not necessarily lead to better performance. It can even be the opposite. Less rigorous rules and regulations may save time for the recipient but could leave room for non-disclosure, less transparent procurement and even corruption and lead to non-achievement of objectives.

It will not be out of place to refer to the position of project manager. The question whether the PM of an LBA project should be a lawyer was raised. The last UNDP Project Manager herself, who is not a lawyer, was of the view that it would be better if the PM was a lawyer. The Team is aware of many projects in the legal sector, both in Lao PDR and elsewhere, which ran well with non-lawyers as project managers. The position is an administrative one and does not necessarily need someone with a legal background. Rather, the PM should be able to administer the project efficiently, relate well to others and be a team player. In the event that there are two equally qualified persons, preference may be given to a lawyer or a person with a legal background.

The Evaluation Team wishes also to caution against the filling of other administrative positions in projects with lawyers. Administrative positions in projects should not be seen as job opportunities for lawyers, especially in a situation where lawyers do not earn much from the legal profession. Again, as in the case of a PM, there can be no objection to a lawyer or a person with a legal background being appointed if s/he has the qualifications necessary for the job.

PART 5

THE LAO BAR: FROM THE PRESENT TO THE FUTURE

The Lao legal profession and the LBA have seen progress during the last few years. But questions remain about the future role of the Bar in the legal and judicial processes, the capacity lawyers to assist the people, especially the poor and the disadvantaged, and also the capacity of the LBA to undertake donor-funded activities.

5.1. GoL's Policy on the LBA

Senior GoL officials stated to the Evaluation Team that GoL policy on the Bar was clear. The GoL wishes the LBA to become an independent, self-regulatory organization in the future. The Vice Prime Minister made this clear at the last General Meeting.

The Legal Sector Master Plan (LSMP) too, which has been approved by the Government, is committed to making the LBA independent with its own capacity to manage the legal profession as a self-regulatory institution and with a Code of Conduct and rules of procedure for the LBA to conduct its own affairs. A National Steering Committee and Inter Agency Working Group are to be appointed to implement the LSMP.

According to the LSMP, the following activities are envisaged for the period 2009-2012:

- A Law on Lawyers, a Code of Conduct for lawyers and internal regulations, aimed at strengthening the LBA's professional independence, step by step;
- Improvement of the ability of the LBA to manage all aspects of activities; and
- Improvement and modernization of the technical foundation of the LBA.

The following activities are to be carried out during the period 2011-2020.

- Increased training of lawyers;
- Better management of LBA income to ensure its sustainability;
- Improvement of free legal aid to the poor and where stipulated by law;
- Providing wider legal service networks and assistance for better access to justice;
- Enhancing the capacity of the LBA; and
- Integrating the LBA with the regional and international community.

The Team considers the above to be realistic and attainable. MoJ officials made it clear to the Team that the LBA would have a role to play in the implementation of the LSMP.

Officials noted that other similar organizations such as the various Chambers of Commerce and the Auditors' Association have performed much better than the LBA. They are better organized and self-financing. They noted that the LBA has not been able to manage by itself so far and relied on the MoJ. It needs to have a financial strategy as well. While the MoJ would continue to assist the LBA, it wishes to see the LBA develop in to an independent organization.

Senior MoJ officials expect the new Executive Committee to do better, compared to the past. The new members of the Committee, they noted, were young but not experienced and needed

to gain the respect of the entire membership, senior and junior. The Department of Judicial Administration would monitor developments and assist the LBA.

Senior officials of legal sector institutions wish that the new leadership of the LBA interact with legal sector and law enforcement organizations, much more than in the past. For example, there have been very few interactions between the LBA and the OSPP leadership.

5.2 A Solid Legal Foundation for Lawyers

The purposes of the Law on Lawyers that is now being developed are: to provide for regulation of the practice of law in the country, including requirements for legal services providers, licensing and registration; to set out rights and obligations of legal service providers and legal service enterprises; the establishment and operation of the Lao Bar Association; and to ensure that lawyers have an appropriate role in the operation of the rule of law in the Lao PDR. Duties of the courts, prosecutors and other relevant sectors and administrative authorities in respect of legal services providers would also be set out.

The MoJ expects the Law on Lawyers to be on the legislative agenda of the National Assembly in June 2010. If that happens, the new Law could be expected to be adopted later in the year or early 2011, the latest. The Team was told by the MoJ that the delay in finalizing the draft law was on the part of the LBA. LBA sources admitted this. A workshop on the latest draft was held in the 3rd Quarter of 2009 and the draft distributed to members. It has however not been finalized. The MoJ would establish a committee to work with LBA on the draft and finalize the same.

LBA members pin much hope on the Law on Lawyers to raise their profile. As such, the opportunity to place the same on the legislative agenda in June 2010 must not be missed. The Team wishes the Executive Committee to consider this a priority.

While a Law on Lawyers would certainly provide the legal basis for the development and recognition of the legal profession, there is much follow-up action needed to put the Law in to practice.

The dissemination of laws in Lao PDR has been rather poor in the past. The new law needs to be effectively disseminated to the public and officials, including at provincial, district and village level. Rather than merely reading out the law, as has happened in the past with respect to some new laws, the rationale behind the law and how it would help the public at large and improve the justice system must be explained. The public needs to understand that specialist advice is needed in respect of intricate legal issues and it is only lawyers who could provide such advice. Then there is also the question of actual implementation.

The Evaluation Team is of the view that the GoL needs to play a pro-active role in raising the profile of lawyers. Lao PDR has taken the important step of ratifying the International Covenant on Civil and Political Rights (ICCPR) which has important implications for the legal system. Clear signals need to be given to judges, prosecutors, court staff and law enforcement and other officials about the GoL's position regarding the role of lawyers, their rights and duties, the rights of citizens to be advised and assisted by lawyers and duties of the courts, prosecutors and other relevant sectors and administrative authorities in respect of lawyers. Therefore, it is essential that senior GoL officials are invited to be resource persons at dissemination workshops on the new Law on Lawyers. Senior officials also accepted the need to do so, for the new Law to be implemented in practice. The Team emphasized this at the Stakeholders' Workshop too.

Dissemination must be followed up with intensive and interactive workshops where judges, prosecutors, lawyers, court staff, law enforcement officials and other relevant officials would come together to discuss the implications of the new law. Again, the presence of senior GoL officials at such workshops is essential.

The implementation of the new Law needs to be monitored in order to ensure that its objectives are achieved. The MoJ may consider setting up a mechanism for that purpose. Such a mechanism should be representative of the legal sector institutions and law enforcement institutions.

5.3 The LBA under a New Leadership

It appeared to the Evaluation Team that the new leadership of the LBA, and most LBA members, realize what needs to be improved and how. In the past, things appear to have been left to drift, in respect of LBA activity. The same could be said about some activities under LBA projects as described above. Corrective action needs to be taken in the future.

The Team was told that there are no records of meetings of the last Executive Committee. The Committee now meets monthly and records are being kept.

Each member of the Executive Committee has a particular responsibility e.g. international co-operation and projects, technical; internal audit, administration and finance, legal aid.

Every section would have 3-year, annual and quarterly plans. Some sections have already prepared the 3-year plans. Once all plans are finalized, they would be sent to all members. The administration section will monitor implementation. A summary in English will be prepared.

The Executive Committee's proposals for better project management and oversight have been already referred to in section 4.5.

The need for transparency in financial matters is recognized. There would be better financial oversight and a financial report would be sent to all members every 03 months. In the past, only a financial summary was presented at general meetings. In future, a detailed report would be provided.

The new leadership would also concentrate on increasing the membership. Detailed planning is necessary. Already, a draft MOU with the Faculty of Law and Political Science has been prepared for more interaction between the LBA and the Faculty with a view, inter alia, to popularize the Bar among law students.

As already stated in Part 4, the Executive Committee recognizes the need to improve management skills of its officials, at the head office as well as in unit and regional offices.

It was conceded that the MoJ had not been properly informed of LBA activities in the past. Meetings with all departments of the MoJ have been planned. Meetings will also be held with the Supreme Court, OSPP, National Assembly and the Ministry of Foreign Affairs. The Team wishes the LBA to add the Ministry of Public Security and other law enforcement agencies to the list. Further, it is important to meet with these institutions on a regular basis.

The Evaluation Team hopes that the interest and enthusiasm shown by the new leadership would not wane and it would not be a case of a new broom sweeping well. The GoL and the donor community also have a duty to continue to assist this important organization to get up firmly on its feet.

All this begs the question: Does the LBA have the capacity to undertake and successfully administer donor assistance?

LBA oversight and management of projects has no doubt been poor. However, there is a silver lining in the form of a new, younger and enthusiastic Executive Committee and equally enthusiastic young members and interns. The new Committee, although not much experienced, is full of new ideas and impressed the Evaluation Team, as did young members and interns. The LBA appears to know what went wrong and is keen to improve. GoL officials as well as donors too have hopes that the new leadership could take the LBA on the path of progress. As an international who had interactions with the LBA told the Team, the past must also be seen as work in progress. The Team sees the LBA to have the necessary potential and strongly recommends that it be given opportunities to deliver.

5.4 LBA Ownership in Future Activities

As is now acknowledged by almost all stakeholders, LBA ownership in projects activity has been low. The new Executive Committee has already suggested ways and means of improving.

The Team hopes that in the future the LBA would participate actively in developing projects that concern it, whether they pertain to the LBA specifically or to the legal sector in general. This would result in a sense of better ownership and consequently a greater commitment to implement projects activities as planned.

It would also be useful if donors jointly meet with the Executive Committee regularly. Some of the problems discussed in this report could have been avoided if there had been such meetings. Joint meetings would also ensure donor coordination. The LBA should set up a mechanism in consultation with the donors. MoJ officials responsible for the LSMP may be invited when necessary.

Donors need to be equally careful not to be too directive in areas where the LBA should be making decisions and too hands-off in the details of project implementation.

In UNDP-funded projects in Government institutions, the National Project Director (NPD) is usually a senior official of the institution. Such officials are not paid for being the NPD. In the LBA, the President is not a paid, full-time official. When the President works for the project as NPD, he actually sacrifices a part of his professional income. In most countries with developed legal professions, the President of the Bar Association is a senior practitioner who can afford to make such a sacrifice when devoting time for the Association. But the same cannot be said about countries like Lao PDR. Lawyers do not earn much from the profession, compelling even seniors to do other jobs as well.

This issue came up during Phase I of the UNDP-funded project. The NPD was not paid and so did not attend office regularly. A decision was then taken to pay a salary to the NPD. During Phase II, the question of payments to LBA officials appears to have come up. The Team was told that some Executive Committee expected payments for time spent in overseeing project activity and this was another reason for poor oversight and souring of relationships. When the NPD, who is not a full time employee of the project, is paid a salary, such questions are bound to arise. Donors are also not comfortable making such payments.

The former NPD initially had a UNDP Service Contract, for work assessed as being equivalent to 60% of his work time. Ordinarily, project staff has a contract issued by the implementing partner. Since the LBA, being the implementing partner, could not have a

project contract with its own President, a service contract was used as the basis for payment. Later, the UNDP Country Office was advised that a service contract with a person above the UNDP's retirement age (62 years) was not possible. After the existing contract expired, the UNDP therefore offered the NPD a consultancy contract, which would have allowed him to invoice the UNDP for work done, but up to a ceiling. However, he opted to work as NPD on an honorary basis, stating that other LBA executive members had accused him of taking advantage of the UNDP project to earn money.

For TAF-funded activities, the President and other non-full time members of the LBA are paid by the hour. This appears to be a good *via media*. But it is important to avoid possible absurd situations such as, for example, the President, who is expected to play an overall guidance and oversight role and spend a few hours a week on such oversight, receiving more than the full-time PM! What is best is for donors to agree on a uniform hourly rate and a maximum number of paid hours for a month.

Members get paid for writing scripts for TV and radio programmes and for writing articles. In the circumstances that most Lao lawyers do not earn much from the profession, opportunities to earn additional income from such project activities should be equitably provided. Senior lawyers need to be drawn into project activities and some special consideration for them is nothing but reasonable.

It is also important that opportunities to attend workshops and conferences should also be equitably spread among members. Great care must be taken in selecting nominees to attend events abroad. While it is necessary that key officials of the LBA attend these events, it is also important to provide opportunities to as many members as possible.

The Team also recommends that the LBA draw up a scheme of awards. Best achievers in different project activities such as legal advice, legal aid, public legal education, preparation of dissemination material etc could be recognized and prizes and certificates awarded at an annual awards ceremony which could be sponsored by a commercial enterprise, an international law firm or other suitable entity.

Equitable opportunities to all members and recognition of merit will contribute to a sense of belonging among members and better ownership in project activities.

PART 6

FUTURE ASSISTANCE

In this Part, the Evaluation Team makes recommendations on the areas which merit donor assistance in the next few years. Views of potential donors and partners regarding possible future assistance are noted. The Team's recommendations for donor and partner assistance and donor coordination are also included.

6.1 Areas That Merit Assistance

The areas in which the Team recommends assistance to the LBA are nothing very new to those familiar with the Lao legal sector and the LBA and, as such, the proposals are certainly not radical. They are also in line with the goals set out in the LSMP.

6.1.1 Finalization of the Law on Lawyers and Dissemination upon Adoption

The draft Law on Lawyers needs to be finalized as a matter of priority. LBA officials stated to the Team that although the activities leading to such finalization are covered by the current UNDP-funded project, funds would be needed for another workshop. This should not pose much of a problem.

The Team therefore recommends that donors assist the LBA in the few more steps that need to be taken for the draft law to be placed on the legislative agenda as envisaged by the MoJ.

The Team considers the dissemination of the proposed Law and its implementation to be very crucial to the development of the Lao legal profession. As stated earlier, the adoption of such a law, while laying the necessary legal basis for a strengthened profession, must be followed up with country-wide dissemination among the people and officials. The Team emphasizes, at the cost of repetition, that the GoL needs to take upon itself a pro-active role for the purposes of such a law to be achieved.

Assistance is therefore recommended for the effective dissemination of the new law among the people and officials down to the lowest level with the active participation of senior GoL officials.

First and foremost, copies of the Law must be made available to all institutions in the legal sector. The Legal Sector Evaluation of 2003 found that new laws are not always made available to courts, especially in the remote areas. The quarterly Supreme Court Journal which was intended to provide guidance to judges and the Supreme Court Casebook in which summaries of important judgments were published had not been properly distributed. The Journal had not been received even by the Vientiane Municipality Court. Both were published by the UNDP-funded project at the Supreme Court. Given this and other similar experiences, distribution of the new law must be done systematically to ensure that a copy reaches all courts, prosecutor's offices, justice offices, provincial offices of the National Assembly and provincial, district and village level government offices, to name a few.

Interactive workshops where judges, prosecutors, lawyers, court staff, law enforcement officials and other relevant officials would together discuss the implications of the new law is essential. This matter has already been dealt in rather detail under section 5.2.

Non-traditional methods of dissemination are strongly recommended. These can be in the form of street theatre, posters, leaflets, videos, newspaper articles, television programmes, use of community radio especially in languages that do not have a script, lectures at institutions of higher learning etc. A booklet on the subject distributed to all law students would be very fruitful.

6.1.2 Training of Interns and Continuing Legal Education

One does not have to labour the point that intern training is so vital to a lawyer in the making. A training period longer than the present 06 weeks would still be better. The Team is very concerned about the quality of training interns receive at the units. As mentioned earlier, interns are left to learn by themselves. Future programmes must address this serious issue. Presently, interns are provided with training by the LBA but there is no “mentoring,” which is different from instructing, which is essentially the dissemination of knowledge, and coaching, which deals primarily with skill building. On the other hand, a mentor, a more experienced or more knowledgeable person, helps shape the outlook or attitude of a less experienced or less knowledgeable person, in this case the intern.

Given the fact that some units are stronger than others, the possibility of shifting interns from one unit to another during the internship period may also be considered. Seniors need to be given training on how to train interns (ToT). Seniors could be told how to use interactive teaching methods, brainstorming, group discussions, case studies, role plays, simulations, mock trials, debates etc to train interns to be lawyers.⁴ Seniors themselves would benefit from this experience. The Team recommends that expertise be obtained on this subject. However, paying seniors for time spent in providing training is not recommended. Seniors must, as a matter of duty, find the time for interns. The new leadership of the LBA must take steps to inculcate such values.

Since most seniors themselves do not make frequent appearances in courts, the intern training programme should include court visits, organized by Training Assistant. Interns could be accompanied by seniors willing to undertake such visits, not necessarily seniors from the respective units to which the interns are assigned.

The Team accordingly recommends that donors assist the LBA in the improvement and implementation of a better training programme for interns that addresses the concerns expressed above. The development of an intern training manual also merits consideration.

In view of the importance of Continuing Legal Education programmes, especially in the Lao context, the Evaluation Team recommends continued assistance to the CLE programme of the LBA, possibly on a bigger scale. International NGOs undertaking legal aid work and also law firms may also be encouraged to take in junior lawyers as interns.

A matter of immediate concern to the LBA is that there may not be adequate funding for intern training and CLE programmes for 2010. The Team recommends that in the event adequate funds are not forthcoming, the UNDP should discuss this issue with the LBA and also with present and possible donors and find a way out.

6.1.3 Access to Justice Programmes Including Legal Aid With Special Attention to Weaker Sections

⁴ To take an example from Lao PDR itself about ToT, the UNODC and the Ministry of Justice set up a core training group of officials on human trafficking. The group consisted of judges, prosecutors, justice officials, law teachers, law enforcement officials, lawyers etc. They were first given a thorough training on human trafficking and those who passed the examination were then trained to be trainers. They have now taken the place of international consultants who were earlier used for trainings and have been doing a commendable job going around the country.

“All human beings are born free and equal in dignity and rights. Therefore, all human beings should have equal access to justice when their dignity or their rights are infringed upon. However, deficient or discriminatory justice systems can undermine this basic human rights principle. When such systems cannot ensure equal access to justice by all, the vulnerable and marginalized become even more vulnerable and marginalized, and their human dignity is placed at risk.”⁵

Access to justice is essential for poverty eradication and human development too. It is groups such as the poor and disadvantaged who often fall victim to criminal and illegal acts, because of their vulnerability. As it is harder for them to obtain redress, they may fall further into poverty. Justice systems can provide remedies which will minimize or redress the impact of this. Justice mechanisms can be used as tools to overcome deprivation by ensuring, for instance, access to education by girls and minorities, or by developing jurisprudence on access to food, health or other economic, cultural or social human rights. Also, fair and effective justice systems are the best way to reduce the risks associated with violent conflict. The elimination of impunity can deter people from committing further injustices, or from taking justice into their own hands through illegal or violent means.⁶

Thus, access to justice activities have a greater social dimension than is ordinarily thought of. They must therefore be encouraged and supported, especially in a country such as the Lao PDR, which is striving to move out of its present classification as a least developed country.

With the results of the Access to Justice Survey soon available, stakeholders would have a better understanding of the needs of the Lao people, especially the weaker sections of society.

LBA members are very concerned that funding for access to justice programmes, including legal aid, would dry up. Some activities have already been scaled down.

Apart from the adverse impact on the weaker sections of society, members point out that the LBA would lose face among the people and its profile would suffer immensely, possibly irreversibly. At a time when the public is getting more interested in access to justice issues and public perceptions about the Bar has improved, a reversal would result in gains made so far being lost.

The Evaluation Team understands the concerns expressed and strongly recommends that donors continue to support access to justice programmes. Again, there is no need to emphasize the importance of such programmes for the Lao people. The Team is heartened by assurances from donors that they understand the need for continued assistance in this area. The LBA too

⁵ *Programming for Justice: Access for All, A Practitioner's Guide to a Human Rights-Based*

Approach to Access to Justice (UNDP, Bangkok 2005) 1.

⁶ *ibid*, 3.

should make contact with potential donors interested in assisting access to justice programmes. Resource mobilization must not be left to traditional donors alone. The LBA needs also to understand that foreign donors will not be there forever, as many bar associations have found out to their great dismay. Some donors have to cut down on the number of countries which they support, either because the recipients have not performed as expected or for domestic political reasons as happened in the case of Sweden where the new Government decided to cut down foreign assistance.

Another word of caution may be appropriate. The LBA needs to develop a clear strategy and guidelines about future access to justice programmes. Especially in a possible multi-donor situation, it is absolutely essential that there be a great degree of harmony between the different programmes. Such programmes must not be unduly disparate. Absence of uniform rates can lead to serious problems with lawyers preferring to work with some donors than with others, resulting in people in some areas getting lesser quality aid and may also sour relations between donors.

While on the subject of access to justice activities, it may be worthwhile mentioning that priority needs to be given to advice about legal issues relevant to the people. If legal aid and PLE activities are seen as purely marketing exercises on the part of the profession, they would be of little use and may even be counterproductive. Retaining lawyers should ideally be made naturally to follow. This comment is a general one and not made in response to any representation made to the Team.

6.1.4 Work with Faculties/Schools of Law to Encourage New Recruits

Over 600 law graduates pass out of the Faculty of Law and Political Science in Vientiane, the Champasak University and the law schools in Vientiane and Luang Prabang, but only a small minority of them prefers to join the legal profession. Jobs in the Government sector, with prospects of promotion, are more attractive.

As law students at the Faculty of Law and Political Science told the Team, many know about the Bar only in theory; to become a judge is prestigious; being a lawyer is not considered a “permanent” job. They wished to have more interactions with the Bar, more lawyers to teach courses and lawyers to tell them more about the profession, its role and ethics, about future prospects and even about the legal profession as a source of income. Some senior students had heard about lawyers in general but knew very little about the LBA itself. The Vice-Dean suggested that the LBA could contribute articles to the monthly Faculty newsletter which is given free to students.

Law teachers the Faculty of Law and Political Science were of the opinion that the initiative to popularize the legal profession among law students must come from the LBA. Numerous meetings held with the LBA in the past led to little. Senior lawyers addressed students but did not connect well with them. Teachers expect a long-term commitment from the new leadership at the LBA. After rather slow movement for about two years, an MoU on cooperation between the LBA and the Faculty is finally on the cards. According to the draft

MoU, lawyers would teach at the Faculty with a view to enhancing the practical knowledge and skills; lawyers would work with the Community Legal Education project at the Faculty; and students would be involved in LBA activities and assist lawyers in cases.

The Team considers this initiative to be a very good beginning and hopes that the new partnership would sustain. It is important that similar partnerships be built with other institutions producing law graduates, such as the law school in Vientiane and especially with those in the provinces such as the Champasak University and the Luang Prabang law school.

Donor assistance to such interactions is recommended.

6.1.5 Interactions with Overseas Bar Associations and Regional Bodies of Lawyers

The LBA has been developing relations with country Bar Associations in the region and with regional Bar Associations. Details have been given in section 3.1.1. For the LBA to develop into a self-regulatory and independent professional association, the experiences of other countries will be useful. Internationals who interacted with the LBA told the Team that the idea of the LBA as a self-regulatory body is new to many members. There is no cohesive view as to what the role of a Bar Association is.

In view of the need to develop LBA as a self-regulatory body and to keep abreast of developments in the legal sectors in other countries, it is essential that existing relationships be strengthened and new contacts established. The Evaluation Team therefore recommends that donors continue assistance to the LBA to further develop relations with fraternal associations and regional associations of lawyers.

It may not be out of place to mention here that for relations to be strengthened and new contacts be made, it is essential that leaders of the LBA be conversant in English. While the Evaluation Team was happy to observe that many members of the present Executive Committee could converse with the Team in English even without the aid of an interpreter, it is nevertheless disheartening to hear that attendance at the English course for lawyers has not been satisfactory. The Team hopes that the present leadership of the LBA makes a fervent effort to reverse this unfortunate trend. The importance of English for international communication does not need be emphasized, it being already the working language of ASEAN.

6.1.6 Training for LBA Officials on Management and Oversight

The Evaluation Team endorses the proposal made by the LBA that Executive Committee members, Heads and other officials of Units and Regional Offices and members working in projects as well as other members who so wish be given training in management skills and oversight. Donor assistance for such training has already been recommended under section 4.5.

6.1.7 LBA Head Office

At present, the LBA head office in Vientiane is housed in a part of a building given free of charge by the Ministry of Justice. The LBA cannot even afford to pay for the utilities. Electricity, water, telephone and internet bills and even garbage collection charges are paid for by the UNDP-funded project, which the UNDP should not have been doing. At the least, the LBA should have got all the donors to contribute. The best course of action is of course for the LBA to pay these charges out of membership fees. Getting donors to pay even utility bills is demeaning.

With the LBA becoming bigger and more activities being conducted, more spacious premises would be needed. Having its own premises would also give the LBA a better sense of independence.

Many Bar Associations in developing countries have been assisted by Governments and donors to construct their own buildings. To take an example, the Bar Association of Sri Lanka was given a land in a prime location free of charge by the Government. A multi-storey building that also houses an auditorium was built with donor assistance. The ground floor has been rented to a bank and the building is maintained with the rent earned.

The Team brought up the proposal to grant a piece of Government land to the LBA with GoL officials and the response was encouraging. The GoL will have a lesser burden if the LBA has its own premises. The LBA could maintain the building by renting a part of it.

The LBA should take this suggestion forward. The Evaluation Team recommends to the GoL that it grants a piece of land in a suitable location for the LBA to have its own premises. Donor assistance for constructing a suitable building is also recommended.

It may be argued what is priority at this stage is not a building but a regulatory framework, and better trained and better utilized lawyers. Such an argument is one that certainly merits reflection. But getting suitable land, finding donors to put up a building and building the same would take years. This recommendation is certainly not a priority but one about which a start needs to be taken.

6.2 Potential Donors

The Evaluation Team had the opportunity of discussing the issue of assistance to the LBA with the present donors, potential donors as well as present and potential partners.

6.2.1 UNDP

The UNDP has been a long standing donor in the Lao legal sector. It supported the LBA in two project phases. It has had projects at the MoJ, the Supreme Court, the OSPP and the National Assembly. Currently, UNDP supports the MoJ's LSMP/Customary Law Project, Phase III of the International Law Project and some activities of the National Assembly. The Public Administration and Civil Service Authority (PACSA) and Civil Society Organizations (CSO) also receive UNDP assistance.

In view of the leading role it has played in the legal sector over the years and now its support for the implementation of the LSMP, the UNDP has almost a duty to continue to support the yet weak and fledgling LBA to grow into a strong and independent organization. A strong legal profession is an essential part of a Rule of Law State and the United Nation's governance arm must continue to play a leading role within the donor community in assisting the legal sector and the LBA. A great deal of the UNDP's time, effort and money has been invested over the years in the LBA and the support extended needs to be taken to its logical conclusion.

The UNDP-funded project not only managed the activities envisaged in the LBA/UNDP Pro Doc but went out of its way in magnanimously taking upon itself the task of executing LBA activities funded by the EC, AusAID and, up to a point, TAF. The UNDP having supported the LBA in the way it has done, and good work not always being appreciated as it happens in the reality of the world we live in, it should not surprise anyone if the UNDP would be disheartened that one of the findings of this evaluation is that LBA ownership, oversight and management in projects activities has been rather poor. The Evaluation Team wishes to state with all the emphasis at its command that this is in no way an adverse reflection of the donor. It is the LBA as a whole and especially its leadership that must take full responsibility for the lapses.

The present evaluation took place in the immediate aftermath of some sweeping changes in the LBA and in a situation in which more changes are taking place. The Team wishes, at the cost of repetition, to reiterate that the new Executive Committee of the LBA, though young and not very experienced, is an enthusiastic lot, keen to avoid lapses of the past and learn from mistakes. The membership of the LBA is growing and more young law graduates are joining as interns.

For its part, the new leadership of the LBA told the Team in no uncertain terms that it wishes the UNDP not only to continue supporting it but also to take the lead in supporting it, including in resource mobilization. This is no doubt because of the role that the UNDP has played in developing the Lao legal sector over a long period of time. The LBA is also aware of what went wrong on its part. The Team wishes to add that the LBA cannot expect the UNDP, or for that matter any donor, to mobilize resources without the LBA making a clear commitment towards greater ownership of project activities, especially in view of the unfortunate developments of the past. Donors are answerable to those who provide funding and therefore expect recipients to conduct themselves appropriately. The new LBA leadership should explain to the membership that while questions of rates of payment etc are not wholly irrelevant, the larger issue of developing the LBA is paramount. The bigger picture must not be lost sight of; "never be in a situation in which one can't see the wood for the trees," as the

saying goes. The Team recommends that the LBA discuss issues raised in this report and any other related issues with the UNDP in a frank manner. The Team has no doubt that the UNDP would respond graciously and positively. As we understood the UNDP, it is willing to continue support but would expect more counterpart commitment and leadership from the LBA.

As stated earlier, the UNDP would be playing an important role in the execution of the LSMP. Assisting the LBA to become an independent self-regulatory institution that manages the legal profession with its own Code of Conduct and rules of procedure is a key element of the LSMP. The UNDP could continue to assist the LBA through assistance to the execution of the LSMP, with any assistance to the LBA being linked to the execution of the LSMP.

The LSMP route should not be considered the only way in which assistance could be given. The UNDP is no doubt aware of political issues, bureaucratic issues, other delays etc that may come into play in executing the LSMP, especially considering that finalizing the Plan took a long period. As such, the Team would recommend that direct assistance be considered, at least until the execution of the LSMP gets into full gear.

6.2.2 The Asia Foundation

Although TAF is a relatively new player in the Lao legal sector, it has succeeded in building up good relations in the legal sector. Apart from assistance to the LBA, TAF assists the MoJ in activities related to grass-root level justice, crime free villages (villages in which there is no criminal activity), Village Mediation Units and juvenile justice. TAF also contributed funding for the UNDP-funded Access to Justice Survey.

TAF appeared to the Team as being willing to continue to assist the LBA but wishing to move away from core-support. The LBA too wishes that TAF would continue to assist it. As stated earlier, a healthy relationship has been developed between the two organizations and the basis for a long-term relationship appears to have been laid.

While the Evaluation Team is confident that TAF would support the LBA on a long-term basis, it wishes to emphasize the need for such support to be part of co-ordinated donor activity, especially in view of the fact that clear objectives for the legal sector have been set down by the GoL through the LSMP.

6.2.3 European Commission

The EC's past assistance to the LBA in public legal education activities has been gratefully acknowledged by the LBA.

The Evaluation Team was told that the EC would like to continue supporting the LBA, especially to address issues of the rural people and of minorities. The EC encourages the LBA to apply for EC small grants when open calls are made for proposals under the "Non-State Actors and Local Authorities in Development" and/or the "European Instrument for Democracy and Human Rights" programmes.

The EC would also consider joining other donors. The EC presently supports the activities of the UNDP-funded International Law Project through a Contribution Agreement. The Team recommends that the EC consider supporting the LBA through such a Contribution Agreement as well. The mechanism of such an Agreement brings together several donors to work together and avoids possible tensions, competition, application of different rules etc which may come into play when several donors support the same entity through separate projects.

6.2.4 AusAID

For future AusAID funding, the LBA needs to apply for grants under the Human Rights Small Grants Scheme. Applications are called for globally. The purposes for which funding is applied and proposed activities matter much in such competitive grants schemes and the LBA should put forward an application that will be attractive to the donor and hard to refuse.

As stated earlier, Australian Youth Ambassadors for Development have been of great assistance to the LBA in the past. One hopes that there will be opportunities for the LBA to receive Australian volunteers in the future as well.

6.2.5 United Nations Children's Fund (UNICEF)

Apart from having supported the Access to Justice Survey, UNICEF has had little interaction with LBA but wishes to work with the LBA on juvenile justice. It wishes to make use of LBA expertise in related areas such as the Law on Children and youth offenders. Laws in these areas are not well understood and simplified versions are necessary.

UNICEF also expressed a keen interest in the LBA as a potential partner in educational activities and legal aid. Presently legal aid is only through the Lao Women's Union.

6.2.6 United Nations Office on Drugs and Crime (UNODC)

UNODC too has not had much to do with the LBA in the past. Lawyers were invited to activities conducted by the R76 project on criminal justice and human trafficking. 03 lawyers joined the Core Group on Human Trafficking and successfully completed the training programme.

A new project on criminal justice is envisaged at the UNODC. If the proposal comes through, UNODC wishes to outsource some of the activities to the LBA. It is also interested in support to vulnerable groups in criminal justice (women, children, the poor etc) and may consider collaboration with LBA.

6.2.7 United Nations Interregional Crime and Justice Research Institute (UNICRI)

UNICRI has set up an office in Vientiane recently. Its counterpart is the MoJ and it also works with the Supreme Court, the OSPP, Faculty of Law and Political Science and the State Inspection Department. The training centre now being set up will provide training to Lao personnel.

It recognizes the need to strengthen the LBA and will explore possibilities in that regard. Lawyers could be invited to training on criminal law, mock trials, international law etc. There would be basic courses as well as specified advanced courses;

UNICRI would consider supporting other activities of the LBA too. Support for CLE activities in the provinces is one area that was mentioned.

6.2.8 United Nations Development Fund for Women (UNIFEM)

UNIFEM has not had any direct relations with the LBA in the past. However, it wishes to work with the LBA especially in the upcoming CEDAW (Convention on the Elimination of All Forms of Discrimination against Women) Phase II programme. The focus of this programme would be to promote access to justice for women in both formal and informal justice systems, which would include working with the Village Mediation Units (VMUs) and women's groups at the village level. Key activities envisaged include CEDAW training for members of the VMUs, law dissemination activities and public awareness raising on gender-based issues, in respect of which the LBA does have the capacity to be involved.

6.2.9 United Nations Population Fund (UNFPA)

UNFPA too has not been directly involved with the LBA so far but is interested in working with the LBA in following up the observations made by CEDAW Committee in 2009 that recommends the development of a strategic plan to combat violence against women, which would include working with the justice sector. UNFPA has been working in cooperation with the Lao National Commission for the Advancement of Women, a key partner in developing the strategic plan and sees a role for the LBA in this regard.

6.3 Potential Partners

6.3.1 International Law Project (UNDP) at Ministry of Foreign Affairs

The International Law Project wishes lawyers to play an important role in matters relating to international obligations, both in the pre-ratification and implementation stages.

When issues arise in the implementation of international obligations, lawyers need to be involved. Development projects may impinge on people's rights, for example by way of illegal evictions. The project would also like to see lawyers using international law to obtain relief for their clients, including in courts. They could also be used to ensure equality of treatment, especially for disadvantaged persons.

The project has, in the past, provided information on international standards, including standards relating to lawyers, and provided speakers for intern training programmes. However it considers that the time allotted for international law, half a day, to be inadequate and would like at least 02 days spent on the subject.

The project recently conducted a two-day workshop on international law for judges and lawyers. Even young lawyers who participated were not very active and seemed shy and not confident. Lawyers appeared to have a rather poor knowledge on international law issues.

Phase III of the project has begun. Workshops on international standards relating to fair trial, torture etc would be held. Judges, prosecutors, lawyers and law enforcement officials would come together at these workshops. Separate workshops and training of trainers are envisaged for judges and prosecutors. The Evaluation Team raised the possibility of having separate trainings for lawyers too and the response was positive. The LBA should follow up on this offer.

6.3.2 Lao Women's Union (LWU)

Lawyers are used by the LWU and paid for their services, especially for work relating to its Counseling Centre. There is no effective link between the Counseling Centre and LBA. The LWU is interested in developing such a link.

6.3.3 CARE International

CARE International implements a legal awareness and life-skills programme for women, the Lao Women's Union being its main partner. The programme operates in the two districts of Chanthabouly and Sikhottabong in Vientiane, mainly among women working in night clubs and restaurants, factory workers, other working women and women victims of crime. Information is provided to them regarding legal rights and services and how to take preventive steps for their own protection. For outreach activities, basic legal training is given to volunteers.

It is a member of the Legal Co-ordination Group which meets quarterly at which technical issues are discussed. The LBA has attended Group meetings.

CARE has had co-operation with the LBA since September 2009. LBA provided posters, brochures etc. to be distributed by volunteers;

At the beginning, there were monthly meetings with the LBA but the LBA seemed to have lost interest thereafter. CARE is interested in continued interaction with the LBA and considers it

as a potential partner in gender-related activities, particularly in providing legal services to vulnerable women. CARE is willing to help the LBA with technical support for training on gender issues. It has found that capacity among lawyers was rather poor regarding protecting rights of victims. CARE would wish male lawyers too to be interested in gender issues. The LBA should make use of the opportunities CARE has offered.

6.3.4 Village Focus International (VFI)

VFI promotes knowledge, consultation and collaboration of key stakeholders on land and natural resource management related issues to allow for informed and transparent decision-making processes at all levels. It assists local people, associations, and communities so that they are better equipped to deal with rapid market and socio-economic changes taking place in Lao PDR and become active participants in land and natural resources management. VFI also supports government agencies and facilitators such as community based organisations and NGOs, so they are better able to deal with rapid land use and natural resource management changes taking place in Lao PDR.

VFI was put in touch with the LBA by a former employee who is a lawyer. It works with the LBA and obtains legal information and legal advice from the LBA on VFI's Land Rights Link on land rights and natural resources and in training local officials and village authorities on land issues. VFI and the LBA are Co-hosts of the Legal Sector Working Group of NGOs.

The LBA has an MOU with VFI and provided 8 lawyers for paralegal training in the Saravan province. This is a good model which the LBA should consider expanding to other partners.

VFI intends to have a long presence in Lao PDR and hopes to continue working with the LBA.

6.3.5 Gender Development Group (GDG)

The Gender Development Group (GDG) is an organization working on women's issues. Its areas of interest are gender mainstreaming, violence against women and issues relating to Convention on the Elimination of Discrimination Against Women (CEDAW). It has a Project in one district in the Vientiane Capital. It has participated in the Access to Justice Survey.

GDG invites LBA members for workshops that it conducts, both as participants and resource persons. It considers the LBA has the necessary potential and wishes to see LBA working on human rights issues and raising social issues. GDG needs LBA support to review laws related to women but has limited funding. GDG wishes to relate more to the LBA in the future. The LBA should make use of this and other similar opportunities referred to above to work with under-privileged groups although funding for such activities may be limited. Such openings lead to raising the LBA profile in the long run and should not be missed.

6.3.6 International and Local Firms

There are several international law firms operating in Lao PDR and these are all potential partners for the LBA. One of them, the DFDL Mekong (Mekong Law Group) assisted the LBA in organizing the last General Meeting. It has provided internships to members and is willing to provide internships in the future too. LS Horizon is another law firm with which LBA has developed relationships. The LBA should explore similar partnerships with other law firms as well. Working in such firms provides exposure to complex legal issues and help understand international dimensions as well.

Apart from law firms there are many other large international and local firms such as banks, construction and mining companies etc which are sure to have opportunities for interns. Law-related issues arise at such institutions and interns would benefit immensely.

Working with such reputed firms also serves another purpose, so important for budding lawyers- building self-confidence. The environment in such institutions can be quite challenging, from which interns would surely benefit.

The Team recommends that the LBA explore the possibility of placing law graduates interested in joining the profession and even junior lawyers as interns in such firms.

6.3.7 Legal Co-ordination Group (LCG)

This may be a convenient place to refer to the Legal Co-ordination Group (LCG), mentioned in section 6.3.3, in a little more detail. The LCG is a gathering of civil society organizations (CSOs), International Non-Governmental Organizations (INGOs) and International Governmental Organizations working on legal-cum-social issues. It promotes discussion amongst the stakeholders and facilitates the sharing of lessons, experiences and challenges. Possibilities of cooperation and possible participatory approaches are also discussed. Such discussion would also help avoid duplication of activities and help coordination.

Participating stakeholders include the LBA, CARE International, Village Focus International (VFI), International Cooperation for Development and Solidarity (CIDSE), The Global Association for the People and the Environment (GAPE), Gender Development Group (GDG), Faculty of Law and Political Science, UNDP, UNODC, UNICRI, UNIFEM and Save the Children Australia.

The LBA and CARE International were originally the key co-coordinating stakeholders who hosted meetings in rotation and the group was expected to meet quarterly. Although no concrete outputs have yet materialized, the LBA should take the initiative, with CARE which shows continued interest, in taking the Group forward.

6.4 Donor Coordination

Given past experiences and the capacity of the LBA, many stakeholders prefer donors pooling their resources into a single project, as is done in the case of the International Law Project. The Department of International Cooperation too prefers a single project at the LBA. The former NPD of the UNDP-funded project suggested at the Stakeholders' Workshop that there be one project but with several Assistant Project Managers, each in charge of activities funded by a particular donor.

The Department of International Cooperation wishes donors to have a programme-based approach in accordance with Vientiane Declaration and ensure harmonization, avoiding

duplication of activities. It also wishes future donor support to the LBA to serve LSMP objectives.

The principles laid down in the Vientiane Declaration on Aid Effectiveness have been referred to earlier. Accordingly, while having a single project may not be a must, harmonization of activities within a programme-based approach is an absolute necessity. Disparate approaches are unsustainable in the presently weak LBA environment and may even cause it more harm than good, a matter that donors as well as the LBA should strongly keep in mind.

The Evaluation Team is of the considered view that a single project with funds from various donors pooled would be easier to manage, given the LBA's present capacity and would also help avoid duplication, not to mention unhealthy competition. But donors have their own ways of doing things and cannot be forced to work within a single project. In the event that donors cannot agree on a single project, UN agencies, multilateral agencies, e.g. EC, and State actors, e.g. AusAID, could have one project, if they so wish. The Team considers the UNDP to be best placed to take the initiative and lead such a project. Given its present capacity, it is unlikely that the LBA could manage more than 02 projects.

One issue that comes up when there is more than one project in the same organization or sector is payment of different rates. Department of International Cooperation officials told the Team that such problems have arisen in the health sector with one donor paying more than another for the same work done and officials preferring to work with the donor that paid more. Differential payments are seen within the LBA projects too with different rates being paid to lawyers for legal aid work.

The LBA is alive to this issue and intends formulating its own rules based on a Ministry of Finance decree on uniform payments and then negotiating with donors. The Department of International Cooperation too is working with the Ministry of Finance on this issue. The Team recommends that donors discuss this issue with the LBA as well as the Department of International Cooperation and come to an understanding.

Almost every report on assistance to the legal sector has emphasized the need for donor co-ordination. Now that donors have pledged themselves to the principles laid down in the Vientiane Declaration on Aid Effectiveness, there is a duty cast on donors to give effect to those principles. Developing a programme-based approach with parallel activities by donors would no doubt pose challenges. Joint or coordinated work plans are also options. It is gratifying to hear that the necessary basis for such an approach is already in the form of the LSMP implementation programme.

The Evaluation Team proposes the setting up of a formal committee for the above purpose. Such a committee should consider Vientiane Declaration to be the basic document that brings them together. In view of its long association with the Lao legal sector and its present assistance to the implementation of the LSMP, the UNDP should take the lead in setting up such a mechanism. In addition to being a platform for donor coordination, it could also be used for possible resource mobilization. Such a committee should also meet at least quarterly and also meet with the LBA and the other legal sector organizations. The legal sub-sector

working group under the governance sector working group could discuss this proposal and even bring the proposed committee under it.

Appendix I

List of Persons Interviewed

Lao Bar Association (LBA)

1. Mr. Ounheuan Kenpaseuth, President
2. Mr. Viengsavanh Phanthaly, Vice-President and Project Manager, UNDP Project
3. Mr. Phoumy Sioudomphanh, Former President and former NPD, UNDP Project,
4. Ms. Vilayvanh Vonexaya, member, Executive Committee, Training Assistant, UNDP Project
5. Mr. Somphone Lakaenchanh, Project Coordinator, TAF Project and member, Executive Committee
6. Mr. Bounyasith Daopasith, Executive Committee member; PLE Assistant, EC Project
7. Mr. Phasit Phommahack, Senior lawyer
8. Mr. Phivath Vorachak, Avocat, Senior lawyer
9. Mr. Sap Phommalth, Senior lawyer
10. Mr. Mixay Thepmany, Senior lawyer, Former member, LBA inspection committee
11. Mr. Sisouvong Vilaxay, Former member, Executive Committee
12. Mr. Nuanthong Vongsa, Former member, Executive Committee
13. Mr. Saythong Sophavady, Former member, Executive Committee
14. Mr. Phanthasak Mingnakhone, Lawyer, Legal Aid Manager, UNDP Project
15. Mr. Khamphui Sisomphone, Lawyer, Legal Aid Team, UNDP Project
16. Mr. Vilasay Xongvilay, Lawyer, Legal Aid Team, UNDP Project
17. Mr. Bounyor Phasavath, Lawyer, Unit 6
18. Mr. Vanlop Sisopha, Lawyer, Unit 6
19. Mr. Steeve Daviau, Anthropologist, Customary Law Project
20. Mr. Sounthone Chanthavong, Intern, Senior Legal Advisor, ODFDL MEKONG
21. Ms. Manichan Philavan, Intern Lawyer, Unit 9
22. Ms. Amphaivone Douangchampa, Project Accountant, UNDP Project
23. Ms. Ounneun Tiphimmala, Project Secretary UNDP Project,
24. Ms. Souksavanh Sisoulidavanh, Senior Project Assistant UNDP Project,
25. Ms. Vanaly Phounsavath, Former Project Manager, UNDP Project
26. Mr. Bounthavy Kholayok, Legal Aid Clinic Manager, TAF Project, Oudomxay
27. Mr. Viengkhone Vongphengsy, Legal Aid Clinic Manager, TAF Project, Champasak
28. Mr. Christ Sibree, Former Australian Youth Ambassador at UNDP Project
29. Ms. Lucy Quinn, Former Australian Youth Ambassador at UNDP Project (via email)

Ministry of Justice

1. Mr. Syphanh Sysombath, Director-General , Department of Judicial Administration
2. Mr. Somboun Vongphachanh, Deputy-Director-General , Department of Judicial Administration
3. Mr. Ketsana Phommachanh, Head of Institute, Law Research and International Cooperation Institute,
4. Ms. Manivanh Phalamixay, Deputy Head of Division, Department of Judicial Administration

People's Supreme Court

1. Mr. Somboun Sonthikoummane, Vice President,
2. Mr. Bouathong Chanthamalin, Chief of Cabinet

Office of the Supreme People's Prosecutor

1. Mr. Langsy Sibounheuang, Deputy Supreme People's Prosecutor

Department of International Co-operation

1. Ms. Sisomboun Ounavong, Deputy Director General
2. Ms. Bangthong Thipsomphanh, Senior Technician
3. Ms. Vilayphone Douangsy, Technician

International Law Project (UNDP) at Ministry of Foreign Affairs

1. Mr. Phoukhong Sisoulath, Project Manager and Director, Department of Treaties and Law

Lao Women's Union

1. Ms. Siamphone Siratanakoun, Head of International Cooperation
2. Ms. Vilayvanh Deelaphanh, Deputy Head of International Cooperation

Faculty of Law and Political Science

1. Professor Viengvilay Thiengchanhxay, Vice Dean
2. Mr. Somsak Sirinthip, Head of Student Affair Office
3. Mr. Erik Häggqvist, Chief Technical Advisor, UNICRI/LUX-development Project
4. Ms. Somphonwang Naphouphan, 4th year student
5. Ms. Vilayphone Vongsavath, 4th year student
6. Ms. Lordsanykham Phouphasouk, 4th year student
7. Mr. Lithitxay Latti, 4th year student
8. Mr. Khonethamith Bounthavong, 4th year student
9. Mr. Somlith Khounpaseuth, CLE Office

United Nations Development Programme (UNDP)

1. Ms. Sonam Yangchen Rana, Resident Representative
2. Mr. Dirk Wagener, Assistant Resident Representative, Head of Governance Unit
3. Mr. Laurent Pouget, Programme Specialist
4. Mr. Mitthavisouk Rattana, Programme Analyst, Governance Unit
5. Ms. Oraxone Vissapra, Programme Analyst, Governance Unit

The Asia Foundation (TAF)

1. Ms. Gretchen A. Kunze, Country Director
2. Ms. Achariya Kohtbantau, Programme Officer
3. Mr. Somphou Keomounmany, Programme Officer

European Commission (EC)

1. Mr. Inpone Senekhamty, Programme Offer
2. Ms. Aurélie Klein, Cooperation Section, Delegation of the European Union to Thailand (via email)

Australian Embassy

1. Ms. Heather Bruce, Second Secretary

United Nations Children's Fund (UNICEF)

1. Ms. Victoria C. Juat, Chief of Child Protection

United Nations Office on Drugs and Crime (UNODC)

1. Mr. Fumio Ito, Crime Prevention Expert

United Nations Interregional Crime and Justice Research Institute (UNICRI)

1. Mr. Richard Philipart, Representative, UNICRI

United Nations Development Fund for Women (UNIFEM)

1. Mr. Somsouk Sananikone, UNIFEM Lao Country Office (via email)

United Nations Population Fund (UNFPA)

1. Ms. Mariolein Coren, Deputy Representative, Lao PDR (via email)

CARE International

1. Mr. Tingthong Phetsavaong, Project Manager, CARE

Village Focus International

1. Mr. Rick Reece, Executive Director, Village Focus International

Gender Development Group

1. Ms. Boudsady Khounnouvong, Program Coordinator, Gender and Development Group

DFLD MEKONG

1. Mr. William D. Greenlee, Country Managing Director, DFLD MEKONG, Legal and Tax Division

Others

1. Ms. Khampheng , Legal Aid Client, Somsanga village
2. Mr. Micah West, Scholar

APPENDIX II

LIST OF DOCUMENTS REVIEWED

Government Documents

Decree No. 64 on the LBA

Master Plan on Development of the Rule of Law in the Lao PDR toward the Year 2020 (Legal Sector Master Plan) (2009)

UNDP-funded Project

Project Completion Report, Strengthening Access to Justice through Lao Bar Association, 2004-7

Project Document: Enhancing Access to Justice through Lao Bar Association Project Phase II Annual Project Report (APR), 2008

Annual Project Report (APR), 2009

Quarter Project Reports for Quarters 1 to 4, 2008

Quarter Project Reports for Quarters 1 to 4, 2009

Statistics for 2008 from UNDP-funded Legal Aid activities

Legal Aid Clinics Factsheet

Minutes, Project Board Meeting, 17 October 2008

Minutes, Project Board Meeting, 29 May 2009

Project Organizational Structure, February 2010

TAF-funded Project

Letter of agreement between TAF and LBA and amendments

Progress Report (January to June 2008)

Progress Report (July to December 2008)

Progress Report (January to June 2009)

Progress Report (July to December 2009)

Work Plan and Budget, July to December 2008

Work Plan and Budget, January to June 2009

Work Plan and Budget, July to December 2009

Work Plan and Budget, January to June 2010

AusAID-funded Project

AusAID Fund Expenditure Sheet

Completion Narrative Report

Human Rights Small Grants Scheme, Project Completion Report

EC-funded Project

Description paper on EC funding
EC Fund Expenditure Sheet
EC/ LBA Contract
Logframe (Logical Framework) for project
EC Report summary, 14 July 2009

Other

Evaluation of the Implementation of the Rule of Law in Lao PDR, 1997-2003, Lessons and Challenges (UNDP Vientiane 2004)
Human Rights and Access to Justice in the Legal Sector in Lao PDR, 2003-2006, a report prepared for the Swedish International Development Assistance Agency (Sida), 2006
(unpublished)
Vientiane Declaration on Aid Effectiveness, 2006