

**MEMORANDUM OF UNDERSTANDING
BETWEEN
TRANSPARENCY INTERNATIONAL CAMBODIA
(TIC)
AND
INTERNATIONAL JUSTICE MISSION
(IJM)**

This Memorandum of Understanding (MoU) is made between Transparency International Cambodia (TI Cambodia) and International Justice Mission (IJM), hereinafter jointly referred to as the “parties”.

WHEREAS, TI Cambodia is one of the leading organisations fighting corruption in Cambodia. TI Cambodia is an official Chapter Information of Transparency International in Berlin, Germany. Its mission is to work together with individuals and institutions including government, development partners, civil society, private sector, media, the public and other stakeholders at all levels to promote integrity and reduce corruption in Cambodia.

WHEREAS, International Justice Mission (IJM) is an international human rights organization agency made up of legal, law enforcement, and social work professionals working to protect people from violent forces of injustice by securing justice, rescue and restoration for victims and ensuring public justice systems protect the poor. IJM Cambodia focuses on mobilizing efforts to suppress systems of commercial sexual exploitation (CSE) of minors in Cambodia through partnering with public justice system entities on training, investigations, interventions, crisis care, and prosecutions of CSE crimes under the authority of Memorandums of Understanding (MOU) with the Ministry of Interior and the Ministry of Social Affairs, Veterans and Youth.

The parties share similar missions to provide legal support to the poor, and wish to cooperate in areas of shared concern to promote integrity, reduce corruption, and uphold human rights and democracy in Cambodia.

NOW, THEREFORE, the parties wish to establish the following understanding:

Article 1

Purpose:

- 1.1 The purpose of this MoU is to provide a formal framework of cooperation between the parties in areas of common interest. The aims of the cooperation are to strengthen partnership of the parties, and to effectively support the implementation of the joint activities to achieve the objectives set forth in the parties' programme strategies.

Article 2

Areas of cooperation:

- 2.1 The parties agree to cooperate in the following areas of activities:
 - When in the interest of both parties, working together on special projects in the areas of legal reform, law enforcement, good governance, transparency, integrity and anti-corruption;
 - Cooperating on the implementation of the Advocacy and Legal Advice Centre (ALAC) of TI Cambodia whereby IJM will work on evidence gathering, investigation, legal representation, client aftercare, and information sharing for specific corruption cases in which a commercial sexual exploitation crime has been committed and IJM has accepted the case according to their referral criteria. After receiving more valid evidence from IJM, Advocacy and Legal Advice Centre (ALAC) of TI Cambodia will transfer those complaints to Anti-Corruption Unit for further legal action.
 - When in the interest of both parties, jointly campaigning to promote integrity, transparency, anti-corruption and rule of law in Cambodia.

Article 3

Roles and responsibilities of each party:

- 3.1 TI Cambodia and IJM agree to maintain current registration for NGO status with the relevant ministry (i.e. either Ministry of Foreign Affairs or Ministry of Interior) according to the mandate of each organization.
- 3.2 TI Cambodia is responsible for:
 - Initiating and implementing joint projects to promote transparency, integrity, social accountability and anti-corruption whenever necessary;
 - Mobilising resources for the implementation of joint projects as well as other joint activities under this partnership;
 - Transferring commercial sexual exploitation cases in which corruption is suspected to IJM for further investigation to gather evidence and/or legal representation of clients;

- TI Cambodia is responsible for transferring the cases with valid evidence from IJM to Anti-Corruption Unit for further legal action;
- Sharing information, tools, project's progress and activities with IJM when necessary; and
- Joining advocacy campaigns with IJM on legal reform, law enforcement, anti-corruption, and other awareness raising campaigns.

3.3 IJM is responsible for:

- Cooperating with TI Cambodia through the Advocacy and Legal Advice Centre (ALAC) to investigate complaints, gathering information or documents related to commercial sexual exploitation cases in which corruption is suspected ;
- Facilitating the distribution of ALAC communication tools within IJM target areas;
- Initiating and implementing joint projects to promote transparency, integrity, social accountability and anti-corruption whenever necessary;
- Sharing information, tools, project's progress and activities with TIC when necessary; and
- When able, joining advocacy campaigns with TI Cambodia on legal reform, law enforcement, anti-corruption and other awareness raising campaigns.

Article 4

Implementation of the MoU:

- 4.1 In order to implement the specific activities, the parties shall specify the costs or expenses relating to the activity and how they are to be split between the parties. Any agreement of joint projects or activities including cost-sharing shall be applicable to the MoU.
- 4.2 All activities shall be carried out on the basis of project documents agreed between TI Cambodia and IJM and in accordance with the parties' regulations, rules and directives.
- 4.3 Each party shall be responsible for its acts and omissions in connection with this MoU and its implementation.
- 4.4 TI Cambodia and IJM agree not to publically release any technical or identifying information related to ongoing investigations, including identifying information of TI Cambodia or IJM staff members, the location of a crime, or individuals connected to a case that is under current investigation. Additionally, per IJM's Global Storytelling Policy, in order to mitigate risk of releasing potentially libelous material, IJM and TI Cambodia agree not to publish the real name or un-obscured visuals of a suspect in an IJM case who has not yet been convicted of a crime. Public release of information includes any communication external to the organization, including blogs, media interviews, or supporter updates. TI Cambodia agrees not to release any information about IJM's investigations staff, investigative techniques, or legal casework

processes, whether in written or oral communication with external parties, without permission from IJM.

Article 5

Validity of MoU:

- 5.1 The proposed cooperation under this MoU shall have an initial term of a period beginning from the effective date to 30 October 2015, unless terminated earlier by either Party with one month's notice in writing. This MOU may be terminated immediately by one party with no advanced notice to the other party if any criminal acts, human rights abuses, or other incidents of gross misconduct are committed by the other party. The parties may agree to extend this MoU in writing for a subsequent period agreed by the parties.
- 5.2 In the event of a termination of the MoU, any cost-sharing or project cooperation agreements, and any project documents concluded pursuant to this MoU, may be also terminated in accordance with the termination provision contained in such agreements. In such case, the parties shall take the necessary steps to ensure the activities carried out under the MoU, the cost-sharing agreements, and project documents are brought to a prompt and orderly conclusion.
- 5.3 This MoU may be amended only by mutual written agreement of the parties.

Article 6

Child Protection Policy

- 6.1 Transparency International Cambodia and International Justice Mission shall support the rights of children and is committed to their safety and well-being.

Article 7

Entry into forces:

- 6.1 This MoU may be signed in counterparts, each of which shall be deemed an original, and both of which duly executed shall constitute one entire document, and shall be put into force and effect on the date ("effective date") in which it is duly signed by both parties.

IN WITNESS WHEREOF, the duly authorised representatives of the parties affix their signature below.

FOR IJM:

The logo of the International Justice Mission (IJM) is a circular emblem. It features a central figure of a person with arms raised in a gesture of praise or prayer, set against a background of a globe. The words "INTERNATIONAL JUSTICE MISSION" are inscribed around the perimeter of the circle.

Name: Ms. Christa Hayden Sharpe

Title: Field Office Director

Date:

FOR TI Cambodia:



The logo of Transparency International Cambodia (TI Cambodia) is a circular emblem. It features a central stylized figure of a person with arms raised, set against a background of a globe. The words "TRANSPARENCY INTERNATIONAL CAMBODIA" are inscribed around the perimeter of the circle.

Name: Mr. Pech Pisey

Title: Acting Executive Director

Date: