



[Name of Fund or Joint Programme]

GENERIC ANNUAL PROGRAMME¹ NARRATIVE PROGRESS REPORT

REPORTING PERIOD: 1 JANUARY – 31 DECEMBER 2011

<p>Programme Title & Project Number</p> <ul style="list-style-type: none"> • Programme Title: Administration of Justice • Programme Number (if applicable) PBF/IRF-38 • MPTF Office Project Reference Number:³ 00079519 	<p>Country, Locality(s), Thematic/Priority Area(s)²</p> <p>(if applicable) Country/Region Osh and Jalalabad cities and Osh, Jalalabad and Batken oblasts of the Kyrgyz Republic</p> <p>Thematic/Priority: UNPBF PMP 2011-2013 result 1: Security Sector Reform and Judiciary systems put in place and providing services and goods at national and local level that reinforce the Rule of Law/Indicator 2: Communities use transitional justice systems to resolve conflicts/disputes without recourse to violence ensuring the respect of human rights of women and girls; result 2: Conflicts resolved peacefully and in a manner that supports the coexistence of all relevant actors/groups that were involved in conflicts that undermine peace building efforts/indicator 2: support to democratic institutions to have the trust and confidence of target populations to address the most urgent legacy of human rights including corruption</p>
<p>Participating Organization(s)</p> <ul style="list-style-type: none"> • Organizations that have received direct funding from the MPTF Office under this programme: OHCHR, UNDP, UNHCR 	<p>Implementing Partners</p> <ul style="list-style-type: none"> • National counterparts (government, private, NGOs & others) and other International Organizations Ministry of Justice, Parliament, State Registration Services, Danish Refugee Council, Center for International Protection, Russian NGO Committee Against Corruption, Russian NGO Man And Law, Office of the Prosecutor General, Committee for the Selection of Judges, Court Department, NGOs
<p>Programme/Project Cost (US\$)</p> <p>MPTF/JP Contribution:</p> <ul style="list-style-type: none"> • OHCHR: \$ 965,544 • UNDP: \$ 193,215 • UNHCR: \$ 641,238 <p>Agency Contribution</p> <ul style="list-style-type: none"> • UNHCR: 782,500 	<p>Programme Duration</p> <p>Overall Duration (months) 12 months</p> <p>Start Date⁴ (dd.mm.yyyy) 15 July 2012</p>

¹ The term “programme” is used for programmes, joint programmes and projects.

² Strategic Results, as formulated in the Performance Management Plan (PMP) for the PBF; Sector for the UNDG ITF.

³ The MPTF Office Project Reference Number is the same number as the one on the Notification message. It is also referred to “Project ID” on the [MPTF Office GATEWAY](#)

⁴ The start date is the date of the first transfer of the funds from the MPTF Office as Administrative Agent. Transfer date is available on the [MPTF Office GATEWAY](#)

Government Contribution

(if applicable)

Other Contributions (donors)

(if applicable)

TOTAL: \$ 1,799,997.00

End Date (or Revised End Date)⁵ 14 July /2012

Operational Closure Date⁶

Expected Financial Closure Date

Programme Assessment/Review/Mid-Term Eval.

Assessment/Review - if applicable *please attach*

Yes No Date: *dd.mm.yyyy*

Mid-Term Evaluation Report – *if applicable please attach*

Yes No Date: *dd.mm.yyyy*

Report Submitted By

- Name:
- Title:
- Participating Organization (Lead):
- Email address:

⁵ As per approval by the relevant decision-making body/Steering Committee.

⁶ All activities for which a Participating Organization is responsible under an approved MPTF programme have been completed. Agencies to advise the MPTF Office.

NARRATIVE REPORT FORMAT

I. Purpose

- Provide the main outputs and outcomes/objectives of the programme.

The overall objective of the project is to strengthen the administration of justice and improve the rule of law, human rights and protection environment for the broader population, particularly those who have been affected during or in the aftermath of the June 2010 inter-ethnic violence in southern Kyrgyzstan.

Project outcomes are:

- 1) Members of the legal community (judiciary, lawyers) increasingly apply national and international human rights standards and the judiciary increasingly serves as an independent institution which protects the rights of people and cases of trials resulting in biased and unfair decisions reduced
- 2) Impunity for torture is addressed as a result of enhanced torture prevention through national preventive mechanism (NPM) visits and improved investigation procedures for prosecutors, and proposals on the rule of law reforms are presented to interested stakeholders based on the assessment of the rule of law area
- 3) The protection environment of the affected population and enjoyment of rights is improved through equal, non-discriminatory and harassment free access to documentation and housing, land and property rights

- Explain how the Programme relates to the Strategic (UN) Planning Framework guiding the operations of the Fund/JP.

The project contributes to the following UNPBF PMP 2011-2013 results:

1. Result 1: Security Sector Reform and Judiciary systems put in place and providing services and goods at national and local level that reinforce the Rule of Law/Indicator 2: Communities use transitional justice systems to resolve conflicts/disputes without recourse to violence ensuring the respect of human rights of women and girls
2. Result 2: Conflicts resolved peacefully and in a manner that supports the coexistence of all relevant actors/groups that were involved in conflicts that undermine peace building efforts/indicator 2: support to democratic institutions to have the trust and confidence of target populations to address the most urgent legacy of human rights including corruption

II. Resources

Financial Resources:

UNHCR

The Governments of Japan (USD 91,637) and USA (USD 247,006), and the European Union (USD 368,528) provided partial funding to IRF projects ongoing in 2011.

Human Resources:

OHCHR

International staff

An international consultant has been hired mid-October and continues currently to work under this project.

A TOR was prepared in December 2011 – for an expert on strategic litigation to be based in Osh. The selection is planned to be done in January 2012. Additional local staff (project assistant and financial assistant) will be hired beginning of 2012.

UNDP

National staff

The project is implemented by the UNDP Democratic Governance Programme (DGP) Specialist.

UNHCR

The below staff contributed some portion of their time to project activities:

International staff

Protection Officer, Associate Community Services Officer, Associate Field/Protection Officer, Senior Protection Officer, Associate Programme Officer, Associate PI Officer, HLP Consultant, Reporting Officer.

National staff

Senior Programme Associate, Protection Associate, Assistant Protection Officer (NOA).

III. Implementation and Monitoring Arrangements

- Summarize the implementation mechanisms primarily utilized and how they are adapted to achieve maximum impact given the operating context.

OHCHR

Meetings were held with international donor community involved in improving the justice system and targeting lawyers and prosecutors. During the reported period, three visits to OHCHR Osh office were undertaken in order to meet with OHCHR field staff and discuss the projects' plan for the forthcoming months. Contacts with local lawyers were made during training organized by OHCHR partners. Contacts with leading Russian NGO specialized in strategic litigation (including in South Caucasus) were initiated in order to plan future possible co-operation and support.

During the first parliamentary hearing concerning the draft law on the establishment of the National Preventive Mechanism (NPM), it was decided by majority votes to reconsider the draft law in one month time (end of November). OHCHR together with UNDP, OSCE and local NGOs decided to reconsider its strategy, organizing press conference and using Mass Media for reinforcing the need for Kyrgyzstan in establishing the NPM. In parallel OHCHR met with influential deputies and governmental stakeholders. By the end of December, the law on NPM was not passed in the parliament – thus delaying all the planned activities related to this output.

UNDP

The project is implemented in close cooperation and coordination with national stakeholders. The demand-driven approach is used to respond to immediate and urgent needs of the beneficiaries

UNHCR

Mechanisms developed for implementation through implementing partners, DRC and CIP, include: joint assessment and planning reflected in the sub-agreement; processing the potential projects through the established procedure (application and monitoring formats, completion form, progress updates), reviewing the proposals by the joint UNHCR/IP Selection Commission, periodical progress and financial reporting; ensuring visibility of the activities; evaluation of projects.

Mechanisms for direct implementation by UNHCR: assessment and identification of potential projects, processing the potential projects through the established procedure (application and monitoring formats,

completion form, progress updates), reviewing the proposals by UNHCR Selection Commission, procurement of goods and services, preparation of contracts, regular monitoring, ensuring visibility and evaluation.

- Provide details on the procurement procedures utilized and explain variances in standard procedures.

OHCHR

All procurement was undertaken in accordance with UNDP procedures and regulations (computer PBF staff member, stationary).

UNDP

All procurement is undertaken in accordance with UNDP procedures and regulations.

UNHCR

Procurement of goods and services carried out in line with UNHCR supply chain regulations (as per Chapter 8 of *UNHCR Supply Manual*) which upholds and ensures transparency. No variances from standard procedures are allowed.

- Provide details on the monitoring system(s) that are being used and how you identify and incorporate lessons learned into the ongoing project.

OHCHR

The project implementation is closely monitored by OHCHR Regional Office in Central Asia (based in Bishkek) senior staff and regular internal meetings were held in order to discuss the planned activities. The proposed activities were as well discussed with the Prosecutors Training Centre, lawyers and NGOs.

As part of its ongoing work in Kyrgyzstan, OHCHR chairs a Rule of Law working group that falls under the Development Partners Coordination Committee. Through this working group, OHCHR promotes the exchange of information on activities of donors and their implementers, as well as advocacy strategies to look at ways to further the knowledge of the judiciary and prosecution service on international human rights law and standards. Over the past few months, it has become evident that a number of international partners are intending to work in the area of strategic litigation. OHCHR aims to ensure all efforts in this sphere complement one another.

UNDP

The project is monitored by the Council on Judges Selection, Court Department, and General Prosecutor Office together with the UNDP DGP staff members located in Bishkek and Osh. A Monitoring and Evaluation system is jointly developed based on the existing log frame, with elaborated indicators, agreed dates and responsible parties. Activities on rotation of the judges and expenditures of the rent related costs will be monitored on a weekly basis: when decisions have been made, and how those are implemented. The stakeholders and the UNDP DGP staff are intervening when necessary in order to ensure a smooth implementation process. An impact assessment will be conducted after project implementation, with the engagement of UNDP DGP staff.

UNHCR

(See below for monitoring details)

- Report on any assessments, evaluations or studies undertaken.

UNHCR sought to clearly identify the main problems and relevant background through reference to early warning reports and other relevant conflict analyses, such as those from protection coordination mechanisms

and UNHCR's rapid protection assessment undertaken directly after the June 2010 violence. These analyses helped UNHCR a) remain aware of the sources and consequences of increased tensions, b) identify and estimate the various actors and number of affected persons c) the design and implementation of confidence-building measures and (d) correctly position advocacy efforts with the local and national authorities.

Implementation of UNHCR activities is monitored by regular field monitoring, progress and financial reports by implementing partners, staff visits to the field and meetings with partners. Additionally, UNHCR holds regular internal meetings to reassess operation context. Data collected on a weekly basis from implementing partners included statistics on activities and participating beneficiaries. All assessment and monitoring arrangements were reflected in UNHCR sub-agreements with implementing partners. Implementation of all activities recognised the need for a balanced and conflict-sensitive approach to communities affected by the 2010 violence, as well as those not directly affected. Follow up actions were taken in accordance with the recommendations as a result of various and regular monitoring tasks.

UNHCR undertook a number of self-assessment and lessons learned exercises to tailor activities appropriately to new operational environments. Such assessments were also taken with implementing partners. In October 2011, UNHCR sought information from its' persons of concern (POC) – namely, internally displaced persons - regarding their current needs and sought feedback on areas of UNHCR's work. This exercise ensured PoCs were included in decision-making processes concerning their own protection. Emphasis was paid to seeking views from conflict-affected areas, however, due attention was given to neighbouring communities as well, to ensure conflict sensitivity. Discussions were held with 1,233 PoC, representing the larger affected community, of which 52% were female and 38% were children. The views of PoCs were included in the following planning and lessons learned exercises, ensuring views formed part of revised activities.

UNHCR held an information sharing event regarding 2011 activities and 2012 implementation plans. The event was attended by government ministries, diplomatic corps, journalists and international organizations, who were given the chance to ask questions regarding 2011 activities and 2012 plans. The event was covered in the national press, facilitating wider awareness.

IV. Results

- Provide a summary of Programme progress in relation to planned outcomes and outputs; explain any variance in achieved versus planned outputs during the reporting period.

OHCHR

During the reported period the project was at its initial stage and working contacts were made with various stakeholders among local NGOs, international organizations, lawyers and the Prosecutor Training Centre. These meetings were held in order to analysis the situation regarding the complaints on torture criminal cases following the June events. In addition discussions were held regarding the capacity of local lawyers to defend effectively the victims of torture. Following preliminary findings it appears that in the majority of cases torture complaints were not opened by Prosecutors and in addition in many cases the victims themselves have withdrawn their complaints. In addition it appears that most of the lawyers tend not to exhaust all domestic procedures while defending their clients. Further consultations will take place in the weeks to come in order to gather sufficient information in order to be able to analyze in depth the reasons for these concerning issues.

Cooperation agreements were reached with two Russian NGOs – “Committee against corruption” and “Man and Law” to support the PBF project. Thus, both NGOs agreed to provide free of charge specialized internships on strategic litigation for selected OHCHR staff and selected local lawyers. In addition, end of

December a Term of Reference (TOR) was prepared for hiring an expert on strategic litigation to be based in Osh.

UNDP

The project component envisaged supporting the reallocation of 63 judges between different regions of Kyrgyzstan. However, it became clear in 2011 that the rotation of judges cannot be considered in the framework of the current judicial reform launched in the Kyrgyz Republic (see below in section on delays for more information).

UNHCR

Personal identification documents were lost or destroyed during the June 2010 violence. Therefore, UNHCR together with Danish Refugee Council (DRC) and local NGO, Centre for International Protection (CIP), (in cooperation with the State Registration Service (SRS)) provided legal counselling, support plus legal representation to obtain new personal and HLP documents, including internal passports, birth certificates and land ownership documentation. Availability of personal documents then opens doors for other issues like HLP, business and social protection documents as well as accessing necessary state services and benefits.

Mobile documentation teams assisted persons in affected communities in re-issuing their personal identification documents and civil status registration. This allowed authorities to assist citizens who could not approach government offices for security or other reasons, and at the same time decreased significant delays and queues at the State Registration Service facilities.

Provision of individual documentation addresses concerns raised by PoCs as voiced by them in UNHCR's annual participatory assessment: improved freedom of movement, increased ability to access rights and state services, and protection against harassment from law enforcement bodies.

With regard to housing, land and property rights, UNHCR is working towards registering houses destroyed during the June 2010 conflict and subsequently reconstructed with the assistance of the international community. Such registration is the only way to provide legal safeguards to those who face risk of expropriation; this risk is particularly pertinent given local authority intention to implement city Master Plans and carry out urban development in areas previously affected by the conflict.

100% of transitional shelters constructed by UNHCR in 2010 following the destruction and damage from the June events violence are covered by project activities to assist in obtaining and restoring HLP documents. To ensure relevance coverage, UNHCR implementing partner, DRC, personally contacted all shelter beneficiaries on a street by street basis to invite them to "ad hoc" mobile legal clinics organized in their neighbourhood. Mobile legal clinics would go back to the same areas until all registered shelter beneficiaries were covered.

The increase in beneficiary interest and application for restored documents was in part achieved through awareness-raising campaigns and a regular field presence of UNHCR HLP projects which increased the community's understanding of the importance of documentation and the availability of legal assistance to obtain documentation. Beneficiaries are generally more proactive in seeking these documents; the steady increase in numbers of beneficiaries asking for legal aid to restore and obtain HLP documents attests to this.

Through trainings and capacity building, the State Registration Services have increased their ability to restore documents.

Housing, land and property issues are accorded due time courtesy of UNHCR's HLP consultant whose position is dedicated to analysis, advocacy, coordination and monitoring of HLP issues as they pertain to the

UNHCR's PoC. The HLP consultant chaired weekly HLP Working Groups in Osh to ensure coordination and information-sharing between all international organisations and national government agencies working areas relevant to HLP issues in South Kyrgyzstan. Given the local authority intentions to implement the city Master Plans, as cited above, it is key that these issues remain on the agenda of government authorities and other international agencies working on issues related to urban development.

In addition, the consultant participated in meetings with government, local authority and state architectural agencies, as well as donor coordination meetings to link analyses, discussion and information to HLP issues. This regular participation served three purposes: 1) valuable coordination amongst all relevant stakeholders 2) advocating for and ensuring that HLP issues remain on the agenda for discussion or that other post-conflict activities are seen through a HLP perspective and 3) Issues deemed likely to impact upon the HLP rights of our persons of concern continue to be monitored and analysed by UNHCR.

Report on the key outputs achieved in the reporting period including # and nature of the activities (inputs), % of completion and beneficiaries

UNDP

Trainings on building communication and outreach skills have been conducted. The training aimed at enhancing communication and interview skills of the members of the Council of Judges Selection in order to make the selection process effective and transparent.

The bidding document for establishing resources center in Prosecutor Office is under development in close cooperation with the Prosecutor Office. The resource centers will be established to ensure transparency and accountability in post-conflict regions (Batken, Jalalabad, Osh region, Osh city, Chui region and Bishkek office, and General Prosecutor in Bishkek) to conduct video-conferences in the remote areas as well as to conduct on-line reception of citizens to discuss their complaints. Video-conferences with regional prosecutor's offices will be open and will involve international community, civil society representatives and citizens together with their attorneys. Furthermore, the resources centers will be used for conducting the capacity building activities for regional prosecutor staff.

UNHCR

- Assistance and preparation of documents to obtain passports and civil status documents was provided to 2,147 persons. 113 persons were provided with legal representation for court proceedings and state agencies to obtain personal documentation.
- So far, 276 passports and other civil status documents were received.
- 4,511 legal consultations were provided to 2,406 persons regarding their HLP rights and obtaining documentation.
- So far, 1,007 HLP documents have been restored – a majority of which are persons who received emergency transitional shelters following destruction of their homes during the 2010 violence.
- Almost 8,000 awareness raising booklets containing practical information on the importance of, procedures and assistance available for document restoration, amongst others, were distributed among the affected population. A number of awareness-raising and informational material was also produced including brochures, leaflets, bookmarks and a radio program. Topics detailed included property right FAQs, registration, HLP documents. Awareness raising meetings were also held with 126 community leaders in 23 neighbourhoods in Jalalabad and Osh districts.
- Following the legal and policy amendments that created uncertainty regarding registrations of shelters, a round-table was held with relevant government agencies and state architectural agencies in December 2011 to discuss the changes and seek clarity.

- 38 emergency transitional shelters constructed by the international community received full registration as permanent housing.

- Explain, if relevant, delays in programme implementation, the nature of the constraints, actions taken to mitigate future delays and lessons learned in the process.

OHCHR

The project implementation started with some delays, thus for the reported period no tangible results could be achieved. In addition to the internal delays, the project faced postponements due to external factors: the law on NPM was not passed at the parliament and thus the activities planned could not be implemented. . Contrary to expectations, it was decided by the majority of votes to reconsider the draft law at the end of November 2011. OHCHR, together with UNDP, OSCE and local NGOs has developed a strategy to raise the work of a NPM. A public relations campaign has been developed that will focus on various media strategies to reinforce the need for Kyrgyzstan to establish the NPM both to meet the obligations of the government in line with the provisions of OPCAT, as well as the entitlements of individuals. In parallel OHCHR will meet with influential deputies and governmental stakeholders. In addition major Human Resources reshuffling occurred at the General Prosecutors Office thus preventing a constructive dialogue

UNDP

Implementation was delayed because of the current difficulties affecting judicial reform. With a declared aim to get rid of corrupt judges and create an independent and professional judicial system, the parliament announced all judge posts in the country vacant. In accordance with newly adopted legislation the judges of the Supreme Court, Constitutional Chamber, as well as the local judges, should be re-selected and newly appointed judges can submit the request for rotation not earlier than five years. The project activities have changed and the approval of the updated project document was delayed until 2012 Project funds were transmitted with delay.

UNHCR

In spring 2011, local authorities decided to link the registration of emergency transitional shelters to the ongoing second phase construction (funded by the Asian Development Bank to expand all shelters from 28m² to 100m²). Originally, the “1st phase” shelters were all to be registered as a condition precedent for start of the “2nd Phase” (ADB extension). Beneficiaries will not have any legal ownership over the shelters they received in 2010 for the whole duration of the second phase of the reconstruction efforts which are estimated to complete in mid 2012.

While there is a significant improvement in obtaining land documents, complicated procedures for construction registration make it difficult to establish ownership of residential buildings. Some key government agencies involved in the coordination, oversight and legalization of the shelters do not agree amongst themselves about what the correct procedures for registering the shelters built in 2010 are. Additional obstructing factors are amendments to the legislation and changes of responsible government agencies caused by ongoing governmental reforms following the presidential election in 2011. This results in a profusion of forms and instructions from different agencies, confusing homeowners as well as other relevant stakeholders.

A further and alarming development was legislative and policy change in December 2011 which provided great uncertainty to registration procedures. A document which was essential for establishing ownership rights, and obligatory for registration, was cancelled by law. Although the mentioned document was

replaced by a new one, this is now only optional and not subject to registration. Implementing partner, DRC, is prioritizing land plots registration, when missing, to ensure at least the tenure of the land and guarantee compensation in case of expropriation. By the end of December 2011, 1120 shelter houses had all the documents ready to start registration, which may be only possible after clarification of relevant procedures.

- List the key partnerships and collaborations, and explain how such relationships impact on the achievement of results.

OHCHR

During the first months of implementation, cooperation has been established with the Prosecution General Training Centre, NGOs (OHCHR network) in the South and private lawyers. All demonstrated a positive willingness to closely work with the OHCHR offices both in Bishkek and in Osh.

UNDP

During the project implementation very fruitful and substantive cooperation has been established with the General Prosecutor, Council on Selection of Judges and civil society organizations. Such close cooperation very positively impacts the achievement of results: the stakeholders demonstrate their will and ownership and support either technically or logistically the implementation of activities.

UNHCR

The role of local authorities in supporting project proposals and their involvement in implementation is great. Unfortunately, many issues are strongly dependent on political will in South Kyrgyzstan. In order to move ahead with registration of shelters as permanent housing, it is essential to have political will and clear procedures provided by the authorities. It should be noted there is an absence of political will from some municipal authorities. Aware of this, UNHCR is taking appropriate measures to elicit local authority support through advocacy and consultations, and by also addressing other matters at the national level in Bishkek.

UNHCR led the IDP protection cluster coordination during 2011. By the middle of 2011, the IDP cluster mechanism officially ended and the coordination shifted to more generic one. UNHCR continued to lead the protection sector coordination and participate in other coordination efforts including that of early recovery sector. The protection sector coordination has been an efficient mechanism in ensuring close cooperation and collaboration with OHCHR, UNICEF and other agencies in dealing with crosscutting work and maximising advocacy efforts.

- Other highlights and cross-cutting issues pertinent to the results being reported on.

- Of the HLP documentation caseload of 2,318 beneficiaries, 19% is made up by non-shelter beneficiaries – as such it can be seen that UNHCR is taking a balanced, and conflict-sensitive approach. Legal counseling and restoring of HLP documents goes beyond UNHCR shelter beneficiaries as these 19%, other members of the affect population, although their houses were not destroyed, still need to have their property right secured due to other vulnerabilities e.g. their houses were looted, they are female-headed households, and/or houses likely to be affected by Master Plan implementation.
- By the end of 2011, out of the 2,318 registered beneficiaries registered in the HLP database (meaning the family member who is directly receiving the legal assistance on behalf of the household), 1,154 of them are male and 1,164 female. Therefore, just over 50% of registered beneficiaries are women.
- In all activities undertaken during this project, UNHCR took an age, gender and diversity (AGD) sensitive approach. UNHCR seeks to ensure that all persons of concern enjoy their rights on an equal

footing and are able to participate fully in the decisions that affect their lives, the lives of their family members and their communities. All staff are expected to understand and integrate age, gender and diversity sensitive work practices. Senior managers ensure that this policy is translated into action in all phases of UNHCR's operation cycle. Actions to advance gender equality and support individual and community capacities to address protection risks and gaps need to be appropriately resourced and measurable in all UNHCR country operation plans. As mentioned above, 52% of participants in UNHCR's assessment discussions with PoCs were female and 38% were children. The views of these vulnerable groups of people were included in planning and implementation.

- UNHCR remains a unique organisation to enable a dual approach of working at the individual and community level and influencing a normative change towards sustainable reintegration. Its protection strategies include direct protection interventions including legal advice and assistance, supporting the authorities to solve tangibly some specific problems and advocating for a normative change with the authorities. By employing a dual strategy of protection and empowerment, with an increased focus on confidence-building measures, UNHCR will help bring about a significant positive change for reintegration, preventing further displacement and contributing to peacebuilding.
- UNDP assures 30% of gender mainstreaming and empowerment in all activities conducted. More support within the legal aid sub-project will be provided to disadvantaged women.

V. Future Work Plan (if applicable)

OHCHR

Some adjustments in activities planned for 2012 were made in order to reinforce the lawyers' capacity and overall strategic litigation strategy. Cooperation with two leading Russian NGOs in strategic litigation in combating torture – has increased the possibility to support lawyers working in the South of the country. In addition to the planned training for lawyers – selected OHCHR staff will be able to undergo internships in strategic litigation in Russia.

Due to the delays observed during 2011, most activities were reported to 2012. The preparation of these activities and implementation started in January 2012. The dialogue with the Prosecutors Training Centre was compromised due to the General Prosecutor's human resources reshuffling. Thus the first training session, co-financed with the OSCE, is due to take place on the 23 April.

UNDP

Support will be provided to the Council on Judges Selection in developing its web-portal that will enable effective and transparent broadcast of the decisions taken by Council and interviews conducted in an urgent manner. Population will have an opportunity to send their feedback and opinion on the Council activities, judges image, etc. to the portal. The General Prosecutor will be supported in establishing the Resource Center that will be ensuring the connection of the Central Office with the regional offices to conduct discussions, interviews with civil society representatives, victims - subject of human rights violations, such as torture and other inhuman treatment.

A training on post-conflict issues with development of recommendations on contingency will be conducted for law-enforcement institutions in order to develop their capacity in ethnic conflict situations, so that the law-enforcement officials can properly prevent and settle down a conflict.

As a pilot initiative it is planned to launch a free legal aid on judicial procedures and business processes for disadvantaged groups.

UNHCR

In 2012, activities will continue in line with the original proposal, and no significant changes have been made. The main challenges for UNHCR in dealing with some 172,000 conflict-affected population in South Kyrgyzstan continue to be, amongst others, that (a) the persons of concern continues to have negative perceptions on safety and security, often targeted for intimidation and violence and suffer from unequal application of the rule of law; (b) their livelihood opportunities have become constrained especially since the June 2010 and many do not enjoy equal access to public services including education and health and (c) lack of effective and accessible mechanisms to safeguard housing, land and property rights makes the persons of concern vulnerable to infringement of their rights. Restoration and obtaining of relevant personal and HLP documentation will go some way to address these concerns.

UNHCR will work with two international and two local NGOs during 2012. A collaboration mechanism has been established so that the international NGOs are providing skills training for local NGOs and the local NGOs are establishing effective confidence-building mechanisms through which international NGOs can disseminate information and mount awareness campaigns for the persons of concern

VI. INDICATOR BASED PERFORMANCE ASSESSMENT

	Performance Indicators	Indicator Baselines	Planned Indicator Targets	Achieved Indicator Targets	Reasons for Variance (if any)	Source of Verification	Comments (if any)
Outcome 1: Members of the legal community increasingly apply national and international human rights standards to protect the rights of people; reduction of numbers of trials resulting in biased and unfair decisions							
	Decreased number of complaints on biased court decisions	Widely perceived bias in court decisions due to: lack of expertise to select neutral judges and deal with sensitive cases; lack of interaction between judiciary and public	Bias in court decisions reduced according to perceptions of relevant stakeholders	Concrete measures to decrease bias in court decisions agreed with State institutions but not yet implemented to decrease bias	Delays incurred in achieving indicator target as rotation of judges, as requested by the President's Office, could no more be implemented in current context => Alternative interventions initiated instead: Resource Centers to be established for prosecutor's offices; provision of paralegal advice on judicial business processes; support to selection of judges; training of Prosecutors to handle sensitive cases in ethnically tense situations	Official reports of the judicial system and the government - NGO reports - OHCHR reports - Consultants' reports - Reports on establishment of resource centers, free legal aid - Modules developed for judges selection - Report on trainings conducted - Media reports	
	Increased					Official reports of	

	number of complaints filed by defence lawyers regarding torture allegations					the judicial system and the government NGO reports OHCHR reports Consultants' reports Media reports	
Outcome 2: Impunity for torture is addressed as a result of enhanced torture prevention through NPM visits and improved investigation procedures for prosecutors, and proposals on rule of law reforms are presented to interested stakeholders based on the assessment of the administration of justice area.							
	Reports on NPM visits with description of torture cases prevented/addressed Increased number of cases on torture investigation instituted by prosecutors Donors and national stakeholders receive suggestions on the rule of law reforms					NPM reports Official statistics prepared by the prosecutor's office Rule of law area assessment report	
Outcome 3: The protection environment of the affected population and enjoyment of rights is improved through equal, non-discriminatory and harassment free access to documentation and housing, land and property rights							
	Number of legal consultations and documents issued					Regular reports and statistics	
	Reduced number of					Regular reports and statistics	

	cases regarding allegations of discrimination and harassment by public authorities.						
Output 1 Lawyers are trained and mentored to raise their knowledge of human rights standards and undertake strategic litigation, resulting in setting precedents in key cases	# lawyers trained		25 lawyers trained			Regular mentoring sessions carried out by the consultant	
	Regular mentoring sessions carried out by the consultant					Information from lawyers; OHCHR; tracking of cases	
	# complaints filed nationally and/or internationally by defense lawyers addressing human rights concerns		At least 10 complaints filed nationally and/or internationally by defense lawyers addressing human rights concerns			Number of complaints reviewed by prosecutors / judges and number of decisions adopted in response to the lawyers' complaints Text of the guidelines Consultant's report Reports on results of the working group	
	Number of complaints reviewed by prosecutors /					Information from lawyers; OHCHR; tracking of cases	

	judges and number of decisions adopted in response to the lawyers' complaints						
Output 2 Guidelines on torture investigation are elaborated and discussed with prosecutors in a series of seminars	Text of the guidelines Consultant's report Reports on results of the working group		Number of torture cases investigated by prosecutors monitored by OHCHR and NGOs			Consultant's report Examples of cases on torture instituted by prosecutors Media and NGO reports on positive examples of torture investigation Number of torture cases investigated by prosecutors monitored by OHCHR and NGOs NGO reports	
	Increase in number of investigations where allegations of torture		Three Human Right seminars for Prosecutors.			Consultant's report Examples of cases on torture instituted by prosecutors Media and NGO reports on positive examples of torture investigation Number of torture	

						cases investigated by prosecutors monitored by OHCHR and NGOs	
						NGO reports	
Output 3 Trial monitoring and interventions on human rights violations undertaken by OHCHR	Number of trials monitored by OHCHR					OHCHR spot and monthly reports (confidential) as well as thematic reports OHCHR public reports Interventions by UN Human Rights Mechanisms (public and confidential)	
	Number of interventions by OHCHR on cases of human rights violations carried out locally, in Bishkek and by UN human rights mechanisms					OHCHR spot and monthly reports (confidential) as well as thematic reports OHCHR public reports Interventions by UN Human Rights Mechanisms (public and confidential)	
Output 4 An assessment report on the rule of law area is prepared	One report prepared with a list of recommendations, One report is translated, minimum 300					Consultant's report	

	copies published						
Output 5 Support to public monitoring and technical assistance to NPM functioning is rendered	# NPM monitoring visits supported, # items of furniture/equipment for the NPM office purchased, # workshops for NPM members conducted				NPM reports Media references to NPM functioning NGO reports on NPM functioning	NPM draft law is not passed NPM composition is not formed in line with OPCAT requirements NPM monitoring visits are ineffective and do not comply with OPCAT methodology	
Output 6 The affected population is aware of their right to obtain and possess personal documentation and housing, land and property documents. Awareness raising campaign about the importance of identification and housing, land & property rights.	Number of legal consultations and documents issued				Regular reports and statistics		