



United Nations Peacebuilding Support Office (PBSO)/ Peacebuilding Fund (PBF)

Project Title: <i>“Improving the rule of law and access to justice for sustainable peace”</i>	Recipient UN Organization(s): United Nations Development Programme (UNDP)
Project Contact: Mr. Pradeep Sharma, UNDP Deputy Resident Representative Address: 160, Chui Avenue, Bishkek, Kyrgyz Republic Telephone: +996 611213 E-mail: pradeep.sharma@undp.org	Implementing Partner(s): Ministry of Justice of the Kyrgyz Republic
Project Number: <i>(To be completed by UNDP MPTF Office)</i>	Project Location: Kyrgyz Republic (country wide and in selected districts)
Project Description: The major purpose of this project is to build a foundation for sustainable peace in the Kyrgyz Republic through strengthening the rule of law and equitable access to justice.	Total Project Cost: USD 1,027,000 Peacebuilding Fund: USD 1,027,000 UNDP BCPR TTF: Government Input: Other: Total: USD 1,027,000
	Project Start Date and Duration: January 2014 – June 2016 (30 months)
Gender Marker Score¹: 2	
PBF Outcomes²: 2 Rule of Law; PPP Outcome 1: <i>Critical laws, policies, reforms and recommendations of human rights mechanisms, including UPR, are implemented to uphold the rule of law, improve access to justice and respect, and protect and fulfil human rights</i>	
Project Outputs and Key Activities: The project envisages the following three outcomes: OUTCOME 1: Critical conflict sensitive laws and policies are adopted/amended and implemented in line with the international standards to uphold the rule of law and ensure equitable redress of grievances OUTCOME 2: Key rule of law/ justice institutions and civil society are capacitated to collaborate, build consensus and implement solutions towards improving access to justice, ensuring principles of fair trial, non-discrimination and inclusion Outcome 3: Rights holders, especially the most vulnerable and marginalized, are empowered to better	

¹ The PBSO monitors the inclusion of women and girls in all PBF projects in line with SC Resolutions 1325, 1612, 1888, 1889.

² PBF specific outcome areas: 1 Security Sector Reform; 2 Rule of Law; 3 (DDR); 4 Political dialogue for Peace Agreements; 5 National reconciliation; 6. Democratic governance; 7. Management of natural resources (including land); 8. Short-term employment generation; 9. Sustainable livelihoods; 10. Public administration; and 11. Public service delivery (including infrastructure)

claim their rights through legal education, awareness raising and provision of state guaranteed free legal aid

To achieve these outcomes, a range of activities will be held focusing on capacity building of key national institutions in the area of rule of law, including Parliament, Supreme Court, Ombudsman Institute, Public Advisory Councils, Ministry of Justice, State Personnel Service, Bar Association and free legal aid lawyers to better address issues of conflict prevention, peace building and justice administration. The project will in particular assist **rights holders** and **duty bearers** in formulating and implementing mutually agreeable solutions by brokering their partnership, convening dialogue platforms, increasing awareness and capacity in specific subject matters, supporting national research and assessments, planning and making policies that ensure inclusive participation, and developing durable solutions.

PROJECT DOCUMENT COVER SHEET

(for PRF-funded projects)

Co-chairs of the Joint Steering Committee


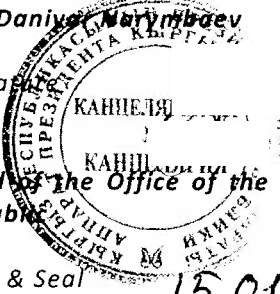

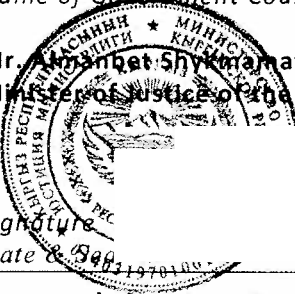
<p><i>Name of Senior UN Representative</i> Mr. Alexander Avnessov</p> <p><i>Signature</i></p> <p><i>Title</i> United Nations Resident Coordinator in the Kyrgyz Republic</p> <p><i>Date & Seal</i> 27.12.2013</p> 		<p><i>Name of Government Representative</i> Mr. Daniyar Narymbaev</p> <p><i>Signature</i></p> <p><i>Title</i> Head of the Office of the President of the Kyrgyz Republic</p> <p><i>Date & Seal</i> 15.01.2014</p> 	
<p><i>Recipient UN Organization(s)</i> UNDP</p>		<p><i>National Implementing Partner(s)</i> Ministry of Justice of the Kyrgyz Republic</p>	
<p><i>Name of Representative:</i></p> <p>Mr. Alexander Avnessov Resident Representative, UNDP Office in the Kyrgyz Republic</p> <p><i>Signature</i></p> <p><i>Date & Seal</i> 27.12.2013</p> 		<p><i>Name of Government Counterpart:</i></p> <p>Mr. Ananur Shyngmatov Minister of Justice of the Kyrgyz Republic</p> <p><i>Signature</i></p> <p><i>Date & Seal</i> 26.12.2013</p> 	

Table of Contents

1. Background

- 1.1. Key Challenges and Critical Peacebuilding Needs
- 1.2. Donor Mapping and Gap Analysis

2. Project Concept and Theory of Change

- 2.1. Relevance to Peacebuilding
- 2.2. Catalytic Effects
- 2.3. Theory of Change

3. Implementation Strategy

- 3.1. Target Groups
- 3.2. Geographic Locations
- 3.3. Description of activities and Implementation Approaches
- 3.4. Sustainability, Exit Strategy and Replicability
- 3.5. Cost Efficiency
- 3.6. Risk Management
- 3.7. Results Framework and M&E Systems

4. Management Arrangement and Partnership

- 4.1. Implementation Capacity and Comparative Advantage
- 4.2. Effective Partnerships
- 4.3. Management and Coordination Arrangements
- 4.4. Administrative Arrangements

ANNEXES

Annex 1: Donor Mapping and Gap Analysis

Annex 2: Project Budget Tables

Annex 3: Results Framework

Annex 4: M&E Plan

Annex 5: Capacity Mapping of Recipient UN Organization(s)

Annex 6: Organigram of Project Management Structure

Annex 7: Preliminary Work Plan

1. Background

1.1. Key Challenges and Critical Peacebuilding Needs

Following the April 2010 revolution in the Kyrgyz Republic an interim government came to power promising to end many of the injustices that had prompted the overthrow of the country's previous two presidents Askar Akayev and Kurmanbek Bakiyev. Many reforms carried out during the interim period were focused on improving the foundation and application of the rule of law in the post-Bakiyev political environment. These included abolishing the constitutional court (widely perceived as corrupt and politically managed), weakening the presidency at the expense of the parliament (to prevent executive domination of other branches of government) and attaching Public Advisory Councils to ministries and other state bodies to institutionalize oversight and improve democratic accountability. Also in 2010, a Council for the Selection of Judges (CSJ) was formed with the aim of selecting candidates for the judiciary based on merit. While the latter reform was initially seen as a positive step towards democratic governance and upholding Rule of Law principles, it was criticized for becoming politicized at an early stage of its work, both by the government itself, civil society groups and international organizations such as the OSCE.³ According to USAID-funded research carried out in Kyrgyzstan by SIAR consulting company in 2012, the judiciary was found to be the least popular state institution of all.⁴

In spite of initial steps made towards progress in the area of the rule of law after the 2010 revolution, political events the same year significantly undermined potential progress in this area, including but not limited to the June 2010 ethnic violence that took place as the government struggled to consolidate control over the republic, claiming over 400 lives and precipitating a temporary crisis during which respect for the rule of law and state institutions reached a nadir.

The conflict in the south highlighted major problems in justice provision at regional level and subsequently national level; firstly, perceptions of unequal access to justice and law enforcement were recognized by international reports on the conflict as factors underpinning the mobilization of ethnic groups in the run-up to the conflict; secondly, both ethnic groups involved in the conflict complained of unresolved issues relating to access to justice in the aftermath of the conflict, including women of both groups that suffered sexual violence during the conflict; thirdly businesses belonging to citizens were expropriated during the conflict and their de jure owners were unable to access neutral arbitration; fourthly, the justice system and other state institutions failed at regional and national level to provide an impartial and effective avenue for redress of grievances and receipt of compensation for losses incurred during the conflict.

However, even prior to the outbreak of violence in the south, access to equitable and impartial justice was rare in the Kyrgyz Republic due to insufficiencies in the legislative and institutional framework of the country. Much legislation for the Criminal code and Civil code, for example, is outdated, non-compliant with international human right standards and full of internal contradictions that create legal barriers and challenges to operational efficiency for courts, as well as diminishing access to justice for the population.

These legislative confusions are compounded by declining capacity among duty bearers such as judges and other key staff at judicial institutions, especially at the level of rayons (districts), where judges were unaffected by the work of the CSJ, which has nominated

³<http://www.osce.org/odihr/89298>

⁴<http://www.eurasianet.org/node/65246>

judges only at city, oblast (regions) and national level.⁵ Citizens additionally have little knowledge of their rights to justice and limited or no access to free legal aid, making socioeconomically disadvantaged groups particularly vulnerable to inequities regarding access to justice.

The capacity of women in particular to access justice is hindered by structural inequalities and pressure coming from traditional stereotypes. The failure of the system to provide justice for women prevents them from filing grievances related to gender based violence and discrimination and suing or prosecuting those who violated their rights. This remains a significant human rights challenge. According to Women's Support Center data about 11,800 cases of abduction for marriage (bride kidnapping) incidents and 2000 sexual assaults happened annually. A criminal action is commenced in only one case out of 1500 abduction incidents, a reflection both of the power of patriarchal norms and the poor socioeconomic status of women typically affected by this phenomenon, both of which act to block female access to impartial rule bearers and legal protection. The justice system and law enforcement bodies generally have low gender capacity and are subject to male and mono-ethnic domination. Women from ethnic minority groups often face dual discrimination and additional barriers in terms of accessing justice.

These central issues underpin attitudes towards rule bearers in the Kyrgyz Republic, since perceptions of unfairness and weakness in the rule of law are manifested not only in attitudes among individuals and groups towards the judiciary, but towards government and society as a whole.

Events occurring in the time elapsed since the ethnic conflict and against the background of the aforementioned structural shortcomings in the rule of law are further indicative of the challenges Kyrgyzstan now faces in promoting rule-based governance. One such example is the issue of the nationalization of natural resources in the country. On 3 October 2012, a rally in support of the nationalization of the Kumtor mine, the largest gold mine in the country currently operated by the Canadian company Centerra Gold Inc., resulted in some opposition politicians scaling the gates of Parliament in an attempt to gain entrance to the building. They were arrested and later imprisoned for an attempt to seize power by violent means. Demonstrations continued throughout the country against their imprisonment and in support of the nationalization of Kumtor. In late May 2013 protestors, demanding better social sector support from the Canadian company, blocked the access road to the Kumtor in Issyk-Kul Oblast and cut off the electricity supply. As police tried to break up the protest, violence ensued, with 92 people arrested and 55 wounded.⁶ The Government declared a state of emergency. The situation stabilized and in early June the emergency measures were repealed.

At the same time, protestors in the southern city of Jalalabad began a demonstration in support of the Issyk-Kul protest and demanded the release of the jailed opposition party members. The protestors took over the Oblast Administration building and named a local businessman as the new governor. The police arrested this self-declared new governor for trying to seize power in Jalalabad which sparked an attack on the local security services. People blocked the main road between Bishkek and Osh cities. On 17 June the three opposition party members that were arrested the past October were released from jail.⁷

⁵http://www.knews.kg/politics/39182_toktogul_tumanov_nyineshniy_sostav_soveta_po_otboru_sudey_diskredi_tiroval_sebya/

⁶ Trilling, D (2013), "Kyrgyzstan Calls State of Emergency After Gold Mine Clashes", EurasiaNet.org, 31 May 2013, <http://eurasianet.org/node/67050> (accessed 4 June 2013).

⁷ Trilling, D. (2013), 'Kyrgyzstan: After Courtroom Violence, Judge Releases Opposition Lawmakers', EurasiaNet.org, <http://eurasianet.org/node/67134> (accessed 21 June 2013).

This sequence of events has restated the challenges that the republic faces in establishing the supremacy of the rule of law. Such incidents represent dangerous precedents that point to the need to reinforce respect for justice and trust in state institutions in the Kyrgyz Republic so as to prevent the normalization of violent and extralegal acts as methods of dealing with conflict situations.

1.2. Donor Mapping and Gap Analysis

The following existing funding streams for projects relating to the rule of law and outcome one of PPP were identified within the framework of existing donor programs. Most of the programs listed focus on ongoing reforms (e.g judiciary reform) and lack substantial components initiated within the framework of this project. Funding is particularly lacking in Rule of Law-related areas such as strengthening regulatory policy through development/improvement of legislation; improving the implementation of laws and enforcement; widening access to justice through advocacy reform, promoting and building the capacity of key legal institutions, and strengthening legal aid services, including in the most conflict prone areas. These will be the areas PRF interventions will focus on to fill existing gaps.

Targeted peacebuilding thematic areas/sectors	Key Institution	Key projects/Activities	Duration of projects/activities	Budget in USD	Existing gaps – to be filled in by project
Rule of Law	USAID	Judicial capacity building	2011 - 2016	6.6 million	Public dialogues on access to justice
Rule of Law	(BMZ)	Governance, Judiciary reform	2012 - 2014	N/A	n/a
Rule of Law	EU	Judiciary Reform, Civil Society, Media	2013-17	17 million (TBC)	Legal aid and Bar Associations
Rule of Law	UN	Protection of human rights, civic engagement, provision of services (UNDAF outcomes 2 and 3 under pillar I)	2013 - 2016	TBC (pledged) 13,121,275	Legal and institutional reform on peacebuilding agenda
Rule of Law	Govt of Swiss Confederation	Accountability and citizen participation, oversight of budget processes	2011-15 (phase one)	6.133 million	Access to justice
Rule of Law	World Bank	Transparency and accountability	2010-14	1.043 million	Free legal aid, access to justice
Rule of Law	EU	Education	2013-15	25.092 million (Budget support)	Consensus building with civil society on access to justice

Rule of Law	OSCE	Police/judiciary reforms, anti-corruption	TBD	TBD	Free legal aid, Bar Associations, consensus building on justice
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2. Project Concept and Theory of Change

2.1.Relevance to Peacebuilding

The Rule of Law project is directly relevant to peacebuilding efforts as it seeks to build the capacity of, and public trust in, key state institutions involved in administering justice. As already mentioned in the background section (1), dissatisfactions with a perceived lack of integrity in the justice system and broader injustices visible across society as a whole were integral drivers in the unseating of two successive political regimes by illegal means. In order to break the cycle of violations of rule of law principles both on the part of the state and the public it is vital that dutybearers come to be seen as impartial executors of the rule of law, immunized against political pressures from the government and intimidation by partisan interests.

While it should be acknowledged that building public confidence in state institutions which have long been a source of mistrust will take time, it is expected that significant progress can be made towards this goal over the project period. As a country Kyrgyzstan has many ingredients in place that support the furtherance of the rule of law as a governing principle. These can summarily be assessed as the following; a president who has committed to a single term in office; a government interested in improving political stability in the country, an empowered parliament with the potential to serve as a public watchdog; Public Advisory Councils (PACS) that hold government bodies to account; a vibrant civil society capable of promoting the rule of law and demanding objective justice from state institutions. Compromising the effectiveness of these positive underpinnings is a de facto weakness of the rule of law across state institutions and particularly within the justice system itself where this project is focused, undermining public belief in the capacity and integrity of duty bearers.

This lack of belief provides the basis for conflict resolution mechanisms through violence and other means that further denigrate the rule of law, justifying the need for a strategic PBF intervention in the form of a project committed to promoting and upholding the supremacy of the rule of law.

2.2.Catalytic Effects

The RoL project will provide momentum to implementing political and judicial reforms that began in the Kyrgyz Republic after the April revolution in 2010 but have since lost momentum due to weakening political will and instability in the country. By engaging duty bearers within the justice system both directly and indirectly in line with the Human Rights Bases Approach (HRBA) these stakeholders are reminded of their responsibility to set the tone for respect and observation of the rule of law in the republic. In strengthening the capacity of civil society watchdogs, the Public Advisory Councils (PACs), the newly created Bar Association, advocates and active citizens to demand equal access to and fair arbitration from RoL and justice institutions in the country, the project adds impetus to the commitment the republic has made to ensuring that oversight and accountability become permanent elements of the state fabric.

Another catalytic effect will be in the sphere of legislation where new methodologies providing for conflict sensitivity-based reviews of draft laws in the parliament will capacitate lawmakers to initiate laws and resolutions that promote rather than undermine peacebuilding efforts. Through the momentum of the project, the process of “*implementing critical laws, policies, reforms and recommendations of human rights mechanisms including the UPR*” -currently lagging - will be significantly enhanced, and the importance of incorporating international standards and conflict-sensitive expertise into policy-making and decision-making will be reinforced to the benefit of both rule bearers and rights holders. The project will also strengthen the institutionalization of the five types of mandatory expertise necessary in relation to formulating legal documents in the parliament and government (legal, human rights, gender, anticorruption and environmental), an obligation that is too often weakly acknowledged.

The project’s activities in promoting legal aid and knowledge of rights in conflict prone areas will take on a particular importance as part of an effort to promote peacebuilding in places where previous tensions have remained unaddressed. Empowering local people of different ethnic groups and gender backgrounds is essential to the concept of creating “peace constituencies” that can serve as the basis for sustainable development within and between communities that have retained a memory of perceived injustices relating to past conflicts.

Finally the project will have the effect of reintroducing a multi-level dialogue involving RoL institutions, government, Local-Self-Governments (LSGs), civil society and academia on the sensitive issue of equitable access to justice and fair arbitration (whether on the grounds of gender, race, impunity, or any other grounds) as central to the goal of promoting political stability in the country in the long term.

2.5. Theory of Change

The *Theory of Change* developed by PBSO M&E Mission for the PPP Outcome 1 (in October 2013) states: **“If citizens engage responsive and impartial state institutions at all levels to resolve disputes, then they will not engage in violent actions to resolve their problems.”**

This theory, however, envisages a set of assumptions, the proven strength or weakness of which will have a critical impact on the achievement of positive outcomes. Thus, the project’s strategy will contribute to the achievement of the PPP Outcome in line with the following assumptions being realized: i) institutions are accountable; ii) policies and legal frameworks are revised/developed and implemented in line with international norms and standards; iii) citizens are aware of their rights and the institutions charged with acknowledging and protecting those rights, trusting that formal mechanisms will be effective and fair and are therefore prepared to engage these institutions on a regular basis.

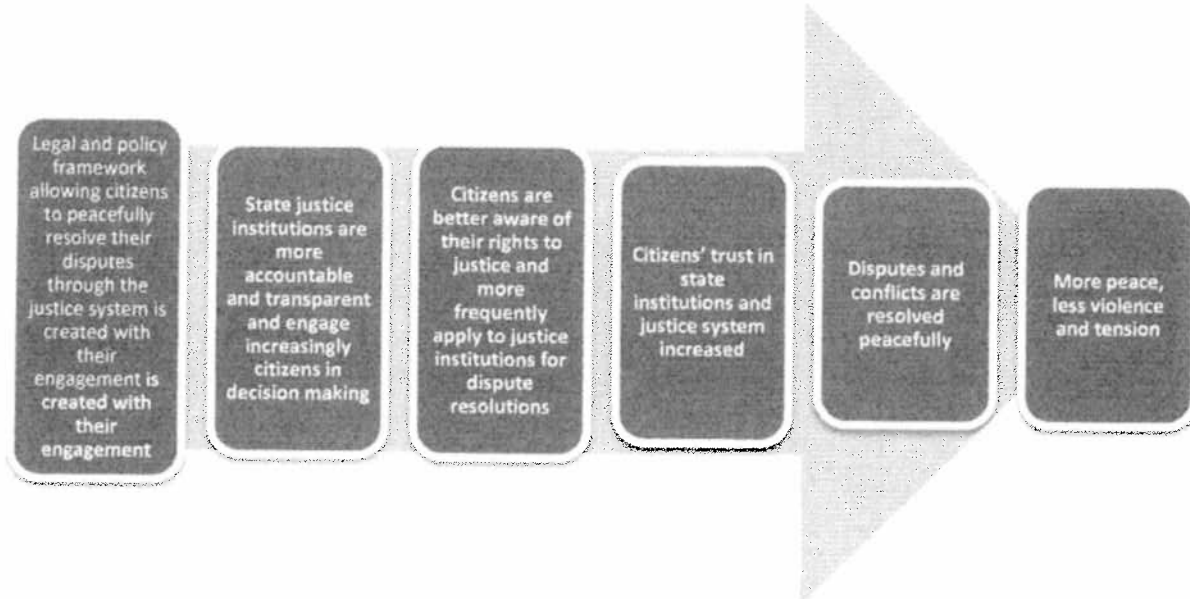
Based on this premise, the project aims to achieve the following changes that will trigger and accelerate peace building efforts:

- Create an enabling environment for the just and equitable resolution of disputes and grievances of citizens;
- Facilitate an increase of citizens’ trust in state institutions and justice delivery;
- Increase citizens’ awareness of their rights to justice and their participation in policy formulation and decision making.

The above changes should lead to the more frequent practice of peaceful resolutions to conflicts and disputes, increased level of law abidance and, consequently, diminished levels of violence and tension in society.

Figure 1.

The causal chain of events expected to lead to the desired peacebuilding PPP outcome



Following the HRBA, this project will develop the capacity of **duty bearers represented by key state institutions** to initiate, advance and implement critical conflict sensitive reforms and policies in consultation with rights holders. Further, it will ensure equal access to justice and rights in accordance with international human rights standards. **Rights holders, especially the most vulnerable and marginalized, and civil society** will be empowered to demand from duty bearers that they respect and protect their rights, and feel empowered to engage in the justice implementation process as constructive partners.

The project strategy is based on creating change at various levels, as indicated below (Figure 2):

Value	<ul style="list-style-type: none"> •The project will promote respect for the rule of law and minority rights, active citizenry and individual and collective accountability.
Behavior	<ul style="list-style-type: none"> •The project expects to increase the participation of citizens , especially women and minorities in decision making, and raise the number of applications to justice institutions for neutral arbitration of conflicts, lessening participation in violence and crime. The commitment and accountability of duty bearers in providing justice services will also be improved.
Structure	<ul style="list-style-type: none"> •The project will strengthen legislative, policy and institutional structures by aligning them with international human rights standards and overseeing better responsiveness to the needs of citizens, women and minorities.
Relationship	<ul style="list-style-type: none"> •The project will enable favorable conditions for cooperation and consensus-building over politicized and sensitive issues of access to justice, rule of law and peacebuilding through the fostering of networks and platforms involving government bodies, parliament , the judiciary, civil society and the private sector .
Perception	<ul style="list-style-type: none"> •Importantly, the project will address the trust of citizens , especially women and minorities towards state institutions and their administration of justice. By engaging citizens in decision-making and justice provision processes on a wider scale, accountability will be forced upon duty bearers, diminishing the culture of impunity that has driven negative perceptions of them and underpinned the rise of violent conflict as a means of resolving disputes.

These interventions are expected to lead to stronger rule of law and respect for rule of law, improved and equitable access to justice, greater regard for, protection and fulfillment of human rights.

The project is based on the policy concept of going beyond the so called Rule of law orthodoxy, a concept which has developed based on the experience and track record of

rule of law assistance in various regional contexts spanning from South-East Asia, the Balkan and Caribbean regions.

The underlying concept and its theory of change postulates that key State institutions need to be supported through the legal empowerment of the citizens, which are the beneficiaries of the Justice system. Experience in multiple regional contexts has demonstrated that focusing on institution building from top down only creates the perception of alien institutions without the vital and fundamental support of the citizens. By providing tools to the citizens on how to reach the justice, one can better enable the institution to deliver justice, hence fortifying one of the three fundamental pillars of the State.

3. Implementation Strategy

3.1 Target Groups

Key target beneficiaries of the project were identified following HRBA principles. As the project's major goals are to strengthen the rule of law, reduce impunity, and improve access to justice, it shall target both **duty bearers** (represented mainly by state institutions in the area of rule of law and justice) and **rights holders** (represented by general population of the Kyrgyz Republic with particular focus on vulnerable groups, such as religious and ethnic minorities, women, and victims of human rights violations, especially those of 2010 conflict). The major dynamics of the relationship between rights holders and duty bearers are the lack of trust and low satisfaction of rights holders in the justice-related services provided by duty bearers, who lack the capacity to deliver quality services, conduct dialogue with rights holders, and enforce accountability. Both groups are eager to effect change, but require external facilitation and capacity building for that to occur. The project will thus assist them in formulating and implementing mutually agreeable solutions by brokering a partnership between rights holders and duty bearers, convening dialogue platforms, increasing awareness and capacity in specific subject matters, supporting national research and assessments, planning and making policies that ensure inclusive participation, and developing durable solutions. The proposed interventions have been discussed and solicited with the key national partners of UNDP.

Duty bearers

State institutions such as the Parliament, President's Office, Government and its line ministries (Ministry of Justice, Ministry for Internal Affairs, Ministry for Foreign Affairs, Agency on Local Self-Governance and Interethnic Affairs, State Personnel Service), Supreme Court, Constitutional Chamber, judges, prosecutors, and lawyers; staff of the Judicial Training Centre and the Centre for Professional Training of Prosecutors, National Commission on State Language; Local Self-governance bodies, Bar Association, etc.

The commitment of duty bearers to project goals will be ensured through the following measures:

- The project will be closely linked with national legislation, priorities and plans, including the Constitution of the Kyrgyz Republic, National Sustainable Development Strategy, the National Gender Equality Strategy, the National Action Plan on UN SC Resolution 1325 on Women, Peace and Security, Concept of Judicial Reform, implementation of the UPR recommendations and other commitments related to international law;
- The project will support state institutions and their staff by developing their knowledge and capacity in application of international human rights standards and other areas of concern, improving representation, transparency and service delivery;
- Special focus will be applied to developing the capacities of duty bearers in establishing innovative solutions for gathering citizen feedback and improving communication policy.

Rights holders

The project will work at both the national and local levels and is thus expected to make a positive impact on the lives of the general population of Kyrgyz Republic, particularly the lives of vulnerable groups. At the local level, the project will target the vulnerable groups mentioned above in six selected rural conflict-prone areas.

Rights holders will also be represented by civil society organizations concerned with human rights, non-discrimination, criminal justice, minority rights representation, Bar Association, members of the dialogue platforms, inter-agency mechanisms, and mediation networks, as well as with District Authority Advisory Committees, Assemblies of the People, women’s networks etc. Special focus will be applied to building the capacity of oversight and monitoring bodies, such as the Ombudsman and Public Advisory Councils.

The major incentives for the participation of rights holders in this project include the fulfillment of their aspirations to receive better justice services, improved protection and exercise of their rights, their engagement in policy and decision making, and the opportunities for training, education and support that the project will provide.

3.2 Geographic Locations

Given the nature of this project, which seeks to effect change through both “*top down*” and “*bottom up*” approaches, its interventions will have both a nation-wide and local character. At the level of policy and legislative and institutional reforms, the project will conduct activities in the capital city and regional centers of the country. At the local level, the project will validate and test solutions developed with relevant stakeholders at local and central levels related to the provision of sustainable free legal aid and legal empowerment of vulnerable populations in six conflict prone districts. These districts shall be within the geographical coverage agreed to for this round of PRF projects. The project identified these areas in consultation with the LSG and Inter-Ethnic Affairs Agency, as being in urgent need of peacebuilding and conflict prevention initiatives.

Province	District/City	Municipality
Country-wide: Policy and legislative and institutional reforms in the area of Rule of Law and access to justice		
Chui	1) Alamedin	Maevka, Navastroiki
	2) Tokmok city	
Osh	3) Kara-Su	Ak-Tash, KyzylKyshtak
	4) Kara-Kulzha	Kara-Kohckor, Sary-Bulak
Jalalabad	5) Alabuka	Baltagulov, Aktam
	6) Suzak	Atabekov, Suzak
Batken	7) Batken	Ak-Sai, Ak-Tatyr, Samarkandek

These six districts, one city of Tokmok and at least two municipalities (Ayil Aimaks) were each identified as having high instability and unrest potential, either due to a) violent conflicts having occurred continuously in these locations b) past conflicts that have significantly influenced them and their neighboring communities or c) having preconditions for conflict and unrest due to one or more factors that emerged during the monitoring process. These communities are subject to a broad range of contexts; physically close to borders, composed of mono- or multi-ethnic populations, isolated and underdeveloped, or post-conflict areas. Nonetheless, all these communities were identified as at-risk areas wherein present factors may provide the basis for the recurrence of past conflicts or the emergence of new conflicts involving the broader population living in and around the community. In the past, some of these communities have experienced conflicts directly or indirectly related to, resulting from or contributing

towards failures in the rule of law. These communities require comprehensive and sustained support in creating improved environments for peacebuilding and stability.

3.3 Description of activities and Implementation Approaches

The **major goal** of this project is to *build a foundation for sustainable peace through strengthening the rule of law and equitable access to justice*. Activities target key reform areas, which contribute to pro-peace change in line with the constitution, national priorities and international human rights standards: adoption and implementation of critical legislation, consensus building between rights holders and duty bearers to agree on concrete changes/ reforms; capacity building of state institutions and civil society to play critical roles in implementation of laws; oversight over relevant justice and rule of law institutions (strengthening their accountability); carrying forward reform processes to improve justice delivery; improving representation of minorities and women in state institutions; and promoting free legal aid and legal literacy.

The project envisages the following outputs/activities to be held to achieve its three outcomes:

OUTCOME 1: Critical conflict sensitive laws and policies are adopted/amended and implemented in line with the international human rights standards to uphold the rule of law and ensure equitable redress of grievances
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- 1.1 Key priority laws and policies pertaining to criminal justice, non-discrimination and human rights reviewed and amended in line with the Constitution of KR, international human rights standards and recommendations of UN human rights mechanisms (implemented in close collaboration with OHCHR)
- 1.2 The methodology for the conflict-sensitive review of draft laws is adopted and applied by the Parliament
- 1.3 The mechanism of independent oversight over implementation of laws by Parliament and civil society established
- 1.4 Framework for the effective enforcement of Supreme Court judgments is set up

Activities:

- 1.1 Support law drafters and working groups in amendments of laws/decisions/policies as per international standards, study visits for decision makers and experts, advocacy and trainings for justice practitioners
- 1.2 Advocacy and promotion of the conflict sensitive expertise and other obligatory types of reviews of draft laws, design of the special online software and related training
- 1.3 Operationalize parliamentary oversight, conduct pilots of implementation of selected laws, including gender legislation and create mechanisms and techniques for tracking the implementation of laws, operationalize civil society oversight in RoL area
- 1.4 Support drafting and adoption of legislation related to effective enforcement of court's judgements, assist Court Department in implementation of court's judgements through advocacy, development of small and effective implementation mechanisms, communication campaign and collaboration with tax inspection, state registry, border inspection, and state auto inspection

Coordination arrangements with OHCHR under Activity 1.1:

The activity entails a large volume of work (revision of key justice legislation including Criminal Code, Criminal Procedure Code, Penal Code, Criminal Executive Code, Civil Code, Administrative Code, etc. and subsequent policy and by-laws revision), thus it can't be addressed by efforts of one agency. In this regard, UNDP and OHCHR will work closely

together (and with other stakeholders involved in Judicial Reform) covering different aspects of this scope of work through the following distribution of labor:

- UNDP is to provide expertise on compliance with Rule of Law international standards;
- OHCHR is to provide expertise on compliance with international human right standards;
- UNDP and OHCHR are to work on different laws/policies (UNDP is to cover Criminal Code, Civil Code, Civil procedure code, Laws on State Guaranteed Legal Aid, Bar and Legal Practice. OHCHR is to cover Criminal procedure code, Law on Ombudsman, Law on court proceedings).

OUTCOME 2: Key rule of law/ justice institutions and civil society are capacitated to collaborate, build consensus and implement solutions towards improving access to justice, ensuring principles of fair trial, non-discrimination and inclusion

2.1 A dialogue platform established for consensus building between relevant duty bearers and rights holders to discuss and agree on solutions addressing discriminatory practices, impunity and unequal access to justice bringing together Government, judiciary, Parliament and civil society (Will be implemented in collaboration with OHCHR, which will focus on dialogue platform related to the issues of justice for the past)

2.2 The capacity of Ombudsman Office and Public Advisory Councils, to monitor implementation of national legislation, UPR recommendations and to hold relevant institutions accountable, is developed through enhancing their independence, professionalization and collaboration with the civil society; (in collaboration with OHCHR)

2.3 State Personnel Service responsible for placement of public servants and selected state institutions supported to increase representation of minorities and women in public service

Activities:

2.1 Facilitate and assist relevant duty bearers and rights holders to conduct decisive dialogue platforms on priority issues on the top of the national agenda impacting peace and stability (*as judiciary reform, mining, state property, land, border, etc.*), collect data and research for evidence based informed policy making, support creation of their innovative ICT solutions for gathering citizens' opinions/feedback

2.2 Capacity building program design and delivery for Ombudsman institute and Public Advisory Councils to strengthen their professional competence and knowledge in delivering monitoring and watchdog functions

2.3 Support State Personnel Service in improving legal and regulatory framework on representation issues in public service through expert advice, research and training, as well as through advocacy and CSO's engagement

Coordination arrangements with OHCHR and UNODC on activity 2.1:

UNDP's dialogue platform shall focus on a broad range of issues emerging on the top of the national agenda, impacting peace and stability (e.g. as judiciary reform, mining, state property, land, border, etc.). As per the agreement with OHCHR and UNODC, this platform will also facilitate public discussions on the issues of judicial, police reform and "justice for the past" at the broader societal level that are being initiated through efforts of OHCHR and UNODC.

Coordination arrangements with UNODC on activity 2.3:

UNDP will facilitate development of the methodology by the State Personnel Service on analysis of representation (of women and minorities) in the civil service, that shall be then discussed with CSOs and tested in selected state institutions for further policy and decision making. This work will be closely coordinated with UNODC which is to initiate the

new representation policy in the law enforcement agencies. UNDP will focus on institutions other than law enforcement agencies that are to be selected based on the prior analysis and discussions with stakeholders.

Outcome 3: Rights holders, especially the most vulnerable and marginalized, are empowered to better claim their rights through legal education, awareness raising and provision of state guaranteed free legal aid

3.1 Capacity building of lawyers associations (Bars), Ministry of Justice and other relevant institutions of free legal aid system to ensure better implementation of state guaranteed free legal aid system, envisaging equitable access for vulnerable groups in particular (ethnic minorities, women); (in collaboration with OHCHR)

3.2 Legal aid provided and advocacy/awareness raising campaigns held (also through community media) to empower rights holders, especially minorities and women in 6 selected conflict prone areas, to better claim their rights for equal access to economic opportunities, natural resources and public service provision

Activities:

3.1 Support development of the legal and regulatory framework on Bar Association, its operationalization, capacity building, develop pro bone, pro se and paralegal projects on criminal and civil cases (*esp. women and minorities in selected areas*), create precedents on self-protection by right holders of their rights (*RoL in action*)

3.2 Support Ministry of Justice (*central and territorial branches*), Ministry of Education, CSOs and Ombudsman Institute in conducting legal awareness (propaganda) campaigns in communities of selected areas on their rights to justice (to be linked with Media project)

Implementation strategy

The Project will be implemented according to a step-by-step method, with three stages following logically on from one another, namely **start-up**, **implementation** and **finalization**. In each stage different methodologies will be applied. These stages will require different sets of instruments and methods for effective implementation.

At the **first stage** (start-up or inception stage) organizational and planning methods will be used to adapt existing project mechanisms. During this initial stage the project will aim at organizing activities and implementing logistics geared towards efficient performance. Another important activity is the timing and detailed specification of project activities, identification of personnel for specified interventions, development of specifications for IT, personnel, research, publications and other technical areas.

During the **second** (implementation) stage the number of approaches will vary according to challenges and opportunities but will certainly encompass the following:

- ✓ Working and expert groups will be used for drafting laws, conducting analysis to identify problems and develop recommendations.
- ✓ Dialogue platforms will be used to discuss contested or unclear solutions to support decision makers in reaching consensus.
- ✓ Training will be used in different areas of the project and in different activities such as workshops, ToTs, focused study visits, etc.
- ✓ Missions of international experts will be used to learn suitable international experiences and standards.
- ✓ Consultation with partners, civil society, the public and other relevant parties.
- ✓ Surveys or other forms of research will be utilized whenever necessary to obtain broader public opinion or assessment.

Cross-cutting for thematic areas such as gender equality, HRBA, conflict sensitivity (Do-No-Harm) and inclusion of vulnerable groups will be addressed in the drafting of laws/policies,

access to legal aid, pro bono, pro se and paralegal pilots, dialogue and consultation, representation of women and minorities in the state sector. Media coverage and advocacy will be used as an activity to achieve some of the project objectives. Visibility of the overarching peacebuilding activity will be ensured.

Most of the project activities will be subject to situation analysis, problem identification, development of recommendations and solutions, planning and organization, implementation, monitoring and evaluation and lessons learnt. The procurement of human and other resources will adhere to the relevant rules of the UN system, mainly, open competitive bidding.

During **finalization** phase, the project will focus on the exit strategy and closer alignment with the key national counterparts, who are to sustain the results after the project's closure. End line surveys and data collection will be held to capture project results to be shared and discussed with the national partners during project progress review meetings.

Gender and ethnic representation in law enforcement and other state bodies:

Analysis of representation of women and ethnic minority groups in law enforcement (Ministry of Interior, General Prosecution, State Committee on National Security) and other state institutions will be conducted with consideration to the findings of a previous gender analysis of personnel policy in civil and municipal services⁸. The methodology of the analysis will be based on a Gender Audit of organizations according to the methodology developed by ILO and tested by UNDP⁹. The methodology involves both the bodies being observed and the State Personnel Service in an active capacity during the analysis, raising awareness and fostering a sense of ownership in terms of the findings of the analysis, a factor which is expected to decrease resistance and lay the foundation for follow up activities.

Based on the analysis recommendations for draft legal and normative acts, internal regulation and procedures on staff recruitment, capacity development, career promotion, dismissal and retirement will be developed in order to respond to systemic and structural barriers for female and ethnic representation in law enforcement and the civil service. Language barriers and work/life balance issues will be analyzed. Gender/ethnic/conflict sensitivity instruments will be employed for a programme developing state officials' capacity.

Recommendations and developed documents will be discussed with stakeholders and then submitted to national partners for follow up action.

3.4 Sustainability, Exit Strategy and Replicability

The project will affect change in perceptions and trust in the rule of law and duty bearing institutions by achieving normative and substantive changes in the enabling environment for justice provision and protection of rights. These changes will be sustained beyond the period of the project and will contribute to the development of a society that is more sensitive to conflicts and more habituated to seeking justice through impartial state institutions than through extralegal means.

On the policy level, the project will engage actors in the Kyrgyz Republic working at the forefront of developing, implementing and executing policies and legislation, fostering qualitative improvements in the enabling environment for both duty bearers and right holders. The scale of the project and the realistic targets envisioned within the results

⁸“Gender analysis of civil service of the Kyrgyz Republic”. UNDP/SIDA project “Promotion of women in civil service and politics” 2007-2009; “Improving of gender policy implementation: gender aspects of personnel policy of municipal service of the Kyrgyz Republic”, UNDP, 2009.

⁹Gender audit of the Jogorky Kenesh apparatus. UNDP/EU project on providing support to the KR Parliament, 2009.

framework are considered to be sufficient to convince duty bearers of the benefits of engagement therein. As the project begins to achieve initial results (i.e. conflict-sensitive legislation implemented, court cases satisfactorily resolved), it is hoped that duty bearers will continue to pursue and implement policies and legislation in line with international standards and an overarching regard for rights holders because of the broader positive outcomes that accrue from good governance and a more balanced, peaceful society. Acknowledging the risk that any range of circumstances may lead to stakeholder backsliding, the project's *bottom up* aspect – building the capacity of civil society organizations, PACs, the Bar Association etc – will position organizations closely representing rights holders to pressure for the continuation of policies and legislation that meet the project's overall goal of inclusive peacebuilding after the project itself has wound down.

On the structural level, the project's emphasis on empowering organizations such as the Ombudsman and the PACs will help these bodies, interested in the development of a progressive civil society that abides by the rule of law, to become permanent and powerful fixtures in public life, prepared to regularly hold duty bearers to account, especially in matters related to justice provision and the protection of rights bearers, including vulnerable groups, such as women and minority ethnic groups.

On the individual and societal levels, rights holders are expected to witness tangible improvements in the performance of state institutions involved in justice provision in particular, lessening the sense of alienation that fuels conflict. It is expected that initial improvements in the state of the rule of law environment of the Kyrgyz Republic, however incremental, will create a snowball effect lasting beyond the project wherein rights bearers demand and expect responsiveness from state institutions on an ever more regular basis. Once society sees a benefit in accessing state institutions as fair arbiters of justice, the tendency for conflict resolution by violent means will lessen dramatically. This may give momentum to society-wide efforts to create institutions in addition to those already existing that aggregate pressure on duty bearers to maintain high standards in provision and execution of justice services.

The project will have close **linkages and synergies** both with other development stakeholders working in the area of Rule of Law and the other RUNOs participating in PPP. Experiences will be shared during the project in a way that ensures that challenges and opportunities that emerge during the implementation period can be drawn on and built into future development interventions in order to enhance and coordinate the work of stakeholders in the country and beyond.

3.5 Cost Efficiency

Project budget tables are attached, including: a) Project Budget by Outcome, b) Project Budget by Category, c) Gender and M&E Budgeting.

3.6 Risk Management

Risk	Likelihood (high, medium, low)	Severity of impact on project (high, medium, low)	Mitigating Strategy/Measures
Weakening political will in the parliament and other partnering institutions to draft, implement and amend conflict-sensitive	Medium	High	Engage PACs, CSOs and Ombudsman to apply concerted pressure on government actors to initiate, implement and amend

Risk	Likelihood (high, medium, low)	Severity of impact on project (high, medium, low)	Mitigating Strategy/Measures
legislation.			political legislation.
Peacebuilding interventions fuelling tensions instead of promoting peace.	Medium	High	Continuous monitoring of changing conflict dynamics and application of Do No Harm methodology to ensure that all projects are conflict sensitive, making adjustments to project design where needed.
Outbreak of violent conflict and natural disasters that could cause delays in implementation.	Medium	High	Projects managing external risks through drafting of contingency plans.
Personnel turnover in key partnering state institutions mid-project including the Ombudsman Institute, the Supreme Court and the Parliament.	High	Medium	Encourage PACs, CSOs, Ombudsman to consistently demand change, institutionalizing the position of rights holders in front of duty bearing institutions.
Parliament is disbanded.	Medium	Medium	Conduct awareness raising over the importance of conflict-sensitive legislation with parties campaigning to be part of the new parliament. Rapidly establish a working relationship with parties in the new parliament if and when elected.
Supreme court refuses to provide or manipulates data on court decisions	Low	Medium	CSOs and PACs are encouraged to demand free access to court information.

3.7 Results Framework and M&E Systems

See Results Framework and M&E plan attached.

The overall goal of the PPP is to build a foundation for sustainable peace by strengthening the rule of law and enabling equitable access to justice. The rule of law project contributes to this aim by identifying key stakeholders in the form of duty bearers and rights holders, and strengthening the capacity of civil society to demand and push through substantive changes in institutions related to the rule of law in order to realize their potential as impartial and effective arbiters of justice.

Given that *perceptions* of improved performance in the judicial system are just as important to the aim of peacebuilding as tangible and visible changes in the performance of judicial institutions, monitoring and evaluation for this project will produce activities related to both. This dualistic approach allows measurement of judicial progress across a broad range of indicators encompassing the quantity of court cases

relative to satisfactory outcomes, the quantity of laws, policies and legal reforms adopted and implemented in line with PBF, the relative performance of and state receptiveness to institutions with an oversight mandate in seeing through these changes, and, most importantly, public opinion regarding the development of the Rule of Law in the country. Because public perceptions of progress in terms of the efficacy and fairness of duty-bearing institutions remains the acid test of the contribution these institutions can make to peacebuilding in the republic, the population perception survey takes on a particularly a particularly important aspect of M&E in the Rule of Law project, accounting for the main part of the M&E budget.

Throughout the project the quality of data and data collection will be monitored to ensure informed decision-making and substantive reporting. UNDP will be responsible for setting up joint monitoring and evaluation mechanisms, tools and frameworks. This will be done in close cooperation with national partners to strengthen their M&E capacity. UNDP will conduct at least biannual joint field visits with participation of other stakeholders and report their findings to the JSC. UNDP will report to UNCT, JSC and PBSO on a quarterly basis through the RCO/Secretariat with the active participation of target groups to strengthen their ownership of the project. Annual review meetings will be organized to review progress, lessons learnt, identify challenges and develop solutions to them. Details of the M&E plan are listed in Annex 4. Besides them, there will be an independent final evaluation of PRF projects commissioned by PBSO.

4. Management Arrangement and Partnership

4.1 Implementation Capacity and Comparative Advantage

UNDP works around the world to strengthen justice systems, support security sector reforms, enable legal empowerment of the poor, and strengthen good governance based on the rule of law. UNDP promotes access to justice, supports communities to improve citizen security, confront discrimination and inequality, and works to reduce poverty.

UNDP Kyrgyzstan has a strong office with good human capital and a track record for establishing solid working partnerships with stakeholders in the Kyrgyz government and civil society. As part of the UN family UNDP is often viewed as a neutral international organization with a strong commitment to promoting universal humanitarian values rather than a partisan organization pushing a specific agenda, a factor that will be essential in the project's goal to hold duty bearers accountable to rights holders in respect of the Rule of Law. The UNDP's recognized global brand also gives it the ability to address issues that may be too sensitive for other donors to engage with for a variety of reasons.

Since 1993, UNDP Kyrgyzstan has actively supported the transition to a market economy, democratic governance and rule of law. UNDP has become a trusted partner in national development efforts to achieve real improvements in people's lives. UNDP provides assistance to Kyrgyzstan in response to requests submitted by the country's government. This arrangement is laid out in the Standard Basic Assistance Agreement (SBAA) between UNDP and the Government of the Kyrgyz Republic, which was signed on September 14, 1992.

While there has been no overarching access to justice or rule of law programme to date in UNDP Kyrgyzstan, the UNDP Country Office has implemented projects linked to national human rights institutions (i.e., Ombudsman Institute etc.) access to justice, rule of law and human rights. These efforts have been undertaken in partnership with the other

members of the United Nations Country Team (UNCT), international bilateral and multilateral donors, INGOs and the Government of Kyrgyzstan. Closely linked to UNDP's support of the Ombudsman and National Human Rights' Index (NHRI) in addressing the needs of vulnerable groups—especially women, youth and children—has been the EU-UN Operationalizing Good Governance for Social Justice project aiming to improve governance mechanisms and processes to deliver social justice by supporting national and local initiatives focused on improving policies and public services for children at risk, the implementation of gender policy and processes that empower youth.

During recent years, the UNDP Country Office has managed seven different projects that either directly address aspects of access to justice, legal empowerment and rule of law or contain certain elements within a broader thematic framework of democratic governance or conflict prevention and recovery. These concern legal reforms, the administration of justice, border control, legal empowerment of the poor, elections, social justice, capacity development of the Ministry of Interior (MoI) and judicial and law enforcement preparedness.

UNDP, along with the EU, supported the MoJ and Parliament's capacity to align legislation with the Constitution, institutionalize the efficiency of state oversight to ensure greater accountability and increase popular awareness of the roles and functions of the Kyrgyz Parliament (Jogorku Kenesh) via the following projects: Support to Improve Transparency in the Decision-making Process, Institutional Strengthening of the Kyrgyz Parliament and Institutional Support for Implementation of a New Legal Framework in the Kyrgyz Republic. These projects have also helped the Chamber of Accounts, Ombudsman and civil society institutions to achieve their objectives under the new Constitution.

Through the Immediate Response Facility of the Peace Building Fund, UNDP has supported the Administration of Justice and built Infrastructure for Peace. These outputs have included putting in place laws and policies to address immediate threats to stability and include conflict analysis, building the knowledge and capacity of relevant State institutions and NGOs to promote rights of minorities. With Support [2011, 2012, and 2013] from UNDP BRC's UPR Follow-up Facility [UPRF], UNDP is supporting the implementation of the recommendations of the Universal Periodic Review (UPR). In addition, UNDP has worked to increase the awareness of members of the legal community to apply national and international human rights standards to protect the rights of citizens, to reduce incidents of torture through National Preventative Mechanism (NPM) visits, improve investigative procedures and improve the realization of rights for citizens through equal non-discriminatory access to documentation, housing, land and property rights.

All of the above efforts add up to a substantial focus on rule of law, incorporating both a focus on the capacity of state institutions to fulfill their obligation to deliver justice and security services, meeting the demands of communities for these services.

UNDP's in-house human resources capacity is also another comparative advantage. The team of Democratic Governance dimension comprises a Rule of Law Chief Technical Advisor (P4) with extensive international experience and expertise in the area of rule of law and national professionals with strong experience/expertise in the area of rule of law, legal reform, parliamentary development, legal empowerment of the poor, gender equality, human rights and youth issues.

4.2 Effective Partnership

For the purpose of the project, the partnership will be established with the broad range of national, regional and international stakeholders.

The project will work with state institutions such as the Parliament, President’s Office, Government and its line ministries (Ministry of Justice, Ministry for Internal Affairs, Ministry for Foreign Affairs, Agency on Local Self-Governance and Interethnic Affairs, State Personnel Service), Supreme Court, judges, prosecutors, and lawyers; staff of the Judicial Training Centre and the Centre for Professional Training of Prosecutors, National Commission on State Language; Local Self-governance bodies, Bar Association, etc.

It will also collaborate with the target groups represented by the civil society organizations concerned with human rights, non-discrimination, criminal justice, minority rights representation, Bar Association, members of the dialogue platforms, inter-agency mechanisms, and mediation networks, as well as with District Authority Advisory Committees, Assemblies of the People, women’s networks etc. Special focus will be applied to building the capacity of oversight and monitoring bodies, such as the Ombudsman and Public Advisory Councils.

However, on a day-to-day basis, the close partnership will be established with the following entities:

RUNOs/National Counterparts/Implementing Partners/Others	Roles and Contributions	Duration/Period of Engagement
Office of the President	Roles: Coordination, leadership, participation at project events, follow up and maintain project inputs, organizational and other tasks as needed Contribution: commitment, office premises, co-funding, other support as identified as needed	Throughout the project duration (2014-2016)
Parliament	Roles: Coordination, leadership, participation at project events, follow up and maintain project inputs, organizational and other tasks as needed Contribution: commitment, office premises, co-funding, other support as identified as needed	Throughout the project duration (2014-2016)
Ministry of Justice	Roles: Coordination in legal aid and awareness (propaganda) activities, participation at project events, organizational and other tasks as needed Contribution: commitment, office premises, co-funding, other support as identified as needed	Throughout the project duration (2014-2016)
Bar Association	Roles: Participation at project events, follow up and maintain project inputs, feedback, organizational and other tasks as needed Contribution: commitment, other support as identified as needed	Throughout the project duration (2014-2016)
CSO Networks, legal	Roles: Participation at project events,	Throughout the

RUNOs/National Counterparts/Implementing Partners/Others	Roles and Contributions	Duration/Period of Engagement
professionals	feedback, watchdog function, expertise, organizational and other tasks as needed Contribution: commitment, other support as identified as needed	project duration (2014-2016)

4.3 Management and Coordination Arrangements

The project was planned in close collaboration with **OHCHR** that for internal reasons opted to submit the separate proposal under PPP outcome 1. The division of labor under the project was agreed between UNDP and OHCHR, which is explicitly reflected below and in the project work plan at the level of activities. It is believed that this synergy established between UN Agencies, possessing a broad array of technical expertise and mandate in line with the ONE UN approach, will bring additional value to the project in terms of better quality, cost-effectiveness, and coordinated cooperation with the national partners.

A **Project Board** will be established that is to be chaired by the UNDP Resident Representative/UN Resident Coordinator, and representatives of the key national partners, including Office of the President, Parliament (Head of the Committee on Judicial Reform), Minister of Justice and two members of the CSOs. OHCHR will be invited to serve as an observer of the Board to ensure coordination, strategic planning and complementarity of the interventions. The Project Board plays a critical role in project evaluations by quality assuring the evaluation process and products, and using evaluations for performance improvement, accountability and learning. Project reviews by this group are made at designated decision points during the running of the project, or as necessary when raised by the Project Manager. Based on the approved annual work plan (AWP), the Project Board may review and approve project workplans, when required, and authorize any major deviation from these agreed quarterly plans. It is the authority that signs off on the completion of annual plan as well as authorizing the start of the next plan. It ensures that required resources are committed and arbitrates on any conflicts within the project and negotiating solution to any issues emerging between the projects and external bodies.

The project will be implemented by the team of the Democratic Governance Dimension of UNDP, comprising Chief of Dimension, Rule of Law Chief Technical Adviser (P4) and Project Manager to be recruited and funded by PBF. The administrative, finance and procurement support will be provided by the Programme Management Unit.

Division of responsibilities between UNDP and OHCHR in achievement of the PPP Outcome 1:

UNDP	OHCHR
Outcome 1: Critical conflict sensitive laws/policies are adopted and amended in line with international standards to uphold the rule of law and ensure equitable	Outcome 1: Key legislation in the area of administration of justice is in line with international and constitutional human rights standards and the judiciary

redress of grievances.	adjudicates several cases in line with these standards.
Activities focus on revision/amendment of the following laws: Criminal Code, Civil Code, Civil procedure code, Laws on State Guaranteed Legal Aid, Bar and Legal Practice.	Focus on revision/amendment of the following laws: Criminal procedure code, Law on Ombudsman, Law on court proceedings
Capacity building of Supreme Court on unification of judicial practice on civil cases.	Capacity building of Supreme Court on unification of judicial practice on criminal cases.
Outcome 2: Key rule of law/justice institutions and civil society are capacitated to collaborate, build consensus and implement solutions towards improving access to justice, ensuring principles of fair trial, non-discrimination and inclusion.	Outcome 3: Duty bearers and rights holders engage in dialogue about the importance of addressing grave human rights violations committed during and in the aftermath of the 2010 June events.
Support dialogue platforms related to issues of access to justice, non-representation, discrimination, etc.	Support dialogue platforms related to justice for the past.

4.4 Administrative Arrangements (standardized paragraphs – do not remove)

The UNDP MPTF Office serves as the Administrative Agent (AA) of the PBF and is responsible for the receipt of donor contributions, the transfer of funds to Recipient UN Organizations, the consolidation of narrative and financial reports, and the submission of these to the PBSO and the PBF donors. As the Administrative Agent of the PBF, MPTF Office transfers funds to RUNOS on the basis of the signed Memorandum of Understanding between each RUNO and the MPTF Office.

AA Functions

On behalf of the Participating Organizations, and in accordance with the UNDG-approved "Protocol on the Administrative Agent for Multi Donor Trust Funds and Joint Programmes, and One UN funds" (2008)¹⁰, the MPTF Office as the AA of the PBF will:

- Disburse funds to each of the RUNO in accordance with instructions from the PBSO. The AA will normally make each disbursement within three (3) to five (5) business days after having received instructions from the PBSO along with the relevant Submission form and Project document signed by all participants concerned;
- Consolidate narrative reports and financial statements (Annual and Final), based on submissions provided to the AA by RUNOS and provide the PBF consolidated progress reports to the donors and the PBSO;
- Proceed with the operational and financial closure of the project in the MPTF Office system once the completion is notified by the RUNO (accompanied by the final narrative report, the final certified financial statement and the balance refund);
- Disburse funds to any RUNO for any costs extension that the PBSO may decide in accordance with the PBF rules & regulations.

Accountability, transparency and reporting of the Recipient United Nations Organizations

Recipient United Nations Organizations will assume full programmatic and financial accountability for the funds disbursed to them by the Administrative Agent. Such funds will be administered by each RUNO in accordance with its own regulations, rules, directives and procedures.

Each RUNO shall establish a separate ledger account for the receipt and administration of the funds disbursed to it by the Administrative Agent from the PBF account. This separate ledger account shall be administered by each RUNO in accordance

¹⁰ Available at: <http://www.undg.org/docs/9885/Protocol-on-the-role-of-the-AA.-10.30.2008.doc>

with its own regulations, rules, directives and procedures, including those relating to interest. The separate ledger account shall be subject exclusively to the internal and external auditing procedures laid down in the financial regulations, rules, directives and procedures applicable to the RUNO.

Each RUNO will provide the Administrative Agent and the PBSO (for narrative reports only) with:

- Bi-annual progress reports to be provide no later than July 31st;
- Annual narrative progress reports, to be provided no later than three months (31 March) after the end of the calendar year;
- Annual financial statements as of 31 December with respect to the funds disbursed to it from the PBF, to be provided no later than four months (30 April) after the end of the calendar year;
- Final narrative reports, after the completion of the activities in the approved programmatic document, to be provided no later than four months (30 April) of the year following the completion of the activities. The final report will give a summary of results and achievements compared to the goals and objectives of the PBF; and
- Certified final financial statements after the completion of the activities in the approved programmatic document, to be provided no later than six months (30 June) of the year following the completion of the activities.
- Unspent Balance at the closure of the project would have to been refunded and a notification sent to the MPTF Office, no later than six months (30 June) of the year following the completion of the activities.

Ownership of Equipment, Supplies and Other Property

Ownership of equipment, supplies and other property financed from the PBF shall vest in the RUNO undertaking the activities. Matters relating to the transfer of ownership by the RUNO shall be determined in accordance with its own applicable policies and procedures.

Public Disclosure

The PBSO and Administrative Agent will ensure that operations of the PBF are publicly disclosed on the PBF website (<http://unpbf.org>) and the Administrative Agent's website (<http://mptf.undp.org>).

ANNEXES

Annex 1: Donor Mapping and Gap Analysis

Targeted peacebuilding thematic areas/sectors	Key Institution	Key projects/Activities	Duration of projects/activities	Budget in USD	Existing gaps – to be filled in by project
Rule of Law	USAID	Judicial capacity building	2011 - 2016	6.6 million	Public dialogues on access to justice
Rule of Law	(BMZ)	Governance, Judiciary reform	2012 - 2014	N/A	n/a
Rule of Law	EU	Judiciary Reform, Civil Society, Media	2013-17	17 million (TBC)	Legal aid and Bar Associations
Rule of Law	UN	Protection of human rights, civic engagement, provision of services (UNDAF outcomes 2 and 3 under pillar I)	2013 - 2016	TBC (pledged) 13,121,275	Legal and institutional reform on peacebuilding agenda
Rule of Law	Govt of Swiss Confederation	Accountability and citizen participation, oversight of budget processes	2011-15 (phase one)	6.133 million	Access to justice
Rule of Law	World Bank	Transparency and accountability	2010-14	1.043 million	Free legal aid, access to justice
Rule of Law	EU	Education	2013-15	25.092 million (Budget support)	Consensus building with civil society on access to justice
Rule of Law	OSCE	Police/judiciary reforms, anti-corruption	TBD	TBD	Free legal aid, Bar Associations, consensus building on justice

Annex 2: Project Budget Tables (attached)

a) Project Budget by Outcome

b) Project Budget by Category

c) Gender and M&E Budgeting

Annex 2: a) Detailed Project Budget by Outcome

Project Budget		Seminars and trainings	Contractual services	Travel	Transfer and grants to counterparts	TOTAL
PPP Outcome 1: Critical laws, policies, reforms and recommendations of human rights mechanisms, including UPR, are implemented to uphold the rule of law, improve access to justice and respect, and protect and fulfill human rights						
Project Outcome 1: Critical conflict sensitive laws and policies are adopted and amended in line with the international human rights standards to uphold the rule of law and ensure equitable redress of grievances						
Output 1.1: Key priority laws and policies pertaining to criminal justice, non-discrimination and human rights reviewed and amended in line with the Constitution of KR, international human rights standards and recommendations of UN human rights mechanisms (in collaboration with OHCHR)		\$25,000	\$20,000	\$25,000	\$0	\$70,000
Activity 1.1.1 Support working groups of drafters by providing expertise and organizing public/expert/legislature platforms and hearings to discuss amendments/laws/decisions/policies		\$15,000				\$15,000 <i>gender 10%</i>
Activity 1.1.2 Support working groups to conduct legal, anticorruption, human rights and gender expertise			\$5,000			\$5,000 <i>gender 10%</i>
Activity 1.1.3 Conduct study visits for members of the working groups to absorb best practices and knowledge in related spheres				\$25,000		\$25,000
Activity 1.1.4 Engage international expertise to support law drafting process			\$10,000			\$10,000
Activity 1.1.5 Translation and editing			\$5,000			\$5,000
Activity 1.1.6 Conduct advocacy and trainings among implementers of new laws (prosecutors, law-enforcement, judges, advocates, etc.) to better understanding new legal framework and its proper implementation		\$10,000				\$10,000 <i>gender 10%</i>
Output 1.2: The methodology for the conflict-sensitive review of draft laws is adopted and applied by the Parliament		\$10,000	\$30,000	\$0	\$0	\$40,000
Activity 1.2.1 Conduct unified methodology of expertise, including legal, human rights, anticorruption, gender, environment and conflict-sensitive dimensions and design special software for this			\$15,000			\$15,000 <i>gender 20%</i>
Activity 1.2.2 Conduct trainings on application of conflict-sensitive expertise, as well as trainings on special unified software upon its readiness		\$10,000				\$10,000
Activity 1.2.3 Conduct conflict-sensitive expertise of selected laws and policies			\$5,000			\$5,000
Project Outcome 1						

Project Budget

Activity 1.2.4 Conduct advocacy among relevant groups on importance of conflict-sensitive expertise of key decisions		\$10,000						\$10,000
Output 1.3: The mechanism of independent oversight over implementation of laws by Parliament and civil society, including Assembly of People, established	\$20,000	\$30,000	\$0	\$0	\$50,000			
Activity 1.3.1 Operationalize parliamentary oversight, conduct pilots of implementation of selected laws, including gender legislation and create mechanisms and techniques for tracking the implementation of laws	\$10,000	\$15,000						\$25,000 <i>gender 20%</i>
Activity 1.3.2 Conduct assessment of implementation of the Constitution and present its findings to the decision makers and public	\$5,000	\$10,000						\$15,000
Activity 1.3.3 Operationalize civil society oversight in RoL area	\$5,000	\$5,000						\$10,000 <i>gender 10%</i>
Output 1.4: Framework for the effective enforcement of Supreme Court judgments on civil cases is set up (in collaboration with OHCHR)	\$20,000	\$20,000	\$0	\$0	\$0	\$40,000		
Activity 1.4.1 Support drafting and adoption of legislation related to effective enforcement of court's judgements		\$10,000						\$10,000 <i>gender 20%</i>
Activity 1.4.2 Conduct training for judges, court marshals, advocates to expedite implementation of this law	\$10,000							\$10,000 <i>gender 20%</i>
Activity 1.4.3 Assist Court Department in implementation of court's judgements through advocacy, development of small and effective implementation mechanisms, communication campaign and collaboration with tax inspection, state registry, border inspection, and state autoinspection	\$5,000	\$5,000						\$10,000 <i>gender 20%</i>
Activity 1.4.4 Assist Supreme Court in generalization of judicial practice on civil, criminal and economic cases	\$5,000	\$5,000						\$10,000 <i>gender 10%</i>
Project Outcome 2: Key rule of law/ justice institutions and civil society are capacitated to collaborate, build consensus and implement solutions towards improving access to justice, ensuring principles of fair trial, non-discrimination and inclusion	\$107,563	\$9,000	\$16,250	\$200,000	\$382,813			
Output 2.1 A dialogue platform established for consensus building between relevant duty bearers and rights holders to discuss and agree on solutions addressing discriminatory practices, impunity and unequal access to justice bringing together Government, Judiciary, Parliament, civil society and other relevant actors. (Will be implemented in collaboration with OHCHR, which will focus on dialogue platform related to the issues of justice for the past)	\$10,563	\$9,000	\$11,250	\$200,000	\$230,813			
Activity 2.1.1 Facilitate and assist relevant duty bearers and rights holders to conduct decisive dialogue platforms on priority issues on the top of the national agenda impacting peace and stability (as judiciary reform, mining, state property, land, border, etc.)				\$200,000				\$200,000 <i>gender 30%</i>
Activity 2.1.2 Support dialogue platforms with nation-wide information campaigning and advocacy	\$4,563							\$4,563 <i>gender 20%</i>
Activity 2.1.3 Conduct assessments, surveys and public opinion polls to expedite decision making on sensitive issues		\$4,000	\$11,250					\$15,250 <i>gender 20%</i>

Project Budget								
	Activity 2.1.4 Facilitate implementation of recommendations of public dialogues	\$6,000						\$6,000 <i>gender 20%</i>
	Activity 2.1.5 Support selected state institutions (duty bearers) in creation of their innovative ICT solutions for gathering citizens' opinions/feedback		\$5,000					\$5,000 <i>gender 20%</i>
	Output 2.2. The capacity of Ombudsman, Public Advisory Councils, to monitor implementation of national legislation, UPR recommendations and to hold relevant institutions accountable, is developed through enhancing their independence, professionalization and collaboration with the civil society	\$70,000	\$25,000	\$5,000	\$0	\$100,000		
Project	Activity 2.2.1 Conduct series professional trainings for the Ombudsman institution with an aim to improve its watchdog capacities in monitoring of violated rights of ethnic minorities in cooperation with the civil society (upon request)	\$50,000						\$50,000 <i>gender 30%</i>
Outcome 2	Activity 2.2.2 Trainings for newly selected PACs on legislation	\$20,000		\$5,000				\$25,000 <i>gender 30%</i>
	Activity 2.2.3 Assist PACs and CSOs in conduct of judicial, law-enforcement, civil service, penitentiary reforms monitoring		\$25,000					\$25,000
	Output 2.3 State Personnel Service responsible for placement of public servants and selected state institutions supported to increase representation of minorities and women in public service	\$27,000	\$25,000	\$0	\$0	\$52,000		
	Activity 2.3.1 Develop participatory methodology for conducting analysis of gender and ethnic representation in law enforcement and other state institutions and conduct the analysis, including recommendation on legislation, internal regulation and procedures	\$15,000	\$15,000					\$30,000 <i>gender 70%</i>
	Activity 2.3.2 Discuss the analysis's findings and developed documents with stakeholders and analyzed state institutions	\$2,000						\$2,000 <i>gender 60%</i>
	Activity 2.3.3 Conduct awareness raising and capacity development events on improving of representation, transparency, building of citizen's trust and better service delivery for the analyzed state institutions.	\$10,000						\$10,000 <i>gender 60%</i>
	Activity 2.3.4 Support public monitoring of implementation of agreed recommendations by PACs, and CSOs.		\$10,000					\$10,000 <i>gender 60%</i>
	Project Outcome 3: Rights holders, especially the most vulnerable and marginalized, are empowered to better claim their rights through legal education, awareness raising and provision of state guaranteed free legal aid	\$75,000	\$120,000	\$15,000	\$0	\$210,000		
	Output 3.1 Capacity building of lawyers associations (Bars), Ministry of Justice and other relevant institutions of free legal aid system to ensure better implementation of state guaranteed free legal aid system, envisaging equitable access for vulnerable groups in particular (ethnic minorities, women)	\$55,000	\$90,000	\$5,000	\$0	\$150,000		
	Activity 3.1.1 Support to establishment legal framework for Bar Association based on certified international standards and judiciary reform concept adopted by the Kyrgyz President	\$15,000	\$25,000					\$40,000

Project Budget							
	Activity 3.1.2 Support to operationalization of Independent Bar Association, its standard operating procedures, management structure, ethics standards		\$20,000				\$20,000
	Activity 3.1.3 Conduct trainings and mentoring for lawyers, especially in remote districts, to raise their awareness and knowledge on human rights standards, addressing human rights violations and defending their client's rights	\$10,000					\$10,000 <i>gender 20%</i>
	Activity 3.1.4 Improve capacity of the Ministry of Justice (main licensee holder) to build effective relations with lawyers, judges, law-enforcement, prosecutors	\$10,000	\$15,000				\$25,000 <i>gender 20%</i>
Project Outcome 3	Activity 3.1.5 Develop pro bone, pro se and paralegal projects on criminal and civil cases (<i>esp. women and minorities in selected areas</i>), create precedents on self-protection by right holders of their rights (<i>RoI in action</i>)	\$10,000	\$15,000	\$5,000			\$30,000 <i>gender 20%</i>
	Activity 3.1.6 Support to the development of the training methodology for self-protection for right holder and conduct ToTs	\$10,000	\$15,000				\$25,000
	Output 3.2 Legal aid provided and advocacy/awareness raising campaigns held (also through community media) to empower rights holders, especially minorities and women in 6 selected conflict prone areas, to better claim their rights for equal access to economic opportunities, natural resources and public service provision	\$20,000	\$30,000	\$10,000	\$0	\$60,000	
	Activity 3.2.1 Support Ministry of Justice (<i>central and territorial branches</i>), Ministry of Education, CSOs and Ombudsman Institute in conducting legal awareness (propaganda) campaigns in communities of selected areas on their rights to justice (to be linked with Media project)	\$10,000	\$10,000	\$5,000			\$25,000
	Activity 3.2.2 Popularization of the Constitution, laws and international commitments, vivify their norm		\$10,000				\$10,000
	Activity 3.2.3 Collect and promote best practices sharing and advocacy of successfully resolved cases of protection of rights holders in selected areas	\$10,000	\$10,000	\$5,000			\$25,000
	Subtotal	\$257,563	\$279,000	\$56,250	\$200,000	\$792,813	\$114,000
	Staff and other personnel cost						\$53,000.00
	Monitoring and evaluation cost						\$959,813
	Sub-Total (including by cost category)						\$67,187
	Indirect support costs (not exceed 7%)						\$1,027,000
	TOTAL PROJECT COST						\$1,027,000

Annex 2: b) Budget Summary: Project Budget by PBF Cost Categories & Project Budget Summary by Project Outcomes and Outputs

Project Budget by PBF Cost Categories	TOTAL in USD
1. Staff and other personnel cost	\$114,000
2. Seminars and trainings	\$257,563
3. Contractual services	\$279,000
4. Travel	\$56,250
5. Transfers and grants to counterparts	\$200,000
6. Monitoring and evaluation	\$53,000
Sub-Total Project Costs	\$959,813
7. Indirect support costs (not exceed 7%)	\$67,187
Total Project Cost	\$1,027,000

Project Budget Summary by Project Outcomes and Outputs		TOTAL
Project Outcome 1: Critical conflict sensitive laws and policies are adopted and amended in line with the international human rights standards to uphold the rule of law and ensure equitable redress of grievances		\$200,000
Project Outcome 1	Output 1.1	\$70,000
	Output 1.2	\$40,000
	Output 1.3	\$50,000
	Output 1.4	\$40,000
Project Outcome 2: Key rule of law/ justice institutions and civil society are capacitated to collaborate, build consensus and implement solutions towards improving access to justice, ensuring principles of fair trial, non-discrimination and inclusion		\$382,813
Project Outcome 2	Output 2.1	\$230,813
	Output 2.2	\$100,000
	Output 2.3	\$52,000
Project Outcome 3: Rights holders, especially the most vulnerable and marginalized, are empowered to better claim their rights through legal education, awareness raising and provision of state guaranteed free legal aid		\$210,000
Project Outcome 3	Output 3.1	\$150,000
	Output 3.2	\$60,000
Staff and other personnel cost		\$114,000

Project Budget by PBF Cost Categories	TOTAL in USD
<i>Monitoring and evaluation cost</i>	\$53,000
<i>Sub-Total</i>	\$959,813
Indirect support costs (not exceed 7%)	\$67,187
TOTAL PROJECT COST	\$1,027,000

Annex 2: c) Gender Budgeting

GENDER AND M&E BUDGET in USD		AMOUNT
GENDER BUDGETING	Total funds dedicated to gender equality	\$154,863
	% of the Total Project Budget (min 15%)	15.08%
M&E BUDGETING*	Total funds dedicated to M&E measures (according to M&E plan)	\$53,000
	% of the Total Project Budget (min 3%)	5.16%

Annex 3: Results Framework

UNDAF Kyrgyzstan Level			
UNDAF Pillar A/B/C: <i>Pillar 1 (Peace and Cohesion, Effective Democratic Governance, and Human Rights) and Pillar 2 (Social Inclusion and Equity)</i>			
UNDAF Outcome(s): <i>UNDAF/CPD outcome #3: "By 2016, national and local authorities apply rule of law and civic engagement principles in provision of services with active participation of civil society".</i>			
PPP Kyrgyzstan Level			
PPP Outcome(s): <i>Outcome 1: Critical laws, policies, reforms and recommendations of human rights mechanisms, including UPR, are implemented to uphold the rule of law, improve access to justice and respect, and protect and fulfill human rights</i>			
Project Peacebuilding Goal: <i>Build a foundation for sustainable peace through strengthening the rule of law and equitable access to justice.</i>			
Theory of Change: <i>If citizens engage responsive and impartial state institutions at all levels to resolve disputes, then they will not engage in violent actions to resolve their problems. The project aims to achieve the following changes that will trigger and accelerate peace building efforts:</i>			
<ul style="list-style-type: none"> - Create enabling environment for just and equitable resolution of disputes and grievances of citizens; - Facilitate increase of citizens' trust in state institutions and justice delivery; - Increase citizens' awareness of their rights for justice and their participation in policy formulation and decision making 			
PPP Outcome Indicator(s)			
1.1 Proportion of cases brought to human rights and justice institutions which are satisfactorily resolved (Disaggregated by geographic location, ethnic minority and gender)	to be determined	20% increase over baseline by 2016	i) Institutions are accessible; ii) Policies and legal frameworks are revised/developed in line with international norms and standards; and implemented; iii) Citizens are aware of rights and institutions; and trust that formal mechanisms will be effective and fair, resulting in their engagement of institutions
1.2 Number of key policies and laws adopted or amended		0-10 by mid-2015	
1.3 Number of corrective revisions/measures in the implementation of policies or laws that are acted upon as a result of oversight groups		0-5 laws or policies by end of 2015 (Different from the 10 laws identified above)	
1.4 Citizens' trust in national state institutions is increased (Disaggregated by geographic location, ethnic minority and gender)	to be determined	10% increase over baseline by 2016	
Project Level			
OUTCOME 1:	<i>Critical conflict sensitive laws and policies are adopted and amended in line with the international human rights standards to uphold the rule of law and ensure equitable redress of grievances</i>		
Type of Change:	<i>Structural - Establishing legal framework and mechanisms for its oversight in line with international human rights standards</i>		
Outcome Indicator(s)	<u>Baseline</u>	<u>Time-bound Target</u>	<u>Key Assumptions</u>

Number of conflict-sensitive laws and policies adopted and amended		0	5 laws and policies adopted and amended, of which at least two will have a direct impact on women's rights, by end of June 2016	There is a political will to adopt and implement conflict sensitive laws and policies in line with international human rights standards. Priority/key legislation/action plan (including anti-corruption demands) is implemented. State authorities throughout Kyrgyzstan share common approach to implementing key legal and policy frameworks on peacebuilding.
<p>Number of laws and judgements assessed in terms of progress of implementation and number of corrective measures taken as a result of pressure from oversight groups including NGOs, PABS</p>		0	5 by 30 June 2015 (must be separate laws from those indicated in PPP outcome indicator 1)	
OUTPUTS	Output Indicators	Baseline	Target	Key Assumptions
<p>1.1 List project outputs that lead to the achievement of the outcome. <i>Outputs are short-term deliverables that fall within the direct</i></p>	<p>1.1 List indicators which will be used to track the status of output achievements in</p>	<p>Provide the baseline (i.e. current situation)</p>		
<p>1.1 Key priority laws and policies pertaining to criminal justice, non-discrimination and human rights reviewed and amended in line with the Constitution of KR, international human rights standards and recommendations of UN human rights mechanisms (in collaboration with OHCHR)</p>	<p>Number of conflict-sensitive laws and policies adopted and amended. Activities focus on revision/amendment of the following laws: Criminal Code, Civil Code, Civil procedure code, Laws on State Guaranteed Legal Aid, Bar and Legal Practice, Bar and Legal Practice (OHCHR will focus on other laws/policies)</p>	<p>0</p>	<p>5 laws and policies adopted and amended, of which at least two will have a direct impact on women's rights, by end of June 2016</p>	<p>There is a political will to adopt and implement conflict sensitive laws and policies in line with international human rights standards. Priority/key legislation/action plan (including anti-corruption demands) is implemented. State authorities throughout Kyrgyzstan share common approach to implementing key legal and policy frameworks on peacebuilding.</p>
<p>1.2 The methodology for the conflict-sensitive review of draft laws is adopted and applied by the Parliament</p>	<p>Availability of the parliament's instructions on the use of the conflict sensitive expertise; # of laws reviewed according to the conflict sensitive expertise</p>	<p>Instructions not currently available; 0 laws reviewed</p>	<p>Available; 10 by end of June 2016</p>	<p>Parliament is committed to adopt and apply the conflict sensitive review of draft laws</p>
<p>1.3 The mechanism of independent oversight over implementation of laws by Parliament and civil society is established</p>	<p>Availability of the parliament's instructions on oversight of implementation of laws; number of laws and judgements assessed in terms of progress of implementation and number of corrective measures taken as a result by parliament</p>	<p>Instructions not currently available; 0 laws and judgements assessed</p>	<p>Available; 10 by end of June 2016</p>	<p>Parliament and CSOs are committed to exercise oversight of implementation of laws</p>
<p>1.4 Framework for the effective enforcement of Supreme Court's judgments is set up (in collaboration with OHCHR)</p>	<p>Number of Supreme Court judgements assessed in terms of progress of implementation and number of corrective measures taken as a result. Focus will be on criminal cases, as OHCHR will focus on</p>	<p>0 judgements assessed; 0 corrective measures taken</p>	<p>5 by end of 2014, 10 by end of June 2016</p>	<p>Judicial system is transparent in provision of data on enforcement of judgements</p>

OUTCOME 2:	<i>Key rule of law/ justice institutions and civil society are capacitated to collaborate, build consensus and implement solutions towards improving access to justice, ensuring principles of fair trial, non-discrimination and inclusion</i>			
Type of Change:	<i>Relational - Better coordination, consensus-finding, and joint planning among state institutions and civil society working in the area of rule of law and justice</i> <i>Personal: Increased trust between representatives of state institutions and civil society on fair and equal application of law</i>			
Outcome Indicator(s)	Baseline	Time-bound Target	Key Assumptions	
# of recommendations of dialogue platform that were jointly implemented by state institutions and civil society		0/8 by end of June 2016	There is a political will of country's leadership and respective state institutions are willing to collaborate with the civil society and rights holders on issues of justice, impunity and non-discrimination	
Citizens' trust in national state institutions is increased (Disaggregated by geographic location, ethnic minority and gender)	to be identified	increase by 10% by end of June 2016		
Percentage of representation of women and minorities in public service	to be identified	increase by 10% by end of June 2016		
OUTPUTS	Output Indicators	Baseline	Target	Key Assumptions
2.1. A dialogue platform established for consensus building between relevant duty bearers and rights holders to discuss and agree on solutions addressing discriminatory practices, impunity and unequal access to justice bringing together Government, judiciary, Parliament and civil society <i>(Will be implemented in collaboration with OHCHR, which will focus on dialogue platform related to the issues of justice for the past)</i>	# of recommendations of dialogue platform that were jointly implemented by state institutions and civil society; Level of trust between representatives of state institutions and civil society	to be identified	at least 10; increase by 10% by end of June 2016	There is a political will of country's leadership and respective state institutions are willing to collaborate with the civil society and rights holders on issues of justice, impunity and non-discrimination
2.2. The capacity of Ombudsman Office and Public Advisory Councils, to monitor implementation of national legislation, UPR recommendations and to hold relevant institutions accountable, is developed through enhancing their independence, professionalization and collaboration with the civil society: (in collaboration with OHCHR)	# of recommendations of the UPR review and other human rights mechanisms implemented	to be identified	at least 10 by end of June 2016	The independence of the Ombudsman Institute and Public Advisory Councils are envisioned in the legislation
2.3. State Personnel Service responsible for placement of public servants and selected state institutions supported to increase representation of minorities and women in public service	Percentage of representation of women and minorities in public service	to be identified	increase by 10% by end of June 2016	Civil services appointments in key areas are transparently made on a merit-based fashion, and continuing appointment based on performance
OUTCOME 3:	<i>Rights holders, especially the most vulnerable and marginalized, are empowered to better claim their rights through legal education, awareness raising and provision of state guaranteed free legal aid</i>			

Type of Change:	<i>Structural - Free legal aid system, involving Bar Association, is to be operationalized; Personal: rights holders, esp. vulnerable groups in conflict prone areas, will increase their awareness on how to better claim their rights for equal access to justice, economic opportunities, natural resources and public services</i>			
Outcome Indicator(s)	# of complaints/cases documented and acted upon (including criminal and civil cases) with assistance of lawyers providing Free Legal Aid (disaggregated by gender, ethnicity and age)	Baseline	Time-bound Target	Key Assumptions
Level of awareness of the vulnerable groups in selected 6 conflict prone areas of their rights to claim equal access to justice and public services		to be identified	increase by 20% by end of June 2016	There is a political will to establish effective system of free legal aid covering criminal and civil cases country-wide; The Bar Association is willing to be the integral part of the Free Legal Aid
OUTPUTS	Output Indicators	Baseline	Target	Key Assumptions
3.1 Capacity building of lawyers associations (Bars), Ministry of Justice and other relevant institutions of free legal aid system to ensure better implementation of state guaranteed free legal aid system, envisaging equitable access for vulnerable groups in particular (ethnic minorities, women);	# of complaints/cases documented and acted upon (including cases of violence and misconduct, cases relating to reintegration of offenders) with assistance of lawyers registered by Free Legal Aid programme	to be identified	increase by 20% by end of June 2016	There is a political will to establish effective system of free legal aid covering criminal and civil cases country-wide; The Bar Association is willing to be the integral part of the Free Legal Aid system
3.2 Legal aid provided and advocacy/awareness raising campaigns held (also through community media) to empower rights holders, especially minorities and women in 6 selected conflict prone areas, to better claim their rights for equal access to economic opportunities, natural resources and public service provision	Level of awareness of the vulnerable groups in selected 6 conflict prone areas of their rights to claim equal access to justice and public services; # of complaints/cases documented and acted upon (including criminal and civil cases) by free legal aid lawyers for the benefit of women, children and ethnic minorities in selected 6 conflict prone areas	to be identified	increase by 20% by end of June 2016	Political stability and security in the selected areas

Annex 4: M&E Plan

Project Outcome Indicators	Baseline	Time-Bound Target	Means of Verification including data collection methodology	Frequency	Required Budget	Roles & Responsibilities of data collection, analysis and reporting
1.1 Number of key policies and laws adopted or amended	0	5 by mid-2015	Texts of law, policies, reforms; UPR; Reports on public hearings; Interviews with relevant stakeholders to document contributions of PRF interventions through developing, adopting and implementing critical laws, policies and reforms	Annual	\$1,250 (\$5,000/4)	Secretariat in collaboration with RUNOs
1.2 Number of corrective revisions/measures in the implementation of policies or laws that are acted upon as a result of oversight groups	0	5 laws or policies by end of 2015 *Different from the 5 laws identified above	Oversight groups' reports (Parliament, Ombudsmen Institute, civil society, Public Advisory Councils); Project reports	Annual	\$1,250 (\$5,000/4)	Secretariat in collaboration with RUNOs
2.1 # of recommendations of dialogue platform that were jointly implemented by state institutions and civil society	0	8 by end of June 2016	Project reports, media, CSO reports	Annual	\$2,500	UNDP reviewing progress reports, and conducting field monitoring and desk reviews
2.2 Citizens' trust in national state institutions is increased *Disaggregated by geographic location, ethnic minority and gender	TBD	10% increase over baseline by end of 2016	Perception Survey	Baseline in 2014, Endline in 2016	Baseline \$20,000 (\$80,000/4) End \$15,000 (\$60,000/4)	Secretariat in collaboration with RUNOs
2.3 Percentage of representation of women and minorities in public service	TBD	10% increase over baseline by end of 2016	State Personnel Service reports	Baseline in 2014, Endline in 2016	\$4000	UNDP reviewing progress reports, and conducting field monitoring and desk reviews
3.1 # of complaints/cases documented and acted upon (including criminal and civil cases) with assistance of lawyers providing Free Legal Aid (disaggregated by gender, ethnicity and age)	TBD	Increase by 20% by end of June 2016	Reports of Ministry of Justice/Free Legal Aid Programme, CSO reports, surveys	Baseline in 2014, Endline in 2016	\$4000	UNDP reviewing progress reports, and conducting field monitoring and desk reviews
3.2 Level of awareness of the vulnerable groups in selected 6 conflict prone areas of their rights to claim equal access to justice and public services	TBD	Increase by 20% by end of June 2016	Reports of Ministry of Justice/Free Legal Aid Programme, CSO reports, surveys	Baseline in 2014, Endline in 2016	\$5000	UNDP reviewing progress reports, and conducting field monitoring and desk reviews
TOTAL					\$53,000.00	

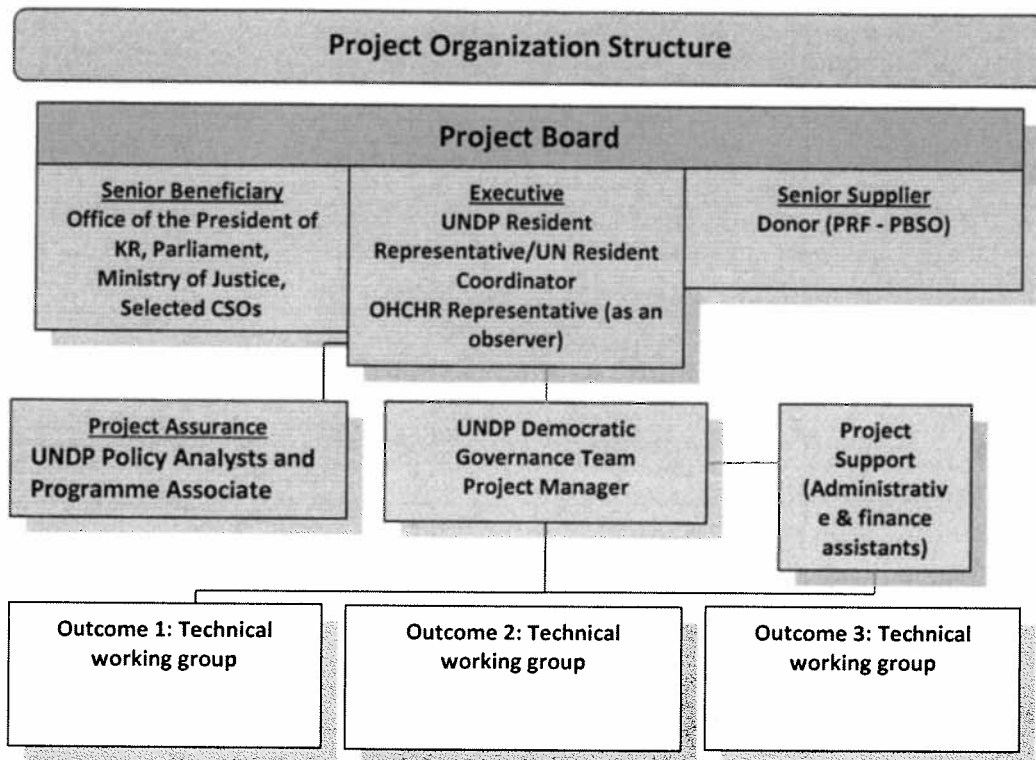
Annex 5: Capacity Mapping of Recipient UN Organization(s)

Please include exhaustive information of annual budgets of RUNO(s) in the targeted peacebuilding thematic areas or sectors of the project. This is to help understand and assess the relative capacity of RUNO(s) to manage a quantum shift of additional funding through PBF.

RUNO	Targeted peacebuilding thematic areas/sectors (top five or fewer)	2012 Annual Budget per RUNO in key sectors	2013 Annual Budget per RUNO in key sectors ¹¹	2014 Annual Budget Projection per RUNO in key sectors	2013 Annual Budget and Delivery Rate by Agency Total
UNDP	1) Rule of Law/Access to justice/Human Rights/Democratic Governance (DGP)	US\$ 4,653,699.00	US\$ 4,590,151.00 1)	US\$ 5,165,000.00	Annual budget US\$ 4,590,151.00 Annual delivery rate -95%

¹¹ If UNDP is one of the Recipient Agencies, specific information shall be included on whether the country is benefiting of BCPR Thematic Trust Fund and if yes, the amounts allocated and the funding gaps need to be specified

Annex 6: Organigram of Project Management Structure



Project Board (also called *Project Steering Committee*): The Project Board is the group responsible for making by consensus, management decisions for a project when guidance is required by the Project Managers, including recommendation for UNDP Implementing Partner approval of project plans and revisions. The Project Board plays a critical role in UNDP commissioned project evaluations by quality assuring the evaluation process and products, and using evaluations for performance improvement, accountability and learning. Project reviews by this group are made at designated decision points during the running of the project, or as necessary when raised by the Project Manager. This group is consulted by the Project Manager for decisions when Project Manager's tolerances (normally in terms of time and budget) have been exceeded (flexibility). Based on the approved annual work plan (AWP), the Project Board may review and approve project quarterly plans when required and authorizes any major deviation from these agreed quarterly plans. It is the authority that signs off the completion of each quarterly plan as well as authorizes the start of the next quarterly plan. It ensures that required resources are committed and arbitrates on any conflicts within the project or negotiates a solution to any problems between the projects and external bodies. In addition, it approves the appointment and responsibilities of the Project Manager and any delegation of its Project Assurance responsibilities. Potential members of the Project Board are reviewed and recommended for approval during the Project Appraisal Committee meeting. Representative of other stakeholders can be included in the Board as appropriate. The objective is to create a mechanism for effective project management.

Composition and organization: This group contains three roles, including:

- 1) An Executive: UNDP representing the project ownership to chair the group
- 2) Senior Supplier: Peace Building Fund. The Senior Supplier's primary function within the Board is to provide guidance regarding the technical feasibility of the project.
- 3) Senior Beneficiary: Office of the President, Parliament, Ministry of Justice and two members of CSOs. They are representing the interests of those who will ultimately benefit from the project. The Senior Beneficiary's primary function within the Board is to ensure the realization of project results from the perspective of project beneficiaries.

Project Assurance: Project Assurance is the responsibility of each Project Board member; however the role can be delegated. The project assurance role supports the Project Board by carrying out

objective and independent project oversight and monitoring functions. This role ensures appropriate project management milestones are managed and completed. Project Assurance is independent of the Project Manager; therefore, the Project Board cannot delegate any of its assurance responsibilities to the Project Manager. A UNDP Programme Officer, or M&E Officer, typically holds the Project Assurance role on behalf of UNDP.

Project Manager: The Project Manager has the authority to run the project on a day-to-day basis on behalf of the Implementing Partner within the constraints laid down by the Board. The Project Manager is responsible for day-to-day management and decision-making for the project. The Project Manager's prime responsibility is to ensure that the project produces the results (outputs) specified in the project document-, to the required standard of quality and within the specified constraints of time and cost.

Project Support: The Project Support role provides project administration, management and technical support to the Project Manager as required by the needs of the individual project or Project Manager. It is necessary to keep Project Support and Project Assurance roles separate in order to maintain the independence of Project Assurance.

Annex 7: Preliminary Work Plan

Outputs	Key Activities	Timeframe (up to 30 months - 10 quarters)										Responsible & Party mobilizing inputs	Inputs/Budget by output	
		Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10			
Outcome 1: Critical conflict sensitive laws and policies are adopted and amended in line with the international human rights standards to uphold the rule of law and ensure equitable redress of grievances														
Output 1.1 Key priority laws and policies pertaining to criminal justice, non-discrimination and human rights reviewed and amended in line with the Constitution of KR, international human rights standards and recommendations of UN human rights mechanisms (in collaboration with OHCHR)	1.1.1	Support working groups of drafters by providing expertise and organizing public/expert/legislature platforms and hearings to discuss amendments/laws/decisions/policies	x	x	x	x							UNDP, Project Manager	International and national expertise; subcontracts for survey, translation, editing; study tours; Travels; Conference/hearings/trainings costs
	1.1.2	Support working groups to conduct legal, anticorruption, human rights and gender expertise	x	x	x	x							UNDP, Project Manager	
	1.1.3	Conduct study visits for members of the working groups to absorb best practices and knowledge in related spheres	x										UNDP, Project Manager	
	1.1.4	Engage international expertise to support law drafting process	x	x	x	x							UNDP, Project Manager	
	1.1.5	Translation and editing	x	x	x	x							UNDP, Project Manager	
	1.1.6	Conduct advocacy and trainings among implementers of new laws (prosecutors, law-enforcement, judges, advocates, etc.) to better understanding new legal framework and its proper implementation	x	x	x	x							UNDP, Project Manager	
Sub total Output 1.1														\$70,000
Output 1.2 The methodology for the conflict-sensitive review of draft laws is adopted and applied by the Parliament	1.2.1	Conduct unified methodology of expertise, including legal, human rights, anticorruption, gender, environment and conflict-sensitive dimensions and design special software for this	x	x	x	x							UNDP, Project Manager	National expertise; Trainings; Advocacy costs;
	1.2.2	Conduct trainings on application of conflict-sensitive expertise, as well as trainings on special unified software upon its readiness	x										UNDP, Project Manager	
	1.2.3	Conduct conflict-sensitive expertise of selected laws and policies	x	x	x	x							UNDP, Project Manager	
	1.2.4	Conduct advocacy among relevant groups on importance of conflict-sensitive expertise of key decisions	x	x	x	x							UNDP, Project Manager	
Sub total Output 1.2														\$40,000
Output 1.3 The mechanism of independent oversight over implementation of laws by Parliament and civil society, including Assembly of People, established	1.3.1	Operationalize parliamentary oversight, conduct pilots of implementation of selected laws, including gender legislation and create mechanisms and techniques for tracking the implementation of laws	x	x	x	x							UNDP, Project Manager	Pilot costs, travels; Expertise; Subcontracts; Validation meeting costs;
	1.3.2	Conduct assessment of implementation of the Constitution and present its findings to the decision makers and public	x	x	x	x							UNDP, Project Manager	Subcontracts; Expertise; Presentation; Publishing; translation and editing;
	1.3.3	Operationalize civil society oversight in RoL area	x	x	x	x							UNDP, Project Manager	Subcontracts; Trainings; Presentation; Publishing;
Sub total Output 1.3														\$50,000
Output 1.4 Framework for the effective enforcement of Supreme Court judgments on civil cases is set up (in collaboration with OHCHR)	1.4.1	Support drafting and adoption of legislation related to effective enforcement of court's judgements	x	x	x	x							UNDP, Project Manager	Expertise
	1.4.2	Conduct training for judges, court marshals, advocates to expedite implementation of this law		x	x	x							UNDP, Project Manager	Training costs; Advocacy costs; Roundtable costs; IT solutions; coordination meetings; Costs for assessments;
	1.4.3	Assist Court Department in implementation of court's judgements through advocacy, development of small and effective implementation mechanisms, communication campaign and collaboration with tax inspection, state registry, border inspection, and state autoinspection		x	x	x							UNDP, Project Manager	

Outputs	Key Activities	Timeframe (up to 30 months - 10 quarters)										Responsible & Party mobilizing inputs	Inputs/Budget by output		
		Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10				
1.4.4.	Assist Supreme Court in generalization of judicial practice on civil, criminal and economic cases		x	x	x	x	x						UNDP, Project Manager	Expertise; Debate platforms; Translation costs; \$40,000	
		Sub total Output 1.4											\$40,000		
		Total Outcome 1:											\$200,000		
Outcome 2: Key rule of law/ justice institutions and civil society are capacitated to collaborate, build consensus and implement solutions towards improving access to justice, ensuring principles of fair trial, non-discrimination and inclusion															
Output 2.1 A dialogue platform established for consensus building between relevant duty bearers and rights holders to discuss and agree on solutions addressing discriminatory practices, impunity and unequal access to justice bringing together Government, judiciary, Parliament, civil society and other relevant actors (Will be implemented in collaboration with OHCHR, which will focus on dialogue platform related to the issues of justice for the past)	2.1.1	Facilitate and assist relevant duty bearers and rights holders to conduct decisive dialogue platforms on priority issues on the top of the national agenda impacting peace and stability (as judiciary reform, mining, state property, land, border, etc.)	x	x	x	x	x					x	UNDP, Project Manager		
	2.1.2.	Support dialogue platforms with nation-wide information campaign and advocacy		x									x	UNDP, Project Manager	
	2.1.3.	Conduct assessments, surveys and public opinion polls to expedite decision making on sensitive issues		x	x	x	x	x						UNDP, Project Manager	Dialogue platforms; Sub-contracts; Roundtables; Expertise; Translation and editing; Travels;
	2.1.4	Facilitate implementation of recommendations of public dialogues		x	x								x	UNDP, Project Manager	
	2.1.5.	Support selected state institutions (duty bearers) in creation of their innovative ICT solutions for gathering citizens' opinions/feedback				x	x	x						UNDP, Project Manager	
			Sub total Output 2.1											\$230,813	
Output 2.2 The capacity of Ombudsman, Public Advisory Councils, to monitor implementation of national legislation, UPR recommendations and to hold relevant institutions accountable, is developed through enhancing their independence, professionalization and collaboration with the civil society;	2.2.1	Conduct series professional trainings for the Ombudsman institution with an aim to improve its watchdog capacities in monitoring of violated rights of ethnic minorities in cooperation with the civil society (upon request)		x	x	x							UNDP, Project Manager	Trainings for Omb, field monitoring costs, final presentation (50,000); PACs trainings and monitoring (50,000)	
	2.2.2	Trainings for newly selected PACs on legislation		x									UNDP, Project Manager		
	2.2.3	Assist PACs and CSOs in conduct of judicial, law-enforcement, civil service, penitentiary reforms monitoring		x	x	x	x						UNDP, Project Manager		
		Sub total Output 2.2											\$100,000		
Output 2.3 State Personnel Service responsible for placement of public servants and selected state institutions supported to increase representation of minorities and women in public service	2.3.1.	Develop participatory methodology for conducting analysis of gender and ethnic representation in law enforcement and other state institutions and conduct the analysis, including recommendation on legislation, internal regulation and procedures		x									UNDP, Project Manager		
	2.3.2.	Discuss the analysis's findings and developed documents with stakeholders and analyzed state institutions		x									UNDP, Project Manager	30,000 USD	
	2.3.3.	Conduct awareness raising and capacity development events on improving of representation, transparency, building of citizen's trust and better service delivery for the analyzed state institutions.		x									UNDP, Project Manager	2,000 USD	
	2.3.4.	Support public monitoring of implementation of agreed recommendations by PACs, and CSOs.			x	x	x	x	x	x			UNDP, Project Manager	10,000 USD 10,000 USD	
		Sub total Output 2.3											\$52,000		
		Total Outcome 2:											\$382,813		
Outcome 3: Rights holders, especially the most vulnerable and marginalized, are empowered to better claim their rights through legal education, awareness raising and provision of state guaranteed free legal aid															

Outputs	Key Activities	Timeframe (up to 30 months - 10 quarters)										Responsible & Party mobilizing inputs	Inputs/Budget by output			
		Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10					
Output 3.1 Capacity building of lawyers associations (Bars), Ministry of Justice and other relevant institutions of free legal aid system to ensure better implementation of state guaranteed free legal aid system, envisaging equitable access for vulnerable groups in particular (ethnic minorities, women)	3.1.1	Support to establishment legal framework for Bar Association based on certified international standards and judiciary reform concept adopted by the Kyrgyz President	x	x											UNDP, Project Manager	International and national expertise; Expert group discussions and validation; Parliamentary hearings;
	3.1.2	Support to operationalization of independent Bar Association, its standard operating procedures, management structure, ethics standards		x	x	x									UNDP, Project Manager	Expertise; Subcontracts;
	3.1.3.	Conduct trainings and mentoring for lawyers, especially in remote districts, to raise their awareness and knowledge on human rights standards, addressing human rights violations and defending their client's rights	x	x	x										UNDP, Project Manager	Trainings costs;
	3.1.4	Improve capacity of the Ministry of Justice (main licensee holder) to build effective relations with lawyers, judges, law-enforcement, prosecutors	x	x	x										UNDP, Project Manager	Trainings and coordination costs;
	3.1.5.	Develop pro bone, pro se and paralegal projects on criminal and civil cases (esp. women and minorities in selected areas) , create precedents on self-protection by right holders of their rights (RoL in action)		x	x	x	x	x	x	x					UNDP, Project Manager	Subcontracts; Experts; Training, mentoring costs; Field travels;
	3.1.6.	Support to the development of the training methodology for self-protection for right holder and conduct ToTs	x	x	x	x	x	x	x	x					UNDP, Project Manager	Subcontract; TOT costs
		Sub total Output 3.1											\$150,000			
Output 3.2 Legal aid provided and advocacy/awareness raising campaigns held (also through community media) to empower rights holders, especially minorities and women in 6 selected conflict prone areas, to better claim their rights for equal access to economic opportunities, natural resources and public service provision	3.2.1	Support Ministry of Justice (Central and territorial branches) , Ministry of Education, CSOs and Ombudsman Institute in conducting legal awareness (propaganda) campaigns in communities of selected areas on their rights to justice (to be linked with Media project)	x	x	x	x	x	x	x						UNDP, Project Manager	Media costs; Travel; Coordination platforms
	3.2.2	Popularization of the Constitution, laws and international commitments, vivify their norm	x	x	x	x	x	x	x						UNDP, Project Manager	Expertise; Media solutions; Publications;
	3.2.3	Collect and promote best practices sharing and advocacy of successfully resolved cases of protection of rights holders in selected areas				x	x	x	x	x					UNDP, Project Manager	Media costs; Travel;
		Sub total Output 3.2											\$60,000			
		Total Outcome 3:											\$210,000			
Project Management and Performance																
Project Management Milestones																
1. Recruitment of Project Manager (1) and Project Staff (1)																
1. Number of key policies and laws adopted or amended																
2. Number of corrective revisions/measures in the implementation of policies or laws that are acted upon as a result of oversight groups																
3. # of recommendations of dialogue platform that were jointly implemented by state institutions and civil society																
4. Citizens' trust in national state institutions is increased																
5. Percentage of representation of women and minorities in public service																
6. # of complaints/cases documented and acted upon (including criminal and civil cases) with assistance of lawyers providing Free Legal Aid (disaggregated by gender, ethnicity and age)																
M&E Measures																
															\$53,000	
42																

Annex 8: Project Summary (to be submitted as a word document to MPTF-Office for upload at the gateway)



**PEACEBUILDING FUND
PROJECT SUMMARY**

Project Number & Title:	PBF/ <i>“Improving the rule of law and access to justice for sustainable peace”</i>	
Recipient UN Organization:	United Nations Development Programme (UNDP)	
Implementing Partner(s):	Ministry of Justice of the Kyrgyz Republic	
Location:	Kyrgyz Republic	
Approved Project Budget:	USD 1,027,000	
Duration:	Planned Start Date: January 2014	Planned Completion: June 2016
SC Approval Date: (Actual Dates)	20 December 2013	
Project Description:	<p>The major goal of this project is to <i>build a foundation for sustainable peace through strengthening the rule of law and equitable access to justice in the Kyrgyz Republic</i>. The project aims to achieve the following changes that will trigger and accelerate peace building efforts:</p> <ul style="list-style-type: none"> - Create an enabling environment for the just and equitable resolution of disputes and grievances of citizens; - Facilitate an increase of citizens' trust in state institutions and justice delivery; - Increase citizens' awareness of their rights to justice and their participation in policy formulation and decision making. <p>The above changes should lead to the more frequent practice of peaceful resolutions to conflicts and disputes, increased level of law abidance and, consequently, diminished levels of violence and tension in Kyrgyz society.</p>	
PBF Priority Area:	PBF Priority Area 2: Activities undertaken to build and/or strengthen national capacities to promote coexistence and peaceful resolution of conflict;	
PBF Outcome:	2 Rule of Law	

Key Project Activities:	The project will target key reform areas, which contribute to pro-peace change in line with the Constitution, national priorities (National Sustainable Development Strategy) and international rule of law standards through undertaking activities on improving representation of minorities and women in state institutions, promoting free legal aid and legal literacy, carrying forward reform processes to improve justice delivery; oversight over relevant justice and rule of law institutions (strengthening their accountability); capacity building of state institutions and civil society to play critical roles in implementation of laws; consensus building between rights holders and duty bearers to agree on concrete changes/ reforms; and adoption and implementation of critical legislation
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