

Supreme Court of the Republic of Kazakhstan
United Nations Development Programme

Transparency and access to information and justice in Kazakhstan

Award ID: *00056899*

Project ID: *00070020*

The specific objective of the first component is to promote transparency and accountability of public institutions by fostering better supply of and demand for government-held information. Firstly, by supporting the government and CSO efforts in establishing a legislative framework regulating access to information; secondly, by piloting implementation of the legislation in one region by encouraging use of community based access points and mobile technologies that benefit vulnerable groups in particular. UNDP will support awareness-raising among population to exercise their right to information and capacity-building, networking, and coordinating efforts of public institutions to supply information. The project aims at

- improving the access to justice in Kazakhstan with a special emphasis on vulnerable groups (e.g. juveniles, person with disabilities and other);
- strengthening the institutional and human resource capacity of the courts at three levels: individual skills; professional ethics and work attitudes; promoting awareness of human rights and of the role of the justice system through the development of comprehensive information, education and communication strategy focused on innovation technologies; Promotion of gender equality and empowerment of women to be integrated into all activities;
- improving access to information.

**United Nations Development Programme
Country: Kazakhstan
Project Document**

UNDAF Outcome(s): III. Professional capacity, transparency and accountability of the governance structure and participation of civil society in decision-making enhanced

Expected CP Outcome(s): Participatory approaches to development are increased through the enhanced capacities of civil society to better represent the interests of various social groups.

Expected CPAP Output(s): Enhanced capacity of civil society to participate in policy-making processes, with specific attention to women's organizations and ICT for development.

Implementing partner: Supreme Court of the Republic of Kazakhstan

Other partners: Parliament; Ministry of Information and Culture of the Republic of Kazakhstan; Ministry of Justice of the Republic of Kazakhstan; Agency for Informatization and communications of the Republic of Kazakhstan; CSOs; local municipalities

Programme Period: 2005-2009; 2010-2015	Estimated budget: 740,000 USD
CPAP Programme Component: Governance	Total resources required: 740,000 USD
Project Title: Transparency and access to justice and information in Kazakhstan	Total allocated resources: 440,000 USD
Atlas Award ID:	Regular: 170,000 USD
Start date: March 2009	• Other:
End Date: December 2011	◦ DGTF 150,000 USD
PAC Meeting Date: 23 October 2008	◦ British Embassy 120,000 USD
	◦ GMS 7%
	Unfunded budget: 0.00
	In-kind Contributions: 300,000 USD

Agreed by Supreme Court: Moussup 10.02.09.

Kairat Mami, Chairman

Agreed by UNDP:

 10/2/09
Haoliang Xu, Resident Representative

Situation Analysis:

The Supreme Court endeavours to increase public trust in the judicial system and improve the quality of justice. In this connection, on the regular basis there is cooperation promoted with different international organizations engaged in ensuring the Rule of Law, including in monitoring of court trials, courts functioning in general. Specific analysis has been held by the experts of UN, OSCE, ABA/CEELI and others. At the same time due to continuous developments of court and legal systems the data on access to justice need to be updated. The situation analysis was fulfilled by the UN Special Rapporteur on independence of judges in broad list of aspects in 2004, the Judicial Reform Index was published in February, 2004, the OSCE held the monitoring of court trials (covering criminal cases) in 2005-2006.

At present there is an urgent need for analytical research on improving the mechanisms of access to justice, and to advance on the coordination of existing projects on access to justice. Increase of public trust in the judicial authority is related to access to justice, including physical, geographical, distance access, etc. The procedure of applying for the court protection of rights and interests should be understandable to everybody.

The Constitution of the Republic of Kazakhstan enshrines the principle of equality of every person before law and court, and prohibits any discrimination on origin, social, property status, occupation, sex, race, nationality, language, attitude towards religion, convictions, place of residence or any other circumstances.

Access to justice can be defined by the following criteria: legislation provisions for the right of everyone to address court, accessibility of the court to people, ensuring timely and unfailing receipt of applications, reasonable court expenses and the right of exemption of fees for poor people; reasonable terms of cases adjudication, reasonable limits of workload for judges, proper work conditions for judges and court staff, simplicity of procedures, high quality of issued court decisions, its legality and validity; guarantees for free legal advice for poor; effective court decisions enforcement.

The legal basis is sufficient, though the challenges of practical realization of legal provisions have to be acknowledged. There is no regular production and dissemination of a sufficient number of brochures, pamphlets, boards, guides, easily explaining the procedures to people. The potential of innovation technologies to improve the access to information and justice has not been studied enough, and not applied in full. The use of new technologies needs to be expanded, since the territory of Kazakhstan is large, and this hampers physical access of people to courts, especially if the case is considered in appeal or higher-level instances. Only the Supreme Court and Kostanay oblast court have web-sites, and their infrastructure and content need to be improved.

Research in this field will allow to evaluate the existing situation on access to information and justice, their legal basis, to understand how specific criteria are met, how they influence the situation, as well as to develop recommendations on its expansion on the basis of preliminary study of best practice of access to information and justice in other countries; develop if needed the proposals on amendments to legislation.

Even though the Kazakhstan government launched a campaign to improve its image and establish itself as a prominent player in international politics, likely motivated by its bid for chairmanship of the Organization for Security and Cooperation in Europe (OSCE) in 2010, the access to information is a key question in the context of the human rights.

According to the Baseline Human Rights Report in Kazakhstan, 22 percent of the 2,479 media outlets are government-owned. The independent media continues to be threatened for criticizing the president or government, and journalists run serious risks. In 2007 the government continues to censor the internet and suspended several websites.

In this context, information is a tool of democratic control over the State institutions, intimately linked to the concept of participatory democracy and respect for fundamental rights.

The UN General Assembly, in its resolution 60/251, mandated the Human Rights Council to undertake a Universal Periodic Review (UPR), based on objective and reliable information, of the fulfillment by each State of its human rights obligations and commitments. The Human Rights Council adopted a calendar in relation to the consideration of the 192 Member States of the UN to be considered during the first four year cycle of the UPR mechanism, and decided on the precise order of consideration of reviewed States in 2008. Kazakhstan is scheduled to go through UPR in 2010.

Project Strategy:

The Project includes two components: Access to Justice and Access to Information. The first component aims to improve the Access to Justice in Kazakhstan with a special emphasis on vulnerable groups (e.g. juveniles, person with disabilities and other), using new technologies. The goal of the second component is to improve access to information with a special emphasis on vulnerable groups, using new technologies.

At the start of the Project research on both components is planned. It will allow evaluation of the situation and its correspondence to international standards in access to information and justice, to reveal the needs of court system in extending the access to information and justice, to develop the relevant recommendations. On the basis of the results of research and recommendations beginning from the second month of the project specific actions on approbation of specific recommendations in 2-3 pilot courts will be organised. The project will help develop standards of public service delivery in courts; pilot mediation; pilot access to justice using new technologies such as developed in the Czech Republic. These technologies will be piloted in selected courts of Almaty and Astana. Also, the project will pilot digital library of international treaties and court decision, which will accessible to public.

Based on needs mentioned above and the research recommendations, the project may include development of brochures, pamphlets, boards on court functioning, recommendations for staff on relations with public, and training. The interim and final results achieved will be published in mass-media and presented during events and activities on raising public awareness with participation of state agencies concerned and representatives of vulnerable groups of citizens. It is envisaged that the project will help develop information kit for citizens; improve information desks etc. used in courts; launch a separate web page on the Supreme Court web site dedicated to the citizens' access to justice; introduce distance learning course for judges and develop course on international practices of access to justice and pilot it in the Institute of Justice.

In the second component on access to information, consultations will be organised for the development of the Access to information Draft Law. Research will be conducted on ways, difficult areas and cases (crisis messages, sensitive or potentially dangerous topics – prevention, the systems of response to the queries of citizens, counteracting abuses of freedom of information and the commercialisation of information) regarding the public access to information. The research will lay the grounds for the development of the draft law. A training programme for civil servants, based on guidelines of freedom of expression and access to information will be developed and piloted by the Academy of Public Administration. It is expected that upon successful piloting the courses will be run by the Academy on permanent basis for all their students. Additional activities will be organised involving journalists, officials and citizens to discuss issues related to access to information, including also public awareness campaigns to raise awareness of human rights throughout Kazakhstan and access to information in particular (Article 19 of the International Covenant on Civil and Political Rights).

I. RESULTS AND RESOURCES FRAMEWORK

Intended Outcome as stated in the Country Programme Results and Resource Framework:

UNDAF Outcome III: Professional capacity, transparency and accountability of the governance structure and participation of civil society in decision-making enhanced

Outcome indicators as stated in the Country Programme Results and Resources Framework, including baseline and targets: Participatory approaches to development are increased through the enhanced capacities of civil society to better represent the interests of various social groups.

Applicable Key Result Area (from 2008-11 Strategic Plan): 2.1. Fostering Inclusive Participation; 2.2 Strengthening responsive governing institutions; 2.3. Support national partners to implement democratic governance practices

Partnership Strategy: UNDP Kazakhstan will work with the Supreme Court of Republic of Kazakhstan and with the Ministry of Information and Culture, the Ministry of Justice the Agency for informatization and communications, CSOs and local municipalities

Project title and ID (ATLAS Award ID): Transparency and access to information and justice in Kazakhstan

INTENDED OUTPUTS	INDICATIVE ACTIVITIES	RESPONSIBLE PARTIES	INPUTS
<p>Output 1 Improved access to information for all, with emphasis on vulnerable groups</p> <p>Indicator 1: Availability of training course on access to information for civil servants Baseline 1: There is no training course on access to information for civil servants Target 1: Training course on access to information developed and piloted at the Academy of Civil Service</p> <p>Indicator 2: Availability of recommendations on expanding existing legal framework to improve access to information Baseline 2: Right to access to information is covered by number of</p>	A. Training on access to information for civil servants	Supreme Court; Ministry of Information and Culture; Ministry of Justice; Agency for informatization and communications; CSOs; local municipalities	DGTF
	B. Public awareness and advocacy		DGTF
	C. Review of national and international legislation on access to information; support law drafting.		British Embassy

<p>international and national normative acts; however, there is no specific law in Kazakhstan.</p> <p>Target 2: Review of legislation is conducted and recommendations on expanding existing legal framework to improve access to information are provided.</p> <p>Output 2</p> <p>Improved access to justice for all, with emphasis on vulnerable groups</p> <p>Indicator: Availability of new technologies to record court proceedings</p> <p>Baseline: Annually, 30% of court decisions are published and are publicly available in internet or official publications</p> <p>Target: New technologies to record court proceedings are launched in pilot courts</p>	D. Piloting the legislation with use of information access points and mobile technologies in one region		<i>DGTF</i>
	A. Piloting new technologies in selected courts		<i>UNDP TRAC</i>
	B. Training on international standards of access to justice and public advocacy campaign.		<i>UNDP TRAC</i>
	C. Effective project management		<i>UNDP TRAC</i>

II. ANNUAL WORK PLAN BUDGET SHEET

Year: 2009

EXPECTED OUTPUTS <i>And baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	PLANNED BUDGET				
		Q1	Q2	Q3	Q4		Funding Source	Budget Description	Amount		
Output 1 Improved access to information for all, with emphasis on vulnerable groups <i>Indicator 1: Availability of training course on access to information for civil servants</i> <i>Baseline 1: There is no training course on access to information for civil servants</i> <i>Target 1: Training course on access to information developed and piloted at the Academy of Civil Service</i>	A. Activity Result Training on access to information for civil servants developed and piloted Action 1: Needs assessment survey and research on use of public access points and mobile technologies Action 2: Planning workshop with participation of international experts Action 3: Development of training course	X	X	X	X	Supreme Court; Ministry of Information and Culture; Ministry of Justice; Agency for informatization and communications; CSOs; local municipalities	DGTF	71300 Local consultants	8,000		
									71200 International consultants	10,000	
									71600 Travel	4,000	
									72100 Contractual services-Companies	10,000	
									74500 Miscellaneous Expenses	1,700	
									75100 GMSOT	0	
									Subtotal	33,700	
	B. Activity Result Public awareness and advocacy Action 1: Development and publication of materials concerning public access to information Action 2: Advocacy campaign (press conference, audio-visual materials)	X	X	X	X	Ministry of Information and Culture; Agency for informatization and communications; CSOs; local municipalities	DGTF	71300 Local consultants	5,000		
										71600 Travel	3,000
										72100 Contractual services-Companies	20,000
									74500 Miscellaneous Expenses	2,000	
									75100 GMSOT	0	
									Subtotal	30,000	
C. Activity Result Review of international and national legislation Action 1: Review of existing legislation concerning the access to information Action 2: Discussions of the finding of the review Action 3: Workshops and visits to the	X	X	X	X	Parliament; Supreme Court; Ministry of Information and Culture; Ministry of Justice; Agency for informatization and communications; CSOs; local municipalities	British Embassy	71300 Local consultants	20,000			
									71600 Travel	9,000	
									72100 Contractual services-Companies	9,000	
									74500 Miscellaneous Expenses	2,000	
									75100 F&A	2,800	

	regions									
Output 2 Improved access to justice for all, with emphasis on vulnerable groups <i>Indicator: Availability of new technologies to record court proceedings</i> <i>Baseline: Annually, 30% of court decisions are published and are publicly available in internet or official publications</i> <i>Target: New technologies to record court proceedings are launched in pilot courts</i>	A. Activity Result Piloting new technologies in the selected courts Action 1: Research on access to justice and newly-available technologies Action 2: Technology transfer and training personnel of its use in 2 courts Action 3 : Networking with international partners	X	X	X	X	Supreme Court, Ministry of Justice, local municipalities	UNDP	71300 Local consultants	3,000	
								71200 International consultants	5,000	
								71600 Travel	20,000	
								72100 Contractual services-Companies	1,500	
								74500 Miscellaneous Expenses	500	
								Subtotal	30,000	
		C. Activity Result Effective project management	X	X	X	X	UNDP	UNDP	71400 Project Manager	24,000
								DGTTF	71500 National UNV	11300
								BE	72400 Communication & Audio Visual Equip	2,000
								BE	72500 Supplies	1,000
								BE	72200 Equipment and Furniture	1,000
								BE	74500 Miscellaneous Expenses	3,000
								BE	75100 F&A	490
									Subtotal	42,790
TOTAL									179,290	

Year: 2010

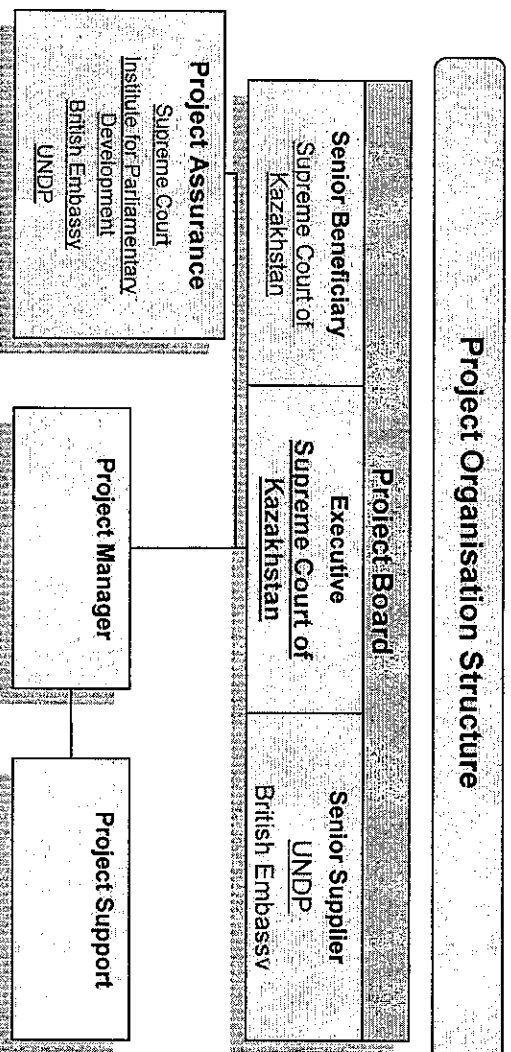
EXPECTED OUTPUTS <i>And baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	PLANNED BUDGET		
		Q1	Q2	Q3	Q4		Funding Source	Budget Description	Amount
Output 1 Improved access to information for all, with emphasis on vulnerable groups <i>Indicator 2: Availability of recommendations on expanding existing legal framework to improve access to information</i> <i>Baseline 2: Right to access to information is covered by number of international and national normative acts; however, there is no specific law in Kazakhstan.</i> <i>Target 2: Review of legislation is conducted and recommendations on expanding existing legal framework to improve access to information are provided.</i>	B. Activity Result: Public awareness and advocacy Action 1: Advocacy campaign (press conference, audio-visual materials) Action 2: Trainings and workshops in the regions	X	X	X	X	Supreme Court; Ministry of Information and Culture; Ministry of Justice; Agency for informatization and communications; CSOs; local municipalities	DGTTF	71300 Local consultants	8,000
								71600 Travel	4,000
								72100 Contractual services-Companies	10,000
								74500 Miscellaneous Expenses	1,700
								75100 GMSOT	0
								Subtotal	23,700
	C. Activity Result Review of existing national and international legislation; support law drafting Action 1: Monitoring of the implementation of the legislation Action 2: Training and workshops	X	X	X	X	Supreme Court; Ministry of Information and Culture; Agency for informatization and communications; local municipalities	British Embassy	71300 Local consultants	12,990
								71600 Travel	5,000
								72100 Contractual services-Companies	4,000
								74500 Miscellaneous Expenses	1,000
								71200 International consultants	20,000
								75100 F&A	3,009.3
	Subtotal	46,000							
D. Activity Result Piloting legislation with use of information access points and mobile technologies in one region Action 1: Discussion of the law on access to information Action 2: Piloting use of mobile technologies as information access points Action 3: Training and workshops in the regions	X	X	X	X	Parliament; Supreme Court; Ministry of Information and Culture; Ministry of Justice; Agency for informatization and communications; CSOs; local municipalities	DGTTF	71300 Local consultants	10,000	
							71600 Travel	7,000	
							72100 Contractual services-Companies	20,000	
							74500 Miscellaneous Expenses	3,000	
							75100 GMSOT	0	
							Subtotal	40,000	
Output 2 Improved access to justice for all,	B. Activity Result Training on international	X	X	X	X	Supreme Court, Ministry of Justice, local	UNDP	71300 Local consultants	5,000
								71600 Travel	10,000

<p>with emphasis on vulnerable groups</p> <p><i>Indicator: Availability of new technologies to record court proceedings</i></p> <p><i>Baseline: Annually, 30% of court decisions are published and are publicly available in internet or official publications</i></p> <p><i>Target: New technologies to record court proceedings are launched in pilot courts</i></p>	standards of access to justice and public advocacy campaign					municipalities		72100 Contractual services-Companies	14,000
	<p>Action 1: Development and publication of materials on access to justice</p> <p>Action 2: Workshops and trainings for court officials</p> <p>Action 3: Advocacy campaign (distribution of materials, audio-visual materials)</p>							74500 Miscellaneous Expenses	1,000
								Subtotal	30,000
	<p>C. Activity Result</p> <p>Effective project management</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>UNDP</p> <p>UNDP</p> <p>UNDP</p> <p>UNDP</p> <p>UNDP</p> <p>UNDP</p> <p>UNDP</p>	UNDP	71400 Project Manager	26,500
							DGTF	71500 National UNV	11,300
							BE	72400 Communication & Audio Visual Equip	1,000
							BE	72500 Supplies	2,000
							BE	72200 Equipment and Furniture	0
							BE	74500 Miscellaneous Expenses	4,000
							BE	75100 F&A	490
							Subtotal	45,290	
								184,990	
TOTAL									

Year: 2011

EXPECTED OUTPUTS <i>And baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	PLANNED BUDGET		
		Q1	Q2	Q3	Q4		Funding Source	Budget Description	Amount
Output 1 Improved access to information for all, with emphasis on vulnerable groups <i>Indicator 2: Availability of recommendations on expanding existing legal framework to improve access to information</i> <i>Baseline 2: Right to access to information is covered by number of international and national normative acts; however, there is no specific law in Kazakhstan.</i> <i>Target 2: Review of legislation is conducted and recommendations on expanding existing legal framework to improve access to information are provided.</i>	C. Activity Result Review of existing international and national legislation; assistance with law drafting Action 1: Monitoring of implementation of the existing legislation concerning the access to information Action 2: Training workshops and visits to the regions	X	X	X	X	Supreme Court; Ministry of Information and Culture; Ministry of Justice; Agency for informatization and communications; CSOs; local municipalities	British Embassy	71300 Local consultants	5,000
								72100 Contractual services	6,000
								71600 Travel	3,000
								74500 Miscellaneous Expenses	1,158.3
								75100 F&A	1,061.7
								Subtotal	16,220
Output 2 Improved access to justice for all, with emphasis on vulnerable groups <i>Indicator: Availability of new technologies to record court proceedings</i> <i>Baseline: Annually, 30% of court decisions are published and are publicly available in internet or official publications</i> <i>Target: New technologies to record court proceedings are launched in pilot courts</i>	B. Activity Result Training on international standards of access to justice and public advocacy campaign Action 1: Development and publication of materials on access to justice Action 2: Workshops and trainings for court officials Action 3: Advocacy campaign (distribution of materials, audio-visual materials)	X	X	X	X	Supreme Court, Ministry of Justice, local municipalities	UNDP	71300 Local consultants	3,000
								71600 Travel	8,000
								72100 Contractual services-Companies	15,000
								74500 Miscellaneous Expenses	2,700
								Subtotal	28,700
	C. Activity Result Effective project management	X	X	X	X	UNDP	UNDP	71400 Project Manager	26,500
								72500 Supplies	1,300
								74500 Miscellaneous Expenses	3,000
								Subtotal	30,800
									75,720
TOTAL									

III. MANAGEMENT ARRANGEMENTS



The project will be nationally executed with the Supreme Court acting as an Implementing Partner. The Supreme Court is a key governmental agency responsible for ensuring access to justice in Kazakhstan. The project is a response to the needs of the Supreme Court identified through joint meetings and discussions. The Supreme Court has adequate capacity in terms of expertise as well as the authority to further roll out activities that were piloted through the project.

The implementing partner is leading in project implementation and has ownership of project results. UNDP Kazakhstan will provide support services and will assist in monitoring and evaluation (as per the Annex 1 in accordance with UNDP rules and procedures). UNDP is also responsible for financial and program reporting to the British Embassy in Kazakhstan and DGTF.

For effective implementation the project structure requires the following roles/focal points:

- Project Board;
- Project Assurance;
- Project Manager.

Project Board:

The Project Board is responsible for making management decisions for the project and providing guidance to the Project Manager in case of significant deviations in the delivery of project outputs from established time and budget limits. During the running of the project the Project Board will meet at least twice a year to assess the project's progress against planned outputs, give strategic directions to the implementation of the project and identify any corrective action to be taken, and to assess how well the outputs were achieved.

The Project board includes representatives of the:

- Executive – Supreme Court, UNDP
- Senior Supplier – UNDP, British Embassy
- Senior Beneficiary – Supreme Court, CSO representative (i.e. Institute for Parliamentary Development)

The role of Project Assurance. including project oversight and monitoring functions, is assumed by the Project Board, while UNDP Governance Team carries out daily project oversight and monitoring functions.

Project Manager: To support the Implementing Partner in the project realisation, a Project Manager and Project Assistant (under UNV modality) will be hired. The Terms of Reference are attached as Annex 3 and 4. 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 outputs specified in the project document, to the required standard of quality and within the specified constraints of time and cost, in which regard the tolerance levels will be 3 weeks deviation in implementation of project activities and up to 10% beyond the approved project budget amount.

Partnership Information:

Organization: United Nations Development Program in Kazakhstan
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Web site: www.undp.kz

UNDP Focal Point: Ms. Ainur Baimyrza
Position: UNDP Programme Analyst
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Organization: the Supreme Court
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Phone: +7 7172 747703,
Fax: +7 7172 74 78 81

Name of the person responsible for Implementation of the Project: Ms. Gulnara Khuanova (Annex 2)
Position: Head of International Affairs Department
Phone/Fax: +7 7172 747539

IV. MONITORING FRAMEWORK AND EVALUATION

In accordance with the programming policies and procedures outlined in the UNDP User Guide, the project will be monitored through the following:

Within the annual cycle

- On a quarterly basis, a quality assessment shall record progress towards the completion of key results, based on quality criteria and methods captured in the Quality Management table below.
- An Issue Log shall be activated in Atlas and updated by the Project Manager to facilitate tracking and resolution of potential problems or requests for change.
- Based on the initial risk analysis submitted (see annex 5), a risk log shall be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation.
- Based on the above information recorded in Atlas, a Quarterly Progress Reports (QPR) shall be submitted by the Project Manager to the Project Board through Project Assurance, using the standard report format available in the Executive Snapshot.
- a project Lesson-learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project
- a Monitoring Schedule Plan shall be activated in Atlas and updated to track key management actions/events

Annually

- **Annual Review Report.** An Annual Review Report shall be prepared by the Project Manager and shared with the Project Board and the Outcome Board. As minimum requirement, the Annual Review Report shall consist of the Atlas standard format for the QPR covering the whole year with updated information for each above element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level.
- **Annual Project Review.** Based on the above report, an annual project review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. This review is driven by the Project Board and may involve other stakeholders as required. It shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes.

Quality Management for Project Activity Results

OUTPUT 1: Improved access to information for all, with emphasis on vulnerable groups		
A. Activity Result	<i>Development and piloting training course</i>	Mar – Dec 2009 Jan-Dec 2010
Purpose	Main stakeholders are familiar with international experience of informational access policies	
Description	<ul style="list-style-type: none"> - Needs assessment research - Planning workshop - Training course development 	
Quality Criteria	Quality Method	Date of Assessment
Participation of all stakeholders in the review of legislation	Questionnaires, reviews, inquiries, information reviews on the projects on access to information of the international relations	Mar – Dec 2009
Draft legislation reflects best international practices	Questionnaires, Information on round tables, seminars on discussion of the recommendations, publications in mass media, reports on mission to regions	Mar – Dec 2009
B. Activity Result	Awareness raising	Jan –Dec 2009 Jan –Dec 2010
Purpose	Citizens, in particular, vulnerable groups are more knowledgeable about their rights to Information	
Description	<ul style="list-style-type: none"> - Development of materials - Advocacy campaign 	
Quality Criteria	Quality Method	Date of Assessment
Number of people aware of their right to information	Reviews, questionnaires	Jan –Dec 2009 Jan –Dec 2010
C. Activity Result	Legislation review and drafting	Jan –Dec 2009 Jan –Dec 2010 Jan –Dec 2011
Purpose	Public institutions are supported in drafting legislation on access to information	
Description	<ul style="list-style-type: none"> - Legislation review - Workshop and visits to the regions - Publication and trainings 	
Quality Criteria	Quality Method	Date of Assessment
Report on the legislative review	Peer review, public discussions	April –Dec 2009 Jan –Dec 2010 Jan –Mar1 2011

Draft legislation reflects best international practices	Questionnaires, round tables, discussion of the recommendations, publications in mass media, reports on mission to regions	Information on seminars on	Mar – Dec 2009
D. Activity Result	Use of information access points and mobile technologies		Jan –Dec 2010
Purpose	Public institutions are more effective in supplying the information and use of information access points and mobile technologies		
Description	<ul style="list-style-type: none"> - Discussion of the law on access to information - Piloting use of mobile technologies as information access points - Training and workshops 		
Quality Criteria	Quality Method	Date of Assessment	
Use of mobile technologies as information access points	survey of stakeholders, number of access points	Jan –Dec 2010	
Feedback from participants	Training evaluations, number of participants	Jan – Dec 2010	

OUTPUT 2: Improved access to justice for all with emphasis on vulnerable groups

A. Activity Result	Piloting	Mar –Dec 2009
Purpose	Piloting of new technologies of recording court proceedings in the pilot courts of Kazakhstan	
Description	Determining pilot courts, holding activities for the public and courts, training and monitoring	
Quality Criteria	Quality Method	Date of Assessment
Technologies compatible and working	Equipment established, software entered, some improvements made to existing information tools (web-site, data bases)	Mar –Dec 2009
B. Activity Result	Awareness raising	Jan –Dec 2010 Jan –Dec 2011
Purpose	Trainings and events based on report findings with both government officials and representatives of vulnerable groups	
Description	Holding the awareness raising events, trainings based on report findings with both government officials and representatives of vulnerable groups	
Quality Criteria	Quality Method	Date of Assessment
Feedback from participants	evaluation forms, press reporting	Jan –Dec 2010 Jan –Dec 2011

C. Activity Result	Effective Project Management		Mar – Dec 2009
			Jan – Dec 2010
			Jan – Dec 2011
Purpose	To effectively manage and implement project		
Description			
Quality Criteria	Quality Method	Date of Assessment	
Timely implementation of activities	Assessment by the Project Board and UNDP staff	Mar – Dec 2009 Jan – Dec 2010 Jan – Dec 2011	

V. LEGAL CONTEXT

This document together with the CPAP signed by the Government and UNDP which is incorporated by reference constitute together a Project Document as referred to in the SBAA and all CPAP provisions apply to this document.

Consistent with the Article III of the Standard Basic Assistance Agreement, the responsibility for the safety and security of the implementing partner and its personnel and property, and of UNDP's property in the implementing partner's custody, rests with the implementing partner.

The implementing partner shall:

- a) put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;
- b) assume all risks and liabilities related to the implementing partner's security, and the full implementation of the security plan.

UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of this agreement.

The implementing partner agrees to undertake all reasonable efforts to ensure that none of the UNDP funds received pursuant to the Project Document are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document".

ANNEX 1: UNDP CO Support Services to the Project

ANNEX 2: Terms of Reference of the Project National Director

ANNEX 3: Terms of Reference of the Project Manager

ANNEX 4: Terms of Reference of the Project Assistant

ANNEX 5: Risk Log

ANNEX 1: UNDP Country Office Support Services to be provided to Project

The UNDP country office may provide, at the request of the designated institution, the following support services for the activities of the programme/project:

- (a) Identification and/or recruitment of project and programme personnel;
- (b) Identification and facilitation of training activities;
- (a) Procurement of goods and services;

The procurement of goods and services and the recruitment of project and programme personnel by the UNDP country office shall be in accordance with the UNDP regulations, rules, policies and procedures. Support services described in paragraph 3 above shall be detailed in an annex to the programme support document or project document, in the form provided in the Attachment hereto. If the requirements for support services by the country office change during the life of a programme or project, the annex to the programme support document or project document is revised with the mutual agreement of the UNDP resident representative and the designated institution.

The relevant provisions of the UNDP Standard Basic Assistance Agreement with the Government of Kazakhstan, signed on 5 October 1994, including the provisions on liability and privileges and immunities, shall apply to the provision of such support services. The Government shall retain overall responsibility for the nationally managed programme or project through its designated institution. The responsibility of the UNDP country office for the provision of the support services described herein shall be limited to the provision of such support services detailed in the annex to the programme support document or project document.

Any claim or dispute arising under or in connection with the provision of support services by the UNDP country office in accordance with this letter shall be handled pursuant to the relevant provisions of the SBAA.

The UNDP country office shall submit progress reports on the support services provided and shall report on the costs reimbursed in providing such services, as may be required.

ANNEX 2: Terms of Reference

National Project Director

National Programme Director is a staff member of the executing agency. His/her main responsibility is to facilitate co-ordination of project activities among the main counterparts, namely, UNDP, national and international project counterparts. He/she works in close collaboration with the executing, Projects Coordinator and Development Centre.

The main duties are as follows:

- Maintains close contacts with Project Manager and UNDP to ensure smooth implementation of the project;
- Takes part in preparation of annual projects work plan;
- Takes part in preparation/discussion of project revisions requiring Government's approval;
- Establishes networks/linkages with other externally and nationally-funded projects active in the same field;
- Provide support to the project personnel to ensure effective management of the project in the areas of recruitment, sub-contracting, procurement and training.
- Takes part in elaboration of terms of references for projects experts, consultants and sub-contractors as well as agenda for training activities;
- Ensures that the Annual Progress Report, Terminal Report, Evaluation Reports specified in the Monitoring and Evaluation Section of the project documents are prepared on time; and Technical Reports by project experts/consultants are available for UNDP and other parties concerned;

ANNEX 3: Terms of Reference

Job Code Title: Project Manager

Grade: SB-3

Supervisor: Head of Unit, Governance and Local Development Programme Team

Duty station: Astana, Kazakhstan

Duration of employment: February 2009 – December 2011

The Project Manager has overall responsibility for project management with the support of the project assistant.

Core duties include:

- Project and financial management
- Support to resource mobilization
- Advocacy and Co-ordination

1. *Function / Expected Results*

Project and Financial Management:

- Prepare and update work plans and budgets;
- Manage the work of local consultants and conduct performance reviews in accordance with UNDP rules, regulations and procedures;
- Manage financial allocations, ensure timely payments in accordance with UNDP rules, regulations and procedures; generate Atlas reports, including combined delivery reports
- Prepare procurement plans and oversee procurement and logistics for project implementation;
- Monitor and analyze the project environment and progress, using applicable M&E and risk management tools where relevant, and advise on timely readjustments of strategies and corrective actions as necessary;
- Produce periodical annual project progress reports and financial reports for the Project Board and donors;
- Provide regular reports on the project progress issues to the Programme Analyst/Portfolio Manager;
- Comply with security and safety requirements and regulations and ensure the same are respected by all local consultants;
- Work closely with other UNDP local governance initiatives to ensure that the project is contributing effectively to overall performance of the UNDP Governance Cluster.

2. *Function / Expected Results*

Support to resource mobilization:

- Establish and further develop contacts and cooperation with the relevant UN Agencies, government institutions, bi-lateral and multi-lateral donors, private sector, civil society in the area of human rights based on strategic goals of UNDP, country needs and donors' priorities;
- Seek information on donors and share information on opportunities for resource mobilization with the Portfolio Manager

3. *Function / Expected Results*

Advocacy and Co-ordination:

- Encourage full participation of all the stakeholders in order to promote empowerment and ownership of national counterparts;
- Ensure regular communication and coordination with project donors and partners and develop and maintain effective mechanisms for integrating and responding to their feedback and insights;
- Play an active advisory role on human rights within the UNDP governance team and in other settings as required

Recruitment Qualifications

Education:

- An advanced university degree (masters or equivalent) in social sciences, public administration or related field.

Experience:

- At least 5 years of substantive experience working on or directly related to project/ programme management and development;
- Proven record of theoretical knowledge and practical experience in the area of human rights
- Proven communication and advocacy skills, and ability to work in an environment requiring liaison and collaboration with multiple actors including government representatives, donors and other stakeholders;
- Maturity, excellent inter-personal, negotiation and team leading skills required;
- Ability to work to tight deadlines and to handle multiple concurrent project components;
- Good computer skills (especially Microsoft office applications) and ability to use information technology as a tool and resource.

Language Requirements:

- Fluency in Russian and English with proven drafting and presentation skills;
- Knowledge of Kazakh is an asset.

ANNEX 4: Terms of Reference

Post: Project Assistant

Duty station: Astana

Period: March 2009 –December 2010

Type of contract: UNV

Responsibilities:

The Project Assistant, recruited locally, will be responsible for daily operational work, in particular administrative support. The Project Assistant works under direct supervision of the Project Manager.

Concrete duties are the following:

- a) Maintain files and assist in the preparation of the project documentation;
- b) Assist in organization of Project Board meetings;
- c) Assist in preparation of the periodic project reports;
- d) Coordinate and assist in making travel arrangements for consultants working in the project;
- e) Assist in organizing meetings related to the project activities;
- f) Liaise with all the Project related entities;
- g) Perform other duties as may be required.

Requirements:

- a) University Degree in Business or Public Administration, Economics, Political Sciences and Social Sciences would be desirable, but it is not a requirement;
- b) Work experience in administrative/financial functions;
- c) Experience of work in the projects, funded by international organization would be advantageous;
- d) Experience in the usage of computers and office software packages (MS Word, Excel, etc) and knowledge of spreadsheet and database packages;
- e) Fluency in Kazakh and Russian, including good drafting skills
- f) Good knowledge of English is desirable

ANNEX 5: OFFLINE RISK LOG

Project Title: Transparency and access to information and justice in Kazakhstan	Award ID:	Date:
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#	Description	Date Identified	Type	Impact & Probability	Countermeasures / Mngt response	Owner	Submitted, updated by	Last Update	Status
1	Political changes in the government. Appointment of the new Chairman of the Supreme Court	February 2009	Political	P = 3 I = 3	Since the project implementation is based on multi-partner cooperation, the focus will be shift to other partner	Project Manager	Project Manager		
2	Change of project management may cause the delay of project implementation and achievement of results	February 2009	Organizational	P = 1 I = 3	Hiring new project personnel	Programme Manager	Project Manager		
3	Exchange rate fluctuations/ inflation	February 2009	Financial	P = 5 I = 5	Reduce number of activities Additional resource mobilisation	Project Manager	Project Manager		