**PROJECT PROPOSAL FORM**

*For projects over £80k*

\* To be completed by the Post

|  |  |  |
| --- | --- | --- |
| **Project Title** | Deepening Accountability in Rule of Law Implementation in the Kyrgyz Republic | |
|  | | |
| **Which Programme is the funding being sought from \***  *Insert fund name* | International Programme – Russia Neighbourhood | |
| **Project Code \***  *To be added once the Project has been approved and the code is provided by the Programme Team* | N/A | |
| **Is the Project ODA eligible \*** Yes/No | Yes | |
| **ODA Codes \***  *To be added by Post from ODA Input Sector and Delivery Channel codes (links opposite) in the* [*ODA Programme Data Entry SharePoint site*](http://ubs.sharepoint.fco.gov.uk/sites/finance/strategicfinance/oda/programme_data/_layouts/viewlsts.aspx?BaseType=0) | [ODA Input Sector Code](http://ubs.sharepoint.fco.gov.uk/sites/finance/strategicfinance/oda/programme_data/Lists/Input%20Sectors/Input%20Sector%20Reference.aspx) | 15130 Legal and judicial development |
| [ODA Channel of Delivery Code](http://ubs.sharepoint.fco.gov.uk/sites/finance/strategicfinance/oda/programme_data/Lists/Channel%20of%20Delivery/AllItems.aspx) | 41114 United Nations Development Programme |
|  | |

**Part A: To be completed by the Project Implementer**

|  |  |
| --- | --- |
| **Project Title** | Phase II of Deepening Accountability in Rule of Law Implementation in the Kyrgyz Republic (July 2019-March 2020) |
| **Purpose**  *This must be NO MORE than one sentence, clearly setting out the “change” to be delivered* | Advancing a more inclusive implementation of legal and justice sector reform to promote public engagement and addressSexual and Gender-Based Violence(SGBV)including child marriage |
| **Context and Need for the Project**  *In no more than 200 words, provide the background to the issue this project will change, what the expected final Outcome will be, and (where applicable) why the UK should fund this project* | Over the past eight years, the Kyrgyz Republic has embarked on an ambitious legal and justice reform agenda, pursuing a general policy of depenalization and promoting a more humane, accessible and accountable criminal justice system. An Expert Working Group (EWG) has been established in 2018 under the Office of the President to guide the legal reform process and support its effective implementation, while eight bills, including a new Criminal Code, Penal Code and a Criminal Procedure Code, have entered into force in 2019. The country has also recorded significant progress to address SGBV and VAW, including the enactment of the 2016 amendments to criminal and family laws [aimed at curbing child and forced marriage](https://www.hrw.org/news/2017/05/10/kyrgyzstan-new-domestic-violence-law), the Law on the Prevention and Protection against Family Violence (2017), the [Code of Misdemeanors](http://cbd.minjust.gov.kg/act/view/ru-ru/111529?cl=ru-ru) (2019) criminalizing domestic violence and the National Action Plan on the Implementation of UNSC RES 1325 (2018-2020). Whilst new legal and policy provisions are now in place, enforcement is weak, and the ongoing reform is fragile, poorly monitored, and undermined by inconsistent judicial practices, low level of public awareness, civic engagement and women’s participation and increased public distrust and criticism[[1]](#footnote-1). In particular, albeit national estimates indicate that about 30 per cent of women have experienced either physical and/or sexual intimate partner violence in their lifetime[[2]](#footnote-2), implementation of the Family Violence Law is still lagging behind[[3]](#footnote-3) and incidents of SGBV, including child marriage, are rarely prosecuted and/or where investigated, thus resulting in inadequate enforcement of protection orders in cases of domestic abuses and concerning low rates of conviction[[4]](#footnote-4). |
| **Short Project Summary**  *In no more than 200 words explain what the project plans to achieve and how (setting out how the Outputs will deliver the Purpose/Objective, and how the activities will deliver each relevant Output), and what difference will it make on the ground over the next few years?*  This question will be looked at again during any Evaluation of this project, and when an Impact Report is done. The success of the project will largely be judged on what is said here | Capitalizing on results and lessons learned of UK-supported Phase I (July 2018-March 2019), at outcome level the project intends to promote a more inclusive, gender-responsive and monitored national criminal justice reform and SGBV agenda, strengthening implementation mechanisms, public engagement and access to legal information. Designed around achieving the following two outputs: 1) Increased national progress towards implementing domestic legislation and policies on SGBV, including child marriage and 2) Improved public monitoring of criminal justice reform and access to information on justice sector progress, the project intends: 1) to boost a more effective, gender-responsive and ‘driven by the public interest’ implementation of adopted criminal codes and VAW laws; 2) to foster increased women’s participation and engagement in VAW decision-making and policy processes; 3) to provide pro-bono services for women and survivors of SGBV, including child marriage, in a manner that is sensitive and responsive to their needs and rights and consolidate their legal empowerment. As a result of the above, the project assumes that ultimately 1) more sustainable policy development mechanisms will be established to continue to further the effective translation of international standards related to due process of law and violence against women and girls into the national context of the criminal justice sector; 2) public trust and confidence in the ongoing national justice reform will increase. |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Cost**  *What is the* ***TOTAL*** *cost of the Project*  *Please detail the cost to the FCO and, if relevant the cost to co-funders*  *If relevant, please provide costs for future Financial years. Please note, the cannot guarantee funding for future years*  *Project funds are paid quarterly in arrears.* | **FY 19/20** | **£116,000** | | |
| *Cost to FCO* | *£116,000* | *Cost to Co-funders* | *£* |
| **Co-Funding**  *Has funding for this project been sought from other donors (EU, DfID, other countries), Private institutions or the host government?*  If Yes, please provide details including source and amount. If No, why not, and were options for doing so explored? | **Yes** (Establishment of pro-bono mechanisms for survivors of SGBV)  In July 2019, UNDP is expected to start a new project funded by the United States of America Bureau of International Narcotics and Law Enforcement Affairs (INL) for a total amount of 400,000 USD (July 2019-June 2021) to support a more coordinated and sustainable implementation of the ongoing justice sector reform. While the INL-funded initiative will focus on strategic development of capacities of duty bearers, including government institutions and criminal justice practitioners, Output 2 of the proposed UK-funded project will pursue a bottom-up approach by engaging civil society in reform’s monitoring and strengthening public access to legal information; therefore, the two projects will boost different components of the current national reform agenda of the legal sector.  In relation to the establishment of a pro-bono mechanism, Phase II will co-fund a recently started UNDP-sponsored initiative, i.e. the establishment and operationalization of a pilot comprehensive pro-bono mechanism involving a broader network of private sector in Bishkek to provide multi-disciplinary response to survivors of SGBV; with UK-funding at least additional 15 cases will be assisted by the network. Moreover, UK funding will strengthen the network’s activities, develop the sustainability plan and support VAW cases. | | | |
| **Timing** | Planned start date: | 1 July 2019 | Planned completion  date: | 31 March 2020 |
| **PLEASE ATTACH A FULL ACTIVITY BASED BUDGET (in Excel). Proposals without an activity based budget will not be considered**  The Activity Based Budget must match the activities and timings set out below | | | | |
| **Will the Implementing Partner** be sub-contracting any other agencies to carry out elements of the project activities? If Yes, please provide details  *Good procurement procedures must be followed – please refer to Annex C of the FCO Grant Contract* | **Yes**  The project will be executed by UNDP in line with Direct Implementation Modality (DIM) and under the framework of the Accountable Institutions, Justice and Peace Outcome of the UNDP Country Project Document 2018-2022. The establishment of multi-stakeholder partnership will be a strategic *modus operandi* of the project*,* from the inception phase throughout the implementation of all the activities. The project will partner with the following relevant stakeholders who work at the forefront of developing, implementing and/or executing policies and legislation related to SGBV, as well as national institutions, which are provided with clear mandate and responsibilities under the ongoing justice and legal reform as they guide, oversee and coordinate the implementation of the criminal justice agenda, provide public information in the sector and/or support professional development of justice practitioners: Office of the President; Office of the Prime Minister; Expert Working Group of the President’s Office; Coordination Council of the Prime Minister’s Office; Ministry of Justice; Jogorku Kenesh; Forum of Women MPs; Ministry of Labour and Social Development; Prosecutor General's Office. UNDP intends also to work in close partnership with civil society organizations, women’s organizations, as well as representatives from the private sector, striving to strengthen public interface and coordination with relevant state institutions, increase public legal awareness and foster a more effective civic monitoring of the justice reform, as well as provide services for survivors of SGBV. Depending on the developed annual implementation work-plans and consistent with UNDP’s Programme and Operations Policies and Procedures, UNDP Social and Environmental Standards (http://www.undp.org/ses) and related Accountability Mechanism (<http://www.undp.org/secu-srm>), the project will sub-contract  CSOs as Implementing Partners (IPs) through competitive and transparent processes and in accordance with the UN Harmonized Approach to Cash Transfers (HACT). | | | |
|  |  | | | |

|  |  |
| --- | --- |
| **Implementing Agency**  *Name; Address; Telephone Numbers; Email; Website* | United Nations Development Programme  160 Chuy Ave., Bishkek, Kyrgyzstan  720040  Tel: - 996 312 611 213  [Registry.kg@undp.org](mailto:Registry.kg@undp.org)  [www.undp.kg](http://www.undp.kg) |
| **Country or countries covered** | The Kyrgyz Republic |
| **Have you bid for funding from the FCO in the past three years?**  *Please provide details of any bids made and/or projects implemented* | UNDP has partnered with FCO to implement the following projects:   1. Increasing resilience to marginalisation among women and girls in Kyrgyzstan through effective implementation of the country’s gender commitments ***<<GBP70,000; April 2018 – March 2019>>*;** 2. Promoting democracy and stability in Kyrgyzstan through an improved legal implementation mechanism ***<<GBP200,000; June 2017 – March 2018>>;*** 3. Enhancing Rule of Law in the Kyrgyz Republic for Improved Security and Stability ***<<GBP750,000; May 2016 – October 2017>>;*** 4. Rule of Law project including Combatting Early Marriages, Bride-Kidnapping and GBV in Kyrgyzstan ***<<GBP555,611; April 2015 – March 2016>>;*** 5. Deepening accountability in rule of law implementation in the Kyrgyz Republic, Phase I ***<<GBP247,500; July 2018 – March 2019>>.*** |
|  | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Project Plan**  Based on the information provided in the Summary, use the table below to set out the Purpose, Outputs and Activities to be delivered. Give the Indicator(s) for the Purpose and each Output, along with the Baseline information, what the target to be reached is, and when it will be delivered by, along with milestones (checkpoints) at which progress will be measured.  This will allow you to monitor and measure progress throughout the Project, and provide clear evidence of the Project’s success  *Indicator = what will be measured (eg the number of people who will be trained; the increase in positive perceptions of an issue)*  *Baseline = the current status (eg no training exists; current perceptions are x% positive)*  *Sources = where will the information on the baseline data and targets come from (eg data from research carried out by the implementer; open source data)*  *Milestones = the key points at which progress will be tracked (can be specific dates/events or the regular quarterly reports – but provide indicative dates for the latter)*  *Target = what the project will deliver (eg 100 people trained; 50% increase in positive perceptions)*  *Date = the date by which it will be delivered* | | | | |
| **Purpose/Objective: Advancing a more inclusive implementation of legal and justice sector reform to promote public engagement and address Sexual and Gender-Based Violence (SGBV) including child marriage** | | | | |
| Indicator(s) | Baseline | Sources | Milestones | Target & Date |
| Increased % of public satisfaction with performance of criminal justice and other relevant rule of law institutions | - IRI 2018: Police: 48% (negative); Courts: 37% (negative)  -2017/18, WJP Rule of Law Index: 0.47 | -Media outlets  -IRI Public Opinion Survey  -[Rule of Law Index](http://worldjusticeproject.org/rule-of-law-index) Report/ World Justice Project (WJP)  -Project progress reports | -Media and other official statistics show some progress in trust & confidence of people towards justice sector reform  -Public legal information campaign carried out by Government | -IRI: 7 % improvement from March 2018-March 2020  -2019/20, WJP Rule of Law Index: 0.48 |
| Parliamentary mechanism established to oversee policies, actions and cases related to SGBV in the country | - No institutional mechanisms established yet as per the Law on Preventing Domestic Violence | -UNDP progress report  -The Law on preventing domestic violence, the Criminal Code | - Forum of Women MPs support technical discussions  - Draft TOR for focal point at Committee level developed  - Special measures on SGBV are developed by the Parliament | -The parliamentary mechanism and the special measures are endorsed by the Parliament |
| **Output 1: Increased national progress towards implementing domestic legislation and policies on SGBV, including child marriage** | | | | |
| Indicator(s) | Baseline | Sources | Milestones | Target & Date |
| # of working meetings conducted by the Parliament to establish a focal point/focal committee on SGBV at parliamentary level | No specific Committee or authorized parliamentary body focuses on SGBV issues | UNDP progress reports | - At least three meetings held  - Terms of Reference for the focal point/focal committee is developed and endorsed by the Parliament | Appointment of SGBV focal person/committee at selected Parliament Committee by March 2020 |
| # of policy documents adopted by the Parliament to implement the Law on Family Violence including the Law on Prevention of Child Marriage | -No special measures on SGBV  -2nd NAP to implement the Law on Prevention of Child Marriage is in the process of development | UNDP progress reports; | -Special measures in line with the international practice as an urgent inter-agency mechanism of prevention, protection and prosecution  - At least three coordination meetings held with Forum of Women MPs to implement the Law on Family Violence including the Law on Prevention of Child Marriage | Special measures on SGBV, including measures to prevent child marriage, developed by the Parliament by March 2020 |
| Activities linked to Output 1 | * 1. Provide technical expertise to support the establishment of authorized body in the Parliament to oversee implementation of 2017 Family Violence Law including the Law on Child Marriage;   2. Working meetings of Forum of Women MPs to address and endorse special measures on SGBV and child marriage and provide technical expertise to develop special measures. | | | |
| **Output 2: Improved public monitoring of criminal justice reform, access to information on justice sector progress and capacity building of law enforcement** | | | | |
| Indicator(s) | Baseline | Sources | Milestones | Target & Date |
| # of public information actions held to educate the public on legal and judicial reform | -Draft public information strategy developed by EWG  - Between January and March 2019, EWG started implementation of awareness campaign as per Communication Report attached to Final Report of Phase I submitted by UNDP to UK | Office of the President; Office of the Prime Minister; Press Services; CSOs | -Consolidated Press Services’ public information strategy developed  -5 meetings of Press Services of Ministries with EWG; at least 3 radio interviews; infographic document developed; at least 5 videos developed and broadcast; to raise legal awareness on justice reform | Implementation of Press Service’s public information strategy developed started (March 2020) |
| # of additional cases on SGBV and child marriage cases covered by Pro-Bono mechanism | -25 cases supported by pro-bono lawyers in 2017  -20 cases to be supported by pro-bono lawyers, medical workers and employers in 2019 by UNDP project | UNDP progress reports | -Network of Pro-Bono support services from the private sector established  -Quarterly meetings with the Pro-Bono network held under the lead of women’s organizations  - Monthly support pro-bono service providers to follow-up cases of SGBV | At least 15 additional cases of SGBV, including child marriages, are supported by March 2020 with legal, employment, medical and other private sector interventions |
| # of studies on prosecutor’s practice related to SGBV cases, including cases of child marriage conducted | -No analysis conducted on practices of prosecutors related to VAW cases, including child marriage  - Of 7,178 family violence cases registered in 2018, only 369 serious criminal cases were initiated (approx 5 %) | Office of the Prosecutor General; Ministry of Interior | -Development of study’s methodology, recruitment of legal and SGBV expert  -Conference on the results of the study | One study conducted on prosecutorial practices related to SGBV and reasons for low conviction rates with elaborated recommendations |
| # of trainings provided to police and prosecutors on SGBV and child marriage as per the new criminal provisions | -1 manual is developed on SGBV legislation and child marriage for police officers  -4 on-line trainings for police, lawyers, prosecutors, judges are developed but not tested yet  -No police officers and prosecutors have been trained on new criminal provisions related to SGBV and child marriage | UNDP progress reports | -Training manual on SGBV cases and cases of child marriage follow up for prosecutors developed  -On-line training tested and institutionalized with further mandatory introduction to curriculum | At least 100 police officers and prosecutors are trained by March 2020 with at least 80% of people trained highlighting increased knowledge in pre-test and post-test trials |
| Activities linked to Output 2 | 2.1 Coordination meetings of Expert Working Group with CSOs for development of public legal awareness and increased public monitoring and support Press Services to develop and implement public information and awareness strategy on criminal justice sector reform;  2.2 Support to continue piloting pro-bono mechanisms for survivors of SGBV;  2.3 Study within Bishkek on prosecutorial practices related to SGBV and reasons for low conviction rates;  2.4 Training on SGBV legislation for police officers and prosecutors. | | | |
|  | | | | |
| **Sustainability**  *How will the project ensure benefits are sustained once the project funding ends?* | The project’s strategy is fully anchored on the national development priorities of the criminal justice sector as outlined by the Development Program of the Kyrgyz Republic for the period 2018-2022, « Unity. Trust. Creation » approved by the Decree Jogorku Kenesh of the Kyrgyz Republic (April 20, 2018 No. 2377-VI). It also responds to the Presidential Decree "On measures to improve justice in the Kyrgyz Republic" (August 8, 2012 No. 147) and the subsequent actions plans endorsed by the government to promote effective implementation of the criminal justice reform agenda. Extensive consultations with primary institutional beneficiaries and civil society stakeholders have been undertaken, capitalizing on UNDP’s existing partnerships with with the Executive, Parliament, gender machineries and rule of law stakeholders, to inform the project appraisal phase and to provide preliminary and indicative recommendations about sustainability strategies.  In order to ensure sustainability, the project intends to promote progress in different substantive areas, encompassing policy and institutional reforms, supporting legislative implementation and legal empowerment, as well as increased civic engagement and public access to information. At the policy level, the project is expected to:   * engage relevant government and national actors, including the Parliament, working at the forefront of developing and executing policies and legislation, fostering more effective implementation of the country’s normative framework, particularly as it relates to the criminal justice sector and SGBV; * strengthen coordination and linkages between state’s agencies, line ministries and civil society, promoting increased access to legal information among the general public. This is expected to further national ownership and coherence, binding together government and civil society in an overall programme of reform and thus enhancing the sustainability of improvements.   Despite these efforts, the sustainability of the legal reform will be influenced by a number of factors, some of which are beyond the direct control of UNDP, such as the state’s fiscal situation and national budget allocation, the slow policy-making process of the country, political commitment and other variables. By acknowledging the risk that lack of incentives are too strong to support institutional commitment and may lead to stakeholders’ backsliding, UNDP will also actively strive to influence the pace of adoption of improved justice reform-related actions, strategies and frameworks and orient national authorities towards consolidating stronger measures to ensure national ownership and commitment to sustain the reform in the long-term. The project’s bottom up aspect – ensuring higher levels of civic participation & a climate of continuous public engagement to sustain effective justice policies and solutions which are inclusive and driven by the public interest – will position organizations closely representing rights holders, including CSOs, to pressure for increased state’s accountability and the continuation of policies and legislation that meet the project’s overall goal of promoting a more inclusive and responsive implementation of the ongoing criminal justice reform and SGBV agenda after the project itself has wound down. | | | |
|  | | | | |
| **Monitoring**  *Please note that the Grant Contract specifies the need for (at least) quarterly reporting on progress and finances* | In accordance with UNDP’s programming policies and procedures, the project will be monitored through the following monitoring and evaluation plan:   * **Track results progress –** Quarterly progress data against the results indicators in the Project Plan and the UNDP annual work-plan and M&E framework will be collected and analysed to assess the progress of the project in achieving the agreed outputs; * **Monitor and Manage Risk -** Identify specific risks that may threaten achievement of intended results. In this regard, a specific risk log will be developed and updated on regular basis; * **Regular learning** – The p[ublic legal information campaign aims at increasing access to legal information and knowledge among the general public. Good practices, lessons and data analysis will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project, including official and administrative data on performance of criminal justice sector; * **Project Quality Assurance -** The quality of the project will be assessed against UNDP’s quality standards to inform management decision making for improvement. The CTA on Rule of Law and Access to Justice, together with the Rule of Law Coordinator, the Gender Specialist and the M&E officer, will ensure technical advice, coherence and strategic guidance, as well as support quality implementation and proper M&E; * **Project Report –** Quarterly progress and financial reports will be submitted to UK. A comprehensive progress report will be presented to the Project Board and key stakeholders, consisting of progress data showing the results achieved against pre-defined annual targets at the output level, the annual project quality rating summary, an updated risk long with mitigation measures, and any review reports prepared over the period; * **Project Review (Project Board) -** The project’s governance mechanism, the Project Board, will hold an annual project review to assess the performance of the project and review the Annual Work Plan to ensure realistic budgeting over the life of the project. In the project’s final year, the Project Board shall hold an end-of project review to capture lessons learned and discuss opportunities for scaling up and to socialize project results and lessons learned with relevant audiences. | | | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Risks**  *What are the key risks in implementing this project and how are you going to manage them*  *Add more lines as required*  *Larger/higher value projects will require a full Risk Management Strategy. You should consider whether one is needed for this project.*  *You should also think here about when risks should be escalated* | **Risk** | **Impact** Low/  Medium/ High | **Like-lihood**  L/M/H | **Management**  *How will the risk be managed and monitored, what are the mitigating actions, and who is the risk owner* | **Escalation Point**  *At what stage will the management of this risk need to be escalated* |
| Lack of political will and limited resources allocated in justice sector prevent the long-term and sustainable implementation of reform | **High** | **Medium** | Though it is not a direct objective of the project, UNDP intends to advocate with the EWG for the development of a justice sector reform strategy, including also a costed analysis of short, medium and long-term priorities, to assist the government in improving strategic planning and proper resource allocation to the implementation of the reform. The project will work closely with the OP, OPM, EWG and all partners to regularly advocate for adequate budget allocation to the justice sector and to support sustainable legal frameworks. | The project will monitor and manage risks on a regular basis. The risk log will be updated as appropriate and at least on quarterly basis and included in quarterly reports. In addition, the Project Board is also expected to address the project risks and follow up on relevant actions as recommended during its meetings. |
| Lack of political will in the Parliament to introduce special measures on VAW | **High** | **Medium** | The project will cooperate with the UN Gender Theme Group, other UN agencies as well as the UNiTE Women’s Movement in the Kyrgyz Republic to advocate that special measures are introduced. |
| Breakdown of trust between Government and civil society as a result of poor outcomes under the ongoing democratic governance transition and justice sector reform processes | **High** | **Low/**  **Medium** | It is projected that the project will be able to build bridges and enable improved confidence between public and government by establishing regular spaces for civic engagement and public debates on justice issues, as well as increasing public information on legal reform. Eventually, increased participation of civil society in justice-related decision-making is expected to generate more trust in public services. The project will monitor public confidence through national perception surveys. |
| Challenges in cooperation and coordination within state and justice institutions and/or between state and public compromise results | **Medium** | **Low** | The project will regularly involve the different state and criminal justice institutions, coordination platforms and the relevant implementing partners, including CSOs, to minimise this risk and ensuring proper collaboration and information sharing and building effective partnership. |
| Legal and criminal justice reform is not translated into more fair, accountable & responsive rule of law institutions and justice system | **High** | **Medium** | The project intends to adopt an holistic approach to justice sector reform, seeking to identify and generate recommendations to address the key challenges of the sector as a whole. This will include advocating for strengthening internal accountability and rule of law, fostering public inclusiveness, promoting dialogue between government and civil society and increased monitoring and public oversight. However, the project alone is not able to address the risk if not sustained by effective political commitment and more public demand for improved performance of government and justice institutions in the reform’s implementation. |
| **Stakeholders**  *Who are the people or groups with an interest in this project and who will be affected by it and/or can influence its success either positively or negatively?*  *How will you manage your engagement with them*  *Add more lines as required*  *Larger/higher value projects will require a full Stakeholder Engagement & Communications Strategy. You should consider whether one is needed for this project.* | **Stakeholders** | **Interest**  L/M/H | **Influence**  L/M/H | **Engagement / Communications plan**  (How to engage, how often and who by/who to) | **Owner** |
| Office of the President | High | Medium | The project will be implemented in strong partnership with national authorities, including the Expert Working Group of the Office of the President, focusing on strengthening justice sector coordination and fostering a more strategic, coordinated, inclusive, responsive, and sustainable implementation of the legal and judicial reform. Monthly meetings will be held with the EWG to assess implementation of annual implementation plans and continue to build political will, including for the development of a long term and sustainable justice reform. | Expert Working Group (OP); UNDP; DPCC on RoL and HRs; Project Board |
| Office of the Prime Minister | High | High | The project will engage on regular basis with the OPM, including the Judicial Coordination Council established to support reform’s implementation and monitoring. Likewise, CSOs will be engaged in the process through increased public monitoring and participation. Government’s Press Services will be supported to design and implement a public information and engagement campaign. | Judicial Coordination Council (OPM); Expert Working Group (OP); CSOs; UNDP; DPCC on RoL and HRs; Project Board |
| Line ministry and justice institutions, including the Ministry of Justice, the Ministry of Internal Affairs, the Prosecutor General | High | High | All major national justice departments and institutions will be engaged during project implementation through established coordination platforms and ad hoc strategic initiatives aimed at promoting the successful implementation of the project. Ad hoc training on SGBV/VAW legislation and new criminal provisions will be conducted for prosecutors and police officers. | UNDP; OPM; Project Board |
| Jogorku Kenesh | High | High | Building upon current UNDP’s engagement with the Parliament, the project will increase interaction with the relevant JK Committees to stimulate debates on the implementation of the VAW legislation and legal reform, as well as promote MP’s understanding on justice sector reform. The project will increase engagement with the Forum of Women MPs as this is the critical body established at Parliament level to address VAW issues through the works of the JK. | UNDP; Jogorku Kenesh; |
| Civil Society Organizations, Universities, private sector, the general public | High | High | The project will bolster the effectiveness of a Civil Society Monitoring Platform to act as an advisory public platform to the EWG and contribute to assess the effective execution of the reform at local level, integrate the views of the rights holders into justice plans and debates and shape policy initiatives in the criminal justice sector which also reflect the public interest. Regular consultations will be held between CSOs, government and national justice institutions, while the public at large, particularly marginalized groups, will be also engaged through public information initiatives. The project will also develop a comprehensive communication plan, including grassroots and media outreach. | UNDP; EWG; CSOs |
| Development Partners | High | High | UNDP is expected to increase interaction between government, CSOs and Development Partners during the implementation of the reform, facilitate assessment of progress and orient national institutions towards a more strategic, coordinated, inclusive, responsive, and sustainable justice sector reform. | UNDP; DPCC on RoL and HRs; EWG |

|  |  |
| --- | --- |
| **Beneficiary Groups**  *Describe the level of participation of beneficiary group(s) in planning the project*  *Does the plan reflect the wishes/needs of the beneficiaries*  *[Beneficiaries are those organisations, groups or individuals who are benefitting from the change that the project will deliver]* | The project has been designed through extensive consultations with relevant departments of the Government, the Expert Working Group under the Office of the President, as well as with representatives from the Jogorku Kenesh, the Forum of Women MPs, the Ministry of Labour and Social Development and the private sector. In addition, Civil Society Organizations have also informed the appraisal stage of the project since 2018.  This commitment to a multi-stakeholder engagement will be infused throughout all aspects of implementation of the project, including through strengthening coordination at all levels, between government institutions, justice working groups, criminal justice actors and also the donor community; through a number of consultation meetings conducted under the guidance of the Forum of Women MPs; through the meetings of the Project Board, comprising the key institutional and civil society implementing partners, who will contribute to navigating any major issues confronting the intervention as it unfolds; through a number of consultations between government institutions which have a clear mandate on criminal justice sector reform and SGBV/VAW, representatives from the Parliament, and civil society; through an increased engagement of civil society organizations in public monitoring and public legal awareness. |
|  |  |
| **Signature of Implementing Agency Lead Contact** | Simone Boneschi, Chief Technical Advisor Rule of Law, United Nations Development Programme (UNDP) |
| **Date** |  |

**Part B: To be completed by Post**

|  |  |  |
| --- | --- | --- |
| **What Programme Objectives** does this project help meet | Programme | International Programme |
| Country Business Plan | Diplomatic Leadership: Democratic progress maintained. Kyrgyzstan more transparent, less corrupt, adhering to fundamental rights and gender equality thanks to UK support through IP, CSSF and DFID programmes supporting Parliament, Good Governance, Rule of Law and effective lobbying and public diplomacy (including with multipliers). |
| Prosperity Fund only: Intermediate outcome from the PF Theory of Change |  |
| **How will this project help to deliver** that Objective | This project will give a boost to the government’s reform efforts and strengthen governance and the rule of law. That in turn will support Kyrgyzstan’s long-term democratic development and its stability. | |

|  |  |  |
| --- | --- | --- |
| **Contact name** and details at Post | Diana Tsoi; Programme Manager  [Diane.tsoi@fco.gov.uk](mailto:Diane.tsoi@fco.gov.uk) | |
|  |  | |
| In addition to the “need for the Project” set out above, **what benefit will the Project deliver for the UK?**  *Please note that if the Project is ODA eligible the primary purpose of the Project must be the development of the host country.* | * Supporting bilateral relationship with the Kyrgyz government. * Demonstrating UK as a committed partner supporting * Kyrgyzstan’s transformation of a parliamentary democracy. * Reducing Security threats; * Conflict and stability by strengthening rules based system and legislation. | |
| **How have lessons learned from previous similar projects** been taken into consideration in the development of this idea | CSSF have been working with UNDP since 2014. Their experience has been positive and they have become a trusted implementer. That has given Post the necessary assurance to continue our co-operation under the Open Futures Programme 2017-18, GBF 2018-19 – Russia Neighbourhood. Current project is Phase II of former GBF project. | |
| **What consideration has been given to an exit strategy** to ensure that the project does not create dependence? Please provide details | Implementer works closely with other donor organisations in the sector. That approach allows to coordinate efforts in supporting the Kyrgyzstan’s government with Rule of Law implementation. Upon exit, there will still be needs in further support, but they will be picked up by other donors in a lesser scale. The coordination group is working to strengthen the efforts, avoid overlapping and ensure sustainability. | |
| **Evaluation**  *Will this project be evaluated?*  *Projects over £500,000 must be evaluated, and this should happen within 6-12 months of the Project Completion Report being submitted to London*  *For Projects between £100,000 and £500,000 please highlight to the Programme Team if you think it would be useful for this Project to be evaluated.* | Yes / No: NO | |
| When: | |
| Yes / No: NO | |
| *Please ensure that a decision is made with the Programme Team and the evaluation is added to the evaluation plan. Funding for Project Evaluations will have to come from the Programme budget* | | |
|  |  | |
| **The Implementer**  *Provide details of any previous work with the Implementing Agency, and relevant background information on financial, reputational, organisational etc issues* | UNDP implemented 6 projects for FCO in Kyrgyzstan since 2015. UNDP has shown a clear management structure and provided all necessary reporting. | |
|  |  | |
| **Cross Cutting Issues**  *What additional impact will the project have on issues such as the environment, diversity and human rights?*  *Please note both positive and negative possible impacts* | | The project development is driven by the beneficiaries’ needs. The implementer takes human rights-based approach in the programming, and addressing gender issues. Most of the activities are specifically targeted at judicial measures in eliminating gender-based violence. |
| **For ODA projects***:* Are you satisfied that the proposed activity is likely to contribute to a reduction in poverty? | | The project is not aimed directly at poverty reduction, but will contribute to strengthening individual and institutional capacities. |
| **For ODA projects***:* Are you satisfied that the proposed activity will promote gender equality? If this is not possible, are you satisfied it will not contribute to further gender inequality? | | Yes Project outcomes will contribute to implementing domestic legislation and policies on SGBV, including child marriage and gender equality and legislative level. |
| **Human rights (HR) assessment**  *For projects in the security and justice sectors:* Have you completed an assessment under the Overseas Security & Justice Assistance Guidance? | | OSJA was completed by CSSF in 16-17 for their UNDP project in this area. We continued the project under Open Futures in 17-18, and now in 18-19 under GBF Russia Neighbourhood. The OSJA is still relevant and the risk remains low. We will continue to review and update it as necessary. |
| Please summarise the results including the key risks and mitigation measures and overall rating | | The risk of human rights violations remains low |
| *For other projects:* Do you consider that there is a serious risk that the assistance might directly or significantly contribute to a violation of human rights and/or IHL? | | If YES what is the risk: |
|  | | |
| **CHECKLIST** | | |
| **Consultancy Value Programme**  *Are consultants being used in the delivery of this Project? If yes, please ensure that you check the requirements within the CVP on Corporate Procurement Group’s Sharepoint site* | | Yes/No Yes |
| **Marketing & Advertising Freeze**  *Will elements of the Project include Marketing or Advertising products and services that are externally procured i.e. will incur cost to FCO. If yes, refer to the guidance on the Comms & Engagement Sharepoint site and complete the necessary clearance forms* | | Yes/No No |
| **TV & Film Production**  *Is the project producing any television programmes or films (including documentaries)? If yes, you must seek approval from the relevant junior minister’s private office.* | | Yes/No No |
| **Advance Payments**  *Will the implementer require payments in advance? If Yes, please complete the Advance Payment request Form (Programme Office’s Sharepoint site) as early as possible. Please note, advance payments will ONLY be made where there is a clear justification* | | Yes/No Yes |
| **Open competition**  *Has the project been part of an open Bidding Round or Tender process? If not you should refer to your programme team in the first instance to make sure you comply with competition requirements.* | | Yes/No No . The project is a continuation of earlier projects with UNDP in this field. |
| **Gifting**  *Will any of the goods procured during the project become the property of the implementer or beneficiary? If Yes, please consult the Gifting & Granting Guidance (Programme Office’s Sharepoint site). Please note, goods purchased during a project will usually remain the property of HMG and will need to be disposed of in accordance with guidance* | | Yes/No No |
| **Contract**  *There must be a signed contract in place between FCO and the implementer, prior to any activities commencing. Please ensure that the implementer is aware of the content of the Contract well in advance of having to sign. Please refer to guidance on Grant Contracts (Programme Office’s Sharepoint site).*  *If the project is being implemented by a commercial organisation/ business, please see CPG’s Sharepoint site for guidance on Commercial Contracts.* | | Yes. Will be signed shortly. |
| **Due Diligence**  *Reasonable checks must be made on the potential implementing organisation prior to initiating the project and your findings recorded (see Programme Office Sharepoint site). Please confirm that checks will be / have been carried out.* | | UNDP is an existing project implementer. Checks have been conducted previously. We completed an Open Futures Fund project with them in March 2018. Their financial management and reporting were in line with expectations. |
|  | | |
| **Can this project be referred to publicly**, or are there sensitivities that would preclude publicity.  If public, please provide an unclassified form of words describing the project, which can be used in briefing materials. | Yes This project aims to promote Kyrgyzstan’s democratic development and long-term stability by strengthening the legal implementation mechanism supporting the Rule of Law. | |
|  |  | |
| **Comments from policy lead** either geographical or thematic  *Does the project have your support?* | This project is a continuation of a successful UNDP project from 2018/19. Some of the costs are relatively high and we will need to work with UNDP to reduce these in future projects. Hoever, despite the costs I support the project and the work it is doing. | |
| **Date of Post Programme Board** at which the bid was approved | 29/07/2019 | |
| **Comments from Post Programme Board**  *[Note:* ***All*** *bids must be appraised by the Post Programme Board]*  *Include here, information on why the Project was approved, plus any conditions that were attached.* | The Programme board approved the project, but noted the relatively high spend on admin budget and external experts. | |
| **Signature of Board Chair** | J Tasker | |
| **Date** | 29/07/2019 | |
|  | | |
| **Comments from London Programme Board (if applicable)** |  | |
| **Date** |  | |
|  | | |

**Useful links**:

Programme Office: <http://ubs.sharepoint.fco.gov.uk/sites/ops/OU/SPF_Office/default.aspx>

Corporate Procurement: <http://ubs.sharepoint.fco.gov.uk/sites/finance/procurement/default.aspx>

Comms & Engagement: [http://restricted.sharepoint.fco.gov.uk/sites/comms/default.aspx](file:///C:/comms/default.aspx)

1. <https://24.kg/obschestvo/107648_novyie_kodeksyi_lyapyi_nestyikovki_protivorechiya_ilojnaya_gumanizatsiya/> [↑](#footnote-ref-1)
2. <http://www.kg.undp.org/content/kyrgyzstan/en/home/presscenter/pressreleases/2018/11/central-asian-governments-call-for-the-elimination-of-violence-a.html> [↑](#footnote-ref-2)
3. For instance, the government has not yet met a key requirement of the Family Violence Law, i.e. the establishment of an “authorized body” with the mandate to oversee coordination and implementation of domestic violence prevention and protection measures. [↑](#footnote-ref-3)
4. “Of 7,178 family violence cases registered in 2018, only 369 serious criminal cases were initiated – approximately 5 percent. Likewise, Internal Affairs Ministry data shows that police registered 2,701 cases of domestic violence and issued 2,623 protection orders between January and March 2019, with only 83 extended beyond 3 days. Two-thirds of all cases consisted of physical violence, but data on injuries or deaths resulting from domestic violence is missing, as is data on cases of bride kidnapping. Of 7,114 protection orders in 2018, only 64 were extended”. See Human Rights Watch Kyrgyzstan: “Pressure Builds to Protect Women and Girls”, May 2019 at <https://www.hrw.org/news/2019/05/28/kyrgyzstan-pressure-builds-protect-women-and-girls> [↑](#footnote-ref-4)