

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

**Project Title** Improvement of the court monitoring system in Kazakhstan

**UNDAF Outcome(s):** By 2015, build up potential and accountability of the state bodies at all levels and of the civil society to ensure the rights and needs of the population, particularly of vulnerable groups

**Expected CP Outcome(s):** National institutions have better capacity for protection of human rights and ensuring of access to justice for all

**Expected Output(s):** Improvement of quality standards and transparency of justice system in line with best international practices

**Implementing Partner:** The Supreme Court of the Republic of Kazakhstan

**Responsible Parties:** Judicial bodies, local authorities, local communities and bar associations

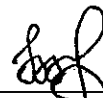
**Brief description**

The Project contributes to the enhancement of judiciary and better access to justice for all by promoting transparency and public oversight of the court system. Performance evaluation and quality assessment of judicial services by service users will form an integral part of set of measures aimed at judicial integrity, prevention of corruption and better efficiency of justice administration. Through series of education activities, the project will increase awareness of judges on judicial ethics, international principles and best practices. By conducting nation-wide opinion surveys, the project will contribute to the establishment of direct routes for feedback for the court users and will promote measures for improvement of justice administration at local levels. The project will also stimulate better synergies of an on-going national reform on public administration assessment and public services in all branches of state power.

Program period:	2010-2015
Key Result Area (Strategic Plan):	Democratic Governance
Atlas award ID:	00080786
Start date:	January, 2014
End date:	December, 2016
PAC Meeting Date:	23/12/2013
Management arrangements:	National Implementation

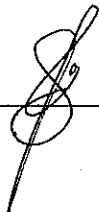
Total budget	USD 240,000
2014 AWP budget	USD 30,000
2015 AWP budget	USD 150,000
2016 AWP budget	USD 60,000
Total resources required	USD 240,000
Total allocated resources	USD 240,000
Regular	USD 50,000
Other	
• Government of the Republic of Kazakhstan	USD 190,000

Agreed by Supreme Court of the Republic of Kazakhstan:



Iliyas Ispanov  
Head of the Department  
on Maintenance of Activity of Courts

Agreed by UNDP:



Stephen Tull  
Resident Representative

## I. Situation analysis

Promoting the rule of law at the national and international levels is at the heart of UNDP mission. Together, rule of law, access to justice and legal empowerment contribute to an enabling environment for achieving the Millennium Development Goals (MDGs). In its Resolution A/67/L of November 2012, the General Assembly has reconfirmed, that the independence of the judicial system, together with its impartiality and integrity, forms an essential prerequisite for upholding the rule of law and ensuring that there is no discrimination in the administration of justice.

Therefore, the institutional development of justice system and promotion of people's access to justice are the key priorities for UNDP programmatic activities. In accordance with its strategic documents and Country programme priorities for 2010-2015 UNDP has been supporting projects which promote wider access to court information, capacity building of justice institutions and enhancement of court administration.

Judicial system in Kazakhstan has undergone several stages of reforms, aimed at increasing transparency and quality of court decisions. The country's Legal Policy Concept for 2010-2020 envisages a number of steps to improve administration of justice at all levels, reinforce the status of a judge and ensure transparency and accountability of the whole justice system. President Nazarbayev in his address to the nation "Kazakhstan-2050" has also underlined that "the cornerstone of the country's legal policy is a fairness of justice system guaranteed by the Constitution". The President tasked the government to elaborate measures to cut the red tape in court administration and actively introduce innovative modern technologies in court procedures. Among the most important recent reforms was the establishment of jury trials since 2007, sanctioning of arrest by courts since 2008, promotion of mediation, guarantees on free legal aid and continued process of court specialization, including piloting juvenile and administrative courts.

Annually, the number of lawsuits filed with courts is increasing in average by 8-10%. Since 2009 the Supreme Court is implementing the court monitoring procedure to evaluate effectiveness of justice administration at different courts and different levels, and to further promote platforms for transparent collaboration with court users, civil society and media. Besides that in 2010 Kazakhstan has introduced a comprehensive public administration assessment system to launch results-oriented and KPI-based measurement for all public offices and services. Along with that, the Supreme Court has introduced rating system to evaluate performance of separate courts and judges based on a number of indicators. These steps were taken not only to improve internal quality of court administration but also to reinforce international position of Kazakhstan in the global perspective. Thus, in the global rating by the World's Economic Forum / Global Competitiveness Report, Kazakhstan ranked 88<sup>th</sup> in the area of "Judicial independence", with a value of 3.4 (where 1 is heavily influenced judiciary and 7 is entirely independent).

The main direction to prevent corruption in the judicial system is to increase transparency and public trust to the system. According to 2012 Report of the Commission on Human Rights under the President of Kazakhstan the biggest number of personal complaints received by the Commission were addressed to the quality of court decisions (more than 34%). This underlines the importance of strengthening public trust in court system and increasing transparency of justice administration.

Strategic Plan of the Supreme Court for 2014-2018 includes tasks on «implementation of periodic public surveys among court users and legal professionals in collaboration with civil society representatives». Results and indications obtained from public opinion surveys become an important source of information for the courts' administrators and decision-makers. However, there is a certain lack of human resources within the court system to conduct those surveys nation-wide. To address the issue, in 2012 UNDP jointly with the Supreme Court has implemented a project to conduct an independent sociological survey at 114 courts of all levels. Professional non-governmental organization was commissioned to survey about 6,000 court users. Recommendations from the research included the following:

- 1) To continue the practice of court monitoring surveys with involvement of independent professional organizations on the basis of recognized international court excellence methodology.

- 2) To increase access to information for all court users, including information on their status, rights, obligations and court decisions.
- 3) To continue measures on strengthening ethics of judicial conduct in accordance with Bangalore principles, also by increasing their knowledge and professional level.
- 4) Introduce measures for public feedback and complaint system, including through surveys, hotlines and formal appeals.

## II. Strategy

The Project will promote better access to justice for all by promoting transparency and public oversight of the court system and by increasing professional level of judges and justice administrators. The Project will build on the achievements and knowledge generated by previous UNDP projects, including the project "Transparency and access to information and justice in Kazakhstan" of 2009-2011, and "Supporting introduction of mediation in Kazakhstan" of 2012-2014.

**The Project will be implemented in the two main directions:**

- 1) Promotion of transparency and increasing quality of judicial services
- 2) Enhancing capacity of local judges and court administrators for effective justice administration

In the **first direction**, the Project will continue efforts on promoting independent evaluation of judicial services by organization of public opinion surveys. The Strategic Plan of the Development of the Republic of Kazakhstan till 2020 approved by the Decree #922 of the President of the RoK dated by 1 February 2010, states the provision of adequate coverage of all courts by periodic nationwide surveys among participants of judicial process and professional lawyers with involvement of NGOs as one of the strategic objectives of reforming of judicial system ensuring the transparency of results by 2015. In this regard the draft Strategic Plan of the Supreme Court (judicial system) for 2014-2018 stipulates conducting of independent nationwide survey with 100% coverage of courts in the country. The Project will facilitate the process of performance evaluation and opinion surveying by building local capacity of evaluators, bridging international experience and methodology of evaluation as well as supporting transparency and independence of research and its findings. The Project will organize several education seminars to discuss evaluation methodologies with involvement of international expert on court administration issues.

To build local capacities of independent evaluators, the Project will organize a series of training seminars for local non-governmental experts and legal professionals on how to conduct opinion surveys, on how to cooperate with court administrators and to aggregate survey's statistical data. Court administrators and judges will be trained at methodologies on how to use results of evaluations, and how to operationalize them into administrative decisions and reforms.

Separate study and education will be devoted to performance evaluation and rating of courts. International systems of courts rating evaluation will be studied and recommendations for implementation of best practices in Kazakhstan's court system will be developed. Rating system shall be synchronized with the national performance evaluation system, but also reflect core values of Bangalore principles, main directions of International Framework of Court Excellence and Kazakhstan's obligations under the Universal Treaties.

In 2015, the Project will organize a second nation-wide opinion survey to cover 200 courts, proportionally in all Kazakhstan's regions. Based on opinion survey results the Project will develop a practical handbook with recommendations and methodological conclusions to improve efficiency and transparency of judicial services based on received public feedback.

In the **second direction** the Project will organize targeted education and knowledge-sharing activities, based on education priorities formulated by the Supreme Court. Within that education the Project will target judicial integrity and code of conduct, including practical implementation of Bangalore principles. Seminars will be primarily organized in the regions to raise local capacity of judicial officers, but also center-based workshops with the use of e-learning methodologies and technical capacities of the Supreme Court.

To create synergies with other UNDP projects in the field of good governance, local judges will be trained on the methodologies of public administration performance assessment system and also on the new legislative acts and reforms undertaken through implementation of UPR recommendations and implementation of Universal Treaties.

Together, activities to promote channels for public feedback and assessment of judicial services by their users as well as measures to raise knowledge and local capacity on implementation of laws and Kazakhstan's international obligations shall increase efficiency of justice administration and reinforce public trust in the judicial sector.

iii. Results and Resources Framework			
Intended Outcome as stated in the Country Programme (CPAP) Results and Resource Framework: Increase of the potential of the state institutions with regard to protection of human rights and provision of everybody with an access to justice			
Outcome indicators as stated in the Country Programme (CPAP) Results and Resources Framework, including baseline and targets: Indicator: "Gap" between existing legislation and its implementation in practice. Basic indicator: 44 items (Global Integrity Index). Targets: Narrowing of the gap between existing legislation and its implementation in practice.			
Applicable Key Result Area (from 2008-11 Strategic Plan): Key result area 2.2: Strengthening responsive governing institutions			
Partnership Strategy: The Project is implemented in cooperation with the Supreme Court of the Republic of Kazakhstan. Other relevant ministries and agencies, the Parliament and the national civil society organisations will be engaged at all stages of the Project.			
Project title and ID (ATLAS Award ID): Improvement of the court monitoring system in Kazakhstan			
Intended outputs	Output targets	Indicative activities	Responsible parties
<b>Output 1</b> Promoting equitable access to justice by increasing transparency and public openness of the court system and raising professional level of judges and justice administrators.	<b>Target 1</b> Evaluation and feedback mechanisms by court users are established; Evaluation findings are effectively utilized within the judicial reform.  Baseline: Findings of the study conducted within UNDP and Supreme Court's joint project among 114 courts (2012).  Indicator 1: By 2015 local evaluators' capacity built to perform public opinion survey among court users (study).  Indicator 2: 200 courts are covered by the opinion survey in 2015.  Indicator 3: A new methodology is elaborated to evaluate court performance on regular basis	<b>1 Activity Result</b> Local capacity to conduct effective performance evaluation of judicial services and surveying of court users is raised. <ul style="list-style-type: none"> <li>■ Activity 1. Study of international experience of judicial performance evaluation systems and rating of courts.</li> <li>■ Activity 2. Training of a pool of local evaluators to implement opinion surveys in the regions. Development of methodological handbook for independent evaluators.</li> <li>■ Activity 3. Study on development of practical measures for better transparency and accessibility of court institutions.</li> <li>■ Activity 4. Conducting opinion surveys among court users in 200 courts of different levels.</li> </ul>	UNDP The Supreme Court Regional and local courts
			<b>Inputs</b> USD Tied grant 121 800
			UNDP The Supreme Court
			UNDP The Supreme Court

<p>Knowledge and professional capacity of local judges and court administrators is enhanced to perform effective administration of justice.</p> <p><u>Baseline:</u> Judges in the regions lack knowledge on performance evaluation methodologies and direct implementation of country's international obligations under the UN Treaties.</p> <p><u>Indicator 1:</u> By 2016, at least 120 court administrators from different regions trained to conduct surveys, ratings and performance evaluations.</p> <p><u>Indicator 2:</u> Increased number of court cases consisting direct implementation of Kazakhstan's international obligations under the UN Treaties.</p>	<p>2 Activity result Local judges and court administrators are educated on international principles of independent judiciary, requirements of national performance evaluation system and Kazakhstan's international obligations under the Universal Treaties.</p> <ul style="list-style-type: none"> <li>■ Activity 1. Training seminars on provisions of quality judicial services and their effective performance evaluation in the regions of Kazakhstan. Developing set of practical recommendations</li> <li>■ Activity 2. Organization of round tables on thematic issues of judicial sector, including implementation of Kazakhstan's international obligations.</li> </ul> <p>3 Activity result Effective Project management</p> <ul style="list-style-type: none"> <li>■ Establishment of organizational structure of the Project, regular Project Board meetings.</li> <li>■ Effective daily management of the Project</li> <li>■ Project monitoring and risk management</li> <li>■ Regular reporting under the Project</li> </ul>	<p>UNDP</p>	<p>Tied grant 51 600</p> <p>Tied grant 16 600</p> <p>UNDP 50 000</p>
<b>TOTAL</b>			<b>240,000</b>

## VI. ANNUAL WORK PLAN

Year 1: 2014

Expected outputs And baseline, indicators including annual targets	Planned activities List activity results and associated actions	Timeframe				Responsible party	Planned budget	
		Q1	Q2	Q3	Q4		Funding Source	Budget Description
<b>Output 1</b> Promoting equitable access to justice by increasing transparency and public oversight of the court system and raising professional level of judges and justice administrators.	<b>1 Activity Result</b> Local capacity to conduct effective performance evaluation of judicial services is raised  <b>Activity 1.</b> Study of international experience of judicial performance evaluation systems and rating of courts  <b>Activity 2.</b> Training of a pool of local evaluators to implement opinion surveys in the regions, 5 workshops. Methodological handbook is developed.		X	X		UNDP The Supreme Court	Tied grant	4700
							71200 International consultants 4100 74200 Publications 600 9200	
<b>Target 1</b> Evaluation and feedback mechanisms by court users are established; Evaluation findings are effectively utilized within the judicial reform.	<b>Indicator 1:</b> By 2015 local evaluators' capacity built to perform public opinion survey among court users (study).		X	X		UNDP The Supreme Court	Tied grant	1000
							71300 Local consultants 1000 72100 Contracts with companies 4200 74200 Translation services 1500 74200 Publications 2500	
<b>Indicator 2:</b> 200 courts are covered by the opinion survey in 2015.	<b>Indicator 3:</b> A new methodology is elaborated to evaluate court performance on regular basis							1000
								14 900
<b>Target 2</b> Knowledge and professional capacity of local judges and court administrators is enhanced to perform effective administration of justice.	<b>2 Activity result</b> Local judges and court administrators are educated on international principles of independent judiciary, requirements of national performance evaluation system and Kazakhstan's international obligations under the Universal Treaties  <b>Activity 1.</b> Training seminars on provisions of quality judicial services and their effective performance evaluation in the regions of Kazakhstan. Developing set of practical recommendations, 1 workshop		X			UNDP The Supreme Court	Tied grant	7000
							71200 International consultants 7000 72100 Contracts with companies 2150 71600 Daily allowance for participants 2000 71600 Tickets for participants 2000 74200 Translation services 600 74500 Miscellaneous 250	

<p><b>Indicator 1:</b> By 2016, at least 120 court administrators from different regions trained to conduct surveys, ratings and performance evaluations.</p> <p><b>Indicator 2:</b> Increased number of court cases consisting direct implementation of Kazakhstan's international obligations under the UN Treaties.</p> <p><b>TOTAL</b></p>	<p>■ Activity 2. Organization of round tables on thematic issues of judicial sector, including implementation of Kazakhstan's international obligations, 2 workshops</p>	<p>X</p>		<p>75100 Administration expenses (GMS 7%)</p> <p>Sub-Total:</p>	<p>1100</p> <p>15 100</p> <p>30 000</p>
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**Year 2: 2015**

Expected outputs And baseline, indicators including annual targets	Planned activities List activity results and associated actions	Timeframe				Responsible party	Funding Source	Planned budget	
		Q1	Q2	Q3	Q4			Budget Description	Amount, USD
<p><b>Output 1</b> Promoting equitable access to justice by increasing transparency and public oversight of the court system and raising professional level of judges and justice administrators.</p> <p><b>Target 1</b> Evaluation and feedback mechanisms by court users are established; Evaluation findings are effectively utilized within the judicial reform.</p> <p><b>Indicator 1:</b> By 2015 local evaluators' capacity built to perform public opinion survey among court users (study).</p> <p><b>Indicator 2:</b> 200 courts are covered by the opinion survey in 2015.</p> <p><b>Indicator 3:</b> A new methodology is elaborated to evaluate court performance on regular basis</p>	<p>1 Activity Result Local capacity to conduct effective performance evaluation of judicial services and surveying of court users is raised</p> <p>■ Activity 1. Study of international experience of judicial performance evaluation systems and rating of courts</p> <p>■ Activity 2. Training of a pool of local evaluators to implement opinion surveys in the regions, 5 workshops. Methodological handbook is developed</p> <p>■ Activity 3. Conducting opinion surveys among court users in 200 courts of different levels</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 The Supreme Court</p>	<p>Tied grant</p>	<p>Study of international experience</p> <p>71200 International consultants</p> <p>74200 Publications</p> <p>Training of a pool of local evaluators</p> <p>71300 Local consultants</p> <p>72100 Contracts with companies</p> <p>74200 Translation services</p> <p>74200 Publications</p> <p>74500 Miscellaneous</p> <p>Opinion Survey</p>	<p>4700</p> <p>4000</p> <p>700</p> <p>9400</p> <p>1000</p> <p>4200</p> <p>1500</p> <p>2400</p> <p>300</p> <p>76000</p>	



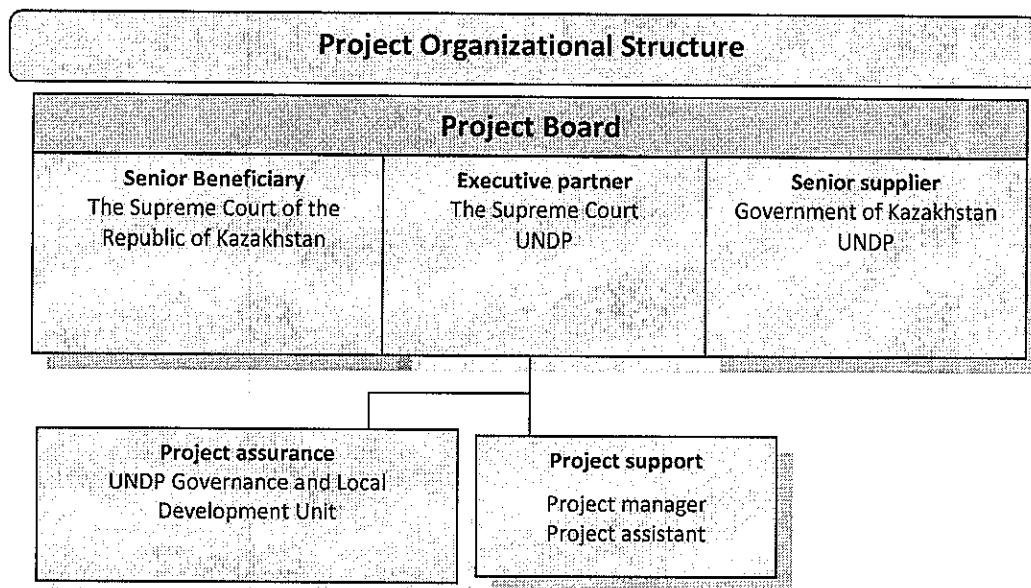
<p><b>Target 2</b> Knowledge and professional capacity of local judges and court administrators is enhanced to perform effective administration of justice.</p> <p><b>Indicator 1:</b> By 2016, at least 120 court administrators from different regions trained to conduct surveys, ratings and performance evaluations.</p> <p><b>Indicator 2:</b> Increased number of court cases consisting direct implementation of Kazakhstan's international obligations under the UN Treaties</p>	<p>2. Activity result Local judges and court administrators are educated on international principles of independent judiciary, requirements of national performance evaluation system and Kazakhstan's international obligations under the Universal Treaties</p> <ul style="list-style-type: none"> <li>■ Activity 1. Training seminars on provisions of quality judicial services and their effective performance evaluation in the regions of Kazakhstan. Developing set of practical recommendations, 2 workshops</li> <li>■ Activity 2. Organization of round tables on thematic issues of judicial sector, including implementation of Kazakhstan's international obligations, 2 workshops</li> </ul> <p>3. Activity result</p> <ul style="list-style-type: none"> <li>■ Effective project management</li> <li>■ Administrative support</li> </ul>	<p>UNDP The Supreme Court</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>UNDP The Supreme Court</p>	72100 Contracts with companies	45000		
								71300 Local consultants	10000		
								74200 Publications	21000		
								<b>75100 Administration expenses (GMS 7%)</b>	<b>6500</b>		
								<b>Sub-Total:</b>	<b>96600</b>		
								Tied grant	71200 International consultants	7500	
									72100 Contracts with companies	2000	
									71600 Daily allowance for participants	2500	
									71600 Tickets for participants	2500	
									74200 Translation services	500	
									74500 Miscellaneous	100	
									<b>75100 Administration expenses (GMS 7%)</b>	<b>1300</b>	
									<b>Sub-Total:</b>	<b>16 400</b>	
									UNDP	71400 Project manager	18000
									UNDP	71400 Project assistant	4600
	Tied grant	71400 Project assistant	5000								
	UNDP	72400 Communications	2000								
	UNDP	72500 Consumables	400								
	Tied grant	73100 Lease and maintenance of premises	6000								
	Tied grant	74500 Miscellaneous	160								
	Tied grant	<b>75100 Administration expenses (GMS 7%)</b>	<b>840</b>								
	<b>Sub-Total:</b>	<b>Sub-Total:</b>	<b>37,000</b>								
<b>TOTAL:</b>								<b>150,000</b>			

**Year 3: 2016**

Expected outputs And baseline, indicators including annual targets	Planned activities List activity results and associated actions	Timeframe				Responsible party	Planned budget		
		Q1	Q2	Q3	Q4		Funding Source	Budget Description	Amount, USD
<p><b>Output 1</b> Promoting equitable access to justice by increasing transparency and public oversight of the court system and raising professional level of judges and justice administrators.</p> <p><b>Target 1</b> Evaluation and feedback mechanisms by court users are established; Evaluation findings are effectively utilized within the judicial reform</p> <p><b>Indicator 1:</b> A new methodology is elaborated to evaluate court performance on regular basis</p>	<p>1 Activity Result Local capacity to conduct effective performance evaluation of judicial services and surveying of court users is raised</p> <p>■ Activity 1. Study of international experience of judicial performance evaluation systems and rating of courts</p> <p>■ Activity 2. Development of practical recommendations towards transparency and accessibility of court institutions</p>					<p>UNDP The Supreme Court</p>	Tied grant	Study of international experience	4500
		X					71200 International consultants	4000	
			X				74200 Publications	5000	
							Research and recommendations	2300	
			X	X	X		72100 Contracts with companies	1500	
							74200 Publications	600	
							74500 Miscellaneous	200	
							75100 Administration expenses (GMS 7%)	500	
							<b>Sub-Total:</b>	<b>7 300</b>	
		<p><b>Target 2</b> Knowledge and professional capacity of local judges and court administrators is enhanced to perform effective administration of justice.</p> <p><b>Indicator 1:</b> By 2016, at least 120 court administrators from different regions trained to conduct surveys, ratings and performance evaluations.</p> <p><b>Indicator 2:</b> Increased number of court cases consisting direct implementation of Kazakhstan's international obligations under the UN Treaties.</p>	<p>2 Activity result Local judges and court administrators are educated on international principles of independent judiciary, requirements of national performance evaluation system and Kazakhstan's international obligations under the Universal Treaties</p> <p>■ Activity 1. Training seminars on provisions of quality judicial services and their effective performance evaluation in the regions of Kazakhstan. Developing set of practical recommendations, 1 workshop</p> <p>■ Activity 2. Organization of round tables on thematic issues of judicial sector, including implementation of Kazakhstan's international obligations, 1 workshop</p>						<p>UNDP The Supreme Court</p>
						72100 Contracts with companies	3400		
						71600 Daily allowance for participants	2000		
	X					71600 Tickets for participants	2000		
						74200 Translation services	600		
						74500 Miscellaneous	500		
					X	75100 Administration expenses (GMS 7%)	1100		
						<b>Sub-Total:</b>	<b>15 600</b>		
	X			X	X	UNDP	18000		
						The Supreme Court	4600		
<p>3 Activity result ■ Effective project management ■ Administrative support</p>						<p>UNDP The Supreme Court</p>	Tied grant	71400 Project manager	18000
							71400 Project assistant	4600	
							72400 Communications	5500	

TOTAL:							72500 Consumables	1000
						UNDP	73100 Lease and maintenance of premises	1000
						Tied grant	74500 Miscellaneous	1600
						Tied grant	75100 Administration expenses (GMS 7%)	900
						Sub-Total:		37100
								60,000

## V. MANAGEMENT ARRANGEMENTS



The project is nationally executed with the Supreme Court of the Republic of Kazakhstan as an Implementing Partner. The Supreme Court is a key institution responsible for judicial administration, including policy-making, including justice administration throughout the country. The Supreme Court has an adequate capacity as well as the authority to further roll out activities piloted through this project. The Implementing partner is leading in project implementation and has ownership of project results. UNDP Kazakhstan will provide support services, technical advice and will assist in monitoring and evaluation (in accordance with UNDP rules and procedures). UNDP is also responsible for financial and programme reporting to donors.

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

- Project Board;
- Project Assurance;
- Project Support.

### **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 partners** – The Supreme Court of Kazakhstan, UNDP
- **Senior Suppliers** – UNDP, Government of Kazakhstan
- **Beneficiaries** – The Supreme Court of Kazakhstan, legal professionals, NGOs

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

**Project Support:** To support the Implementing Partner in the project realisation, a Project manager will be assigned to support day-to-day management of the project. The responsibility 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, will be assured by the UNDP Governance and Local Development Team. 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  
Address: 26 Bukei Khan Str., Astana, Kazakhstan  
Phone/Fax: +7 7172 59 25 50, +7 7172 592540  
Web site: [www.undp.kz](http://www.undp.kz)

UNDP Focal Point: Ms. Ainur Baimyrza  
Position: UNDP Head of Governance and Local Development Unit  
Тел./факс: +7 7172 592550  
E-mail: [ainur.baimyrza@undp.org](mailto:ainur.baimyrza@undp.org)

Organization: Department on courts administration of the Supreme Court of the Republic of Kazakhstan  
Address: Astana 010000, 39 Konaev st.  
Tel/Fax: +7 (7172) 747585  
[www.supcourt.kz](http://www.supcourt.kz)

The Supreme Court Focal Point:  
Ilias Ispanov, Director of Department on courts administration of the Supreme Court  
Tel/Fax: + 7 7172 747881  
E-mail: [ispanov@supcourt.kz](mailto:ispanov@supcourt.kz)

## VI. MONITORING FRAMEWORK AND EVALUATION

The project will be subject to monitoring by UNDP office, in accordance with the UNDP program rules and monitoring / evaluation procedures:

### Within the annual cycle

- Quarterly, a qualitative assessment for the project progress in terms of the key results achieved based on a key criteria matrix and the method specified in the quality criteria table.
- The project manager will activate the matrix of issues in the ATLAS system and update it as potential problems or requests arise and are resolved in the project.
- Based on the above information in the Atlas system, a project progress report will be prepared and submitted by the Project Manager to the Project Management Committee.
- The Project Manager will activate and update a matrix of the "lessons learnt". At the end of the project, a report on the "lessons learnt" of the project will be prepared.
- The monitoring plan will be activated in Atlas and updated in accordance with the main events / management activities.

### Annually

- **Annual Overview Report.** It will be prepared by the Project Manager and submitted to the Project Management Committee.
- **Annual Project Overview.** Based on the above report, the Annual Project Overview will be prepared during or after Quarter IV of the year in question to assess the project activities and annual working plan for next year. Such review is conducted by the Project Management Committee, and may include other stakeholders upon request.

In addition, the following monitoring tools will be used:

- Quarterly and annual progress reports;
- Visits of a representative of the UNDP Kazakhstan Efficient Management and Regional Development Department, including visits to the project sites;
- The Project Management Committee will meet at least twice a year;
- Review the workshop evaluation forms.

### Audit Clause

The project will be audited in accordance with UNDP Financial Regulations and Rules and Audit policies.

## Quality Management for Project Activity Results

<b>Output1:</b> Promoting equitable access to justice by increasing transparency and public oversight of the court system and raising professional level of judges and justice administrators.		
<b>Activity Result1</b>	Evaluation and feedback mechanisms by court users are established; Evaluation findings are effectively utilized within the judicial reform	Start date: January 2014 End date: December 2016
<b>Purpose</b>	To raise local capacity on conducting effective performance evaluation of judicial services and implementing measures to improve administration of justice.	
<b>Description</b>	Planned activities to achieve this target: <ol style="list-style-type: none"> <li>1. Study of international experience of judicial performance evaluation systems, rating of courts and surveying of court users.</li> <li>2. Training of a pool of local evaluators to implement opinion surveys in the regions. Development of methodological handbook for independent evaluators.</li> <li>3. Expert studies and development of practical measures for better transparency and accountability of court institutions.</li> <li>4. Conducting opinion surveys of court users in 200 courts of different levels.</li> </ol>	
<b>Quality Criteria</b>	<b>Quality Method</b>	<b>Assessment Date</b>
<ol style="list-style-type: none"> <li>1. Quality of court services is improved through set of measures developed by trainings and study of international experience. At least 2 reports with recommendations are developed.</li> <li>2. Pool of 300 independent public monitors is educated and deployed to survey court users.</li> <li>3. Quality of court services is evaluated based on survey of court users in 200 local and regional courts.</li> </ol>	<ul style="list-style-type: none"> <li>• Expert reports on best international practices of court services evaluation, court ratings and implementation of international principles of independent judiciary.</li> <li>• ToRs for the experts</li> <li>• Expert conclusions and recommendations</li> <li>• Composition of the Working group and minutes of its work sessions</li> <li>• Agenda and list of participants of the regional training sessions for local evaluators</li> <li>• ToR for the local expert on handbook for monitors (evaluators)</li> <li>• Final Handbook for local evaluators of court services</li> <li>• Media and Internet publications(media clipping)</li> <li>• Court users opinion surveys and their analysis</li> <li>• Final Report on court services evaluation with a set of recommendations</li> <li>• Press release on the announcement of the Final Survey Report findings</li> </ul>	January 2014 r. – December 2016 r.

<b>Output 1:</b> Promoting equitable access to justice by increasing transparency and public oversight of the court system and raising professional level of judges and justice administrators		
<b>Activity Result 2</b>	Knowledge and professional capacity of local judges and court administrators is enhanced to perform effective administration of justice	Start date: April 2014 End date: September 2016
<b>Purpose</b>	To educate local judges and court administrators to effectively uphold to international principles of independent judiciary, requirements of national performance evaluation system and Kazakhstan's international obligations under the Universal Treaties	

<b>Description</b>	Planned activities to achieve this target:	
	<ol style="list-style-type: none"> <li>1. Training seminars on provisions of quality judicial services and their effective performance evaluation in the regions of Kazakhstan. Developing set of practical recommendations</li> <li>2. Organization of round tables on thematic issues of judicial sector, including implementation of Kazakhstan's international obligations</li> </ol>	
<b>Quality Assessment Criteria</b>	<b>Quality Assessment Method</b>	<b>Assessment Date</b>
<ol style="list-style-type: none"> <li>1. At least 120 local and regional judges and court administrators are trained on the issues of effective justice administration, including implementation of Kazakhstan's international obligations (4 workshops)</li> <li>2. Thematic issues on judicial sector are effectively discussed with participation of local communities within 5 regional seminars. Recommendations are developed</li> </ol>	<ul style="list-style-type: none"> <li>• ToRs for the experts</li> <li>• Training seminar agenda and list of participants</li> <li>• Questionnaires and feedback from participants of training seminars</li> <li>• Agenda and list of participants of the regional round tables</li> <li>• Resolution and concluding remarks of the round tables</li> <li>• Press release, media and Internet articles</li> </ul>	April 2014 r. – September 2016 r.

<b>Output 1: Promoting equitable access to justice by increasing transparency and public oversight of the court system and raising professional level of judges and justice administrators.</b>		
<b>Activity Result 3</b>	Effective project management	Start Date: January 2014 End date: December 2016
<b>Purpose</b>	Effective project management and implementation	
<b>Description</b>	Planned activities to achieve the target:	
	<ol style="list-style-type: none"> <li>1. Formation of the organizational structure of the Project, including the Project Board</li> <li>2. Appoint the Project Manager and assistant</li> <li>3. Conduct regular meetings of the Project Board</li> <li>4. Provide effective daily management, monitoring and risk management of the project</li> <li>5. Timely report on the project</li> </ol>	
<b>Quality Assessment Criteria</b>	<b>Quality Assessment Method</b>	<b>Assessment Date</b>
<ol style="list-style-type: none"> <li>1. The organizational structure of the project, the Project Board</li> <li>2. The number of meetings of the Project Board</li> <li>3. Appointment of the Project Manager</li> <li>4. Proposals of the parties involved in the planning and implementation of the project</li> <li>5. Regular updating of the risk log, effective risk management</li> <li>6. Implementation of the project in accordance with the annual Work plan</li> <li>7. Efficient management of project resources</li> </ol>	<ul style="list-style-type: none"> <li>• Minutes and reports of meetings of the Project Board</li> <li>• Report of the selection panel on appointment of the Project Manager and the Project Assistant</li> <li>• Risk log</li> <li>• Project annual Work plan and reports on the annual budget revision</li> <li>• The financial and content reports</li> </ul>	January 2014 - December 2016



## VII. LEGAL CONTEXT

This document, together with the Standard Agreement between the Government of the Republic of Kazakhstan and UNDP on support from UNDP to execution of the project nationwide, is governed by the relevant articles of the Standard Agreement. In accordance with Article III of the Standard Agreement, the responsibility for maintenance and safety of the Executive Partner, its personnel and property, and property of UNDP, lies on the Executive Partner.

The Executive Partner shall:

- a) Have and adhere to an appropriate security plan taking into account the situation in the country where the project is implemented;
- b) Have in mind all the risks and probabilities associated with the safety of the Executive Partner, and full implementation of the security plan.

UNDP has the right to make sure that such plan exists, and suggest modifications to the plan, if necessary. Non-compliance or absence of such security plan means a breach of this agreement.

UNDP is committed to make its best to assure proper use of the funds under this Project Document, and that the funds will not be used for individuals or organizations associated with terrorism, and that the recipients of these funds are not indicated in the lists issued by the Security Council Committee under Resolution 1267 (1999). Such lists are at <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>. This article must be included in all sub-contracts or sub-agreements, included in this Project Document.

The present Project Document is made in two copies in English and Russian languages. In case of inconsistencies between the two versions, the English version shall prevail.

## VIII. APPENDIXES

**APPENDIX 1: Risk Log**

**APPENDIX 2: Communication and Monitoring Plan**

**APPENDIX 3: Terms of Reference for the Project Manager**

## APPENDIX 1. Risk log

No.	Description	Degree of Impact and Probability	Risk Mitigation Measures / Managerial Response	Date of Establishment	Last Update	Status
1	Political reshuffles and staff changes in the Supreme Court	I – Average P - High	Engagement of a wider range of partners and responsible entities within Project activities, alignment of project targets with country's programmatic and strategic goals; ensuring ownership of project results and continuity within the Supreme Court and at local level courts			
2	Expert recommendations are not fulfilled	I – High P –Average	Development of recommendations in close collaboration and consultation with local stakeholders; recruitment of the most qualified experts including from the UNDP roster and other UN agencies' rosters; development of ToRs in co-operation with relevant stakeholders in the Supreme Court; discussion of findings within the Working Group			
3	Duplication or mismatch with the other similar initiatives of donor organisations and state bodies	I – Average P - High	Regular coordination and donor meetings with international and national partners working in the area of justice			
4	Changes in project managements and as a result delays in project implementation	I – High P - Low	Adherence to the UNDP recruitment procedures and HR rules; coordination and monitoring of the project by the UNDP Governance Unit			

## APPENDIX 2: Communication and Monitoring Plan

Action Type	Parties Involved	Due Dates	Completion	Status
Quarterly project progress reports	Project Manager	Every quarter		
Quarterly overview report and update of the project work plan	Project Manager	Every quarter		
The Project Board meetings, conducted every six months or at least annually	The Project Board	August 2014, December 2014, December 2015, December 2016		
Annual project progress review	The Project Board	December 2014, December 2015, December 2016		
Annual project progress report	Project Manager	December 2014, December 2015, December 2016		
Project monitoring on site	UNDP Program staff	Each project activity		
Annual procurement plan	Project Manager	May 2014, February 2015, February 2016		
Annual inventory	Project Manager	Annually		
Transfer of assets	Project Manager	At the end of the project		
The session on the final review of the project results	Project Manager, The Project Management Committee	At the end of the project, December 2016		

## APPENDIX 3: Terms of Reference for the Project Manager

### Terms of Reference (ToR) Project Manager

Position:	Project Manager
Project:	Improvement of the court monitoring system in Kazakhstan
Subdivision:	Governance and Local Development Unit
Type of contract:	Service Contract
Level:	SB-3 mid
Supervisor:	Head of Governance and Local Development Unit
Number of positions:	1
Duration:	1 year (renewable)
Work Location:	Astana

#### Brief Information:

The aim of the Project is to enhance Kazakhstan's judiciary and better access to justice for all by promoting transparency and public oversight of the court system. Through series of education activities, the project will increase awareness of judges on judicial ethics, international principles and best practices. By conducting nation-wide opinion surveys, the project will contribute to the establishment of direct routes for feedback for the court users and will promote measures for improvement of justice administration at local levels. The project will also stimulate better synergies of an on-going national reform on public administration assessment and public services in all branches of state power.

#### Duties and Responsibilities:

Under the general supervision of the Head of Governance and Local Development Unit, and under the guidance of the Program analyst, the Project Manager is responsible for providing high quality project management. The Project Manager shall provide:

- Project and Financial Control
- Support in resource mobilization
- Advocacy and Coordination

The functions of the Project Manager also includes the following:

#### Project and Financial Control:

- Preparation and upgrade of work plans and budgets;
- Supervision of international and local consultants and review of their performance in accordance with the UNDP rules and procedures;
- Management of funds allocations, timely payments in accordance with the UNDP rules and procedures
- Preparation of procurement plans, control of procurement and logistics for the project
- Monitoring and analysis of the project, use of applicable risk management tools, development of recommendations for timely adjustment of strategies and actions;
- Submission of periodic subject-focused and financial reports for approval to the Project Board and donors;
- Submission of regular project progress reports to the Program analyst of the UNDP Governance and Local Development Unit
- Compliance with security regulations and making project consultants comply with safety regulations.

#### Resource Mobilization Support:

- Creation and further development of contacts and cooperation with relevant UN agencies, governmental agencies, development of bilateral and multilateral relations with donors, private sector, civil society in the field of legal reform and judicial authorities for the strategic goals of UNDP, country needs and donor priorities;
- Search for information on donors and exchange of information on opportunities for resource mobilization with the Program analyst;
- Development of the best practices within the framework of the project and their application in a broad management strategy of UNDP;

Advocacy and Coordination:

- Support and coordination of the participation of all national and international partners and stakeholders at various stages of project planning and implementation;  
Support of regular communications and coordination with donors and partners of the project, development and support of effective mechanisms of integration;
- Advice on the issues related to the rule of law to the UNDP team and other expert communities.

Qualification Requirements:

- Education in the field of law, political science, social sciences or other related fields;
- Minimum 5 years' experience in development programs with a priority to human development;
- Knowledge of the socio-political context of the country and hands-on experience in the field of justice and the rule of law;
- Ability to work in an environment involving interaction and collaboration with multiple stakeholders, including representatives of governments, donors and other partners;
- Ability to work under time and tasks pressure, handling multiple tasks simultaneously
- Excellent knowledge of Kazakh, English and Russian languages (written and oral).

Additional Qualities:

- Knowledge of policy and programme framework of the UN / UNDP and previous work experience within the UN system.