# **SUMMARY OF EVALUATION OF “RULE OF LAW PARTNERSHIP IN UZBEKISTAN” PROJECT**

# INTRODUCTION

1. This Evaluation Report is the output of the final external Independent Evaluation of the United Nations Development Programme (UNDP) “Rule of Law Partnership in Uzbekistan” Project, here in after referred to as ‘the Project’. The Evaluation has been conducted from 09 September 2021 to 22 October 2021. The project has been launched in partnership with USAID under national implementation modality (NIM). The total project duration has been 8 years (November 2014 – September 2021) with total budget of USD 6,481,177.27 (USD 5,461,982.32 of USAID and USD 1,019,194.95 of UNDP). This project is in the last years of its implementation cycle and the final evaluation is included in UNDP Uzbekistan’s Evaluation Plan 2021. However, this evaluation covers the period from 2018 to 2021, the second and extended period of project duration. The Evaluation report describes the purpose, scope, overall approach and methodology, data analysis, findings, recommendations, and lessons learned during the project duration.

# DESCRIPTION OF THE INTERVENTION

1. Based on the theory change that *“Legal and Judicial Reforms further ensure strong protection of rights, freedoms, and legitimate interests of citizens”*, the Government of Uzbekistan has prioritized legal and judicial reforms as a tool to guarantee human rights and citizen freedoms in the country. Taking cue from this national commitment to judicial reforms and access to justice, UNDP Uzbekistan jointly with the Supreme Court of the Republic of Uzbekistan and USAID has been implementing ‘Rule of Law Partnership in Uzbekistan’ project (ROL) since 2014, after successfully completing the ‘Civil Justice Reform: Effective Court Management’ project in 2012-2014. Further, the National Action Strategy of 2017-2021 of Government of Uzbekistan envisages Implementation of legal and judicial reforms. The evaluation of the Rule of Law Partnership project for the period 2014-2017 conducted in 2017 recommended continuation of project for strengthening the judiciary in the country. Accordingly, a second phase of the ROL project was launched for the period of 2018-2020. Considering the requirement of support to partnership, the project was further extended for another year – from October 1, 2020 till September 30, 2021.
2. For this purpose project aimed at the following main objectives:[[1]](#footnote-1)

* *Increase systemic, institutional and procedural judicial independence in civil, economic and administrative courts through providing strategy policy advice to key decisions makers;*
* *Enhance criminal justice and civil justice systems in line with international standards and the best practices related to fair trial and due process;*
* *Increase integrity, efficiency and competency of judiciary through upgrading continuous education system for judges and wider application of e-justice tools. Improve court Administration Systems and Performance.*

1. The project has one major output “**Output 1** *Supreme Court is**equipped with**knowledge,**regulatory**mechanisms and**capacitated staff to**increase**independence of**judiciary, fairness**of trials and**efficiency of court**administration”*. The output has three main activities described in the main document as under and 10 output indicators emanating from the output as per the results framework and achievements (Table 2 below).

# PURPOSE OF THE EVALUATION

1. This evaluation has assessed the achievement of project results against what was expected to be achieved, and drawn lessons that can both improve the sustainability of benefits from this project, and help in the overall enhancement of UNDP programming in this thematic area

* The evaluation is expected to promote accountability and transparency, and assesses the extent of the project achievements.
* The outcomes and recommendations of this evaluation will be instrumental for designing new programming initiatives and project proposals on further strengthening the rule of law and judicial reform in Uzbekistan for various donors through establishing a sound and well-informed ground for setting baselines and conducting an evidence-based situation analysis.
* The evidence and information generated from this evaluation will enable UNDP managers to make informed decisions and plan strategically for improvements, expansion, or downsizing of future support; promote knowledge generation about UNDP’s work in rule of law and access to justice; and ensure accountability of results and resources.

# SCOPE AND OBJECTIVES OF THE EVALUATION

1. Scope of the Evaluation:

* The evaluation has assessed the Rule of Law Partnership project’s performance in terms of relevance, effectiveness and efficiency, and determine outcomes and impacts (actual and potential) stemming from the project, including their sustainability.
* The evaluation has looked into both outcome-level results, and the output-level results as key indicators of the overall project performance.
* The scope in terms of timeframe of the project is the period not covered by the previous evaluation (2017), as well as the project’s second phase (2018-2020) and the third phase (2020-2021).
* The evaluation has assessed the degree to which UNDP’s engagement with the Rule of Law’s partnership since the inception of the project has been able to deliver against the objectives of the project, and level of support it received from the implementing partners and the level of support the implementing partners received from UNDP.

1. The Objective of the Evaluation:

* The evaluation has two primary objectives:
* to provide evidence of results to meet accountability requirements, and
* to promote learning, feedback, and knowledge sharing through results and lessons learned among UNDP, USAID and the Supreme Court of the Republic of Uzbekistan, as well as the project’s other national partners and stakeholders.

# APPROACH AND METHODOLOGY

1. The approach and methodology adopted for this evaluation is fully participatory through engagement of stakeholders, implementers, and donors in discussion, interviews, and opinion sharing sessions in remote sessions. Questionnaires were developed and distributed among the stakeholders to seek information on a number of issues involved in the project implementation. Information collected through questionnaires, and desk review of the relevant documents was validated through interviews and discussions. Thus, the evaluation was conducted in three phases- One- inception phase, two report writing and validation phase, and three finalisation fee.

# CROSS‐CUTTING ISSUES

1. The evaluator has integrated gender and human rights in the assessment, particularly with regards to how well the Project’s interventions have supported justice sector reform initiatives that reflect the needs of diverse groups, especially women and vulnerable groups. The evaluation will analyse how effectively the Project has used human rights‐based approach concepts. Based on this assessment, and the findings resulting from it, cross‐cutting issues will be reflected in the final evaluation report.

# DATA ANALYSIS

1. Before beginning the data analysis, although it might sound a concluding statement, I am constrained to begin the analysis by saying ‘The project is worth emulation by many other countries not only on account of its successive successes in delivery, but by the way the project is designed and delivered. I have not come across such a project in the recent past in my evaluations where: The Project is a demand driven project completely aligned with national priorities. The project has full national ownership for it is managed by national staff of Uzbekistan, under national implementation modality. Both the project management and project beneficiaries know what they want. Therefore, evaluation of this eight years saga is not an easy task. However, every possible attempt is made to analyse the project objectively as an external evaluator and mirror the achievements and challenges. Many aspects that are already reported periodically in the annual reports are purposefully ignored for they are already known to the implementers and the donors.
2. A review of the project documents revealed that the project is carefully designed to address all capacity challenges. UNDP Capacity development approaches identify three major or typical areas of capacity development requirements. Development of Environmental Capacity, development of Organizational/Institutional Capacity, and development of Individual Capacity. A perfect balance of all the three only can give a nations better institutions, better individuals to deliver better services. The project has taken care all of these in developing the capacity of Judiciary Uzbekistan.
3. The project activities are designed to contribute to the achievement of UNDP Strategic Plan’s Outcome 2: Accelerate structural transformations for sustainable development and Output 2.2.3 Capacities, functions and financing of rule of law and national human rights institutions and systems strengthened to expand access to justice and combat discrimination, with a focus on women and other marginalised groups. These are translated in to one put ‘*Supreme Court is equipped with knowledge, regulatory mechanisms and capacitated staff to increase independence of judiciary, fairness of trials and efficiency of court administration’.* Three activities and 10 output indicators. This gives us an understanding that the Supreme Court is the only authority in Uzbekistan to ensure Rule of Law in the country and the project shall partner only with Supreme Court. However, it is not so. The project has other partners as explained in the next paragraph.
4. Project works with The Supreme Court of the Republic of Uzbekistan; The Supreme Judicial Council of the Republic of Uzbekistan; Strategy development’ Centre; Lawyer Training Centre under the Ministry of Justice of the Republic of Uzbekistan; Tashkent State Law University. Project has partnered with all the above institutions and delivered training and development courses, develop service delivery tools in judiciary, and enhanced the institutional capacity of e-governance in courts. Achievements over the project period in Table 3 here under.
5. After assessing its progress up to 2020, the project was further extended for a further period from January 1, 2021 to September 30, 2021 with a purpose to continue project’s activities in the areas of strengthening the capacity of the Supreme Court in ensuring transparency of judiciary, strengthening the judicial independence, involvement of representatives of civil society and experts’ community in judicial and legal reforms in Uzbekistan. Substantial progress has been made in this extended period. However, the data analysed shows, achievements are partial and more needs to be done. Political situation in the country, resistance to change, and cultural aspects of Uzbekistan society could be some of the reason for this partial success. This partial success in no way can be attributed either to the project management of UNDP or to the donors engaged in the project. Furthermore, Covid-19 pandemic added its dimension to non-performance of any programme world over. The extended period of the project falls within the severe times of Covid-19 pandemic.
6. Output and activities are explained in the project document. However, they do not exactly relate to the activities under which the budget and expenditure reports which are Combined Delivery Report by activity (CDR). As per CDR three activities: Activity 1: Feedback Mechanisms, Activity 2: Training and Learning Systems, Activity 3: Court Management. These three activities although not explained in the either in the project document or in the or in the annual reports can be construed as: Feedback Mechanisms- Public Perception, Public Grievances, Advocacy, and other public outreach activities. This activity has consumed 36.61% of the budgets, whereas the activity 2 for training and learning systems has consumed only 20.59 % of the budget while the activity for court management consumed 42.45% of the budget. There is a strong perception that more amount should have been spent on training and development as the young lawyers lack confidence in dealing with serious matters and appear before very experienced judges of Supreme Court. More training in Information and Communication Technology, and usage of hardware and software was also in demand in the judiciary.
7. Judicial system in Uzbekistan moved from physical hearing in the courts to distance hearing which they call digitalization of the court proceedings. However, the digitalization of Court Procedures in Uzbekistan is not total digitalisaiton of process but a video conferencing system temporarily introduced in the courts. Currently, web based case hearing, and web conferences have not been introduced that fully meet the requirements of the digitalization and needs of litigants. The country's procedural legislation has not been amended so far to regulate the issues of holding meetings in the mode of a web conference which indicates insufficient digital implementation of the judicial process. However, this practice is received positive feedback from the users and the courts at the current level of technological interventions in use of ICT in court proceedings. The project is therefore successful in introducing these distant mode dealing of the cases to the extent of video conferencing in the most conservative and closed judicial bureaucratic situation in the country.
8. National commitment on the matters of digitalization of judiciary is documented in President of the Republic of Uzbekistan’s Resolution No. PP-4818 Dated 08/03/2020. This is a programme of four years commencing from 2020 and ending 2023. The Government of Republic of Uzbekistan seeks to fully implement the programme by 2023. The Resolution is a National Commitment to digitalise Court processes and proceedings. Distance mode trials will also be possible once the agenda is fully implemented. Taking cue from this programme, UNDP’s Rol Project supported the Supreme Court of Uzbekistan to digitalise the Judiciary. The support provided by the Project has been in a few areas that were identified at the time of drafting the project document in 2017(See table 5 below). Therefore, there are many areas left out that require further support to fully implement the Resolution No. PP-4818.
9. Digitalisation is a process where functional rules, regulations, processes, policy implementation, work procedure that are hither to in practice are transported to a digital platform. Before that capacities- environments, institutional and individual should be strengthened and transported to digital platform. The project has exactly done the same simultaneously supporting digitalisaiton.
10. The project has designed and delivered a number of capacity development initiatives and interventions (See table 4 below). These include development of knowledge products, their dissemination, production of user manuals, handbooks, work procedures infographics, brochures; design and delivery of training courses on various aspects of knowledge, skills and attitude; conducting seminars and workshops for consultations and opinion seeking; filed visits, study tours, and exposure visits. These products have a clear bearing on the Government of Uzbekistan’s programme of digitalization of Judiciary.
11. These initiatives were mainly aimed at strengthening user friendly justice delivery through development of judicial institutions focusing on Supreme Court. Despite internal rigidities, resistance to change, cultural barriers, the project has been able to implement all of its activities to a greater extent and has become one of the most sought after project in Uzbekistan. The data reveals, although there was repeated change of National Project Coordinator at the Supreme Court, continuity of the project leadership of technical support of UNDP all through the duration of the , and his team has been able to sustain the interests of the project. If the evaluation ethics do not bar me from stating the successes of the team, I do not hesitate to record here that the UNDP project team management, and the team spirit have been the critical success factors for the project.
12. Data collected from different stakeholders through questionnaires suggests that In particular, since 2018, that is, since the project was launched to widely disseminate the E-SUD information system and other interactive services in all civil courts of the Republic of Uzbekistan, Uzbekistan's rating on the "Civil Justice" factor has improved by +2 positions compared to 2018. The project activities led to an increase in Uzbekistan's scores for sub-factors:

- “Access to Civil Justice” from 0.38 points in 2016 to 0.46 in 2020.

- “Civil justice is not subject to unreasonable delays,” in which Uzbekistan is considered one of the regional leaders with a stable score above 0.7, while the average score for the region is about 0.5.

1. Alternative dispute resolution systems gained importance in Uzbekistan with introduction of a system of mediation. The activities of the mediation project, including the development of a law on mediation (2017) and a series of trainings for mediators (2019), led to an increase in Uzbekistan's assessment of the sub-factor "Affordable, impartial and effective ADR" from 0.58 in 2016 (87th in the world) to 0.67 in 2020 (55th in the world).
2. Data analysis also revealed that the Supreme Court of Uzbekistan was the place of project implementation. There are other agencies seriously engaged in Rule of Law partnerships in Uzbekistan and were independent of the Supreme Court delivering partnering in development of various activities of Rule of Law partnerships. For example development of Mediation Systems, training of Mediators, establishment of Alternative Dispute Resolution systems. The organisations implementing these initiatives say that they were benefitted by the project activities. However, the project document does not have any direct and clear outputs pertaining to the activities that were reflected in the annual work plans for these organisations- say Ministry of Justice.

# FINDINGS AND CONCLUSIONS

# Some Successes and Success factors

The findings and observations have some challenging areas for implementation of the project, and a large areas of successes and success factors. I will start with the successes and success factors.

1. Uzbekistan ranked 94 out of 126 countries on Rule of Law, rising two positions in 2019, ranked 92 out of 128 countries, rising four positions in 2020 according to World Justice Project[[2]](#footnote-2) Same project goes further saying “More countries declined than improved in overall rule of law performance for a third year in a row, continuing a negative slide toward weakening and stagnating rule of law around the world. The majority of countries showing deteriorating rule of law in the 2020 Index also declined in the previous year, demonstrating a persistent downward trend. This was particularly pronounced in the Index factor measuring Constraints on Government Powers”. However, in the case of Uzbekistan, the index has shown a positive trend attributable to the efforts of the country to improve its overall Rule of Law situation with the support of the project.
2. The speed of disposal of cases in Courts and the way case is treated in Courts in Uzbekistan has significantly improved. It was after several levels of capacity development initiatives taken up by the project and after the E-SUD system was introduced. For example, in 2019, judges returned 469 cases to the prosecutors to eliminate deficiencies during the preliminary investigation after several months of trial. Now, in assigning a claim to the court, the judge resolves this issue within seven days. As per reformed procedures, a prosecutor can study the cases on his hand, based on judicial precedents, like sentences, decisions, rulings, or court orders in similar cases by recalling them from the court only if there are applications from the litigants in these cases. If the public prosecutor refuses to prosecute, the criminal case is dropped on exonerating grounds.
3. With the support of the project, the court operations have become more transparent. The changes introduced in the recruitment systems have brought in the practice of online coverage of examination processes for selecting candidates for judicial positions from February 1, 2021, to ensure transparency and increase the efficiency of preventing corruption in the judicial system.
4. Another example of project successes is work distribution among the judges. Cases in the courts are distributed using an automated system (Blind Case Distribution system in E-SUD), taking into account the volume and specialization of judges' work in a manner that excludes the influence of interested parties on the discussion's outcome. The Economic Procedure Code has been supplemented by the provision that extracts from the claimant's statement, and the claimant can send the documents attached to it to the defendant and third parties in electronic form through the information management system. Other innovations are not listed for they are found in the annual reports.
5. Projects locational advantage, (functioning from Supreme Court), Project Managements approach, team-work, communications skills, strong technical competencies and commitment to introduce ICT based solutions to judiciary by the UNDP project team have been some of the critical success factors that helped the project sail through the rough weather of resistance to change, cultural barriers, low level capacities of court staff, and political, and leadership uncertainties in the country. Continued support of UNDP country team, and USAID’s country team added value to the project delivery.
6. Transparency in the judicial processes has been a much talked about and criticised issue in Uzbekistan’s Judicial Administration. Therefore, judicial reforms are in Government’s reform agenda of Modernisation of Judiciary and the project has been designed accordingly to support more on transparency issues. Capacity Development has been the priority of Supreme Court to ensure transparency from the beginning. Taking cue from this, not only the project has been able to deliver on its commitment, but helped the Supreme Court develop its first Annual Report, and institutionalization of reporting system, and establishment of internal reporting systems. Another mile stone is development of a report for Supreme Judicial Council on its activities. A creation of history.
7. The data collected through documents, and interviews remotely conducted due to the Covid-19 pandemic, reveal that the project, through its transformation of civic courts and E-SUD system, has opened up opportunities for women to benefit from the system, for example, in cases of filing alimony, access to land rights, or other petitions for the civic court. The support provided by the project in these areas have a high potential for transformative effects on women and their empowerment, particularly in the cultural context of women’s rights in Uzbekistan.
8. The project has also supported development of a report on gender composition of judiciary for Supreme Court. However, its content could have more specific and detailed reflecting not only numbers but also focusing on achievements of women judges.
9. E-SUD case management system, use of information technology in justice administration, is another area where the joint project has brought in sustainable results in access to justice systems of Uzbekistan. E-SUD was implemented in about 89 civil courts. These initiatives contributed to identifying the existing issues and revisiting the criminal procedure code to better protect the rights of women. UNDP worked with the Supreme Court on amendments to the Codes on Civil Procedure, Economic Procedure and Administrative Justice, which were focused on increasing the efficiency of the judicial system and further support court independence. The Ministry of Justice went on record saying that it was UNDP that supported drafting and adoption of the Free Legal Law System. The evaluation also reveals that about 43% are women among the people received support from the Free Legal Aid.
10. The Project has also supported the development of the Concept of Free Legal Aid Law on the basis of the international best practices, as well as an analysis of CRPD ratification and impact of these conventions on Persons With Disabilities(PWD), including women with disabilities. Analyses conducted by UNDP are submitted to the government institutions, such as the Ministry of Foreign Affair or Parliamentary Research Institute and NHRC for their consideration.
11. The project’s approach of multi-dimensional capacity development is worth a praise. It has not only limited its activities to internal capacity developments and systems strengthening. The legal awareness created among the population has contributed the project’s successes. The project has developed a number of publications to enhance the legal literacy of Uzbekistan’s citizens. The manuals and brochures cover common causes of litigations, such as inheritance and marriage law, along with how to apply to courts and appeal court decisions. The literacy, legal awareness, and advocacy material developed are in easy language with practical approaches.
12. Project management’s, and teams untiring efforts, especially the gender team’s efforts have brought in perceptible changes in the mid set of implementers of the project. Comparative advantage of UNDP in identification of talents, donor relations, Americans being the major donors have all contributed to project success.

# Some challenges and observations

1. Project narration gives a very good reading. The way the development challenges explained in the project document leads us to think that the project has specific outcomes, and related outputs to address the issues of development challenges. So are the strategy formulation with three specific activities, and the expected results. The output design and the Results and Resource Framework (RRF) greatly disappoint us. Project RRF does not speak any project outcome explicitly. It depends on UNDAF Outcome 8: “*Legal and judicial reforms further ensure strong protection of rights, freedoms and legitimate interests of citizens”*. Then, it straight away jumps into project output 1. “*Supreme Court is equipped with knowledge, regulatory mechanisms and capacitated staff to increase of judiciary, fairness of trials and efficiency of court administration”*. Combined reading of both gives an understanding that the judicial reforms are the agenda before the Supreme Court, and strengthening the Supreme Court alone can ensure strong protection of rights, freedoms and legitimate interests of citizens. If that is so, the project should have been an ‘Uzbekistan Supreme Court Strengthening Project’ not Rule of Law Partnership in Uzbekistan project. OR Uzbekistan Judiciary Strengthening project with clear outputs for the courts at all levels.
2. Ironically, neither the output, nor the output indicators spell out activities initiated for protection of Human Rights or capacity development for protection of Human Rights, or strengthening the institutions of Human Rights. However, the efforts made by the project in protection of Human Rights, and mainstreaming gender are laudable and deserve a special mention here.
3. As observed above the project document does not have a defined or identified or clearly spelt out project outcome. Project outcome, Outputs, Activities, Actions, Actors, inputs etc. are mandatory for an RRF. The project document should definitely have a link to UNDAF/UNSDCF. However, this does not absolve of the project having its own defined outcomes linking to UNDAF/UNSCF to establish project relevance. In addition to the Supreme Court, the project has the Supreme Judicial Council of the Republic of Uzbekistan; the Research Centre for the Study of Problems of Justice under the Supreme Judicial Council; Institute for Monitoring of Current Legislation under the President of the Republic of Uzbekistan; Strategy development’ Centre; Lawyer Training Centre under the Ministry of Justice of the Republic of Uzbekistan; Tashkent State Law University as project partners. These partners have defined roles to play and dedicated mandates, the project should have at least one output for each of the partner.
4. Uzbekistan judiciary consists of the Constitutional Court, the Supreme Court, the Military Courts, the Supreme Court of the Karakalpakstan, and various provincial courts with separate civil, economic, and administrative law jurisdiction. With only about 3,000 active judges for a population of 34.2 million, the country’s judiciary is always busy with overload. This aspect of supporting all the courts and judicial systems has not been considered by the results framework of the Project document. Focus was laid only on the Supreme Court in Tashkent. The explanation given by the project is that the Supreme Court being the highest judicial body in the system, it has worked through the Supreme Court instead of working with all the smaller courts.
5. The interviews, discussions, review of documents, and the results reveal that the project struggled a lot to establish, and maintain the relations with the implementing partners. The National Project Coordinator was frequently changed in the entire duration of the project there by throwing a challenge to the UNDP team to establish relations with the new incumbent, explain the project goals, introduce the team, get the work done, and produce the results.
6. Dominance of Government on Judges to make judgements in favour of state owned enterprises, political interference in the judiciary, overload of work on judges, non-recruitment of judges on time, young lawyers with low level of capacities, partners reluctance to project initiatives,
7. Addressing Human Rights issues through the project has been a challenge. When it comes to domestic/national laws, and international laws, the national laws have taken precedence. Even today, security, sovereignty, and peace within its territory are the priority areas within Uzbekistan thereby giving secondary importance to Human Rights. However, the project can hope better results in the Human Rights arena if the project is extended beyond 2021, because, the Government has, in June 2020, approved national human rights strategy of the country that is expected to accelerate the judiciary’s engagement with international laws.

While the project location on in Supreme Court premises had its own advantages of management, it has its own disadvantages as well. The project became very dependent on one national partner which limited more in-depth interaction with other partners of the project thereby sending a message to other partners that it was a Supreme Court development project. When the project has other partners as well than Supreme Court, the project should have been located at an independent place with proximity to all the partners and drawing national staff from all the partners.

1. Interviews with stakeholders suggest that understanding international laws, international conventions, and international values was very difficult and challenging one. Localizing international laws and conventions was also equally challenging in the backdrop of conservative systems, family values, and political environment of Uzbekistan.
2. Focused approach of partnership with different organizations was lacking right from the project design stage. No needs assessment of different organisations/ institutions is available. It has been a Rule of Law Partnerships in Uzbekistan but worked only with Supreme Court with one output. The output unequivocally explains its intentions of supporting only the Supreme Court (‘*Supreme Court is**equipped with**knowledge,**regulatory**mechanisms and**capacitated staff to**increase**independence of**judiciary, fairness**of trials and**efficiency of court**administration”*). Neither the subordination of other agencies to Supreme Court, nor Supreme Court’s supervisory roles on other organisations and institution have not been explained and narrated in the project document. All other organisations, like Ministry of Justice, Uzbekistan Law University are not directly under the supervision of the Supreme Court of Uzbekistan. However, these organizations have been supported through Supreme Court on demand. Strong feeling however has been that there should have been a focused project or project deliverable for each of the organization based on their pre-assessed needs with dedicated funding and technical support.
3. National Project Coordinators positioning has been a challenge since the beginning of the project. Although, the project has not suffered much due to the absence or continuity of one person as the National Project Coordinator, the essential leadership required for the project was missing and that gap was filled by the team management skills of the Project Manager.
4. Reasons have not come out clearly, but the methodology for user satisfaction survey developed by the project has not been approved for two years, some judges and investigators were reluctant to participate in the survey, and the National Project Coordinator was not willing to publish the results of the survey. One of the reasons could be the project activities were not fully and clearly identified at the project design stage. If such activities are designed with user engagement, with user approvals, implementation would be easier.
5. UNDP has been held with high esteem by all the implementing partners. However, one single observation has been that the systems and procedures in UNDP had been very bureaucratic, particularly December and January months were very challenging for drawing funding support for the Government activities.
6. Evaluation findings are matrixed into the following table according to evaluation criteria. The evaluation criteria explains the relevance, effectiveness, efficiency, lessons learned, and Gender and human rights issues dealt with in the project.

# LESSONS LEARNED

1. ***Lesson 1: National Engagement will have an added advantage of implementation of the projects***. The first lesson from the project implementation is the way the project was implemented. The project was implemented in National Implementation Modality, with National Officers both at the project site and within UNDP, and the project was housed within a national premises. This has created a full ownership of the project. Today, the national implementers own the successes and failures of the project fully. They do not shift to the responsibilities of shortcomings to UNDP.
2. ***Lesson 2:*** ***Demand driven projects will always yield desired results.*** This project is an example of how a demand driven project would give desired results. The project was designed based on the national requirements, and needs spelt out in the presidential decree on strengthening justice delivery in Uzbekistan. The results of the project have further motivated the Government/ National partners to demand the extension of the project with more focused outputs and organization specific deliverables. This is an opportunity for the UNDP and other donors to extend the support with a revised project outputs.
3. ***Lessons 3: Needs assessment allows to design need based interventions.*** A strong capacity needs assessment- both institutional and individual appears to be missing in the project delivery. The evaluation could not find any such needs assessment document. If capacity development interventions were based assessed needs, better targeting could have been possible. The language of the output 1 is an indication of non-availability of individual institution specific capacity requirements. The project has provided on demand and ad-hoc support to the institutions other than the Supreme Court.
4. ***Lesson 4: Localisation of International Laws and conventions requires strong local support and willingness to adopt to change:*** Implementation of International conventions and international laws more particularly on Gender Justice, and Human Rights has been slow not because of inherent incapacity to implement but inadequate preparation. Locals were very slow in understanding, comprehending, and adopting to Gender justice and Human Rights. Cultural, Psychological, Economical, and Political practices and traditions in the country have not fully supported the timely adaptation of human rights and gender justice in the country. The strong lesson therefore is to bring in changes in the way the people think slowly and steadily putting baby steps. Changes should go into the curriculum from the primary education level to graduate to the higher level at least in the generations to come. Advocacy, Campaigning, persistent publicity to the rights could only give desired results.
5. ***Lesson 5: Long term interventions give sustainable results:***  The project has proved that only long term interventions will give desired and sustainable results in emerging democracies like Uzbekistan. The project that was started eight years ago was extended thrice. Had it been closed at the first phase itself, the results we are documenting today could, perhaps, have not been possible. The systems like E-SUD, Alternative Dispute Resolution, and Transparency in Judicial recruitments, accessibility to justice are now sustainable with gradual national ownership and continued support of the project.
6. ***Lesson 6: Engagement of partners at the project design stage and identification of activities at the design stage makes implementation easier:***  Some of the project activities were have thrown implementation challenges. Therefore, the activities of the project should be identified during project design phase, taking into consideration the political will of state officials for the realization of project objectives. Political will can be predictable at the design stage which will can suggest either modifications to the desired activities or politically non-sensitive and administratively possible interventions can be put into activities with ownership.

# RECOMMENDATIONS

1. ***Recommendation 1: Extend the project for another six years:***  The project is high in demand by the implementers and users. The interventions like E-SUD, Mediation, Alternative Dispute Resolution Systems, Legal and Judicial Capacity development, Human Rights recognition, and Gender mainstreaming and women legal empowerment are just gaining recognition and attention of the policy makers in Uzbekistan. This is the right time to invest more in the people and institutions of Justice in of Uzbekistan. Sudden closure of the project immediately after the pandemic might disturb the culture established by the project all these years. Therefore, extension of the project for six more years is recommended.
2. ***Recommendation 2: Design a Project for Six Years with a two years’ work plan to be revised every two years of implementation- thrice during the life of the revised project:*** A project with six years project cycle divided into three sub-project cycles is needed. Once the project is designed based on the lessons learned and assessment of needs, a clear work plan for two years at a stretch should be developed for implementation. Once the first two-year cycle is successfully implemented, again based on the experiences, another work plan for second two-year cycle should be developed. This will give enough breather for the implementers. Sometimes, it so happens that the activities and results planned now might become redundant over a short period of time of two to three years due to various political and economic reasons. Therefore, a long duration project with committed funding with short duration project cycles is recommended as an extension to the current project.
3. ***Recommendation 3: Re-formulate the Results and Resources framework in the new project with organization/institution specific deliverables with specific components:***  The project under evaluation suffers from clarity of activities to be taken up by different institutions/organization it partners with. The output ‘*Supreme Court is**equipped with**knowledge,**regulatory**mechanisms and**capacitated staff to**increase**independence of**judiciary, fairness**of trials and**efficiency of court**administration”* is confusing and very vast if interpreted. It belongs only to the Supreme Court, not to the other organisations the project is partnering with like: The Ministry of Justice; the Supreme Judicial Council of the Republic of Uzbekistan; Strategy development’ Centre; Lawyer Training Centre under the Ministry of Justice of the Republic of Uzbekistan; Tashkent State Law University etc. Each of these organisations/agencies/institutions should have separate and distinct set of activities, outputs, actions, and resources allocated.
4. ***Recommendation 4: Identify Project Outcomes, Outputs, Activities, Actors, and Resources***: The project document should clearly identify these in addition to relating the project activities to UNSDCF outcomes, and CPD activities. Project outcomes, and outputs are a must in any project design. Then these should be linked to different identified components. ( Proposed components could be: Capacity Development Component; Access to Justice Component; Alternative Dispute Resolution Component; Human Resources Management in Judiciary Component; Institutional Development Component; E-Governance/E-SUD component etc)
5. ***Recommendation 5: Identify all the activities of proposed project cycle at the time of design of the project with national ownership. Introducing new activities in the middle of the project will lack ownership and interest to implement.*** All the proposed activities for achieving the outputs should be identified at the beginning of the project and discussed with the implementing partner/user government. A brainstorming session to design the project and its activities recommended to have full ownership of the project. All the partners of the project should be engaged in the new project design.
6. ***Recommendation 6: Capacity Needs Assessment should be conducted:*** A capacity needs assessment should be conducted before designing the project for the next phase. If available capacities are not sufficient to run the project to produce desired results, specific capacity development interventions can be programmed.
7. ***Recommendation 7: Shift the Project Office from the Supreme Court to an independent office for the project:*** The current arrangement of functioning the project from the premises of Supreme Court has been challenging on many counts. The successes of the project have covered up the challenges faced by other users, UNDP project staff and others. Now, for the next phase, the project should function from the Ministry of Justice Premises drawing one national officer from each client organization. If that is not possible, the project may run from an independent premises identified specifically for the project.
8. ***Recommendation 8: Alternative Dispute Resolution (ADR) System that includes Mediation should be strengthened during the next project cycle through policy initiatives:*** During the evaluation, it is gathered that the Mediation and Pro-Bono legal aid supported by the project and the training to the mediators was found to be expensive to the Ministry of Justice. The Ministry was not in favour of spending budgets on this. However, ADR systems reduce cases in the courts, Mediation saves time, money, and relationships of the disputants, and therefore it should be encouraged with a policy initiative. During the next project cycle, a policy initiative of ADR systems should be supported with technical expertise to formulate the ADR policy with necessary budgetary support from the Ministry of Justice.
9. ***Recommendation 9: Avoid multiple agencies doing similar jobs.*** During the evaluation, it is observed that other agencies like TetraTech, GIZ, UNODC, OHCHR, OSCE, are also working with the Government of Uzbekistan on Rule of Law and Justice sectors. A dialogue with these agencies is required to avoid multiplicity of agencies, and duplication of work. Necessary partnerships should be developed to combine similar interventions by different agencies.
10. ***Recommendation 10: There should be an Exit strategy for the project.*** The proposed project should have an exit strategy to close the project at the end of the project cycle and make the project interventions sustainable through full government involvement and ownership.

1. Project document [↑](#footnote-ref-1)
2. World Justice Project Reports, 2019, and 2020 [↑](#footnote-ref-2)