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| Final Evaluation ReportRule of Law Partnership in Uzbekistan Project |
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| P. Madhava Rao PhD | 10/20/21 | 2017-2021 |

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# ACKNOWLEDGEMENT

*Evaluation of project for ‘Rule of Law Partnerships in Uzbekistan’ that was jointly launched by UNDP and USAID under some noble compulsions is not an easy task. A project that was formulated for Capacity Development of Judiciary and Judicial Institutions in Uzbekistan with the aim of strengthening national capacities for judicial policy coordination, creating accessibility to justice, preserving human rights, mainstreaming gender, empowering women and ensure transparency and judicial accountability under National Implementation Modality with limited budget and human resources really needs to be evaluated with sincerity and commitment considering the circumstances and conditions under which it was formulated and launched.*

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*P. Madhava Rao PhD*

*Senior International Expert Governance and State building*

*20 October 2021*

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# LIST OF ACRONYMS AND ABBREVIATIONS

|  |  |  |
| --- | --- | --- |
| ADR |  | Alternative Dispute Resolution |
| CDR |  | Combined Delivery Report |
| CPAP |  | Country Programme Action Plan |
| GIZ |  | Deutsche Gesellschaft für Internationale Zusammenarbei |
| ICT |  | Information and Communication Technology |
| ICTE |  | Independent Country Evaluation |
| KII |  | Key Informant Interviews |
| MoJ |  | Ministry of Justice |
| NIM |  | National Implementation Modality |
| RoL |  | Rule of Law  |
| RRF |  | Results and Resources Framework |
| SDG |  | Sustainable Development Goals |
| TOR |  | Terms of Reference |
| UN |  | United Nations |
| UNDAF |  | United Nations Development Assistance Framework |
| UNDP |  | United Nations Development Programme |
| UNEG |  | United Nations Evaluations Group |
| UNESCO |  | United Nations Educational, Social and Cultural Organisation |
| UNHRC |  | United Nations Human Rights Commission |
| UNICEF |  | United Nations Children Emergency Fund |
| UNODC |  | United Nations Office on Drugs and Crimes |
| USAID |  | United States Agency for International Development |
| USD |  | United States Dollars |

# EXECUTIVE SUMMARY

United Nations Development Programme (UNDP) and United States Agency for International Development (USAID) have jointly launched a Project ‘Rule of Law Partnership in Uzbekistan’ in November 2014 and it was extended up to September 2021 and this evaluation is the final external evaluation of the project covering the period from 2018-2021 to document its successes, shortcomings, lessons, learned and recommendations for future such initiatives and adaptation elsewhere. The Project has been very successfully implemented and the users and beneficiaries of the project demand further extension of the project to institutionalise the changes brought in through the project and make the interventions sustainable.

The total budget allocations were with a total budget of USD 6,481,177.27, and the project’s proposed output was “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 project was housed in the Supreme Court and partnered with 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.

This evaluation was conducted remotely by one international consultant within 21 working days. Data was collected through questionnaires, Key Informant Interviews via Zoom Calls, and desk review of available and relevant documents. The data collected was analysed, validated through the interviews, draft report submitted after submission of an inception report laying roadmap for evaluation.

The evaluation findings have been not only listed but also categorized and analysed bring out the project’s relevance, effectiveness, efficiency, human rights and women empowerment and document lessons learned. Some conclusions were drawn and recommendations made.

The lessons include the learning from a demand driven project under national implementation modality run by national partners and how can it be adapted elsewhere to give the desired results. Lessons also include how cultural barriers, political economy, and traditions can delay implementation and replication of best practices. Lessons were also learned on how non-inclusion of activities the design stage throw challenges at implementing stage.

Some of the recommendation include extension of the project for another six years with a two year work plan for each two years duration of the project for successful implantation and sustainability. Recommendations are also made to design organization specific outputs activities, and shifting the office from the Supreme Court to outside. Recommendation are also made to re-design the project with clear outcomes, outputs, activities, actors, and resources that is lacking now. Needs assessment and stakeholder engagement before the design of the project is another recommendation. Having an exit strategy is the final recommendation.

# 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 30 September 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.
2. The evaluation was undertaken in line with the UNDP Uzbekistan Country Office evaluation plan as defined in the Country Programme Document undertaken by one international senior expert in accordance with the terms of reference (ToR) and the agreed work plan. The evaluation involved:
	* Desk review of the documents related to the project from project formulation stage to end of project including periodical reviews, and progress reports
	* Virtual Interviews, contacts, discussions, with Key Informants (KII) i.e. stakeholders, project staff, government counterparts/implementing partners
	* The presentation of a draft Evaluation Report to UNDP for review by third week of September 2021; and
	* Delivery of the final Evaluation Report by 30 September 2021
3. Entire Evaluation was conducted from the home country, India, of the evaluation expert Home in India within 21 days starting from September 9, 2021 to September 30, 2021. This time was utilized to collection of documents, desk review of documents, drafting inception report, drafting the final report, approvals and finalization. All the interviews and interaction were taken up remotely, therefore, the report might have suffered from a few limitations peculiar to such remote evaluation process and the very short time assigned to accomplish the tasks remotely. Due care however was taken to accomplish the tasks and the quality of the report is not compromised.

# DESCRIPTION OF THE INTERVENTION

1. Based on the theory change (see the diagram below for more clarification) 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.
2. 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 in Uzbekistan 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.



1. The project was further extended for another year – from October 1, 2020 till September 30, 2021 (third phase), in 2020, to address the government’s need for further enhancing professionalism of judges and court staff by delivering specialized trainings especially for judges of the newly established administrative courts and inter-district economic courts.
2. The goal of the Project in 2018-2021 was to strengthen public access to and trust in Uzbekistan’s judicial system, focusing on the wider range of courts. 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 further seeks to ” Based on national priorities and the best international experience,
* ROL project will provide assistance in elaboration of strategic and legal framework to improve accessibility of court information and transparency of judiciary,
* in strengthening research and analytical capacity of Supreme Court in order to implement judicial and legal reforms,
* Wide involvement of representative of civil and expert society as well as donor organizations in open discussion of reforms and provision of assistance in strengthening rule of law in Uzbekistan.
* will focus on strengthening the capacity of 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
* Establishing institutional grounds for implementation of international standards and best foreign experiences in criminal and civil court proceedings, further improvement of efficiency and competencies of judiciary.

To achieve the set goals, the ROL project’s approach is to codify the lessons learned, consolidate the best practices and replicate the improved court administration operations while also making Uzbekistan’s judicial institutions and mechanisms more knowledgeable, independent and responsive to citizen needs. This will include more refined and adaptive capacity development approaches and creating strategic partnerships with other institutions, such as the Supreme judicial council, Ministry of Justice and other government and non-government agencies and civil society institutions.

* Judicial independence,
* Fair trial
* Efficient judiciary.”[[2]](#footnote-2)
1. The project’s office is located in Tashkent, Uzbekistan within the national partner agency – the Supreme Court of the Republic of Uzbekistan. The project has been working in two pilot regions – Tashkent city and Tashkent region since 2014. The concept of Pilot regions was done away with after 2018 and the project has extended support to the entire judicial system.
2. The project’s primary beneficiaries are the bodies and agencies comprising the judicial system of Uzbekistan. Therefore, the project’s activities were focused on the one hand on the judges and personnel of the courts, and on the other hand on the clients of the judiciary – ordinary citizens and lawyers who interact with courts and use their services.
3. The project’s main national implementing partner is the Supreme Court of the Republic of Uzbekistan. At the same time, project’s separate components have been implemented in collaboration with such partners as the Supreme Judicial Council,( The Institute for Monitoring of Current Legislation under the President was one of the organisations identified for support at the design stage of the project, however it was later dissolved and the project did not work with the organization.) The Bureau of Compulsory Enforcement at the General Prosecutor's Office, ‘Strategy Development’ Center, Lawyer Training Center under the Ministry of Justice, Tashkent State Law University, Research Center for under the Supreme Court, Higher Economic Court, and others.
4. 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 in Uzbekistan 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 in Uzbekistan 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.
* The Evaluation was undertaken in accordance with:
* UNDP Evaluation Policy
* UNDP Evaluation Guidelines
* UNDP Decentralized Evaluation Guidance for Implementing Evaluations Remotely/virtually (June 2021)

# APPROACH AND METHODOLOGY

1. This evaluation is intended to provide the United Nations Development Programme (UNDP) with an objective assessment of its work under the Project. The assessment was undertaken against five key criteria, as noted in the ToR, namely: relevance; effectiveness; efficiency; sustainability; and human rights and gender.
2. The ToR has detailed the scope of work and level of resources to be allocated to this assignment. The duration of the evaluation is very short totaling 21 covering inception phase, evaluation phase and finalization phase. These phases covered: planning; preparations; initial desk review of document; submission of inception report, data collection through remote methods and contact, presentation, receiving feedback; and finalization of the evaluation report.

# APPROACH

1. The approach adopted was to seek to identify and clarify the assumptions made at the designing stage of the project and how the CPAP/UNDAF objectives were translated into a practical implementation methodology for the Project. The evaluator has also explored how the broadly defined theory of change found in the project documents was translated into Project’s objectives into a project deliverables/outputs/outcomes.
2. The evaluator has also identified whether tangible steps were programmed and set against timelines with expected results, and if these changes were accurately identified and monitored. The evaluator has explored whether these steps were realised and if they had the effect which was expected (and if not, why not). An *evaluation matrix* had been developed (attached in *Annexure 2*) based on the detailed ToR developed by UNDP. The matrix identified the key evaluation questions and how these were answered in the evaluation process.
3. To achieve valuable results the evaluator worked closely with UNDP staff remotely in Uzbekistan to maximise participation; identify relevant information / data sources; and enable efficient implementation of the evaluation. The nature of independence is not compromised so therefore the participants in the evaluation are comfortable with providing fair and frank feedback on the Project.
4. Furthermore, all those participated in the evaluation were treated with respect and dignity. Care was taken to provide stakeholders with interview environments which allow for open discussion and reflection on the project, funding and management approaches. The evaluator has opened each interview with a clear and concise description of the purpose of the evaluation and the use of information and opinions provided, including their confidential nature. The participants invited for interviews and discussions were also be given the time and information to decide whether or not they wish to participate in the evaluation process; and able to make an independent decision without any influence or pressure to participate.
5. The evaluator has followed a participatory and consultative approach ensuring close engagement with the Project Team, government counterparts, national partner agencies, the UNDP Country Office(s), direct beneficiaries and other stakeholders.

#  METHODOLOGY

1. An elaborate methodology is explained was the consultancy ToR. It covered the methods required to be adopted during this pandemic and through remote evaluation. The methodology that the evaluator adopted was informed by the timeframes available for the evaluation. Consequently, a strengths‐based approach was adopted to ensure that lessons are framed in a way that is useful to UNDP and other stakeholders. Activities undertaken throughout the evaluation were in conformity with the Standards for Evaluation in the UN System, and informed by the UNDP Handbook on Planning, Monitoring and Evaluating for Development Results, and comply with the UNEG Code of Conduct for Evaluation in the UN System.
2. The following key data sources were used as the basis for data collection and subsequent triangulation of evaluation results. These were:
* *Document review of all relevant documentation*. This would include a review of inter alia: Project document (contribution agreement); theory of change and results framework; programme and project quality assurance reports; annual work plans; consolidated quarterly and annual reports; results-oriented monitoring report; highlights of project board meetings.
* *Semi-structured interviews with key stakeholders* including key government counterparts, donor community members, representatives of key civil society organizations, and implementing partners:
* Development of evaluation questions around relevance, effectiveness, efficiency and sustainability and designed for different stakeholders to be interviewed.
* Key informant and focus group discussions with men and women, beneficiaries and stakeholders.
* *Other methods* such as outcome mapping, group discussions, etc.
* ­ *Analysis* of monitoring and other data sources and methods.
* *Review of additional data / reports ‐* analysis of other relevant documentation, research and international data (where available) will be undertaken to provide additional perspectives on the context relating to rule of law, access to justice, and women / vulnerable groups in Uzbekistan. (A list of documents (Annex 3, and the list of stake holders required for this evaluation can be found in Annex 4.)

Given time limitations due to the Pandemic and remoteness of this evaluation, the feasibility of developing, disseminating and collating a survey will be subject to UNDP’s guidance / support. Following discussions with UNDP in‐Uzbekistan after mobilisation it became apparent that distribution of the survey to a wide‐range of counterparts would not be possible. Consequently, only limited use of this tool will be made.

1. The evaluator’s approach to the analysis of the data and feedback gatheredwas triangulated using multiple sources so that it can be able to effectively analyse and verify the information received. The initial document review will provide key information which will be used to formulate questions for interviews and information gathering. Information and opinions elicited from interviewees will be cross‐checked against other information, both written and oral, elicited during discussions with the stakeholders, and verification of assumptions will be conducted with interviewees.
2. Conclusions are drawn based on a cross‐checking of quantitative and qualitative data compiled. Qualitative data was also cross‐checked against as many data sources as possible; interview techniques were adopted which ensured that qualitative information obtained during interviews could be verified, either through a dot point summary, or through an oral summation and clarification of understandings and assumptions made during the interview. In this way, the validity of the data collected and the credibility of the findings based on that data was maximised.

# CROSS‐CUTTING ISSUES

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 of successes, achievements, and challenges that were already reported periodically in the annual reports are purposefully ignored for they are already known to the implementers and the donors. Also, to avoid space constraints.
2. The data collected for this evaluation consists of data from the desk review of documents (the list in the annexure), key informant interviews with the stakeholders (list annexed), data collected through questionnaires (Questionnaire annexed), and discussions with the project staff. The data collected from all these sources, as explained in the methodology, is related to the project achievements and challenges before drawing conclusions and lessons learned.
3. The Project document very well-articulated the development challenges in democratic countries and related to specific areas of interventions in Rule of Law, Administration of Justice, and Access to Justice and judicial institutional development.
4. A review of the project documents reveals 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. (Table 1)

**Table 1**

**Capacity Development**

**(The details given in this table are illustrative not exhaustive.)**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Enabling Environment**  | **Organisational/Institutional Capacity** | **Individual Capacity** |
| What is it? | This enables other two areas- Orgnisations and Individuals deliver. Without environmental capacity the organisational capacity and individual capacity however strong cannot deliver. This area of capacity constitutes: Political will, Polices, Legal framework, and attitudes of senior positive attitude of senior functionaries to delegate and appreciate the work of other functionaries in the system. | Rules, regulations, work procedures, guidelines, service delivery tools, accessibility guidelines, physical accessibility facilities of disabled, women; and children, buildings, tables, chairs, computers- both hardware and software. Training institutions, required number of personnel- both technical and nontechnical (Human Resources); finances, budgets, funding etc. form the organisational/institutional capacity. | Knowledge, skills, attitudes gained through institutional capacity, training and development approaches.  |
| What has been done? | Project has taken specific activities and actions to strengthen environmental capacity of Rule of Law and Administration of Justice. The activity to ‘Increase systemic, institutional and procedural judicial independence in civil,Economic and administrative courts through providing strategy policy advice to key decisions makers.’ Appears to be an institutional capacity development approach. However, it has a strong environmental angle that enhances decision making environment conducive for the institutions to function.The narration under the activity in the project document explains its enabling environment aspect: According to the Constitution of the Republic of Uzbekistan, the judicial authority in the Republic ofUzbekistan shall function independently from the legislative and executive authorities, political parties, and other public associations. Judicial independence has several dimensions includinginternal dimension according to which judges are independent in deciding on their cases and external independence from other branches of power especially in such questions as budgeting court activity and appointment of new judges. | The “Activity 2. Enhance criminal justice and civil justice systems in line with international standards and the best practices related to fair trial and due process.” Clearly explains the intentions of the project and the actions taken thereunder to enhance the institutional capacity. Production of handbooks, rules, regulations, provision of hardware, software, development of website for filing of cases all form part of the institutional capacity developed through this project. | The training courses designed and delivered by the project forms part of Individual capacity development. In 2021 alone The project conducted 16 events (including 8 trainings, 4 regional seminars, 4 summer schools, etc.) on gender and justice, on administrative proceedings, on improving communication skills of judges, etc. in different regions of Uzbekistan where a total of 2026 judicial personnel were trained (including 518 women). |

1. 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. (See Table 2) 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.
2. 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.

Table 2

Results Framework and Achievements

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **OUTPUT** | **ACTIVITIES** | **OUTPUT INDICATORS** | **ACHIEVEMENTS** | **COMMENTS** |
| Supreme Court is equipped with knowledge, regulatory mechanisms and capacitated staff to increase independence of judiciary, fairness of trials and efficiency of court administration | a. Increase systemic, institutional and procedural judicial independence in civil, economic and administrative courts through providing strategy policy advice to key decisions makers | **1.1** Availability of proposals on further improvement of the procedures on Transparency in the appointment of judges for the second (and subsequent) periods, integrating the favorable conditions for the advancement of women judges. | FULLY ACHIVED. Details not repeated as they are found in the annual performance review reports |  |
| **1.2** Availability of a methodology with clear criteria, which inter alia, promotes gender balance among judges and court personnel, for assessing the activities of courts in accordance with international standards. | PARTIALLY ACHIVED.  |  ‘While project had significant progress in introducing international standards of judicial independence in appointment mechanisms as well as established effective cooperation with Supreme Judicial Council, project lacked to introduce methodology on promoting gender balance among judges and court personnel. Project efforts in area of promoting gender in judiciary are praiseworthy but there was not enough evidence that project tried to urge national judicial bodies to adopt the Road Map on gender and justice.’  |
| **1.3** Availability of comparative analysis of national and best international practice on established mechanisms of judicial planning, court administration and budgeting | PARTIALLY ACHIVED.  |  ‘Project provided sufficient evidence that it researched international experience in budgeting and planning of court activities, as well as organized training for Supreme Judicial Council on strategic planning. At the same time, there was limited evidence that draft strategic plan developed as a result of training, was or is being planned for adoption and implementation by Supreme Judicial Council in coming years.’ |
| **1.4** Number of analytical papers 5 with proposals on further enhancement of:i) criminal and criminal procedural legislation;ii) civil and civil procedural legislation;iii) Code of proceedings in administrative courts | FULLY ACHIVED.  |  |
| b. Enhance criminal justice and civil justice systems in line with international standards and the best practices related to fair trial and due process | **1.5** Number of comparative analyses of the best international practices of ensuring right to a fair trial with national legislation | FULLY ACHIVED.  |  |
| **1.6** Number of individuals who have access to normal justice7 (disaggregated by gender and vulnerable groups) including:A) through free legal aid mechanisms;B) Through interactive services of courts. | FULLY ACHIVED.  |  |
| **1.7** Number of training courses elaborated based on results of needs assessment of judges and court personnel | FULLY ACHIVED.  |  |
| **1.8** Number of:i) applications submitted (processed) to courts through the E-SUD (sex-disaggregated) information system;(ii) Interactive services of electronic judicial systems. | FULLY ACHIVED.  |  |
| c. 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 | **1.9** Number of published statistics (sexdisaggregated as applicable) on court activities. | PARTIALLY ACHIEVED |  Project was successful in supporting national judicial bodies in preparing and publishing the court statistics in the form of annual reports as well as institutionalizing the mechanisms for gathering, preparation and publication of reports. At the same time, there was no evidence that project sufficiently worked with national judicial bodies to collect and analyze data on global and national Sustainable Development Goals (SDG) 16 targets and indicators related to justice sector which would have contributed even more to achievement of SDGs. |
| **1.10** Number of:(i) courts andii) participants (sex-disaggregated) in the judicial system who participated in a survey on satisfaction with court activities | PARTIALLY ACHIVED.  |  Project did organize and conduct a court user satisfaction survey during 2019-2021. It is reported that COVID-19 related restrictions made project to organize the survey in 2021 online using the google forms. As a result, number of surveyed respondents (863) was 40.9 % of the initial number of planned for surveying number of respondents (2106). In group of respondents ‘staff of law enforcement bodies’ only 0.4% of the planned number of respondents were surveyed and only 21.6% lawyers participated the survey.It must also be noted that, at the moment of evaluation, the survey results are still under consideration by Supreme court and are not yet published.’ |

1. 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.
2. 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) (Table 3). 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.
3. **Table 3**
4. **EXPENDITURE OF THE PROJECT FROM 2018 TO 2021**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Activity** | **2018** | **2019** | **2020** | **2021** | **Totals** |
| Activity 1 ( Feedback Mechanisms) | 309839.30 | 609384.64 | 248071.51 | 386311.50 | 1,553,606.95 (36.61%) |
| Activity 2 ( Training & Learning ) | 161283.14 | 489530.84 | 175520.70 | 47209.12 | 873,543.80 (20.59%) |
| Activity 3 (Court Management) | 504835.35 | 845244.69 | 80630.51 | 370620.55 | 1,801,331.10 (42.45%) |
| For 3 activities | **975957.79** | **1944160.17** | **504222.72** | **804141.17** | **4,228,481.85** |
| Other | 3350.75 | 3,387.09 | 6,864.86 | 1,438.50 | 15,041.20 (0.35%) |
| TOTAL OUPUT | **979308.54** | **1947547.26** | **511087.58** | **805579.67** | **4,243,523.05** |

1. 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.
2. 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.
3. 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.
4. 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.
5. 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 support and technical leadership 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.

**Table 4**

**Knowledge Products Developed by the Project**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Knowledge Product/tools of service delivery** | **Policies and Legal Framework** | **Training courses** | **Workshops/ seminars** | **Exposure visits** |
| Analytical Papers | Amendments to the legislation | Training courses on Knowledge | For knowledge sharing | Field visits |
| Hand Books | New polices and approaches on Alternative Dispute Mechanism | Training Courses on Skill Development | Validation of decisions and assessments | Study tours |
| Infographics | Approaches on Strengthening Legal Aid | Training courses on attitude and perception | Collect collective opinion | Media visits |
| Manuals | Access to Justice |  | On larger legal issues |  |
| Brochures |  |  | On e-court systems |  |

1. 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 of these organisations- say Ministry of Justice.

**Table 5**

**PROGRAMME**

**Digitalization of the activities of the judiciary in 2020 – 2023**

| **No.** | **Name of events** | **Implementation form** | **Deadlines** | **Estimated value****\*****(million sums)** | **Sources of funding****\* \*** | **Responsible organizations** | **Comments by project** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **I. Further development of information and communication technology infrastructure** |
|  | Providing judges and court workers with modern computer and office equipment in the required amount. | 1. Determination of the need for computer and office equipment | December 31, 2020 | Determined by the results of the inventory | Within the framework of funds allocated from the State budget, funds of foreign partners | Supreme Court(B. Isakov),Mininfocom(O. Pekos),Ministry of Investment and Trade(L. Kudratov) | Under implementation of the Decree of the President of the Republic of Uzbekistan ‘On measures to digitalize the activities of the judiciary’ from September 3, 2020 No. PP-4818, as well as to provide widely use ICT, ensuring the mobility of judges and the transparency of justice the Project purchased and transferred to the Supreme Court of the Republic of Uzbekistan 20 pcs. Lenovo Think Book laptops for the judges of administrative courts. As a result, today the judges are able the access for the court information and the cases placed the information system of the Supreme court of the Republic of Uzbekistan and the information resources of the other state bodies from anywhere and anytime via Internet |
| 2. Purchasecomputer and office equipment in the prescribed manner | July 1, 2021 year |
|  | Organization in the established order of reservation in the Center for storage and processing of data (data center) of JSC”Uzbektelecom " of data of information systems and resources, software and electronic registers introduced into the activities of judicial authorities. | 1. Approval of the relevant documentation | April 12021 year | Determined by agreement | Foundation for the Development of the Judiciary | Mininfocom(J. Makhsudov),JSC " Uzbektelecom "(N. Khasanov),Supreme Court(B. Isakov) |  |
| 2. Launching server hardware | July 12021 year |
|  | Strengthening measures to ensure information and cybersecurity of information systems, databases and other software products, comprehensive protection of official information and data of court authorities. | 1. Study and analysis of information security vulnerability | 31th of December2022 yearJuly 12023 year | Determined by analysis | Within the funds allocated from the State budget,funds of foreign partners | Supreme Court(B. Isakov),Mininfocom(B. Olmatov),State Unitary Enterprise "Cybersecurity Center"(D. Chichenkov),Ministry of Investment and Trade(L. Kudratov) |  |
| 2. Purchase of the necessary equipment and software |  |
|  | Installation of special terminals in court buildings in order to provide citizens with the opportunity to independently use interactive services directly in court buildings. | 1. Validation of terminal parameterscontract | July 12021 year | 6000.0 | Within the funds allocated from the State budget,funds of foreign partners | Supreme Court(B. Isakov),Mininfocom(O. Pekos),Ministry of Investment and Trade(L. Kudratov) |  |
| 2. Conducting competitive bidding and conclusion | 31th of December2021 year |
| 3. Purchase, installation and start-up of equipment | July 12022 year |
|  | Installation of electronic queue equipment in court buildings with a large flow of citizens applying for receiving applications and issuing documents. | 1. Determination of court buildings where there is a need to install electronic queue equipment | July 12021 year | Determinedby the results of the inventory | Within the funds allocated from the State budget,funds of foreign partners | Supreme Court(B. Isakov),Mininfocom(O. Pekos),Ministry of Investment and Trade(L. Kudratov) |  |
| 2. Conducting competitive bidding and concluding an agreement | 31th of December2021 year |
| 3. Purchase, installation and start-up of equipment | July 12022 year |
|  | Implementation of the IP-telephony system in the activities of the courts. | 1. Conducting competitive bidding and concluding an agreement | January 1st2023 year | 200.0 | Within the funds allocated from the State budget,funds of foreign partners | Supreme Court(B. Isakov),Mininfocom(J. Makhsudov),Ministry of Investment and Trade(L. Kudratov) |  |
| 2. Purchase, installation and start-up of equipment | 31th of December2023 year |
|  | Providing court buildings with a Wi-Fi network for visitors. | 1. Conducting competitive bidding and concluding an agreement | July 12021 year | 200.0 | Within the funds allocated from the State budget,funds of foreign partners | Supreme Court(B. Isakov),Mininfocom(J. Makhsudov),Ministry of Investment and Trade(L. Kudratov) | Under implementation of the Decree of the President of the Republic of Uzbekistan ‘On measures to digitalize the activities of the judiciary’ from September 3, 2020 No. PP-4818, the Project procured and installed 150 pcs. Wi-Fi routers for the courts of the republic.Providing wireless Internet access (Wi-Fi) in court buildings allow citizens use interactive services in the judicial system. It will also contribute to improving the efficiency of interaction between the citizens and business entities and the courts of the republic. |
| 2. Purchase, installation and start-up of equipment | 31th of December2021 year |
|  | Purchase and installation of equipment necessary to provide all courtrooms with a system for recording court sessions using audio recording. | 1. Conducting competitive bidding and concluding an agreement | 1 October2020 year | 7000.0 | Within the funds allocated from the State budget,funds of foreign partners | Supreme Court(B. Isakov),Mininfocom(J. Makhsudov),Ministry of Investment and Trade(L. Kudratov) |  |
| 2. Purchase, installation and start-up of equipment | 31th of December2020 year |
|  | Purchase and installation of equipment necessary to provide a video conferencing system for all vessels not connected to this system, in particular: |  |  | 13,975.07500.0 | Within the funds allocated from the State budget,funds of foreign partners | Supreme Court(B. Isakov),Mininfocom(J. Makhsudov),Ministry of Investment and Trade(L. Kudratov) | Under the Project 20 sets of videoconferencing system were purchased and installed to courts of the Republic of Uzbekistan.These videoconferencing system were installed in 13 courts of criminal cases – - Nukus city court of criminal cases; - Muynak district court of criminal cases; - Karauzyak court of criminal cases; - Kegeyli court of criminal cases; - Chimbay court of criminal cases; - Bukhara court of criminal cases; - Ishtikhan court of criminal cases; - Samarkand court of criminal cases; - Taylak court of criminal cases; - Khavas court of criminal cases; - Oltiarik court of criminal cases; - Margilan court of criminal cases; - Urgench court of criminal cases and 5 courts of civil cases – - Zarbdar court of civil cases; - Karmana court of civil cases; - Navbahar court of civil cases; - Chust court of civil cases.It should be noted that all court hearings during the COVID-19 lockdown the courts were held via video conferencing.The total number of court hearings held in the videoconferencing regime in all courts of the Republic of Uzbekistan in 2019 - 6871, in 2020 – 6333. |
| criminal and military courts; | 1. Conducting competitive bidding and concluding an agreement | 1 October2021 year |
| 2. Purchase, installation and start-up of equipment | July 12022 year |
| Civil courts, administrative courts and economic courts. | 1. Conducting competitive bidding and concluding an agreement | July 12022 year |
| 2. Purchase, installation and start-up of equipment | July 12023 year |
|  | Creation of an opportunity for training and demonstration of court sessions in the simulation courtroom of the Higher School of Judges by introducing a video conferencing system and recording using audio recording. | 1. Conducting competitive bidding and concluding an agreement | April 12021 year | 150.0 | Funds of foreign partners | Graduate School of Judges( HM. Isokov ),Mininfocom(O. Pekos) |  |
| 2. Purchase, installation and start-up of equipment | 1 October2021 year |
|  | Creation of a Situation Center in the building of the Supreme Court in order to conduct operational monitoring:timely registration of appeals and automatic distribution of cases between judges;observance by judges of the procedural order and terms of consideration of cases;the state of operation of server hardware and programs;cyber threats and their warnings;The situation in the courtrooms, including the timely holding of court sessions. | 1. Development of technical specifications | 31th of December2021 year | 400.0150.0 | Within the funds allocated from the State budget,Information and Communication Technologies Development Fund | Supreme Court(B. Isakov),Mininfocom(O. Pekos) |  |
| 2. Conducting competitive bidding and concluding an agreement | April 12022 year |
| 3. Purchase, installation and start-up of equipment | 31th of December2022 year |
| 4. Software development | July 12023 year |
| **II. Ensuring electronic interaction of citizens and business entities with the judiciary through further digitalization of their activities** |
|  | Creation of the Complex of information systems "Adolat" on the basis of the existing information systems of the Supreme Court, taking into account modern technologies on the basis of a new software platform by:**- creating an opportunity for the automatic distribution of cases between judges in the courts of appeal and cassation;**-creation of a system for the automatic generation of court documents through the use of information systems introduced into the activities of courts;- creation of a system of electronic appeal of citizens and business entities to criminal courts and administrative courts through an information system;- making appropriate changes and additions to the existing information systems in the part related to the transfer of cases on administrative offenses to the proceedings of the courts in criminal cases;- introduction of appropriate changes and additions in terms of the existing information systems related to the reform of the appellate and cassation instances, the abolition of the institution of supervisory proceedings;- making appropriate changes and additions to the Electronic Reception System of operating courts;- creation of mobile versions of information systems for citizens and business entities;- introducing a module to familiarize judges and court employees with news, as well as information about the activities of the courts;- development of software on the state of material and technical support of courts;**- Development of a software module that provides an opportunity to receive court decisions to the parties in the case online**. | 1. Development of technical specifications | 31th of December2021 year | 4800.0 | Information and Communication Technologies Development Fund | Supreme Court(B. Isakov),Mininfocom(O. Pekos) | With the assistance of the Project, the module for the automatic distribution of cases between judges of appeal and cassation instances was developed and integrated to the Complex of information system “Adolat”. This module helps to optimize and simplify the work of the court, to ensure a uniform workload of judges throughout the calendar year, as well as to eliminate the subjective approach in the distribution of court cases, bureaucracy and corruption in the consideration of cases.The Project assisted to develop and launch the service ‘Judicial Notice’. This service allows the parties of the case to receive online the court decisions and the other court documents |
| 2. Software development | 31th of December2023 year |
|  | Implementation within the Adolat Information Systems Complex:the information system of the High Judicial Council, including electronic document flow, sending applications and applications in electronic form, keeping records of candidates for the position of a judge and vacant positions of a judge, digitalization of the process of the conversation conducted for appointment to the position of a judge;information system of the Higher School of Judges, including electronic document management, sending applications and applications in electronic form, forming a rating of professors-teachers and students in electronic form, the procedure for online monitoring of the educational process of preparing candidates for the position of a judge, as well as students of retraining and improvement courses qualifications of judges and court staff. | 1. Development of technical specifications | April 12021 year | 3600.0 | Information and Communication Technologies Development Fund | High Judicial Council(H. Yodgorov),Graduate School of Judges(HM. Isokov),Mininfocom(O. Pekos) | The Project procured and installed IT-equipment, including 12 modern computers, server, interactive boards, and TV panels. Now all purchased equipment were installed and is being actively used in the Supreme Judicial Council. For instance, in organizing various tests, undertaking online broadcasting examination processes, conducting various events and videoconferences.In order to provide access to citizens and entrepreneurs to get information on activities of the Supreme Judicial Council, as well as to create an opportunity for providing interactive services the Project developed the new version of the website of the Supreme Judicial Council. As a result, the content of the web-site became more meaningful and rich, as well as the number of interactive services for users have been developed and launched.The web-site provides the service to send messages about the discovered facts of bribery and corruption in courts, as well as to send online the application to include the candidates to the reserve of judges.The Project also developed the electronic program for assessing the suitability of the profession of candidates for the position of judge and judges by their psychological profile. The electronic program was transferred to the Supreme Judicial Council of the Republic of Uzbekistan for the use in psychological testing the candidates for the position of judge and judges. Until today, more than 20 judges and candidates for judges have passed the tests and interviewed in this program. The electronic program has also the statistical module for formation of various forms and reports based on the results of psychological testing. For the Higher School of Judges the Project purchased IT equipment, including Interactive board, 22 pcs. Personal computers, 8 laptops and the other equipment.Currently, the Information Resource Center of the Supreme Judicial Council of the Republic Uzbekistan functions successfully and benefits both the students and the school staff to prepare for classes, improve knowledge and skills.Also, the Project has developed and launched the modern website of the Higher School of Judges with interactive services, such as to submit applications for enter to the school, download literature, documents, etc. |
| 2. Software development | January 1st2022 year |
|  | Implementation of mobile video conferencing, providing an opportunity to participate in court hearings using modern means (gadgets). | 1. Conducting competitive bidding and concluding an agreement | Nov. 12020 year | 200.0 | Foundation for the Development of the Judiciary | Supreme Court(B. Isakov),Mininfocom(O. Pekos) |  |
| 2. Purchase, installation and start-up of equipment | 31th of December2020 year |
|  | Creation of a system for ensuring the participation of persons placed in institutions for the execution of punishment in the trial and personal receptions of the leadership of the courts directly from their places of deployment through the mode of videoconferencing. | 1. Development of a technical project | 1 October2020 year | 1000.0 | Within the framework of funds allocated from the State budget, funds of foreign partners | Ministry of Internal Affairs(Sh. Sobirov),Mininfocom(O. Pekos),Supreme Court(I. Muslimov) |  |
| 2. Conducting competitive bidding and concluding an agreement | Nov. 12020 year |
| 3. Purchase, installation and start-up of equipment | 31th of December2020 year |
|  | Implementation of the service "Judicial Notice" on the portal of interactive services of the Supreme Court my.sud.uz | 1. Development of technical specifications | 31th of December2020 year | 150.0 | Information and Communication Technologies Development Fund | Supreme Court(B. Isakov),Mininfocom(O. Pekos) | Under the Project the service ‘Judicial Notice’ has been developed and launched on the portal of interactive services of the Supreme Court of the Republic of Uzbekistan (my.sud.uz) on web-address exsud.sud.uz/check. The service offers the possibility of forming, sending and receiving court notices in electronic form, as well as viewing the document by the parties of the court cases. Now, 543 court documents have been downloaded and 2,730 court cases have been checked on this service. |
| 2. Software development | July 12021 year |
|  | Increasing the possibility for the population and entrepreneurs to use the "Personal Cabinet", opened in the information system of courts, by placing the following interactive services:* billing system for electronic payments;
* calculator of state fees;
* bank of judgments;
* online schedule of cases pending in court;
* separation by types of users (lawyer, individual, representative of a legal entity, and others);
* ensuring the obligatory use of EDS when sending cases in electronic form;
* sending applications for apostille affixing on official documents emanating from the court authorities in electronic form;
* automatic formation of claims, statements, complaints and petitions using the user's EDS.
 | 1. Development of technical specifications | April 12021 year | 500.0 | Information and Communication Technologies Development Fund | Supreme Court(B. Isakov),Mininfocom(O. Pekos) | The Project has developed a voice and chat bot in Telegram messenger. Now citizens and business entities can send text, voice and video appeals to the Supreme Court of the Republic of Uzbekistan though the Telegram bot. Since May this year 7 video, 54 audio, 1,083 text and 158 photo appeals, and 62 files have all been sent through the bot. 1,302 requests have been answered, and 62 requests are pending. Through the Telegram bot interactive services such as calculating state fees, searching for court cases, tracking the status of consideration of appeals, cassation and other complaints, and downloading court decisions and templates of court documents, have all been made available. The contact information of all courts of the republic (more than 420), including their addresses, phone numbers, e-mail addresses, citizen reception schedule and geolocation of courts have been collected and renewed in the bot. Announcements about the newly-launched opportunities and services available through the Telegram bot of the Supreme Court have been shared in electronic mass media and social networks. |
| 2. Software development | July 12022 year |
| **III. Organization of electronic data exchange with state bodies and organizations, from which information required for the administration of justice is requested** |
|  | Development and implementation of software for the formation of cases of administrative offenses in electronic form. | 1. Development of technical instructions | Nov. 12020 year | 70.0 | Information and Communication Technologies Development Fund | Supreme Court(R. Makhmudova),Ministry of Internal Affairs(Sh. Sobirov),Mininfocom(O. Pekos) |  |
| 2. Software development | 31th of December2020 year |
|  | Implementation of receiving information from state bodies and organizations in electronic form, necessary for the process of considering a certain case in the courts on the basis of the "Road Map" for the integration of information systems of courts with information systems of state bodies and organizations. | 1. Implementation of works based on the "Roadmap" | July 12021 year | 2000.0 | Information and Communication Technologies Development Fund | Supreme Court(I. Muslimov),Mininfocom(O. Pekos),relevant ministries and departments |  |
|  | Creation of a system for submission and acceptance of court cases in the state archive in electronic form. | 1. Development of technical instructions | 31th of December2022 year | 150.0 | Information and Communication Technologies Development Fund | Supreme Court(B. Isakov) ,Agency "Uzarchiv"(U. Yusupov),Mininfocom(O. Pekos) |  |
| 2. Software development | January 1st2023 year |
|  | Creation of a notification system for persons involved in the case by sending court documents in electronic form, in the form of SMS messages, as well as sending them to an e-mail address. | 1. Development of technical specifications | March 12021 year | 50.0 | Information and Communication Technologies Development Fund | Supreme Court(B. Isakov),Mininfocom(O. Pekos) | The Project developed the service SMS message, which is also part the complex of information system ‘Adolat’. This service intended for electronic information interaction between courts and participants to track the status of the case under consideration. With this service the participants the case can receive short messages about appointment of the case for trial, postponement of the proceedings, return of the application for the issuance of a court order and complaints, refusal to accept the application, as well as the suspension of the proceedings. |
| 2. Software development | 1 October2021 year |
| **IV. Organizational measures for the wide and effective use of information systems implemented in the activities of the judiciary** |
|  | Organization of wide propaganda work among the population about information and communication technologies introduced into the activities of courts. | Development of trainings, seminars, videos and organization of other events | Constantly | - | - | Agency of Information and Mass Communications(A. Khodzhaev),Supreme Court(B. Isakov),NTRK(A. Khodzhaev) | The Project developed the flyer to inform citizens, entrepreneurs and the other users about the possibilities of making electronic appeals to courts, as well as the interactive services available in the judicial system. The flyer contains general information about the portal of interactive services of the Supreme Court of the Republic of Uzbekistan (my.sud.uz) and the services available there. It describes in detail the procedures for using the interactive services of the judicial system, including procedures to file cases to courts in electronic form. Now the flayers delivered to all courts of the Republic of Uzbekistan for distribution among court visitors, lawyers and representatives of legal entities, to inform them about applying to courts in electronic form, and about using the judicial system’s interactive services.Also, the Project developed the video clip ‘How to file claims to courts electronically’, which will inform citizens and entrepreneurs about interactive services in the judiciary and use these services  |
|  | Study of international best practices in the field of implementation of information and communication technologies in the activities of courts. | 1. Study of advanced foreign experience and preparation of analytical information.2. If necessary, study experience by visiting selected advanced foreign countries. | Based on a separate plan | If necessary, based on separate calculations | In cooperationwith international donor organizations | Supreme Court(B. Isakov),Mininfocom(O. Pekos) |  |
|  | Continuing professional development of employees responsible for the implementation of modern information and communication technologies in courts. | Schedule approval | Annually | - | - | Tashkent State University of Information Technologies(T. Teshaboev),Supreme Court(R. Makhmudova, I. Muslimov,B. Isakov) | In May-June this year the Project in cooperation with the Supreme Court of the Republic of Uzbekistan conducted the regional trainings for judges and staff of administrative and economic courts on operation the complex of information system ‘Adolat’, as well as use of interactive services in the judiciary. More than 1,100 judges and court staff, including more than 160 women, took part in the trainings. During the trainings the organizers received more than 100 proposals and recommendations to improve the existing information systems, information resources and interactive services in the judiciary system. The issues of improving the efficient of information systems and information resources, its integration with other information systems and resources, improving the quality of interactive services and developing new services were also discussed with the participants of the trainings. |

*\* The final cost of project implementation is determined after the preparation and approval of project documentation and a tender (competitive) bidding.*

*\*\* The measures are also financed at the expense of technical assistance funds and grants from international financial institutions and donor organizations, as well as other sources not prohibited by law.*

# 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. The way the project was implemented motivates me to document the project successes and success factors than normal challenges that the projects face. These findings and observations are also given separately under different evaluation criteria. I.e. relevance, efficiency, effectiveness, sustainability, Gender & Human Rights, and the Lessons learned.

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[[3]](#footnote-3) 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 a case is treated in Courts in Uzbekistan has significantly improved after introduction of E-SUD in civil courts. An indirect impact on the functioning of the judicial system is seen. It could be after several levels of capacity development initiatives taken up by the project. 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.[[4]](#footnote-4)
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 accessibility 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. United Nations’ Country Results Report for Uzbekistan elaborates on how women were benefited through E-SUD system, and the Project Gender team explain the accessibility created by E-SUD system.

***BOX 1: E-SUD AND ACCESSIBILITY***

*356,984 applications were processed by courts through the E-SUD system bringing the total number of external users of the E-SUD information system to 17,618, out of which 9,246 (52.48 per cent) are women. An additional 10 interactive services under the E-SUD information system have been developed and launched, including a database of persons with legal incapacity, a database of civil court decisions, an online calendar of civil court hearings, an online submission of appeals (protests) and cassation complaints. 540 people, including 270 women have benefited from free legal aid services provided by legal clinics supported by UN; 70 per cent of these beneficiaries represent very vulnerable groups, including single mothers, aged people/retirees, the unemployed and people with disabilities 3,041 legal entities, 17,408 individuals and 706 lawyers accessed formal justice through interactive court services. More than 900 service providers were trained to provide and monitor reintegration services to children returning from closed institutions*.

1. 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.
2. 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. The E-SUD initiatives taken up only in civil courts have contributed in identifying the existing issues and revisiting the criminal procedure code to better protect the rights of women. However, E-SUD has not been extended to criminal courts so far. 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.
3. The Project has also supported the development of the Concept of Free Legal Aid Law on the basis of the international best practices. 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. The efforts made by the project to support protection of Human Rights, and ensuring accessibility and gender justice is worth making a special mention in this evaluation report. Please see the box on next page.
4. 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.
5. 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.

**BOX 2: GENDER AND HUMAN RIGHTS**

*The efforts made by the project to develop capacities of national partners in understanding and applying international conventions, best practices, and approaches to protect human rights and ensure gender justice is laudable. The project has kept no stone unturned to explain international conventions on Human Rights. It has used all the opportunities to push and mainstream Human Rights and gender justice in all the activities. The project has on several occasions dialogued with the National Center for Human Rights, which is responsible for coordinating activities of government agencies related free legal aid, and put forth its initiatives for free legal aid. The project has prepared a draft plans submitted to the Supreme Court of the Republic of Uzbekistan. The project has also finalized the preparation of the concept note on the law ‘On free legal aid’. This activity is based on research of the international experience of free legal aid mechanisms. The project has conducted numerous workshops on protection of Human Rights, Transparency, and Accessibility of Courts, gender justice.**In order to improve the gender-responsiveness of the judiciary of Uzbekistan, to strengthen access to justice for victims of violence, and to increase awareness of and support for international conventions, agreements and recommendations of the UN human rights treaty bodies the Summer school for judges as well as a set of four regional trainings for judges of all courts were conducted.*

*Ground-breaking steps in the promotion of human rights were also seen in 2019. A major breakthrough was the adoption of two long-awaited national laws - Gender Equality and on Protecting Women from Violence and Harassment. The Government made the decision to close the prison in Jaslyk, in line with a long-standing recommendation of the UN Human Rights Mechanisms (including the 3rd UPR cycle).( UN Country Results Report, Uzbekistan 2019)*

*An example of the project endeavours can be seen from the table below*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| # | **Region** | **Theme** | **Date**  | **Number of participants** |
| 1 | Tashkent region | Ensuring women rights in delivering justice | June 26-28, 2021 | 25 (17 women) |
|  | Ferghana | Ensuring women rights in delivering justice | July 30, 2021 | 25 (14 women) |
| 3 | Samarkand | Ensuring women rights in delivering justice | August 2, 2021 | 25 (10 women) |
| 4 | Urgench | Ensuring women rights in delivering justice | August 4, 2021 | 21 (13 women) |
| 5 | Nukus | Ensuring women rights in delivering justice | August 5, 2021 | 22 (11 women)  |

# 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 have been some of the challenges faced.
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. Publication of the survey has been also a challenge. Some of the reasons could be the project activities were not fully and clearly identified at the project design stage. Covid-19 has played its own nasty role. If such activities are designed with user engagement at the project design stage, 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.

|  |
| --- |
| **Table 6****Evaluation Criteria** |
| **Relevance:** | First and foremost is the project is very much relevant to the national priorities for it was a demand driven project designed largely based on the presidential decree (Under implementation of the Decree of the President of the Republic of Uzbekistan ‘On measures to digitalize the activities of the judiciary’ from September 3, 2020 No. PP-4818,) The evaluation further records that the coordination between UNDP and USAID has been to the extent of 100% in partnering with Rule of Law and access to justice in Uzbekistan and responding to emerging national and local priorities like access to justice, ADR, Gender rights, preserving Human Rights, overall capacity strengthening of Justice systems in Uzbekistan. In fact, it was US investments in Capacity Development through UNDP that has been very much relevant to the country. The project was fully aligned with UNDPs corporate plans, the UNDAF Uzbekistan and to human rights and development priorities of empowerment and gender equality issues. The Project has supported and offered comments on numerous draft laws, codes and resolutions in the field of human rights, gender equality, judicial reform, SDG promotion. UNDP says *“UNDP will contribute towards establishing a framework for pro bono legal aid and mainstreaming legal clinics in the regions in order to address the rights of all vulnerable group . . . Finally UNDP, UNICEF and UNESCO will enhance the capacities of national human rights institutions and other relevant bodies to better fulfil their mandates and thus promote and effectively protect human rights.”*  The project has fully implemented these initiatives within the scope of the project. Thus, the project has been fully relevant to the country’s context.  |
|
| **Effectiveness:** | The documents reviewed, and interviews held with the relevant stakeholders reveal that the project has been effective in achieving defined outputs; bringing in organisational changes, engaging the stakeholders, reducing the cases pending in the court (correct numbers could not be obtained due to time constrained, and remoteness of the evaluation), introducing pro-bono legal aid, and Alternative dispute systems like Mediation. As per the records of Ministry of Justice, 800 persons were trained as Mediators and Notaries. The project results are so effective they would continue their operations even after closure of the project. Visible changes like E-SUD, enhanced capacities of judicial officers, and prosecutors. Both institutional and individual capacity enhancement is clearly visible. All the institutes/organisations engaged for project support/partnerships unequivocally explained that the support provided by UNDP in enhancement of justice systems, establishing the systems of pro-bono legal aid, and capacity strengthening is second to none. They have been able to think out of the box in the areas of justice delivery, transparency, and legal aid. The results have been realised with regards to institutional and individual performance in partner/stakeholder organisations like supreme court and other organisations. |
| **Efficiency:** |  The evaluation has not found any drainage of funds. The project has judiciously spent the funds released by the partner agencies like USAID and UNDP. The project has been able to run and deliver despite the shortage of one full time technical expert who could not be recruited for want of funds after the resignation of the first incumbent. Recruitment of a Gender Expert has also consumed time. Despite this, the project has delivered on its commitments. Furthermore, the project has been designed with a single output to cover all major aspects of project delivery and with specific activities for different organisations and institutions supported through the project. The project has managed all the activities designed for implementation by judiciously using the allocated resource. For example, to establish feedback systems to measure outreach, and create access to justice, the project has spent 36.61 %; for training and learning 20.59%; for court management 42.45% that established permanent systems of reformed justice delivery. Despite non-continuity of the incumbent for National Project Coordinator’s position, the project was run efficiently without giving much credence to the gaps and shortcomings and achieved its goals. |
| **Sustainability:** |  Capacities developed for E SUD systems, E-SUD concepts enhanced capacities of judicial officers and lawyers, revised rules and regulations are sustainable in the long run. Free Legal Aid, Pro-Bono legal aid are also sustainable if the Government of Republic of Uzbekistan takes a policy decision to support free legal aid based the need to women and other vulnerable population of the country. Currently, the project has supported Pro-Bono legal aid with project funds but there will be challenge if not supported by the Government. So is E-SUD. However, Government is focused on strengthening judiciary with the support of IT, the concepts, institutions, and capacities are sustainable.  |
| **Human Rights and Gender** | UNDP Strategic Output 2.2.3. based on which the project has been designed says *‘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.’* However, the Results and Resource Framework of the Project document does not speak at all about ‘Human Rights’ not even single output indicates spells out the word ‘Human Rights’ despite there being a continuous criticism by UN Human Rights body on the Huma Rights situation in Uzbekistan. Therefore, the situation of Human Rights still remains a challenge to many programmes and projects. However, the project has made a dent into establishing itself as the supporter of Human Rights and Gender equity, and Gender equality in the Justice areas. In the words of “Uzbekistan is building a culture of Human Rights, but concerns about political prisoners, torture, forced labour and corruption remain experts of the Human Rights Committee say. Uzbekistan had registered a 23.4 per cent decrease in the incidence of violence against women; perpetrators had been sanctioned in 1,000 of about 1,400 cases. A network of 197 shelters covered all the 14 regions, including in remote areas, and provided women, among others, with legal assistance”. Since 2019 with strong presidential decree implementation and support by the project, face of Human Rights situation is positively changed. But, much has been done and more needs to be done. Supporting the Supreme Court achieving gender balance in judges’ appointments, and maintaining gender disaggregated data of the clientele, supporting and promoting pro-bono justice to women clients of the courts, gender equality campaigns, advocacy, and publication material, ensuring participation of women in different training courses have been some of the contributions of the project towards gender equality. On the challenges front, the project has not been able to successfully pursue national partners in signing the gender justice roadmap which was developed as per the activities of the project. This explains the political, social, and cultural constraints under which the project operated.  |

# LESSONS LEARNED

1. ***Lesson 1: National Engagement will have an added advantage of implementation of the projects***. Lessons learned need not always be negative. Positive lessons can also be learned and adapted elsewhere. Thus, 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 UNDAF outcomes, and CPAP 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 the Ministry of Justice. Or open 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, and UNHR 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.

# Report annexes

 Annexure-1 Questionnaire

EVALUATION QUESTIONNAIRE

*This questionnaire forms part of an independent Evaluation of the United Nations Development Programme’s (UNDP) Rule of Law Partnership Project in Uzbekistan.*

*The questionnaire is self-explanatory and it seeks to ascertain information with regards to implementation of the Project Rule of Law Partnership in Uzbekistan.*

*All information provided to this evaluation, either through this questionnaire or in other ways, will be treated confidentially. The information gathered will only be used to help the evaluator to develop a report, without identifying individual responses or sources.*

*Your assistance in answering this questionnaire is greatly appreciated as it will provide key information that will help the UNDP to continue to provide valuable support to the justice sector in Uzbekistan.*

|  |  |
| --- | --- |
| Name |  |
| Organisation |  |
| Position |  |
| Please Explain what do you understand by the Rule of Law Partnership in Uzbekistan Project? Please do not hesitate to explain whatever your understanding is. The information provided is confidential |  |
| What is your role in the project implementation |  |
| Are you personally benefited by this project? If yes, please explain? |  |
| Were the finances for the projects adequate? |  |
| Were the budgets released on time without any major challenge? |  |
| Were there adequate human resources for the project? OR was there any delay in recruitment of required technical staff? Please explain. |  |
| What are major achievements the project recorded during the implementation?  |  |
| What are the major shortcomings of this project? Please explain with examples |  |
| What are the major challenges did you see in implementation of the project? |  |
| Please explain the most successful delivery of the project |  |
| Please identify and explain the most irrelevant intervention in the project |  |
| What organisational changes were brought in your organisation through this project? |  |
| What training programmes were conducted in your organisation and the number of participants from your organisation |  |
| Did you see any knowledge, skill, and attitudinal change in the staff in your organisation after the training |  |
| Was there any reduction of number of legal cases and speedy disposal of cases after launch of this project? |  |
| Any Alternative Dispute Resolution systems introduced in the country? |  |
| How was the Partnership from UNDP? Please explain without any hesitation. |  |
| Please explain anything you wanted to share that is missing above or not adequately covered above. |  |
| Do you want this project to continue beyond 2021 |  |

Annexure-2 Evaluation Matrix

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| --- | --- | --- | --- | --- | --- | --- |
| **Evaluation****Criteria** | **Key Questions** | **Specific Sample Sub‐questions** | **Data Sources** | **Data collection** | **Indicators /****Success** | **Standard Methods****for Data Analysis** |
| **Methods / Tools** |
| **Relevance:** | To what extent is USAID and UNDP’s partnership in rule of law and access to justice consistent with and responding to emerging national and local policies, priorities and needs of the intended beneficiaries? | * Was the project a demand driven project?
* Are planned interventions, activities aligned with national priorities in the RoL and access to justice sector?
 | Project documentation, National counterpart organisations | Desk review, stakeholder consultations, and secondary data sources | Results Framework | ***Qualitative data ‐*** will be analysed based on a three‐ step process, namely:1. reducing the data so that patterns, observations, or ‘themes’ that repeatedly appear in the data can be identified;
2. presentation of the data in a clear and concise manner (potentially graphically, where possible or appropriate) so that patterns or themes can be easily grasped by the reader; and
3. developing findings or conclusions based on the implications
 |
| To what extent does this work respond to UNDP’s corporate plans, the UNDAF Uzbekistan and to human rights and development priorities of empowerment and gender equality issues? | * How has the Project aligned with current UNDP corporate goal(s) in Uzbekistan?
* Alignment between Project outputs and UNDAF outcomes?
* Was policy support / capacity development / process development conducted? If ‘yes’ did it meet identified needs?
 | Project documentation, UNDP corporate documentation, UNDPcounterparts | Desk review, stakeholder consultations, and secondary data sources | Results Framework |
| **Effectiveness:** | How effective have UNDP’s strategies and activities been towards achieving the program’s intended results? | * Have defined outputs been Achieved/progress being made towards achieving these?
* What organisational changes have occurred in partner / stakeholder organisations?
* What improvements have been made in justice delivery and access to justice,
* Is there any reduction in the number of cases pending before the courts in the country?
* Any Alternative Dispute (ADR) Resolution mechanisms introduced and being used by the disputants?
 | Project progress reporting, Rule of Law Coordination Group, national partner organisations | Desk review, stakeholder consultations, and secondary data sources | Results Framework |
|  | What are the major changes in the justice sector are visible after the implementation of the project? | * Have activities extending into the Informal justice‐space provided support to marginalized groups, and women?
 | Project reports, interview reports, and other media reports if available.  | Desk review, stakeholderconsultations, | Results framework |
| **Evaluation****Criteria** | **Key Questions** | **Specific Sample Sub‐questions** | **Data Sources** | **Data collection** | **Indicators /****Success** | **Standard Methods****for Data Analysis** |
| **Methods / Tools** |
|  | UNDP’s activities and outputs inRule of law? | * Have results been realised with regards

To *institutional performance* in partner / stakeholder organisations?* Have results been realised with regards to *individual capacity* in partner / stakeholder organisations?
 | the activitiesimplemented to‐ date | and secondarydata sources | ResultsFramework | of the data collectedand analysed. Where possible the quantitative data will be triangulated against other data sources.***Quantitative data ‐*** will be analysed using relevant arithmetic approaches. The method of presentation will be selected to facilitate reader’s understanding of the results and may include: simple graphic representation of numeric data in charts, use of percentages, tabulation, or weighted distribution where responses are weighted and ranked. |
| **Efficiency:** | Have resources (funds, expertise, time, staffing) available to the program been utilised in the most appropriate and economic way possible towards the achievement of results? | * Clarity in the definition and planning of the Project?
* Timeliness in the delivery of outputs?
* Efficiency in the use of UNDP and external human resources?
* Balance between expenditure on technical service delivery and managerial support ( Value for Money)
 | Financial Reports, Project documentation, implementation partners, UNDP counterparts | Desk review, stakeholder consultations, and secondary data sources | As Results Framework |
|  | How have partnerships influenced the efficiency of the program in delivering against its portfolio? | * What identifiable benefit (cost savings,

Improved speed of delivery, higher quality technical support) have resulted from UNDP partnering with other USAID and agencies and/or other organisations?* Was the management of the Project responsive to changing needs?
* Did the Project suffer from delays in implementation? If so, why and what was done about it?
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| **Evaluation****Criteria** | **Key Questions** | **Specific Sample Sub‐questions** | **Data Sources** | **Data collection** | **Indicators /****Success** | **Standard Methods****for Data Analysis** |
| **Methods / Tools** |
| **Sustainability:** | To what extent will the project activities and changes brought in justice delivery, and access to justice, capacity development will continue after cessation of support from the project?  | * What examples exist of project activities being independently undertaken by partner / stakeholder organisations; and/or receiving non external funding support?
* Are there any actions that can be taken now that will increase the likelihood that the Project’s outcomes will be sustainable?
 | Rule of Law Coordination Group, national partner organisations, UNDPcounterparts | Desk review, stakeholder consultations, and secondary data sources | As identified in the (revised) Resources and Results Framework |  |
|  | Is the level of national ownership and the measures that serve to enhance national capacity enough to guarantee the sustainability of results? | * Have changes with regards to *institutional performance* been fully embedded in the relevant institution / organisation?
* And are funding / resources in place to support these changes after the completion of the Project?
* Was there any resistance to changes brought in? If YES, any measures taken to address the dissatisfaction?
* Have changes with regards to *individual capacity* been fully embedded in the relevant institutions / organization?
* Are there any areas of the Project that are clearly not sustainable?
 |
|  | Is there a resource mobilisation strategy in place for the program to ensure the continuation of benefits? Are national partners contributing financial and other resources towards the continuity of the results of this program?Are there public/privatePartnerships in place? | * To what extent are national partners developing self‐funding resources to support Project initiatives?
* Are there public / private partnerships being developed or in place between national partners and the local private sector?
* If no, what were the challenges / barriers to establishing these partnerships?
 |
| **Human Rights and Gender** | Has the project considered Human Rights and Gender mainstreaming into the project deliverables? | * How are the activities designed to mainstream Human Rights and Gender?
* Are there any specific activities to ensure mainstreaming of HR and Gender?
* Were there any gender sensitive activities taken up during the implementation of the project?
* What considerations were given for gender balancing in resource allocation and activity design? And what actions were taken to implement these?
 | Desk review of documents  | Interviews with stakeholders and focus groups | Results framework and Progress reports. |

Annexure 3:

THE LIST OF DOCUMENTS REVIEWED

* Copy of original signed Project Document
* Copy of Extended Project Document
* Copy of revised project document
* Copy of III extension of the Project Document
* Project Annual Progress Reports from 2017 to 2021
* M&E plan of the project
* Activity wise Budgets and Expenditure
* Copies of Audit observations
* Copies of minutes of the Project Board Meetings
* Project Evaluation Report for 2014-2017
* UNDAF Evaluation Report 2016-2020 Report
* UNHCR Document on Rule of Law-2020
* UNDP Evaluation Guidelines
* All the questionnaires collected from the stakeholders
* USAID Factsheet on Rule of Law Partnership Project
* Uzbekistan World Justice Project- Rule of Law Index-2020
* Uzbekistan 2019 Rule of Law Ranking
* ICPE- Uzbekistan Full report

Annexure 4:

# LIST OF PERSONS INTERVIEWED

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| --- | --- |
| **Organization** | **Participants** |
| UNDP ROL Project team | Azamat Salaev – project manager |
| UNDP ROL Project team | Alidjan Nazarov – e-government specialist |
| UNDP ROL Project team | Rano ismailov – task manager on court administration |
| UNDP ROL Project team | Kseniya rijkva – task manager on trainings and research |
| UNDP ROL Project team | Mahbub Khamroeva – gender specialist |
| UNDP ROL Project team | Shokhrukh Yunusov – administrative and finance assistant |
| UNDP ROL Project team | Jaloliddin Badalov – PR specialist |
| UNDP Gender Specialist | "Mukhabbat Turkmenova"  |
| Programme Assistant on Gender Mainstreaming | "Maja Lofstrom |
| , Programme Associate on Public Policy (Rule of Law, Human Rights, and Justice) | "Sherzodbek Sharipov"  |
| UNDP focal points for the project (current), (previous) | Bunyod Avliyokulov Azizkhon Bakhadirov  |
| UNDP Deputy Resident Representative,  | Doina Munteanu  |
| Effective Governance Cluster Leader | Kamila Mukhamedkhanova |
| USAID focal point | Mamed Askerov <maskerov@usaid.gov> |
| Supreme Court of the Republic of Uzbekistan  | Muslimov Ikram – Deputy Chairperson of the Supreme court national project coordinator – did not participate due to COVID Farrukhkhon Malikov – head of international legal relations unit of Supreme court |
| Supreme Judicial Council of the Republic of Uzbekistan  | Sadikov Khurshid Primkulovich - Permanent member of Council, Secretary |
| Higher School of judges  | Dilshod Aripov - deputy director of the Supreme school of judges - did not participateUtkir Kholikov - head of international department of the Supreme school of judges |
| Lawyer’s Training Center under Ministry of Justice of the Republic of Uzbekistan  | Sevara Maripova, Head of the Department of Private Law, Associate ProfessorShakhzoda Abdullaeva, head of international relations unit |
| Tashkent State Law University  | Narziev Otabek – head of legal clinic |
| Academy of General Prosecution Office  | Mukhtaram Radjapova, Head of facultyAzizbek Khamidov, Head of office for master studies |
| Chamber of Advocates of the Republic of Uzbekistan  | Saidov Davron, Deputy Chairperson of the Chamber of Advocates of the Republic of Uzbekistan |
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Annex-4

# TERMS OF REFERENCE FOR THE CONSULTANCY

1. Project document [↑](#footnote-ref-1)
2. The project document [↑](#footnote-ref-2)
3. World Justice Project Reports, 2019, and 2020 [↑](#footnote-ref-3)
4. ####  Judicial And Legal Reform In Uzbekistan: 10 Important Steps in 2020 Eldor Tulyakov and Nilufar Nodirkhonova | 13 May 2021

 [↑](#footnote-ref-4)