FINAL EVALUATION OF THE "TOWARDS A SUSTAINABLE ACCESS TO JUSTICE FOR LEGAL EMPOWERMENT IN THE KYRGYZ REPUBLIC" PROJECT (PHASE II)

September/October 2021

List of Acronyms

A2J Access to Justice

Covid-19 Coronavirus 2019

CO Country Office

CPD Country Programme Document

CSO Civil Society Organization

CRPD Convention on the Rights of Persons with Disabilities

FLA Free Legal Aid

HRBA Human Rights Based Approach

IC International Consultant

IP Implementing Partner

KR Kyrgyzstan

M&E Monitoring & Evaluation

MFA Ministry of Foreign Affairs (Finland)

MoJ Ministry of Justice

MoHSD Ministry of Healthcare and Social Development

NC National Consultant

NGO Non-governmental Organization

PwD People with disabilities

SDG Sustainable Development Goal

SRS State Registration Service

Toc Theory of Change

ToR Terms of Reference

ToT Training of Trainers

UN United Nations

UNDAF United Nations Development Action Framework

UNDP United Nations Development Programme

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Executive Summary

Since 2018, UNDP in the Kyrgyz Republic has been implementing the second phase of the "Towards a Sustainable Access to Justice for Legal Empowerment in the Kyrgyz Republic" project under the framework of the UNDP Country Programme Document (CPD) 2018-2022 (in short, the "A2J project"). The project budget was provided by Finland's Ministry of Foreign Affairs (MFA), as single donor. Phase II (2018-2021) of the project builds on the achievements of, and lessons learnt from, the project's first phase (Phase I; 2014-2017). A key achievement of Phase I which Phase II built on was the adoption of the (new) Law on "State Guaranteed Legal Aid" with related support to the Ministry of Justice (MoJ) to develop a sustainable mechanism allowing citizens to access their rights in an efficient manner.

As did Phase I, Phase II also followed the principles and precepts of the Human Rights Based Approach (HRBA) for programming, in that it addresses supply as well as demand-side challenges, needs and capacity gaps. On the supply side (Outcome 1 of the project), the A2J project was designed to provide capacity development to duty bearers (state bodies and justice sector actors); whereas on the demand side (Outcome 2 of the project), it targeted rights holders (general population with special focus on the most vulnerable groups, including women, people with disabilities, CSOs and communities).

In line with the overall objectives of the UNDAF and the CPD, the A2J project outcomes were: Outcome 1 - "MoJ-KR provides accessible, affordable, efficient and quality services to resolve justice problems of project target groups in the selected provinces of the Kyrgyz Republic"; and Outcome 2 - "Vulnerable groups targeted by the project, including women and people with disabilities know and exercise increasingly their rights to justice in the selected provinces of the Kyrgyz Republic". General delivery mechanisms include counsel and advice, service provision, sensitization, communication, and training. Project Outputs under Outcome 1 focussed on A2J promotion from the supply side perspective, whereas under Outcome 2 the Outputs focused on A2J for PwDs.

Outputs under Outcome 1 were: 1.1 Established operational FLA Coordination Council; 1.2 Introduced/operationalized mechanisms for provision of legal aid on civil & administrative law cases; 1.3 FLA quality standards adopted and integrated into the work of MoJ FLA center; 1.4 Free legal consultations provided through MoJ FLA centers and Bus of Solidarity; 1.5 Coordination platforms are regional/global cooperation established.

Under Outcome 2, the Outputs included: 2.1 Strengthened capacity of civil society organizations to empower women and PwDs in the fulfillment of their rights, as well as monitoring the progress; 2.2 Media strategy with particular focus on women and PwDs' rights developed and implemented; 2.3 UN CRPD is ratified and support provided in implementation of the UN CRPD selected activities related to the project.

Since the four-year implementation cycle (2018-2021) is now drawing to a close, a mandatory independent evaluation became necessary.

Methodology

The final evaluation was structured around the criteria of relevance, effectiveness, efficiency, and sustainability (including national ownership and early impact). The evaluation employed a hybrid (mixed method) approach, thus combining qualitative and quantitative evaluation techniques and tools. While quantitative data was mostly drawn from secondary sources (literature and documentation), primary qualitative data was collected during stakeholder interviews. Interviews included bilateral as well as (focus) group settings. Interviews covered different stakeholder categories including UNDP staff, Government, civil society (NGO/CSOs), and end beneficiaries.

The evaluation followed an iterative approach in the sense that data was continuously triangulated and cross-checked to form and/or test hypotheses, shape preliminary findings, identify potential recommendations, etc. During the stage of final synthesis, the full body of evidence was taken into account when drafting the evaluation report. Interlocutors who were not available for a virtual interview were asked to provide written inputs and feedback to a set of customized queries. The evaluation's methodological backbone consisted of a set of key evaluation queries.

The key questions served as general interview guideline when conducting interviews. For each category and type of interlocutor, specific questions were honed in on depending on the respective professional role/function and the key area of expertise of the specific interviewee(s). Key evaluation questions were further finetuned and "disaggregated" into a set of follow-up questions that will allow to "drill down" on specific issues. Prior to interviews, the IC and NC agreed on the sub-set of selected key evaluation queries. During interviews, follow-up questions were spontaneously formed to probe interlocutors about specific issues.

Interview transcripts (not verbatim, but of key utterances) were prepared both by the NC and the IC, during interviews. In principle, interviews were always attended by both the NC and the IC. Some beneficiary interviews towards the end of the project were conducted by the national consultant without the IC's participation. The consultants regularly organized joint brainstorming sessions to identify key findings and suggestions to be drawn from the data. Data analysis culminated in evidence-based aggregate findings, conclusions, and recommendations. Almost all interviews were carried out on a remote basis. In total, 35 key informant interview sessions took place, involving a total of 77 interviewees (53 female, 24 male).

Evaluation Objectives and Criteria

This is a summative, end-of-project evaluation. It thus serves the purpose of accountability vis-à-vis key stakeholders (backward-looking analysis) as well as learning (forward-looking recommendations). The final evaluation provides UNDP with an objective assessment of the A2J project in delivering against goal, outcomes, and deliverables of the project as articulated in the Project Document between UNDP in the Kyrgyz Republic and the Ministry for Foreign Affairs of Finland. The evaluation provides evidence-based information that is credible, reliable, and useful. The final evaluation was to assess the extent to which the A2J project's Phase II (2018-2021) has delivered against the overall strategic results including the project objective and key intended outcomes, and the degree to which planned deliverables were achieved

via project strategies and implementation mechanisms. As such, the evaluation reviewed and assessed achievements, best practices, and lessons learned through applying standard evaluation criteria (relevance, effectiveness, efficiency, sustainability incl. national ownership, impact).

Other than identifying progress and tangible results of the project, the evaluation was meant to identify challenges, problems, and constraints on the demand and supply side (such as Covid-19, financial issues such as too little funding and/or delays in receiving funding, capacity constraints of IPs, etc.) faced during the implementation cycle; and check for any strategies or tactics used to address these during the project's life cycle. Based on the evidence gathered, the evaluation was expected to come up with recommendations for the future design and implementation of an eventual new project aimed at promoting access to justice; including suggestions that build on the overall UNDP's rule of law portfolio, for strategic priorities, delivery options and modalities of implementation that promote sustainability, increased efficiency, effectiveness, civic engagement, and national ownership.

The evaluation followed a participatory and consultative approach ensuring close engagement with relevant government, line ministries, and justice actors, including but not limited to: government officials, Ministry of Justice, Ministry of Healthcare and Social Development representatives, members of the Parliament's Committee on Constitutional law, Public administration, Judiciary and Regulations, Bar Association, representatives of civil society organizations, UNDP staff and management, donor's representatives, and development partners.

Key Findings and Conclusions

Key achievements under the relevance criterion comprised: i. Project results were aligned with GoKR's aspirations to further develop its FLA system; ii. Strong LNOB and gender focus serving needs of the most vulnerable among the population, thus strengthening legal awareness among right holders fighting "legal nihilism" mindset; iii. Bolstered state machinery's engagement vis-à-vis the promotion of RoL (incl. A2J and human rights) by consolidating, and expanding on, accomplishments of the first phase; iv. Phase II expanded services to the entire gamut of legal categories (criminal, civil, administrative law) embracing universality and elements of intersectionality (incl. refugees, vulnerable rural minority women incl. PWD among them, etc.); v. Complementary to Social Cohesion programme's activities; vi. Comprehensive coordination with national counterparts.

Challenges in terms of the projects relevance included: i. Continuous erosion of RoL principles, values, and culture undermining the bedrock of the project design; ii. The merger of the Ministry of Health and Ministry of Social Development further exacerbated limited systemic capacity and constraints on supply-side (limited number of staff, shortage of qualified legal aid in general and esp. for emerging areas such as health-related rights); iii. Mixed progress in view of digitalization: Some laudable initiatives however, overall, scale and speed of introducing new modalities (chat bots, etc.) lagging behind stakeholder needs, expectations, and aspirations.

Under the criterion of effectiveness, key achievements included: i. During Phase II, 16 FLA centers were set up in Chui and Osh regions, lifting the total number of FLA

centers to 31 operating country-wide via coordination with USAID thus ensuring almost full coverage of KR regions; ii. An increasing number of beneficiaries receiving legal advice & counsel incl. through the Bus of Solidarity modality (grand total of 28,000 beneficiaries in 4 years); iii. Provision of integrated programmatic support (policy, capacity development support/systems building to ensure service delivery via FLA, monitoring capacity via Coordination Council/Parliament/CSOs, etc.) to promote access to justice for vulnerable groups of the population; iv. Project results were embedded into the legislation (policy work: Law on FLA, CRPD).

Primary challenges were: i. Difficulty of attracting sufficient number of good quality lawyers; ii. Concerns regarding the overall monitoring capacity of national partners regarding the actual quality of FLA services provided.

Under efficiency, key achievements consisted of: i. Legal acts database as an efficient way of accessing legal aid and information; ii. "Bus of Solidarity" as efficient service delivery modality; iii. Early on, realized the potential value of digitalization (testing related modalities via chat bots, etc.); iv. Reactiveness re Covid as evidenced by the fact that support to the provision of digital tools was ramped up; v. Very decent value for money; vi. Sharing lessons learned with neighboring countries (Tajikistan etc.) and at global level; vii. In-country serving as reference to USAID who emulated UNDP's FLA project model; viii. Overall, good coordination between partners and project coordination by UNDP; ix. The project's videos and online courses enabled continouosly increasing number of users to get access to information on legal literacy for various disadvantaged groups and professional groups. Primary challenges were: i. MoJ M&E: Data collection and usage was limited by MoJ-internal constraints; ii. Low frequency of Bus of solidarity tours; iii. Budget was misappropriated by criminal fraudsters external to the system; iv. Coordination Council's performance was questioned.

In terms of project sustainability, national ownership, and impact, key achievements included: i. Legal aid established in further iterations of the law on FLA; ii. Ratification of the Convention on the Rights of PwDs; iii. 2nd phase ensuring sustainability of results achieved during phase 1; iv. Holistic approach involved entire ecosystem/"universe" of FLA incl. Parliament, Bar Association, MoJ, sub-national administration, CSOs, etc.; v. High degree of inclusiveness and participatory planning involving all stakeholders in frequent review and planning meetings. Key challenges were: i. Overarching macro-challenges since 2020 like Covid-19 and governance volatility due to the political crisis; ii. The government's commitment to fund the expansion of legal aid and continuation of legal acts database could be stronger; strict budget austerity threatens maintenance of current levels; iii. Human resource-related concerns and bottlenecks at the level of FLA centers such as, i.a., a limited number of pro bono roster members and related high attrition or turn-over resulting in continuous "brain drain" and the need to keep re-investing into training/capacity development measures which causes a budgetary strain.

As far as the transversal themes of Gender, Social Inclusion, Conflict Sensitivity, Capacity Building & Partnership were concerned, key strengths included i. the fact that the project mainstreams cross-cutting priorities such as gender equality, and boosts LNOB interests through free legal aid primarily targeting such disadvantaged communities as rural women and PwD; ii. Social inclusion is addressed by way of

enabling marginalized right holders to enjoy access to justice as a legal entitlement and service provision through the State, allowing the disenfranchised to address legal issues preventing them, or at risk of excluding them from, fully partaking in or seeing themselves as fully entitled members of, society; iii. The project provides legal aid support to PwDs and other vulnerable groups, such as pensioners; iv. Substantial systemic capacities have been built (incl. FLAC network, Bus of Solidarity infrastructure, FLA Coordination Council, hotline services, database portal, etc.). Primary challenges were that i. Some "indigent" categories of defendants such as PCVE perpetrators are not yet part of the list of potential beneficiaries (pro bono FLA to defendants).

Recommendations

The evaluation yielded 48 principal recommendations across four categories (13 x of strategic nature, 8 x technical innovation-related, 27 x governance/staff/delivery channels (supply-side/service delivery oriented). In addition, there is a specific annex (6.9.) which lists proto-recommendations that still require further gestation by stakeholders.

1. Background and Context

Since 2018, UNDP in the Kyrgyz Republic has been implementing the second phase of the "Towards a Sustainable Access to Justice for Legal Empowerment in the Kyrgyz Republic" project under the framework of the UNDP Country Programme Document (CPD) 2018-2022 (in short, the "A2J project"). The project budget of 1,7 million Euros was provided by Finland's Ministry of Foreign Affairs (MFA), as single donor. Phase II (2018-2021) of the project builds on the achievements of, and lessons learnt from, the project's first phase (Phase I; 2014-2017).

A key achievement of Phase I which Phase II built on was the adoption of the (new) Law on "State Guaranteed Legal Aid" with related support to the Ministry of Justice (MoJ) to develop a sustainable mechanism allowing citizens to access their rights in an efficient manner. As did Phase I, Phase II also followed the principles and precepts of the Human Rights Based Approach (HRBA) for programming, in that it addresses supply as well as demand-side challenges, needs and capacity gaps.

On the supply side (Outcome 1 of the project), the A2J project was designed to provide capacity development to duty bearers (state bodies and justice sector actors); whereas on the demand side (Outcome 2 of the project), it targeted rights holders (general population with special focus on the most vulnerable groups, including women, people with disabilities, CSOs and communities).

In line with the overall objectives of the UNDAF and the CPD, the A2J project outcomes read as follows:

- (a) Outcome 1: "MoJ-KR provides accessible, affordable, efficient and quality services to resolve justice problems of project target groups in the selected provinces of the Kyrgyz Republic";
- (b) Outcome 2: "Vulnerable groups targeted by the project, including women and people with disabilities know and exercise increasingly their rights to justice in the selected provinces of the Kyrgyz Republic".

General delivery mechanisms include counsel and advice, service provision, sensitization, communication, and training. The project's result framework included the following outputs under the respective Outcomes:

Outputs under Outcome 1 A2J promotion with a focus on the supply side

- 1.1 Established operational FLA Coordination Council:
- 1.2 Introduced/operationalized mechanisms for provision of legal aid on civil & administrative law cases;
- 1.3 FLA quality standards adopted and integrated into the work of MoJ FLA center;
- 1.4 Free legal consultations provided through MoJ FLA centers and Bus of Solidarity;
- 1.5 Coordination platforms and regional/global cooperation established.

¹ As per the Project Document, the Government of the Kyrgyz Republic's in-kind contribution (namely, the Government's commitment towards implementation of the new FLA law) was projected to amount to a total value of USD 542,450.

Output under Outcome 2 focussing on A2J for PwDs and rural women

- 2.1 Strengthened capacity of civil society organizations to empower women and PwDs in the fulfillment of their rights, as well as monitoring the progress;
- 2.2 Media strategy with particular focus on women and PwDs' rights developed and implemented;
- 2.3 UN CRPD is ratified and support provided in implementation of the UN CRPD selected activities related to the project.

Since the four-year implementation cycle (2018-2021) is now drawing to a close, a mandatory independent evaluation became necessary.

2. Evaluation Approach and Method

The final evaluation was structured around the criteria of relevance, effectiveness, efficiency, and sustainability (including national ownership and early impact). The evaluation employed a hybrid (mixed method) approach, thus combining qualitative and quantitative evaluation techniques and tools. While quantitative data was mostly drawn from secondary sources (literature and documentation), primary qualitative data was collected during stakeholder interviews. Interviews included bilateral as well as (focus) group settings. Interviews covered different stakeholder categories including UNDP staff, Government, civil society (NGO/CSOs), and end beneficiaries.

The evaluation's operational sequence consisted of interrelated phases, namely: (a.) the desk review serving the purpose of general orientation; (b.) data collection (inhouse & external); (c.) final data analysis and synthesis; (d.) in-house sharing of preliminary findings, conclusions, and recommendations for initial feedback; (e.) finetuning and finalization of findings/observations and final recommendations; (f.) final presentation of evaluation results to stakeholders and final validation of the report.

The evaluation team consisted of one international consultant (IC) and one national expert (NC) who (mostly) intervened remotely using digital conferencing applications such as Zoom and Teams for data collection. UNDP provided logistical support in setting up the meetings and contracting real-time interpretation services (Russian and Kyrgyz languages to English) for online interviews. The evaluators reviewed relevant sources of information, such as the Project document, project progress reports, relevant national strategic and legal documents, any other files, documents, and materials that the evaluator considers useful for the evidence-based assessment.

The evaluation followed an iterative approach in the sense that data was continuously triangulated and cross-checked to form and/or test hypotheses, shape preliminary findings, identify potential recommendations, etc. During the stage of final synthesis, the full body of evidence was taken into account when drafting the evaluation report. Interlocutors who were not available for a virtual interview were asked to provide written inputs and feedback to a set of customized queries.

The evaluation's methodological backbone consisted of a set of key evaluation queries. The key questions served as general interview guideline when conducting interviews. For each category and type of interlocutor, specific questions were honed

in on depending on the respective professional role/function and the key area of expertise of the specific interviewee(s). Key evaluation questions were further finetuned and "disaggregated" into a set of follow-up questions that will allow to "drill down" on specific issues. Prior to interviews, the IC and NC agreed on the sub-set of selected key evaluation queries. During interviews, follow-up questions were spontaneously formed to probe interlocutors about specific issues.

Interview transcripts (not verbatim, but of key utterances) were prepared both by the NC and the IC, during interviews. In principle, interviews were always attended by both the NC and the IC. Some beneficiary interviews towards the end of the project were conducted by the national consultant without the IC's participation. The consultants regularly organized joint brainstorming sessions to identify key findings and suggestions to be drawn from the data.

A log to keep track of draft versions of preliminary findings and recommendations was kept to keep track of stakeholder feedback on key evaluation queries as well as related iterative finetuning of data. Data analysis culminated in evidence-based aggregate findings, conclusions, and recommendations. Almost all interviews were carried out on a remote basis. In total, 35 key informant interview sessions took place, involving a total of 77 interviewees (53 female, 24 male).

3. Evaluation Objectives and Criteria

This is a summative, end-of-project evaluation. It thus serves the purpose of accountability vis-à-vis key stakeholders (backward-looking analysis) as well as learning (forward-looking recommendations). The final evaluation provides UNDP with an objective assessment of the A2J project in delivering against goal, outcomes, and deliverables of the project as articulated in the Project Document between UNDP in the Kyrgyz Republic and the Ministry for Foreign Affairs of Finland.

The evaluation provides evidence-based information that is credible, reliable, and useful. The final evaluation was to assess the extent to which the A2J project's Phase II (2018-2021) has delivered against the overall strategic results including the project objective and key intended outcomes, and the degree to which planned deliverables were achieved via project strategies and implementation mechanisms. As such, the evaluation reviewed and assessed achievements, best practices, and lessons learned through applying standard evaluation criteria (relevance, effectiveness, efficiency, sustainability incl. national ownership, impact).

Other than identifying progress and tangible results of the project, the evaluation was meant to identify challenges, problems, and constraints on the demand and supply side (such as Covid-19, financial issues such as too little funding and/or delays in receiving funding, capacity constraints of IPs, etc.) faced during the implementation cycle; and check for any strategies or tactics used to address these during the project's life cycle.

Based on the evidence gathered, the evaluation was expected to come up with recommendations for the future design and implementation of an eventual new project aimed at promoting access to justice; including suggestions that build on the overall UNDP's rule of law portfolio, for strategic priorities, delivery options and modalities of implementation that promote sustainability, increased efficiency, effectiveness, civic engagement, and national ownership.

The findings of the final evaluation were expected to provide the following:

- a full assessment of standard evaluation criteria including relevance, effectiveness, efficiency, sustainability, progress, and results of the A2J project since the launch of Phase II in 2018;
- a complete analysis and evaluation of the key results and indicators as set out in the AWPs and in the related M&E frameworks developed;
- a comprehensive overview of the project's key challenges and lessons learned and a snapshot assessment of the project's value for money, including the optimal use of resources to achieve the intended overall goal, outcomes, and deliverables;
- guidance on the state of the project intervention to inform future decisions regarding the strategic direction of possible future interventions in line with MoJ, MoHSD, and UNDP's priorities in the justice sector;
- an assessment of (a.) the relevance of the project's current focus areas with regards to the goal of promoting access to justice in KR, and (b.) whether UNDP is still well-positioned to effectively and efficiently support the vision and priorities of the Kyrgyz Republic, to strengthen access to justice and to meet the needs of the most vulnerable groups of population;
- suggestions related to any activities deemed suitable to be carried into a new project including potential for scaling including potential 'quick win' initiatives that a new project should engage in or others that should no longer be pursued;
- an overview of any potential risk factors that may hinder progress, including related risk mitigation/management strategies to ensure success and effective implementation of a new project.

The evaluation followed a participatory and consultative approach ensuring close engagement with relevant government, line ministries, and justice actors, including but not limited to: government officials, Ministry of Justice, Ministry of Healthcare and Social Development representatives, members of the Parliament's Committee on Constitutional law, Public administration, Judiciary and Regulations, Bar Association, representatives of civil society organizations, UNDP staff and management, donor's representatives, and development partners.

4. Key Findings and Conclusions

4.1. Relevance

In a nutshell, this criterion is about whether, and to what extent, the project has been doing "the right things" or not. Evaluation findings are presented in compressed form in a list of bullet points covering key achievements and primary challenges, before discussing these points in more detail by responding to the specific evaluation queries.

4.1.1. Key Achievements

- Project results were aligned with GoKR's aspirations to further develop its FLA system
- Strong LNOB and gender focus serving needs of the most vulnerable among the population, thus strengthening legal awareness among right holders fighting "legal nihilism" mindset
- Bolstered state machinery's engagement vis-à-vis the promotion of RoL (incl. A2J and human rights) by consolidating, and expanding on, accomplishments of the first phase
- Phase II expanded services to the entire gamut of legal categories (criminal, civil, administrative law) embracing universality and elements of intersectionality (incl. refugees, vulnerable rural minority women incl. PWD among them, etc.)
- Complementary to Social Cohesion programme's activities
- Comprehensive coordination with national counterparts

4.1.2. Primary challenges

- Continuous erosion of RoL principles, values, and culture undermining the bedrock of the project design
- The merger of the Ministry of Health and Ministry of Social Development further exacerbated limited systemic capacity and constraints on supply-side (limited number of staff, shortage of qualified legal aid in general and esp. for emerging areas such as health-related rights)
- Mixed progress in view of digitalization: Some laudable initiatives however, overall, scale and speed of introducing new modalities lagging behind stakeholder needs, expectations, and aspirations. Implementation of Automatic Information System (AIS) was delayed by the FLA CC of MoJ.

4.1.3. Detailed discussion of findings

- ➤ To what extent are A2J project activities relevant to enhancing access to justice in the Kyrgyz Republic?
- ➤ To what extent is the A2J project's work towards sustainable access to justice consistent with and responding to current and emerging national and local policies, priorities, and needs of the intended beneficiaries?

The evaluation team joins the stakeholders in their unanimous opinion that the relevance of the project must be rated as (very) high. In 2010, the Kyrgyz Republic's

constitution introduced the notion of free legal aid, for the first time. However, during the initial years following this novelty, the stipulation about access to free legal aid was not effectively implemented and remained a mere promise or, as one informant put it, "an empty gesture". The supply of legal advice, as well as qualified lawyers' services, were insufficient or unaffordable for the vast majority of the population.

In addition, the quality of legal aid provision was lagging severely behind and there was a complete absence of related coordination. No specialized legal aid centers existed, during the early years of the previous decade. Phase II of the A2J project, which builds on the achievements of Phase I, ensured that the initial response(s) to the above-mentioned needs were not only sustained in the sense of being continued but deepened and further developed in terms of systemic scope and level of ambition.

Other than addressing demand and supply-side needs of legal aid, the project's Phase II also specifically addressed PwD concerns through policy-level support to the Convention on the Rights of People with Disabilities (CRPD) which had remained non-ratified for several years following its signature. Outcome 2, with its focus on PwD support, proved its relevance by helping the Convention to become eventually ratified, thus ensuring that legal provisions became active/enacted rather than remaining of a declaratory nature.

The project was comprehensive and inclusive in the sense of covering a wide range of different actors and stakeholders directly or indirectly intervening in the provision of legal aid including the promotion of rights of PwD, including the Ministry of Justice, the Ministry of Health and Social Development, the Bar Association, Parliament, media, other I-NGOs and national civil society (CSOs, NGOs, private sector including the business community as stakeholder vis-à-vis reforms related to administrative law), the FLA Coordination Council, FLA centers, the academic sector (Universities' law faculties), etc.

- ➤ To what extent does the project sustain the current vision and priorities of the Kyrgyz Republic and its people, support the most vulnerable groups of population and contribute to fostering Agenda 2030 for Sustainable Development?
- > To what extent is the project coordinated with other initiatives in the access to justice field?

The project's underlying theory of change reads as follows:

If the Ministry of Justice can effectively implement the <u>Law on State guaranteed legal</u> <u>aid</u>, with a particular focus on women and people with disabilities,

if people are informed and educated about their rights in line with the <u>State concept on Legal culture</u>,

then

A2J in KR will be more adequately observed and promoted, leading to an enhanced trust in the rule of law with a positive impact on poverty reduction and addressing inequalities,

because

key barriers and challenges on the demand and supply side will have been addressed through targeted interventions to promote access to free legal aid for disadvantaged groups with a focus on rural women and PwDs.²

The project was designed to bolster the state machinery's engagement vis-à-vis the promotion of RoL (incl. A2J and human rights) by consolidating, and expanding on, accomplishments of the project's first phase. Phase II expanded services to the entire gamut of legal categories (criminal, civil, administrative law) by promoting universality and elements of intersectionality (incl. refugees, vulnerable rural minority women incl. PWD among them, etc.).

The project contributes to the implementation of the National Sustainable Development Strategy and judicial reform of the Kyrgyz Republic, as well as to the nationalization process of the 2030 Sustainable Development Agenda, and in particular the implementation of SDGs 5, 10, and 16. It is aligned with the UNDAF and the corporate UNDP Country Office's CPD which provided corresponding support to the aforementioned SDGs, through its Outcome no. 2 (By 2022, institutions at all levels are more accountable and inclusive ensuring justice, human rights, gender equality, and sustainable peace for all).

As per its ToC, the project contributes to strengthening the overall systemic adherence to, and performance standards related to, implementing standards of the rule of law; by upholding the principle of universal access to justice regardless of gender, belief, ethnic identity, etc. It thus helps to keep in check the phenomenon of legal nihilism and distrust or lack of confidence in the ability of State institutions to uphold the principles of democracy. The A2J project directly feeds into CPD Output 2.2 ("Justice systems and institutions enabled to uphold rule of law, promote and protect Human Rights, and improve access to justice of vulnerable population groups, especially women, youth, minorities, and persons with disabilities").

The A2J project is thus complementary to CPD Output 2.1 ("Core functions and capacity of Parliament, key government institutions and local authorities strengthened for accountable, transparent and inclusive policy making and implementation, as well as quality public services delivery") and related UNDP programmatic/project support in the area of democratic governance (RoL and Social Cohesion project support).

How well does the design and implementation of the project address the needs of the most vulnerable groups in the country?

The project is one of the very few in the country which is directly targeting the most vulnerable groups among its citizenry. Two-thirds of the population are rural residents which shows the pertinence of the geographic focus. The free legal aid centres which target rural municipalities are further complemented by the Bus of Solidarity which caters to rural citizens in remote areas well outside districts' municipal centres.³

Other than the focus of free legal aid, Phase II also contributed to widening the scope of free legal aid beyond criminal law, by extending the support to the legal categories

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² Final part ("because") reconstructed by evaluators.

³ http://www.stat.kg/ru/statistics/naselenie/

of civil law and administrative law. Especially the inclusion of civil law which covers the majority of actual cases as well as (para-)legal issues faced by the population, made a big difference.

The provision of basic and free legal aid addressed and keeps addressing, the demand for basic information in the form of guidance, orientation, and practical support. The project also covers legal sensitization and legal education through media campaigns, public roundtables, etc., which contributes to building the population's legal literacy levels.

The information campaign also specifically targeted civil society which initially was lacking any coherent opinion about the law on free legal aid and the ratification of the CPRD, for instance. By helping to educate and sensitize NGOs, the project contributed to mobilizing civil society in favor of forming a common opinion about these issues.

To what extent did the project adopt a gender-sensitive and human rightsbased approach?

The project results were aligned with GoKR's aspirations to further develop its FLA system, by specifically focusing on ensuring access to justice for rural women and promoting the rights of (the) PwD (community) in the country. The project thus had a strong LNOB and gender focus serving the needs of the most vulnerable among the population. There is an opportunity to further expand the scope of LNOB concerns over the coming years to also include other sub-categories such as the homeless, drug users etc.

The overall culture of democratic governance has been experiencing a negative trend, recently, in the sense that stakeholders have been witnessing erosion of RoL principles which undermines the observance of democratic governance standards. Some fissures in the underlying bedrock of democratic principles and standards are directly or indirectly affecting the area of legal aid. For one, the entire body of legal texts including laws, decrees, etc. is being submitted to a revision and the exact fall-out of this process (in terms of its effects on gender and human rights, etc.) is not yet absolutely foreseeable. On the other hand, the area of administrative law has recently caught some limelight in the sense that some citizens were detained on charges of illegal activities in the realm of online social media, whereas some human rights defendants consider these allegations as "trumped-up charges".

This is an indication of the current turbulences in the project's wider operational environment. While the current context requires a very delicate touch on the part of the legal aid community, UNDP had to tread delicately to uphold and further develop structures and processes to support the interests of the rights holders, while not antagonizing any among the institutional duty bearers. Another recent constraint is the negative fall-out of curtailed public spending which resulted in severe budget cuts affecting the ability of the administration to function according to its mandate.

Furthermore, standing in the way of smooth implementation were such overriding issues as the change of the government structure and recent political upheaval (specifically in 2020 but continuing into 2021), the turnover of key individuals within partner institutions, and a sometimes lacking commitment of state institutions to

sustain some of the results gained. Specifically, with regards to Outcome 2 (CRPD), GoKR's administrative top-level focal point is a de facto gatekeeper in the negative sense. This has been blocking any meaningful attempt to start implementing the Convention in real life.

In this respect, some promising initiatives either supported already by UNDP, or others that would qualify for UNDP support, have been thwarted. It remains to be seen if and to what extent the scale and speed of new modalities will remain to stall, and to what extent there will be space and opportunities for UNDP to weigh in on these issues for the current bottlenecks to be resolved and put back on track. Stakeholders believed that the issue could be resolved relatively quickly by ensuring a higher degree of proactiveness and sheer understanding of the matter at hand among decision-makers and GoK top-level focal points (for instance, through targeted sensitization to instill requisite competencies and understanding).

Notwithstanding, the FLA coverage of PwDs moved forward as planned, but beyond the area of concern of the A2J project the PwD community is still facing many frustrations with regards to the progress in CRPD implementation. Other than that, the negative fall-out of the Covid-19 pandemic in terms of slowing down A2J Phase II project implementation was far less dramatic than the negative effects referred to above.

4.2. Effectiveness

The analysis of the criterion of effectiveness answers the questions of whether objectives are being achieved or progress has been made towards them, and what has changed due to the existence of the programme/project and its interventions.

4.2.1. Key Achievements

- During Phase II, 17 FLA centers were set up in Chui and Osh regions, lifting the total number of FLA centers to 33 operating country-wide via coordination with USAID, EU and other Development Partners thus ensuring almost full coverage of KR regions
- An increasing number of beneficiaries receiving legal advice & counsel incl. through the Bus of Solidarity modality (grand total of 28,000 beneficiaries in 4 years)
- Provision of integrated programmatic support (policy, capacity development support/systems building to ensure service delivery via FLA, monitoring capacity via Coordination Council/Parliament/CSOs, etc.) to promote access to justice for vulnerable groups of the population
- Project results were embedded into the legislation (policy work: Law on FLA, CRPD)

4.2.2. Primary challenges

- Difficulty of attracting sufficient number of good quality lawyers
- ➤ Concerns regarding the overall monitoring capacity of national partners regarding the actual quality of FLA services provided

4.2.3. Detailed discussion of findings

➤ How effective have the A2J project strategies, approaches, and activities been towards achieving the project's intended objectives and targets?

Overall, project strategies, approaches, and activities were successful. This is all the more remarkable given the pandemic situation that set in in early 2020, and the political turmoil of 2020-2021 which the country underwent. The stand-out success of the project is that during Phase II, 17 FLA centers were set up in Chui and Osh regions, lifting the total number of FLA centers to 33 operating country-wide via coordination with USAID, the European Union and other Development Partners thus ensuring almost full coverage of the various regions, country-wide.

Also, the CRPD was ratified and the project provided support to the third iteration of the FLA law which has just been approved by the parliament.⁴ The new law provides mechanisms for provision of state guaranteed legal on admininstrative and civil cases and includes new categories of recipients such as refugees and visticms of domestic violence. Besides that the new law establishes bureaus fror legal advice (primary aid).

During the years of project implementation, an increasing number of beneficiaries (overall in MoJ FLA centers) received legal advice and counsel through the delivery mechanisms of the FLA centers and the Bus of Solidarity modality amounting to a grand total of 28,726 beneficiaries in 3 years (7,874 - year 2018, 9,525 – year 2019, 11,327 – year 2020). In total, from January 2018 to June 30, 2021, the FLA Centers of Chui and Osh oblasts provided 22,240 legal consultations for 20046 people, out of which 9,565 were men, and 10,481 women, including 338 PwDs.

Year	Number of	Number of citizens who applied					
	consultations	total	Men	Women	of whom PwD		
2018	6951	6472	3151	3321	91		
2019	8571	8169	4083	4086	107		
2020	3865	3865	1638	2227	105		
2021(data as of 30 June 2021)	2853	1540	693	847	35		
Total	22240	20046	9565	10481	338		

⁴ https://www.kg.undp.org/content/kyrgyzstan/en/home/presscenter/pressreleases/2021/10/new-fla-law.html

10

In addition to the FLA Centers, legal advice to the population was provided through the Bus of Solidarity, Hotline -112 and during the annual "FLA Decade":

√ Bus of Solidarity

year	Number of consultations	Number of citizens who applied	Men	Women	of whom PwD
2018	3048	2537	1189	1348	511
2019	-				
2020	1983	1915	980	935	
2021	834	743	239	504	2
TOTAL	5865	5195	2408	2787	513

✓ Annual "Decade of Free Legal Aid"

year	Number of consultations/persons consulted
2018	4622
2019	5000
2020	4000
2021	-
TOTAL	13622

√ Hotline - 112

year	Number of consultations/persons consulted	Men	Women	of whom PwD
2020	1255	487	768	26
2021	595	225	370	2
Total	1850	712	1138	28

In total, 43,577 consultations were provided to 40,713 people from January 2018 to June 30, 2021.

The percentage of beneficiaries kept increasing in favor of women. Among the total number of free legal aid beneficiaries, women initially made up half of the total number of those receiving legal advice through FLAs and the Bus of Solidarity (49.9 per cent or 3,930 individuals, in 2018). The female share among beneficiaries increased to 54.7 per cent (5,217 people) in 2019, and stood at 52.8 per cent (5,978 people), in 2020.

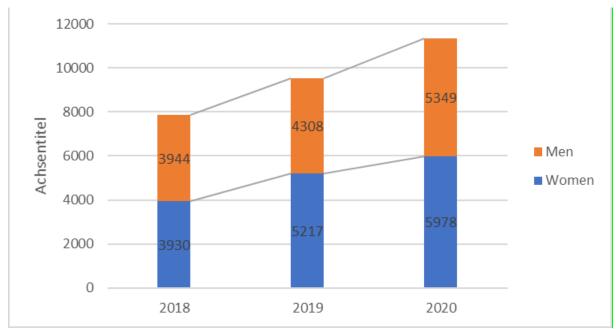


Figure 1: Gender Share among Beneficiaries of FLA

(Source: CC MoJ web site, http://otchet.ukuk-jardam.gov.kg/statistics)

In terms of relative growth, the increase in the absolute number of beneficiaries saw a more rapid growth regarding the female share of service recipients. Whereas the total number of beneficiaries saw an increase of 44 per cent between 2018 and 2020 (+20 per cent from 2018 to 2019 and +19% from 2019 to 2020 totals), the proportion of female beneficiaries grew by 52% from 2018 to 2020 (+33 per cent from the first to the second year and +12.5 per cent from the second to the third year of implementation).

The total figures for 2021 are not yet available but current indications are that both the positive trend in terms of absolute increase (male, female, and total absolute figures) as well as the relative share of female beneficiaries among the total number of those receiving legal advice will have been maintained. All things being equal, following the previous growth rates, end year data for 2021 can be expected to show well beyond 40,000 beneficiaries for the cumulative figure since the beginning of Phase II (hence, 2018-2021 data) with at least 13,500 beneficiaries of which a projected 7,000 would be female, for the current year. It is worthwhile mentioning that the final target figure of beneficiaries was set at 24,000 by the end of Phase II (to be reached as at the end of December 2021). This target was reached back in September 2020, already. The final figure will surpass the set target by an additional two-thirds.

The following table which is based on a somewhat spottier data set from MoJ has quite a few data gaps but has the advantage of showing trend level data at the sub-national level. The data shows the effect of the Covid-19 pandemic on the level of consultations in specific districts. For instance, in Nookat district, the number of consultations dropped to nearly zero, in 2020. Other districts such as Kara Suu, Kara Balta, Kara Kulzha, etc. also suffered quite massive setbacks ever since the pandemic started.

Table 1 - Number of FLA consultations provided at Oblast level, per Year

	2018	2019	2020	2021**	
Zhalal Abad*	272	246	73	44	
Bazar Korgon*	137	119	126	156	
Kara Kul*			348	440	
Aksy*	73	91	71	158	_/
Karakol*	30	195	161	168	
Belovodsk	239	327		20	
Tokmok	616	1319	1594	1926	
Kant	239	556	594	1010	
Kara Balta	83	136	62		
Bishkek	378	204	161	177	
Nookat	449	345	3	35	
Kara Kulzha	381	229	66	101	
Kara Suu	402	507	62	10	
Aravan	484	363	124	16	
Osh	1598	1672	604	336	
Alay	623	550	270	236	
Talas*	1247	786			
Naryn*	21	815	889	457	
Kochkor*	1	8			/
Kadamzhay*	484	191	218	76	
Isfana*	117	14	90	58	\ <u>\</u>
TOTAL	7874	8673	5516	5424	

(Source: CC MoJ web site, http://otchet.ukuk-jardam.gov.kg/statistics)

NB: * - FLAs which are not in Chui and Osh oblasts; ** - the year 2021: figures for Jan-June were multiplied by 2 to have a rough estimate for a year. Source: Ministry of Justice's website.

In total, from January 2018 to June 30, 2021, the FLA Centers of Chui and Osh oblasts provided 22,240 legal consultations for 20046 people, out of which 9,565were men, and 10,481 women, including 338 PwDs.

Year	Number of	Number of citizens who applied				
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of 30 June					
2021)					
Total	22240	20046	9565	10481	338

In addition to the FLA Centers, legal advice to the population was provided through the Bus of Solidarity, Hotline -112 and during the annual "FLA Decade":

What were the major factors influencing the achievement or nonachievement of the objectives?

Before the FLA centers' existence, no systematic mechanism or system existed to provide basic legal aid on such issues as alimony, land tenure, inheritance issues, divorce, administrative legal issues including access to civil registration, etc. For domestic violence, some basic services existed but even here, the FLACs are providing additional support. Most issues are squarely situated within the area of civil law, which shows the appropriateness and sagacity of having expanded the provision of support beyond the confines of criminal law.

Overall, it can be assumed that the project has contributed to social cohesion and (domestic/inter-communal) conflict prevention. In addition, by allowing citizens to benefit from their status as right holders through the provision of service delivery, access to justice was promoted. Also, as intended by the ToC, by not only promising but also delivering access to justice (in the form of free legal aid as its initial step), the project helped the State machinery to produce some of the social "glue" that is constitutional for the body polity of the State and society at large, by allowing citizens to enjoy their constitutional rights, with the duty bearers serving the citizenry which turns on its head the pre-democratic (im-)balance of the population serving the sovereign State structure.

The project was not concerned with the actual dispensation of justice through the courts and the legal system, as a whole, since it was limited to ensuring (mainly free) legal aid. On the other hand, the legal aid also likely served to lessen the burden on the legal system, since it can be assumed that many issues or cases that otherwise would have clogged up the system as cases (that might have been deemed unworthy and "thrown out", or referenced, etc.) were resolved through the simple provision of legal advice.

On the other hand, there has been some evidence of some unforeseen effects in the sense that in some districts, local administrators complained about the surge in "unreasonable requests and expectations" on the demand side which they see as an impact attributable to the project's legal sensitization and awareness-creating measures. This contributes to the legal empowerement of population and could be counted as a project's achievement.

It is not entirely clear if local level administrators are merely caught unawares by the sudden, from their side unexpected surge in right holders exercising their constitutional rights; or they actually at least in some cases might have a point in the sense that some demands made by citizens might have been overstretching the local system's ability to

cater to such demands. This may indicate that not all local self-governments are aware about existence of FLA centers in their districts where they could redirect people to get legal support. On a bigger scale it also speaks to the possibility that there is no sufficient communication between the MoJ and local governments.

The lack of frustration might need to be linked not to ill will but rather, a lack of funds and means at the disposal of administrators lacking the related systemic support to, and investments in, their ability to cater to the demands. Again, this goes beyond the limits of the provision of legal aid since looking at the overall state machinery's ability to provide public services, including administrative services as well as the dispensation of legal services. This is an area that might deserve further being looked into to get at the bottom of things in the sense of clearly identifying the root causes, to make short shrift of any related speculation.

The abovementioned statistical evidence shows that the provision of integrated programmatic support (FLA law and CRPD ratification representing the project's policy stream; related support to building capacity development support/systems building to ensure service delivery via FLA incl. FLACs and the Bus of Solidarity; enhancing monitoring capacity via Coordination Council/Parliament/CSOs; sensitization through media campaigns to boost levels of basic legal literacy and promote awareness on the demand side, etc.) to promote access to justice for vulnerable groups of the population had the desired effect.

The overall positive trends also point towards a sensible choice of the sensitization strategy and the design of service offers and related delivery mechanisms. Given the fact that before the project, no legal aid mechanisms existed, it was to be expected that the demand would show some solid increases, initially.

On the other hand, taking into account the restrictions as of early 2020 due to the Covid-19 pandemic, the solid growth in beneficiary numbers indicates that the project has not only made some inroads into the anyhow existing demand but that the recipe is truly working. Without the pandemic, the figures for 2020 would have likely been much higher, which would have resulted in even more spectacular growth rates.

➤ Has the A2J project successfully leveraged its partnerships with relevant governmental agencies, civil society, and other beneficiaries? Is the cooperation with the selected partners leading to the most effective results?

Among the various categories of key partners, the partnerships with the Ministry of Justice and the Ministry of Health and Social Development have been essential in ensuring the achievement of project results. The partnership with media organizations, the para-statal Bar Association ("Advokatura") for running the pool of FLA advocates, USAID with regards to sharing the task of setting up FLAC infrastructure, with Parliament and CSOs to ensure holistic stakeholder monitoring and oversight thus instilling a sense of national ownership and a balance of powers within the FLA ecosystem are other examples. With the engagement of civil society during the later stages of the project, a new dynamic has set in in the sense of budding mechanisms to hold the State accountable regarding its provision of free legal aid. However, these results

are still not robust since still in the process of becoming fully established and in a phase of consolidation.

Yet, despite the relative volatility of the FLA governance structure (Coordination Council, FLA network) and the inherent risk of reconsideration of various policies, the project managed to keep an overall commitment of the state institutions to continue the provision of free legal aid. A relatively nascent area of FLA that is in the process of gaining prominence since attracting interest and gaining momentum among the concerned stakeholder community (i.e., the private sector and chamber of commerce) and is likely to gain considerable weight over the coming years is the provision of legal advice to the business community, which also concerns female cross-border traders, etc.

What observed initial changes can be attributed in general terms to A2J project activities and outputs?

The ratification of the Convention on the Rights of PwDs is one of the stand-out changes which is potentially transformative, depending on to what extent the convention can be translated into concrete action(s), which is the current challenge under the project's Outcome 2. Until now, there have been several laws drafted for adoption so that the KR would abide by the ratified convention. The programme ("Accessible Country" for implementation of CRPD) was developed by the inter-agency working groups for the period 2019-2022. It was submitted for approval in 2020, but since then it has been under review and its adoption is delayed, which is causing frustration among NGOs representing PwDs.

In 2021, the project is set to finalize review of legislation and national strategies, policies and programmes to align with CRDP and this is also part of the "Accessible Country" program. The texts have so remained "toothless" since lacking an action plan and a specific budget allowing to convert the draft law(s) into reality, through implementation of specific activities. In May 2019, an Interagency Working Group was established and tasked with drafting i. the Initial Action Plan for CRPD implementation in 2019-2022; and ii. the concept for the programme "Accessible country" ("Доступная страна") aimed at elimination of discrimination against PWDs in various areas and improvement of accessibility of infrastructures.

In 2020, the State Programme "Accessible Country" was developed and submitted for approval. Currently, it is under review by the Cabinet of Ministers (Ministries) and there is a delay in its approval causing frustrations among CSOs representing PwDs. Nevertheless, the project is currently finalizing the review of the legislation and national strategies, policies, programmes to align with the UN CRPD, which is part of the "Accessbile Country" programme's set of interventions.

The institutionalization of the provision of free legal aid within state institutions, which had started almost a decade ago, has by now materialized into a much more tangible eco-system in terms of having adopted laws, created specialized structures, and having successfully worked out various procedures and practices including free access to primary legal aid and referral mechanisms to professional, specialized (also called "secondary") legal aid, the FLAC network and the Bus of Solidarity delivery mechanism

targeting remote rural areas outside municipalities. Thanks to this, legal awareness has risen country-wide, including in remote rural areas.

Considering the FLA infrastructure (FLAC network, Bus of Solidarity, the existence of the FLA Coordination Council, website, hotline service, etc.) as outputs rather than higher-level results, the ultimate measure of success as per the available indicator data is the number of beneficiaries and the number of online sessions and users that made use of the offered services in the analogous and virtual spheres, through on-site visits at FLACs or the Bus of Solidarity, telephone calls to the hotline, or remote consultations in cyber space.

The figures, which reflect both the supply side's offer and the demand side's consumption of the services, show a quick increase in the amount of service provision, as well as a related impressive increase in the uptake of the services offered. Other than the increase in the number of free, primary legal aid consultations, there was also a similar dynamic among the online visits of the MoJ website and the download or other active engagement as well as the numbers of qualified legal aid.

The figure below actually goes back to the start of Phase I of the A2J project, in the year 2014. While the number of site visits (sessions, or "hits") commenced at the relatively modest figure of some 32,000 in 2014, the yearly figure was approaching 2 million, in 2017.

2019 and 2020 yearly totals were almost similar, having reached above 4 million (2020 figures shown in the graph end in November; adding the pending December data would have resulted in a yearly total slightly beyond the 2019 figures). One would have expected the lock-down situation to have resulted in a further spike of site visits during 2020, which might indicate that the fact that 2019 and 2020 figures are roughly similar shows that the growth has reached a plateau or even its maximum point of saturation.

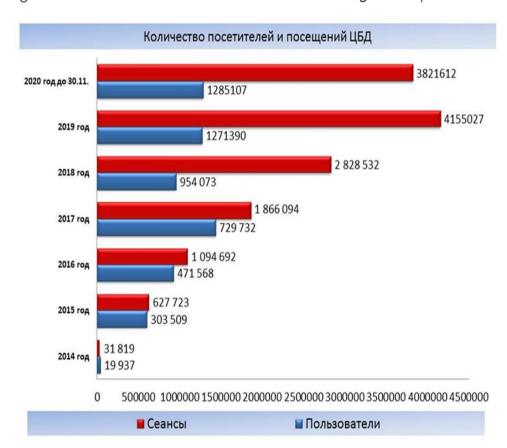


Figure 2: Visits to the MoJ's online database of legal acts (visits/red & users/blue)

(Source: A2J project's annual progress report 2020)

How should the development approach/theory of change adjust for future programming?

While Phase I introduced the concept of FLA including support to formulating the initial iteration of the related law, Phase II laid its focus on the implementation of FLA with a particular focus on women and PwD and promoting legal awareness through support to the legal culture; as well as policy support in view of the CRPD's ratification. Thereby, the project's second phase pursued a two-pronged approach (top-down on the supply side plus bottom-up, on the demand side, adding a strong LNOB component by adding PwD to rural women as key target groups).

At this juncture, the legal superstructure has been fully erected since the third generation of the FLA law is in the process of being finalized, and the CRPD has been ratified. Both the demand side and the supply side of the FLA component have matured well beyond the initial stages. While delivery mechanisms and structures have been expanded to almost all districts in the country, the Bus of Solidarity approach has proved its worth. At this point, the key challenges consist in ensuring the sustainability of the service delivery while preserving the current results through ensuring financial support. As the growth of the FLA beneficiary curve over the past years implies, the steady quantitative growth of the demand will likely remain. This requires shifting the focus to massively ramping up both the quantity and quality of service provision. Human resources could include, other than the regular influx of newly minted

professional staff originating from pre-service training institutions, tapping into the pool of experienced experts from within the civil service (horizontal transfers and/or inservice training).

In addition, the pool of skilled pensioners and ex-civil servants could be tapped into ("past-service" human resources) given the comparatively quite young age at which staff retires from the KR's civil service. Depending on the area of work such repurposed/remobilized ex-civil servants would get involved in, according to their specific profile and area of expertise, as well as their area of interest, they could either be employed on a pro bono basis, or as paid staff (potentially at a symbolic rate since they can continue receiving their full pension without any reduction if earning extra income after retirement).

In addition, upholding current supply-side minimum standards and, ideally, enhancing the quality of primary services will not suffice. There will be also a need to boost supply-side service delivery capabilities for the category of qualified legal aid, including in emerging areas such as medical rights for which there is a nascent demand but already almost no capacity exists; for with the growing demand for qualified legal aid there logically is a steadily increasing number of referral requests and therefore a growing demand for qualified legal aid. Keeping pace with the increasing absolute number of basic, free legal aid without falling victim to the success of Phases I and II is one thing.

The expansion to secondary legal aid, for sure, shows the need to invest heavily into the training and education system to produce the requisite human resources. In addition, the expansion of digital delivery formats needs to arguably become the absolute focus, since it would allow absorbing a huge amount of the more basic demand-side tasks, much quicker and arguably at a fraction of the cost than analogous solutions.

Given current trends in the country, experience for legal demand is steadily growing in areas such as business-related/commercial rights, and environmental rights. Last but not least, given that the CRPD is much broader than the A2J component since it entails such vast areas as PwD-sensitive urban planning and infrastructure design, it would be advisable to create a stand-alone CRPD programme initiative. Hence, a potential third phase of the FLA project could add a training/education component of supply-side human resources to its result architecture.

Maintaining and deepening the quality of legal aid provided would also require for the monitoring capacity to be further developed to not only keep track of the number of "first contacts" with the FLA system as currently reflected by the acme indicators of the number of beneficiaries and the number of online visits to the website or the database. Ideally, the M&E data would allow probing the quality of services received including such measures as client satisfaction, usefulness/utility of advice provided in solving the respective problem at hand, etc. Other than technological solutions, there needs to be a stronger focus on building requisite capacities for qualitative data collection and analysis, in the sense of introducing elements of knowledge management beyond the current focus on counting the number of supply/demand-side contacts or interactions.

To what extent have women and people with disabilities (PwDs) benefited from the project results?

Two grant projects were implemented with focus on PwDs and rural women, which reached 2707 rural female beneficiaries including 524 women with disabilities among a total of 876 PwD. Both male and female PwDs benefitted from A2J under the grants projects. Figure 2 further above showed how the share of female beneficiaries increased beyond the initial 1:1 gender parity, to a proportion in favor of female beneficiaries, which is a result of the project's focus on rural women. The total number of FLA beneficiaries

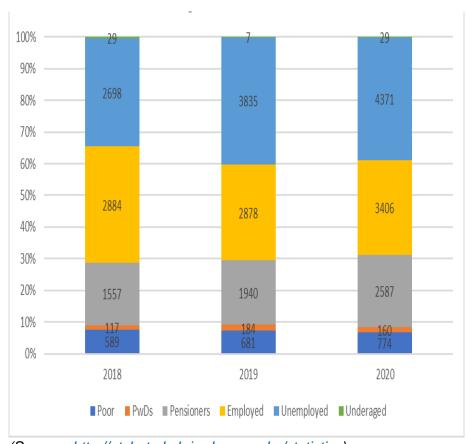


Figure 3: Categories of FLA Beneficiaries

(Source: http://otchet.ukuk-jardam.gov.kg/statistics)

The ratification of the Convention on the Rights of PwDs also formed a key component of Phase II of the project. The project also supported specific training sessions for women and PwDs including but not limited to legal sensitization. For such training, the training-of-trainers (ToT) modality was used to maximize outreach. In 2018, the ToT reached 107 women and 17 PwDs. In terms of access to free legal aid, during the initial years of Phase II the number of PwD beneficiaries increased from 117 (year 2018) to 184 (year 2019). In 2020, most probably due to the restrictions caused by COVID-19 and measures of precautions related to it, there were 160 PwD beneficiaries.

Trainings were held for sign language translators on the use of legal terminology. As a result of the trainings, the database of sign language interpreters was updated, at present the database contains 59 sign interpreters, including 42 in Bishkek, 14 in Osh, 2 in Talas and 1 in Naryn. The updated database of sign language translators is posted

on the websites of the relevant state bodies, including the Ministry of Justice, the FLACC, the Supreme Court, the Ministry of Internal Affairs, the State Registration Service under the Government of the Kyrgyz Republic, the Ministry of Social Development, the Bar Association of the Kyrgyz Republic.

Two training modules were developed:

- "Features of the administration of justice with the participation of persons with disabilities" for judges
- "Peculiarities of conducting cases with the participation of persons with disabilities for lawyers.

The training modules have been approved and incorporated into the curricula of the High School of Justice (HSJ) and the Lawyers' Training Center (BTC). 5 HSJ trainers and 20 BTC trainers have completed ToT and are now able to independently conduct these trainings. In addition, 38 local court judges and 18 lawyers attended these trainings.

To what extent have the results at the outcome and output levels generated results for gender equality, PwDs, and women empowerment?

It is very difficult if not impossible to make any meaningful statement about the actual results generated at the level of outcomes, let alone the impact level, of the project. At the output level, the number of female beneficiaries of FLA consultations is the highest and most meaningful indicator. All other inputs and outputs related to FLA (such as "Fund allocation to FLA centers", "quality standards for FLA centers", "coordination meetings conducted" etc.) are contributing to this result.

Since the issues of gender inequality and discrimination against PwDs are massive and pervasive it is difficult to expect from one project to achieve significant results for gender equality and PwDs. However, it can be derived from the key informant interviews among stakeholders that the contributions made by the project both to fighting gender inequality and promoting PwD's rights were quite significant. The project has been working closely together with the UN/EU Spotlight Initiative on VAWG. Since victims of domestic violence are the key beneficiary group of the project this partnership was helping to create synergies with other UN projects while working to enhance its supply side mechanisms. Particularly, it was and is instrumental in building capacity of MoJ's personnel, lawyers, and those engaged in the Bus of solidarity to improve survivor-centered and gender sensitive approaches to legal services.

A selection of some of the most important concrete examples of output level results, or activities likely to lead to results in favor of women's and/or PwD rights which can be ascribed to the project's targeted interventions, follow below:

a. Training and sensitization on PwD

 A high-impact media campaign on PwD's rights was organized to instill a change from the previous, charity-based/medical approach of journalistic reporting, to a socio-economically informed rights-based perspective.

- Performance-based trainings were provided for journalists, graphic designers and IT staff working in media awarding the final certificate of participation only to those who passed the final knowledge and attitude test
- A sensitization module targeting journalistic faculties at Universities was designed on the topic of how to engage and work, with PwDs. The module was used for training among students and (future) media professionals.
- High-quality engaging and interactive online training content was developed for journalists. The online courses exist in Kyrgyz and Russian languages, on PwD but also on gender issues.
- o Guidelines were developed on the ethics of communicating with PwD incl. criminal, administrative, and civil cases.
- 24 judges received online training on PwD-related issues.
- The media has started covering the issue of infrastructure deficiencies, and advocating for related remedies (including lifts and elevators with braille, wider doors, ramps added to stairs, etc.) which resulted, in some cases, in administrative buildings being fitted with access ramps for PwD.
- The Public Receptions Office of the Ministry was optimized with a public services and quick response desk to meet the demands of PwDs.
- MoJ hired legal experts who are familiar with PwD-related legal texts and provisions, and can provide specialized related translation/explanation services for the blind and/or deaf.
- Specific financing was made available to introduce sign language to the FLA services provided, which was highly appreciated by the deaf-mute community.
- On an annual basis, support was provided to the campaign to celebrate the Human Rights Protection day (September 10).
- Written A2J impormation pamphlets were produced for PwD beneficiaries without reading/eyesight impairment.

b. Bus of Solidarity

- To further boost the "Bus of Solidarity" vehicle pool, two new buses were purchased in 2020 to ensure that all districts in Chui and Osh oblasts could be covered, targeting bazaars, trade centers, towns' central market squares etc.
- Among the beneficiaries of the buses' services are women and PwD, but not exclusively so, since the buses serve everyone. Services provided range from birth certificates for children, civil registration, passport, social support, alimony etc.
- Apart from the Bus of Solidarity, the MoJ also launched other initiatives; e.g., "Know your rights", "Constitution Day" etc. In Bishkek's and in Osh's bazaars, free legal aid kiosques were set up staffed by experts. MoJ's Divison of Guaranteed Legal Aid is in charge of providing said services.
- MoJ's "Bus of Solidarity" has by now become a brand or household name and according to anecdotal evidence collected among stakeholders, many people are eagerly following the schedule since they are looking forward to the Bus of Solidarity arriving in their village(s).

c. Hotline and virtual support systems

- A dedicated hotline for legal assistance ("112") was added to the standard hotline emergency number ("114") to call the police, ambulances etc. The training of operators, referrals etc. is part of the related training support.
- Calls within the operator's network can be placed free of charge. Different numbers on different operators' networks were added to keep costs low for the callers or ensure they can call free, depending on the network. In addition, a free call back option was added that bears the costs of the call if people cannot afford paying for the entire call.
- The legal assistance hotline has an inbuilt referral mechanism to the psychological hotline. This service was often used since the beginning of the Covid-19 crisis which created an upsurge in the number of incidents of domestic violence and other situations requiring psychological counseling to control emotions such as anger and tackle the root causes (poorly managed frustrations etc.).
- Cases of domestic violence, mostly targeting women, sharply increased since 2020 due to the COVID-19 crisis. Correspondingly, the majority of persons who called the legal assistance hotline were women.
- The MoJ website and Android application connected to the MoJ's website are free of charge and make it possible even for users in remote areas to access information through a smart phone.

d. FLA

- Over 30 FLA centres were provided across the KR which has by now resulted in a coverage of 80% of the country's districts, with 17 FLAs supported by UNDP. Eight FLAs can offer both on-site primary aid consultations and qualified aid, whereas in other FLAs, referrals to specialists can be arranged so that qualified legal aid can be accessed.
- After the reform of the FLA law which saw the introduction of administrative and civil law in addition to criminal law, the number of lawyers increased from 200 to 320 (with a majority of female lawyers).
- The project introduced a system of vouchers to cover transportation costs for individuals coming from rayons that have no FLAs.
- A jour fixe (recurrent day reserved in the calendar, called "Days of Free Legal Aid") is organized during which primary legal aid is provided.
- Qualified professional legal aid is provided prior to and during court proceedings.
- The project supports a total of 85 CSOs, many of which are specialized (in such issues as A2J for women, HIV, etc.) and provide primary aid, and require coordination support when their clients need qualified aid. In 2021, the FLA Coordination Council organized a major coordination and networking meeting with the participation of all these CSOs.
- The project also provided some guidance to NGOs and private legal companies interested in providing legal assistance on a pro bono basis. In addition, the project maintains strong connections with legal aid clinics at university/college level, where students provide legal aid services.

On-site visit of the FLA center in Bishkek on the 20/09/2021

(and talk with the Senior advocate of the center, Maria Gavrilova)

The Free Legal Aid center is located on the cross-section of Ibrarimova and Zibek Zholy streets in the premises of the Center for Services of Population (Branches of the State Registry where citizens can get services related to the registration of various state documents). This is helpful in many regards since many potential clients of the center are also coming in big numbers to register their documents. The advocate mentioned that quite a few who are not eligible for qualified legal aid and thus would need to pay for such services are also demanding free qualified services which by law they are not entitled to, thus rendering them ineligible for such support. Phone numbers of the FLA's lawyers are openly displaced so that the clients can contact them when the lawyers are not physically present, on-site; or should a related need for consultation arise in the future.

On average, the center serves around 6-12 people per day. Mostly, visitors seek advice with regard to the following issues (presented by order of priority):

- Issue of alimony (the most prevalent category of cases, as reported by the advocate)
- Labor agreements
- Land registration issues
- Civil registration (birth certificate, ID etc.)

It was noted by the advocate that quite often, clients are not only in need of factual legal aid, but are also normally craving for psychological support and some empathy shown by someone who is willing to just listen to their problems. A key challenge consists in the fact that FLA lawyers sometimes experience difficulties in always respecting the agreed-upon consultation schedule, esp. when they are running their own private practice and thus have to attend court hearings which cannot be easily planned since often unpredictable regarding the length of trials etc. This can result in situations where advocates show up late or altogether miss entire appointments at the FLA center. In some cases, lawyers not obeying the schedule need to be replaced, as was the case in the center visited where the Director was busy replacing two lawyers whose attendance record left to be desired.

e. Bar Association

- A set of quality standards for the work of advocates was designed for the Bar Association ("algorithm" of professional routines/quality of work).
- To what extent has the project been appropriately responsive to the needs of the national partner priorities?

The project fits the priorities defined by the national partners in various ways. It is in line with the National Strategy of Sustainable Development for 2018-2040 where it mentions the need for social integration of PwDs and the rule of law and ensuring legality. It also corresponds to the Concept of Enhancing Legal Culture of Population which sets in its plan implementation of the practice of disseminating positive examples of lawful behavior of citizens through the media and Internet as well as organizing Buses of Solidarity.

4.3. Efficiency

This criterion looks into the extent to which resources were well managed and used, and how soundly operations were managed. Resources include budgetary/financial means, staff or human resources, time, material resources including infrastructure, technology, specific programmatic and/or technical processes and mechanisms, as well as intangible resources such as power of influence etc.

4.3.1. Key Achievements

- A Centralized Database of legal acts of MoJ was supported, which also contains LSG's local acts and regulations and free of charge for everyone
- "Bus of Solidarity" as efficient service delivery modality
- ➤ Early on, realized the potential value of digitalization (testing related modalities via AIS FLA, etc.)
- Reactiveness re Covid as evidenced by the fact that support to the provision of digital tools was ramped up
- Very decent value for money
- Pro-active sharing of lessons learned and best practices with neighbouring countries as well as at global level
- In-country serving as reference to USAID who emulated UNDP's FLA project model
- Overall, good coordination between partners and project coordination by UNDP
- The project's videos and online courses enabled continuously increasing number of users to get access to information on legal literacy for various disadvantaged groups and professional groups

4.3.2. Primary challenges

- ➤ MoJ M&E: Data collection and usage was limited by MoJ-internal constraints
- Low frequency of Bus of solidarity tours
- > The pending installment was not received by UNDP because of an external professional cyber-attack.
- Coordination Council's performance was questioned

4.3.3. Detailed discussion of findings

- ➤ Have A2J project resources (funds, expertise, time, staffing) available to the project been utilized in the most appropriate and economic way possible towards the achievement of results?
- > To what extent have resources been used efficiently? Have activities supported the strategy been cost-effective?
- How have partnerships influenced the efficiency of the project in delivering against its portfolio?

There remains as a widely recognized problem the persistent challenge to keep attracting and retaining well-qualified lawyers for the FLA centers which undergo a certain turn-over and are always at risk of facing a staff shortage, specifically in regards to more senior and specialized lawyers with a certain pedigree.

The actual spending (and commitments) of the project on both outcomes were close to what was initially budgeted on a yearly basis, with 2020 spending under Output 1 (96%) having been the lowest in the period 2018-2020.

At the beginning of the project cycle, the pending financial transfer from Finland was not received by UNDP because of an external professional cyber-attack. All relevant bodies/officials of both parties (UNDP and MFA Finland) were informed accordingly on a timely basis. Thereafer, a police investigation was triggered by Finland.

The investigation's results shared by MFA Finland confirmed the online fraud and reported that, part of funds had been lost due to the cybercrime and the remaining funds should be returned to the Government of Finland. UNDP thereafter invested its own funds to keep the project on track and deliver the results in line with the project objectives. UNDP and the donor made necessary corrections in the agreements to reflect the correct contributions from the donor.

IPs reported they did not experience too many challenges regarding the implementation of their activities. One CSO noted that a few years ago, some issues cropped up related to bank transfers, but these appear to have been isolated events.

A noteworthy best practice that was observed in Chuy and Osh Oblasts is the so-called "talon" system of service tickets whereby would-be, potential beneficiaries who were queuing and could not be catered for, or who arrived late or without proper documentation and thus had to be given an appointment for the next visit of the Bus, would be given an appointment slip by Bus of Solidarity staffers to tell them when to show up for an in-depth consultation.

The "talon" approach was introduced by a UNDP grant recipient CSO, to facilitate monitoring the number of people referring to the FLA Centers and Buses of Solidarity to measure the increase of applications after their trainings and interventions at the local level.

As per its original (and sole) intent, the talon was meant to fulfill an M&E function since the slips would be systematically collected which allowed to quantify the number of initial contacts that led to recipients of their appointment slip showing up for their actual consultation. The talon data also served additional purposes such as quantifying different types and categories of problems (in %). However, quite unexpectedly, following the introduction of the system, it was observed that the flow of rural women into the FLA Centers and "Buses of Solidarity" increased by more than 20% (200% for PwDs).

There are anecdotal indications that the talon exerts a subliminal positive psychological pressure on the recipient that leads to showing up for the appointment. It was opined that without handing out a talon, if only engaging in an oral commitment, it would be much more likely that the (potential) client would not follow through with seeking support and therefore, a much smaller number would actually show up for their meeting. The talon thus functions as a tangible commitment or quasi-contractual agreement on both ends to enter into the service "transaction".

Under Outcome 2, a suite of training materials was designed for judges from the Supreme Court to provide trainings on PwD issues. A related agreement was then reached with the Supreme Court of Justice to continue the training effort via a ToT approach to ensure an efficient mode of service delivery that would also serve, at the same time, as a sustainable exit strategy. As of recent, the Training Center for Advocates has also introduced a module on working with PwDs, into its curriculum.

Annex 6.4. shows the detailed financial overview including planned and actual budgets per year, by Outcome and expense category. Figure 4 below shows that available budgets were fully absorbed, across the board, since 2018. Annual budgets were all almost evenly split (50:50, approximately, per Output).

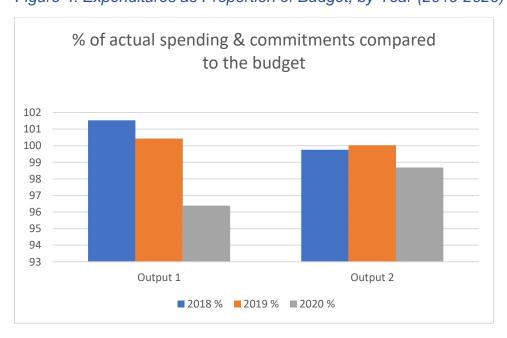


Figure 4: Expenditures as Proportion of Budget, by Year (2019-2020)

(Source: Annual Monitoring Reports)

Annual Outcome budgets for 2020 were the highest, slightly above the budget of the year before. The first year of implementation (2018) had the lowest budget, due to the funding foreseen from Finland having been pirated. As a stop-gap, MFA Finland allocated 40k Euros for Phase II, in 2018.

Year	Planned	Actual
2019	USD 360,689	USD 361,638
2020	USD 390,848	USD 380,468
total	USD 858,073	USD 849,237
Grand total		USD 1,707,310

The figure below shows the relative annual budget share per Outcome, for actual and planned budget amounts.

Ratio of budget vs actual spending & commitments of Outcomes 1 and 2 162570 150991 151035 160430 58023 58167 budget actual budget actual budget actual 2018 2018 2019 2019 2020 2020 Output 1 Output 2

Figure 5: Expenditures as Proportion of Budget, by Year (2018-2020)

(Source: Annual Monitoring Reports)

Various approaches to maximize the efficient use of resources were employed, including frequent participatory stakeholder coordination meetings (twice a year), the establishment of a Coordination Council, support to web-based platforms (webpage, database), and hotlines, etc. As a matter of fact, early on, project implementers realized

the potential value of digitalization which resulted in early testing of related modalities including AIS FLA, etc.

The project also showed good reactiveness to the negative effects of the Covid-19 pandemic on A2J in ramping up its related digital project activities, thereby providing an alternative to the conduit of analogous, in-person sessions of legal counsel. The legal acts database was an efficient way of ensuring access to legal aid and related information, which is proven by the very high number of consultations shown in figure 2. further above.

On the downside, MoJ M&E-related activities somewhat suffered from capacity-related technical constraints that limited the effective data collection and related usage. Also, some stakeholders mentioned concerns about the ability of the Coordination Council to effectively live up to the entirety of its mandate. With regards to some activities of the Outcome 2, efficiency and effectiveness were somewhat hampered by either a lack of interest or limited understanding, on the part of external key stakeholders.

Overall, referencing mechanisms, the tracking of service quality by individuals providing FLA (digital rating systems), the finetuning and scale-up of AIS FA, issuing Buses of Solidarity and FLACs with high-speed Wifi, and general performance monitoring are all different service areas/components/modalities or project segments which were identified as requiring further investments.

In terms of the operational dimensions of FLA service provision, the investment into purchasing two (2) buses for the "Bus of Solidarity" service was a wise decision since saving money, in the long run. On the downside, it must be mentioned in this regard that the Government did not always honor its commitment to cover fuel costs which negatively affected the frequency of road trips and/or actual mileage (distances covered) and thus resulted in limited service provision through the buses in remote areas.

Overall, through the partnership with MoJ, UNDP helped the state agency to internalize a fair amount of the project activities (e.g., by purchasing Buses of Solidarity instead of renting them). However, there were issues with the commitment of the government to fund and continue in a more sustained manner some of the project activities. While this aspect primarily relates to the sustainability indicator, it negatively affects efficiency, as well. It should be mentioned, in this regard, that a limited number of FLA centers were performing at a sub-standard level, according to stakeholders involved in quality monitoring, which hints at issues regarding overall MoJ project oversight and performance monitoring and/or equal distribution of resources preventing some FLACs to perform according to operational standards.

Also, the merger of the Ministry of Health and the Ministry of Social Development further exacerbated limited systemic capacity and constraints on the supply side, thus adding to general concerns over a limited number of staff, the shortage of qualified legal aid in general and esp. for emerging areas such as health-related rights, etc.

If one were to take all the monies spent by the end of 2020 under Output 1 and divide them by the number of FLA beneficiaries, a single consultation (incl. expenditures to finance the necessary infrastructure and machinery) would end up with a price tag of some thirty US dollars. By the end of 2021, given that the total number of beneficiaries is still exponentially growing and can be expected to reach a total of well beyond 40,000 individuals, the per capita cost of legal advice service would be hovering just above USD 20.

When factoring in all the other services provided through the budget including the several million internet visits, the effective cost of an FLA consultation can be expected to be situated already well beneath USD 10, which represents very decent value for money, indeed, even if some session consists "only" of very basic legal advice provided by a para-legal.

In terms of partnerships and synergies beyond the national level, the coordination with USAID and some neighboring countries needs to be mentioned as best practices. The project's approach to setting up FLAC at the sub-national level served as a blueprint and reference to USAID (via Winrock and EWMI as IPs) which set up FLACs in 10 districts emulating UNDP's FLAC design. In terms of knowledge sharing, several study visits were organized for experts from Tajikistan who benefitted from the lessons learned through the project's experience.

Yet another partnership that was crowned by success was the collaboration with the Soros Foundation which designed professional standards for the provision of free legal aid to criminal cases. Several stakeholders referred to this as a best practice that should be considered for being repeated in the area of civil and administrative cases, as well, which would further generate relative efficiencies.

- Was the used grant component adequate to
 - a) Reduce and eliminate discriminatory stereotypes towards the Project target groups (people with disabilities, rural women);
 - b) Raise awareness and literacy of people with disabilities and rural women regarding their legal rights;
 - c) Ensure legal empowerment of target groups through increased number of legal assistance applications to the FLA Centers and Buses of Solidarity in Chui and Osh oblasts.

A perception survey conducted in 2018 on the main prejudice and attitudes against PwDs and women showed widespread discriminatory stereotypes. The results show results of said attitude and opinion polls (the graph in Russian with results is available in the annex 6.8). The prevailing image of a rural woman is of being family oriented (97%), laborous (96%), strong (92%), housewife (91%), aiming to work only for family (87%) and so forth. No so many expect her to be educated (47%) and have variety of interests (42%), and just 18% expect her to aim to build a career.

The subsequently developed media strategy and grant programme components were appropriately designed to target the abovementioned stereotypes. The feedback from PwD stakeholder representatives and end-level beneficiaries, as well as media activists, indicated the high value and effect of related project activities. Tellingly, the sensitization modules designed for media professionals on PwD issues were frequently assessed by various stakeholders and trainees as being "fit for purpose" for

any given target group, well beyond the limited category of media professionals for whom it is presently exclusively being used.

There were two grants projects implemented, the Rural Women project and the People with Disabilities project. Under the "Rural Women" project, all 22 planned trainings were completed, 15 of which were conducted for rural women and local CSOs, and 7 for decision makers and LSG representatives (territorial government and LSG bodies). The trainings involved 628 people, of whom 416 were rural women and 212 were decision makers. According to the results of the entry and exit testing of the participant's knowledge, the growth rate of acquired knowledge showed 24% in Chui region and 22.4% in the Osh region. More than 200 women-activists were selected during the trainings to increase the number of people applying to the FLA Centers by informing the rural women. After that the flow of rural women into the FLA Centers and "Buses of Solidarity" increased by more than 20% in the pilot regions.

The "People with Disabilities" project conducted 30 trainings in Chui province and Osh provinces, where 800 participants took part in the training sessions, including 582 women and 218 men. Participants of the trainings were persons with disabilities, employees of local state and LSG bodies working with PwDs. As a result of the trainings, the PwDs learned better about their rights, significantly increased their legal awareness and legal culture, and learned about the FLA Centers and the "Bus of Solidarity". Public and municipal employees have learned better PwDs problems and changed their attitudes to them.

As a result of 30 trainings, the number of people with disabilities applying to the FLA Centers and the Bus of Solidarity significantly increased. According to data obtained from the Coordination Councils of 15 districts, the number of appeals among PwDs increased by 200% on average in each district. More detailed information on trainings can be found in annex 6.7.

Last but not least, the talon system's unintended benefits referred to further above should also be mentioned, here; since they resulted in a spectacular increase in the number of rural women and PwDs attending FLA centers and Buses of Solidarity (+20% for women, +200% for PwDs).

> What realistic new delivery options the project shall consider to maximize efficiency and cost-effectiveness?

Digitalization is one of the new delivery options which could be considered regarding the direct provision of legal aid (besides the hotline) as well as on coordinating logistics between lawyers, free legal aid coordinators, and others. Besides, engagement of law students from legal clinics could expand delivery and make the provision of aid more cost-effective. Similarly, training retired civil servants as FLA experts could rapidly boost the ranks of the FLA workforce. Further expanding the level of information accessible via the internet and through social media would be another way to ensure that legal information can be efficiently reached by end-users.

There were important project components which resulted in the production of video content on A2J sensitization which is available online and likely to steadily increase public knowledge about, and usage of, free legal aid services among the targeted clientele. Educational videos called "The ABC of Rights" were prepared with translation into sign language for people with hearing impairments (informtion on the constitution, state, judicial system, international acts, marriage issues, social benefits, pensions, alimony, inheritance and business.⁵

Also, 20 videos were produced in a VBLOG format about the basics of legal literacy in sign language; as well as 20 episodes of a podcast on the basics of legal literacy were adapted for people with visual and other disabilities. The podcasts and videos were published on YouTube, Facebook and Instagram, as well as the Logos International Online Library for People with Visual Disabilities and major podcast apps. The complete list of the project's media materials can be found in annex 6.6.

There were also a number of online courses for journalists, journalism faculties' students, bloggers and other stakeholders, on disability issues based on the UN CRPD principles and KR legislation. These courses aimed to eliminate negative stereotypes, change public opinion towards people with disabilities, remove physical, information, social and psychological barriers, and create an inclusive society where all people are equal, and the rights of every human being are respected.

Another online course was designed to specifically cover gender sensitive journalism based on local legislation, the CEDAW principles and project-supported research on the elimination of negative stereotypes towards rural women. The course was placed on the journalists' professional web-site where, so far, 20 journalists and bloggers have taken the on-line training course.

At the global level, the best practices produced under the Access to Justice project's component, including the Bus of Solidarity and the use of WhatsApp as a tool to provide legal aid in remote areas of the country, were presented by UNDP at the Justice Innovations Forum, held in the Hague, Netherlands on 3-4 February 2019.⁶

Finally, a Centralized Database of legal acts of MoJ was supported, which also contains LSG's local acts and regulations and free of charge for everyone. By the end of 2020, the database of legal acts contained 131,456 legal documents, of which 106,205 were normative acts. The mobile application "Laws of the Kyrgyz Republic" was installed by more than 50,000 users. As of December 1, 2020, the database was used by 1,285,107 users and 3,821,612 users visited the database.

➤ To what extent has the project increased the synergies between UN/UNDP programmes/projects? To what extent did UNDP promote cross-cutting issues like gender equality, women empowerment, human rights?

The essence of the project presupposes a focus on gender equality and women's empowerment due to rural women being one of the primary target groups. The focus

⁵ https://www.youtube.com/playlist?list=PLOu-CsdLaS7QBJIMb4nElfUKvG1ZnX NJ

⁶ https://worldjusticeproject.org/world-justice-forum-vi/agenda

on the provision of free legal aid and expansion of issues from criminal cases to administrative and civil cases makes the project focused on human rights, access to legal rights, rights of women (including equal access to inheritance, alimony, property rights, land, VAWGs), PWDs, the rights of destitute segments of population, etc. Also, the ratification of the CRPD was one oft he key results of the project.

There was quite a close synergy with the UN/EU programme Spotlight Initiative on Violence against Women and Girls which focuses on issues of gender violence and as such being a close partner to the project. Synergies with the PBF-funded social cohesion project could be further deepened if a partnership with the Ombudsman's office could be entered into, at some point. In a more general sense, FLA and support to PwD concerns are but two avenues of providing (basic) social services. Phase II already targets disadvantaged categories in remote rural areas. Both the UNDP-led PBF project and the A2J project provide (free) legal aid services and share a joint stakeholder in MoJ's Institute of Probation. The projects are about to sign a joint action plan, together with MoJ.

The legal concerns or challenges these groups experience are often nothing else but the surface-level symptom of underlying socioeconomic disenfranchisement with root causes in socioeconomic and/or sociocultural marginalization, stigmatization, limited access to education/health services/nutrition, intersectional discrimination (rural LGBTI belonging to an ethnolinguistic minority, etc.), joblessness or economic fragility, low pay, psychologic diseases including low self-esteem and depression, lack of family planning and/or contraception, drug abuse, and social protection issues (sex work, domestic violence, etc.). Vicious circles in which individuals and entire families can become bogged down over generations can ensue.

The abovementioned factors can become manifest in multifaceted combinations of various aspects, all at once. The legal side of things is but the tip of the iceberg. Therefore, legal advice can in and by itself seldom resolve the core underlying issues. Provision of health, nutrition, education services allowing access to decent jobs is the mid- to long-term answer to the solution. Immediate investments into such service offer platforms could be provided by bringing together the various social service and social capital-related administrative sectors, including access to adequate infrastructure (schools, education/vocational training centres, internet, kindergartens/day care centers, etc.).

The FLA(C) approach could become part of an integrated platform of not only legal advice, but a more complex package of legal-financial-career or rather "life planning" advice incl. not only A2J, but A2Health, Education, and other relevant interrelated social services. The international best practice in the wider region would be the integrated rural development strategy implemented by the Ministry of Rural Development, Agriculture, and Environmental Protection in Georgia (Tbilisi).

> To what extent have project funds and activities been delivered in a timely manner?

Project monitoring reports indicate that the delivery of some of the outputs steadily progressed, as can be seen in the below table (a more detailed presentation of the

below table follows in the annexures). By the end of 2021, all key targets had been achieved.

Table 1 – Project implementation progress

Outcome 1	2018	2019	2020	Overall
1.1 Established and operational FLA				
Coordination Council				Achieved
1.2 Introduce and operational mechanisms or				
provision of legal aid on civil and				
administrative cases				Achieved
1.3 FLA quality standards adopted and				
integrated into the work of MoJ FLA center				Achieved
1.4 Free legal consultations provided				
through MoJ FLA centers and Bus of				
Solidarity				Achieved
1.5 Coordination platforms are				
regional/global cooperation established				Achieved
Outcome 2				
2.1 Strengthened capacity of civil society				
organizations to empower women and PwDs				
in the fulfillment of their rights, as well as				
monitoring the progress				Achieved
2.2 Media strategy with particular focus on				
women and PwDs' rights developed and				
implemented				Achieved
2.3 UN CRPD is ratified and support provided				
in implementation of the UN CRPD selected				
activities related to the project				Achieved

(Source: Project annual progress reports.) N.B.: Marked in light grey are outputs timely achieved, dark colour – progress stalled)

4.4. Sustainability, National Ownership, and Impact

The criterion of sustainability is closely linked to the issues of national ownership and buy-in, as well as related systemic capacity development. The underlying question is to what extent activities, systems, processes and mechanisms introduced by the project will remain intact and resilient, and thus continue to exist, after project support has ceased. The development of capacities in terms of systems, structures, but also of individual/collective capabilities in the sense of staff perceptions and attitudes as well as practical skills and conceptual knowledge, often constitute transformative changes in their own right. Since transformative change qualifies as impact-level results with mid- to long-term consequences, which sustainability also falls under, impact is discussed here, as well.

4.4.1. Key Achievements

- Legal aid established in further iterations of the law on FLA
- Ratification of the Convention on the Rights of PwDs
- 2nd phase ensuring sustainability of results achieved during phase 1
- ➤ Holistic approach involved entire eco-system/"universe" of FLA incl. Parliament, Bar Association, MoJ, sub-national administration, CSOs, etc.
- High degree of inclusiveness and participatory planning involving all stakeholders in frequent review and planning meetings

4.4.2. Primary challenges

- Overarching macro-challenges since 2020: a. Covid-19; b. Governance volatility due to political crisis
- ➤ The government's commitment to fund the expansion of legal aid and continuation of legal acts database could be stronger; strict budget austerity threatens maintenance of current levels
- Some issues at the level of FLA centers:
 - Limited number on pro bono roster ("plateauing") while demand keeps increasing not least due to success of outreach/sensitization & comms. efforts)
 - Continuous "brain drain" results in need to keep re-investing into training/capacity development measures
 - Several layers/tiers (2nd and 3rd class lawyers/"street lawyers" or "pocket lawyers" vs. consultants etc.)
 - Link regarding social cohesion and esp. Ombudsman's office could be further strengthened

4.4.3. Detailed discussion of findings

➤ To what extent will the benefits of the A2J project work in this area continue and how strong is the commitment of the Government and other stakeholders to sustaining the results of A2J project support and continuing initiatives? To what extent are policy and regulatory frameworks in place that will support the continuation of benefits?

The project's chances to enjoy a fair degree of sustainability were inherently more than decent since its rationale and key features are, in a way, a "sequel" to the first phase of the project. Those key activities which had started during phase I and were deemed essential cornerstones in terms of ensuring A2J and FLA were systematically continued and built upon. Hence, the programmatic logic of phase II has a very solid

foundation that sets it apart from any project newly introduced from scratch. At the Output level, Phase II built on systemic support provided through Phase I.

On the supply side, key achievements of Phase I included the adoption of a new Law on State guaranteed legal aid; the opening of free legal aid centers; the adoption of the Law on Protection from Domestic Violence; the promotion of UN CRPD ratification (by helping to design the draft law and conducting financial assessment of the cost of implementing the UN CRPD was conducted); and the adoption of the Law directed to elimination of some norms in legislation that infringe PwD's rights. Support was also provided for the development of two state programs aimed at implementing the UN CRPD: a) A plan of priority measures for the implementation of the UN CRPD provisions for 2021-2023 and b) State Programme "Accessible Country".

Also, during Phase II, the project provided assistance in the development and adoption of the Regulation "On the procedure for the provision of sign language translation services" (adopted by Government Decree No. 101 of March 18, 2021). Also, the project assisted in the development of instructions for the implementation of the regulation, which was approved by order No. 766 of the Ministry of Health and Social Development of the Kyrgyz Republic and entered into force on June 8, 2021. The instruction regulates the procedure for providing and paying for the services of a sign language interpreters.

On the demand side, Phase I's key achievements comprised of the promotion of legal awareness and empowerment with a focus on vulnerable groups; the drafting of a Concept note on enhancing the legal culture of the population; the introduction of "Bus of Solidarity" mobile support services to deliver free legal aid and sensitize the population regarding their legal rights and entitlements, as well as civic duties; the issuance of civil registration documents.

The project's phase II further supported the implementation of activities nationally and locally in the Chuy and Osh regions, which constitute more than 60% of the country's population. On the duty bearers' side, other than supporting PwDs' rights and actual access to legal entitlements via strategic support to the CRPD and its implementation, the project primarily focuses on supporting the state's ability to fully and effectively implement the Law on State Guaranteed Legal Aid addressing the structural, financial and capacity constraints. At the level of rights holders, it mostly concentrates on promoting legal empowerment and increasing awareness on human rights through the implementation of the State Concept on Raising Legal Culture, with a focus on the most vulnerable groups. As shown by the quantitative figures about FLA beneficiaries (incl. on-site consultations in FLACs and during Bus of Solidarity visits in remote areas, as well as virtual chatbot or hotline sessions) further above, the uptake of the services provided was quite tremendous and underwent rapid and steady expansion.

From a systemic point of view, there is no indication for the current levels of demand to wane; quite to the contrary, continued expansion is much more likely based on trend analysis as indicated by the figures shared above, particularly if and once the Covid-19 crisis will have been surmounted. In a way, the crisis this pandemic constitutes exerts (positive) pressure to embrace innovation and advance at a quicker pace in the sense of testing out and ultimately ensuring service delivery via virtual means. ICT-

based channels and avenues such as web-based information archives/portals, chatbots and online meetings, etc. are already being used and further finetuned. Also, some promising novel initiatives in this regard are being planned or are already underway, such as sharing beneficiary-based concise performance assessments of services received by lawyers at FLACs, through virtual platforms (social media).

While the demand side is not only here to stay, the State's commitment to provide FLA seems solidly anchored among the legal community in the administration, based on stakeholder interviews. Testament to this sustainable environment is the fact that a further enhanced and deepened (now 3rd) iteration of the FLA law that reflects an even more profound degree of inclusiveness and universality in the scope of the target group is currently approaching its validation.

The project assisted in the development and adoption of the Resolution of the Government of the Kyrgyz Republic "On Approval of the Procedure for Interaction of the Subjects of the FLA " (2018), and also assisted in the development, approval and signing of the Agreement between the FLACC and CSOs, legal clinics and other organizations and individuals providing legal assistance. The agreement was signed in June 2018. To date, over 85 NGO have joined the Agreement.

According to the agreement, FLA Coordination Council was established, the Secretariat of the FLA Coordinating Council was formed. Coordination platforms are held on a regular basis, at least twice a year. Additionally, trainings on various issues of providing free legal aid and interaction of subjects of the FLA system were regularly conducted for the members of the Coordination Council. Also, a media plan for the activities of the FLA Coordination Council was developed and agreed with the head of the Secretariat of the Coordination Council (as part of the plpaplan the pages of the FLA Coordination Council on Facebook and Instagram were opened).

On a negative note, the general political situation, as well as the current fiscal austerity measures, constitute reasons for concern regarding the immediate availability to pay staff salaries of civil servants in FLA.related functions and positions or finance operational expenses for the Buses of Solidarity, etc. Likewise, the government's commitment to fund the expansion of legal aid infrastructure and other critical activities such as the continuation of the legal acts database could be stronger and are currently threatened by the strict budgetary austerity. Another risk is constituted by the wholesale vetting of all State laws, across all categories of law (i.e., criminal, civil, administrative law). The general analysis however is much for positive than negative, all things being considered.

The new law can be seen as further stabilizing and solidifying the service provision offer by widening its scope and thereby bolstering legal culture, including in remote areas of the country. Regarding administrative and civil cases, specific mechanisms, comments on provision etc. were lacking, but have now been added. This renders the texts more robust and thus, more resilient and sustainable. This finds its expression, inter alia, in additional categories of victims entitled to FLA, including survivors of domestic violence, and the most socially vulnerable including victims of human trafficking.

The new, upcoming law does not explicitly include perpetrators of extremism. However, its victims (IDPs, refugees arriving without documentation, etc.) are being addressed by law. There are additional categories that could have also been included but in view of restricted funding, only those that could realistically be funded were added, which enhances the chances of sustainability of the text's provisions and the law, as such. Necessary changes were brought to the law in terms of adjustments, modifications, and additions.

To what extent do national partners have the institutional capacities in place to sustain the outcome level results? Are the level of national ownership and the measures that serve to enhance national capacity enough to guarantee the sustainability of results?

In terms of the CRPD which entails not only access to justice and free legal aid, the current bottleneck is the Executive's appointed key focal point for PwD work. On the side of general FLA-related work the establishment of the FLA Coordination Council as such marked a breakthrough in the sense that this structure and its mandate became institutionalized and thus now form an essential (center) piece of the FLA landscape.

As service provision systems mature, the focus normally shifts from quantitative expansion to concerns over the actual quality of services delivered. As clearly pointed out by numerous stakeholders involved in activities related to the coordination and/or monitoring of the project activities and mid- to long-term (strategic) planning, this challenge is already present. Logically, one can safely assume that the quality concern (both in terms of ensuring the quality of free legal aid as well as qualified, secondary aid provision) will keep increasing over the coming years. This implies that the processes and systems that produce the service providers (staff, human resources) will need to ramp up their production capacity in terms of the speed and quality of their "output" (i.e., trained staff, be it through pre-service or in-service activities).

Alternatively, investing into virtual service provision models forms a viable and promising alternative that might even be (much) more efficient and cost-effective especially during the early stages of legal counsel and basic orientation. Looking forward into the future, a possible approach would consist in testing out modalities to delegate the provision of basic legal counsel to virtual channels, also factoring in that the next generations will probably become more and more tech-savvy, given that broadband/3 or 4G service infrastructure is likely to expand, and in general, there are quite solid indications that virtual service delivery models and channels are set to increasingly become the "new normal", on a global scale.

This is not to say that the investments into the FLAC network were not justified. On the contrary, pursuing full FLAC coverage of all districts should still be considered a worthwhile effort, not least in the sense of ensuring equal services to all citizens across the country. However, it can be already projected that the relative importance of FLAC service delivery will sooner or later shift from primary to qualified service provision. This future shift is already part of strategic discussions among those stakeholders (incl. among state institutions and CSOs) with deeper systemic insight.

Development of FLA Coordination Center (FLACC) at MoJ was a key element of ensuring sustainability of provision of FLA through centers run by a state institution. Various by-laws have been developed and adopted to regulate the activities of the FLACC, including standards for the provision of qualified legal assistance in civil and administrative cases, a regulation on tariffs and procedures for remuneration of lawyers providing FLA. A general regulation on the FLACC was approved by the Decree of the Government of the Kyrgyz Republic No. 314 dated May 31, 2017. Furthermore, the strategic plan for institutional development of the FLACC for 2018-2020 was developed and approved, in which the main emphasis is on improving the efficiency of FLACC, as well as on the strategic development of the FLA system in the country.

Also, quality standards have been fully integrated into the activities of the FLACC. In accordance with the regulation approved by the Government Decree of December 19, 2018 No. 593, the payment of lawyers is made on the basis of an agreement concluded between them and the FLACC. Failure to comply with the terms of the contract by the lawyer entails refusal to process the payment. Thus, compliance with the standards is a prerequisite for payment, since this is an obligatory part of the contract between the FLACC and the lawyer.

An automated information system (the FLA AIS) has been developed and is currently being piloted. In addition, for the convenience of users, a mobile version of FLA AIS has been created, which allows to launch it through smartphones.

Today, the FLACC is an independent body with its own staff of 24 people and an annual budget of about 77 114.2 thousand soms.

The project started to engage non-state actors to ensure sustainability and in line with it cooperation with four universities of the country was established on introduction of a training module into the training programs of the faculties of journalism. Thirteen media outlets signed a memorandum on the coverage of disability issues based on the UN CRPD principles.

Are there any social, political or financial risks that may jeopardize the sustainability of project outputs and the project's contributions to country programme outcomes and outputs? Do stakeholders support the project's long-term objectives, have partners committed to providing continuing support (financial, staff, aspiration, etc.), and is there a resource mobilization strategy in place?

Discussions with Finland's project focal points have yielded strong indications that the donor is interested to provide sustained support to the project until such a time where the system can stand on its own feed. A concrete figure, however, has not yet been advanced (at the time of the evaluation interview held several weeks prior to the submission of the final version of the evaluation report). Other than continuing discussions with Finland, the State budget represents an important co-funding source both in terms of in-kind support and salary/direct budget support to ensure the payment of civil servants' salaries.

The introduction of monetary compensation/indirect incentives for pro bono lawyers is now adding to the financial burden. Secondary, professional legal aid services comprise a payment-for-services modality to be covered by the service recipients, which introduces an element of cost-sharing into the overall system. Last but not least, the partnership with USAID who also invested into the FLAC network's infrastructure represents another key asset.

While the core funding partner remains committed to the cause of promoting FLA in Kyrgyzstan, overall, there are currently major concerns about the State's ability to validate budget drafts submitted by sector level stakeholders (MoJ, etc.), seeking validation and funding via the next iteration of the State's official financial budget support. The two overarching macro-challenges since 2020 that affect the general operational climate and landscape are Covid-19 and general governance volatility due to the political crisis.

The number of inscribed lawyers on the pro bono roster has been stagnating for quite some time, now, while actual demand keeps increasing not least due to the success of sensitization via media and communication efforts. The continuous "brain drain" among FLA lawyers results in a need to keep re-investing into training and capacity development measures. Also, there are de facto several tiers or strata among FLA staff, with the highest tier consisting of civil servants and consultants, with the lowest tier made up of so-called "street lawyers" or "pocket lawyers".

As a social risk, the Bus of Solidarity can be construed to have had the unforeseen effect of having injected a sense of entitlement among the right holders. The latter, now awakened, exert pressure on duty bearers even in remote areas where the administrators were not always well prepared to respond to those newly stoked expectations and aspirations that spring from the right holders' increased awareness. Stakeholders shared anecdotal evidence about the pushback in some municipalities by duty bearers. This, in turn, depending on how the right holders react, could result in escalating the matters.

However, as mentioned above, the FLA ecosystem has by now matured to a stage well beyond its initial phase. The holistic approach of systemic support and the project's proactive style of engagement regularly involved the entire "universe" of the FLA community incl. Parliament, the Bar Association, MoJ, the sub-national administration, CSOs, etc. Also, the physical presence of FLACs in almost all districts represents a strategic weight that shows how well this approach is by now anchored in the institutional landscape of the general administrative service offer of the State's administration, as duty bearer.

4.5. Transversal Themes (Gender, Social Inclusion, Conflict Sensitivity, Capacity Building & Partnership)

4.5.1. Key Achievements

➤ The project mainstreams cross-cutting priorities such as gender equality, and boosts LNOB interests through free legal aid primarily targeting such disadvantaged communities as rural women and PwD.

- Social inclusion is addressed by way of enabling marginalized right holders to enjoy access to justice as a legal entitlement and service provision through the State, allowing the disenfranchised to address legal issues preventing them, or at risk of excluding them from, fully partaking in or seeing themselves as fully entitled members of, society.
- ➤ The project provides legal aid support to PwDs and other vulnerable groups, such as pensioners.
- Substantial systemic capacities have been built (incl. FLAC network, Bus of Solidarity infrastructure, FLA Coordination Council, hotline services, database portal, etc.).

4.5.2. Primary Challenges

Some "indigent" categories of defendants such as PCVE perpetrators are not yet part of the list of potential beneficiaries (pro bono FLA to defendants).

4.5.3. Detailed discussion of findings

➤ To what extent were transversal themes (gender, social inclusion, conflict sensitivity, capacity building & partnership) integrated into the project's activities? To what extent did the A2J project address discrimination against, inequality, and/or exclusion of marginalized and vulnerable groups? Were vulnerable groups' needs and priorities reflected in the project design, interventions, monitoring, and reporting?

In general, the initial project design meant to address issues of such vulnerable groups as rural women and PwDs. Discrimination is not only reflected in criminal acts incl. domestic or other acts of violence, perpetrated against social minorities. Unjust and biased perceptions and practices often result in exclusion and discrimination that fall under the categories of administrative or civil law. Discrimination of rural women or persons with disabilities, as well as age-based discrimination against the young (children, youth, adolescents) or the elderly, are all ills that the project has been addressing either directly, by providing legal guidance and practical advice, or indirectly, through sensitization and information).

Whereas the service provision of FLA in FLACs and via the Bus of Solidarity service modality were not exclusively catering to a specific sub-set of society but remained open to all service seekers, they did initially specifically target rural women, PwD, and children and youth. An increase in the legal awareness among the rural population and specifically the target groups, which then found expression in the steep increases in FLA interactions over the years, with the share of female service recipients steadily on the rise and representing by now a clear majority among the beneficiaries, are key results of the project.

The FLA service provision made deep inroads in the geographical sense, by bringing basic, yet crucial legal services to the "doorstep" of the rural population. Kyrgyzstan is no expection in that economic inequalities and other social disparities are highest in rural settings. The project, by systematically providing support to the remote Chuy and Osh Oblasts, offered a wide spectrum of support services designed to enhance access to knowledge, skills and services in view of protecting the rights of a large array of some of the most vulnerable groups among the population, without consideration of income, for primary legal services. (Under the new law, qualified support will also be free of charge for GBV survivors, regardless of income.)

To what extent did the partners (MoJ, FLA CC, CSOs) enhance their capacities as an outcome of the project?

As acknowledged by all stakeholders, UNDP's strategic partnership with MoJ was the key to achieve the results that can be shown in terms of ensuring access to FLA services. Related infrastructure was built (FLACs, FLA CC) and FLA services were extended and further professionalized (Bus of Solidarity etc.). Some of the newly introduced systems or mechanisms can still be further developed and enhanced (virtual interfaces such as the chatbot, the MoJ-FLA web presence and related services, institutionalization of the FLA-CC etc.).

In as far as the ratification of CRPD and PwD-related work is concerned, UNDP teamed up with the Ministry of Healthcare and Social Development. Especially MoJ benefitted from project support in the sense of introducing new systems, structures, systems, standards and processes. PwD-sensitization and training inputs built the capacity of CSOs and their grassroots end-level beneficiaries (through training sessions for PwD), civil servants and parliamentarians, media professionals and, by extension, the general public. CSOs were engaged in the later stages of the project where their role was to render the state-run system of provision of free legal aid more accountable to external stakeholders. In that sense, they received support in building and operating basic oversight and monitoring processes.

Was the project able to bring together national partners and stakeholders to achieve the project's goals and objectives?

Overall, by the end of the project's phase II, many important partners and stakeholders had been brought together through the project which effectively created a functional complex, and well-articulated FLA eco-system, including the Coordination Council.

However, it must be mentioned that rendering such mechanisms as the Coordinating Council more effective would require more efforts to ensure that the interests of beneficiaries are better taken into account. This could likely be achieved, for example, through a more active engagement of civil society via monitoring activities carried out by CSOs.

What was the degree of mainstreaming of UNDP cross-cutting priorities and six Signature Solutions, including gender equality and women empowerment, Vulnerable groups, LNOB, etc.? Is the gender marker data assigned to this project representative of reality?

The positive gender marker assigned to the project is truly representative of the project's impact on the lives of women since rural women constitute a core beneficiary target group that largely benefits from the services provided.

The A2J project's support via its FLA- and PwD/CRPD-focussed Outcomes mainly contributes to UNDP's corporate outcome number 2, "Accelerating structural transformations for sustainable development". This SP Outcome is designed to address the disempowering nature of social, economic, and political exclusion that results in ineffective, unaccountable, non-transparent institutions and processes which hamper the ability of states to address persistent structural inequalities. Through the A2J project, UNDP provides mainstreamed support to accelerate structural transformations by addressing inequalities and exclusion and building more effective governance.

There are two corporate Signature Solutions the project is aligned with and contributes to, namely the one on Governance and the on Women's empowerment and gender equality. The Governance Signature Solution is designed to build and strengthen peaceful, just, and inclusive societies including gender equality work and strengthening efficient and responsive governance by ensuring inclusive access for marginalized and disenfranchised social groups to a wide range of fair, service-providing institutions. The resulting enhanced access to services and administration of justice can be assumed to enhance the trust of marginalized individuals including rural women, PwD etc. benefitting from FLA services, to gain trust in the national public service and the social contract.

Benefits of this work also contribute to gender equality, by supporting a wide range of institutions to enhance A2J/FLA and related service provision, coordination, as well as related systemic and operational oversight; from national parliaments, supreme courts, and national civil services through regional and local administrations, to geographically remote and isolated communities. The A2J-FLA and CRPD support provides space(s) for people's participation and improves how democratic administrative institutions work so that all people can aspire to a sustainable future with prosperity, peace, justice, and security.

The project also contributes to the Signature Solution "Women's empowerment and gender equality" which addresses the fact that women are more likely to be denied access to legal rights and basic services, including as survivors of gender-based violence, securing their rights in the case of a divorce incl. alimony, support in land tenure/cadastre and securing other legal ownership title-related rights, inheritance issues, pensions-related claims, and, last but not least, matters pertaining to women's and girls' civil registration (which is linked to most of the above in the sense of establishing and securing individual rights), etc.

Other than providing support to SP Outcome no. 2, the A2J project also contributes, at least indirectly, to SP Outcome 1 ("Eradication of poverty in all its forms and

dimensions keeping people out of poverty") by addressing their legal issues, either in the preventative/mitigatory sense preventing people from slipping into poverty, or by securing and defending poor people's rights so they do not suffer injustice to their destitute status and have a better chance to prosper, economically, thereafter. There is also the aspect of providing FLA support to the indigent (incl. emprisoned wrongdoers/defendants) to ensure they receive the legal counsel they are entitled to.

The project undertook a study of negative stereotypes in relation to PwDs and rural women was carried out. The study found out that stereotypical thinking is not only common among ordinary citizens, but also widespread among civil servants who formulate development policies and programs. In this regard, at the request of the Ministry of Labor and Social Development, a training module was developed to raise awareness among government officials on the importance of the UN CRPD, the norms contained in the Convention, and the importance of the correct use of disability terminology for development of inclusive culture and practice in the country.

Besides that, an analysis of the accessibility of the websites of the FLACC (www.ukuk-jardam.gov.kg) and the Ministry of Labor and Social Development (www.mlsp.gov.kg) for the visually impaired was carried out. According to the results of the analysis, as well as on the basis of the survey data among PwDs, these sites were adapted for people with visual impairments.

To improve access to legal information for the visually impaired and distributed to local libraries the Criminal Code, Criminal Procedure Code, Civil Procedure Code, Misdemeanor Code, Contravention Code, Law "On the Rights and Guarantees of Persons with Disabilities", Law "On State-Guaranteed Legal Aid", Law "On Security and Protection from Violence in Family" were published in Braille.

➤ To what extent has the project promoted positive changes in gender equality and the empowerment of women and PwDs? Were there any unintended effects?

Interviews with lawyers and with beneficiaries show that there were positive changes in gender equality and empowerment of women and PwDs. As one can see from the graph below the number of cases related to gender-related legal issues (marriage and divorce issues, alimony, parental rights) steadily kept increasing in 2020, possibly being spurred by the socio-economic and socio-psychological fall-out of the Covid crisis. In the peak year 2019 year, the following four issues overall constituted almost 17% of all FLA issues.

700
600
500
400
300
200
100
0
2018
2019
2020
marriage and divorce property divide alimony parental rights

Figure 1: Gender-related categories of legal Disputes presented to FLACs

(Source: Ministry of Justice, http://otchet.ukuk-jardam.gov.kg/statistics)
Interviews indicated that there were positive unintended effects for the lives of PwDs.

The cases of PwDs

Kanat Alymbekov and Talgat Kashkaraliev were participants of the project and grew up professionally to become experts of their own.

Kanat was invited as a character in some of the social reels in the series of the ABC of Law which were produced in 2018,2019 and 2021. Then he started to produce videos himself and he was producing films for the project. The project's partners (ADRA Kyrgyzstan and the Egle Foundation) noticed the skills he acquired and started to invite him to produce films for them. For example, in 2020 he produced for them an instruction using the sign language on how to vote.

Besides growing up as an expert Kanat became a civic activist who is frequently invited by the deaf and hard-to-hear. He became an active blogger covering their activities and taches young activists from this society to become active in social media.

Talgat was an international marathon runner who was helping the project with translation to the sign language, in choosing characters, preparing video presentations and in dissemination of information. Besides that, he was organizing focus groups about this information and later on her was engaged on more complex issues as an expert about accessibility of infrastructure for PwDs — with the focus on the needs of the deaf and hard-to-hear. Since 2020 he works as a consultant for the Central Election Committee (CEC) on these issues. In the 2021 elections he works as a consultant on electoral issues in the CEC's call center through video calls from the deaf and hard-to-hear voters.

5. Recommendations

Recommendations presented hereunder include a total of 48 principal recommendations across four categories: (a) Strategic (13 recommendations); (b) Overall Programmatic Innovations and Systemic Investments (8 recommendations); (c) Programme Governance, Staffing & Delivery Channels (Supply Side Focus) (27 recommendations). Annex 6.9. includes additional proto-recommendations for consideration.

a. Strategic

- 1.) Continue programme cycle (Phase III) and consider expansion to all 44 districts to ensure complete and equitable coverage of the country's territory⁷ thus ensuring equal access to services for all rights holders (MoJ-GoKR; also USAID, if applicable).
- 2.) Consider ramping up the project's Outcome 2 ("Vulnerable groups targeted by the project, including women and people with disabilities know and exercise increasingly their rights to justice in the selected provinces of the Kyrgyz Republic"); or, alternatively, create a stand-alone CRPD project the focus of which should then shift to implementation and monitoring thereof (GoKR-MOHSD; UNDP).
- 3.) Organize a workshop with the Government and other relevant stakeholders to design a clear exit strategy for UNDP and a related roadmap, as well as a costed action plan including commitments by the Government (such as purchasing of buses, covering maintenance, repairs and fuel expenses etc.) to ensure complete ownership of the initiative by the Ministry of Justice and Government in general (MoJ, FLA CC, UNDP).
- 4.) Commission a specialized in-depth study to map out potential areas of improvement for FLA coordination among relevant parties including Ministry of Justice, Advokatura, Government agencies, line ministries, court system, Law enforcement bodies, CSO organizations, human rights organizations, office of Ombudsman, Parliament etc. (FLA CC, UNDP).
- 5.) Support MoJ in designing a quota-based mechanism to ensure the engagement of various qualified subject matter experts from relevant Government agencies (MoJ, FLA CC, UNDP).
- 6.) Advocate for the design of a revised framework in order to expand A2J, based on a strategic long-term concept note and action plan, with a 10-15 year time horizon, mapping out which additional services, systems, by-laws etc. should be designed and which additional LNOB categories could be also targeted as additional FLA beneficiary groups, in the long run (UNDP).
- 7.) Expand to legal work in areas beyond free legal aid to enhance the overall quality of legal sector work (incl. building capacities of legal aid providers in additional emerging areas such as business and human rights, environmental rights etc.) (FLA CC, UNDP).
- 8.) Expand the project grant components focusing on rural women and PwD to other remote regions (e.g., Narin, Talas, Issyk Kul) to ensure regional balance (UNDP, donors).
- 9.) Apply intersectorial/inclusive approach to rural development strategy (Bus of Solidarity, not only A2J) by building on existing best practices, needs

⁷ Expansion to universal coverage already almost entirely adopted by upcoming, latest FLA law iteration.

assessments in terms of implementation of existing law: service delivery should be focusing on remote areas close to border and provide services in a systematic, comprehensive, integrated fashion (psychological support, health/medical, agrarian development issues (UNDP, FLAs/FLA CC).

- 10.) Expand portfolio of legal services to make overall systemic offer to beneficiaries whose legal issues are the symptom-level expression of marginalization, disenfranchisement, lack of opportunity and limited access to counsel and relevant information about existing opportunities, and legal rights. Other than psychosocial counsel, there should also be an option for career planning for youth, employment/career training and financial advice to be provided by the municipal administration line services' relevant experts.
- 11.) Improve interaction/coordination between free legal aid providing lawyers, social workers, district level administrators, planners, CSO representatives, lawmakers and other relevant actors (FLA CC, MoJ).
- 12.) Advocate for a revision of the national budget so MoJ can allocate full-time specialized staff to the FLA (UNDP, MoJ).
- 13.) Advocate for FLAs to be co-founded by local budget of municipalities and local authorities (UNDP).

b. Overall Programmatic Innovations and Systemic Investments

- 1.) Enhance quality assurance of provided legal aid by introducing longitudinal, qualitative research features to FLA-MIS allowing to gauge the longer-term effect and impact of the advice and guidance provided (MoJ-GoKR, donors, UNDP).
- 2.) Study underlying reasons that in some districts pushed administrators to complain about increased demand sparked by heightened awareness among rights holders; in order to identify related capacity development gaps requiring investments in governance and service delivery systems, processes and staff skills, to allow the administration to live up to increased rights holders' expectations (MoJ, FLA CC, UNDP).
- 3.) Switch to an integrated rural development strategy incl. but not limited to, FLA (cf. Georgia etc.) (GoKR, MoJ, MoHSD, other concerned sectoral Ministries, UNDP).
- 4.) Support the introduction of a systematic, integrated multi-sectorial approach of service provision using FLAs as an entry point (MoJ, other concerned line ministries, municipalities, UNDP via the A2J project or other technical assistance).
- 5.) Study the feasibility of a Bus of Solidarity "mobile courts" modality to address and resolve, in particular, petty issues and straightforward civil cases in remote areas (mountain pastures etc.) during summer months (MoJ, FLA CC, UNDP).

- 6.) Invest in RBM and KM systems (basic monitoring, service delivery performance of institutions/FLAs, lawyers/staff etc. based on direct beneficiary feedback), skills and competencies (MoJ, CSOs, UNDP, donors).
- 7.) Review monitoring practices and indicators to ensure they add specific value (MoJ/UNDP).
- 8.) Consider further automatization/digitalization of the legal aid system (MoJ, UNDP):
 - Invest into online solutions including chatbots etc., design/packaging and digital delivering, updating of digital content (esp. MoJ, FLAs).
 - Set up workstations in Free Legal Aid centers so people can connect via zoom and other on line connection software.
 - Make official websites of state agencies more user-friendly: update and curate the information on the websites, remove unnecessary content. Introduce an automated function to inform the user that the query has been received and is being taken care of (cf. parcel service automated response follow-up code attributed by system... tracking system to see at what stage the process has arrived and when final product/answer can be expected).
 - o Provide FLA in remote areas through internet services.
 - Update database for online publication of all legal acts and use it. Implement new application for mobile devices for easy usage of the database.
 - Upgrade MoJ webpage/database in general (cost of 70-100k Euros according to a draft budget) and apply global PwD user-friendliness standards EU can provide tech support, not staffing. UNDP needs to cover staffing.
 - Install more stable internet line for FLAs.
 - MoJ should revise its strategy to deliver knowledge: utilize innovative mobile tools and applications, incl. films, videos, computer games, celebrities (sports starts, VIPs, etc.). Content and didactics for innovative tools and analogous. Need support re collecting and disseminating knowledge, "collective intelligence". Strengthen MEL (tracking, evidence and knowledge).
 - Automatization of processes (integration with Bar Association processes, website etc.) to enhance MEL (data, evidence, knowledge).
 - o Improve data collection (quantity and quality of data) via mobile applications: Chatboxes for awareness-raising and services, potentially also as a data collection tool (upgrade tool used by MoLSDG with dedicated hotline for survivors of SGBV; could ask simple questions and receive texted data); explore related tools/processes beyond MoJ; exploit data gathered by FLA in rural areas (excel sheets designed for data collection for a dedicated free legal aid hotline).
 - Design SMART performance indicators incl. at outcome level looking at sustainability and impact.
 - Ensure that FLA case file and M&E database's source code access is shared with and owned, by MoJ.
 - Set up a webpage to store beneficiary ratings on the perceived performance of lawyers.
 - Supply expert technical support to automate and speed up the system of provision of primary legal aid which now is paper based.
 - Automize information department's system regarding provision of legal aid ("legal literacy"/communication). Implement feedback system.

c. Programme Governance, Staffing & Delivery Channels (Supply Side Focus)

- Support the Government in identifying additional incentive(s) and the options for related reforms that would allow to attract new talent to expand the pool of qualified staff and lawyers to ensure provision of FLA (GoKR).
- 2.) Mobilize experienced "pensioners" for FLA and social services (GoKR, MoJ).8
- 3.) Design Standard Operation Procedures for the FLA Coordination Council in view of streamlining coordination and service delivery (MoJ, UNDP).
- 4.) Ramp up cooperation with Universities to upgrade the role of legal clinics and increase the output of qualified lawyers and para-legals (MoJ, MoE, UNDP).
- 5.) Finance a research study to look into how to lessen the gap in status, pay, and working conditions of "Street" or "pocket lawyers", which are all factors that are negatively affecting their ability to fully reach their potential in service quality (MoJ).
- 7.) Investigate the potential of leveraging the "aksakal" local elders councils for A2J (MoJ, MoHSD, UNDP, academia).
- 8.) Enhance the knowledge base in social protection-related matters by investing into educating legal experts through i. pre-service and ii. in-service training provision (re-training and/or refresher courses in psychology etc.) for staff (MoJ, MoHSD, UNDP).⁹

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⁸ Technical note: In public service, there is a set threshold as of which staff have to leave service and become pensioners. This forced pension, which is set at age 58, for women and 63 years, for men, results in a pool of experienced, still relatively young pensioned administration experts (those opting or qualifying for early retirement for various reasons can be even much younger). This constitutes a potential pool of candidates for the job market in areas that require experienced staff, such as FLA and/or related social protection (sub-)areas. A certain percentage among those pensioners could potentially be interested in becoming involved in FLA and/or related social work. Kyrgyz law allows pensioners to continue to work as independent contractors after retirement, and, what is more, does not levy any deduction, neither from the salaries thus earned nor the pension allowance. Hence, this creates a win-win situation since the pensioners can contribute to society through a useful and rewarding occupation, collect a full salary for their work while still collecting the full pension, and thereby reinforce the ranks of qualified social workers, para-legals etc., who are in short supply. It remains to be seen to what extent and how exactly, the recent initiative to formally upgrade the status of para-legals might somewhat alter the situation. The adult training centre network could play a role in providing related training courses. A campaign and related required systemic changes (review of the respective curricula, age limits and job profiles etc.) allowing to tap into the "dormant", latent work force of (early) pensioners would bolster the supply side of social work and para-legal work. Such an initiative could, for instance, be championed by the Government as a whole with the Ministry of Healthcare and Social Protection in a lead role.

⁹ Technical note: There is a shortage of qualified social work/protection experts, despite the fact that there are currenty 13 higher education entities that provide training for social workers. Hence, there is no shortage in the number training institutions. However, since the pay and social status of social workers are comparatively (very) low, stakeholders felt there was a need to upgrade the qualification profile and render the overall field of employment, and type of job descriptions, more attrative by widening it beyond mere social protection issues. This would imply for the social work curriculum at training institutions to be more comprehensive. An additional, promising avenue that was identified consists in adult education (incl. but not limited to, in-service training) to allow for professional to include social protection issues in their skills sets and allow for career transfers into the social protection field, to counteract the current trend which points in the opposite direction, i.e. professionals leaving that field to transfer to other, more reputable and better-paid areas of work.

- 9.) Ensure all local self-governments are aware about existence of FLA centers in their districts where they could redirect people to get legal support, and ensure there is related sufficient communication between the MoJ and local governments (UNDP, FLA CC, MoJ).
- 6.) Expand outreach of Bus of Solidarity to all seven Oblasts (beyond Chuy and Osh); and advocate for increasing the number of buses as the many settlements are remote (in mountains) and far away from the district center (UNDP, FLA CC/FLAs).
- 8.) Include special module/programme on PwD into school curriculum and all uni courses for general sensitization (UNDP).
- 9.) Strengthen primary legal aid human resource pool by training paralegals to also provide pro bono services, and by strengthening the collaboration with legal clinics; and bring any necessary changes to existing legislation regulating the work of paralegals (UNDP, MoJ, FLA CC/FLAs).
- 13.) Strengthen the interaction/coordination between the MinHealthcare and Social Dev. incl. district level entitites of MoHSD by compiling existing research and studies (evidence); analyzing/assessing current situation (law, mechanism, de facto remit of aksakal courts, public perception); organizing multi-stakeholder workshop to come up with recommendations and roadmap (UNDP, MoHSD).
- 14.) Organize exchange of experiences with other countries about best practices and lessons learned from the A2J project in KR (FLA centers, Bus of Solidarity, talon system etc.) (UNDP, FLA CC/FLAs).
- 15.) Train experts for specific areas of qualified support at university. Offer specialized trainings by Advokatura (mandatory training centre for in-service training) Introduce basic courses on "exotic"/innovative novel areas of law (cybercrime, medical rights etc.) at university (Advokatura, UNDP).
- 16.) Train FLA staff on SGBV regarding legal matters and quality of sociopsychological/human interaction (UNDP, FLA CC/FLAs, CSOs).
- 17.) Re-train sign language experts for legal terminology and update database for legal terminology experts (UNDP, FLA CC/FLAs, CSOs).
- 18.) MinEdu should introduce a Decree for systematic legal aid at state-owned universities (voluntary or even mandatory support by law students) (UNDP, FLA CC/MoJ).
- 20.) Invest in educating experts in social protection via education system (training and re-training). Also, tap into potential workforce for social work by setting up an initiative of the Government of KR (Ministry of Healthcare and Social Protection in a lead role) to re-integrate the elderly into the workforce (e.g., experienced pensioned administration experts) (UNDP, MoSHD).
- 22.) Develop set of standards for civil and administrative cases corresponding to minimal standard regarding provision of free legal aid to criminal cases designed by Soros (using professional standards) (UNDP, MoJ, FLA CC).

- 23.) Install integrated multisector services through on-site (FLA+) and "Bus of Rural Development" incl. FLA, psycho-social counsel, legal literacy/advice, socio-economic/educational advice, agrarian experts etc (UNDP, FLA).
- 24.) Support and formalize the network of women volunteers (UNDP, CSOs, FLA CC).
- 26.) The qualified legal aid registry should introduce a vetting mechanism to screen applicants for identifying the most suitable candidates among lawyers, thus ensuring the best possible quality standards (UNDP, FLA CC, Advokatura).
- 27.) Coordinate work of Ail Akmatu/municipality services for victims of domestic violence, local committees, and Aksakal courts. Assess if and how the Council of Aksakals can be capacitated to then become involved to resolve issues by preventing and de-escalating any tensions at domestic and/or municipal level. Also, update the law regarding Aksakal courts to authorize them to provide advice and resolve "lower-level disagreements/disputes" within communities at the intra-/inter household level, do preventative work, include processes of local level decision making and planning and to involve youths and CSOs (UNDP, MoJ, FLA CC).

Finally, the elements presented under annex 6.9. (proto-recommendations) should also be carefully vetted to see if any related ideas would deserve being further looked into.

6. Annexes

6.1. Evaluation Matrix

Eval. Criteria	Key Evaluation Questions		
Relevance	1) To what extent A2J project activities are relevant to enhancing access to justice in the Kyrgyz Republic?		
	2) To what extent A2J project's work towards sustainable access to justice is consistent with and responding to current		
	and emerging national and local policies, priorities and needs of the intended beneficiaries?		
	3) To what extent does this work sustain the current vision and priorities of the Kyrgyz Republic and its people, support the most vulnerable groups of population and contribute to foster Agenda 2030 for Sustainable Development?		
	4) To what extent is the project coordinated with other initiatives in the access to justice field?		
	5) How well the design and implementation of the project address the needs of the most vulnerable groups in the country?		
	6) To what extent did UNDP project adopt gender-sensitive and human rights-based approach?		
Effectiveness	1) How effective have the A2J project strategies, approaches and activities been towards achieving the project's intended objectives and targets?		
	2) What were the major factors influencing the achievement or non-achievement of the objectives?		
	3) Has the A2J project successfully leveraged its partnerships with relevant governmental agencies, civil society and		
	other beneficiaries? Is the cooperation with the selected partners leading to the most effective results?		
	4) What observed initial changes can be attributed in general terms to A2J project activities and outputs?		
	5) How should the development approach/theory of change adjust for future programming?		
	6) To what extent have women and people with disabilities (PwDs) benefited from the project results?		
7) To what extent have the results at the outcome and output levels generated results for gender women empowerment?			
	8) To what extent has the project been appropriately responsive to the needs of the national partner priorities?		
Efficiency	1) Have A2J project resources (funds, expertise, time, staffing) available to the project been utilized in the most		
	appropriate and economic way possible towards the achievement of results?		
	2) Was the used grant component adequate to a) Reduce and eliminate discriminatory stereotypes towards the Project		
	target groups (people with disabilities, rural women); b) Raise awareness and literacy of people with disabilities and		
	rural women regarding their legal rights; c) Ensure legal empowerment of target groups through increased number of		
	legal assistance applications to the FLA Centers and Buses of Solidarity in Chui and Osh oblasts.		
	3) How have partnerships influenced the efficiency of the project in delivering against its portfolio?		
	4) What realistic new delivery options the project shall consider to maximize efficiency and cost-effectiveness?		

	5) To what extent has the project increased the synergies between the UN/UNDP programmes/projects?
	6) To what extent did UNDP promote cross-cutting issues like gender equality, women empowerment, human rights?
	7) To what extent have project funds and activities been delivered in a timely manner?
	8) To what extent have resources been used efficiently? Have activities supporting the strategy been cost-effective?
Sustainability, nat'l	1) To what extent will the benefits of the A2J project work in this area continue?
ownership & impact	2) Is the level of national ownership and the measures that serve to enhance national capacity enough to guarantee
	the sustainability of results?
	3) Is there a resource mobilization strategy in place for the project to ensure the continuation of benefits?
	4) To what extent do national partners have the institutional capacities in place to sustain the outcome-level results?
	5) How strong is the commitment of the Government and other stakeholders to sustaining the results of A2J project
	support and continuing initiatives?
	6) To what extent are policy and regulatory frameworks in place that will support the continuation of benefits?
	7) To what extent have partners committed to providing continuing support (financial, staff, aspiration, etc.)?
	8) Are there any financial risks that may jeopardize the sustainability of the project outputs?
	9) Are there any social or political risks that may jeopardize sustainability of project outputs and the project's
	contributions to country programme outcomes and outputs?
	10) To what extent do stakeholders support the project's long-term objectives?
(a) transversal	1) To what extent transversal themes were integrated into the project's activities?
themes (gender,	2) To what extent A2J project is addressing discrimination against, inequality and/or exclusion of marginalized and
social inclusion,	vulnerable groups? Were vulnerable groups' needs and priorities reflected in the project design, interventions,
conflict sensitivity,	monitoring and reporting?
capacity building &	3) To what extent did the partners (MoJ, FLA CC, CSOs) enhance their capacities as an outcome of the project?
partnership)	4) Was the project able to bring together national partners and stakeholders to achieve the project's goals and
	objectives? (b) The degree of successful mainstreaming of other UNDP cross-cutting priorities and six Signature
	Solutions, including gender equality and women empowerment, Vulnerable groups, LNOB, etc.
(b) degree of	5) Is the gender marker data assigned to this project representative of reality?
successful	6) To what extent has the project promoted positive changes in gender equality and the empowerment of women and
mainstreaming of	PwDs? Were there any unintended effects?
other UNDP cross-	
cutting priorities, 6	
Signature Solutions,	
incl. GEWE,	
Vulnerable groups,	
LNOB, etc.	

6.2. Data Collection Schedule

Final Evaluation of the A2J Project, 16 August – 1 October 2021

Mr. Craig Naumann, International Consultant & Mr. Medet Tiulegenov, National Consultant

AGENDA (draft)

Date/Time	Meetings/Interviews	Contacts:	Status:
16 August 2021 Monday	Kick Off meeting with UNDP CO		
15:00 – 16:00	Mr. Simone Boneschi, Chief Technical Advisor on Rule of Law Ms. Erkina Urazbaeva, SDG16 Team Leader Mr. Kuvanych Koshoev, SDG 16 Programme Associate	simone.boneschi@undp.org erkina.urazbaeva@undp.org kuvanych.koshoev@undp.org ainura.alymbekova@undp.org	Completed
	Ms. Ainura Alymbekova, A2J Project Coordinator		
16 – 22 August 2021	Review of background documents, reports. Developing methodology for the final evaluation, preparation of the inception report and a work plan		
23 August 2021 Monday	Presentation of a developed methodology for final evaluation, evaluation inception report (min 4 pages) and a work-plan		Completed
12:00 – 13:00	Mr. Simone Boneschi, Chief Technical Advisor on Rule of Law Ms. Aidai Arstanbekova, UNDP M&E Programme Officer	simone.boneschi@undp.org aidai.arstanbekova@undp.org	

	Ms. Ainura Alymbekova, A2J Project Coordinator	ainura.alymbekova@undp.org	
13:00 – 14:00	Briefing on the RoL and justice issues in the country by Mr. Simone Boneschi, Chief Technical Advisor on Rule of Law	simone.boneschi@undp.org	Completed
24 August 2021 Tuesday	No meetings		
25 August 2021 Wednesday 12:30 – 14:30	Mr. Kuvanych Koshoev, SDG 16 Programme Associate Ms. Ainura Alymbekova, Project Coordinator Ms. Bakyt Kydyralieva, FLA Expert Ms. Nurzhan Alymkanova, Communications Specialist Mr. Turat Azymbakiev, Grants Expert Ms. Meri Bekeshova, former Communications Specialist	kuvanych.koshoev@undp.org ainura.alymbekova@undp.org bakyt.kydyralieva@undp.org nurzhan.alymkanova@undp.or g turata4@mail.ru meri.bekeshova@gmail.com	Completed
26 August 2021 Thursday 14:00 – 15:00	Ms. Aidai Arstanbekova, UNDP M&E Programme Officer Ms. Nurai Mamytova, Spotlight Coordinator Ms. Bermet Ubaidillaeva, Gender Specialist	aidai.arstanbekova@undp.org nurai.mamytova@undp.org bermet.ubaidillaeva@undp.org	Completed
16:00 – 17:00	Meeting with MFA Finland Ms. Marjo Ahvenainen, Programme Officer, Unit for Eastern Europe and Central Asia, MFA Finland	marjo.ahvenainen@formin.fi tiina.markkinen@formin.fi	Completed

	Ms. Tiina Markkinen, RoL and HR Adviser, MFA Finland		
	OUTPUT 1 Partners		
27 August 2021 Friday 13:30 – 14:30	Mr. Kuban Kazakov, Former Head of legal awareness raising and legal information departments	kkazakov_2009@mail.ru	Completed
15:00 – 16:00	Mr. Aibek Chotonov, Former Head of legal awareness raising department	chota_aib@mail.ru	Completed
16:30 - 17:30	Ministry of Justice: Legal information department Ms. Venera Jumabaeva, Head	jumabaeva@minjust.gov.kg	Completed
30 August 2021 Monday 14:00 – 16:00	Ministry of Justice: FLA Coordination Council Mr. Akzhol Kalbekov, Director Ms. Zhyldyz Ryskulova, Deputy Director	akjolks@mail.ru z.ryskulova@mail.ru	Completed
31 August 2021 Tuesday	Independence Day in KR. Holiday.		
1 September 2021 Wednesday	Ministry of Justice: Legal awareness raising department		
12:30 – 13:30	Ms. Asel Abakirova, Acting Head	abakirovaasel@mail.ru	Completed
14:00 – 15:00	Parliament of KR	mambetova_aida@bk.ru	

	Ms. Aida Mambetova, Deputy Head of the Parliament's Committee on Constitutional law, Public administration, Judiciary and Regulations Ms. Beishenbek kyzy Kamila, Head of the sector of the Parliament's Committee on Constitutional law, Public administration, Judiciary and Regulations	bkamila@list.ru	Completed
16:00 – 17:00	The Bar of KR (Advokatura) Ms. Aizana Niyazalieva, Member of the Bar Council	aizana.lawyer@mail.ru	Completed
2 September 2021 Thursday 13:30 – 15:00	FLA Coordination Council Secretariat Ms. Aizhan Dzhumanalieva, Acting Head of the Secretariat Ms. Chinara Bakirova, Member of the Secretariat Ms. Nurbubu Kerimova, Member of the Secretariat Secretariat	aijan.djumanalieva@gmail.com chbakirova@gmail.com kernura.1961@mail.ru	Completed
15:30 – 17:00	FLA Centers and "Bus of Solidarity" lawyers Mr. Chyngyz Saypiev, MoJ, Osh Ms. Ainura Ibraimzhanova, FLA Center, Alay district Ms. Ainura Isakeeva, FLA Center, Tokmok Mr. Akram Nurmatov, FLA Center, Issyk-Ata district Ms. Kalyiman Nurmamatova, FLA Center, Osh	Chyngyz-08@mail.ru 0552080983 ibraimzhanova68@bk.ru 0776 682 626 isakeeva.ainura@gmail.com, 132523@mail.ru 0 555 460 666 akramnurmatov8@gmail.com 0700344075, 0555920613 Kaliyman@mail.ru	Completed

	Mr. Erkin Zhakeev, FLA Center, Kara-Kulzha district Mr. Mr. Ernis Sagynbaev, MHSD, Uzgen District	0772647424 Ссылку через вотсап номер. +996 708 904 743 <u>Ernisbek13@mail.ru</u> 0773535365, 0502130381,	
		0555474367	
3 September 2021 Friday	Civil Society Organizations (CSOs)	-1: 770 @ 11	Completed
14:00 – 15:00	Ms. Aliya Kalybaeva, PU "New Solutions"	aliya773@mail.ru	
15:30 -16:30	Ms. Maripa Seidalieva, Director, Center for development of law and legislation (former Head of Bar and Notary Department of the MoJ)	seidalieva 0312@mail.ru	Completed
17:00 – 18:00	Ms. Chynara Musabekova, PF "Kyz Ayim"	m_chynara@mail.ru	Completed
6 September 2021 Monday	Mr. Mukash Kaldarov, Senior Adviser on Social Cohesion of UNDP Accountable Institutions, Justice and Peace Programme Area	mukash.kaldarov@undp.org Mobile: + 996 777 911-048 (business, w/a) Mobile: + 996 772 96-25-24	Confirmed
10.00		(private)	
7 September 2021 Tuesday 12:30 – 13:30	Ministry of Justice Mr. Orozbek Sydykov, Deputy Minister of Justice	orozbeksydykov@mail.ru	Confirmed
	OUTPUT 2 Partners		
14:00 – 15:30	Ministry of Healthcare and Social Development		
	Ms. Zhanyl Alybaeva, former Deputy Minister of Labour and Social Development	alybaeva80@rambler.ru jpolotova@mail.ru	Confirmed

	Ms. Zhyldyz Polotova, Head of the department on PwDs issues (former Deputy Minister of Labour and Social Development) Ms. Cholpon Mambetaipova, Chief specialist of the department on development of social services for PwDs and elderly citizens	cmambetaipova@gmail.com	
	Parliament		
16:00 – 17:00	Mr. Dastan Bekeshev, Member of Parliament (person with visual disability)	bekeshev.dastan@gmail.com	Confirmed
8 September 2021 Wednesday 13:30 – 15:30	Grant project: "Rural women" Ms. Damira Bustanova, Manager Mr. Daniyar Aitbaev, Coordinator Ms. Gulzina Kazakova, M&E Coordinator Ms. Aitbubu Turdalieva, Volunteer Ms. Sayera Vasil'zhanova, Beneficiary + other Beneficiaries	+996708330077 damira.bustanova@gmail.com +996 773 78 6666 region-kg@mail.ru +996555755325 qulzina.kazakova@gmail.com	Confirmed
16:00 – 18:00	Grant project: "People with Disabilities" Mr. Tolkunbek Isakov, "Provision of legal aid to PwDs" (man with visual disability) Ms. Gulmira Kazakunova, "Equality" (woman using wheelchair) Ms. Damira Abyshevna, head of SDD of Kemin district Ms. Gulbarchyn Takyrbasheva, director of "Manas" social village	+996770440005 legal.aid@mail.ru +996770627525 +996555627525 ravenstvo-ik@mail.ru 0555907139 0779463795 0777010354	Confirmed

	Mr. Kamilzhan Mainaev, human rights activist in the Southern region + Beneficiaries		
9 September 2021 Thursday	CSOs		
14:00 – 15:00	Mr. Vladimir Ganzhela, Director, PF "Expert solutions for implementation of UN CRPD" Mr. Ahmadhon Yusupkhanov, Manager, PF "Expert solutions for implementation of UN CRPD"	v.ganzhela@gmail.com yusupkhanov@gmail.com	Confirmed
15:30 – 16:30	Ms. Burul Suiunalieva, Director, Fund for development of social services	buruls@mail.ru	Confirmed
10 September 2021 Friday	CSOs		Confirmed
13:30 – 14:30	Ms. Jyldyz Duishenova, PF «Future of the country»	jyldyzochka@gmail.com	
15:00 – 16:00	Ms. Aidai Tolonova, PF "Plus"	a.tolonova@gmail.com	Confirmed
	Soros Foundation Kyrgyzstan (SFK)		
16:30 – 17:30	Nuriana Kartanbaeva, Director of the RoL programme Tahmina Ashuralieva, Coordinator of the RoL programme	nkartanbaeva@soros.kg tashuralieva@soros.kg	Confirmed
	International Organizations		
13 September 2021 Monday			

13:00 -14:00	Mr. Marat Tokoev, PU "Journalists" Ms. Syyagul Karaman, Expert Ms. Meri Bekeshova, Expert	tokoevm@gmail.com ska-karaman@mail.ru meri.bekeshova@gmail.com	Confirmed
Did not answer	EU/GIZ Ilgiz Priev, National Expert, the Rule of Law Programme in the Kyrgyz Republic - 2nd Phase (ROLPRO 2)	ilgiz.priev@giz.de	Confirmed
16:00 – 17:00	Winrok Meder Dastanbekov, Director	meder.dastanbekov@winrock.	Confirmed
17:30 – 18:30	USAID/East West Management Institute (EWMI) Elzar Elemanov, Collaborative Governance Programme, Manager (former)	elzar.elamanov@undp.org	Confirmed

Individual beneficiary level interviews:

- Katya Zhusupova, Tokmok FLA center, Chui oblast
- Abdisamat Shamshiev, Alay FLA center, Osh oblast
- Bisara Suleimanova, Issyk Ata FLA cneter, Chui oblast
- Akky Omorova, Kara Kulzha FLA center, Osh oblast
- Visit to Bishkek FLA center (Zhibek Zholu 381) and interview with the head lawyer Mariya Gavrilova

6.3. Delays in Delivery of Results

As reported by the project some of the outputs were delayed due to various reasons. In the table below these outputs were singled out and the reasons for the delay with their delivery is mentioned.

2018	2019	2020	2021
	Introduced AIS FLA into the MoJ		
	FLA center activity		
	Need to synchronize with		
	Tyundyuk and ERPP		
	(Seemingly AIS is still pending as of 2021. Some interviewees mentioned that there were promises to present this AIS, but it has not happened so far)		
		1.2 Annual target 2020: Implementation of the action plan on integrating civil and	1.2 Annual target 2021: Implementation of the action plan on integrating civil and
		administrative cases started Due to the epidemiological	administrative cases in process
		situation, as well as in connection	The work on public discussions
		with the political processes in the country	and finalization of the draft Law on FLA was continued
			1.3 Annual target 2021: Trained attorneys on the standards for
			provision of FLA
			Planned for the 2 nd half of the year
			1.4 Annual target 2021: 6000 people received free legal consultations

2.2 Annual target 2018: Perception survey on the main prejudice and attitudes against PwDs and women conducted and media strategy developed also based on the developed training modules (with innovative awareness raising component)	2.1 Annual target 2019: Selected components of the media strategy implemented by at least 8 Women and PwDs rights protection CSOs in the selected provinces covering 7 districts and Bishkek and Osh cities ?? 2.2 Annual target 2019: Conducted media campaign in accordance with the strategy. Developed training curriculum on coverage of PwDs and women's rights. Lack of funds	2.1 Annual target 2020: Selected components of the media strategy implemented by at least 8 Women and PwDs rights protection CSOs in the selected provinces covering 8 districts and Bishkek and Osh cities Seemingly COVID intervened into training processes 2.2 Annual target 2020: 2.2. Conducted media campaign in accordance with the strategy. Introduced training curriculum on coverage of PwDs and women's' rights into the journalism faculties of the local universities ??	Ongoing 1.5 Annual target 2021: Coordination meetings conducted at least twice a year Ongoing 2.1 Annual target 2021: Increased number of targeted applicants for free legal aid and services provided as a result of the interventions of women and PwDs rights protection CSOs Ongoing
•	Lack of fullus		

6.4. Detailed budgetary overview

		2018				2019					2020		
	Expense Categories	Budget	Actual expenses	Commitments	Total	Budget	Actual expenses	Commitments	Total	Budget	Actual expenses	Commitments	Total
Output 1	Seminars/Workshops	13.000	13.285		13.285	42.500	42.034	0	42.034	43.000	26.320	0	26.320
	Contractual services (organizations, institutions)	25.000	25.731		25.731	84.198	38.122	47.990	86.112	136.500	121.515	7.059	128.574
	Travel	8.500	8.364		8.364	21.000	20.910	0	20.910	13.223	5.116	0	5.116
	Media cost/Communications	1.869	1.728		1.728	14.000	13.834	0	13.834	7.080	15.168	0	15.168
	Consultants/Individual Contracts					48.000	40.500	7.213	47.713	28.475	22.320	22.541	44.861
	Sub-total	48.369	49.108	О	49.108	209.698	155.400	55.203	210.603	228.278	190.438	29.600	220.038
Output 2	Consultants/Individual Contracts	4.000	4.950		4.950	33.080	31.876	994	32.870	31.400	21.320	11.719	33.039
	Seminars/Workshops	7.000	8.013		8.013	13.500	11.379	0	11.379	5.000	7.230	0	7.230
	Contractual services (organizations, institutions)	14.167	13.342		13.342	95.556	99.717	0	99.717	103.080	57.948	36.823	94.771
	Media cost/Communications	18.000	18.111		18.111	8.855	7.069	0	7.069	23.090	25.390	0	25.390
	Travel	15.000	13.607		13.607								
	Subtotal	58.167	58.023	0	58.023	150.991	150.041	994	151.035	162.570	111.888	48.542	160.430
Operations	STAFF COST	33.631	32.980	0	32.980	85.000	84.225	0	84.225	94.300	97.685	0	97.685
	ADMIN COST	5.000	5.056	0	5.056	17.800	16.521	1.098	17.619	20.271	21.554	0	21.554
	GMS (8%)	11.613	11.613	0	11.613	37.079	32.495	4.584	37.079	40.433	33.725	6.251	39.977
	Total	156.780	156.780	О	156.780	500.568	438.682	61.879	500.561	545.852	455.291	84.393	

6.5. Documents Reviewed

- Project documents
 - A2J Prodoc
 - A2J Final report 2014-2018
 - A2J annual progress report 2018
 - A2J annual progress report 2019
 - A2J annual progress report 2020
- Official state programs, laws, etc
 - The Concept of Enhancing Legal Culture of Population of the Kyrgyz Republic for 2016-2020
 - FLA laws 2016, 2021

6.6 Project's media materials

	2018	2019	2020	2021	Sub-total
Publications, brochures, posters	8		5		13
Exclusive videos	35	20	11	12	78
Video reportages prepared by TV channels	11				11
Online materials	289	250	88	52	679
Longreads		2			2
Online quest		1	1		2
Radio programs	70		4		74
Podcasts				20	20
VBLOGS				20	20
Newspaper publications	21		2		23
Advocates' blogs	25	18			
Competitions among journalists and bloggers		3	2	2	7
Online course for journalists and journalism faculty			1	1	2
students					
				TOTAL	931

6.7. Information on trainings

year	Training title	number of participants			
		men	women	total	
2018	For the employees of the FLA Centers	58	44	102	
	"Interviewing and Consulting Clients"	40=			
	ToT on the training modules "On the rights of PwDs", "On the rights of women"	107	12	119	
	Orientation training for the staff of the FLACC and	30	22	52	
	the FLA Centers	30	22	32	
2019	For lawyers "Quality standards for free legal aid"	184	76	260	
	For employees of the FLACC and the FLA Centers	46	54	100	
	"Features of the provision of legal assistance on				
	family, land law, inheritance issues and social				
	protection issues"	2	C.F.	67	
	ToT for representatives of CSOs representing the interests of PwDs and women "On the rights of	2	65	67	
	women and PwDs"				
2020	For the employees of the FLACC "Development of	7	11	18	
2020	effective communication skills"	'	' '	10	
	For journalists "Coverage of issues related to the	7	23	30	
	implementation of electoral rights of PwDs"				
	For employees of the Ministry of Justice and the	5	31	36	
	Ministry of Labor and Social Development "UN				
	CRPD norms, correct use of terminology"				
	For judges of local courts "Peculiarities of	10	5	15	
	consideration of cases with the participation of				
	PwDs"				
	ToT for trainers of the High School of Justice		5	5	
	"Peculiarities of consideration of cases with the				
2021	participation of PwDs"	15	32	47	
2021	For the staff of the FLACC and representatives of CSOs - members of the Coordination Council for	15	32	47	
	the support of FLA system "Skills of drafting				
	analytical documents. Work in social networks".				
	For non-governmental organizations - members of	4	19	23	
	the Coordination Council for the support of FLA				
	system "Skills of interviewing and consulting a				
	client"				
	Online module "Elimination of negative stereotypes	37	144	181	
	in relation to PwDs"				
	For judges of local courts "Peculiarities of	17	6	23	
	consideration of cases with the participation of				
	PwDs"	44	7	40	
	For lawyers "Features of	11	7	18	
	work with PwDs in judicial practice, legal protection in advocacy "				
	ToT for BTC trainers "Features of	10	10	20	
	work with PwDs in judicial practice, legal	10	10	20	
	protection"				
	22 trainings on the grant project "Rural woman"	212	416	628	
	30 trainings on the grant project "PwDsRights"	218	582	800	
	TOTAL	980	1564	2544	

6.8 Results of the survey on attitudes torwards women



(Source: A2J annual progress report 2018)

6.9. Miscellaneous proto-suggestions for potential further consideration

On strengthening access to and expanding FLA

- Every Ministry/sector should send experienced staff to the Bus of Solidarity to improve the quality of counsel.
- Update Law on Advokatura by enumerating quality standards on FLA service provision for qualified legal aid as stipulated by the National Bar, in the law itself
- New Solutions Foundation is planning on doing a qualitative study and will prepare a lessons learned and practical guidance report on interactions protocol (brief standard answers prepared for (FAQs)). UNDP might want to consider investing in further dissemination of said report and related lessons learned/brainstorming KM meetings even beyond Kygyzstan, incl. Tadjikistan and other countries in Central Asia and beyond.

On ensuring quality of FLA

- FLA coordination Centre and Bar Association should jointly conduct impact assessments.
- Motivate experienced lawyers incl. retired lawyers with incentives. Create public fund to pay for bonuses for extra hours, for pension, etc.
- Arrange brainstorming event to discuss and agree on financial and non-financial incentives for FLA lawyers, inviting all relevant stakeholders.
- Provide para-legal/social workes/lawyer training based on regional needs (example: Kyrgyz Adults Training Centre -para-legal, CSOs- providing socioeconomic training based on regional needs)
- As long as the Covid pandemic is not over, provide protective gear to all lawyers who provide FLA (COVID-19; tuberculosis when visiting inmates, etc.).
- Train judges, investigators and relevant law enforcement officer on the specifics of FLA.

On improving the governance and sustainability of provision of FLA

- Address physical component of A2J of PwD: assess physical infrastructure and transport infrastructure, architectural features of judicial infrastructures (court houses, FLA centres, Bus of Solidarity etc.).
- Create a M&E Joint monitoring group for provision of free legal aid comprising of CSOs, FLA CC, Parliament, UNDP project staff and other interested stakeholders.
- Develop map of free legal aid provision as foreseen by framework: specialization, geographic distribution, evaluation of service quality be beneficiaries.
- Do an end-line survey to check results to serve as baseline for the next cycle.
- Analyze root causes regarding rural socio-economic environment since legal issues cropping up (land tenure, alimony, pension, domestic violence) are only an expression of persisting problems at symptoms level.
- Explore if and how the talon system's psychological effect to actually use the service offered could be brought to benefit in other areas and spheres beyond FLA (e.g., consider testing impact on access of rural women to municipal services).

- Support CSOs to write an alternative report on CRPD implementation.
- Widen scope of implementation of draft laws and sub-laws (guidelines, resolutions etc.). CRPD law and related activities beyond A2J.
- Pilot test pros and cons of data collection and analysis at rural level via handheld tablets to directly upload live data to a cloud-based M&E system, to capture relevant data and leapfrog still existing practices of manual note taking that might end up, at best, being transferred to desk top based digital repositories in FLA centers.

On PwDs and policy improvement

- Introduction of inclusive education to PwD would not be isolated from access to education starting from ECD/kindergartens etc.
- Macroscopic assessment and planning followed by general overhaul of public infrastructure to build an inclusive environment in and around justice sector institutions (incl. public transport to ensure accessibility).
- PwD need stand-alone focus next to overarching policy stream under A2J (at least through stand-alone strategic pillar/Outcome, if not stand-alone project) incl. strategy, roadmap, results framework and M&E plan with budget (RRF/M&E matrix).
- Train decision makers, incl. public advisors and activists in techniques and concepts to monitor the implementation of CRPD provisions.
- Include advisors (auditors/technical experts) in the design of the project delivery mechanism.
- Provide additional capacity development in programme/project management (incl. results-based management, M&E, knowledge management, adminfinance) to enhance the operational capabilities of organizations receiving grants through the project.
- New presidential team should become a champion of general PwD equal rights campaign to fight general negative stereotypes.
- Review entire Law on Rights and Guarantees on the Rights of PwD (adopted in 2008), e.g., financial support for bringing up children with disabilities was foreseen for parents and close relatives, only, but not for hired special/personal assistants.

On PwDs and access to justice

- o In cases where a woman has left the spouse or partner and migrated (or, in cases of SGBV, sought refuge) in another district, change the legal provision to the possibility of filing the case and attending sessions (introducing a format of remote and/or virtual deposition, court hearings etc.) in and from outside the former district of the victim's/survivor's legal registration.
- Supreme Court to analyze PwD-related case proceedings to come up with findings and recommendations on how to improve the implementation of rights for PwD in family law etc.
- Review of provision of physically filing cases in court. Address issues regarding presence in court of PwD in criminal code.
- Conduct trainings for representatives of local administration and selfgovernance bodies and institutions on the rights and special needs in terms of A2J, of PwD. Form councils of recipients of support so they can act as

- multipliers and provide help to others/serve as go-to platform for PwD A2J (sustainability aspect).
- Strengthen PwD-related sensitivity and technical capacity/responsiveness of the Ombudsman's office and of the special advisors.
- Teach, train and re-train hotline experts in counsel/psychological consultations regarding domestic violence across all age groups and PwD.
- Implement monitoring mechanism A2J for PwD.
- Assess the need for expanding A2J service provision for remote LNOB segments of the population, beyond FLA, to actual access to court, via variations of the "Mobile Court" format.
- o Create a special separate project on implementation of convention:
 - ✓ The new project should focus on entire country and replicate what was piloted in some localities;
 - ✓ Rural women and PwDs should remain target groups. Raise capacity of lawyers on specialized cases (HIV cases, drug-related, domestic violence);
 - ✓ On PwD a separate program on covering by media in universities (not just electives as now).
- Sensitize decision makers/parliamentarians regarding the implementation of PwD support based on the CRPD (development of rehabilitation services, access to information, A2J, health-support rights and entitlements, educational rights of PwDs, etc.).

TERMS OF REFERENCE for International consultant to conduct Final Evaluation of the "Towards a Sustainable Access to Justice for Legal Empowerment in the Kyrgyz Republic" Project (Phase II)

Assignment Title	International Consultant to conduct the Final Evaluation of A2J project (Phase II)
Type of Contract	Individual Contract (IC)
Start/End Dates	August 16 – October 1, 2021
Estimated working days	24 effective working days
Supervisor	A2J Project Coordinator and UNDP Chief Technical Advisor Rule of Law
Location	Home-based (on-line)
Country	Kyrgyz Republic

A. PURPOSE OF THE FINAL EVALUATION

In line with UNDP Evaluation guidance, rules and procedures, as well as UNDP M&E Policy, the UNDP Country Office in the Kyrgyz Republic is commissioning a final evaluation of the Towards a Sustainable Access to Justice for Legal Empowerment in the Kyrgyz Republic Project (A2J) (Phase II) implementation, funded by the Ministry for Foreign Affairs (MFA) Finland and implemented by the United Nations Development Programme (UNDP) in the Kyrgyz Republic. This final evaluation is intended to analyze project's progress and results, identify problems and constraints that have been encountered in implementation, formulate important best practices and lessons to be learned. The evaluation will be also forward looking and provide preliminary recommendations for the future design and implementation of a new A2J/Rule of Law project, advice on forthcoming strategic directions and priorities in the Access to Justice/Rule of Law areas and consider options for future delivery and implementation which promote ownership, sustainability and increased efficiency and effectiveness.

B. BACKGROUND AND CONTEXT

Since 2018, under the framework of UNDP Country Programme Document (CPD) 2018-2022, UNDP in the Kyrgyz Republic has been implementing the second phase of the A2J project with an estimated budget of 1,7 million Euros and funded by the MFA Finland.

Project Information:

Project Title	Towards a Sustainable Access to Justice for Legal Empowerment in the Kyrgyz
	Republic Project (Phase II)
Project ID	00104271
CPD Outcome and Output	Outcome #2: By 2022, institutions at all levels are more accountable and inclusive ensuring justice, human rights, gender equality and sustainable peace for all.
	Output 2.1. Core functions and capacity of Parliament, key government institutions and local authorities strengthened for accountable, transparent and inclusive policy making and implementation, as well as quality public services delivery.
	Output 2.2: Justice system and institutions enabled to uphold rule of law, promote and protect Human Rights, and improve access to justice of vulnerable population groups, especially women, youth, minorities and persons with disabilities.
Project dates	January 1, 2018 – December 31, 2021
Project budget	Committed: EUR 1,7 million (Phase II)
	Actually received: EUR 1,440 million

Project expenditure at the time of	Expenditures for 1 January 2018 – 31 December 2020: 940,000 EUR
evaluation	
Source of	MFA Finland
funding	

Phase II of the project builds on the achievements of and lessons learnt generated during its phase I (2014-2017), including, inter alia, the adoption of the new Law on "State Guaranteed Legal Aid" and support to country's efforts in developing a sustainable mechanism allowing citizens to access their rights in an efficient manner. In line with the Human Rights Based Approach (HRBA), it addresses capacity gaps of duty bearers (state bodies and justice sector actors) and rights holders (general population with special focus on the most vulnerable groups, including women, people with disabilities, CSOs and communities).

The project also contributes to the implementation of the National Sustainable Development Strategy and judicial reform of the Kyrgyz Republic, as well as to the nationalization process of 2030 Sustainable Development Agenda, and in particular the implementation of SDGs 5,10 and 16.

The project supports the implementation of activities nationally and locally in Chuy and Osh regions, which constitute more than 60% of the country's population. On the duty bearers' side, the project primarily focuses on supporting the state's ability to fully and effectively implement the Law on State Guaranteed Legal Aid addressing the structural, financial and capacity constraints. At the level of rights holders, it mostly concentrates on promoting legal empowerment and increasing awareness on human rights through the implementation of the State Concept on Raising Legal Culture, with a focus on the most vulnerable groups.

Therefore, the interventions are designed around the achievement of the following two outcomes:

Outcome 1: Ministry of Justice of KR provides accessible, affordable, efficient and quality services to resolve justice problems of project target groups in the selected provinces of the Kyrgyz Republic.

Outcome 2: Vulnerable groups targeted by the project, including women and people with disabilities know and exercise increasingly their rights to justice in the selected provinces of the Kyrgyz Republic.

Within this context, UNDP in the Kyrgyz Republic intends to hire an International Consultant to conduct a final evaluation of the implementation of the A2J project, for a period of 24 working days commencing on the 30th of August 2021 as per requirements set forth in this Terms of Reference (TOR).

C. EVALUATION APPROACH AND METHOD

The final evaluation is intended to assess the degree to which A2J project has been able to deliver against the overall objective, the outcomes, the deliverables and the strategies and implementation mechanisms being applied during project implementation (2018-2021). In particular, the review is expected to assess relevance, effectiveness, efficiency, sustainability, national ownership, impact, progress and results of the project, identify problems and constraints that have been encountered in project's implementation, as well as formulate important good practices and lessons to be learned, as defined and explained in the UNDP Evaluation Guidance. A set of key questions covering each of these criteria have been drafted and included within this ToR (section D). The evaluation shall also provide recommendations for the future design and implementation of an eventual new project aimed at promoting access to justice, including suggestions that builds on the overall UNDP's rule of law portfolio, for strategic priorities, delivery options and modalities of implementation that promote sustainability, increased efficiency, effectiveness, civic engagement and national ownership.

The evaluation is expected to follow a participatory and consultative approach ensuring close engagement with relevant government, line ministries and justice actors, including but not limited to: government officials, Ministry of Justice, Ministry of Healthcare and Social Development representatives,

members of the Parliament's Committee on Constitutional law, Public administration, Judiciary and Regulations, Bar Association, representatives of civil society organizations, UNDP staff and management, donor's representatives, and development partners. The evaluation must provide evidence-based information that is credible, reliable and useful. Also, evaluation should employ a combination of both qualitative and quantitative evaluation methods and instruments.

The evaluator will review all relevant sources of information, such as the Project document, project progress reports, relevant national strategic and legal documents, any other files, documents and materials that the evaluator considers useful for the evidence-based assessment. The list of documents that the project team will provide to the evaluator for review is included in Annex A of this Terms of Reference.

It is recommended that the evaluation methodology includes the following: documentation review (desk review), on-line interviews with relevant stakeholders and UNDP personnel. The evaluation report must include a chapter providing a set of conclusions, recommendations and lessons learned.

D. EVALUATION OBJECTIVES AND CRITERIA

This final evaluation is intended to provide UNDP with an objective assessment of the A2J project in delivering against goal, outcomes and deliverables of the project as articulated in the Project Document between UNDP in the Kyrgyz Republic and the Ministry for Foreign Affairs of Finland. It shall provide also clear recommendations for the future direction of any new project interventions. The findings of the final evaluation should:

- Provide a full assessment of relevance, effectiveness, efficiency, sustainability, progress and results of the A2J project since the launch of Phase II in 2018
- Provide a complete analysis and evaluation of the key results and indicators as set out in the AWPs and in the related M&E frameworks developed
- Provide a comprehensive overview of the project's key challenges and lessons learned
- Provide a snapshot assessment of the project's value for money, including the optimal use of resources to achieve the intended overall goal, outcomes and deliverables
- Provide guidance on the state of the project intervention in order to inform future decisions regarding the strategic direction of a possible future interventions in line with MoJ, MoHSD and UNDP's priorities in the justice sector
- Assess whether the current focus areas that the project is engaged in are the most relevant for
 the promotion of access to justice in the Kyrgyz Republic and whether UNDP is still well
 positioned to effectively and efficiently support the vision and priorities of the Kyrgyz Republic, to
 strengthen access to justice and to meet the needs of the most vulnerable groups of population
- Identify any activities which should be eventually expanded into a new project; and any 'quick
 win' initiatives that a new project should engage in; determine whether there are certain activities
 that a new project should not be engaged in or pursue
- Identify risk factors that may hinder progress and propose risk mitigation/management strategies to ensure success and effective implementation of a new project.

The evaluation of the project performance will be carried out, based on expectations set out in the Project Results and Resources Framework (RRF), which provides performance and impact indicators for project implementation. The evaluation will at minimum cover the criteria of: Relevance, Effectiveness, Efficiency, Sustainability and Impact.

The evaluation will be guided by the following criteria and questions:

Relevance:

1) To what extent A2J project activities are relevant to enhancing access to justice in the Kyrgyz Republic?

- 2) To what extent A2J project's work towards sustainable access to justice is consistent with and responding to current and emerging national and local policies, priorities and needs of the intended beneficiaries?
- 3) To what extent does this work sustain the current vision and priorities of the Kyrgyz Republic and its people, support the most vulnerable groups of population and contribute to foster Agenda 2030 for Sustainable Development?
- 4) To what extent is the project coordinated with other initiatives in the access to justice field?
- 5) How well the design and implementation of the project address the needs of the most vulnerable groups in the country?
- 6) To what extent did UNDP project adopt gender-sensitive and human rights-based approach?

Effectiveness:

- 1) How effective have the A2J project strategies, approaches and activities been towards achieving the project's intended objectives and targets?
- What were the major factors influencing the achievement or non-achievement of the objectives?
- 3) Has the A2J project successfully leveraged its partnerships with relevant governmental agencies, civil society and other beneficiaries? Is the cooperation with the selected partners leading to the most effective results?
- 4) What observed initial changes can be attributed in general terms to A2J project activities and outputs?
- 5) How should the development approach/theory of change adjust for future programming?
- 6) To what extent have women and people with disabilities (PwDs) benefited from the project results?
- 7) To what extent have the results at the outcome and output levels generated results for gender equality, PwDs and women empowerment?
- 8) To what extent has the project been appropriately responsive to the needs of the national partner priorities?

Efficiency:

- 1) Have A2J project resources (funds, expertise, time, staffing) available to the project been utilized in the most appropriate and economic way possible towards the achievement of results?
- 2) Was the used grant component adequate to a) Reduce and eliminate discriminatory stereotypes towards the Project target groups (people with disabilities, rural women); b) Raise awareness and literacy of people with disabilities and rural women regarding their legal rights; c) Ensure legal empowerment of target groups through increased number of legal assistance applications to the FLA Centers and Buses of Solidarity in Chui and Osh oblasts.
- 3) How have partnerships influenced the efficiency of the project in delivering against its portfolio?
- 4) What realistic new delivery options the project shall consider to maximize efficiency and costeffectiveness?
- 5) To what extent has the project increased the synergies between the UN/UNDP programmes/projects?
- 6) To what extent did UNDP promote cross-cutting issues like gender equality, women empowerment, human rights?
- 7) To what extent have project funds and activities been delivered in a timely manner?
- 8) To what extent have resources been used efficiently? Have activities supporting the strategy been cost-effective?

Sustainability, national ownership and impact:

- 1) To what extent will the benefits of the A2J project work in this area continue?
- 2) Is the level of national ownership and the measures that serve to enhance national capacity enough to guarantee the sustainability of results?
- 3) Is there a resource mobilization strategy in place for the project to ensure the continuation of benefits?
- 4) To what extent do national partners have the institutional capacities in place to sustain the outcome-level results?

- 5) How strong is the commitment of the Government and other stakeholders to sustaining the results of A2J project support and continuing initiatives?
- 6) To what extent are policy and regulatory frameworks in place that will support the continuation of benefits?
- 7) To what extent have partners committed to providing continuing support (financial, staff, aspiration, etc.)?
- 8) Are there any financial risks that may jeopardize the sustainability of the project outputs?
- 9) Are there any social or political risks that may jeopardize sustainability of project outputs and the project's contributions to country programme outcomes and outputs?
- 10) To what extent do stakeholders support the project's long-term objectives?

Transversal themes (gender, social inclusion, conflict sensitivity, capacity building & partnership):

- 1) To what extent transversal themes were integrated into the project's activities?
- 2) To what extent A2J project is addressing discrimination against, inequality and/or exclusion of marginalized and vulnerable groups? Were vulnerable groups' needs and priorities reflected in the project design, interventions, monitoring and reporting?
- 3) To what extent did the partners (MoJ, FLA CC, CSOs) enhance their capacities as an outcome of the project?
- 4) Was the project able to bring together national partners and stakeholders to achieve the project's goals and objectives?

E. MAINSTREAMING

The evaluation is also expected to assess the extent to which the project was successfully mainstreamed with other UNDP cross-cutting priorities and six Signature Solutions, including gender equality and women empowerment, Vulnerable groups, LNOB, etc.

- Is the gender marker data assigned to this project representative of reality?
- To what extent has the project promoted positive changes in gender equality and the empowerment of women and PwDs? Were there any unintended effects?

F. FINAL DELIVERABLES

The International Expert will be expected to produce the following deliverables within the 24 effective persons days:

- 1. Preparation (Desk Review) and development of methodology
- 2. <u>Draft Evaluation Inception Report (max 4 pages)</u>: Prior to embarking on the data collection exercise and desk review, the International Expert will be required to prepare an inception report which details the understanding of what is being reviewed and why; how it proposes to answer the main evaluation questions; and the work-plan of the review. This should be produced before the evaluation starts (before any formal evaluation interviews and surveys).
- 3. On-line evaluation (on-line interviews, meetings, as well as presentation of preliminary findings)
- 4. <u>Draft Final Evaluation Report:</u> The International Expert will be required to submit a draft report for review to UNDP and MFA Finland to ensure that it meets the required quality criteria.
- 5. <u>Evaluation Brief (Presentation)</u>: If required, the International Expert will be requested to present the initial findings and recommendations of the report to UNDP, government counterparts, donors, and other access to justice development partners, as appropriate.
- 6. <u>Final Evaluation Report:</u> Following receipt of UNDP's and MFA Finland's initial comments, the International Expert will be required to submit a final report which clarifies and addresses any clarifications requested in the initial review.

The International Expert will be paid according to the completion of deliverables as detailed below:

	Deliverables/ Outputs	Target Due Dates	Percentage of Contract
1	Submission of developed methodology for final evaluation. Submission of evaluation inception report (max 4 pages) and work-plan	23 August 2021	20%
2	Presentation of initial findings, recommendations and draft final evaluation report submitted to UNDP and MFA Finland	21 September 2021	40%
3	Submission of Final Evaluation Report	1 October 2021	40%
	Total	100%	

G. TEAM COMPOSITION AND EVALUATOR ETHICS

The evaluation team will be composed of 1 international consultant and 1 national consultant. The international consultant has responsibility over submission of final report. The evaluator selected should not have participated in the project preparation and/or implementation and should not have conflict of interest with project related activities. The project will provide an interpreter to support the international consultant during the on-line interviews with the national counterparts. The qualification for International consultant is reflected below.

The evaluation consultant will need to abide by the highest ethical standards and will be required to sign a Code of Conduct (Annex C) upon acceptance of the assignment. UNDP evaluations are conducted in accordance with the principles outlined in the UNEG 'Ethical Guidelines for Evaluations. The consultant must safeguard the rights and confidentiality of information providers, interviewees and stakeholders through measures to ensure compliance with legal and other relevant codes governing collection of data and reporting on data. The consultant must also ensure security of collected information before and after the evaluation and protocols to ensure anonymity and confidentiality of sources of information where that is expected. The information knowledge and data gathered in the evaluation process must also be solely used for the evaluation and not for other uses with the express authorization of UNDP and partners.

- H. DUTY STATION
- a) This consultancy will be home-based
- I. TIMEFRAME
- a) The contract will come into effect on 16 August 2021 and end on 1 October 2021
- b) The international consultant will work for a period of **24 effective working days** within the dates indicated as per the tentative schedule below:
 - a. Home-based work: 3 days (between 16 23 August 2021)
 - i. Review of background documents, reports, etc.
 - b. On-line evaluation: 17 days (between 24 August 2021 21 September 2021)
 - i. On-line interviews, etc.
 - ii. Presentation of initial findings and recommendations to UNDP, MFA Finland and selected audiences
 - c. Home-based work: 4 days (between 22 September 1 October 2021)
 - i. Finalization of report
 - ii. Submission of final report: by 1st of October 2021
- J. REPORTING REQUIREMENTS AND MANAGEMENT ARRANGEMENTS

- The International Consultant will report to the A2J Project Coordinator and Chief Technical Advisor Rule of Law on a weekly basis as work against deliverables progresses. S/he will be accountable to UNDP on the timeliness and quality of the deliverables
- The International Consultant will be required to review documents and consult with UNDP management and A2J project team members to better understand the project, including its design process, implementation aspects and expected results;
- The International Consultant will be required to conduct interviews with UNDP staff, government counterparts, implementing partners, donor representatives, project's beneficiaries and other parties relevant to this evaluation, as identified by UNDP and MFA Finland
- Upon completion of the assignment, the International Consultant will submit the final report based on the results achieved in agreed format. The final report will be required to be approved by the A2J Project Coordinator which will serve as a justification for payment.

K. QUALIFICATION AND COMPETENCY REQUIREMENTS

The International Consultant will require the skills, knowledge and expertise detailed below:

- Master's degree in law, political science, development studies or related field;
- Proven expertise and experience in conducting several evaluations and project/program assessments in the field of access to justice, democratic governance, rule of law;
- Technical knowledge and experience in UNDP thematic areas, specifically in access to justice/rule of law/cross cutting issues such as gender and human rights-based approaches to programming and capacity development is an asset;
- Prior experience of working in Kyrgyz Republic and/or in Central Asia on widening access to justice and rule of law is an asset;
- Strong analytical skills;
- Strong interpersonal skills;
- Ability to work in a multicultural environment;
- Fluency in English.

L. SCOPE OF PRICE PROPOSAL AND SCHEDULE OF PAYMENTS

Interested persons are requested to submit their financial proposals as a *lump sum amount* noting the following conditions:

- Preferred Currency of Offer: United States Dollars (US\$)
- The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount (including travel, per diems, and number of anticipated working days).

For local contractors in Kyrgyzstan UNDP shall effect payment in Kyrgyz Som based on the prevailing UN operational rate of exchange on the month of payment. The prevailing UN operational rate of exchange is available for public from the following link: http://treasury.un.org/operationalrates/OperationalRates.aspx

M. SCHEDULE OF PAYMENTS

Within 30 days upon UNDP's acceptance of the services delivered as specified and receipt of invoice.

- L. RECOMMENDED PRESENTATION OF OFFER: Interested persons are requested to submit the following documents:
 - 1) Letter of Confirmation of Interest and Availability using the template provided by UNDP

- 2) **Personal CV** or P11 indicating all past experience as well as the contact details (email and telephone number) of the candidate and at least three (3) professional references
- 3) **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided by UNDP

M. CRITERIA FOR SELECTION OF THE BEST OFFER

The following criteria shall serve as basis for evaluating offers:

- Combined Scoring Method where the qualifications and experience will be weighted a maximum of 70% and combined with the price offer which will be weighted a maximum of 30%
- Applications will be scored as per the following breakdown:
 - o Educational background and years of relevant experience 20 points
 - Relevant experience and expertise in strengthening parliamentary democracy, rule of law, accountability- 30 points
 - Prior experience of working in Kyrgyzstan, Central Asia and/or transitional contexts 20 points
 - Proven expertise and experience in conducting evaluations and project/program assessments - 30 points
 - Financial proposal 30 points

N. ADDITIONAL REQUIREMENTS FOR RECOMMENDED CONTRACTORS

Individual Consultants/Contractors whose assignments require travel and who are over 65 years of age are required, at their own cost, to undergo a full medical examination including x-rays and obtaining medical clearance from an UN-approved doctor prior to taking up their assignment.

Individual Consultants/Contractors are required to have vaccinations/inoculations when travelling to certain countries, as designated by the UN Medical Director. The cost of required vaccinations/inoculations, when foreseeable, must be included in the financial proposal. Any unforeseeable vaccination/inoculation cost will be reimbursed by UNDP.

O. INOCAULATIONS/VACCINATIONS

Individual Consultants/Contractors are required to have vaccinations/inoculations when travelling to certain countries, as designated by the UN Medical Director. The cost of required vaccinations/inoculations, when foreseeable, must be included in the financial proposal. Any unforeseeable vaccination/inoculation cost will be reimbursed by UNDP.

P. TRAVEL REQUIREMENTS

No travel to the Kyrgyz Republic is required.

Q. UNDP INPUTS

UNDP will provide the following support:

- ✓ Facilitation of introduction letters and/or requests for on-line meetings upon request with stakeholders and beneficiaries
- ✓ Substantive inputs to and quality control of deliverables
- ✓ Project related documents such as Project Document, Annual Work Plans and/or Progress Reports;
- ✓ Security charges are not applicable.

Annex A. Key Background documents; Annex B. List of Key stakeholders and partners