UNITED NATIONS DEVELOPMENT PROGRAMME
COUNTRY: UZBEKISTAN

PROJECT DOCUMENT

Project Title: Rule of Law Partnership in Uzbekistan (ROL project)

UNDAF Outcome: Equitable accessibility, transparency, fairness and efficiency of justice system to promote the rule of law enhanced

Expected CP Outcome: Enhanced accessibility, transparency, fairness of justice system and legislatures to promote rule of law, including increased harmonization of national legislation

Implementing Partner: Supreme Court of the Republic of Uzbekistan

UNDP, Research Center under Supreme Court, Higher Economic Court, Institute for Monitoring of Current Legislation under the President of the Republic of Uzbekistan, Ministry of Justice, Lawyer Training Center, Tashkent State Law University

Responsible Parties:

Brief Description

The overall goal of the project is competence and impartiality in judicial system. Project will provide technical assistance to the Supreme Court of Uzbekistan to enhance public access and trust, achieve greater alignment with international standards of integrity and rule of law in the civil courts. In addition, transparency of economic disputes will be increased in partnership with the Higher Economic Court. Law enforcement mechanisms will be improved to ensure comprehensive approach to enhancing accessibility of justice for citizens in partnership with the Judicial Department of the Ministry of Justice. To ensure sustainability, new court administration procedures and amendments to procedural legislation will be introduced into Civil Procedure Code and Economic Procedure Code and incorporated into the curriculum and resource materials of both Lawyer Training Center and Law University.

Programme Period: Country Programme 2010-2015

Key Result Area: Citizen expectations for voice, development, the rule of law and accountability are met by stronger systems of democratic governance

Atlas Project ID: 00081933

Atlas Output ID: 00091042

Start date: 01/11/2014

End Date: 31/12/2017

PAC Meeting Date: 03/09/2014

Management Arrangements: NIM

2014 AWP budget: USD 15,000

Total resources required: USD 1,998,402

Total resources allocated: USD 1,998,402

- UNDP (regular) USD 498,882
- USAID USD 1,498,520

In-kind contributions:
- Supreme Court of Uzbekistan office premises, communications

Agreed by: Mr. Shabbyus Saidiev, Chairperson, Supreme Court of the Republic of Uzbekistan

Agreed by: Mr. Stefan Priesner, UNDP Resident Representative in Uzbekistan
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<td>Annual Work Plan</td>
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<td>CDTA</td>
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<td>Constitutional Court of Uzbekistan</td>
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I. SITUATION ANALYSIS

INTRODUCTION

An effective and credible independent judiciary is an institutional prerequisite for all democracies, as this very system enables to try cases impartially. Competent and impartial judicial system is also important to ensure integrity and rule of law. Being the cornerstone of balanced democratic governance, a fully-fledged functional judiciary is a check against the executive and the legislature, thus, helping to ensure “quality control” of government’s performance. Confidence of the public in the judicial system and its ability to manage justice is the guarantee that citizens will trust the courts, rather than resorting to other means to resolve their issues, which actually must be in the realm of the judiciary. In order to build up the trust in the judicial system, one has to work on capacity building for effective and fair justice. Higher capacity of the judicial system in building dialogue between the judiciary and society and the media on the issues of the independent judiciary will help bridge interaction between judiciary, citizens, and the media, and build up trust in the court system in the long-run term. At the same time, law enforcement mechanisms will be improved to ensure comprehensive approach to improving accessibility of justice for citizens.

National legislation of Uzbekistan and international human rights law recognize that independent, accountable and effective judiciary is a central pillar of the rule of law and legal remedy. Courts are entrusted with the task of enforcing the Constitution and thus the fundamental rights of the citizens. To make the human rights and interests the highest values, both the rule of law and an effective and independent judiciary are indeed essential prerequisites. Hence there is need to provide further impetus for reforms in both rule of law as well as independence of judiciary.

There is obviously a clear connection between rule of law and judicial system reform. In the Declaration of the 2012 High Level Meeting on the Rule of law, the UN General Assembly recognized that “all persons, institutions and entities, public and private, including the State itself, are accountable to just, fair and equitable laws and are entitled without any discrimination to equal protection of the law”1.

At the national level, the rule of law is at the heart of the social contract between the State and individuals under its jurisdiction, and ensures that justice permeates society at every level. The rule of law guarantees the protection of the full range of human rights, and allows for the peaceful and fair resolution of disputes. The rule of law is ensured by national institutions that can generate and implement clear, public and just laws, and that provide fair, equitable and accountable public services to all people equally. Strengthening the rule of law fosters an environment that facilitates sustainable human development and the protection and empowerment of women, children and vulnerable groups.2

Today, despite the measures taken to enhance the degree of legal awareness of citizens, procedures of filing complaints and applications of non-procedural nature remain in limited public access for most people. This indicates that people are guided by intuition and the need for improvement of the procedures of going to courts, *inter alia*, regarding the issues not regulated by procedural legislation, and the need for broad coverage of these procedures for the public.

According to WB “Doing business-2014”, Republic of Uzbekistan was ranked 40th among 189 countries in the world related to “contracts enforcement”3 category. Effective judicial system is one of conditions for wide attraction of foreign direct investments. Furthermore, country is ranked 58th out of 99 countries on “Civil Justice” category at the Rule of Law 2014 Index by World Justice Project4.

Judicial and legal reforms underway in Uzbekistan set new standards and democratic benchmarks in judicial practices. These changes create the need to work both at the systemic and institutional levels (new legislation, court and case management) as well as individual level through training of staff. All

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1 http://www.unrol.org/article.aspx?article_id=168
3 http://russian.doingbusiness.org/data/exploreeconomies/uzbekistan/#enforcing-contracts
4 http://data.worldjusticeproject.org/#/index/UZB
this implies the reasonable demand to change and develop new approaches to training new judiciary (judges, judicial staff). In the light of above-mentioned, taking into account the need for permanent and regular training of aforementioned staff (lifelong learning), it is essential to reform the system for pre-service training and advanced training of judges, judicial staff and lawyers starting with universities and ending with regular in-service training in the course of subsequent work.

**Judicial system in Uzbekistan:**

Uzbekistan's Judiciary is independent of the legislative and executive branches and of political parties and other civil society organizations according to the Constitution. Judicial authority is exercised in legal relations through constitutional, civil, commercial, administrative and criminal procedures. The judicial power is exercised by a system of courts, namely:

(a) The Constitutional Court, which considers questions of the Constitutionality of the acts of the Legislature and the Executive;
(b) The Supreme Court, which is the highest judicial organ with respect to civil, criminal and administrative matters;
(c) The Higher Economic Court, which adjudicates on disputes in the economic sphere.

Since 1 January 2000, following the adoption of the Presidential Decree on improvement of the judicial system, which led to amendments and additions to the Courts Act, the courts have specialized in the separate consideration of civil and criminal cases. The following courts of general jurisdiction were established: the Supreme Civil Court of Karakalpakstan; the Tashkent City civil court; and the regional and inter-district civil courts.

As of June 1, 2014, there 194 district (city) courts on criminal cases and 75 inter-district (district), city courts on civil cases are functioning. It is notable that courts on civil cases are the most overloaded because they resolve a variety of different disputes with participation of citizens. It is also necessary to mention that the courts on civil cases are authorized to hear claims against actions (inactions) and decisions of state authorities, civil registry bodies and notary offices.

**Court procedures:**

Under the Constitution of Uzbekistan, the basic principles of judicial proceedings and administration of justice are following:

- Independence of the courts and immunity of judges (arts. 106 and 108);
- Independence of judges and their subordination only to the law (art. 112);
- Prohibition of judges from holding representative office (arts. 108 and 112);
- Prohibition of judges from membership in political parties or movements (arts. 108 and 112);
- Openness and publicity of all court proceedings; hearings behind closed doors are permitted only in
the cases specified by law (art. 113);
• Conduct of judicial proceedings in the official language of the State or in the majority national language of the locality (art. 115);
• Participation of a lawyer in all stages of preliminary and court proceedings (art. 116);
• Binding nature of decisions of judicial authorities for all State bodies, enterprises, establishments and organizations, civil society organizations, officials and citizens (arts. 109, 110 and 114).

All civil cases are heard by the appropriate court in accordance with specific procedural rules set forth in the Code of Civil Procedure and with a clearly defined purpose. In making rulings and decisions, judges also apply the clarifications adopted by the plenum of the Supreme Court regarding the certain categories of civil cases. Clarification issued by the resolution of the plenum of the Supreme Court on the application of legislation is mandatory on the courts, other bodies, enterprises, institutions, organizations and officials applying the legislation concerned. It provides unified approach in judicial practices and avoiding misinterpretation of procedural norms. Complaints brought against the actions (decisions) of government agencies, companies, institutions, organizations, public associations, citizens’ self-governing bodies or officials are considered by the court in accordance with the Code of Civil Procedure.

A civil case may be heard in two instances — first and second. Supervisory review of cases is permitted only in exceptional circumstances. The courts of first instance consider the merits of the case with a view to establishing the success or failure of the action in civil cases. Any court may consider in first instance cases falling within its jurisdiction. The most complicated cases are heard by the higher courts, up to and including the Supreme Court. The Supreme Court, as the highest judicial authority for civil, criminal and administrative justice, is empowered to consider cases both in first instance and in its supervisory-review capacity. Furthermore, cases heard by the Supreme Court in first instance may also be considered by it as court of appeal or judicial review; but cases heard on appeal may not be considered in judicial review. Due to reform on appeal and cassation instances, the workload on supervisory review instance were changed which resulted in the fact that courts of appeals and cassation eliminated 83% of initial judicial errors in 2013 (85% in 2009 and 50% in 2000) without consideration of the cases by the higher court.

Article 44 of the Constitution of Uzbekistan guarantees legal protection for every individual’s rights and freedoms, and the right to complain to the courts about unlawful acts by government agencies, officials or voluntary associations. Court proceedings in Uzbekistan are conducted in Uzbek, Karakalpak or the language of the majority population in the area concerned. Persons not proficient in the language in which the proceedings are being conducted have the right to be fully apprised of the case, to participate in the proceedings through an interpreter and the right to address the court in their native language.

**Results of judicial and legal reform:**

The Law of the Republic of Uzbekistan “On courts”, adopted in new edition in 2000, defines the following main directions of judicial system reformation: a) specialization of courts; b) transfer of authority on appointment of judges from the Ministry of Justice of the Republic of Uzbekistan to specially established Higher Qualification Commission on selection and recommendation of judges candidates under the President of the Republic of Uzbekistan; c) release of courts from execution of functions not related to administration of justice, such as execution of court decisions, material-technical support of courts’ activity. Besides, in criminal and civil courts a cassation instance has been reformed and an appealing procedure of case review has been established. According to these amendments a higher appealing instance may hear a case without sending it for new hearing. In case of disagreement with enacted decision of first instance court citizens have an opportunity to protect their rights and legal interests directly in cassation instance with their advocate participation.

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5 Source: CCPR/C/UZB/CO/3/Add.1, 7 May 2012
7 Source: E/C.12/UZB/2, 29 October 2012
Another direction of judicial and legal reforms is aimed at introduction of alternative dispute resolution mechanisms. The conciliation procedure was introduced in criminal proceedings, which aims to exempt of criminal liability those people, whose criminal offences are not representing big public danger and who fully compensate material and moral damages to the victims.

In civil proceedings, besides amicable dispute settlement agreement for parties to solve case voluntarily and in mutually beneficial manner as well as Commissions on labour disputes, there arbitration courts (domestic arbitration) were established under the Law of the Republic of Uzbekistan “On Arbitration courts”. Nowadays more than 208 arbitration courts\(^9\) are functioning in Uzbekistan, however, they are not very popular in civil cases due to the limited procedural powers of arbitration courts\(^10\).

For the following democratization and liberalization of judicial legal system, increasing of the authority and independence of courts, providing of lawfulness in court proceedings, prevention of interference into the activity of courts and adoption of illegal judicial decisions the Research center on democratization and liberalization of judicial legislation and provision of independence of judicial system has been established according to the Regulation of the President of the Republic of Uzbekistan № PP-896 dated June 23, 2008.

The recent reforms on civil justice sector were focused on the issues of simplification of civil justice proceedings; ensuring the greater accessibility of court proceedings by increasing of the number of courts on civil cases and judges from 63 up to 75 and from 181 up to 252 correspondingly; establishment of additional inter-district courts on civil cases in remote areas; creation of the department on coordination of organizational activity of courts within Supreme Court to ensure judiciary’s independence from executive power, control over timely hearing of claims, selection and capacity development of judges, as well as creation of special informational analytical section in the Supreme Court to conduct holistic analysis of judicial practice and efficiency.

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<th>Key Resolutions of President and Government on strengthening civil justice:</th>
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<tr>
<td>1. Order of the President of the Republic of Uzbekistan “On measures for perfection and increasing of effectiveness of district and city courts of general jurisdiction” № УП-4570 from October 4, 2013;</td>
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<td>2. Order of the President of the Republic of Uzbekistan “On measures on core improvement of social protection of judges and judicial staff” № УП-4459 from August 2, 2012;</td>
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<td>3. Regulation of the Cabinet of Ministers of the Republic of Uzbekistan “On measures on implementation of modern informational communicational technologies into courts” № 346 from December 10, 2012;</td>
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<td>4. Regulation of the Cabinet of Ministers of the Republic of Uzbekistan “On organization of the activity of newly established inter-district (district) courts on civil cases, as well as strengthening of material and technical base of inter-district, district (city) courts of general jurisdiction” № 342 from December 25, 2013, etc.</td>
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Mid-term priorities in the civil justice reform\(^11\):

- Simplification of the civil case litigations;
- Further enhancement of pretrial and extrajudicial resolution of cases on civil and administrative disputes;
- Increasing the efficiency and effectiveness of the control on enforcement of court decisions and acts;
- Providing the right for regional courts and Supreme Court judges to introduce the protest in cassation instance.

### CHALLENGES

Notwithstanding these positive achievements, a number of issues remain.

Continuous institutional reform of the judiciary is a key factor to ensure the sustainability and implementation of justice and legal reform agenda. In other country it has proven useful that judicial

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10 [http://www.lprc.uz/treteyskiy.html](http://www.lprc.uz/treteyskiy.html)
reforms follow a strategic and comprehensive roadmap addressing the issues of judicial independency and impartiality with a focus on widening access of the most vulnerable groups to justice.

This includes also measures to strengthening court administration, promoting efficient case management in both civil and criminal cases as well as commercial and administrative disputes, and transparency in court operations in line with the recent Law on transparency of state authorities in Uzbekistan, including through e-solutions.

There is huge overload in courts on civil cases in Uzbekistan due to 3.4 times increase of the overall number of disputes in the last 5 years. For instance, in 2013 civil courts heard more than 173000 cases. Some snapshot of certain categories of the civil disputes in recent years gives the following situation:

Of the 3,100 labour dispute claims heard by civil courts in 2006, 2,774 were upheld. The numbers of claims heard and claims upheld in 2007, 2008 and 2009 were, respectively, 3,444 and 3,014; 3,439 and 3,095; and 2,154 and 1,932.  

The number of civil cases involving deprivation of parental rights heard by civil courts was 652 in 2006, 864 in 2007, 820 in 2008 and 397 in the first half of 2009.

In 2010, civil courts of Uzbekistan examined 22 claims involving discrimination against women, and 14 of the claims were satisfied; 24 claims were considered in 2011, and 17 satisfied; numbers rose to 27 and 23, respectively, in 2012 and to 37 and 29 in 2013.

With regard to civil lawsuits, the services of an interpreter were provided free of charge in 948 cases in 2010, as compared with 1,456 in 2009. In 2011, the courts considered 3,213 cases involving the services of an interpreter for persons not proficient in the language in which the criminal, civil or administrative proceedings were conducted. In 3,210 cases the services were provided free of charge.

This high caseload together with out-of-date mechanisms of court administration and paper based slow case management in courts on civil cases undermines the level of citizens' trust to justice. Moreover, it might affect the due process of the case hearings and quality of judicial decisions. The root causes for this challenge are not only related to ineffective internal document management system and inefficient court administration procedures, but also linked to the inherent need to review judicial costs and courts’ budgets. Foreign experience shows that independent judicial system must get annual financing no less than minimum 2% of state budget.

Insufficient level of legal literacy of population causes another reason for inconveniences in civil litigation, as due to the complexity of civil procedure legislation and frequent amendments in substantial civil law areas, people do not always have full information of procedural rules and regulations and therefore they unable to apply the legal skills to prepare the high quality lawsuits.

A poll conducted in March 2012 revealed that, by and large, the general public had confidence in the country's law enforcement agencies. The survey showed, for instance, that 86.8 per cent of citizens have confidence in the prosecutor offices, while courts enjoy the confidence of 83.5 per cent of respondents and internal affairs authorities 79.6 per cent.

It is essential within the framework of judicial reform and strengthening rule of law to ensure the application of international human rights law in domestic court jurisdiction and in national legislation. This is in line with the constitutional recognition of the supremacy of international legal norms over national legislation. For the civil courts to deliver justice as protector of rights it is indeed crucial to ensure a high quality of court decisions in line with international human rights standards. Uzbekistan's legal system recognizes the precedence of international law over domestic law. In order to be applied,

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12 Source: E/C.12/UZB/2, 29 October 2012
13 Source: CRC/C/UZB/3-4, 26 January 2012
14 Source: CEDAW/C/UZB/5, 10 April 2014
15 Source: CERD/C/UZB/8-9, 13 May 2013
16 Source: CERD/C/UZB/8-9, 13 May 2013
an international instrument must be incorporated in domestic law. Following incorporation, the rules of international law become part of domestic law with binding force. Yet citing specific international instruments has not become standard practice for the country's judicial bodies and remains an extremely rare practice.\textsuperscript{17}

Promoting responsive, accessible and fair justice systems is a key pillar of UN Agencies’ work in Uzbekistan. Since 2012 UNDP has partnered with the Supreme Court of Uzbekistan on civil justice reform, piloting e-court management system in Zangiota inter-district court on civil matters and providing policy advice to national partners on modernization of court administration system and procedures.

Taking into account that ongoing judicial and legal reforms in Uzbekistan set qualitatively new standards and democratic benchmarks in judicial practices, the UNDP stands ready to provide assistance and increasing of mutual cooperation with national partners and international organizations on the following areas:

- Assisting to create overarching vision and strategy that ensure all the links in the justice chain are included, so that judicial and legal reform measures are catalytic and result-oriented;
- Developing proposals for improvement of relevant legislation and procedural provisions with the view to implement accepted UPR recommendations;
- Developing recommendations on the procedure of implementation of international human rights norms in the activities and decisions of the courts;
- Providing international expertise on functional analysis of courts in order to improve organizational, legal, human resources and financial capacities to perform their activities efficiently and effectively.

This project will be focused on providing the common ground for further strengthening multilateral partnership with all concerned stakeholders, international and national partners and contributing to implementing civil justice reform with the view of protecting human rights and freedoms, and ensuring responsive, accessible and fair justice system which enjoys a higher level of public trust.

**PREVIOUS ASSISTANCE AND LESSONS LEARNED:**

Since June 2012 UNDP in cooperation with the Supreme Court of the Republic of Uzbekistan has been implementing the joint project "Civil Justice Reform: Effective Court Management", which is acting both on the level of the Supreme Court and on the pilot level in Zangiota inter-district court on civil cases. Zangiota district has more than 600 thousands population of Tashkent region. This is the first project on supporting civil justice reform. Goals of the project are: development of favorable conditions for further improvement of the civil justice in legislation (de jure) and in practice (de facto), enhanced accessibility of justice through E-justice implementation, improving court decisions, as well as enhancing enforcement of court decisions, and increased awareness of public of available legal remedies in obtaining civil justice, improvement of effectiveness of system of civil proceeding and encouragement of alternative civil dispute resolution. Achievement of the goals is provided through the usage of best practices of pilot projects in realization of strategic alternatives, concentrated on reforms, strengthening of effectiveness and efficiency of courts, as well as improvement of access to justice for vulnerable groups of people.

Preliminary evaluation of the project for November, 2013 shows that “E-SUD” electronic case management system was piloted on non-disputable cases, while on analytical recommendations were provided on claims. Within the framework of RLP project, the “E-SUD” system will be strengthened with inclusion of mechanism of appeal, cassation and supervisory review instances as well as replication of the system in other regions of the country. Besides, the project commissioned research works, the results of which were taken into consideration during changing and amending of legislation of the Republic of Uzbekistan. These researches covered the areas of court work-load, improvement of material and technical base of courts, etc.

\textsuperscript{17} Source: E/C.12/UZB/2, 29 October 2012
On 68th session of UN General Assembly in New York Uzbekistan reported on its achievements in sphere of rule of law and judicial reform. Particularly, Uzbekistan informed on positive results of the joint project between Supreme Court and UNDP in Zangiota inter-district court on civil cases.

In the course of pilot initiative on “E-SUD”, the preliminary results proved that this information system allowed external users of the information system (claimant, respondents) to:

- File statement of claims and annexes as well as other applications to court in electronic format;
- Follow the cases via the e-system, without physically visiting the court premises;
- Receive court summons and notifications electronically via information system. Court summons and notifications can be received in an SMS or via email, since they are send automatically without involvement of judge or court personnel.
- Receive court documents without physically visiting the court premises;
- Publish court decisions on the website of court.

The information system has the following benefits to internal users (judges and court personnel):

- Introduction of electronic document flow in the courts, which means introduction of electronic files of civil cases;
- Provide multi-channel delivery of court notification to parties about the changes in cases and newly adopted court documents;
- Automate gathering and systematization of the data on civil cases necessary for court reports and for composition of court documents;
- Composition of court interim decisions and rulings by information system based on templates;
- Automate publication of court decision on the website;
- Automate preparation of court reports.

These functions available in single information system allow easy transfer of the information system in other civil courts. At present, information system has been successfully tested for undisputed cases in Zangiota inter-district court on civil cases. As of 1 August 2014 more than 17 000 applications were filed by parties and reviewed by judges electronically using E-SUD system.10

In course of elaboration of software of the E-SUD information system for disputed cases, project identified necessity of elaboration and introduction of new classification of claims, which allow increasing completeness and reliability of court information. It is known that information on court activities are reflected in documents starting with application to court and ending with court decision adopted by court. These documents can be divided into 3 groups: documents filed with court, documents adopted by courts in course of hearing and documents which are adopted by court as a result of hearing case. As a result, it raised necessity to elaborate and apply the list of claims that fall under jurisdiction of civil courts. Project has proposed new classification of civil claims divided onto 17 main categories which contains in total 256 claims. This classification allows E-SUD information system gather information on the application starting from the moment of application submission process.

With regard to the second group of documents, reflecting court activity, these are procedural acts of courts, which do not resolve cases on merits, so-called interim rulings of the courts. In order to increase completeness and reliability of court information in this type of document, it is necessary to elaborate and introduce more detailed requirements for each type of interim court ruling. At present, information system fully generates 7 out of 104 types of interim rulings, for which templates were elaborated by the project.

Third group of documents are court decisions. In this case it is related to grounds for satisfaction or refusal to satisfaction of claims. Here specification concerns which claim was satisfied and which was not, because current practice of courts stating in the decisions “satisfaction of rest of the claims - denied” does not provide full information and does not meet completeness and reliability requirements.

PARTNERSHIP:

Multi stakeholder approach:

Project “Rule of Law Partnership in Uzbekistan” was elaborated to provide to Supreme Court technical assistance and support in implementation of current systemic and institutional reforms aimed at further deepening democratization and liberalization of judicial and legal system. The ROL project will adopt a flexible approach allowing for inclusion of new partners, stakeholders as well as activity adjustment when necessary.

Main national implementing partner of the ROL project will be Supreme Court of Republic of Uzbekistan. At the same time, specific components of the project will be implemented in cooperation with such partners as: Research Center under Supreme Court of Republic of Uzbekistan, Higher Economic Court, Judicial Department under Ministry of Justice, Lawyers’ Training Center and others. Through working with a number of partners, the project can ensure that maximum impact is achieved, as well as a strategic, coordinated and holistic approach to increasing public access to and trust in Uzbekistan’s judicial system. This approach will also include close cooperation with international donor organizations, implementing programmes and project in judicial and legal area for enhancement of coordination of donor activities.

Supreme Court of Uzbekistan. The project will be implemented by the Supreme Court through its Civil Cases Collegium and Unit on international legal research and study of foreign practices on administration of justice, performing the coordination of external affairs and implementing international cooperation of the Supreme Court. A strong relationship exists between the UNDP and the Supreme Court, which puts the foundation for future activities in this area. Furthermore, the Supreme Court has reasonable capacities in terms of project implementation. The Supreme Court is capable of nationally implementing the new project activities.

Judicial Research Centre under the Supreme Court. The Research Centre on the Democratization and Liberalization of Judicial Legislation and the Independence of the Judicial System is an independent establishment for information analysis and advice, attached to the Supreme Court. The Research Centre analyses the court activities, conducts legislation review, statistical analysis, summarises the judicial practice and performs sociological surveys among judges and court personnel.19

Higher Economic Court of Uzbekistan. A new strategic partnership will be created with the Higher Economic Court. There are currently 14 economic courts in Uzbekistan, one in each of the regions and one in Tashkent, as well as in the Republic of Karakalpakstan. The economic courts deal with all commercial disputes between legal entities. Through working with the Higher Economic Court the project will increase access to due process by providing e-technologies and the best practices/knowledge on audio and video recording of proceedings to let use them for further evidence in appeal process and ensure the qualitative and accurate minutes-taking in commercial disputes resolution.

Committees on Legislation and Judiciary Issues of the Senate and Legislative Chamber of Oliy Majlis/Higher Attestation Committee for the Selection and Appointment of Judges. The Committees demonstrate a strong commitment towards reform of the judiciary and represent a real champion for reform. Through addressing legislative gaps and developing core criteria for the appointment and monitoring and evaluation of judicial performance with the Committees, the project will improve judicial system performance.

Ministry of Justice and its Judicial Department. The issue of enforcement is a crucial one and one that if not addressed will continue to hamper any progress in the justice sector for many years to come. In this context, partnerships will be entered into with the Ministry of Justice and its’ Judicial Department on Enforcement. The Department for the Enforcement of Court Decisions and Logistical and Financial

Support for the Activities of the Courts under the Ministry of Justice performs functions related to the execution of court orders and provides financial and technical support the whole court system.

**MoJ Training Centre for Lawyers and Tashkent State University of Law.** In order to enhance the knowledge and technical skills of judges, lawyers and other court personnel, constructive partnerships will be formed with the Training Centre for Lawyers and the Tashkent State University of Law. The Training Centre is a governmental educational institution that provides advanced training and refresher courses for staff of the judicial system, court officers and members of the Bar, law professors and legal services staff.

**Legal Problems Research Centre.** The Legal Problems Research Centre is one of the few NGOs on legal research and civil law reform that are operating in Uzbekistan, and it has the trust and support of the government. It is also conducting many activities aimed at strengthened the justice system in the country. As a trusted NGO, the project will cultivate a partnership with the Centre and will involve the Centre to undertake various researches, which will also feed into the policy advisory services.

**Cooperation with other donor communities and aid coordination:**

Traditionally the main attention of the most donors and international organizations on support of realization of judicial legal reform was focused on criminal law and criminal justice system. Despite the recent progress in the civil justice and technical assistance to the courts by UNDP and other international donors, the problem of civil justice in Uzbekistan remains acute.

**US Agency for International Development** began providing assistance to Uzbekistan in 1993. Since the beginning, USAID programmes have partnered with the Uzbek people and government to build a more stable, prosperous and healthy nation. USAID has cautiously engaged with civil society and Uzbek government counterparts to promote openness in government operations, support parliamentary oversight and constituent representation, enhance access to justice and the rule of law, and expand citizen and civil society engagement in the political process. To co-fund this project, USAID CAR Mission and UNDP Uzbekistan have signed a 3-year Cooperation Agreement to promote rule of law partnership in Uzbekistan in July 2014.

**European Union (EU).** The EU implemented a Criminal Justice Reform project in partnership with Ministry of Justice (main partner) and Prosecutor General, Ministry of Interior and Judicial Research Center.

**Organization on Security and Cooperation in Europe (OSCE) has been actively involved in developing the national human rights institutions in Uzbekistan, the professional development of law enforcement officers and judges, including through implementing the “Assistance to Justice and Legal Reform Project-Phase II”. Cooperation agreement was signed with Judicial Research Center. OSCE’s activities focus on criminal justice, but coordination and co-operation are expected, in particular with regards to the selection and appointment procedures for judges and with the implementation of international standards and conventions.**

Starting from 2002 **German society on international cooperation (GIZ)** is realizing the program "Assistance to legal statehood in Central Asia" (formerly known as “Support of judicial legal reform in Central Asian countries”) within the framework of implementing Cooperation Agreement with Judicial Research Center. This project supports judicial bodies in all partner countries as well as organizes lawyers’ trainings. It also cooperates in sphere of civil and corporative law; however it does not cover criminal justice issues.

**Regional UN Office on Drugs and Crime (UNODC) supports aspiration of Uzbekistan to implement ICT into judicial system. The Research Center under the Supreme Court of Uzbekistan signed Memorandum of Cooperation with UNODC according to which parties intended to implement elements of e-justice into pilot criminal court, where registration of claims, their circulation and control of execution would be realized in electronic form. Nowadays UNODC prepared project documents on implementation of ICT, realization of which depends on financing issues.**
The project will focus on fewer entry points (Supreme Court initiative of Supreme Court in ensuring transparency of judiciary, involvement of representatives of civil society and experts' community in judicial and legal reforms in Uzbekistan as well as strengthening legislative initiative of Supreme Court of Republic of Uzbekistan. As stated in "Concept of further deepening the democratic reforms and establishing the civil society in the country" one of the key priorities of democratic renewal of the country is coherent democratization, liberalization of judicial-legal system aimed at ensuring effective human rights protection, and establishing the rule of law state, shortly speaking – formation of democratic state and sense of justice of people". Based on national priorities and the best international experience, ROL project will provide assistance in elaboration of strategic and legal framework to improve accessibility of court information and transparency of judiciary, in strengthening research and analytical capacity of Supreme Court in order to implement judicial and legal reforms, wide involvement of representative of civil and expert society as well as donor organizations in open discussion of reforms and provision of assistance in strengthening rule of law in Uzbekistan.

The ROL project will take into account the current progress made by Uzbekistan with the support of international donors to enhance the activities of Uzbek courts, namely through skills-building training, providing policy advice and technical assistance, and the creation of the pilot e-justice system. The ROL project's approach is to codify the lessons learned, consolidate the best practices and replicate the improved court administration operations while also making Uzbekistan's judicial institutions and mechanisms more knowledgeable, independent and responsive to citizen needs. This will include more refined and adaptive capacity development approaches and creating strategic partnerships with other institutions, such as the Ministry of Justice, the Higher Economic Court and other government non-government agencies and civil society institutions.

The ROL project will adopt a theory of change approach meaning that it will articulate a long-term goal, define program objectives, identify measurable indicators of success, and formulate actions to achieve those goals. This will be centered on linking national judiciary priorities with reform focused policy options. The project will focus on fewer entry points (Supreme Court and Civil Courts) to be more strategic and allowing for a focus of resources to pursue moderate but important reforms and process improvements. It will develop realistic targets and outcomes based on what can be achieved. The project work plan will be designed in close co-operation with national partners and USAID allowing for a connection between the project design and local context, adopting a flexible approach and built upon the trust already created, to seek realistic and achievable changes.

II. IMPLEMENTATION STRATEGY

The Project will contribute to meeting the objectives as set out in the United Nations Development Assistance Framework for Uzbekistan 2010-2015, and will be implemented within the UNDP Country Programme Action Plan for 2010-2015. The majority of the project activities will correspond with the Outcome 2: `Citizen expectations for voice, development, the rule of law and accountability are met by stronger systems of democratic governance`, specified by UNDP Strategic Plan 2014-2017. Through these initiatives, Project will contribute to the achieving current UNDAF outcome 4.1. «Equitable accessibility, transparency, fairness and efficiency of justice system to promote the rule of law enhanced». Thus the strategic focus of the "Rule of Law Partnership" project will be strengthening capacity of Supreme Court in ensuring transparency of judiciary, involvement of representatives of civil society and experts' community in judicial and legal reforms in Uzbekistan as well as strengthening legislative initiative of Supreme Court of Republic of Uzbekistan. As stated in "Concept of further deepening the democratic reforms and establishing the civil society in the country" one of the key priorities of democratic renewal of the country is coherent democratization, liberalization of judicial-legal system aimed at ensuring effective human rights protection, and establishing the rule of law state, shortly speaking – formation of democratic state and sense of justice of people". Based on national priorities and the best international experience, ROL project will provide assistance in elaboration of strategic and legal framework to improve accessibility of court information and transparency of judiciary, in strengthening research and analytical capacity of Supreme Court in order to implement judicial and legal reforms, wide involvement of representative of civil and expert society as well as donor organizations in open discussion of reforms and provision of assistance in strengthening rule of law in Uzbekistan.

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22 Islam Karimov, the President of Uzbekistan, “The Concept of further deepening the democratic reforms and the establishing the civil society in the country”, 2010.
Thoroughly designed and consistent legal education will enable the judiciary to enhance critical human capital for development of professional, effective, and independent judicial system in Uzbekistan.

Growing number of new technologies, especially those focused on automation of courts and information and communications technologies (ICT), demand further modification of judicial process, which affects judicial administration and management. To this end, it is essential to focus on enhancing the transparency, effectiveness of judicial processes, equipping the judges and judicial staff with essential tools to ensure judicial integrity and professionalism.

Implementation of electronic court management enables to review the system of administering civil cases towards simplified trial, reduced timelines, and changes in judicial procedures, which in turn requires review of entire procedural legislation. Amendment in the procedures leads to adjustments in the judicial costs, which in turn means changes in the costs of dispute resolution services of the courts.

Based on the aforementioned, it is clear that implementation of ICT into practice requires re-realization of approaches to judicial administration. Current Civil Procedural Code of Uzbekistan does not contain norms and procedures, which meet modern realities of rapidly changing world, which implies the need to review procedural legislation in light of new current trends. Adoption of the new Law on Transparency of Government Bodies sets additional requirements to enhancing the transparency, accessibility of information about judicial practices, and closer interaction of citizens with the judiciary.

All aforementioned leads to the assumption that the main challenge of the judicial system now is relatively low standards of judicial administration and inadequate involvement of citizens in the process of judicial administration. The project proposes to concentrate main efforts on addressing this, building on already created platform and institutional capacities.

In addressing the identified challenges, the project will be using existing long-term partnership contacts with the Supreme Court of Uzbekistan and the Judicial Research Center, and sustainable relations with the Judicial Department under the Ministry of Justice of Uzbekistan, Higher Economic Court, Lawyer Training Center and Law University, which will enable the project to implement proposed activities in the framework of equal rights-based cooperation with aforementioned institutions, rather than as an external executor. This will also guarantee the sustainability of the results of project activities in future, as aforementioned government institutions will be directly involved in the formulation and realization of the actions proposed under the project and can influence the process of its implementation in future.

**Project goals and objectives**

The overarching goal of this Project is to **strengthen public access to and trust in Uzbekistan’s civil court system**. The project will work primarily with the Supreme Court of Uzbekistan, building on that institution’s political will and organizational capacity to build public trust and achieve greater alignment with internationally recognized standards of civil court’s accountability, rule of law and judicial performance. The major objectives of this project are:

1) **Increasing Court Responsiveness to Citizen Feedback on Civil Justice Administration through development of Institutional Mechanisms for Public Awareness Raising;**
2) **Enhancing the Knowledge and Technical Skills of Judges, Lawyers and Court Personnel;** and
3) **Improving Court Administration Systems and Performance.**

The first objective is in line with the constitutional right of each citizen for judicial protection of his rights and legal interests. It means that citizens are main users/customs of court system, especially civil courts services. An effectiveness, availability, affordability and convenience of due process should be in balance vis-à-vis citizens’ needs. That is why it requires a creation of mechanism, which allows increasing transparency and accessibility of information on judicial system activity, court
responsiveness to citizens, accessibility of justice for all layers of population, execution of court decisions, etc.

Taking into consideration citizens’ interests such a mechanism is to be developed not only by judicial system, but also by involvement into this process of representatives of scientific community, civil society, academic institutions, mass media and others. This will cause increasing of citizens’ trust to judicial system, its accessibility and transparency. However, such a mechanism must include complete cycle of preparation, data collection, including direct cooperation between judicial system and citizens (conduction of direct surveys on satisfaction), their handling and further usage for enhancement of judicial system and administration of courts. Each of such elements of the mechanism requires development of methodological approaches, which allow making all mechanism more effective and applicable.

Increasing of judicial system transparency also requires changes on internal level and increasing of responsiveness of each representative of judicial system to citizens. It may also be reached by development of system of direct application of Judicial Rules of Ethical Conduct and their popularization.

Trust of citizens to judicial system considerably depends on real execution of court decisions and other acts. It requires serious attention to parallel work not only with SC and HEC, but also with Judicial Department under MoJ. It is aimed at enhancing of execution mechanisms, including by means of strengthening of judges’ role in monitoring of judicial decisions’ execution, training of state bailiffs on new methods of work and possible consideration of private bailiffs institution.

The ROL project will identify concrete challenges and implement corresponding activities that can measurably improve judicial functionality. Through agreed upon interventions this project will help strengthen judicial independence and accountability, a critical step towards improving the rule of law in Uzbekistan and ensuring the nations’ further progress towards a democratic society. The theory of change posits that the court system must first be responsive to the needs of its users. The project will work on improving services, making citizens feel invested in the court system and increasing citizen access to the courts (civil and economic). This will be achieved through improving judicial system performance, enhancing the knowledge and technical skills of judges, lawyers and court personnel and increasing responsiveness to citizen feedback regarding the judicial process.

The second objective is related to the occupational requirement for judge position or the position of judicial staff that implies candidate to have certain educational level and work experience. The requirements to educational level of judges are provided in the Law of the Republic of Uzbekistan “On Courts”. Acting legislation provides terms for continuous education of above mentioned persons in Lawyers’ Training Center (LTC). At the same time it is obvious that judge must have both deep knowledge and complex of skills allowing working with people, making decisions, analysing facts, writing procedural acts, facilitating negotiations, collecting and analysing evidences, etc. Judicial secretaries and court staff play key role in supporting of effective functioning of court administration. Loss of their skills for conduction of such work may cause decreasing of effectiveness of justice. As a result, existence of clear list of requirements to professional qualification of such a staff is an important part of effective court administration.

Current education of judges and judicial staff should be systematic and based on the strategy of continuous education, including both informational enrichment and development of professional skills, independence and sense of responsiveness, enhancing of technical and professional capacities and qualifications, strengthening of adaptability to different transformations that is particularly necessary in the period of reforms. At the same time study programs must include both previous experience of judicial system functioning and activity of separate judges, and progressive knowledge and programs of skills’ development.

Elaboration of strategy of continuous legal education will lead to increasing of human resources capacity and developing of professional, effective and independent corps of judicial staff of the Republic of Uzbekistan, summarizing and unifying existing practical experience. The project will improve the educational curriculum of judicial trainings institutions by supporting cooperation
between these institutions and courts, strengthening analytical capacity, putting on the discussion table new legal concepts to make them integrated into the education processes, where appropriate.

**The third objective** is related to creating effectively functioning e-justice system which has been set forth in several Presidential decrees. This objective focuses primarily on widening usage of modern ICT in courts. Achievement of this objective is closely connected with solving of such systematic issues as: necessity of elaboration of algorithms of all judicial activities in order to bring judicial activities in forms necessary to create e-justice software; identification and excluding of gaps and collisions in material provisions of law which regulate civil and commercial disputes proceedings as well as collisions within civil proceedings itself, equipping of courts with necessary equipment and supporting with additional material base for successful implementation of e-justice system and modern information-communication tools, etc.

Efforts taken to implement this objective will inevitably reveal necessity of optimization and harmonization of whole judicial system, identification and restructuring of court expenses (financial, human, administrative, etc), creation of new legal instruments of court administration and piloting of these systems. Each type of potential judicial expenses will require revision from the point of re-engineering procedures of court administration, taking into consideration excessive workload of courts, limited financing resources and other issues.

Implementation of ICT and e-justice system will require creation of software for different court instances, which have different functions as well as training court staff on effective usage of this software.

Usage of ICT in courts will create a platform for widening analytical and expert capacity of judicial system and will increase accessibility of information for judges and court staff. For strengthening effectiveness and sustainability of these reforms it is necessary to develop the methodological and analytical materials and policy advice to the Supreme Court, Judicial Research Center, Research and consultative councils, and other stakeholders.

The project will improve judiciary's capacity in court administration and management by supporting strategic planning, management reforms, streamlining of business processes to make them more efficient, and the strategic integration of new technologies, where appropriate. The project will also work to increase transparency, efficiency, and effectiveness of court processes while equipping judges and court personnel with the tools necessary to maintain the court's integrity and professionalism.

**Outputs and activity results:**

**Output:** Civil justice is administered with a higher level of public confidence, judicial professionalism and streamlined court administration procedures.
Activity results

Activity result 1: Institutional feedback mechanisms for citizens on the issues of court administration developed and incorporated into strategic planning of judicial activities.

The Project will support Supreme Court in testing and incorporating communication tools and mechanisms to manage the legal awareness of the public. This activity result will contribute to following:

- Enhanced trust in courts, accessibility of information and transparency of the judicial practices including the procedures of interaction with the public and the media;
- Improved quality of national reports of Uzbekistan submitted to the UN human rights treaty bodies;
- Improved rating of effectiveness of implementation of ICT in the judicial system;\(^\text{23}\); 
- Image and trust of citizens in the court rulings enhanced through higher awareness of the procedures of enforcement of civil court rulings;
- Access to justice and legal awareness of socially vulnerable groups of population enhanced by providing gratis legal aid.

Proposed actions:
- Improve mechanisms on citizens’ feedback to civil courts in order to increase judicial responsiveness;
- Creation of mechanism for consolidated reporting on citizen concerns and complaints with the judicial system;
- Provide technical assistance in promoting the practical application of the Judicial Rules of Ethical Conduct;
- Study best foreign experience in judicial planning, court administration, budgeting judicial activities, and responsiveness to citizen complaints;
- Provide technical assistance to the Supreme Court in increasing of judicial transparency and engagement of the civil society in the justice procedures;
- Provide support to the Supreme Court in piloting provision of free legal aid at civil courts;
- Provide technical support in improving the activities of Research Center for wider discussion of the judicial and legal reforms in Uzbekistan and formulate proposals to improve procedural legislation of Uzbekistan;
- Improve capacities of Judicial Department under MoJ;
- Improve citizen knowledge of the court system through wider public outreach;
- Applying international criteria for assessment of the accessibility of civil justice in the methodology of the Supreme Court for surveying public satisfaction;
- Draft regulatory and analytical documents (draft laws and other regulations, analytical reports and methodological procedures, comments, etc.) focused on further judicial and legal reforms;
- Submission of analytical reports and draft regulatory documents to the Research and Consultative Councils under the Supreme Court and the Higher Economic Court for review and consideration;
- Organize trainings for judiciary staff on methodology of analysis and systematizing complaints and petitions;
- Conduct surveys of users of judicial system;
- Organize trainings for judges and judicial staff on judicial ethics and procedures of implementation of the Code;
- Organize trainings for bailiffs on development of professional skills;
- Develop and disseminate knowledge products among the representatives of the Supreme Court to court administration, planning and budgeting of the court’s operation.

National Partners: Supreme Court, Higher Economic Court, Judicial Research Center, Ministry of Justice

Activity result 2: The continuous training and learning system is upgraded based on the international best practices to advance the professional knowledge and technical skills of judges, lawyers, and court personnel.

\(^{23}\) Resolution # 355 of the Cabinet of Ministers dated Dec. 31, 2013
The project will assist in introduction of new techniques of teaching, training of judicial trainers, unification of dispute resolution practice within the civil courts, and increasing authority, standardization and predictability in judicial decisions, grounded in legislation, international conventions and unified court practice, stemming from increased access to training and training materials (bench books, manuals, etc.).

**Proposed actions:**
- Provide technical assistance in improving of professional skills of the judicial staff (judicial secretaries, judicial candidates and judges);
- Organize and conduct events with participation of civil courts aimed at sharing experience, improving professionalism and discussion of relevant issues of civil justice reform;
- Improve the skills and knowledge of judges on application of UN conventions ratified by Uzbekistan;
- Organize trainings for civil court secretaries on development of professional skills;
- Develop qualifications requirements to the civil court secretaries;
- Design a strategy for continuous education of civil courts and judicial staff;
- Develop and submit proposals to the Supreme Court on harmonization of the provisions of domestic legislation with the norms of international conventions.

**National Partners: Supreme Court, Law Training Center, Tashkent State University of Law**

**Activity result 3: Improved court management system ensuring judicial integrity and easy access of citizens to dispute resolution.**

The project will assist in transferring knowledge with regard to international best practices streamlining the court administration system in accordance with evidence-based policy research on judicial and court procedure issues jointly with the Supreme Court and the Judicial Research Center.

The project will contribute to the improvement of the Code of Civil Procedures (CCP), the Code of Economic Procedures (CEP) of Uzbekistan, and development of the new draft Law on the use of electronic information systems proceedings in the civil courts of the Republic of Uzbekistan and other legislation, leading to a higher implementation of the law in Uzbekistan and a higher protection of rights for its citizens. It will also support streamlining court procedures to optimize costs and operations as well as introduction of web-based e-solutions, audio visual recording and mobile technologies in litigation process of the Economic and Civil Courts. It will ensure the uniformity of judicial practice and increase the transparency of economic courts, thus affecting on improving favorable conditions for businesses.

**Proposed actions:**
- Conduct research of procedural legislation of Uzbekistan for its further simplification and decreasing of time losses;
- Develop proposals on improving self-sufficiency of the judicial system (civil courts);
- Support the further piloting and replication E-SUD judicial information system;
- Provide technical support in capacity-building and providing the Supreme Court with research and analytical materials aimed at broad implementation of its legislative initiative;
- Procure and install video-conferencing equipment (audio and video equipment for recording of trials at pilot economic court) for Higher Economical Court;
- Disseminate and test E-SUD system in 8 pilot courts throughout the country;
- Develop and submit proposals to the both Supreme Court and Higher Economic Court on harmonization and improvement of existing laws and regulations as well as simplification and optimization of trials in civil and economic processes;
- Pilot the e-system for remote participation of claimants and other participants of disputes in the civil and economic court proceedings;
- Develop proposals to improve administrative procedures for civil courts;
- Support pilot courts in transition from paper-based case management to electronic case management using E-SUD;
- Conduct analysis of working time and hours of pilot court judges and develop proposals to optimize time costs of judges and address duplication of functions;
- Organize trainings for judges and judicial staff as well as lawyers and bailiffs on the use of E-SUD;
- Organized workshops for staff of the Supreme Court of Uzbekistan on developing analytical skills to prepare evidence-based policy documents and option papers with justified conceptual and practical recommendations;
- Develop and support to institutionalize a new module for remote participation in a court trial through the web portal of E-SUD;
- Development draft HEC decision on procedure for use of audio and video recording of trials as an alternative for minutes of trial;
- Development of draft amendments to Economic Procedure Code in related to use of audio and video recording means in litigation;
- Conducting trainings for judges and court personnel on use of audio and video recording equipment;
- Elaboration of Action Plan on preparation and publication of court decisions in digital format;
- Preparation of draft HEC decision on procedure of publication of impersonal court decisions to full extent while complying with requirements on state or commercial secrets, and protection of business goodwill, at www.oxs.uz;
- Development of draft amendments to Economic Procedure Code with regard to publication of court decisions in digital format.

National Partners: Supreme Court, Higher Economic Court, Judicial Research Center, and Ministry of Justice
### III. RESULTS AND RESOURCES FRAMEWORK

<table>
<thead>
<tr>
<th>Project title and ID (ATLAS Award ID):</th>
<th>“Rule of Law Partnership” (ROL) Project, Project Atlas award ID:00081933</th>
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</thead>
<tbody>
<tr>
<td>UNDAF Agency Outcome:</td>
<td>4.1. Equitable accessibility, transparency, fairness and efficiency of justice system to promote the rule of law enhanced.</td>
</tr>
<tr>
<td>Outcome indicators as stated in the Country Programme Results and Resources Framework:</td>
<td>Expected outcome of Country programme: 3.1. Enhanced accessibility, transparency, fairness of justice system and legislatures to promote rule of law, including increased harmonization of national legislation.</td>
</tr>
<tr>
<td>Applicable Key Result Area (from 2014-2017 Strategic Plan):</td>
<td>Outcome 2. Citizen expectations for voice, development, the rule of law and accountability are met by stronger systems of democratic governance</td>
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<td></td>
<td>Output 2.2. Institutions and systems enabled to address awareness, prevention and enforcement of anti-corruption measures across sectors and stakeholders</td>
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<td>Indicator 2.2.2. : Number of proposals adopted to mitigate sector specific corruption risks</td>
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<tr>
<td>Partnership Strategy:</td>
<td>Implementing partner: Supreme Court of Republic of Uzbekistan</td>
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<tr>
<td>Responsible parties and other partners: UNDP, Research Center under the Supreme Court, the Ministry of Justice, Judicial Department under MoJ, Higher Economic Court, Committees on Legislation and Judiciary Issues of the Legislative Chamber and Senate of Oliy Majlis/ Higher Attestation Committee for the Selection and Appointment of Judges, Institute for Monitoring of Current Legislation, Training Center for Lawyers under MoJ, Tashkent State University of Law, USAID, Legal Problems Research Centre, OSCE, EU, GIZ and others UN Agencies.</td>
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#### Intended outputs / Baselines / Indicators

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<tr>
<th>Intended outputs / Baselines / Indicators</th>
<th>Output targets</th>
<th>Indicative activities</th>
<th>Responsible parties</th>
<th>Inputs</th>
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</thead>
<tbody>
<tr>
<td>Output 1. Civil justice is administered with a higher level of public confidence, judicial professionalism and streamlined court administration procedures</td>
<td>Activity result 1: Institutional feedback mechanisms for citizens on the issues of court administration developed and incorporated into strategic planning of judicial activities.</td>
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<td>Baselines:</td>
<td>1.1. Institutional feedback mechanisms for citizens are needed further improvement.</td>
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<td>1.2. Ethics Code of judges, developed and approved in 2013, is not accessible for wider public and needed supplementary regulation on procedural issues.</td>
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<td>1.3. Enhancement of legislation of the Republic of Uzbekistan in the area of government transparency and accessibility of information about public authority activities, as well as the principle of trial publicity, require from court system development of strategic and regulating documents, aimed at further improvement of situation in this area and increasing public trust.</td>
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<td>1.4. Now existing mechanisms of providing free legal aid are implemented in the framework of criminal justice and not</td>
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<td>Targets:</td>
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<td>1.1. Concept of supplementary mechanism of registration of complaints and petitions from citizens is developed and submitted to Supreme Court. This Concept will also include a methodology on surveying of trial participants' satisfaction on court performance (Atlas target);</td>
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<td>1.2. 50 judges and court staff have been trained on issues of Ethics Code of judges adoption (interim target);</td>
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<td>1.5. Policy proposals (at least 10) on further intensive implementation of judicial reforms with the participation of representatives of expert community, lawyers and international donor organizations have been developed and submitted for consideration to Supreme court (Atlas target).</td>
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<td>Actions 1.1. Capacity of Supreme court of the Republic of Uzbekistan on activities in petitions from citizen, including conducting surveys on public satisfaction of court performance.</td>
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<td>- services &quot;On-line reception&quot; and &quot;Hot line&quot; of Supreme court have been developed, tested and launched;</td>
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<td>- methodology on analysis and systematization of complaints and petitions from citizens, received also via services &quot;On-line reception&quot; and &quot;Hot line&quot; has been developed. Methodology also includes the chapter, covering the study of issues which are included into the national reports of Uzbekistan for treaty bodies of UN on human rights;</td>
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<td>- responsible staff of judicial system on complaints and petitions from citizens have been trained and instructed;</td>
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<td>- methodology on conduction and studying satisfaction of court performance by court processes parties have been developed. Methodology also includes criteria used in universally recognized Rule of Law evaluation methodologies (methodology of Tilburg University on measuring access to justice, and methodology of World Justice Index concerning civil justice);</td>
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<td>- survey among court process parties has been conducted. Report about conducted survey results prepared and published;</td>
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<td>Implementing partner: Supreme Court of the Republic of Uzbekistan</td>
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<td>Responsible parties: UNDP, Research Center under the Supreme Court, the Ministry of Justice, Judicial Department under MoJ, Higher Economic Court, Committees on Legislation and Judiciary Issues of the Legislative Chamber and Senate of Oliy Majlis/ Higher Attestation Committee for the Selection and Appointment of Judges, Institute for Monitoring of Current Legislation, Training Center for Lawyers under MoJ, Tashkent State University of Law, USAID, Legal Problems Research Centre, OSCE, EU, GIZ and others UN Agencies.</td>
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<td>USD 184 649.9</td>
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<td>Intended outputs / Baselines / Indicators</td>
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<td>applied to civil courts.</td>
<td>1.5. Experts community, lawyers, advocates, international donor organizations, representatives of public and other stakeholders are not involved in discussion of realization of judicial reforms and development of proposals for their further improvement and enhancement.</td>
<td>- Analytical paper with recommendations on enhancement of courts’ activities, based on the conducted survey, prepared and submitted for approval to Supreme court.</td>
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| 1.6. Enforcement of court rulings is a cornerstone, influencing on the level of public trust in courts. According to Decree of President of the Republic of Uzbekistan # F-722 dated 01.11.2007, on results of nine months of 2007 about 20% enforcement orders have not been enforced and about 25% enforcement orders have been enforced with missed deadlines, fixed by legislation. This fact is attributed with both high workload of enforcement officers, and gaps in legislation regulating enforcement process. | | **Actions 1.2.** Ethics Code of judges is explained to judges and widely spread among population.  
- proposals on implementation procedures of provisions, specified in Ethics Code of judges, developed;  
- Ethics Code of judges and procedures on Code provisions implementation have been uploaded at Supreme court web-site for their widely dissemination;  
- judges and other court staff have participated in the training on Ethics Code of judges and procedures on Code provisions implementation. | | |
| **Indicators:** | | **Actions 1.3.** Supreme court of the Republic of Uzbekistan took measures on increasing of transparency of courts’ activities and accessibility to information about courts’ activities.  
- study tour for the high level representatives of main stakeholders to USA and half-day workshop is organized in Washington D.C.  
- responsible staff of judicial system and other organs of government have studied the best international practices concerning mechanisms of increasing of transparency of courts’ activities and accessibility to information about courts’ activities;  
- informational-communication strategy of Supreme court, envisaging, in particular, the list of events and order of their realization to improve feedback for citizens, increasing of accessibility of information about courts’ activities, increasing of transparency of judicial system, has been developed and approved by Supreme court; 6 internal regulations, regulating conduction of events on increasing transparency of judicial system, accessibility of information about courts’ activities, and aimed at raising the level of trust in courts, have been developed and approved. | | |
| 1.1. Availability of research mechanism for survey of public’s satisfaction level of courts’ activities. | 2016  
1.1. More than 100 participants of court processes have taken part in survey on satisfaction of court performance (interim target);  
1.2. Percent of judges and court staff, trained on issues of Ethics Code of judges adoption.  
1.3. Availability of Communications Strategy on increasing awareness of public, society and media about courts’ activities.  
1.4. Availability of Concept on mechanisms to provide free legal aid during civil cases.  
1.5. Number of proposals on further support of judicial reforms, developed with the participation of representatives of expert community, lawyers and international donor organizations and submitted for consideration to Supreme court of the Republic of Uzbekistan.  
1.6. Availability of amendments to normative legal act on enforcement of court decisions with a view to ensure effectiveness of bailiffs’ activities. | - Analytical paper with recommendations on enhancement of courts’ activities, based on the conducted survey, prepared and submitted for approval to Supreme court. | | |
| 1.2. Policy proposals (at least 10) on further intensive implementation of judicial reforms with the participation of representatives of expert community, lawyers and international donor organizations have been developed and submitted for consideration to Supreme court (Atlas target);  
1.3. Draft amendments to normative legal act on enforcement of court decisions are developed and submitted to the Ministry of Justice (interim target). | 2017  
1.1. Analytical paper on enhancement of court administration is developed and submitted to Supreme court based on results of conducted survey about satisfaction of court performance (Atlas target);  
1.5. Policy proposals (at least 10) on further intensive implementation of judicial reforms with the participation of representatives of expert community, lawyers and international donor organizations have been developed and submitted for consideration to Supreme court (Atlas target). | - Analytical paper with recommendations on enhancement of courts’ activities, based on the conducted survey, prepared and submitted for approval to Supreme court. | | |
| 1.4. Draft Concept on free legal aid is developed and submitted to Supreme Court (interim target);  
1.5. Policy proposals (at least 10) on further intensive implementation of judicial reforms with the participation of representatives of expert community, lawyers and international donor organizations have been developed and submitted for consideration to Supreme court (Atlas target); | | | | |
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<tr>
<td>- Draft Laws “On free legal aid” and “On alternative mechanisms of disputes resolution” have been developed and discussed with experts.</td>
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<td><strong>Actions 1.5.</strong> Support to Supreme court in increasing of involvement in performance on discussion of reforms in judicial system of the Republic of Uzbekistan and development of proposals on improvement of procedural legislation of the Republic of Uzbekistan;</td>
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<td>- 6 meetings of Research and Consultative Councils with broad involvement of the public, experts, lawyers, government bodies and institutes of law, to discuss key issues on enhancement of court administration and working out of valid proposals, have been organized and conducted;</td>
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<td>- 4 donor conferences to present donor organizations’ activities and discuss further steps, technical and expert support to judicial system reforms and reveal potential spheres for cooperation.</td>
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<td><strong>Actions 1.6.</strong> Conduct researches and provision of recommendations on procedures of execution of civil court rulings.</td>
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<td>- Conduct analysis and researches of existing legislation on execution of court rulings, and working out proposals on enhancement of mechanisms of court rulings execution, as well as on reducing the discretionary powers of bailiffs by strengthening functional capacity of judges for monitoring execution of court rulings;</td>
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<td>- Development of Analytical brief on international experience of implementation of the institution of private bailiffs;</td>
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<tr>
<td>- Conduct one-day seminar for judges, court staff, advocates, bailiffs and other representatives of judicial community to discuss proposals on enhancement of mechanisms of court rulings execution and strengthening functions of judges on monitoring court rulings execution.</td>
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<tr>
<td>Activity result 2. The continuous training and learning system is upgraded based on the international best practices to advance the professional knowledge and technical skills of judges, lawyers, and court personnel.</td>
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<td><strong>Baselines:</strong></td>
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<tr>
<td>2.1. Mechanisms of professional development of judges and court staff, including development of their professional and technical skills, are needed further enhancement.</td>
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<td>2.2. Despite there is national legislation on legal education, however, continuous legal education of practitioners is fragmented throughout different agency-based training</td>
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<td><strong>Targets:</strong></td>
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<td>2015</td>
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<tr>
<td>2.1. Training needs assessment of civil court judges and personnel is conducted with a view to review the existing curriculum (interim target).</td>
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<tr>
<td>2.2. Transfer of knowledge to national beneficiaries on the best international practice on continuous training of civil courts</td>
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<tr>
<td><strong>Actions 2.1.</strong> Strategy of professional development of judges, court staff, as well as manuals and new courses, aimed at further development of professional and technical skills of judges and court staff, have been developed.</td>
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<tr>
<td>- design of project of strategy of continuing judicial education, increasing of legal awareness and development of professional skills of judges and court staff;</td>
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<td>- development of new courses for judges, court personnel, bailiffs, and lawyers;</td>
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<td>- design of 6 (six) practical manuals on actual types (categories) of disputes for judges, court staff and the public.</td>
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<td>UNDP</td>
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<td>Research center</td>
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<td>Lawyer Training Center</td>
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<td>Law University</td>
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<td>USD 507,026,6</td>
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<td>USD 352,856,7</td>
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<td>USD 154,169,9</td>
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<td>Intended outputs / Baselines / Indicators</td>
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| Institutions. A comprehensive agenda setting is this regard is needed.  
2.3. Acting judges and court staff are not enough involved in the process of discussion of actual issues on further improvement of civil justice. In particular, there are no qualification requirements for civil courts secretaries.  
2.4. Level of qualification and knowledge of judges on issues of use of international conventions norms in court rulings are not enough developed. Lack of references to international conventions norms in court rulings raises censure of separate UN treaty bodies.  
Indicators:  
2.1. Number of practical manuals and new courses on actual issues of civil justice for judges, court staff and the public.  
2.2. Availability of draft strategy for continuous education of civil courts and judicial staff designed and submitted to national partners for consideration.  
2.3. Availability of draft qualifications requirements to the civil court secretaries formulated and submitted to Supreme Court and other beneficiaries.  
2.4. Availability of methodological framework for application of international conventions in courts. | 2016  
2.1. Two practical manuals on peculiarities of consideration of labor and family disputes in civil courts prepared and published. (interim target)  
2.2. A series of expert consultations were provided to discuss the draft strategy on continuous education of civil court judges and personnel (interim target).  
2.3. Draft qualifications requirements for the civil court secretaries were discussed and designed with participation of judges and court staff (Atlas target).  
2.4. Draft methodological manual on application of international conventions in courts is submitted to Supreme Court for consideration (Atlas target) | - development of the list of skills for court secretaries and preparation of project "Requirements to court secretaries";  
- organize summer school for court secretaries to improve their technical and professional skills.  
Actions 2.2. Events on discussion of actual issues of administration of justice and improvement of professionalism for judges and court staff have been organized.  
- organize 6 (six) "round tables" on discussion of actual issues of further improvement of civil justice and civil courts' activities;  
- organize summer school to improve technical and professional skills (including preparation of procedural documents, solution of complicated questions, etc.) of judges in civil courts;  
- support the participation of stakeholders in events on judicial independence.  
Actions 2.3. Develop normative standards for qualifications of civil court secretaries.  
- Analyze international experience on job qualifications of civil courts personnel;  
- Develop and discuss with experts the draft qualifications requirements for civil court secretaries.  
Actions 2.4. Judges' skills and knowledge on application of provisions of UN international conventions, ratified in the Republic of Uzbekistan, have been enhanced.  
- Organize a training on developed mechanism of application (citation) of separate international conventions norms in civil court decisions according to article 3 of Civil Procedural Code of the Republic of Uzbekistan while committing procedural actions by judges;  
- Conduct research of international experience and design of procedural mechanism of application (including citation) of separate international conventions norms and in civil court decisions according to article 3 of Civil Procedural Code of the Republic of Uzbekistan while committing procedural actions by judges;  
- Conduct analysis of certain areas of civil legislation for the purpose of compliance with international conventions norms, ratified by Uzbekistan. | 
| 2017  
2.1. 1 practical manual on issues of preparation and consideration of civil cases prepared and published. (Interim target)  
2.2. Draft strategy for continuous education of civil courts and judicial staff designed and submitted to national partners for consideration (Atlas target).  
2.3. Draft qualifications requirements for the civil court secretaries formulated and submitted to Supreme Court and other beneficiaries. (Atlas target) | 
Activity result 3. Improved court management system ensuring judicial integrity and easy access of citizens to dispute resolution.  
Baselines:  
3.1. Provisions of civil and economical | Targets:  
2015 | 
Actions 3.1. Proposals on further enhancement of procedural legislation have been developed.  
- Development of analytical brief on harmonization of civil and international legislation have been developed.  
- Conduct analysis of certain areas of civil legislation for the purpose of compliance with international conventions norms, ratified by Uzbekistan. | UNDP  
Supreme court  
Higher Economic  
Total:  
USD 728 474,0 including
procedural legislation of the Republic of Uzbekistan are needed to be revised in the light of requirements on simplification and optimization of trials, enhancement of court administration procedures and implementation of information systems and modern ICT into the courts’ activities.

3.1. Effort of civil courts stays on a low level in connection with insufficient dissemination of “E-SUD” information system and improper use of information-telecommunication technologies.

3.2. Taking into account territorial location of economical courts, participation in appeal and cassation instances and access to them are complicated.

**Indicators:**

- 3.1 Number of analytical papers and materials on issues of further enhancement of procedural legislation.
- 3.2 Number of users of “E-SUD” information system, (disaggregated by user profile, types of cases, and instances)
- 3.3 Availability of normative framework to allow parties to the commercial disputes enjoying the benefits of system of audio-video recording during litigation and appeal process.

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<th>Intended outputs / Baselines / Indicators</th>
<th>Output targets</th>
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<th>Inputs</th>
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<tbody>
<tr>
<td>3.1. 1 analytical paper on issues of further enhancement of procedural legislation has been prepared (Atlas target).</td>
<td>economical procedural codes with the resolutions of Plenums of Supreme and Higher Economical courts and proposals on enhancement of Civil procedural codes;</td>
<td>court Research center Judicial Department IMCL</td>
<td>USAID input: Total: USD 567 411,2 UNDP input: Total: USD 161 062,8</td>
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<tr>
<td>3.2. Additional module of “E-SUD” information system for courts of appeal instance has been developed (Atlas target).</td>
<td>- Conduct researches of administrative procedures of civil and economical courts, aimed at development of proposals on enhancement of administration of courts’ activities;</td>
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<tr>
<td>3.3. Equipment for audio and video recording in economical courts has been procured and installed (Atlas target).</td>
<td>- Conduct analysis of Civil procedural and Economical procedural codes and development of proposals on simplification and optimization of trials, including implementation of ICT into the courts’ activities;</td>
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<tr>
<td>2016</td>
<td>- Conduct research and analysis on distribution and optimization of workload among court staff and judges and development of recommendations subject to the best international practice on court administration;</td>
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<tr>
<td>3.1.2 analytical papers on issues of further enhancement of procedural legislation have been prepared (Atlas target).</td>
<td>- Development of methodology on determination of optimal workload of courts, including conduction of time study of pilot courts’ activities, development of recommended time standards to commit separate procedural actions;</td>
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<tr>
<td>3.2. Additional module of “E-SUD” information system for courts of cassation instance has been developed (Atlas target).</td>
<td>- Conduct analysis of systems of putting and collection of litigation fees and expenses and development of proposals of budgeting of court system and optimization of litigation expenses;</td>
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<td>2017</td>
<td>- Studying of foreign countries’ experience on issues of expense financing on implementation and usage of alternative methods of civil disputes accommodation and development of proposals on expense structure and expenses of parties, choosing alternative methods of dispute resolution;</td>
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<tr>
<td>3.1.1 analytical paper on issues of further enhancement of procedural legislation and 2 methodologies on analysis of courts’ activities have been prepared (Atlas target).</td>
<td>- Preparation of manuals and methodologies on development of valid proposals on enhancement of legislation;</td>
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<tr>
<td>3.2. More than 5 000 applications have been received by civil courts by using “E-SUD” information system (Atlas target).</td>
<td>- Training of staff of Supreme court and Research center by using developed methodologies.</td>
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| 3.3. Draft regulations on use of audio and video recording as well as online publication of economic court decisions and rulings is prepared and submitted to HEC (Atlas target). | Actions 3.2. “E-SUD” information system is being used in 8 civil courts.
- Provide methodological support on replication of “E-SUD” e-justice information system to Supreme court and Judicial Department; | | |
<p>|  | - Organize a study tour to learn foreign experience on interaction of information systems of different government organizations; | | |
|  | - Development of additional modules of “E-SUD” e-justice information system; | | |
|  | - Conduct 4 trainings on usage of “E-SUD” for judges and court staff; | | |
|  | - Support PR-campaign on explanation of main advantages of “E-SUD” e-justice information system; | | |
|  | - Development of video clip about advantages of “E-SUD” e-justice information system. | | |</p>
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<tr>
<th>Intended outputs / Baselines / Indicators</th>
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<tr>
<td><strong>Actions 3.3.</strong> Accessibility of economical courts is increased through implementation of system of audio-video recording.<strong>&lt;br&gt;</strong>- Procurement of necessary equipment and its installation, starting-up and adjustment;&lt;br&gt;- Analysis of the best international practices and assistance in drafting the relevant legal framework to institutionalize the use of audio and video recording devices during hearings in the first instance as a means for taking protocol of the litigations as well as evidence for appeal process;&lt;br&gt;- Training of Higher economical court staff to use the system;&lt;br&gt;- Development draft HEC decision on procedure for use of audio and video recording of trials as an alternative for minutes of trial;&lt;br&gt;- Development of draft amendments to Economic Procedure Code in related to use of audio and video recording means in litigation;&lt;br&gt;- Conducting trainings for judges and court personnel on use of audio and video recording equipment;&lt;br&gt;- Elaboration of Action Plan on preparation and publication of court decisions in digital format;&lt;br&gt;- Preparation of draft HEC decision on procedure of publication of impersonal court decisions to full extent while complying with requirements on state or commercial secrets, and protection of business goodwill, at <a href="http://www.cox.uz">www.cox.uz</a>;&lt;br&gt;- Development of draft amendments to Economic Procedure Code with regard to publication of court decisions in digital format.</td>
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4. MANAGEMENT ARRANGEMENTS

The Supreme Court of Uzbekistan will be the Implementing partner and will be represented in the Project Board. The Project Board will be responsible for making by consensus management decisions for a project when guidance is required by the Project Manager, including recommendation for UNDP/Supreme Court approval of project plans and revisions. In order to ensure UNDP’s ultimate accountability, Project Board decisions should be made in accordance to standards that shall ensure best value to money, fairness, integrity transparency and effective international coordinating. Detailed roles and responsibilities of the Project Board are provided in Annex 3.

This Board contains three roles, including:

1) An Executive: individual (National Project Coordinator from Supreme Court of Uzbekistan) representing the project ownership to chair the group.

2) Senior Supplier: UNDP (1 representative) and USAID (1 representative): representing the interests of the parties concerned which provide funding and/or technical expertise to
the project. The Senior Supplier’s primary function within the Board is to provide guidance regarding the technical feasibility of the project.

3) Senior Beneficiary: Supreme Court (1 representative) representing the interests of those who will ultimately benefit from the project. The Senior Beneficiary’s primary function within the Board is to ensure the realization of project results from the perspective of project beneficiaries. Other beneficiaries also include Higher Economic Court, Judicial Research Center, Ministry of Justice, and Lawyer Training Center (1 representative from each agency).

Project Assurance is the responsibility of each Project Board member, however the role can be delegated. The Project Assurance role supports the Project Board by carrying out objective and independent project oversight and monitoring functions. This role ensures appropriate project management milestones are managed and completed.

The Project Support role provides project administration, management and technical support to the Project Manager as required by the needs of the individual project or Project Manager. The provision of any Project Support on a formal basis is optional. It is necessary to keep Project Support and Project Assurance roles separate in order to maintain the independence of Project Assurance.

In accordance with the provisions of the letter of agreement signed on 30 April, 2010 and the approved Country Programme Action Plan 2010-2015, the UNDP country office shall provide support services for the Project as described below.

The Supreme Court of Uzbekistan will provide office premises for the project team as well as telephone communication lines, and the required expertise and services of their corresponding staff.

Use of institutional logos on project deliverables: In order to accord proper acknowledgement to UNDP for providing funding, UNDP should appear on all relevant project publications, including among others, project hardware purchased with UNDP funds. Any citation on publications regarding projects funded by UNDP should also accord proper acknowledgment to UNDP. The UNDP logo should be more prominent - and separated from any other logo, if possible, as UN visibility is important for security purposes.

Only USAID, UNDP and Supreme Court’s logo will be used in events and publications to be funded under this Project. In case of co-hosting of public events by other partner organizations, their official logo will also be listed in agenda, informational and promotional materials related to the event.

The Project will not develop its own logo.

Audit Arrangements: The Audit will be conducted in accordance with the established UNDP procedures set out in the Programming and Finance manuals by the legally recognized auditor.

Direct UNDP Country office Support Services to the project implementation

The UNDP and Supreme Court have agreed that the UNDP Country Office will provide the following support services for the project activities at the request of the Supreme Court for the whole duration of the project cycle:

(a) Identification and/or recruitment and solution of administrative issues related to the project personnel;
(b) Procurement of commodities, labor and services;
(c) Identification and facilitation of training activities, seminars and workshops;
(d) Financial monitoring and reporting;
(e) Processing of direct payments;
Supervision of project implementation, monitoring and assistance in project assessment.

The UNDP country office may provide support services for assistance with reporting requirements and direct payment. In providing such support services, the UNDP country office shall ensure that the capacity of Supreme Court is strengthened to enable it to carry out such activities directly.

When providing the above support services, the UNDP Country Office will recover the costs for providing Implementation Support Services on the basis of actual costs and transaction fee based on the Universal Price List (see Annex1 attached).

The procurement of goods and services and the recruitment of project personnel by the UNDP country office shall be in accordance with the UNDP regulations, rules, policies and procedures. If the requirements for support services by the country office change during the life of a project, the list UNDP country office support services is revised with the mutual agreement of the UNDP Resident Representative and Supreme Court.

The relevant provisions of the Standard Basic Assistance Agreement (SBAA) between the Government of Uzbekistan and the UNDP, signed by Parties on 10th June 1993, including the provisions on liability and privileges and immunities, shall apply to the provision of such support services.

Supreme Court shall retain overall responsibility for this nationally managed project and will appoint the National Project Coordinator (NPC). Direct responsibility of the NPC will be provision of strategic advice, as well as coordination of the project activity taking into account interests of the Government (for more details please see roles and responsibilities of the Project Board’s Executive).

Any claim or dispute arising under or in connection with the provision of support services by the UNDP country office in accordance with this document shall be handled pursuant to the relevant provisions of the SBAA.

5. MONITORING FRAMEWORK AND EVALUATION

In accordance with the programming policies and procedures outlined in the UNDP User Guide, the project will be monitored through the following:

Within the annual cycle

- On a quarterly basis, a quality assessment shall record progress towards the completion of key results, based on quality criteria and methods captured in the Quality Management table below;
- An Issue Log shall be activated in an off-line format and updated by the Project Manager to facilitate tracking and resolution of potential problems or requests for change which can be raised at the Project Review meetings;
- On a quarterly basis, organize meeting with the national partners and USAID to review the activity workplan and performance plan and make adjustments accordingly. This will enable a regular dialogue with national partners and their continuous re-affirmation of their commitment to the goals of the project (donor requirement - USAID);
- Based on the initial risk analysis submitted (see ANNEX I. RISKS LOG), a Risk Log shall be activated in Atlas and regularly updated by reviewing the external environment that may affect the project implementation;
- Based on the above information recorded in Atlas, a Quarterly Progress Reports (QPR) shall be submitted by the Project Manager to the Project Board through Head of Good Governance Unit, using the standard report format available in the Executive Snapshot.
- Project Lesson-Learned Log shall be activated and regularly updated to ensure on-going learning and adaptation within the organization, and to facilitate the preparation of the Lessons-learned Report at the end of the project.
- Monitoring Schedule Plan for 2 monitoring visits per year shall be activated in Atlas and updated to track key management actions/events.

**Annually**

- **Annual Review Report.** An Annual Review Report shall be prepared by the Project Manager and shared with the Project Board. As minimum requirement, the Annual Review Report shall consist of the Atlas standard format for the QPR covering the whole year with updated information for each above element of the QPR as well as a summary of results achieved against pre-defined annual targets at the output level.
- **Annual Project Review.** Based on the above report, an Annual Project Review shall be conducted during the fourth quarter of the year or soon after, to assess the performance of the project and appraise the Annual Work Plan (AWP) for the following year. In the last year, this review will be a final assessment. This review is driven by the Project Board and may involve other stakeholders as required. It shall focus on the extent to which progress is being made towards outputs, and that these remain aligned to appropriate outcomes.

**Monthly**

- Periodic monitoring visits: Monthly Project visits will be conducted by the Head of Good Governance Unit and/or Focal point in the Good Governance Unit to discuss overall performance of the project, plans for future, to monitor working conditions, to conduct spot checks (together with Procurement Unit) and other project issues.
This project document shall be the instrument referred to as such in Article I of the Standard Basic Assistance Agreement (SBAA) between the Government of Uzbekistan and UNDP, signed on June 10, 1993.

Consistent with the Article III of the SBAA, the responsibility for the safety and security of the executing agency and its personnel and property, and of UNDP’s property in the Executing Agency’s custody, rests with the Executing Agency.

The executing agency shall:

a) put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;

b) assume all risks and liabilities related to the executing agency’s security, and the full implementation of the security plan.

UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of this agreement.

The executing agency agrees to undertake all reasonable efforts to ensure that none of the UNDP funds received pursuant to the Project Document are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.
# ANNEX 1. RISKS LOG

<table>
<thead>
<tr>
<th>№</th>
<th>Description</th>
<th>Category</th>
<th>Impact/Probability</th>
<th>Countermeasures / Management response</th>
<th>Owner</th>
</tr>
</thead>
</table>
| 1. | Inadequate cross sectorial coordination that may hamper speed of reform. | Strategic | Probability: Medium  
Impact: May delay project implementation  
Components 1-3 | All activities of the project are in the framework of existing legislations and duties of the courts. Project Board established in the project will provide support of the project activities. | Project Manager |
| 2. | Slow speed of rolling out adequate infrastructure and implementation of E-governance standards (interoperability, edoc flow, digital authorization, open data, data bases) may lead to significant delay of E-justice implementation in courts. | Strategic | Probability: Medium  
Impact: May delay project implementation  
Components 1-3 | All activities of the project are in the framework of existing legislations and duties of the courts. Project Board established in the project will provide support of the project activities. | Project Manager |
| 3. | Inadequate use of ICT in civil courts, as well as the insufficient knowledge and capacity of judges, lawyers and other specialists may cause certain difficulties with timely project implementation. | Programmatic | Probability: Medium  
Impact: May delay project implementation Components 2 and 3 | Streamline the training and awareness raising activities to strengthen the knowledge and capacities of judges, lawyers and other specialists. | Project Manager |
| 4. | Challenges related to electric power shortages in the regions that may lead to delays in accessing justice. | Financial | Probability: Medium  
Impact: May delay project implementation Activities within Component 3 | Monitor situation with access to energy in the courts, suggest alternative energy sources with relevant funding sources to ensure back up. Furthermore, keep in the loop Ministry of Justice/Judicial department, local administrations and Supreme court for countermeasures, if needed | Project Manager |
ANNEX II. PROJECT MANAGEMENT ROLES

I. PROJECT BOARD

Overall responsibilities

The Project Board is the group responsible for making by consensus management decisions for a project when guidance is required by the Project Manager (PM), including recommendation for UNDP/Supreme Court approval of project plans and revisions. In order to ensure UNDP’s ultimate accountability, Project Board decisions should be made in accordance to standards that shall ensure best value to money, fairness, integrity, transparency and effective international competition. In case a consensus cannot be reached, final decision shall rest with the UNDP Resident Representative. Project reviews by this group are made at designated decision points during the running of a project, or as necessary when raised by the PM. This group is consulted by the PM for decisions when PM tolerances (normally in terms of time and budget) have been exceeded.

Based on the approved annual work plan (AWP), the Project Board may review and approve project quarterly plans when required and authorizes any major deviation from these agreed quarterly plans. It is the authority that signs off the completion of each quarterly plan as well as authorizes the start of the next quarterly plan. It ensures that required resources are committed and arbitrates on any conflicts within the project or negotiates a solution to any problems between the project and external bodies. In addition, it approves the appointment and responsibilities of the PM and any delegation of its Project Assurance responsibilities.

Composition and organization

This group contains three roles, including:

1) **An Executive**: individual representing the project ownership to chair the group.

2) **Senior Supplier**: individual or group representing the interests of the parties concerned which provide funding and/or technical expertise to the project. The Senior Supplier’s primary function within the Board is to provide guidance regarding the technical feasibility of the project.

3) **Senior Beneficiary**: individual or group of individuals representing the interests of those who will ultimately benefit from the project. The Senior Beneficiary's primary function within the Board is to ensure the realization of project results from the perspective of project beneficiaries.

Potential members of the Project Board are reviewed and recommended for approval during the LPAC meeting. Efforts should be made to extent possible to ensure gender balance among the members of the Project Board.

Specific responsibilities:

*Initiating a project*
• Agree on PM’s responsibilities, as well as the responsibilities of the other members of the Project Management team;
• Delegate any Project Assurance function as appropriate;
• Review and appraise detailed Project Plan and AWP, including Atlas reports covering activity definition, quality criteria, issue log, updated risk log and the monitoring and communication plan.

Running a project

• Provide overall guidance and direction to the project, ensuring it remains within any specified constraints;
• Address project issues as raised by the Project Manager;
• Provide guidance and agree on possible countermeasures/management actions to address specific risks;
• Agree on Project Manager’s tolerances in the AWP and quarterly plans when required;
• Conduct regular meetings to review the Project Quarterly Progress Report and provide direction and recommendations to ensure that the agreed deliverables are produced satisfactorily according to plans.
• Review Combined Delivery Reports (CDR) prior to certification by the UNDP;
• Appraise the Project Annual Review Report, make recommendations for the next AWP, and inform the Project Board about the results of the review;
• Review and approve end project report, make recommendations for follow-on actions;
• Provide ad-hoc direction and advice for exception situations when project manager’s tolerances are exceeded;
• Assess and decide on project changes through revisions.

Closing a project

• Assure that all Project deliverables have been produced satisfactorily;
• Review and approve the Final Project Review Report, including Lessons-learned;
• Make recommendations for follow-on actions to be submitted to the Outcome Board.

II. EXECUTIVE

The Executive is ultimately responsible for the project, supported by the Senior Beneficiary and Senior Supplier. The Executive’s role is to ensure that the project is focused throughout its life cycle on achieving its objectives and delivering outputs that will contribute to higher level outcomes. The Executive has to ensure that the project gives value for money, ensuring a cost-conscious approach to the project, balancing the demands of beneficiary and supplier.

Specific responsibilities (as part of the above responsibilities for the Project Board):

• Ensure that there is a coherent project organization structure and logical set of plans;
• Set tolerances in the AWP and other plans as required for the Project Manager;
• Monitor and control the progress of the project at a strategic level;
- Ensure that risks are being tracked and mitigated as effectively as possible;
- Organize and chair Project Board meetings.

If the project warrants it, the Executive may delegate some responsibility for the project assurance functions.

**III. SENIOR BENEFICIARY**

The Senior Beneficiary is responsible for validating the needs and for monitoring that the solution will meet those needs within the constraints of the project. The role represents the interests of all those who will benefit from the project, or those for whom the deliverables resulting from activities will achieve specific output targets. The Senior Beneficiary role monitors progress against targets and quality criteria. This role may require more than one person to cover all the beneficiary interests. For the sake of effectiveness, the role should not be split between too many people.

**Specific responsibilities** (as part of the above responsibilities for the Project Board):

- Ensure the expected outputs and related activities of the project are well defined;
- Make sure that progress towards the outputs required by the beneficiaries remains consistent from the beneficiary perspective;
- Promote and maintain focus on the expected project output;
- Prioritize and contribute beneficiaries’ opinions on Project Board decisions on whether to implement recommendations on proposed changes;
- Resolve priority conflicts.

The assurance responsibilities of the Senior Beneficiary are to check that:

- Specification of the Beneficiary’s needs is accurate, complete and unambiguous;
- Implementation of activities at all stages is monitored to ensure that they will meet the beneficiary’s needs and are progressing towards that target;
- Impact of potential changes is evaluated from the beneficiary point of view;
- Risks to the beneficiaries are frequently monitored.

Where the project’s size, complexity or importance warrants it, the Senior Beneficiary may delegate the responsibility and authority for some of the assurance responsibilities.

**IV. SENIOR SUPPLIER**

The Senior Supplier represents the interests of the parties that provide funding and/or technical expertise to the project (designing, developing, facilitating, procuring, implementing). The Senior Supplier’s primary function within the Board is to provide guidance regarding the technical feasibility of the project. The Senior Supplier role must have the authority to commit or acquire supplier resources required.

**Specific responsibilities** (as part of the above responsibilities for the Project Board)
• Make sure that progress towards the outputs remains consistent from the supplier perspective;
• Promote and maintain focus on the expected project output from the point of view of supplier management;
• Ensure that the supplier resources required for the project are made available;
• Contribute supplier opinions on Project Board decisions on whether to implement recommendations on proposed changes;
• Arbitrate on, and ensure resolution of, any supplier priority or resource conflicts.

The assurance responsibilities of the Senior Supplier are to:

• Advise on the selection of strategy, design and methods to carry out project activities;
• Ensure that any standards defined for the project are met and used to good effect;
• Monitor potential changes and their impact on the quality of deliverables from a supplier perspective;
• Monitor any risks in the implementation aspects of the project.

If warranted, some of this assurance responsibility may be delegated.

V. PROJECT MANAGER

Overall responsibilities

The PM has the authority to run the project on a day-to-day basis on behalf of the Project Board within the constraints laid down by the Board. The PM is responsible for day-to-day management and decision-making for the project. The PM’s prime responsibility is to ensure that the project produces the results specified in the project document, to the required standard of quality and within the specified constraints of time and cost.

Prior to the approval of the project, the Project Developer role is the UNDP staff member responsible for project management functions during formulation until the PM is in place.

Specific responsibilities would include:

Overall project management:

• Manage the realization of project outputs through activities;
• Provide direction and guidance to project team/responsible parties;
• Liaise with the Project Board or its appointed Project Assurance roles to assure the overall direction and integrity of the project;
• Identify and obtain any support and advice required for the management, planning and control of the project;
• Responsible for project administration;
• Liaise with any suppliers;
• May also perform Team Manager and Project Support roles.

Running a project
• Plan the activities of the project and monitor progress against the initial quality criteria.
• Mobilize goods and services to initiative activities, including drafting TORs and work specifications;
• Monitor events as determined in the Monitoring & Communication Plan, and update the plan as required;
• Manage requests for the provision of financial resources by UNDP, using advance of funds, direct payments, or reimbursement using the FACE (Fund Authorization and Certificate of Expenditures);
• Monitor financial resources and accounting to ensure accuracy and reliability of financial reports;
• Manage and monitor the project risks as initially identified in the Project Brief appraised by the LPAC, submit new risks to the Project Board for consideration and decision on possible actions if required; update the status of these risks by maintaining the Project Risks Log;
• Be responsible for managing issues and requests for change by maintaining an Issues Log.
• Prepare the Project Quarterly Progress Report (progress against planned activities, update on Risks and Issues, expenditures) and submit the report to the Project Board and Project Assurance;
• Prepare the Annual Review Report, and submit the report to the Project Board and the Outcome Board;
• Based on the review, prepare the AWP for the following year, as well as Quarterly Plans if required.

Closing a Project

• Prepare Final Project Review Reports to be submitted to the Project Board and the Outcome Board;
• Identify follow-on actions and submit them for consideration to the Project Board;
• Manage the transfer of project deliverables, documents, files, equipment and materials to national beneficiaries;
• Prepare final CDR/FACE for signature by UNDP and the Implementing Partner.

VI. PROJECT ASSURANCE

Overall responsibility

Project Assurance is the responsibility of each Project Board member, however the role can be delegated. The Project Assurance role supports the Project Board by carrying out objective and independent project oversight and monitoring functions. This role ensures appropriate project management milestones are managed and completed. Project Assurance has to be independent of the PM, therefore, the Project Board cannot delegate any of its assurance responsibilities to the PM.

The following list includes the key suggested aspects that need to be checked by the Project Assurance throughout the project as part of ensuring that it remains relevant, follows the approved plans and continues to meet the planned targets with quality.
- Maintenance of thorough liaison throughout the project between the members of the Project Board;
- Beneficiary needs and expectations are being met or managed;
- Risks are being controlled;
- Adherence to the Project Justification (Business Case);
- Projects fit with the overall Country Programme;
- The right people are being involved;
- An acceptable solution is being developed;
- The project remains viable;
- The scope of the project is not "creeping upwards" unnoticed;
- Internal and external communications are working;
- Applicable UNDP rules and regulations are being observed;
- Gender mainstreaming policy embedded into project and implemented;
- Any legislative constraints are being observed;
- Adherence to RMG monitoring and reporting requirements and standards;
- Quality management procedures are properly followed;
- Project Board’s decisions are followed and revisions are managed in line with the required procedures.

Specific responsibilities would include:

Initiating a project

- Ensure that project outputs definitions and activity definition including description and quality criteria have been properly recorded in the Atlas Project Management module to facilitate monitoring and reporting;
- Ensure that people concerned are fully informed about the project;
- Ensure that all preparatory activities, including training for project staff, logistic supports are timely carried out.

Running a project

- Ensure that funds are made available to the project;
- Ensure that risks and issues are properly managed, and that the logs in Atlas are regularly updated;
- Ensure that critical project information is monitored and updated in Atlas, using the Activity Quality log in particular;
- Ensure that Project Quarterly Progress Reports are prepared and submitted on time, and according to standards in terms of format and content quality;
- Ensure that CDRs and FACE are prepared and submitted to the Project Board and Outcome Board;
- Perform oversight activities, such as periodic monitoring visits and "spot checks";
- Ensure that the Project Data Quality Dashboard remains "green".

Closing a project

- Ensure that the project is operationally closed in Atlas;
• Ensure that all financial transactions are in Atlas based on final accounting of expenditures;
• Ensure that project accounts are closed and status set in Atlas accordingly.

VII. PROJECT SUPPORT

Overall responsibilities

The Project Support role provides project administration, management and technical support to the Project Manager as required by the needs of the individual project or Project Manager.

Specific responsibilities would include:

Provision of administrative services:

• Set up and maintain project files;
• Collect project related information data;
• Update plans;
• Administer the quality review process;
• Administer Project Board meetings.

Project documentation management:

• Administer project revision control;
• Establish document control procedures;
• Compile, copy and distribute all project reports.

Financial Management, Monitoring and reporting

• Assist in the financial management tasks under the responsibility of the Project Manager;
• Provide support in the use of Atlas for monitoring and reporting.

Provision of technical support services

• Provide technical advices;
• Review technical reports;
• Monitor technical activities carried out by responsible parties.
Annex III. TORs for key project personnel

1) Project Manager (SC-10)
2) Task Manager on Rule of Law (SC-8)
3) Task Manager on Court Administration (SC-8)
4) Task Manager on Training and Research (SC-8)
5) E-government Specialist (SC-7)
6) ICT Specialist (SC-7)
7) PR and Outreach Specialist (SC-6)
8) AFA (SC-6)
9) Driver (SC-2)