



MINUTES

THE STEERING COMMITTEE MEETING

Joint project of the Ministry of Foreign Affairs of Finland and UNDP

"Strengthening the protection of human rights and equal access to justice in the Kyrgyz Republic" (Phase 3) and the UNDP Project "Environmental Justice"

Date: November 30, 2022

Venue: Sheraton Hotel Bishkek, Kievskaya str., 148B

PARTICIPANTS:

Co-chairs:

- 1. Ms. Monica Rijal, UNDP Deputy Resident Representative in the Kyrgyz Republic;
- 2. Mr. Sydykov Orozbek, Ministry of Justice, Deputy Minister.

High level guests:

- 3. Ms. Atyra Abdrahmatova- Ombudsperon of Kyrgyz Republic
- 4. Mr. Bazarbaev Kudaibergen, Minister, Ministry of Labor, Social Security and Migration
- 5. Zhanyl Alybayeva, Deputy Minister, Ministry of Labor, Social Security and Migration
- 6. Mr. Matti Väänänen Team Leader/Senior Adviser at Department for Russia, Eastern Europe and Central Asia of Ministry for Foreign Affairs of Finland
- 7. Ms. Tiina Markkinen, Senior Adviser, Development Policy, Ministry for Foreign Affairs of Finland;
- 8. Ms. Marjo Ahvenainen, Programme Officer, Unit for Eastern Europe and Central Asia, Ministry for Foreign Affairs of Finland

National partners:

- 9. Ms. Mambetova Aida, Deputy Head of the Department of the KR Parliament Committee on Constitutional Legislation, State Structure, Judicial and Legal Issues and the Rules of Procedure;
- 10. Ms. Beishenbek kyzy Kamila, head of the sector of the Department of the KR Parliament Committee on Constitutional Legislation, State Structure, Judicial and Legal Issues and Regulations
- 11. Mr. Askat Azarbekov- Chief of Staff, Office of Ombudsperson.
- 12. Mr. Balbakov Aktan, Director of the Department of Social Protection, Ministry of Labor, Social Security and Migration
- 13. Mr. Aidosov Aibolot, Ministry of Labor, Social Security and Migration
- 14. Ms. Imanova Munara, Ministry of Labor, Social Security and Migration
- 15. Mr. Akzhol Kalbekov, Chairman of the Legal Aid Service, Ministry of Justice.
- 16. Ms. Asel Abakirova, Head of the Bar, Notaries and Apostilling Department, Ministry of Justice
- 17. Ms. Zhumabayeva Venera, Head of the Chui-Bishkek Department of Justice
- 18. Ms. Baitikova Elmira, Director of the High School of Justice under Supreme Court.
- 19. Ms. Mairam Omorova- Executive Director, Association of Judges of Kyrgyz Republic.
- 20. Mr. Degenbaev Aidin, Prosecutor of the Department for Supervision of Entrepreneurs' Rights and Environmental Laws, General Prosecutor's Office
- 21. Mr. Sydygaliev Maksatbek, Senior Prosecutor, Training Center, General Prosecutors' Office.

- 22. Mr. Arstanov Kubatbek, Manager for public relations, Advocatura;
- 23. Mr. Adil Nurbekov, Director of the Aarhus Center in Bishkek
- 24. Mr. Isakov Tolkunbek, Chair PF "Providing free legal aid for people with disabilities"
- 25. Mr. Yusupkhanov Ahmadkhon, PF "Expert solutions for the CRPD implementation"
- 26. Mr. Ganzhela Vladimir, PF "Expert solutions for the CRPD implementation "
- 27. Ms. Seidalieva Maripa, PF "Center for the Development of Law and Legislation"
- 28. Ms. Tolonova Aidai, PF "Plus"
- 29. Ms. Kalybayeva Aliya, legal expert
- 30. Ms. Jumanalieva Aizhan, Acting Head of the Secretariat of the SGLA CC
- 31. Mr. Andrey Ten, Public Foundation "New Solutions"
- 32. Ms. Zhyldyz Dyushenova PF "Future of the country"
- 33. Ms. Nazgula Jenisheva, ALE "Association of Legal Clinics of the Kyrgyzstan"

Development partnrs/projects

- 34. Mr. Artur Panov, EU
- 35. Mr. Almaz Kaymbekov, USAID project "Ukuk Bulagy".
- 36. Mr. Osmonov Zholdosh, USAID project "Zhigerduu zharandar"
- 37. Ms. Osmonalieva Ainura, BIOM, EU environmental justice project;

UNDP

- 38. Mr. Simone Boneschi, Chief Technical Adviser, Rule of Law
- 39. Ms. Erkina Urazbaeva, Program Analyst, Peace, Justice and Transparent Institutions
- 40. Ms. Aidai Arstanbekova, Monitoring and Evaluation Specialist
- 41. Mr. Kuvanych Koshoev, Programme Associate
- 42. Mr. Zhenishbek Arzymatov, Senior Advisor on Strengthening Democracy and the Rule of Law
- 43. Ms. Nurzhan Alymkanova, Communications specialist
- 44. Ms. Bakyt Kydyralieva, Project expert
- 45. Ms. Meri Bekeshova, Project expert
- 46. Mr. Daniyar Shaildaev, Legal expert
- 47. Ms. Olga Borisovkaya, Administrative Financial Assistant
- 48. Ms. Saltanat Boronbaeva, Gender expert.
- 49. Mr. Talantbek Uuulu Taalai, Monitoring and Evaluation expert

AGENDA

Time	Sessions
Moderato	or: Mr. Zhenishbek Arzymatov, UNDP Senior Adviser on Strengthening Democracy and the Rule of Law
13:30 – 14:00	Registration of participants, tea/coffee
14:00 – 14:30	Opening remarks by high-ranking guests
	Ms. Monica Rijal, UNDP Deputy Resident Representative in the Kyrgyz Republic
	• Mr. Matti Vananen, Team Leader/Senior Advisor, Department for Russia, Eastern Europe and Central Asia, Ministry for Foreign Affairs of Finland
	 Mr. Ayaz Batyrkulovich Baetov, Minister of Justice of the Kyrgyz Republic Mr. Bazarbayev Kudaibergen Bazarbayevich, Minister of Labour, Social Security and Migration of the Kyrgyz Republic
	Ms. Abdrakhmatova Atyr Bolotbekovna, Akykatchy (Ombudsman) of the Kyrgyz Republic.

	Note: performance time of 6 minutes
14:30 – 15:30	Main results: Presentation of the project "Towards Sustainable Access to Justice for Legal Empowerment in the Kyrgyz Republic" (Phase 2):
	■ Impact of the project on access to justice and FLA policies and practices: (achievements/lessons learned/challenges)
	Speakers:
	 - Mr. Akzhol Kalbekov, Director of the Legal Aid Service under the Ministry of Justice of the Kyrgyz Republic. - Ms. Aliya Kalybaeva, Director of the Public Foundation "New Solutions" - Video Presentation
	(25 min.)
	■ Impact of the project on persons with disabilities from the perspective of access to justice (achievements/lessons learned/challenges) Speakers:
	- Ms. Zhanyl Alybaeva, Deputy Minister of Labour, Social Security and Migration of the Kyrgyz Republic - Mr. Isakov Tolkunbek Mamatovich, Deputy Chairman of the Council for Persons with Disabilities under the Cabinet of Ministers of the Kyrgyz Republic, President of the Legal Assistance Fund for Persons with Disabilities - video presentation
	(25 min.)
	• Key findings and recommendations of the independent evaluation. Speaker: Mr. Simone Boneschi, UNDP Chief Technical Adviser on the Rule of Law (10 min.)
15:30 – 15:45	Presentation of the project "Strengthening the Protection of Human Rights and Equal Access to Justice in the Kyrgyz Republic" (Phase 3) and the Project "Environmental Justice"
	Mr. Arzymatov Zhenishbek Nuretovich, UNDP Senior Adviser on Strengthening Democracy and the Rule of Law
15:45 – 16:10	Discussion/Questions and Answers
16:10 – 16:25	Wrap-up/Closing
	Ms. Monica Rijal, UNDP Deputy Resident Representative in the Kyrgyz Republic
16:30 – 17:30	Reception

Moderator – Mr. Zhenishbek Arzymatov, UNDP Senior Adviser on Strengthening Democracy and the Rule of Law, announced the main objectives of the Steering Committee Meeting for the implementation of the joint project of the Ministry of Foreign Affairs of Finland and UNDP "" "Strengthening the Protection of Human Rights and Equal Access to Justice in the Kyrgyz Republic, Phase 3 and the UNDP Project "Environmental Justice":

- 1. Presentation of the key results of the 2nd Phase of the project on access to justice for 2018-2022. Presentation of key recommendations and discussion of lessons learned.
- 2. Presentation of the new Phase of the Project Strengthening the protection of human rights and equal access to justice in the Kyrgyz Republic 2022-2025 and the Project "Environmental Justice" and discussion of further steps to the implementation of this project

KEY SPEECHES:

Ms. Monica Rijal, UNDP Deputy Resident Representative in the Kyrgyz Republic, welcomed all the participants of the meeting and expressed deep gratitude to the Government of Finland for effective cooperation, which since 2014 has contributed to strengthening the justice system and legal assistance in the Kyrgyz Republic. She also thanked the national partners, especially the team of the Ministry of Justice, the Ministry of Labor, Social Welfare and Migration, lawyers and organizations representing the rights of women and people with disabilities.

She highlighted that UNDP strongly advocates for national justice system moving from state-centric to people-centred approaches and a commitment to ensure the dignity and respect of rural and poor women, victims of domestic violence, people with disabilities and/or people in conflict with the law, through the enforcement of their rights and the promotion of the rule of law.

In conclusion, she highly appreciated that important strategic areas which had been given priority during Phase 3, including emphasis on the institutionalization of the progress achieved in the previous two stages, as well as on the implementation of the Law on the FLA, signed by the President in October 2022; expanding the coverage of the country's regions, including Batken with strong emphasis on access to justice for women, people with disabilities and, in general, on civic engagement; and improving the quality of legal aid services and monitoring effective results and impact in cooperation with civil society and ensuring the overall sustainability

Mr. Matti Vananen, Team Leader/Senior Advisor, Department of Russian, Eastern European and Central Asian Affairs, Ministry of Foreign Affairs of Finland, welcomed all participants and emphasized that cooperation has led to several successes and aattracted attention at the global level. For example, legal aid centers have been established throughout the country, and the UN Convention on the Rights of Persons with Disabilities has also been ratified. He highlighted that Finland is committed to democratic values and for cooperation with the Kyrgyz Republic for the benefit of the people. In the third phase of cooperation, support for the legal sector reform process will continue, while sustainability should be also ensured. In conclusion, he expressed gratitude to all the stakeholders who were involved, including lawyers, civil society, women's rights groups, and organizations for the protection of the rights of persons with disabilities.

Mr. Kudaibergen Bazarbayev, Minister of Labor, Social Security and Migration of the Kyrgyz Republic, welcomed all the participants of the meeting of the Steering Committee with special thanks expressed to UNDP in the Kyrgyz Republic and the Ministry of Foreign Affairs of Finland.

He mentioned that as part of joint active work, they were able to change the consciousness of people, the consciousness of society as a whole and overcame negative stereotypes in relation to persons with disabilities, to carry out actions to humanize and adapt persons with disabilities to society.

In conclusion, he wished productive and constructive work and expressed gratitude for the collective work and fruitful cooperation. He then presented appreciation letters to the Ministry of Foreign Affairs of Finland and the UNDP.

Ms. Atyr Abdrakhmatova, Akyikatchy (Ombudsperson) of the Kyrgyz Republic expressed her gratitude to UNDP, Ministry of Foreign Affairs of Finland for effective implementation of justice initiatives in Kyrgyzstan.

She noted that 30%, appeals to Akyikatchy concern the lack of justice, dissatisfaction with the performance of court system and defense lawyers. She also reported on the weak oversight of the prosecutor's office on the facts of violations of rights during the detention of activists.

She emphasized that 70-80% of women, children, young people do not trust in justice. Therefore, they do not want to appeal to state bodies, so within the framework of the UNDP access to justice project work on this aspect it will be high of relevance.

Mr. Dastan Bekeshev, Member of the Jogorku Kenesh of the Kyrgyz Republic thanked the Ministry of Foreign Affairs of Finland and UNDP for support in improving the rights of persons with disabilities and women's rights. He mentioned about UNDP's work on creation of physical accessibility to the courts piloted in Bishkek and in some other regions.

He noted the important technical support of UNDP on bringing in conformity of domestic legislation with UN Convention on the Rights of Persons with Disabilities and necessity for further legislative streamlining.

Mr. Orozbek Sydykov, Deputy Minister of Justice of the Kyrgyz Republic, thanked the organizers for hosting the event with special gratitude expressed to the Ministry of Foreign Affairs of Finland and UNDP. He noted that UNDP assistance on development of the concept of improving the legal culture of the population for 2016-2020 and support of bus of solidarity initiative allowed effective legal assistance in the regions.

PRESENTATION 'Impact of the project on access to justice and policies and practices of the SGP: (achievements/lessons learned/challenges''

Mr. Akzhol Kalbekov, Chair of Free Legal Aid Service, welcomed the participants of the meeting and expressed gratitude to UNDP and the Ministry of Foreign Affairs of Finland for the fruitful cooperation and support provided.

He noted that the issues of ensuring access to justice are one of the important, fundamental tasks of the Kyrgyz Republic and the Ministryof Justice, as an authorized body that implements state policy in this direction, designates them as a priority.

He noted the great support provided by UNDP and Government of Finland in establishment and institutional strengthening of Center for the Coordination of State-Guaranteed Legal Aid (CC SUP) under the Ministry of Justice, inter alia in effective coordination of the process of providing free legal aid, increase the level of legal literacy of the population, and effective state control over the quality of this assistance.

In his presentation he provided general overview of the key challenges, ways forward achievements, and next steps in free legal aid policy implementation:

Challenges: -

- low availability of state-guaranteed legal aid in remote regions of the country.
- insufficient coordination of state bodies and other subjects of the system of providing free legal aid.
- lack of direct administration of the services of a lawyer of the State Legal Department at the district level.
- low quality of legal assistance provided by lawyers.
- Low level of public awareness of the FLA system and the procedure for obtaining free legal aid.

Ways to address the challenges:

- Increase and improve legal education of the population.
- Increase the quality of consulting and legal assistance with multistakeholder engagement at consultation stage.
- Improve the quality of qualified (secondary legal assistance).
- Increasing the tariffs for the remuneration of lawyers submitted.

 Development of monitoring and evaluation tools of the legal aid system;

Novelties to FLA legislation:

- the circle of persons entitled to receive legal assistance guaranteed by the state expanded (victims of human trafficking, victims of domestic violence);
- the of para-legal system was introduced.

Achievements:

- A new version of the law on guaranteed state legal aid and relevant bylaws adopted.
- Quality standards for the provision of legal aid have been developed and implemented.
- An electronic platform for legal training lawyers introduced.
- FLA Automated Information System developed, and electronic registration of citizens' appeals introduced.
- Central database of regulatory legal acts modernized with 150,000 legal documents with increase of users from 19,000 in 2000 to 5 million in 2021.
- 7 legal aid centers in Chui region and Bishkek established.
- The solidarity bus project was supported. Two new buses were purchased operating in southern and northern regions.
- In total, more than 55,000 legal consultations were provided to citizens in need.
- "Hotline 114 Legal Aid Service", initiated for launch.

After the presentation, Mr. A. Kalbekov once again thanked the project for the support provided and expressed hope for further fruitful cooperation within the framework of the third phase. He also noted that if within the framework of the previous phase of the project the work was aimed at creating a regulatory framework, institutionalizing mechanisms, now (within the framework of the third phase of the project) it is necessary to work on improving the quality of legal assistance provided.

The moderator, Mr. Zhenishbek Arzymatov, thanked Mr. Akzhol Kalbekov and gave the floor to Ms. Aliya Kalybayeva.

Ms. Aliya Kalybayeva, Director of the Public Foundation "New Solutions" welcomed the participants of the event. In addition to the previous presentation, she noted that implementation of the Hotline project during the pandemic has shown how high-quality primary legal assistance helps to solve legal problems of citizens and eliminates the need to go to all state bodies, various instances, including courts, to seek and seek the truth and the necessity of further expansion of the same approach.

■ PRESENTATION ''Impact of the project on persons with disabilities from the perspective of access to justice (achievements/lessons learned/challenges)

The moderator, Mr. Arzymatov Zhenishbek gave the floor to Ms. Alybayeva Zhanyl Ishenbekovna, Deputy Minister of Labor, Social Security and Migration.

Ms. Alybayeva Zhanyl Ishenbekova mentioned that with technical assistance of UNDP the UN Convention on the Rights of Persons with Disabilities was ratified and the standards of social services and conditions of stay in boarding schools, in social stationary institutions of the Ministry, have been introduced.

Monitoring and evaluation of national and state programs; analysis of the coverage of the norms of the UN CRPD in the legislative framework, and the implementation of all national programs to support persons with disabilities; calculations for financial costs for the implementation of the CRPD have been prepared; monitoring and evaluation of all strategic programmes.

The procedure for providing sign language interpreters and payment for their services has been approved. From the republican budget, 5 million soms are provided for the implementation of sign language interpreters services, a database of sign language interpreters with legal specifics has been created, which contains more than 60 sign language interpreters throughout the republic. Using this database, persons with hearing impairment, as well as representatives of law enforcement agencies, can find a sign language interpreter to accompany their investigative actions, conclude transactions, for court hearings, notarial and other cases. In addition, we conducted trainings for journalists, for the media on coverage of disability, gender-sensitive journalism and conducted a study to identify negative stereotypes about rural women and persons with disabilities.

Also, the Council for Persons with Disabilities was established under the Cabinet of Ministers and the Regulations of this Council, and its composition were approved. This Council consists of 18 non-profit organizations and 17 state bodies.

It is noted that this project was implemented very successfully with key outcome resulted in change of the attitude of society and state bodies towards persons with disabilities.

The moderator, Mr. Arzymatov Zhenishbek, gave the floor to Isakov Tolkunbek Mamatovich, Deputy Chairman of the Council for Persons with Disabilities under the Cabinet of Ministers of the Kyrgyz Republic, President of the Foundation for Legal Assistance to Persons with Disabilities.

- Mr. Isakov Tolkunbek Mamatovich welcomed the participants and noted that with UNDPs support consolidated the coalition of NGOs on advocating ratification of UNCRPD through media campaigns, actions, flash mobs, foot marches with the participation of persons with disabilities nationwide.

In conclusion, he expressed gratitude to the Ministry of Foreign Affairs of Finland, of course, to the UNDP team, which sets real, achievable goals, and in close partnership with civil society and achieves these results.

PRESENTATION "Main findings and recommendations of the independent evaluation."

The moderator, Mr. Arzymatov Zhenishbek, gave the floor to Mr. Simone Boneschi, UNDP Chief Technical Adviser on the Rule of Law.

Mr. Simone Boneschi welcomed the participants and presented the key results of independent project impact evaluation in line with UNDP evaluation criteria, such as relevance, prioritization, effectiveness, effectiveness, sustainability, as well as some cross-cutting, cross-cutting, thematic areas, including gender, partnership, capacity building, social inclusion, and sensitivity to conflict.

Relevance: Project clearly focused on support of relevant state policies and supported development of the law on the FLA, ratification of the Convention on the Rights of Persons with Disabilities (CRPD), legislative coherence with CRPD, implementation of the sustainable development strategy of the Kyrgyz Republic, the judicial reform of the Kyrgyz Republic, as well as the action plan until 2030 to achieve the Sustainable Development Goals adhering the principle of "leave no one behind"

Effectiveness: 17 Free Legal Aid Centers (PSC) were opened in Chui and Osh regions. More than 40,000 beneficiaries received free legal assistance between January 2018 and June 2022. From 2018 to 2022 there was an increase of 44% in the number of clients out of which 52% were women and other achievements mentioned above the Ministry of Justice focal point.

Sustainability: Evaluation noted that during the second phase, a systematic approach was taken to ensure citizens' access to justice and to state-guaranteed legal aid with positive progress on issues such as gender and social inclusion. A survey of lawyers, advocates, as well as beneficiaries of the project showed that the gender issue, as well as the expansion of legal opportunities for women, were ensured adhering the principle "leave no one behind".

Challenges: The problem of retaining qualified lawyers in the FLA. Limited progress in digitalization: some initiatives are commendable, but in general the scale and speed of implementation of new methods lag behind the needs, expectations and aspirations of stakeholders

Wavs forward:

- Continue work on capacity building, advanced training, creation of motivating factors for the staff of the FLA Service and lawyers.
- Focus on improving the quality of legal assistance through improvement the monitoring and evaluation tools
- Expansion of the scope of the FLA to other regions of the country, including Batken region.
- Increase and improve institutional partnerships

Project "Strengthening the Protection of Human Rights and Equal Access to Justice in the Kyrgyz Republic" (Phase 3)" and the project "Environmental Justice"

Mr. Arzymatov Zhenishbek made an overview presentation of the Phase 3 of the project that was developed based on broad and close consultations with key partners including Ministry of Justice, the Ministry of Labor, Social Security and Migration, NGOs, Ombudsman office, Supreme Court, High School of Justice, Jogorku Kenesh, General Prosecutor's Office, Aarhus with ultimate beneficiaries primarily the population of the Kyrgyz Republic, rural women, persons with disabilities who need legal assistance. The project implementation strategy complies the priority development programs of the Kyrgyz Republic and Sustainable Development Goals 5,6,10,16 and the United Nations Development Framework. The overall objective of the project is to assist the justice system and national human rights institutions in strengthening their capacity to effectively ensure equal access to justice, to reduce corruption, promote the rule of law and human rights. This project consists of 3 key objectives and expected results. The first task is to ensure sustainable access to justice and quality services of primary qualified legal aid, in particular for women, people living in rural areas and persons with disabilities, to expand inclusive public access to legal information and improve mechanisms for control, supervision, monitoring to expand legal rights and effective implementation of standards in the field of justice and promotion of the implementation of the UN Convention on the Rights of Persons with Disabilities

In addition, he mentioned about launching of UNDP new project on promotion of Environmental Justice in close partnership with the justice sector in the field of environmental rights. The project will be mostly focused on capacity building of justice sector on environmental justice.

Discussion/Questions and Answers

Ms. Maripa Seydaliyeva, Director of the Public Foundation "Center for the Development of Law and Legislation recommended to support the new provision of FLA law on paralegals that would help to ensure wider access to legal services, especially in the remote areas of our country where there is a shortage of lawyers. She also advised to focus in increasing the quality of monitoring and evaluation of the legal aid as key aspect of increasing the quality of counselling

Mr. Mati Vaananen, Ministry of Foreign Affairs of Finland.

Thanked for all presentations and opportunity to speak and hear about challenges the beneficiaries of the project face and positive results achieved. He pointed out high importance of all interested parties and partners to get together for general discussion and posed a question on timelines and ways of development of stateguaranteed legal aid long term strategy and allocated state budget in order to expand, improve the quality of FLA?

Mr. Kalbekov Akzhol emphasized that one of the priorities of Ministry of Justice is the development of a strategic long-term, medium-term, and short-term plan and informed on Cabinet of Ministries commitment to allocate additional funds and an additional 50 staff units. He mentioned that Ministry of justice was tasked to develop appropriate standards for the quality of primary legal aid, training directly to the persons who will be responsible for providing this legal assistance, the appropriate methodology, indicators an assessment of the quality of the legal assistance.

Mr. Arzymatov Zhenishbek, reported that UNDP will provide methodological support, considering the expertise of the UN system in the development of such policies and program documents. Naturally, recommendations to partners will be such that this document be realistic, executable, taking into account the capabilities of the state and with specific and tangible indicators and cost analysis.

Mr. Arzymatov Zhenishbek, thanked everyone for participation and gave the floor to Ms. Erkina Urazbayeva, team leader of the UNDP SDG 16 cluster/.

Ms. Erkina Urazbaeva thanked all for the contribution and cooperation that was made during the implementation of the two phases of this project and expressed readiness for further scaling up and expansion of the work and emphasized the importance of collaborative efforts of government, the civil sector, legal community, and the activists. She specially thanked the Government of Finland for fruitful partnership and long-term continuous support.

THE MAIN RESULTS OF THE MEETING:

- 1. UNDP provided effective support for the establishment of the FLA system in Kyrgyzstan.
- **2.** UNDP made a significant contribution to the ratification of the UN CRPD in Kyrgyzstan and to the promotion of the rights of persons with disabilities
- 3. Key justice actors, national partners and development partners received extensive information on UNDP plans to advance human rights and access to justice for 2023-2025.

Docusigned by:

Movica Rijal

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Mrs. Monica Rijal,

UNDP Deputy Resident Representative in the Kyrgyz Republic