

Thematically Targeted Review of the Strong and Inclusive Parliamentary Democracy Project (Phase 1)

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ABBREVIATIONS

CAF	Civic Action Fund
CSO	Civil Society Organization
DFID	Department for International Development
ECU	Euroasian Economic Union
EU	European Union
IPU	Inter-Parliamentary Union
OPI	Open Parliament Initiative
NGO	Non-governmental Organization
NDI	National Democratic Institute
OSCE	Organization for Security and Co-operation in Europe
SDC	Swiss Agency for Development and Cooperation
SDG	Sustainable Development Goals
SIPD	Strong and Inclusive Parliamentary Democracy
ToR	Terms of Reference
UN	United Nations
UNDP	United Nations Development Programme
UNEG	United Nations Evaluation Group
WFD	Westminster Foundation for Democracy

I. EXECUTIVE SUMMARY

A future phase of the Strong and Inclusive Parliamentary Democracy (SIPD) project should be based on the understanding that the Parliament of Kyrgyzstan is an essential pillar of democratic governance in the country. Through a targeted and a cross-cutting approach, the project should work to enhance Parliament's capacities to perform its watchdog, representative and regulatory roles. As in all parliamentary democracies, the Parliament of Kyrgyzstan has the means to shape the national political space by setting the tone of political discussions and rules associated with democratic accountability that govern the work of public institutions and society. In doing so, the Parliament will have to tackle the diminishing level of trust it enjoys from the public and the dominating executive that limits its space for action.

Traditional parliamentary support projects implemented globally by the UNDP, NDI and WFD have sought to address these challenges by focussing on enhancing the capacities of MPs and parliamentary staffers to perform their duties better. Such projects worked on improving MPs and parliamentary staffers' skills in drafting better legislation, managing more effectively the work of the parliamentary committees to oversee the work of the government and through enhancing technical knowledge of specific parliamentary functions such as gender mainstreaming, corruption proofing and financial oversight. However, academic studies and practices from other parliaments do not seem to show a link between the focus on capacity building and a systemic change in the way parliaments conduct their work.¹

One of the key reasons for lack of significant impact in changing the way parliaments worked was the projects' understanding that weaknesses in the functioning of the parliaments were primarily due to failures in procedures and controls. The assumption was that defects in the operation of the parliaments would be tackled through enhancing

¹ See: De Renzio, Paolo (2006) "Aid, budgets and accountability: A survey article." *Development Policy Review* 24, no. 6: 627–645; and Santiso, Carlos (2004), "Legislatures and budget oversight in Latin America: Strengthening public finance accountability in emerging economies", *OECD Journal of Budgeting* 4, no. 2: 47–76.

the capacities of relevant stakeholders in the parliaments, including MPs and parliamentary staffers.² The approach resulted in developing a variety of capacity building outputs, such as training, manuals, equipment, mentoring and study tours for MPs and parliamentary staffers. Nevertheless, this traditional approach to the delivery of parliamentary assistance has resulted in limited achievements in reshaping the functioning of the parliaments.³

Changes in the functioning of the Parliament of Kyrgyzstan largely depend on the successful completion of the electoral reform that would create the demand for political and institutional reforms. However, most political parties seem not be interested to endorse substantive change to the electoral code beyond improvements in the election administration and change in the electoral threshold. The increased threshold was expected to affect the composition of the new convocation of the Parliament as fewer party lists were expected to pass it, despite the on-going assistance from the EU-funded and the US-funded projects did not manage to secure breakthrough in electoral reform. Subsequently, the current status quo where majority of MPs represent their business interests will continue for the foreseeable future. Some of the interviewed interlocutors expected that half of the current MPs will not be re-elected. Therefore, creating political demand for institutional changes in the Parliament will have to come from external pressure exerted by civil society organizations and citizens' groups. Such an approach fits well with project's design and approach that seeks to formalize the communication and involvement of the CSOs with MPs, parliamentary committees and the Parliament. Civil society organizations referred to positive example when the Parliament and MPs responded swiftly to public pressure when they blocked the restart of the uranium mining in the country.

Moving forward, there is a need to consider a more political approach towards addressing the institutional weaknesses of the parliament. The parliament's failures to execute their law-making, oversight and representative roles are more likely linked to political issues rather than related to in-house know-how and technical expertise. Specifically, this

² Tsekpo, Anthony, and Alan Hudson (2009), "Parliamentary strengthening and the Paris principles: Uganda case study", London: Overseas Development Institute; Stapenhurst, Rick, Niall Johnston, and Riccardo Pellizo, eds. (2006), "The role of parliament in curbing corruption", Washington, DC: World Bank;
³ Ibid.

entails understanding the political motivations of MPs and parliamentary staffer for and against change in the parliaments and developing the adequate incentives to change their behaviour, which ultimately could lead to institutional changes in the parliament. In this context, the project's focus to engage with the civil society organizations and citizens as pressure and watchdog groups is the right one that requires slight modifications to make it more targeted to address citizens needs and linked to real changes in the parliament.

Presence of citizens' and CSOs' pressure can be seen as a motivating factor for MPs and parliamentary staffers activities. Specifically, MPs will consider pursuing institutional changes in the parliaments only when national political agenda is shaped by the persistent demand from citizens and CSOs for an accountable functioning of the parliament, its bodies and MPs. Therefore, the project should continue to enhance the ability of citizens' and CSOs' to formulate demands for better governance as incentives for change in the Parliament. MPs that successfully address the citizens' and CSOs' requests will do because they will gain prominence in national political debate. Consequently, the MPs will have an inherited interest to act as responsive actors during parliamentary proceedings.

The targeted approach should be based on formalising the citizens' and CSOs' ability to provide information and research directly to the work of the Parliament and its committees as a way to impact the parliamentary proceedings. The more capable the civil society groups to channel citizens' demands on the specific policy area, the higher the chances that MPs and the Parliament will respond and internal adapt their proceedings to facilitate such engagement. Through engaging local civil society organizations and citizens groups, the second phase of the project can contribute to creating an adequate incentive structure for MPs, as pressure and opportunity, to respond during parliamentary proceedings. Specifically, the project in the next phase should focus on:

- Mobilising civil society organizations and citizens groups on regional and municipal issues and needs, and their channelling into parliamentary proceedings;
- Capacitating civil society organizations and citizens' groups to influence the work of the Parliament, parliamentary committees and MPs;

- Supporting the MPs accountability through improving their engagement on constituency issues and demands; and
- Strengthening the parliament's oversight role through formalising effective parliamentary procedures based on closer cooperation with governmental and non-governmental actors.

II. INTRODUCTION

Most parliamentary support programmes seek to deliver institutional changes in the target Parliaments based on three models of change: the external incentives, social-learning and lesson-drawing models.⁴ The external incentives model implies that the Parliament adopts new rules, procedures and practices if the benefits offered by parliamentary support programmes for adopting such changes exceed the adoption costs. According to this model, change in the Parliament follows a bargaining process where parliamentary actors and parliamentary support programmes exchange information, threats and promises. The support programmes follow a strategy of conditionality based on predefined criteria that the Parliament has to fulfil to receive the rewards ranging from different types of financial and technical assistance. Under this institutional change strategy, the parliamentary support programmes deliver the reward if the target Parliament complies with the conditions and withholds the reward if it fails to comply. The adoption of institutional changes by the Parliament requires a definitive decision from key parliamentary actors that balance domestic pressures and their goal to maximize political benefits. Therefore, successful application of the external-incentives models to deliver institutional change in the Parliament depends on the determinacy of criteria set by the parliamentary support programmes, size, credibility and speed of rewards they offer, and the size of adoption costs. Due to the setup of the project and relations with the beneficiary, the SIPD project team did not utilize the external-incentives model to promote institutional changes in the Parliament of Kyrgyzstan.

Under the social-learning model, the Parliament adopts new rules, procedures and practices proposed by the parliamentary support programmes if it is persuaded of their appropriateness. According to this model of institutional change, the parliamentary actors pursue change as a result of internalizing identities, values, and norms related to parliamentary democracy. Among different options for institutional change, the parliamentary actors choose the most appropriate or legitimate one that furthers

⁴ Oleksandr Moskalenko, Volodymyr Streltsov (2015), "The European Parliament in the EU-Ukraine relations - from independence to Orange revolution", *Eastern Journal of European Studies*, Vol 6 (1).

parliamentary democracy. Specifically, the parliamentary actors engage with parliamentary support programmes through arguing the legitimacy and appropriateness of the proposed institutional change to local context and tenants of the parliamentary democracy. The social-learning model implies that institutional change will be adopted if conflicting domestic parliamentary rules and practices are absent or delegitimated and if parliamentary support programmes proposed institutional changes tie in with existing or traditional domestic parliamentary regulations and practices. The SIPD project team primary strategy of inducing a change in the Parliament of Kyrgyzstan relied on the application of the social-learning model that was based on the support of selected MPs, targeted parliamentary committees and key parliamentary staff who acted as agents of change within the Parliament.

Finally, the lesson-drawing model propagates that the Parliament adopts new rules, procedures and practices proposed by the parliamentary support programmes if it expects that such changes will solve internal functioning problems effectively. According to this model of institutional change, the Parliament changes its rules and practices without external incentives or persuasion from the parliamentary support programmes and other external actors. In fact, lesson-drawing is a response of the parliamentary actors to domestic dissatisfaction with the current rules and practices in the Parliament. Individually, parliamentary actors review regulations and practices in operation elsewhere and make a prospective evaluation of their transferability, i.e. whether they could also operate effectively in their parliamentary context. As such, the lesson-drawing model depends on the following conditions. Firstly, parliamentary actors should start searching for rules and practices abroad. Secondly, parliamentary actors should direct their search at the parliamentary traditions of other countries offered by the parliamentary support programmes. Finally, the parliamentary actors should evaluate the proposed rules and practices from other countries in terms of their suitability to the domestic parliamentary context. The SIPD project partially has relied on the lesson-drawing model when providing support to parliamentary actors to enhance the engagement of the civil society organizations in the work of the Parliament as part of the Open Parliament Initiative.

The findings of the targeted review offer the SIPD project team lessons learned and critical challenges affecting its implementation and effectiveness during the first phase of project implementation. This involves identifying activities which should be expanded, as well as any 'quick win' initiatives that the SIPD project should engage in the future. In areas where there is no buy-in from the beneficiary, the review recommends the discontinuation of SIPD project interventions. Such findings are followed by recommendations on how to address them based on the parliamentary assistance best practices and strategic guidance for the remainder of the project cycle, including future strategic direction and priorities for the Parliament. For this purpose, the review presents options for future delivery and implementation, which better promote Parliament's ownership, sustainability and increased efficiency and effectiveness of the SIPD project interventions.

During next phase of implementation, the SIPD project's approach to instituting change in rules and practices of the Parliament of Kyrgyzstan should follow a seven-stage process from consultations with parliamentary actors and piloting of new initiatives, to their institutionalization and upscaling. Initially, the project should consult with relevant parliamentary actors and civil society organizations representatives to identify the areas of parliamentary work that require improvements. Secondly, the project should lead the process of identifying the best practices and lessons learnt from other countries that have a similar setup of the Parliament in terms of size, organization and resources as well as the governance system (i.e. focus on the parliamentary democracies only). Thirdly, the SIPD project should develop a concept note on the proposed changes to the Parliament of Kyrgyzstan's' rules and practices based on the localization of the proposed intervention to fit the domestic context. Fourthly, the SIPD project should pilot the new parliamentary regulations and practices with targeted MPs, parliamentary committees and parliamentary staffers. Fifthly, upon successful implementation of the pilot initiative, the SIPD project should work with key decision-makers in the Parliament, particularly the Speaker, heads of parliamentary party groups, heads of parliamentary committees and head of the Parliament's Apparatus, to formalize and institutionalize the new parliamentary rules and practices so that they can be applied uniformly throughout the institution. Sixthly, the SIPD project should provide capacity building support to MPs and parliamentary staffers to facilitate the implementation of new parliamentary rules and

practices. Finally, the SIPD project should aim to upscale the new parliamentary regulations and practices to all parliamentary bodies.

Recommendation:

1. Conduct an inclusive situational and stakeholders' assessment driven by a political economy framework that will inform areas for future programmatic support in bridging the MPs ability to address citizens' needs.
2. Future interventions should focus on targeted assistance and "whole cycle" approach that address the needs of MPs, parliamentary committees and CSOs during law-making and oversight activities.

III. METHODOLOGY

While the Terms of Reference for conducting the thematic review (*the ToR can be found in Annex 1*) outlined the expected outputs, list of deliverables and timeframe, the International Expert agreed with the SIPD project team a more detailed methodology that was based on the allocation of adequate resources and full cooperation of all parties involved. The review was carried out in accordance to the United Nations Evaluation Group's Standards, which reads that "*an evaluator will review what evaluation follow-up mechanisms exist that ensure that evaluation recommendations are properly utilized and implemented in a timely fashion, and that evaluation findings are linked to future activities.*" (UNEG Standards for Evaluation in the UN System, pg. 5).⁵

Completion of the thematically driven review of project implementation utilized a participatory approach involving different interlocutors from the Parliament (as arranged by the SIPD project team). This included interviews with MPs, senior management staff of Parliament's apparatus, and other key stakeholders such as representatives of the local civil society organizations and international organizations who were knowledgeable in the work of parliament in general. The thematic review relied heavily on input and content produced by UNDP Kyrgyzstan, Parliament staff and local civil society organizations that engaged with the Parliament that had the knowledge and experience in parliament's work.

Thematically targeted review aimed to assess the achievements of the SIPD project against its objectives and expected results. The analysis also sought to identify factors that facilitated the completion of the project's goals or reversely, the factors that hindered the fulfilment of the objectives. Finally, the review findings reflect which lessons can be learnt from the existing experience to improve project implementation in the next phases.

The thematically driven review was focussed on two key project outcomes: Parliament's relevance in the national accountability framework and its responsiveness to citizens'

⁵ http://www.uneval.org/papersandpubs/documentdetail.jsp?doc_id=22

needs, as well as Parliament's openness to citizens' needs and civil society actors' initiatives. The assessment aimed to support coherence and relevance of project interventions through checking their suitability and effectiveness. The evaluation was rather strategic and exploratory compared to other types of assessments. As such, the thematically driven evaluation was an opportunity for the SIPD project team to investigate whether specific project outcomes will need more or less attention during the next phases of project implementation.

The thematic review sought to contribute to smarter, more sensible and gradual reforms in the Parliament. It emphasised a thematic driven approach to assessing the challenges faced during the project implementation. Firstly, it looked at defining what the challenges that the project team was faced with during the first phase of project implementation were. Secondly, it examined the governance and institutional arrangements that affected project implementation. Finally, it explored the underlying drivers that fuelled the challenges faced by the project team during project implementation. The approach utilised during the thematic review will inform the SIPD project team's strategy and operations in ways that range from adjusting the project approach to the existing space for change to developing proactive strategies for expanding the scope for change. As a result, the assessment was driven by five core questions:

- What were the specific challenges that the project was faced with?
- What were the institutional and political features in place that were relevant to the challenges faced by the project?
- What combination of perceived incentives influences the behaviour that led to challenges faced by the project?
- What was a plausible pathway of change?
- What actions could be proposed that support that pathway of change?

The thematically driven review determined as systematically and objectively as possible the relevance, efficiency, effectiveness, impact and sustainability of the progress in project implementation regarding:

- Whether the chosen project strategy and target groups so far were adequately selected, or should a different strategy be promoted, or should other target groups be selected during the next phase of project implementation;

- Whether project inputs (expertise, training etc.) delivered so far were of excellent quality;
- Which project activities so far were most successfully implemented (information, awareness-raising, training, technical advice etc.);
- How was the institutional strengthening and capacity building of the Parliament achieved so far;
- Impact on Parliament's relevance in the domestic accountability framework and its responsiveness to citizens' needs;
- Changes to Parliament's openness to citizens' needs and civil society actors' initiatives;
- Evidence of the successful or failed partnerships between the Parliament and local civil society organizations that benefited from CAP; and
- Quality of the UNDP Kyrgyzstan's professional and managerial competence utilised to implement the project so far.

Mobilization and Desk Review: The International Expert carried out all preparatory work in close coordination with UNDP Kyrgyzstan staff. The work included preparing the inception report, which outlined the agenda and time schedules of the in-country mission. The International Expert reviewed all relevant documents and literature and other materials necessary for the thematically driven review, which was provided by UNDP Kyrgyzstan. Additionally, the International Expert agreed on the assignment approach, including the presentation to key stakeholders of the preliminary findings during the in-country mission. The data collection will rely on two sources of data:

- Secondary data – this will be all related project documents produced by the project team and UNDP country office, including strategic project documents, reports, knowledge products, relevant research.
- Primary data - feedback from relevant government and parliament actors including but not limited to: government officials, political parties representatives, MPs, officials of the parliament apparatus and members of the parliament committees, representatives of the president's office and members of the presidential apparatus, members of Local-Self Governments, representatives of civil society organizations and Public Councils, members of the Chamber of

Accounts, UNDP and SDC staff and management, donor representatives, and collaborating UN agencies and development and implementing partners.

The desk review was completed in December 2019.

In Country Mission: During January 2020, the International Expert conducted the in-country mission (*the agenda of the in-country mission can be found in Annex 2*), which included a series of in-person meetings with MPs and staff from Parliament, as well as other relevant stakeholders. The 2-week mission served as a platform for identifying preliminary themes and findings of the Thematically Targeted Review Report of the SIPD project. The results of this report reflect the views and opinions exchanged only with those parliamentary and non-parliamentary actors that were interviewed during the in-country mission. Ideally, the thematic review process would have significantly benefited from talking to crucial MPs such as Aida Kasymalieva and the Parliament Apparatus Chief of Staff who had direct knowledge of project achievements and future upscaling opportunities. Nevertheless, the consultation process contributed to building a common understanding among stakeholders regarding key pertinent issues related to the long-term strategic development of the Parliament. It also assisted the International Expert to identify the most critical issues associated with Parliament's functioning and priorities for future institutional change.

By the end of January 2020, the International Expert drafted and distributed the first draft of the Thematically Targeted Review Report for consideration by UNDP Kyrgyzstan, Parliament and other key stakeholders.

Follow-up Consultations: Throughout the first half of February 2020, in follow up to the in-country mission, the International Expert conducted a series of follow-up sessions with key UNDP Kyrgyzstan staff, as appropriate, to gather feedback and input necessary for finalising the Thematically Targeted Review Report.

The final version of the Report: The International Expert in close cooperation and coordination with UNDP Kyrgyzstan staff prepared the final draft of the Thematically Targeted Review Report. The thematic review report included a summary of the internal

and external environment, analysis of the essential findings and recommendations. The final version of the report, which reflects the feedback from UNDP staff and other stakeholders, was finalised by mid-February 2020.

IV. BACKGROUND AND CONTEXT INFORMATION

The Kyrgyz Republic is an outlier of the Central Asia region with its system of governance based on parliamentary democracy, while the region's norm is the strong presidential rule, with a weak national accountability framework. The country's success in preserving parliamentary democracy is mostly owed to the maintenance of critical elements of participatory democracy. These democratic features were enshrined in the new Constitution adopted in 2010, which strengthened the role of Parliament and was based on a competitive political environment with several centres of influence in domestic decision-making. The 2010 constitutional reforms aimed to ensure political pluralism and prevent the re-emergence of an authoritarian, super-presidential system. Nevertheless, despite the constitutional changes, in practice, the role of the presidential administration is still substantial on domestic and international affairs.

According to many interviewed interlocutors, key actors inside the Parliament and outside it, do not share a common understanding on the elements of the parliamentary democracy in the country and the role of the Parliament in it. Such a view was corroborated by an assessment of a local CSO on parliamentary oversight function, who found that MPs had different understanding of their role and input on issues like constitutionalism, human rights and accountability. In practice, the President exerted a strong role and influence over domestic institutions and policy discussions. The government had fewer professional capacities than the President and was subjected to uncertainties due to lack of support from political parties. Such a situation undermined the influence of the government in policy and legislative developments. In Parliament, the distinction between governing and opposition parties was often blurred since almost all MPs supported all the laws reviewed during the plenary session. As a result, almost all MPs and political parties seemed to more follow the guidance from the President on major issues rather than pursue their ideological or policy differences. The perception that Parliament was a tool in service of the President's agenda was widely shared by interviewed interlocutors. Additionally, actors in the Parliament have not fully utilized

the possibilities of implementing oversight activities stemming from their cooperation with the Ombudsperson and the Chamber of Accounts.

According to the new Constitution, most of the crucial decision-making mandates of national importance reside with the Parliament, the Prime Minister and the cabinet of ministers. However, in practice, there are unresolved constitutional ambiguities regarding the division of power among the President, the Prime minister, and the Parliament. These developments, combined with the need to form multiparty coalitions, have resulted in the instability of governments in recent years. As a result, the Prime minister was replaced nearly a dozen times since 2010. Constitutional amendments approved in 2016 included measures that made it more challenging to bring down a sitting government or withdraw from a coalition, effectively solidifying the position of the ruling parties.

Political parties, in general, are primarily vehicles for a handful of strong personalities, rather than mass organizations with explicit ideologies and policy platforms. Although the 2015 elections featured several new parties, almost all were the result of splits or mergers among the factions in the previous parliament, meaning the actual roster of deputies changed very little. A similar trend is expected for the October 2020 parliamentary elections. The electoral threshold applied in the 2015 parliamentary elections (7%) was recently increased to 9%, which will further discourage locally organized groups from participating in national politics. Additionally, in recent years, the ruling parties sought to consolidate power, using the justice system to suppress political opponents and civil society critics. Nevertheless, the 2020 parliamentary elections represent an essential opportunity for the SIPD project that could serve as an entry point to commence new strategic initiatives with the new composition of the Parliament.

The Parliament, MPs and conflict of interest

The Parliament of Kyrgyzstan is a unicameral national legislature and "the highest representative body exercising legislative power and oversight functions within the limits of its competence" (Constitution, Article 70). It consists of 120 deputies elected for a five-year term based on proportional representation (Article 70). The Constitution sets a ceiling of 65 on the number of "mandates" that a single political party may win at an

election (Constitution, Article 70). Parliamentary and non-parliamentary interlocutors interviewed during the in-country mission agreed that the current Parliament is essentially a collection of MPs, representing political parties that in turn have been formed with strong consideration of business and economic interests of ruling elites. It is open knowledge that in the formation of party rosters of candidates, those with the ability to make substantial monetary contributions receive clear preference. Kyrgyz law does not require political parties to disclose their sources of campaign funding, so parties often look where they can to pad their coffers. The OSCE ODIHR's assessment of Kyrgyzstan's 2015 parliamentary elections noted that charging candidates to run for office, while not illegal, "raised questions about undue dependence of parties on private donors and the predominance of business interests in the parliament."

Country's political scene is influenced by the patronage networks that combine political and business interests of political elites. According to many non-parliamentary actors, MPs sit at the top of the patronage networks that work more on protecting their economic and financial interests rather than representing the interests of local communities. Currently, majority of MPs were usually associated with private companies and conglomerates across a range of industries, from construction through transport to mining, while there was a portion of MPs who were responsive to citizens needs and acted as change actors inside the Parliament (plenary session and the parliamentary committees). In previous legislatures, this has also resulted in the visible presence of MPs with links to criminal networks, shadow and illicit economy, as well as believed history of high-level corruption in state positions. In the fifth term of the Parliament (2010-2015), several high-profile anti-corruption cases were opened against standing MPs. All these developments have resulted in Parliament declining public trust, which in turn could be exploited by socially conservative political movements that combine a robust anti-corruption profile with nationalistic and/or religious populist elements.

Local civil society organizations and international organizations that provide assistance to the Parliament noted that there are several MPs who were an exception to this rule. This group of MPs were also the leading promoters of institutional change in the Parliament. The group was composed of up to 20-25 MPs who were professional politicians, party leaders and administrators, state bureaucrats and MPs elected under

gender, minority and youth quota. These MPs are expected to benefit significantly from the SIPD projects' and other assistance, as they play a crucial role in critically evaluating government performance and representing voices and interests missing from the mainstream political debate.

The Parliament is responsible for the formation of the Government under the Constitution. Next to its role in the creation of a government, and in sustaining it in office, its functions include the adoption of laws, the ratification of international treaties; the approval of the budget; the consent of the Government's programme of activity; the approval of motions of confidence and of no confidence in the Government; the election and dismissal of a wide range of office holders, in some cases acting on the nomination of the President; the declaration of states of emergency; and decisions on matters of war and peace (Constitution, Article 74).

MPs are also vested with the right of legislative initiative (Constitution, Article 79). The work of the Parliament is carried out through committees, as well as in plenary sessions (Constitution, Article 76). Parliamentary committees prepare and conduct a preliminary review of issues referred to the competence of the Parliament and oversee the implementation of the laws and resolutions adopted by the Parliament (Constitution, Article 76). Legislation and regulatory acts of the Parliament are passed after a preliminary review of their drafts by the relevant parliamentary committees (Constitution, Article 76). Further, the chairpersons of the Committee on Budget and the Committee on Law-Enforcement are representatives of the opposition (Constitution, Article 76).

The parliamentary structure consists of nine committees, two of which are led by the opposition. Three out of nine parliamentary committees were the primary beneficiary of the SIPD project support. The SIPD project aimed to enhance the targeted parliamentary committees' input in the legislative process and oversight function of Parliament. As a result of the SIPD project support, the targeted parliamentary committees launched parliamentary oversight activities, organize public hearings, summon representatives of the executive branch and introduce new legislation. During this time, the targeted

parliamentary committees became a vital ground for deliberation, contestation and exchange of information beyond the plenary sessions of Parliament.

Parliament's Apparatus, donor coordination and Strategic Development Plan

The Parliament's Apparatus is faced with diminished institutional capacities to support the work of the MPs and parliament committees. Since 2015, the apparatus' budget and human resources were reduced by 30%. The Apparatus also experienced a high turnover of staff, which significantly reduced its ability to develop new support services for MPs and parliamentary committees. Such reduction of budget and human resources limited the ability of the Parliament to provide specialized support to MPs and parliamentary committees. As a result, the Parliament relies heavily on external assistance to expand its portfolio of services to MPs and parliamentary committees.

As mentioned by several respondents during the review consultations, including parliamentary staffers, MPs, CSOs, the Parliament's Apparatus also was affected by nepotism and political influence in hiring and promoting parliamentary staffers. As a result, the Parliament's Apparatus relies heavily on external assistance for implementation of significant reforms and institutional changes outlined in the Parliament's Strategic Development Plan. Nevertheless, the SIPD project should continue engaging qualified parliamentary staffers from parliamentary committee secretariats and other professional units in its support initiatives and use the apparatus as an entry point for facilitating institutional change.

The Scientific and Research Centre of the Parliament played a pivotal role in ensuring the involvement of parliament's Apparatus during the first phase of project implementation. Moreover, the Centre is charged with overseeing the implementation of the Parliament's Strategic Development Plan and preparations of the annual reports on the work of the Parliament and its bodies. Nevertheless, the Unit has limited human resources capacities to provide its core research services to MPs and parliamentary committees. As a result, the number of produced research papers has declined over the years from half a dozen to zero. The Unit signed Memorandums of Understandings with twelve Universities and research think tanks who provide pro bono research assistance to the Parliament.

However, there were no instances of cooperation between the Unit and the CSOs in providing research services to MPs and parliamentary committees.

At present, donor coordination efforts are led by donor organizations and implementing agencies without any input from the Parliament. The coordination meetings occur twice a year with participation of all organizations and agencies. In parallel, bilateral coordination among different parliamentary support projects was the most effective way to avoid overlaps and implement joint activities. Nevertheless, some of the respondents have highlighted that the Parliament did not manage to use its Strategic Development Plan as a platform to coordinate the external assistance in line with Parliament's needs. Due to Parliament's scarce financial resource, the implementation of the Strategic Development Plan depends entirely on the financial support for parliamentary support projects implemented by external agencies. The Parliament should have a say in determining the future needs and coordination of delivery of assistance from parliamentary support projects implemented by external agencies. Such an approach would ensure Parliament's ownership over its own development and harmonization with what type of assistance is financed and implemented by donor organizations and implementing agencies.

Media and civil society

Despite occasional government initiatives to curb their influence, independent media and vibrant civil society retain an active presence in public policy discourse. The SIPD project approach sought to enhance the civil society organizations and citizens groups' engagement with the Parliament. Kyrgyzstan has diverse civil society organizations' scene that includes business associations, media, academic institutions, religious organizations, trade unions and formal/informal local community associations. Some CSOs are capable to directly engage with key state institutions (the President, the Prime Minister, Parliament and other vital institutions) delivering their recommendations, advocating for improvements of policy and practice on behalf of their constituencies and even providing quality capacity building services to state and municipal employees. General public and MPs consider CSOs as neutral, impartial actors, with added strengths of negotiation and better access to information and improved analysis. Nevertheless, due to lack of sustainable financing and internal capacities, the majority of CSOs had limited

long-term organizational sustainability which in turn affected their ability to effectively deliver desired changes in the Parliament. CSOs largely remain dependent on external, foreign sources of funding and have difficulty mobilizing domestic resources.

However, in 2013, there were several efforts to limit civil society space, including the introduction of the draft Law on Money Laundering, which would provide for new reporting requirements for CSOs; the draft Law on Unregistered CSOs, which would prohibit unregistered CSOs; and the draft Law on Treason, which would allow for the designation of any person working with a foreigner as a traitor. Moreover, in 2014, a group of parliamentarians proposed the draft Law on Foreign Agents, which was similar to the Russian “Foreign Agents” law and would have imposed additional requirements on groups that receive foreign funding, including requiring them to register as “foreign agents.” All these legislative initiatives in the past were rejected due to CSOs’ strong advocacy efforts. A similar draft law was tabled again at the end of the December 2019, with civil society organizations fearing that this time around, the law might be adopted by the Parliament.

At the end of January 2020, the Kyrgyz Ombudsman called on MPs to postpone debate on the law on nongovernmental organizations to allow for a broader discussion of the issue between MPs, representatives of NGOs, and the general public. The proposed legislation requires that all nongovernmental organizations in Kyrgyzstan report their activities and the sources of their financial support to government officials. Many CSO representatives criticized the draft law as they considered it as a move to stifle civil society and compared it with similar legislation in Russia known as the “foreign agent” law. Since the SIPD project's focus is on strengthening the interaction between the Parliament and the CSOs, the possible adoption of such legislation can have consequences on the ability of the CSOs to meaningfully engage with the Parliament in the next phase of the project.

Country’s economic outlook

Finally, several interlocutors raised the prospect of the economic crises on the horizon. The country’s economy still heavily relies on remittances (29 percent of GDP) and gold

(37 percent of exports of goods and 9 percent of GDP).⁶ Public debt was high and mostly (79 percent) denominated in foreign currency and the current account deficit remains high.⁷ Moreover, the rising protectionism, a slowdown in Russia and Kazakhstan due to lower oil prices, or in China due to trade tensions, could dampen country's external demand, remittances, FDI, and aid. Also, fiscal pressures could build up, and structural reforms lose momentum in the run up to the 2020 parliamentary election.

The country has not benefited significantly from the membership in the Eurasian Economic Union and the single market with other countries. On the contrary, specific sectors of the agricultural industry, which are owned by some MPs, suffer from imports from other ECU member states. Additionally, the country's currency pegged to the US dollar make the domestic products less competitive than those imported from ECU member states. Any move by the government to devalue the local currency would immediately result in an increase in the cost of loans from the US and China. Currently, the government does not have a sound plan on how to repay these loans, even though it should do so in the next couple of years. Coupled with the on-going budgetary crises, the country seems to be entering a period of economic uncertainty that can motivate political actors to take actions to either strengthen or weaken the role of the Parliament in national decision-making in their bid to protect their economic, financial and political interests.

Recommendations:

1. Identify realistic and targeted entry points driven by MPs, parliamentary committees' and CSOs interests on issues such as environmental protection, social welfare, empowerment of socially vulnerable groups (women, youth, ethnic minorities, disabled persons etc.).
2. Update the SIPD project risk log regularly to reflect principal political, legal, policy, economic and social developments that could affect the implementation of the Project.
3. Conduct regular assessment every year on the MPs, parliamentary committees' and CSOs needs. The identified needs should help inform the scope and extent of support from CAF (CSOs to serve as a bridge between citizens and MPs/Parliament).

⁶ International Monetary Fund (2019), "Kyrgyz Republic – 2019 Article IV Consultation – Staff Report", IMF Country Report No. 19/208.

⁷ Ibid.

4. Receive clear political guidance on sensitive and critical issues which present political implications during project implementation from the UNDP Country Office and Swiss Embassy/SDC regularly following consultations with key decision-makers in the Parliament (Speaker of the Parliament, heads of parliamentary party groups, heads of parliamentary committees and head of the Parliament's Apparatus)), President's administration, the government and non-governmental actors.

5. Tailor some of the CAF grantees support to include provision of the research services to MPs and parliamentary committees linked to revision of specific draft laws or oversight activities. For this purpose, the Scientific and Research Centre of the Parliament should be assisted in creating a database of CSOs based on their field of expertise and a regulation on financial reimbursement of the external research service providers.

V. ANALYSIS OF THE KEY FINDINGS

The following section of the report presents five key themes that emerged during the interviews with MPs, parliamentary staffers, national project consultants, local civil society organizations and representatives of international organizations. This includes issues related to the management of the SIPD project, Civic Action Fund and the work on civic education, the Parliament's law-making and oversight functions as well as the public consultations practices. Each of these issues was analysed separately followed with a list of suggested recommendations for future consideration.

The SIPD project operated in a political environment where opportunities to realize change came and went abruptly. Nevertheless, the project team managed to establish valuable network of contact within the Parliament (MPs and parliamentary staffers), civil society organizations and international partner organization. During the first phase, the project was delivered with direct engagement from two deputy Speakers and involvement from senior officials from Parliament's Apparatus. However, the project faced challenges in ensuring involvement of wider and diverse group of MPs and parliamentary staffers. Most project events and activities were carried out with the involvement of the same group of MPs, which coincidentally were key interlocutors for other parliamentary support projects implemented by other international partner organizations. As such, the project had difficulties in ensuring timely participation of relevant MPs and wider reach of its activities.

The project team operated in a high-pressure environment that was further complicated with high turnover of key project staff. On the one hand, the project team utilized UNDP practices in place that ensured written handover from outgoing to incoming staff. The transition from the first project team to the second project team was done based on the inputs from UNDP Country Office who managed to put in place interim arrangements by soliciting staff from other country offices and projects to fill the personnel's gap. However, in practice proper handover depended on in-person interaction between outgoing and incoming staff and explanations about the context surrounding major project decisions. As a result, when such handover was not carried out properly, the new project

staff had to commence with little prior understanding of project practices and future goals. On the other hand, the upcoming 2020 October parliamentary elections represent a threat if key project interlocutors – the vice Speakers and senior MPs – are not re-elected. In such a situation, the project needs to identify new group of MPs that can act as change agents during project implementation, while at the same time address the general unwillingness of most MPs to cooperate with the project.

The project team offered limited strategic guidance on the implementation of the project based on the policy dialogue with the Parliament, CSOs and the donor. The project teams should create mechanisms in place that ensure that knowledge products produced during the project are widely used and shape the project's work in the future. Moreover, the project team did not sufficiently assert this role, which was hampered by frequent turnover of key project staff and lack of sufficient staff to manage programmatic components of project delivery. The project had also to constantly manage the reputational risk associated with political issues emerging during implementation of project activities. These were primarily linked to interventions by CSOs and consultants on topics that were contested by key political actors in the Parliament. They involved issues related to corruption allegations for senior political figures and proposals to amend the regulations related to electoral process at national and municipal level.

MPs tend not to support reforms and institutional changes if they lead to reduction of their powers inside the Parliament and in relation to the government. Many interviewed interlocutors stressed that the Parliament and MPs tended to focus more on the law-making rather than oversight role. Such a view was corroborated by an interviewed MP, who considered that their main role was adopting and amending legislation. This limited understanding of MPs role undermined their ability to focus on oversight and representative functions in the Parliament. Some of the interviewed MPs raised their concern about the weak link between MPs and citizens as it was difficult for MPs to identify their constituents in elections with one electoral zone. Other MPs noted that parliamentarians tended to still act as representatives of a particular constituency or region rather than the whole country.

The second phase of the project should prioritize the advancing the communication and engagement of the CSOs with MPs and parliamentary committees. The focus of such efforts should be on formalizing, standardizing and ultimately institutionalizing the public consultations process as a vehicle for interaction between CSOs and the Parliament. Project's overall goals should be to contribute towards Parliament's openness, transparency and accessibility to CSOs and citizens' groups in all areas of its work.

V.1 SIPD project issues

The Strong and Inclusive Parliamentary Democracy Project (Phase 1) was based on technical assistance mode of delivery of parliamentary assistance. The project was grounded with Parliament's Development Strategy till 2021, and it was informed by the plan of activities and "flagship" projects. The overall objective of the SIPD project was to ensure that citizens benefit from responsive, inclusive and accountable institutions. To achieve this overall objective, the project's intervention was focussed on two primary outcomes that address citizens' involvement in decision-making processes in the Parliament of Kyrgyzstan. The SIPD project's intervention logic was based on the promotion of domestic accountability mechanisms that goes beyond the institutional needs of either the Parliament or civil society institutions. The project sought to contribute to channelling citizens and societal demands with formal channels of state responsiveness and supporting both top-down and bottom-up reforms to achieve strong constituencies for change.

On the one hand, the project through the enhanced engagement of the civil society organizations in the work of the Parliament contributed to strengthening the role and input of the Parliament in setting national strategic priorities following citizens' needs. This was primarily achieved through input in the law-making process and oversight activities on the implementation of laws and state programmes by the government. Specifically, the SIPD project sought to pilot new initiatives and institutionalise practices related to the involvement of the civil society organizations and citizens groups in the work of targeted parliamentary committees. These interventions contributed to improving Parliament's handling of the public consultation process during the review of draft laws and implementation of the oversight activities. Specifically, the project

supported MPs and parliamentary committees in crucial policy areas such as the annual budget, institutional transparency, women's rights and the law enforcement, its ability to include citizens in the process of identification of such priorities and to effectively oversee the implementation of these strategic priorities by corresponding government agencies⁸. This was achieved through utilisation of adequate public consultation processes that were based on citizens' participation in parliamentary proceedings and decision-making as well as promoting a watchdog role for civil society organizations and media. The gains achieved during the implementation of the first phase of the SIPD project represent the first step toward institutionalisation of the public consultations in the political culture and working methods of the Parliament of Kyrgyzstan.

On the other hand, the project worked primarily with civil society organization to promote active citizenship and effectively influence the work of the Parliament, MPs and parliamentary committees to serve citizen's needs better. The SIPD project utilised engagement with CSO as a way to promote greater accountability of the Parliament and its working bodies through their and citizens' participation in the process of monitoring implementation of laws and state programmes and shaping new draft laws in the parliamentary committees. The primary vehicle to facilitate and promote CSOs and citizens' engagement with the Parliament was the grant supporting mechanism – the Civic Action Fund (CAF). The Fund provided financial assistance to civic initiatives focused on parliamentary and government monitoring, contributing to greater inclusion of citizens' needs in decision- and policy-making and promoting innovative solutions for civic education.

SIPD project team and donor (SDC) had different understanding about the project implementation, lack of coherence and alignment of activities with project goals during initial phase of project implementation. As a result, during the first period of project implementation the donor was heavily involved in project implementation through clearing all project team's Terms of Reference and partaking in all discussions related to project activities. Such an approach resulted in delays in commencement of some of the

⁸ During next phase, it is advisable to focus on: education, social care, healthcare, the environment protection, youth and women employment, rural and regional development and combatting corruption. Other areas could be identified following the completion of a stakeholder analysis based on a political economy framework.

project activities - as was the case with the first round of CAF that had to be cancelled upon suggestion from the donor. The decision to cancel the first round of CAF resulted in reputational damage for the project team vis-à-vis MPs and other stakeholders that were part of the discussions to initiate the CAF. However, with the ensuing changes in the project team, both parties agreed on a different understanding of when the donor's input will be sought during project implementation – focusing more on strategic issues rather than day-to-day management of the project.

Parliamentary and non-parliamentary actors interviewed during the in-country mission acknowledged improvements in three areas. Firstly, the SIPD project promoted inclusiveness, greater voice, representation and agency for a variety of groups in society, including women, youth, ethnic minorities and other marginalized communities. Secondly, the project contributed to anchoring public consultations in the work of the Parliament. Finally, the project activities led to the increased trust of CSOs and involved citizens with the Parliament. These achievements meant that SIPD project supported the Parliament to make better-informed decisions based on civil society organizations' and citizens' input.

Nevertheless, during the initial phase of project implementation, the SIPD project team encountered many challenges that constrained or limited the impact of its project activities. The SIPD project team faced resistance from groups within the Parliament on issues related to its openness and transparency initiatives. This involved MPs who were reluctant to support such efforts and preferring to keep the doors of the Parliament closed for civil society organizations and the general public. Namely, this affected the work on the petition (including e-petition) system.

Another essential challenge faced by the SIPD project team were Parliament's competing priorities that led to delays in project implementation. This was primarily caused by the celebration of national holidays, high-level international events, and critical parliamentary events. Other essential factors that impeded project implementation were political developments and the corresponding publicly-important incidents. This was the case with the continuous confrontation between the country's former and current presidents, while the Parliament became the arena of the on-going political conflict. The

work of the SIPD project team was also affected by the project staff turnover that affected key project staff posts. The SIPD project needs to ensure that frequent project staff turnover does not alter its implementation and that proper hand-over is done between outgoing and incoming staff. Moreover, the SIPD project team needs to be expanded to ensure proper programmatic oversight and guidance of its two main pillars: CAF and civic education.

Despite the challenges mentioned above, the SIPD project team managed to produce proposals for institutional changes related to strategic planning and the role of the Parliament in formulating national strategic priorities and consultative mechanisms for CSOs engagement. The projects' key achievements were its work with parliamentary committees⁹ on oversight issues, review of the state budget and the Open Parliament Initiative. However, the Parliament was slow to start its implementation. This was primarily due to political unwillingness of parliamentary actors to implement such changes. This issue brings to the forefront of the Parliament's ownership over the change process and embrace of critical principles and values related to the parliamentary democracy system of governance. For this purpose, the identification of powerful change agents within the Parliament is a crucial factor that will determine the success or failure of project interventions.

In terms of the SIPD project teams' knowledge management practices, during the next phase of project implementation, it should provide programmatic guidance to CAF grantees and civic education initiatives, including the creation of a mechanism to discuss programmatic progress among CSO grantees. The SIPD project team should ensure that all knowledge products produced so far are shared with CAF grantees and contracted experts. This will help the SIPD project team to ensure coherence in recommendations produced by CAF grantees and contracted experts. The SIPD project teams should consider creating a mechanism to discuss programmatic progress among CAF grantees with input from the donor¹⁰. Moreover, the SIPD project team should facilitate a more

⁹ The project engaged and provided support to the work of the following parliamentary committees: the Committee on Constitutional Affairs, State Structure, Judicial Legal Issues and the Rules of Procedure of the Parliament; the Committee on Budget and Finance and the Committee on Law Enforcement, Combatting Crime and Corruption.

¹⁰ This suggestion is part of the recommendation that SIPD project team should engage the SDC during programmatic discussions with CAR grantees. As the current practice was largely limited to financial

strategic involvement of the donor during critical and strategic moments in project implementation particularly at outcome level rather than at output and activity-level.

Moving forward into the second phase of implementation, the SIPD project should focus most of its work on strengthening Parliament's oversight activities and accountability towards citizens groups' and CSOs. This entails resuming the cross-cutting project's approach in improving citizens understanding of the work of the Parliament and the engagement of the CSOs on all three main functions of the Parliament: law-making; oversight and representation. The SIPD project should expand its portfolio on civic education on parliamentary democracy to diverse citizens groups from different regions of the country¹¹. Project's interventions should be geared towards enhancing the capacities of the CSOs and selected Public Councils to aggregate and represent citizens' needs in the Parliament.

The SIPD project should also contribute to improving the law-making processes in the Parliament through evidence-based law drafting and institutionalised public consultations with CSOs, academics and expert community. Additionally, the SIPD project should facilitate the communication between Parliament's and Government's legal departments, and the cooperation between MPs, Parliamentary Committees and Ministries to ensure a better quality of drafted legislation and state programmes. The project should initiate discussions on the creation of proper channels for public consultations with feedback mechanisms at both the Parliament and the Government levels.

A critical area requiring the attention of the SIPD project during the second phase is the support in increasing transparency and accountability of the Parliament, MPs and parliamentary committees by reducing barriers through technology. Specifically, the project should consider expanding usage of e-tools to increase MPs accountability

monitoring, the creation of a mechanism to discuss programmatic successes and challenges can also allow the SDC to have better insight into the work of the Parliament, SIPD project team and CAR grantees. Such a mechanism could be used as an early warning tool to pre-empt reputational damages from programmatic activities for all parties concerned.

¹¹ Through 1) Local and regional community engagement services; 2) Education curriculum supporting services; 3) School outreach programmes, and 4) Specialized engagement with Women, Youth and Ethnic Minorities.

(constituency tracking software; MPs legislative/oversight activities), as well as Parliament's transparency (through timely publishing of the amendments to draft laws and work done in the parliamentary committees). The SIPD project should contribute to formalising the CSO, academic and expert communities' engagement in the work of the parliamentary committees (database on CSOs and experts for targeted parliamentary committees); and during public consultations process (ideally an integration mechanism that links the consultation process at the government and the parliament levels).

In terms of capacity-building assistance, the SIPD project should first and foremost focus on formalising and institutionalising new parliamentary practices and procedures through the development of the Standard Operating Procedures/Guidelines/Manuals. The work on these documents should precede any capacity-building action with MPs and parliamentary staffers as proof of their buy-in and sustainability of project interventions. Subsequently, the SIPD project should build capacities of the MPs, parliamentary committees and parliamentary staff to maintain implementation of new practices and procedures. Finally, to maximise its impact, the SIPD project should ensure that during the second phase of the project implementation it has regular access and dialogue with key decision-makers in the Parliament – the Speaker and the Chief of Staff of the Parliament's Apparatus.

Recommendations:

1. In a systemic approach, create stronger links and create specific complementary activities with existing governance programmes implemented by UNDP and other international organizations. Specifically, all UNDP projects that provide support to the executive on the development of sector policies and legislation should be complemented by thematic backing for the corresponding parliamentary committee¹².
2. Strengthen Parliament's outreach through innovative tools¹³ to solicit real citizen and civil society organization's input and public participation in parliament's work, in debates

¹² This recommendation is reflection of the discussions with SIPD project team about previous, ad hoc approaches to building synergies among different UNDP projects with the work done in support of the Parliament. It suggests that such a work should be done systematically as an added value of UNDP's contribution to SIPD project implementation

¹³ The consultant suggests utilizing the following innovative tools: Hackathons; Civic challenges; Collaborative residence; Online collaborative work on legislative and oversight initiative; Data visualization of parliamentary activities and reports.

and hearings. This includes creating opportunities for citizens and civil society organizations to provide feedback during all stages of the review of the draft laws through online tools, and their input would have to be validated. Another possibility is to support mobile parliament committees going to their constituencies and discussing issues face to face.

3. Consider supporting the implementation of innovative tools in the Parliament. This includes implementation of assistance to Parliament and local CSOs working on parliament monitoring to jointly develop modalities and/or software to facilitate the sharing of information and its aggregation. Another idea worth considering is developing e-tools to assist MPs to manage their constituency relations both as a fulfilment of MPs representative role and as an accountability measure on behalf of citizens about MPs responsiveness to their needs and demands.

V.2 CAF and civic education

The SIPD project team regularly monitored the work of the CAF grantees, with extensive focus given on financial reporting. The project team designed the financial reporting templates based on the country's Tax Code that grantees submit on quarterly, biannually and annually. Such an approach created increased workload for project staff to provide timely feedback and ensure quality control over financial reporting of CAF grantees. In order to ensure proper monitoring of CAF grantees, the project team needs to hire a dedicate monitoring officer that will work with the CAF grantees' M&E staff to ensure that findings of the monitoring are systematically implemented.

While the monitoring was primarily focused on financial reporting, the project team did not provide sufficient guidance on programmatic matters. In fact, the programmatic reporting centred around activity level reporting rather than on results or impact of grants. Several CAF grantees welcomed the project team's initiative to organize workshops with preselected CSOs to assist them in developing grant proposals and trainings on financial reporting after grants were awarded. However, according to interviewed interlocutors, the CAF grantees did not receive programmatic guidance during implementation of the grants.

CAF grantees expressed the need to hold regular programmatic meetings where they could discuss their major project achievements, address the challenges faced in the work with the Parliament and identify ideas for implementation of joint projects. Additionally, most of the CAF grantees were not aware of the expert reports prepared as part of the SIPD project, which might be relevant to their work. CAF grantees also raised the issue of the volume and frequency of reporting requirements associated with implementation of the grants. These reporting requirements strained the ability of the CSOs to dedicate time on programmatic issues as they had to use limited human to implement the grant and prepare the reports. CAF grantees preferred if the project team enabled the possibility to submit reports through online tools, which would expedite the time needed for their preparation, review and approval.

According to interviewed MPs, the Parliament did not do enough to educate citizens and raise their awareness about its work and functions. In the framework of CAF granting, the SIPD project financed a project implemented by CSO “Youth Development Institute” that focussed on improving the involvement of youth organizations and youth groups in the work of the Parliament. The core element of such support was civic education activities that explained the functioning of the Parliament and ways how youth could engage with it during the review of draft laws and implementation of the oversight activities. The SIPD project team should have monitored closely programmatic impact of the work of the CSO in order to identify best practices that could be replicated and upscaled to ensure greater involvement of other social groups with the Parliament. Additionally, as some of the CAF grantees work with the same target groups (i.e. youth groups), the SIPD project teams should act as facilitator of best practices among these grantees.

The input of the CAF grantees on civic education did not follow a coherent or systematic approach that would ensure greater understanding and involvement of citizens or vulnerable groups (women, youth, ethnic minorities and disabled persons) with the Parliament. A coherent approach to civic education seeks to transmit knowledge, skills, and values to individuals and groups to promote involvement, engagement and participation by them. CAF grantees projects did not sufficiently reached a wide and diverse audience to impart knowledge and understanding about becoming informed citizens. CAF grantees interventions on civic educations should have covered issues

ranging from legal and human rights; national, regional, ethnic and religious differences to key characteristics of parliamentary and other forms of democracy. Also, CAF grantees work on civic education only partially contributed to developing skills of enquiry and communication for specific community groups. The CAR grantees attempted to develop skills of youth groups in engaging with the Parliament.

The SIPD project team should provide the necessary programmatic guidance to CAR grantees in order that their interventions contribute to three broad goals associated with civic education on Parliament. Firstly, civic education projects should introduce citizens and community groups with the basic rules and institutional features of the Parliament and to provide them with knowledge about democratic rights and practices. Secondly, civic education projects should convey a specific set of values thought to be essential to democratic citizenship such as political tolerance, trust in the democratic process, respect for the rule of law, and compromise. Finally, civic education projects should empower citizens and community groups to engage with the Parliament through cluster of activities including voting, working in community campaigns, contacting officials, lodging complaints, attending meetings, and petitioning MPs and parliamentary committees.

The Parliament's portrayal in mass media was characterised by negative reporting that centred around MPs wrongdoings and the general irrelevance of the Parliament to affect the national debate. The pressure from media nevertheless was one of the key motivating factors for MPs to take action and respond to citizens' requests. However, there was a need to enhance further journalists' understanding of the work of the Parliament and its procedures through preparation of a user-friendly guideline for media reporting of the Parliament's work that reflects the work done by the SIPD project in organizing Parliament-journalist seminars in Bishkek, Osh and Issy-kul. Often the media reporting omitted the actions of the Parliament during review of draft laws and misrepresented them as final decisions on adoption of the laws. During second phase of project implementation, SIPD project team should leverage cooperation between CSOs and Media as a way to pressure MPs and the Parliament to act in an accountable and responsive manner towards citizen's needs.

Recommendations:

1. Ensure that expenditures of the CAF grantees are audited thoroughly after implementation of the grants. The current practice of applying spot check as per UNDP rules should be revised to ensure thorough auditing of expenditures. In parallel, the project team should review the impact of grantees beyond formal reporting requirements and use such information to shape its future interventions.
2. Hold regular programmatic meetings with CAF grantees where they could discuss their major project achievements, address the challenges faced in the work with the Parliament and identify ideas for implementation of joint projects.
3. Conduct situational and stakeholders' needs analysis with MPs, parliamentary staffers, CSOs and the donor before each round of CAF grants is announced. The findings of such analysis should inform the focus and scope of CAF grants and it should allow the donor the opportunity to provide input during strategic moments in project implementation.
3. Develop a dedicated capacity building and networking initiative that brings together CSOs and media outlets to properly monitor and report on the work of the Parliament (plenary session, parliamentary committees and MPs) vis-à-vis citizen's needs¹⁴.

V.3 The law-making function

The Law on Normative Legal Acts sets out the following hierarchy of normative legal acts: the Constitution, constitutional laws, codes, and laws (Article 6; the hierarchy also includes decrees, resolutions and other normative legal acts, which do not form part of this Assessment). The Constitution has "the highest legal effect and embodies fundamental principles and norms of legal regulation of major social relations"; it also provides the "legal basis for adopting laws and other normative legal effects" (Article 4 of the Constitution). A "constitutional law" is a normative legal act adopted by the Parliament "as prescribed by, and on issues stipulated in, the Constitution" (Article 4); the organisation and procedures of the Government, for example, are defined by

¹⁴ The consultant in this regard suggests using existing resources within the CSO community (those organizations that have proven track record working with the Parliament) to build capacities of the media outlets on the Parliament's work and agenda items under consideration – sort of information sessions where CSO present the background information and the required follow up from the Parliament. Another way could be to utilize the work of CSOs on MPs voting cards as a mechanism to raise the awareness of the citizens on the work done by MPs through greater reporting from media outlets. Media outlets can build upon these information and report accurately on Parliament's work and MPs initiatives and keep the pressure on them for issues raised by CSOs and citizens. Institutionally, it would be good if there is a coalition of CSOs that work with the Parliament, which engages in systematic manner with media outlets and accredited journalists in the Parliament.

constitutional law (Article 88 of the Constitution). A "code" is a normative legal act adopted by the Parliament "ensuring systemic regulation of social relations of similar nature" (Article 4). A "law", finally, is a normative legal act adopted by the Parliament "regulating vital social relations in a respective field" (Article 4).

The parliamentary stages of the legislative process commonly involve three readings (the Constitution, Article 80), with the preparation for each reading being undertaken by a parliamentary committee (the Constitution, Article 76). Laws amending the Constitution, constitutional laws and laws changing the state borders may be subject to a fourth reading (the Constitution, Article 80; Parliament's Rules of Procedure, Articles 54 and 55). Such laws also require a two-thirds majority of MPs to be adopted, i.e. 80 out of the total of 120 MPs (the Constitution, Article 80). Other laws are approved by a majority of MPs, with at least 50 of the 120 MPs voting in favour (the Constitution, Article 80).

One issue that has mentioned by most interviewed interlocutors concerns the lack of effective coordination of the law-making activities of the Government and the Parliament. The Parliament appears to be responsible for submitting a more significant percentage of legal proposals for adoption than is customary in many parliamentary democracies. This creates at the very least an urgent need to ensure that the same standards of preparation and assessment before enactment apply to laws drafted by MPs as apply to legislation drafted by the Government. The high number of draft laws initiated by MPs outside the Government's legislative programme inevitably impacts negatively on the level of strategic legislative planning. This is because MPs, due to their mandates, are not as involved in legislative planning and reform strategies as the Government. Also, the lack of effective co-ordination means that discussions on draft laws prepared as part of the Government's programme are delayed, while it was reported that (limited) parliamentary time is sometimes taken up with discussions of laws that have little prospect of being passed or which fail to meet minimum standards of quality. During the second phase of the SIPD project, technical assistance should be offered to both the Parliament and the Government on minimum standards of quality for law drafting.

The high frequency with which laws are amended in the Parliament, together with reports on the lack of proper implementation of laws and the high number of draft laws

produced, indicates that legislative projects were not always sufficiently thought through at the outset, and then need to undergo numerous revisions. Further, many interlocutors confirmed that some of the laws were amended in a manner contrary to the concept or principle on which they were based when adopted in the first reading in the Parliament. Some of the civil society organizations noted that there was insufficient emphasis on policy-making as opposed to law drafting in the preparatory phase of law-making. Specifically, the preparation of law appears to typically start with the drafting of a text, with insufficient consideration being given to the policy to which the text was intended to give effect. In addition to the fact that policies in support of proposed legislation were not discussed or developed in detail before preparing legislation, an overwhelming emphasis seems to be put on the law as the principal, if not the only means of achieving policy goals. This approach also affected the parliamentary oversight activities related to the monitoring of the implementation of laws as the government did not possess adequate information on the baseline and intended changes associated with the laws and state programmes.

A meaningful regulatory impact assessment did not precede the preparation of draft laws. In fact, several interlocutors stressed that assessments of the draft laws were usually carried ex-post after the law was drafted. This meant that assessments merely served as a means to justify decisions that have already been taken rather than as an aid to evidence-based policymaking. Such an approach was partly due to the lack of sufficient human resources to conduct a regulatory impact assessment appropriately. Moreover, explanatory notes attached to draft laws were quite basic and often did not provide proper information on the reasons for preparing the draft law, or on cost and other impact, assessments undertaken. This practice hampered the ability of the MPs, parliamentary committees, civil society organizations and citizens groups to properly scrutinise the content of the draft laws and later on oversee their implementation.

Another major issue raised by parliamentary and non-parliamentary interlocutors was the ineffective coordination between the Parliament and the government during all stages of legislative drafting. As a result, on the one hand, the government initiated draft laws faced delays during parliamentary review by parliamentary bodies. On the other hand, the agenda of the plenary session and the parliamentary committees was taken up

with the discussion of draft laws that had little prospect of being passed or which failed to meet minimum standards of quality. Some parliamentary and non-parliamentary interlocutors also noted that there was a practice that draft laws prepared by a ministry or state agency were at the time submitted by MPs to by-pass the government's approval process. Moreover, at the time of writing of this report, MPs appear to be responsible for submitting a more significant percentage of draft laws for adoption than was customary in many parliamentary democracies. Subsequently, the agenda of the plenary session each year was overwhelmingly focussed on reviewing and adopting draft laws, rather than overseeing their implementation and execution of other parliamentary oversight activities.

During first phase of project implementation, the Budget Committee received substantial support from the SIPD project in reviewing the draft laws related to the state budget, and social and health insurance funds. The national consultants provided targeted support through analytical papers to members of the parliamentary committee on utilisation of capital investments, public procurement and inter-budgetary relations. Additionally, the experts assisted the parliamentary committee to conduct public consultations related to draft laws on the annual budgets. The parliamentary committee prepared its amendments to the draft laws and recommendations to the government based on the analytical assessment from SIPD's national consultants. Many interviewed interlocutors considered this to be a suitable model of assistance as it addressed the needs of MPs and parliamentary staffers to perform their core duties in a situation when there was a lack of similar in-house expertise. During the second phase of project implementation, the project team should assist the Parliament's Apparatus to create a new in-house institutional mechanism that provides expert assessment of the draft laws related to state budget, social and health insurance fund. Such an assistance would ensure the sustainability of the current support provided to the parliamentary committees and enable the Parliament Apparatus to expand its professional services that aid MPs and parliamentary committees in implementing their core tasks – reviewing draft laws and overseeing their implementation.

Recommendations:

1. Streamline the law-making process through its simplification from three readings to two readings only. This can be achieved as part of the on-going efforts to amend the Parliament's Rules of Procedure or before/after the start of the new convocation of the Parliament after the 2020 elections.
2. Consider providing input in improving engagement between the Parliament and the Government as a prerequisite for better law-making practices and effective parliamentary oversight. The relation between the Parliament and the Government on the law-making activities should be based on the need to balance the Government's demand to legislate in order to implement its programmes with the rights of MPs to bring forward their proposals.
3. Articulate and apply standards coherently during preparation, assessment and enactment of legislation. The same standards should apply to all laws, regardless of whether the MPs and the Government prepare them. Moreover, the project should assist the Parliament to develop mechanisms to ensure compliance with those standards as an integral part of the law-making process.
4. Develop a comprehensive legislative planning process based on the annual legislative plan that is coordinated with the Government. The Parliament should also consider allowing more time for the preparation of individual draft laws to ensure their quality and a proper public consultation process.
5. Consider supporting the Parliament and the Government to develop a unified manual on legislative drafting, or a handbook on the preparation of laws, which would set out the basic rules of law-making, and would offer or include practical examples and illustrations.
6. Support the creation of the Budget Analysis Unit in the Parliament's Apparatus to assist the Budget Committee and other Committees during the review of the draft laws related to the state budget, social fund and health insurance fund. The remit of such Unit can replicate the tasks performed by the SIPD project national consultants who supported the Budget Committee during first phase of project implementation.

V.4 The oversight function

During the first phase of implementation, the Strong and Inclusive Parliamentary Democracy project sought to enhance the Parliament of Kyrgyzstan's accountability by improving its engagement with civil society organizations and citizens' groups. As such, the project contributed to raising the awareness of the MPs, parliamentary staffers and

civil society organizations on the importance of building an accountable governance system that meets the principles of democracy and citizens' needs. This is in line with the country's efforts to maintain and strengthen parliamentary democracy system of governance instituted through the 2010 Constitutional amendments. Despite many achievements and setbacks, the country has yet to fully utilise the opportunities provided by the parliamentary democracy as a way to enhance national accountability framework that is responsive to citizens' needs.

The interviewed interlocutors stressed that MP had a restricted understanding of the parliamentary oversight tools. There was a general understanding among MPs that parliamentary oversight activities were designed to assist them to control or punish governmental officials rather hold them to account. The local civil society organization Nas Vek's assessment concluded that there was a need to streamline the parliamentary oversight tools in order to avoid the overlap. Currently MPs have at their disposal eleven oversight tools, which should be institutionalized and build common interpretation of their goal. In the framework of the SIPD project, Nas Vek assisted the Parliament in institutionalizing parliamentary practices through preparation of manuals for two out of the eleven parliamentary oversight tools.

At the time of writing of the report, a group of MPs initiated the procedure for amending the Parliament's Rules of Procedure. The focus of changes to the Rules of Procedure were improving parliamentary oversight tools. The majority of changes tackle improvements to existing parliamentary oversight tools such as the monitoring of implementation of law and increasing the time and frequency for "Parliamentary Hour" and "Government Hour". The project team in parallel contracted a national consultant to prepare a revised version of the law on parliamentary oversight. Both these initiatives should ideally be coordinated by the project team to ensure that changes to the Rules of Procedure and the law complement and not contradict each other.

Strengthening the national accountability framework should result from facilitating the engagement between principals and agents at two levels. On the one hand, citizens and civil society organizations act as principals that aggregate individual and collective needs and concerns, while MPs act as their agents in the plenary session and parliamentary

committee meetings. On the other hand, MPs act as principals in executing their law-making and oversight role, while the government act as agents that are accountable to the parliament. Therefore, improving national accountability framework requires ensuring proper communication and engagement between these two levels of accountability based on the primary input from civil society organizations and citizens.

Parliament of Kyrgyzstan's operation in an inclusive and accountable manner is a prerequisite for democratic governance. Through accountability, the parliament becomes an institution that is responsive to citizens demands and an instrument to contain abuse of power. Accountability contributes to democratic governance through the application of adequate checks and balances among state institutions based on clearly defined rules and responsibilities. Consequently, accountability is closely related to the parliament's oversight function. According to Interparliamentary Union, parliamentary oversight is defined as “review, monitoring and oversight of government and public institutions, including implementation of policies and laws”.¹⁵

For the realisation of the oversight role, the Parliament of Kyrgyzstan utilizes tools, some of which are determined in the country's Constitution, while others are detailed in its Rules of Procedure and particular legislation. Specifically, the Parliament of Kyrgyzstan can ask the Government to provide information through written and oral parliamentary questions. It also can ask for further clarifications from the Government for public policies through interpellations. Parliament of Kyrgyzstan can secure information from sources outside the Government through public hearings, creation of parliamentary investigative committees and field visits. Besides, the Parliament of Kyrgyzstan can express its stance vis-a-vis the Government and citizens through confidence motion for Prime Minister, laws, resolutions, statements etc. Finally, the Parliament of Kyrgyzstan can discharge heads of public institutions that have been appointed by it if it considers that they are not implementing their duties and mandate accordingly. These measures signify the importance of the national accountability framework on ensuring the rule of law and implementation of state programmes and laws, which in turn reflect the citizen's demands channelled through the Parliament, MPs and parliamentary committees.

¹⁵ Yamamoto H. (2007), “Parliamentary Oversight Tools”, Interparliamentary Union, Geneva, last accessed on 30 January 2020: <http://www.ipu.org/PDF/publications/oversight08-e.pdf>

All interlocutors highlighted the problem of insufficient implementation of laws adopted by the Parliament. This was primarily due to shortcomings in the process of drafting the legislation. Other factors include the lack of capacities and professional expertise from the Parliament and the parliamentary committees to monitor implementation of laws and state programmes. Some of the civil society organizations considered that MPs at times misused the broad scope of the oversight tools to conduct "ministerial harassment" and to pursue their economic and patronage interests. At the time of writing this report, the SIPD project has contracted the preparation of a new draft law on parliamentary oversight that aims to streamline the parliamentary oversight mechanism. However, there is a need to ensure that other knowledge products prepared by the other consultants and the best practices from CAF grantees are reflected during this drafting process.

Recommendations:

1. Codify and streamline of all available parliamentary oversight tools for the MPs, parliamentary committees and the plenary session. This can be achieved as part of the on-going efforts to amend the Parliament's Rules of Procedure or before the start of the new convocation of the Parliament after the 2020 elections.
2. Consider whether there is an added value in providing support for the Parliament's Working Group on SDGs during the second phase of project implementation. Future engagement with the Working Group on SDGs should be based on the adequate technical expertise that strengthens its input on parliamentary oversight over the implementation of SDGs by the government.
3. Ensure coordination and programmatic guidance among initiatives to amend the Rules of Procedures on parliamentary oversight tools and drafting the new law on parliamentary oversight.

V.5 Public consultations process

A proper consultation process promotes both transparency and accountability in the law-making process and serves to improve awareness and understanding of the policies pursued among relevant stakeholders and the public. It further encourages public ownership of these policies, thereby increasing public commitment to them. Public

consultation on draft laws is practised in the Parliament but not systematically or in a manner always calculated to engender confidence among stakeholders and the public. Moreover, there is little to no consultation with stakeholders and the public at the pre-legislative stage. The lack of feedback on the outcome of discussions, in particular, is a source of frustration for stakeholders and the public and a disincentive to participation in the process. There is a need for clear rules on the publication and dissemination of draft laws for public consultation.

At present, there appears to be no institutionalised feedback mechanism for stakeholders involved in the policymaking and law drafting process, both in the Parliament and the Government. One reason for this may be the insufficient documentation of consultation meetings. It would, therefore, be advisable to keep a public record of whether proposed amendments were taken into consideration or not, and the reasons for accepting some revisions, and rejecting others. The lack of adequate time provided by law to individual stages of the legislative process is a critical issue for consultations. Many stakeholders are often unable to form a proper opinion on a draft law due to a lack of transparency and timeliness of agenda-setting and information practices, particularly within the Parliament and the Government.

Local civil society organizations praised the work of the Central Bank as a good example of how public consultations on draft laws could be done by state institutions. The Central Bank puts all the draft laws on their website and organizes timely public consultations with CSOs and commercial banks on the content of the proposed laws. Another successful example of structured engagement between the state institutions and specific interest groups was the Business Council that was established with the support from the UK-funded project implemented by Palladium. The Council was established under the auspices of the Speaker of the Parliament and its membership included MPs, government officials and representatives of the business community. The Council's success was attributed to its clear mandate and direct link to Parliament's main functions.

Most of the draft laws are published on the Parliament's website for public consultation. The Parliament's practice on the public consultations is said to compare favourably with that of the Government. Even so, feedback is reported to be limited. According to OSCE,

the work is being undertaken on an “E-law” that will enable electronic document management between state bodies (the Jogorku Kenesh of the Kyrgyz Republic, the Government, etc.)¹⁶, which would allow online feedback, but it was said that this would only work if the majority of MPs would use more IT tools in their daily work. Sometimes the parliamentary committees hold hearings on draft laws, as stipulated by the Article 29 of the Parliament's Rules of Procedure that provides that parliamentary committees may invite representatives of civil society for the discussion of draft laws.

It should be noted that requests from the parliamentary committees for written and oral evidence provide a potentially valuable tool to check the extent and quality of consultation undertaken by the Government and by MPs in the preparation of draft laws. Parliamentary committees should, therefore, be encouraged to make provision for such discussion as part of their consideration of draft laws. A stakeholder whose voice is not heard by the ministry or by the MPs preparing a draft law can thereby make his or her views known to the relevant parliamentary committee.

The timely publication of both general and detailed information about new draft laws is also likely to foster more significant opportunities for consultation by the public, lobbying groups, political organisations and parties, as well as civil society generally. A proper consultation process promotes both transparency and accountability of the law-making process, improve awareness and understanding of the policies pursued and encourages public ownership of these policies, thereby increasing public commitment to them.

While the Public Council under State Authorities were created in 2010 as the primary institutional structure for public participation in the decision-making process, they were fully formalized by the Law on Public Councils in May 2014. However, in practice, the majority of Public Council are defunct, and only a handful are operations and provide meaningful input. Most of the interlocutors expressed their reservation about the role and contribution of the Public Councils, as they were merely perceived as an institution that serves to protect the interests of the state agencies.

¹⁶ Parliament of Kyrgyzstan (2018), “The Development Program of the Kyrgyz Republic for the period 2018-2022”, Approved by the Decree Jogorku Kenesh of the Kyrgyz Republic of April 20, 2018 No. 2377-VI.

Most of the interviewed interlocutors expressed concern that the Public Councils were an artificial construct that did not serve the purpose for which they were established. Currently, the Councils were lacking strategic and sectorial input into national policy and legislative dialogue. Rather, the Councils presented public institutions with wish lists, which in majority of cases did not reflect genuine and realistic need from citizens and community groups. Moreover, some of the interviewed interlocutors found the membership of the Council to reflect only former governmental officials and civil servants and less CSO and citizens groups.

The criticism towards Public Councils stems from their inability to facilitate aggregation of citizens interests and represent them to state agencies. On the contrary, they were perceived as a mechanism that always sides with the state agencies. Another essential criticism was about Public Councils' membership. As it stands, most members were either former civil servants and active politicians, and very few experts, academics and CSO representatives. A significant impediment in the proper functioning of the Public Councils' was the lack of secure and sustained funding to cover their running costs. Good examples of Public Councils work included their input during the process of preparation of the annual state budget law. The SIPD project team should reconsider the engagement with the Public Councils to fit in with the overall project approach focussing on targeted assistance to MPs and parliamentary committees.

Recommendations:

1. Assist the Parliament, MPs and parliamentary committees to establish and maintain contact with the citizens, civil society organizations and stakeholders involved in the public consultation process through Parliament's website and a dedicated e-consultation module¹⁷. The consultation process should be inclusive, transparent and accessible to all interested parties (CSOs, citizens and other stakeholders).
2. Ensure complete and timely transparency of the Parliament, as well as accessibility for CSOs and citizens during all stages of the law-making process by all parliamentary bodies.

¹⁷ Amended in line with the general recommendation to use e-Parliament/ICT tools to facilitate the public consultations process. Ideally such a process should be coordinated with the public consultations conducted by the government.

The SIPD project should assist the Parliament to set a minimum period for public consultation on draft laws that are initiated by the MPs.

3. Increase the involvement of citizens, civil society organizations and stakeholders in the law-making process. For this purpose, use communication channels through which the executive branch and the legislature can communicate with citizens, civil society organizations and stakeholders, based on electronic tools or websites, which will have a positive impact on streamlining the process of public consultation (for example, electronic portal).

4. Create adequate mechanisms to collect written and oral evidence at parliamentary committee level on each draft law under review to improve their pool of information and to check the extent and quality of consultations undertaken by the government and by the MPs in their preparation.

5. Reconsider engagement with Public Councils during the second phase of implementation. Future work should only consider targeted input by active Public Councils on topics that are relevant to overall project approach and the needs of the MPs, parliamentary committees and citizen groups. Examples of such targeted engagement with Public Councils include a focus on the budgetary process and strengthening their capacity to serve as the intermediary between government institutions and citizens through piloting citizen assemblies.¹⁸

6. Support the development of a platform for Parliament-CSO cooperation. Senior MPs should head such a platform, possibly the Speaker or deputy Speakers coupled with cross-party representation¹⁹.

¹⁸ Citizen assembly is a form of democratic innovation. It is a body formed from the citizens of a state to deliberate on an issue or issues of national importance. The membership of a citizens' assembly is randomly selected. The purpose is to employ a cross-section of the public to study the options available to the state on certain questions and to propose answers to these questions through rational and reasoned discussion and the use of various methods of inquiry such as directly questioning experts. Citizen assembly's proposals will need to be accepted by the general public through a referendum before becoming law.

¹⁹ The Parliament-CSO cooperation platform should be a formal mechanism, possible operating under the Open Parliament Initiative (Action Plan). The goal of such platform is to annually review the level of cooperation between Parliament and CSOs in all areas of parliamentary business. The experience of the existing Business Council can be used to model such a platform as a tool to effectively resolve all challenges or hindrances that limit CSOs input into the work of the Parliament (starting from accessibility, timely availability of information about the work of the Parliament and its working bodies, to specific legislative and oversight activities).

7. Create a thematic database of partner CSOs, academics and experts that corresponds with the mandate of each parliamentary committee with the possibility of being updated continuously.

8. Ensure that CSOs, academics and experts automatically receive information on the plenary session/parliamentary committee meetings and measures are put in place to simplify procedures to facilitate their access to Parliament's premises.

V.6 Parliament's public outreach

The Parliament's Press Service has elaborated media services that facilitate media coverage for the work of MPs, parliamentary committees and the plenary session. The SIPD project assisted the Parliament's Press Service to develop Parliament's Communication Strategy. The Press Services uses traditional (Parliamentary TV Chanel and Parliamentary Radio) and modern (social media platforms) means to share information on the work of the Parliament. However, the Press Services uses a general rather a targeted approach to disseminate its information. The Press Service does not have a dedicated either a Social Media Unit or trained staff to use the full capacity of social media platforms to inform and engage with citizens. This is also in part due to lack of information on what are the informational needs of different societal groups on the work of the Parliament and its working bodies. The Press Service does not have resources to conduct regular surveys on citizens perceptions about the work of the Parliament and the informational sources they use to get updated about its work. The Press Service ought to outsource execution of a public opinion survey that will unpack the sources of information used by citizens to get information about the work of the Parliament. Findings of the survey should inform the capacity building activities for Press Service staff and MPs staff on use of social media to reach out and communicate with citizens.

Recommendations:

1. Support the Press Service and MPs to develop tailored communication strategy with citizens based on social media platforms.
2. Assist the Parliament Press Service to develop tools to understand better its social media audience and prepare tailored products to meet the demands of diverse societal groups.

V.7 Civil society organizations' capacities

Several of the interviewed interlocutors had reservations about the ability of the local CSOs to deliver change. Such reservation stemmed from the view that some of the CSOs acted more as business consultancies rather than grassroots or community organizations that help translate citizens' requests into concrete legislative, policy and oversight actions in the Parliament. Additionally, couple of interviewed interlocutors expected that CSO would play a more constructive role rather than just criticizing the public institutions while not offering suggestion for institutional improvement. In this context, the CSOs besides acting as a platform for aggregating citizen's needs, they should also be able to build alliances within and outside institutions to advocate for change.

According to interviewed interlocutors, majority of CSOs did not have enough capacities to communicate properly their proposals for institutional reforms in the Parliament. Some of the CSOs also lacked professional capacities to prepare content input in proper format to be used by the Parliament, parliamentary committees and MPs during their work in reviewing draft laws or executing oversight activities. Such a capacity gap on the one hand limits the ability of new CSOs to engage meaningfully with the Parliament, and on the other side the lack of input from CSOs limits the Parliament's outreach to citizen's groups. Future phase of the project should address the capacity gap of the CSOs in a systematic manner that allows interested CSOs and the Parliament to benefit from it.

Recommendations:

1. The SIPD project should consider the possibility to dedicate one of the CAF grants for the creation of a "CSOs resource hub" that would facilitate peer-to-peer assistance from experience CSOs with the ones lacking capacities to prepare adequate input during the work of the Parliament.
2. The SIPD project should facilitate the dialogue between the Parliament and CSOs to ensure that there was proper feedback mechanism in place for each proposal submitted by the CSOs to parliamentary committees.

V.8 The civil society organizations'-Parliament relations

Some of the CSOs considered that the government and the Parliament distrusted the CSOs and their ability to provide meaningful input in their work, especially if it related to

political, human rights and anti-corruption matters. Some of the CSOs complained that if they criticised the work of the Parliament there was a tendency to isolate and block their access to Parliament. As a result, there were no institutionalised practices of cooperation between state institutions and CSOs on policy and legislative issues. Interviewed MPs expressed their willingness to cooperate with CSOs that provided expert input during review of draft laws and constructive feedback on their work.

CSOs largely depended on personal relations with MPs as a way to ensure access and influence over the work of the parliamentary committees. These MPs usually approach the CSOs to solicit their input when preparing their comments to draft laws under review by the Parliament. According to one of the interviewed MPs most good ideas and reform initiatives came from civil society organizations. However, in order to avoid the unstructured nature of cooperation, the Parliament should consider developing a formalised mechanism to manage its relations with the CSOs. Specifically, there was a need to formalise the process of consultations between MPs and parliamentary committees with the CSOs in order to channel their input during review of the draft laws. Also, the Parliament's website should include a dedicated section for CSOs where they can register and record their fields of expertise that can be used by the MPs and parliamentary committees during their work on law-making and oversight activities.

As part of the civic education efforts, the Parliament should consider the possibility of preparing citizen friendly versions of major legislation which would help ordinary citizens better understand their rights and obligations. Specifically, the Parliament could work with CSOs to develop citizens' friendly version of laws on the state budget every year and use it as a platform for identifying and aggregating citizens' input for next years' state budget.

Recommendations:

1. Build the capacities of the CSOs through peer-to-peer assistance and coaching to provide content input to MPs and parliamentary committees during the review of draft laws and implementation of the oversight activities;

2. Together with the parliamentary staffers, develop standardised templates for provision of input and testimony by CSOs and citizens to parliamentary committees during review of draft laws and implementation of the oversight activities;
3. Expand the capacities of the Parliament’s website to manage the public consultations process linked with the work of the parliament committees. The public consultation module of the website should include also the feature that enables the parliamentary committees to provide feedback to CSOs and citizens that have provided input and testimony;
4. Facilitate the dialogue between CSOs and parliamentary staffers in the framework of the process of preparing parliamentary committees annual workplans in order to strengthen the public consultations practices and citizens involvement in the work of the Parliament²⁰;
5. Support efforts from the CSOs to create a coalition of non-governmental organizations working in the Parliament that would channel the CSOs’ engagement and cooperation with the Parliament²¹;
6. Support CSO initiatives to monitor the work of Parliament’s plenary session and parliamentary committees as a mean to ensure transparency and accountability of MPs actions. The monitoring reports could be used to inform CSOs and citizens about the performance of individual MPs and to serve as an early warning system for deliberations in the Parliament that might infringe the rights or interests of citizens.
7. Conduct the feasibility study on the possibility to create a “parliamentary committee fund” that would enable each parliamentary committee to cover the costs of engaging external expertise and interaction with CSOs and citizen groups. The parliamentary committee fund should be managed as part of the Parliament’s annual budgetary allocations and should provide a fixed amount that corresponds with the needs of the parliamentary committees.

²⁰ Parliamentary committees seem to develop some sort of workplan with sole input from MPs and parliamentary staffers. The goal of this recommendation is to use the process of preparing the annual workplan of the parliamentary committees as an entry point for CSOs to provide their input to relevant MPs and parliamentary staffers.

²¹ Several CSOs mentioned the need to create some sort of a “Coalition of CSOs that work with the Parliament”. The consultant suggests that SIPD project team follow up on these ideas and provide assistance in the form of bringing the interested CSOs together, sharing the experiences of other countries and providing programmatic guidance that would assist their establishment. Once the coalition is established, the SIPD project team could consider supporting them develop a workplan, expand their membership and enhance their communication and engagement with the Parliament.

V.9 Open Parliament Action Plan

Assistance from the SIPD project was instrumental in adopting the Open Parliament Action Plan. The Action Plan contained eight commitments that covered a wide range of topics from institutionalising the citizens' participation in the work of the Parliament to involving CSOs and local government elected councils during revision of draft laws and oversight activities, and improving the monitoring and evaluation of the government's Open Government Action Plan. The preparation of the Action Plan was guided by one MP with expert support provided by SIPD project. After adoption of the Action Plan, the Parliament established a separate working group to monitor its implementation. The working group includes only MPs and parliamentary staffers. The non-inclusion of CSO representatives in the working group on monitoring the implementation of the Action is contrary to practices in other parliaments. Therefore, it is crucial that the Parliament includes CSO representatives in the working group, which could serve as the embryo for an institutionalised platform of communication between the Parliament and civil society organizations.

During the initial stages of the preparation of the Action Plan, a working group was established that included only MPs and CSO representatives, but no parliamentary staffers were part of the group. Only when the working group involved parliamentary staffers from the secretariat of the parliamentary committee on constitutional and legal affairs did it manage to achieve breakthrough. The parliamentary staffers were instrumental as they ensured that the content of the Action Plan reflected the standards used for other parliamentary documents. Additionally, the parliamentary staffers provided valuable insight into internal power dynamics that are crucial for adopting such reforms. This is an important lesson that should be considered – involvement of the right stakeholders in the Parliament can ensure the smooth implementation of new initiatives.

Recommendations:

1. Align the Parliament's Strategic Development Plan with the commitment included in the Open Parliament Action Plan to ensure their systematic implementation.
2. Involve CSO representatives in the working group on monitoring the implementation of the Open Parliament Action Plan.

3. Support the working group on monitoring the implementation of the Open Parliament Action to prepare regular reports on its implementation.
4. Institutionalise the practice of consultation with CSO representatives during preparation of the Parliament's strategic and reform documents.
5. Involve the adequate parliamentary staffers during preparation and implementation of Parliament's reform initiatives.
6. Inform MPs and parliamentary staffers about their obligations deriving from the Open Parliament Action Plan. Develop tailored capacity building assistance to ensure implementation of commitments related to involvement of CSOs and citizens during the work of the Parliament.

V.10 MPs support service

In principle, MPs receive support from multiple sources in carrying out their duties. On daily basis, MPs depend on the assistance they receive from their personal assistants, who manage their agenda and correspondence. Most of the interviewed MPs noted that they rarely used the services of the parliamentary party group secretariat – who tended to serve only the head of the group and not its members. However, many interviewed interlocutors noted that personal assistants to MPs and parliamentary party group secretariat staff were not always qualified, which meant that MPs had to reach out to others for professional support. In such instances, MPs relied on the professional support from the Parliament's Apparatus. Specifically, the MPs received legal advice from parliamentary staffers of the parliamentary committees' secretariats who guided their work on legislative and oversight issues. Some of the interviewed MPs explained that they cooperated with outside actors to receive professional support – such as CSOs, government officials or academics. Nevertheless, the involvement of these external actors was done on individual basis as the Parliament does not have a consolidated list of external actors that MPs and parliamentary committees could utilise during their work.

Recommendation:

1. Tailor the focus of the new rounds of CAF grants to meet the needs of the MPs and parliamentary committees for external assistance on reviewing draft laws, implementing oversight activities and conducting public outreach activities and engagement with citizens' groups.

VI. RECOMMENDATIONS

General:

1. Identify realistic and targeted entry points driven by MPs, parliamentary committees' and CSOs interests on issues such as environmental protection, social welfare, empowerment of socially vulnerable groups (women, youth, ethnic minorities, disabled persons etc.).
2. Update the SIPD project risk log regularly to reflect principal political, legal, policy, economic and social developments that could affect the implementation of the Project.
3. Conduct regular assessment every year on the MPs, parliamentary committees' and CSOs needs. The identified needs should help inform the scope and extent of support from CAF (CSOs to serve as a bridge between citizens and MPs/Parliament).
4. Receive clear political guidance during project implementation from the UNDP country office and Swiss Embassy/SDC regularly following consultations with key decision-makers in the Parliament (from different parties), President's administration, the government and non-governmental actors.
5. Tailor some of the CAF grantees support to include provision of the research services to MPs and parliamentary committees linked to revision of specific draft laws or oversight activities. For this purpose, the Parliament's Scientific Research Unit should be assisted in creating a database of CSOs based on their field of expertise and a regulation on financial reimbursement of the external research service providers.

SIPD project issues:

6. In a systemic approach, create stronger links and create specific complementary activities with existing governance programmes implemented by UNDP and other international organizations. Specifically, all UNDP projects that provide support to the executive on the development of sector policies and legislation should be complemented by thematic backing for the corresponding parliamentary committee.
7. Strengthen Parliament's outreach through innovative tools to solicit real citizen and civil society organization's input and public participation in parliament's work, in debates and hearings. This includes creating opportunities for citizens and civil society

organizations to provide feedback during all stages of the review of the draft laws through online tools, and their input would have to be validated. Another possibility is to support mobile parliament committees going to their constituencies and discussing issues face to face

8. Consider supporting the implementation of innovative tools in the Parliament. This includes implementation of assistance to Parliament and local CSOs working on parliament monitoring to jointly develop modalities and/or software to facilitate the sharing of information and its aggregation. Another idea worth considering is developing e-tools to assist MPs to manage their constituency relations both as a fulfilment of MPs representative role and as an accountability measure on behalf of citizens about MPs responsiveness to their needs and demands.

CAF and civic education:

9. Ensure that expenditures of the CAF grantees are audited thoroughly after implementation of the grants. The current practice of applying spot check as per UNDP rules should be revised to ensure thorough auditing of expenditures. In parallel, the project team should review the impact of grantees beyond formal reporting requirements and use such information to shape its future interventions.

10. Hold regular programmatic meetings with CAF grantees where they could discuss their major project achievements, address the challenges faced in the work with the Parliament and identify ideas for implementation of joint projects.

11. Conduct situational and stakeholders' needs analysis with MPs, parliamentary staffers, CSOs and the donor before each round of CAF grants is announced. The findings of such analysis should inform the focus and scope of CAF grants and it should allow the donor the opportunity to provide input during strategic moments in project implementation.

12. Develop a dedicated capacity building and networking initiative that brings together CSOs and media outlets to properly monitor and report on the work of the Parliament (plenary session, parliamentary committees and MPs) vis-à-vis citizen's needs.

The law-making function:

13. Streamline the law-making process through its simplification from three readings to two readings only. This can be achieved as part of the on-going efforts to amend the

Parliament's Rules of Procedure or before the start of the new convocation of the Parliament after the 2020 elections.

14. Consider providing input in improving engagement between the Parliament and the Government as a prerequisite for better law-making practices and effective parliamentary oversight. The relation between the Parliament and the Government on the law-making activities should be based on the need to balance the Government's demand to legislate in order to implement its programmes with the rights of MPs to bring forward their proposals.

15. Articulate and apply standards coherently during preparation, assessment and enactment of legislation. The same standards should apply to all laws, regardless of whether the MPs and the Government prepare them. Moreover, the Parliament should create mechanisms to ensure compliance with those standards as an integral part of the law-making process.

16. Develop a comprehensive legislative planning process based on the annual legislative plan that is coordinated with the Government. The Parliament should also consider allowing more time for the preparation of individual draft laws to ensure their quality and a proper public consultation process.

17. Consider supporting the Parliament and the Government to develop a unified manual on legislative drafting, or a handbook on the preparation of laws, which would set out the basic rules of law-making, and would offer or include practical examples and illustrations.

18. Support the creation of the Budget Analysis Unit in the Parliament's Apparatus to assist the Budget Committee and other Committees during the review of the draft laws related to the state budget, social fund and health insurance fund. The remit of such Unit can replicate the tasks performed by the SIPD project national consultants who supported the Budget Committee during first phase of project implementation.

The oversight function:

19. Codify and streamline all available parliamentary oversight tools for the MPs, parliamentary committees and the plenary session. This can be achieved as part of the on-going efforts to amend the Parliament's Rules of Procedure or before the start of the new convocation of the Parliament after the 2020 elections.

20. Consider whether there is an added value in providing support for the Parliament's Working Group on SDGs during the second phase of project implementation. Future

engagement with the Working Group on SDGs should be based on the adequate technical expertise that strengthens its input on parliamentary oversight over the implementation of SDGs by the government.

21. Ensure coordination and programmatic guidance among initiatives to amend the Rules of Procedures on parliamentary oversight tools and drafting the new law on parliamentary oversight.

Public consultations process:

22. Assist the Parliament, MPs and parliamentary committees to establish and maintain contact with the citizens, civil society organizations and stakeholders involved in the public consultation process.

23. Ensure complete and timely transparency of the Parliament, as well as accessibility for CSOs and citizens during all stages of the law-making process by all parliamentary bodies. The Parliament should also set a minimum period for public consultation on draft laws that are initiated by the MPs.

24. Increase the involvement of citizens, civil society organizations and stakeholders in the law-making process. For this purpose, use communication channels through which the executive branch and the legislature can communicate with citizens, civil society organizations and stakeholders, based on electronic tools or websites, which will have a positive impact on streamlining the process of public consultation (for example, electronic portal).

25. Create adequate mechanisms to collect written and oral evidence at parliamentary committee level on each draft law under review to improve their pool of information and to check the extent and quality of consultations undertaken by the government and by the MPs in their preparation.

26. Reconsider engagement with Public Councils during the second phase of implementation. Future work should only consider targeted input by active Public Councils on topics that are relevant to overall project approach and the needs of the MPs, parliamentary committees and citizen groups. Examples of such targeted engagement with Public Councils include a focus on the budgetary process and strengthening their capacity to serve as the intermediary between government institutions and citizens through piloting citizen assemblies.

27. Support the development of a platform for Parliament-CSO cooperation. Senior MPs should head such a platform, possibly the Speaker or deputy Speakers coupled with cross-party representation.

28. Create a thematic database of partner CSOs, academics and experts that corresponds with the mandate of each parliamentary committee with the possibility of being updated continuously.

29. Ensure that CSOs, academics and experts automatically receive information on the plenary session/parliamentary committee meetings and measures are put in place to simplify procedures to facilitate their access to Parliament's premises.

Parliament's public outreach:

30. Support the Press Service and MPs to develop tailored communication strategy with citizens based on social media platforms.

31. Assist the Parliament Press Service to develop tools to understand better its social media audience and prepare tailored products to meet the demands of diverse societal groups.

Civil society organizations' capacities:

32. The SIPD project should consider the possibility to dedicate one of the CAF grants for the creation of a "CSOs resource hub" that would facilitate peer-to-peer assistance from experience CSOs with the ones lacking capacities to prepare adequate input during the work of the Parliament.

33. The SIPD project should facilitate the dialogue between the Parliament and CSOs to ensure that there was proper feedback mechanism in place for each proposal submitted by the CSOs to parliamentary committees.

The civil society organizations'-Parliament relations:

34. Build the capacities of the CSOs to provide content input to MPs and parliamentary committees during the review of draft laws and implementation of the oversight activities;

35. Together with the parliamentary staffers, develop standardised templates for provision of input and testimony by CSOs and citizens to parliamentary committees during review of draft laws and implementation of the oversight activities;

36. Expand the capacities of the Parliament's website to manage the public consultations process linked with the work of the parliament committees. The public consultation module of the website should include also the feature that enables the parliamentary committees to provide feedback to CSOs and citizens that have provided input and testimony;

37. Facilitate the dialogue between CSOs and parliamentary staffers in the framework of the process of preparing parliamentary committees annual workplans in order to strengthen the public consultations practices and citizens involvement in the work of the Parliament;

38. Support efforts from the CSOs to create a coalition of non-governmental organizations working in the Parliament that would channel the CSOs' engagement and cooperation with the Parliament;

39. Support CSO initiatives to monitor the work of Parliament's plenary session and parliamentary committees as a mean to ensure transparency and accountability of MPs actions. The monitoring reports could be used to inform CSOs and citizens about the performance of individual MPs and to serve as an early warning system for deliberations in the Parliament that might infringe the rights or interests of citizens.

40. Conduct the feasibility study on the possibility to create a "parliamentary committee fund" that would enable each parliamentary committee to cover the costs of engaging external expertise and interaction with CSOs and citizen groups. The parliamentary committee fund should be managed as part of the Parliament's annual budgetary allocations and should provide a fixed amount that corresponds with the needs of the parliamentary committees.

Open Parliament Action Plan:

41. Align the Parliament's Strategic Development Plan with the commitment included in the Open Parliament Action Plan to ensure their systematic implementation.

42. Involve CSO representatives in the working group on monitoring the implementation of the Open Parliament Action Plan.

43. Support the working group on monitoring the implementation of the Open Parliament Action to prepare regular reports on its implementation.

44. Institutionalise the practice of consultation with CSO representatives during preparation of the Parliament's strategic and reform documents.

45. Involve the adequate parliamentary staffers during preparation and implementation of Parliament's reform initiatives.

46. Inform MPs and parliamentary staffers about their obligations deriving from the Open Parliament Action Plan. Develop tailored capacity building assistance to ensure implementation of commitments related to involvement of CSOs and citizens during the work of the Parliament.

MPs support service:

47. Tailor the focus of the new rounds of CAF grants to meet the needs of the MPs and parliamentary committees for external assistance on reviewing draft laws, implementing oversight activities and conducting public outreach activities and engagement with citizens' groups.

VII. CONCLUSIONS

Changing parliaments as an institution means changing the behaviour of MPs and parliamentary staff in ways that close the gap between the formal powers of parliaments and how these are used in practice. To achieve this, during the next phase of project implementation, the SIPD project team must understand and try to influence, as well as shape, the power relations and incentive structures that govern parliamentary behaviour. The thematically driven review identified the lessons learnt from the current period of project implementation and areas for improvement in the future. The review included a two-part analysis for assessing the underlying causes of parliamentary (in)effectiveness and a discussion of how these insights can be applied to the SIPD project design and delivery.

Specifically, the thematically driven review of the SIPD project sought to understand what the Parliament of Kyrgyzstan looks like through the eyes of those in power (MPs) and actors that regularly interact with them (civil society organizations). This allowed understanding not only of the causes of underperformance in citizens-Parliament and Parliament-Government interactions but also of the prospects for real institutional change. The review identified factors causing MPs to behave the way they do. Specifically, the study explored the impact of different political, personal and/or institutional incentive structures on MP behaviour. Additionally, the review examined whether parliamentary actors share a common understanding of the challenges and problems related to Parliament's functioning. This was important as the success of the SIPD project in the next phase depends on the extent to which the majority sees the project of parliamentary actors as a solution to commonly accepted problems.

The considerations mentioned above brought to the forefront the question whether during the first phase of implementation, the SIPD project managed to define institutional deficiencies in terms of how they affected individual MPs and parliamentary staffers to help them do their jobs more effectively. A critical success factor for SIPD project implementation was whether its goals were shared by parliamentary actors and embedded inside Parliament's reform efforts. Ultimately, the success in project

implementation of the SIPD project can be measured by how far it managed to change behaviours of parliamentary actors and not simply to introduce new formal parliamentary structures during first years of project implementation. In other words, the SIPD project's assessment should inform the change model that includes incentives for parliamentary actors (and other interested stakeholders) to own and drive the change process.

The thematically driven review of the SIPD project presents a problem-driven analysis of the political environment in which the project was operating in during the first phase of implementation. The analysis contributes to understanding better project-level issues and challenges in order to generate strategically relevant findings, implications and recommendations. Such findings will assist the SIPD project team to navigate the intricacies of the domestic political context better. Additionally, the review examined the project's progress in delivering against goal, outcomes and deliverables as outlined in the SIPD project document. Consequently, the review guides how to potentially adapt the project's operating model to enhance its efficiency and effectiveness when working on politically debated and contested activities. The review also offers a comprehensive assessment of the status and quality of interaction between the civil society organizations and the Parliament of Kyrgyzstan. Finally, it provides respective guidance to address challenges and define potential support measures related to institutionalisation of the Parliament-CSO cooperation and engagement.

The thematic review reviewed the current dynamics of interaction between projects' structures, Parliament, and stakeholders and identify which interventions are the most or the least productive in the current political environment, as well as opportunities for leveraging stronger positive changes. Based on consultations with MPs, staff of the Parliament, NGOs and other relevant stakeholders, the thematic review analyses the current context and develop the requested outputs in a process that seeks to promote national ownership in parliamentary development. The thematic review provides UNDP in Kyrgyzstan and SDC with a fresh, more in-depth and analytical look at the current dynamics of interaction of between projects' structures, Parliament, and stakeholders and identifies which interventions were the most or the least productive in the current political environment, as well as opportunities for leveraging stronger positive changes.

Finally, the review identifies specific thematic areas and, within these areas, assesses the SIPD project's progress in delivering against goal, outcomes and deliverables as articulated in the Project Document. The review also identifies problems and constraints that have been encountered in the project's implementation, formulates essential good practices and lessons to be learned, as well as provides recommendations for the remainder of the project cycle. The review findings provide specific recommendations pertaining future interventions in support to the Parliament, including suggestions for strategic priorities, delivery options and modalities of implementation that promote sustainability, increased efficiency, effectiveness, civic engagement and national ownership.

VIII. ANNEXES

ANNEX 1: Terms of Reference to conduct thematically targeted review of the “Strong and Inclusive Parliamentary Democracy” project (Phase 1)

PURPOSE OF THE THEMATICALLY TARGETED REVIEW

The UNDP in the Kyrgyz Republic Country Office is commissioning a thematically targeted review of the Strong & Inclusive Parliamentary Democracy (SIPD) project, which is currently funded and implemented in partnership with the Swiss Agency for Development and Cooperation (SDC) since May 2017. The project has provided technical and expert support to the Parliament of the Kyrgyz Republic to generate systemic changes in order to improve the oversight function of the Parliament and promote increased transparency, openness, participation and engagement of the citizens with this institution through the establishment of a Civic Action Fund (CAF).

To evaluate the progress of the project from May 2017 – August 2019 (Phase I), the review is intended to cover a problem-driven analysis of the political environment the project is operating in, geared to understanding project-level issues and challenges to generate strategically relevant findings, implications and recommendations, including for the project to better navigate the intricacies of the local political context. In particular, the review shall provide guidance on how to potentially adapt the project’s operating model to enhance its efficiency and effectiveness when working on politically debated and contested activities. The review shall also provide a comprehensive assessment of the status and quality of exchanges between civil society and the Parliament and provide respective guidance to address challenges and define potential support measures. The reviewer will be expected to formulate important best practices and lessons to be learned, advice on strategic recommendations for the remainder of the project cycle, including forthcoming strategic direction and priorities for the Parliament, as well as consider options for future delivery and implementation which promote ownership, sustainability and increased efficiency and effectiveness of the intervention.

BACKGROUND AND CONTEXT

In the Kyrgyz Republic, constitutional reform in 2010 and parliamentary elections in 2011 and 2015 have created a more responsive parliamentary system building the foundation for an improved governance system and application of rule of law and human rights. However, public sector effectiveness, efficiency, accountability, and transparency of institutions and processes remain key areas for improvement. To date, citizens’ expectations for more transparent, effective basic services have yet to be met, and polls continue to show that corruption, accountability, and economic development are perceived by the citizens as priorities.

Against this backdrop, the Strong and Inclusive Parliamentary Democracy (SIPD) project is a ten-year initiative with an estimated budget of CHF 10 million funded by the Swiss Agency for Development and Cooperation (SDC) and implemented by the United Nations

Development Programme (UNDP) under the framework of its Country Project Document (CPD) 2018-2022, to support the Parliament to better exercise its oversight functions, as well as to embed institutional accountability, inclusive democracy and realization of the rule of law in the Kyrgyz Republic.

The project has the overall objective of ensuring that citizens benefit from responsive, inclusive and accountable institutions. The intervention is designed around the achievement of the following two outcomes:

- Outcome 1: Parliament sets national strategic priorities in accordance with citizens' needs, and oversees their implementation by the government;
- Outcome 2: Civil society actors promote active citizenship and effectively influence political processes to better serve the needs and priorities of the country's citizens.

As the establishment of multi-stakeholder partnership is a strategic modus operandi of the project, from the inception phase throughout the implementation of all the activities, the SIPD project works with a variety of key actors at the national level, including the parliament, three parliamentary committees and the parliament's apparatus; government offices, line ministries and agencies; Local Self-Governments; the Chamber of Accounts; civil society actors and organizations and Public Councils.

The project is designed to provide long-term presence, spanning the performance cycle of two parliamentary convocations (2015-2020 and 2020-2025), multiple coalition government terms with undefined duration and two presidential terms (2017-2023 and 2023-2029). In particular, the intervention will be implemented in line with the following phases:

- Phase I (2017- 2021), with an overall budget of USD 3,164,577;
- Phase II (2021 – 2025);
- Phase III (2025-2027) – exit phase.

Currently SIPD had completed the first year of implementation of Phase I. In accordance with the terms on the Evaluation and Audit stipulated in the Project Document of SIPD 2017-2021, the project is required to undergo an internal strategic mid-term review after the first year of project implementation in 2017/2018.

Within this context, UNDP in the Kyrgyz Republic intends to hire an International Expert to conduct a thematically targeted review of 2017-2019 period of implementation of Phase I of the SIPD project, for a period of 20 working days commencing on the xxx of September 2019 as per requirements set forth in this Terms of Reference (TOR).

SCOPE

This thematically targeted review is intended to provide UNDP and SDC with a fresh, deeper and analytical look at the current dynamics of interaction of between projects' structures, Parliament, and stakeholders and identify which interventions are the most or the least productive in the current political environment, as well as opportunities for leveraging stronger positive changes. At the same time the review shall reflect challenges, impediments and other delays that are not under the direct control of UNDP/SDC but are affecting the overall progress of the project. In consultation with the SIPD team and the SDC, the expert is expected to focus on identified specific thematic areas and, within these

areas, assess project's progress in delivering against goal, outcomes and deliverables as articulated in the Project Document between UNDP in the Kyrgyz Republic and SDC, identify problems and constraints that have been encountered in project's implementation, formulate important good practices and lessons to be learned, as well as provide recommendations for the remainder of the project cycle. The review shall also provide specific recommendations pertaining future interventions in support to the Parliament, including suggestions for strategic priorities, delivery options and modalities of implementation that promote sustainability, increased efficiency, effectiveness, civic engagement and national ownership.

METHODOLOGY

Data collection – the review should apply mostly qualitative data collection methods and analytical approaches to account for complexity of the project and its implementation. The data collection will rely on two sources of data:

- Secondary data – this will be all related project documents produced by the project team and UNDP country office including strategic project documents, reports, knowledge products, relevant research.
- Primary data:
 - Target country visit – visit to Bishkek, Kyrgyzstan, to gain first-hand insights on the project implementation.
 - Respondents – feedback from relevant government and parliament actors including but not limited to: government officials, political parties representatives, MPs, officials of the parliament apparatus and members of the parliament committees, representatives of the president's office and members of the presidential apparatus, members of Local-Self Governments, representatives of civil society organizations and Public Councils, members of the Chamber of Accounts, UNDP and SDC staff and management, donor representatives, and collaborating UN agencies and development and implementing partners.

Data extraction instruments and methods – these will include:

- *Key Informant Interviews* for respondents,
- *In Depth Interviews* for key respondents,
- *Group meetings with different groups of stakeholders,*
- *Field visits (within Bishkek),*
- *Presentations of the preliminary findings.*

REVIEW OBJECTIVES AND CRITERIA

Within identified thematic areas, this targeted review is intended to provide UNDP and SDC with an objective and evidence-based analysis of project's progress in delivering against goal, outcomes and deliverables as articulated in the Project Document from May 2017 until August 2019. The findings of the thematically targeted review should mainly:

- Provide an analysis of the political environment the project is operating in and respective guidance on how to potentially adapt the project's operating model to enhance its efficiency and effectiveness when working on politically debated and contested activities;
- Provide an analysis of the status and quality of exchanges between civil society and the Parliament and the respective guidance to address challenges and define

potential support measures (with particular focus on the projects' granting scheme – Civic Action Fund);

Within these two identified main thematic areas, the findings of the review should consider:

- Providing an analysis of the current dynamic of interaction between the project's structures, the Parliament and all relevant stakeholders, including their prevailing interests and incentives and inform opportunities for leveraging the positive changes initially envisaged during project's formulation;
- Providing review on specific areas of impact of SIPD project as identified in consultation with the SIPD team and the SDC and under the current political dynamics in the country;
- Providing a comprehensive overview of the project's key challenges and lessons learned;
- Providing guidance in line with current political dynamics and the current state of the project intervention in order to inform future adjustments and decisions regarding the strategic direction of the SIPD until the end of Phase I;
- Identifying any activities which should be expanded; and any 'quick win' initiatives that the SIPD should engage in; determine whether there are certain activities that the SIPD should not be engaged in or pursue

FINAL DELIVERABLES

The International Expert will be expected to produce the following deliverables:

1. **Thematically Targeted Review Inception Report:** Prior to embarking on the data collection exercise, the International Expert will be required to prepare an inception report which details the understanding of what is being reviewed and why; how it proposes to answer the main evaluation questions; and the work-plan of the review.
2. **Draft Thematically Targeted Review Report:** The International Expert will be required to submit a draft report for review to UNDP and SDC to ensure that it meets the required quality criteria.
3. **Evaluation Brief:** If required, the International Expert will be requested to present the initial findings and recommendations of the report to UNDP, government counterparts, donors, and other justice sector development partners, as appropriate.
4. **Final Thematically Targeted Review Report:** Following receipt of UNDP's and SDC's initial comments, the International Expert will be required to submit a final report which clarifies and addresses any clarifications requested in the initial review.

DUTY STATION

This consultancy will be home-based with mission travel to Bishkek, Kyrgyzstan

TIMEFRAME

- a) The contract will come into effect on November 2019 and end in December 2019
- b) The international consultant will work for a period of **20 effective persons days** within the dates indicated as per the tentative schedule below:
 - a. Home-based work: **3 working days**

- i. Preparation for mission, review of background documents, inception report
- b. Mission to Kyrgyzstan: **12 working days**
 - i. Field visits, interviews, etc.
 - ii. Presentation of initial findings and recommendations to UNDP, SDC and selected audiences
- c. Home-based work: **5 working days**
 - i. Finalization of report
 - ii. Submission of final report

REPORTING REQUIREMENTS AND MANAGEMENT ARRANGEMENTS

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

QUALIFICATION AND COMPETENCY REQUIREMENTS

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

- Bachelor's in law/ political science/ development studies. Master's degree in required studies is an asset.
- Proven expertise and experience in conducting several evaluations and project/program assessments in the field of parliamentary democracy and/or democratic governance and/or rule of law and accountability
- Technical knowledge and experience in UNDP thematic areas, specifically in strengthening parliamentary democracy/rule of law/ cross cutting issues such as gender and sustaining peace/conflict prevention/rights-based approaches to programming and capacity development is an asset
- Prior experience in conducting political economy analysis is an asset
- Fluency in English
- Knowledge of Russian is a strong asset.

ANNEX 2: Agenda of the in-country mission

Day 1: January 10

Meeting UNDP SIPD project team, Simone Boneschi, Zarina Isakova

Meeting with SDC

Meeting with director of Scientific Research Center, Baktybek Takenov

Meeting with Lucio Sarandrea (former project CTA)

Day 2: January 11

Meeting with Public Foundation Nash Vek, Contract on strengthening parliamentary oversight

Meeting with Crossroads CA

Meeting with Burana Institute

Meeting with Youth of Osh

Meeting with Institute for Youth Development

Meeting with Elazar

Meeting with Osmonbaev Bektur, the deputy director of Legal Clinic Adilet and Iskender Kakeev, project coordinator

Meeting with Media School Yntymak(Osh)

Meeting with PF Plus

Meeting with Civic Union

Meeting with Association of NCO

Day 3: January 12

Drafting report findings

Day 4: January 13

Meeting with MP Mirlan Bakirov

Meeting with Aida Mambetova, Sultan Bokoshov

Meeting with MP Abduvahap Nurbaev

Meeting with Chief of the Press Service of Parliament Ibragim Nurakun uulu

Meeting with Development Policy Institute

Day 5: January 14

Meeting with NDI Office in Kyrgyzstan

Meeting with Ruslan Iliasov, SIPD CAF manager

Meeting with MP Ainuru Altybaeva

Meeting with MP Aaly Karashev

Day 6: January 15

Meeting with MP Natalia Nikitenko

Meeting with Chief of Committee for Finance and Budget, Omorov Abdykaim

Meeting with Aizhan Musaeva, expert on Open Parliament Initiative and member of OPI WG

Day 7: January 16

Meeting with DFID/Palladium parliament project

Meeting with Chairman of the Board of Public Councils

Meeting with experts supporting Board of Public Councils

Meeting with consultants on monitoring and evaluation of implementation of legislations, state programs

Meeting with expert on SDGs

Day 8: January 17

Meeting with SSG Consult, Contract on improving parliamentary oversight of budget together with consultant on state budget

Meeting with NGO Civic Platform

Meeting with experts supporting Board of Public Councils

Meeting with legal expert and IT expert on improvement of public hearings

Meeting with legal expert and IT expert on introduction of e-petition system

Day 9: January 18

Meeting with Westminster Foundation for Democracy

Meeting with Artem Novikov, consultant on development of the draft law on oversight

Meeting with Institute of Public Analysis

Meeting with CPLS

Institute of Youth Development

Meeting with LSG Union

Meeting with Precedent

Meeting with CPLS

Meeting with experts on capacity building needs assessment

Day 10: January 19

Drafting report findings

Day 11: January 20

Meeting with Isanova Maria Nasirdinovna, the head of the committee for social affairs

Meeting with OSCE Parliamentary project

Meeting Zholdosh Osmonov, former Coordinator of the project

Debrief Meeting and discussion with UNDP

Day 12: January 21

Debrief Meeting and discussion with SDC Donors

Meeting with new SIPD Project Coordinator/Rule of Law and Access to Justice Advisor