

Innovating for Rule of Law, Justice and Human Rights

2013 ANNUAL REPORT
AND VISION FOR THE FUTURE



Innovating for Rule of Law, Justice and Human Rights

2013 ANNUAL REPORT
AND VISION FOR THE FUTURE

PHASE PROJECT

UNDP REGIONAL CENTRE FOR EUROPE AND THE CIS
Rule of Law, Justice and Human Rights Sub-Practice

Team Leader and Regional Adviser: A.H. Monjurul Kabir
Coordination and core Project team: Jasmina Mujkanović, Zuzana Zalanova

Lessons Learned Series: Rule of Law, Justice and Human Rights

Copyright © 2013
By the United Nations Development Programme

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted, in all forms by any means, mechanical, photocopying, recording or otherwise without prior permission.

The views expressed in this publication are those of the authors and do not necessarily represent those of the United Nations, including UNDP, or their Member States.

Dear Readers,



As we are celebrating today the **International Human Rights Day** and the 20th anniversary of the **Vienna Declaration and Programme of Action** (VDPA), I would like to take this opportunity to share with you the state of our activities promoted by 'Pro-

moting Human Rights and Access to Justice for Social Inclusion and Legal Empowerment (PHASE) Project in 2013. Some of the activities, I thought, might "Invoke the spirit of our age and the realities of our time which call upon the peoples of the world and all States Members of the United Nations to rededicate themselves to the global task of promoting and protecting all human rights and fundamental freedoms so as to secure full and universal enjoyment of these rights" [Preamble, VDPA]. It is a tall order; we are trying to make modest contributions towards public good.

The regional Project, which inspired many UNDP offices in the region for innovative work on the ground, is supported by UNDP Europe and Central Asia with support from a host of actors including UNDP HQ. It focuses on three key areas: Human Rights and Innovation, Social Inclusion and Special Ability, and, last but not least, Rule of Law, Access to Justice, and Legal Empowerment. Let me reflect on a few examples before going into greater details in the report.

UNDP's first-ever **UPR Follow-UP Facility [UPRF]** guides and supports - when requested by member states through UN Resident Coordination System - the implementation of the agreed human rights recommendations resulting from the Universal Periodic Review (UPR) and other mechanisms, wherever possible. In the last couple of years we were able to support our UN country teams (UNCTs), national partners, and UNDP in particular, in the implementation of the states' international obligations through innovative and catalytic projects. You can learn more about our projects implemented in

more than 14 countries in Europe and Asia for the past 2 years, on our specific **UPR webpage**, and on the **UPRF Akvo Reporting**. More in-depth knowledge and analytical perspectives are shared in some of our recent knowledge products: **Universal Periodic Review International Conference**, and **Follow-Up to the Universal Periodic Review: Towards a National Agenda for Human Rights**.

We are determined to strengthen national human rights institutions by providing targeted and demand driven technical assistance to National Human rights Institutions [NHRIs], Ombudsperson offices, CSOs and Youth groups. We will do this with support from innovative and catalytic projects. Two of our newly launched initiatives '**NHRIs Plus**', and Human Rights Lab [**HuRiLab: hurilab.org**] are being operationalised with support from the PHASE Project.

Following some of the early groundbreaking achievements in promoting social inclusion and the human rights of the Persons with Disabilities in development programming, we launched a new initiative '**Special Ability**'. Some of our related knowledge products, including a guidance note on programming for the Persons with Disabilities in light of the United Nations Convention on the Rights of Persons with Disabilities, reflect the current research and international experiences in ratifying the UNCRPD and its implementation.

Recognising that without access to justice, implementing many of these guaranteed human rights would become challenging, we have recently introduced a new business line **Legal Aid for Justice [LAJ]** aimed at providing comprehensive support to more effective legal aid systems [both quality and quantity of legal aid] across the region, with assessments already conducted in Moldova and Armenia. Further information is provided on the respective Akvo [page](#) and in the international workshop report '**Widening Access to Justice: Quality of Legal Aid and New UN Principles and Guidelines on Access to Legal Aid**'. In addition, we launched '**Strengthening Judicial Integrity through Enhanced Access to Justice**', a new

knowledge product and policy study which also links to the challenges of different groups, including the Persons with Disabilities, in accessing justice. This initiative will be further deepened by a series of related studies and publications based on country demands: **'Accessing Justice: Legal Aid in Central Asia and the South Caucasus'**, **'Development of a Witness and Victim Support System – Lessons Learned'**, and, **'Strategy on Protecting and Promoting the Rights of the Persons with Disabilities by the NHRIs in Central Asia'**.

We recognize these are small steps, what is more important, perhaps *"to take new steps forward in the commitment of the international community with a view to achieving substantial progress in human rights endeavours by an increased and sustained effort of*

international cooperation and solidarity" [VDPA]. With the PHASE Project, I do hope that you would join us in this long walk to freedom and human rights.

As always, we appreciate your feedback and information on knowledge uptake.

10 December 2013

A.H. Monjurul Kabir



Acting Practice Team Leader, Democratic Governance
Policy Adviser, Rule of Law, Justice and Human Rights
UNDP Europe and Central Asia

Table of Contents

INTRODUCTION	7
EXECUTIVE SUMMARY	8
CONTEXTUAL CHALLENGES AND OPPORTUNITIES	
EMERGED DURING THE REPORTING PERIOD	10
STRENGTHENING NATIONAL HUMAN RIGHTS AND JUSTICE SYSTEMS	13
CATALYTIC/THEMATIC CAPACITY DEVELOPMENT OF THE NHRIs	14
OPERATIONALIZING UN PRINCIPLES AND GUIDELINES ON ACCESS TO LEGAL AID IN CRIMINAL JUSTICE SYSTEMS	17
SECTORAL/ THEMATIC HUMAN RIGHTS AND JUSTICE CAPACITY AND POLICY STRATEGY & KNOWLEDGE DEVELOPMENT	20
MAKING NHRIS RELEVANT TO NATIONAL DEVELOPMENT AGENDA OF THE MIDDLE INCOME COUNTRIES	21
JOINT STRATEGY PAPER "TOWARDS INCLUSIVE DEVELOPMENT: PROTECTING THE RIGHTS OF THE PERSONS WITH DISABILITIES BY THE NHRIS IN CENTRAL ASIA"	23
ACCESS TO JUSTICE AND SOCIAL INCLUSION KNOWLEDGE PRODUCTS	24
PROMOTING INNOVATIVE APPROACHES AND CIVIC ENGAGEMENTS	
FOR HUMAN RIGHTS AND JUSTICE	26
HURILAB- HUMAN RIGHTS LABORATORY	27
INNOVATIVE APPROACHES FOR PERSONS WITH DISABILITIES	29
INTEGRATING AGREED HUMAN RIGHTS RECOMMENDATIONS	
INTO NATIONAL HUMAN RIGHTS SYSTEMS	30
UPR FOLLOW-UP FACILITY	31
REGIONAL/NATIONAL CAPACITY DEVELOPMENT INITIATIVE ON UPR FOLLOW-UP	34
SUPPORT TO THE APPLICATION OF THE HRBA PRINCIPLES IN PROGRAMMING AND/OR CROSS-PRACTICE THEMES	35
REGIONAL POLICY ADVISORY AND PROGRAMME SUPPORT	36
STRENGTHENING RULE OF LAW AND HUMAN RIGHTS TO EMPOWER PEOPLE IN CENTRAL ASIA	37
FOLLOW-UP TO UPR RECOMMENDATIONS IN UKRAINE	37

REGIONAL CONSULTATION AND CAPACITY DEVELOPMENT WORKSHOP IN ARMENIA	38
ECIS VISIONING ON INNOVATING FOR RULE OF LAW, JUSTICE AND HUMAN RIGHTS AND INSTITUTIONAL CONTEXT ANALYSIS (ICA) WORKSHOP	39
VISIBILITY	40
EXTERNAL COMMUNICATION CHANNELS	41
INTERNAL COMMUNICATION CHANNELS	42
GOING BEYOND MINIMUM	43
EMERGING INITIATIVES AND PARTNERSHIPS	44

Introduction

"There is virtually no aspect of our work that does not have a human rights dimension. Whether we are talking about peace and security, development, humanitarian action, the struggle against terrorism, climate change, none of these challenges can be addressed in isolation from human rights."

Ban Ki-moon, Secretary-General
of the United Nations

Human Rights, Rule of Law, and Access to Justice are understood as fundamental components of human development as they are indispensable conditions for the realisation of a life free from fear and want. They are fundamental pillars for the protection, empowerment and dignity of all people and for ensuring equality of opportunity, a key driver towards the MDGs.

Since 2011, UNDP Bratislava Regional Centre for Europe and the CIS has been implementing the project "Promoting Human Rights and Access to Justice for Social Inclusion and Legal Empowerment – (The PHASE Project)" to enhance the capacity of human rights and justice institutions and UNDP Country Offices in the region to pursue a robust regime of Human Rights, Rule of Law, and Justice programming in support of country level engagements with national and international principles and mechanisms.

Expected outputs of the Project are:

1. Selected institutions and organizations of the National Human Rights Protection Systems in the region are better able to use their mandate and available resources for the development of long-term strategies to promote and protect human rights at the national level;
2. Increased capacity of UNDP's Country Offices to support National Engagements with International Human Rights and Justice Principles and Mechanisms;
3. Increased capacity of UNDP's Country Offices in supporting national partners for improving Rule of Law and Access to Justice Service delivery.

The Project supports the efforts for UN coherence, coordination, and aid effectiveness in order to ensure optimal use of comparative advantages of different UNDP global programmes and external agencies in the field of human rights, justice, rule of law, and legal empowerment. Against each output, it seeks to forge strategic partnership with relevant UN agencies, bilateral donor agencies, specialised INGOs and think tanks, and civil society organizations. The Project also promotes intra-practice and cross-practice collaboration across thematic scope.

This report will reflect upon the Project's activities and achievements in 2013, particularly in the context of contextual challenges and new opportunities emerged in the reporting period.

Executive Summary

In 2013 UNDP Bratislava Regional Centre (BRC) continued supporting Country Offices, national governments, civil society organizations (CSOs), and other stakeholders in pursuing Rule of Law, Access to Justice and Human Rights agenda across the region. Well targeted, demand driven interventions have been observed in five thematic components of the Project's activity:

- 1) **Increased capacities of National Human Rights Institutions (NHRIs) to better fulfil their mission of promoting and monitoring the effective implementation of international human rights standards at the national level:** UNDP developed an effectiveness framework intended for use as an evaluation tool by NHRIs themselves, or for others (such as UNDP) as an aid to capacity assessment. When used over a range of different countries, the effectiveness framework will become a research tool to test the impact of a series of explanatory variables on the effectiveness of national institutions. The effectiveness framework was tested and fine-tuned by NHRIs of Southeast Europe (Albania, Bosnia and Herzegovina, Croatia, Kosovo,¹ Macedonia, Montenegro, and Serbia) at the regional workshop, and its piloting is envisaged in 2014 on NHRIs from Southeast Europe, with potential replication to other countries in the region.
- 2) **Strengthening Rule of Law and Access to Justice programming and advocacy to address the challenges posed by exclusion, vulnerability and marginalization:** UNDP has taken a proactive approach in supporting national partners to implement the UN Guidelines and Principles on Access to Legal Aid in Criminal Justice Systems towards building coherent, effective, and responsible legal aid systems that could also work for those who are marginalised, vulnerable and disadvantaged.

Examples include Capacity Assessment of the Legal Aid System in Armenia; Enhancing Effectiveness of Legal Aid to the Citizens of the Republic of Kazakhstan; and Capacity needs assessment for the National Council for State Guaranteed Legal Aid from the Republic of Moldova.

- 3) **Promoting Innovative Approaches and Civic Engagements for Human Rights:** To facilitate the creation and sharing of innovation ideas in regional human rights and justice programmes, BRC organized the first Social Innovation Camp for human rights and justice - 'HuRiLab'. The event attracted attention across the region and beyond, and provided a robust base for organizing future franchises such as HuRiLab Iraq. Following the event, three projects were awarded to be further developed: "Amedia" - mapping symbolic violence against women through gender stereotypes in Iraq; "Ease of Access"- improving the life of persons with disabilities in Belarus; and "UPlanIT"- encouraging civic engagement in urban planning in Ukraine. In effort to further promote new thinking in Rule of Law, Human Rights, and Justice programming, the HuRiLab's website is being upgraded to create a platform for cross-sector interaction and interface for greater youth and civic engagement.
- 4) **Integration of agreed human rights recommendations into national human rights system:** Since the "improvement of the human rights situation on the ground" is the primary focus of the Universal Periodic Review (UPR), the follow-up to UPR recommendations is the most critical phase of the whole process. Through its UPR Follow-up Facility, UNDP has been strengthening capacities and encouraged participation of CSOs in UPR process (from reporting to monitoring) in Armenia, Belarus, Georgia, Kyrgyzstan, Moldova and Serbia. The scope of the 2013 support also includes human rights

¹ Hereinafter referred to in the context of the UN Security Council Resolution 1244 (1999).

monitoring methodology, rights of vulnerable groups and their access to state services, violence against women, promotion of youth in advocating for human rights, effectiveness of NHR systems, civic monitoring of the implementation of the agreed human rights recommendations, capacity development of civil service/public administration and other topics. Among other activities, UNDP co-organized a workshop in order to enhance capacities of Slovak NGOs to litigate for economic, social and cultural rights within the framework of OPICE-SCR (Optional Protocol to International Covenant on Economic, Social, and Cultural Rights). In addition, international workshop for ombudsman institutions in Southeast Europe was organized in Zagreb to provide a platform for sharing experience and discussing measures needed to strengthen the role of NHRIs in implementing agreed UPR recommendations, particularly in the context of accession to the EU.

5) Regional policy advisory and programme support services continued to be at the heart of UNDP BRC support in regional development of national strategies, policies, key legislation and institutional framework. In Kazakhstan, the Project supported the national consultation around the new Legal Aid law; in Georgia, expert advice was provided to newly created Inter-Agency Council tasked with the elaboration of the human rights strategy and the corresponding action plan for three years period.

Activities implemented within five thematic areas have contributed to building **partnerships with and involvement of various actors and institutions** across the region. In Montenegro, UNDP carried out initiatives that reinforced recently adopted national legislation on domestic violence through involvement of all the relevant national stakeholders, with an emphasis on civil society participation, in the process of the law drafting. In Tajikistan, UNDP strengthened capacities of both national institutions and youth groups in facilitating and enhancing access to justice of the poor and women affected by domestic violence. UNDP advocacy and awareness raising efforts in Serbia led to new partnership with Ministry of Justice on judicial reform and access to justice programming.

Finally, UNDP contributed to **knowledge exchange** throughout the region by supporting various thematic events (international legal aid workshop; regional UPR conference, Institutional and Context Analysis (ICA) for Rule of Law workshop) and thus providing a peer-to-peer forum for exchange of lessons learned and good practices. In 2013, UNDP has launched a new initiative – Legal Aid for Justice– to consolidate available knowledge, analyze it and raise the awareness of the practitioners working in the area of rule of law, justice and human rights of the challenges faced by legal aid service providers in Caucasus and Central Asia. Finally, UNDP developed and published a number of knowledge products that will be described in detail in sections that follow.

Figure 1: Project's main activity areas in 2013

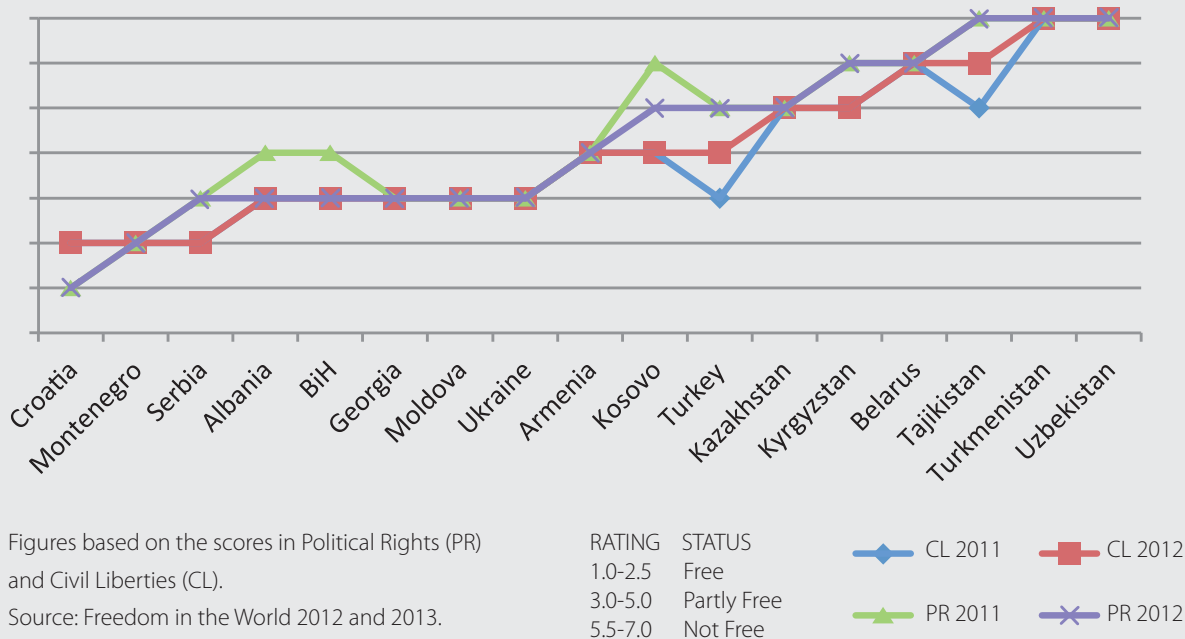


Contextual Challenges and Opportunities Emerged During the Reporting Period

Since 2012, countries in the region of Europe and Central Asia have experienced a number of key developments in the field of human rights and justice. The regional upswings and downturns have been covered by recent Freedom House reports, which pointed out the deteriorated level of civil liberties in Tajikistan and Turkey and the improved state of political rights in Armenia, Bosnia and Herzegovina, and Georgia. Like in the previous years, the majority of states in the region have remained in the “partly free” category (Figure 2).²

At the **policy level**, some countries from the region have achieved a significant progress in fulfilling political criteria required in the accession process of the European Union (EU): while Croatia became the 28th member of the EU on July 1st, 2013, Serbia was granted EU candidate status in 2012. In the same year membership negotiations started in Montenegro, and Turkey, after 3-year hiatus, resumed negotiations in November 2013. On the contrary, the discussion on Albania’s candidate status was put on hold in 2012 due the insufficient progress on the country’s judicial and

Figure 2: Regional developments in 2011-2012 based on the Freedom House rankings



² Freedom in the World 2012 and Freedom in the World 2013 reports, Freedom House, (accessed on 12/11/13).

BOX 1: Ratification of international human rights treaties in 2012- 2013

In 2012 **Bosnia and Herzegovina** ratified *Optional Protocol to the International Covenant on Economic, Social and Cultural Rights* and *International Convention for the Protection of All Persons from Enforced Disappearance*.

In 2013 **Albania** ratified *Convention on the Rights of Persons with Disabilities* and *Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure*.

In 2013 **Armenia** signed *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*.

Source: OHCHR, 2013

administrative reforms and the need for revision of its parliamentary rules of procedures.³

At the **legislative level**, intensifying efforts to address marginalisation and vulnerabilities, five countries in the region - Albania, Armenia, Croatia, Kosovo, and Kazakhstan – have introduced or amended legislation on legal aid provision and three countries – Armenia, Georgia, and Moldova – have introduced new antidiscrimination laws in the reporting period. The countries in the region have proceeded in adopting key human rights legislation, expressing their commitment to adhere to international norms and standards (**Box 1**). Along with ratification of UN human rights treaties, some positive developments have been observed in reporting on the implementa-

tion of their respective commitments. Throughout 2012 and 2013 all countries from the region regularly submitted reports to the UN Treaty Bodies mechanisms and most of them responded to the visit requests issued by the UN Special Rapporteurs. Furthermore, many countries have acknowledged the increasing importance of the Universal Periodic Review (UPR) mechanism which in its second cycle (2012-2016) places greater emphasis on the implementation phase of the process.⁴ While all the countries in the region have, to date, participated in the UPR, four of them – Armenia, Belarus, the Former Yugoslavian Republic of Macedonia, and Kazakhstan – have reported in 2012 and 2013 on the progress of implementation of their agreed UPR recommendations, though national interim reports are of the facultative nature.⁵ Despite the achieved progress, de facto implementation of de jure commitments still remains the main challenge in the region, given shrinking democratic space and insufficient capacities of the governance mechanisms and national human rights and justice systems.

At the **institutional level**, countries in the region have established mechanisms, such as judicial bodies, inter-agency councils and National Human Rights Institutions, which protect human rights and ensure access to justice. Through the newly established Constitutional Chamber, the Kyrgyz Republic, with the support of UNDP, OHCHR and EU, is restoring the highest judicial body to independently perform constitutional oversight by means of constitutional legal proceedings.⁶ In Georgia, capacity of recently created Inter-Agency Council tasked with the elaboration of the human rights strategy and the corresponding action plan is being strengthened through provision of UNDP expertise in drafting national human rights strategy and the corresponding action plan for three years period. In addition, a number of national institutions have

3 [On the road to EU membership](#), European Union, 2013 (accessed on 12/11/13).

4 All countries in the region underwent the first cycle (2008-11) of the Universal Periodic Review of their human rights practices, and some of them completed the second cycle (Ukraine in 2012, Azerbaijan, Montenegro, Romania, Serbia, Turkmenistan, and Uzbekistan in 2013).

5 Until 2012, Ukraine was the only country in the ECIS region with national midterm report on the UPR implementation submitted in 2010. [UPR implementation \(information provided by States\)](#), OHCHR, 2013 (accessed on 12/11/13).

6 [Orientation seminar for the Constitutional Chamber of the Kyrgyz Republic](#), CoE, 2013 (accessed on 16/11/13). The country's Constitutional Court was abolished during the April 2010 political turmoil.

been established also with regard to address the marginalisation, vulnerability and exclusion in policy and programming in a sustainable and strategic manner. Institutionalisation of the new bodies mostly accompanied the adoption of new antidiscrimination laws (e.g. Moldova's Council on Preventing and Combating Discrimination and Ensuring Equality established in 2012 in line with the antidiscrimination law adopted earlier that year) and legal aid laws (e.g. National Legal Aid Coordination Centre set up in Ukraine in 2012 in accordance with the 2011 Law on Legal Aid). Finally, National Human Rights Institutions (NHRIs) have been increasingly recognised as a key part of national human rights protection systems in Europe and Central Asia. While two new bodies were institutionalised in Turkey throughout 2012 and 2013, NHRIs from Kazakhstan, Kyrgyzstan and Tajikistan were in 2012 accredited

with B status by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights.⁷ In addition, mandates of NHRIs in Croatia, Macedonia, and Montenegro have been further strengthened in 2012-2013. Nevertheless, despite a number of positive achievements, limited political support and financial constraints undermine independent and effective functioning of many institutions in the region.

As will be shown in the following chapters, the recent developments in the region of Europe and Central Asia have been captured by a number of initiatives and activities supported by the Project. At the same time, the observed challenges and opportunities represent potential entry points for future programming in the region.

⁷ The [report](#) of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, May 2012 (accessed on 12/11/13)

Strengthening National Human Rights and Justice Systems

- Catalytic/Thematic Capacity Development of the NHRIs

- Operationalising UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems

Catalytic/Thematic Capacity Development of the NHRIs

"From the perspective of executive bodies we often see the ombudspersons as a 'nuisance'. It is easy to write laws, but when it comes to their implementation we encounter difficulties. The question becomes the budget, where should the money go, especially now, in a time of crisis. Human rights are often not our priority. Here is where I see the role of the ombudspersons, to point us to the right priorities, to put pressure on the executive branch and familiarize us with what is going on, because they are dealing with people whose rights should not be compromised. In this way, you aid us in making informed decisions. As a result, we create a better society."

Orsat Miljenić, Croatian Justice Minister

20 years since the adoption of the 'Principles Relating to the Status of National Institutions' – commonly referred as 'Paris Principles'⁸ – over 100 National Human Rights Institutions (NHRIs), in different forms and models, have been established worldwide. Through their mandate to advance human rights, NHRIs are instrumental in supporting democratic governance and strengthening the rule of law with particular emphasis on the most margin-

alized and the vulnerable groups. At the same time, NHRIs, including Ombudsman institutions, are central to a strong national human rights system along with an independent judiciary, effective parliamentary oversight mechanisms, fair administration of justice, dynamic civil society, and free and responsible media. Throughout the years, UNDP has supported Ombudsman institutions by helping them build their capacities and share their good practices and experiences with each other but also by promoting cooperation with and engagement of CSOs and youth organizations. This work has continued in 2013.

Ombudsman Institutions in Southeast Europe: EU Accession and the Universal Periodic Review

In many countries across the region, the office of Ombudsman plays an important role in defending fundamental rights in accordance with international/UN and European standards. Almost all Southeast European countries introduced Ombudsman institutions during their transition to democracy in the early 1990s. Ombudsman offices function in complex political, social and economic situations and in order to consolidate or raise their status and place in the state hierarchy they need to win public support and legitimacy. In rapidly changing legislation and policy landscape during EU approximation, National Human Rights Institutions/Ombudsman's offices, even in cases when their societal status is high, need to re-invigorate their mandate and further anchor their posi-

⁸ The 'Paris Principles' were endorsed by the then UN Commission on Human Rights (resolution 1992/54, March 1992) and later adopted by the UN General Assembly (resolution 48/134 of 20 December 1993).

tion of impartiality. This becomes even more evident in the context of reporting under diverse human rights treaties and universal periodic review (UPR) process. Mandates of such institutions often overlap with newly created executive and oversight bodies and NHRIs typically get bypassed.

To compare experience across the region and recommend improvements to strengthen Ombudsman institutions, the UNDP organized an **International Workshop: Ombudsman Institutions in Southeast Europe: EU Accession and the Universal Periodic Review**. Held in Zagreb on November 7-8, 2013, the workshop shared good practices on the role of Ombudspersons and other NHRIs in implementing agreed UPR recommendations, particularly in the EU accession context. In this

"The UN's Universal Periodic Review goes hand in hand with EU accession. Through cooperation, we can learn from each other in order to improve the human rights situation since the topics we are dealing with are similar, although placed in a different context."

Lora Vidović, Croatian People's Ombudswoman

region and beyond. The workshop also introduced a new measurement framework, developed by UNDP BRC, which will be, after incorporating feedback received from the workshop participants, shared with representatives of NHRIs and their partners with the view to applying it on ground.



The discussion has identified further areas of cross-regional cooperation of NHRIs from Southeast Europe and set ground for further strengthening of these institutions as the essential part of national human rights protection systems. The measurement framework presented at the workshop not only equips NHRIs with a tool to evaluate their own effectiveness and probable impact but also shows how to further develop them. As such, it will serve UNDP country offices and the ECIS regional centre to devise effective policy and programming support for future.

regard, both the UPR and EU accession processes were presented as mutually reinforcing mechanisms for the strengthening of the NHRIs' mandate, as was demonstrated by the example of Croatia, hosting country of the event and the newest member of the EU. Participation of 8 Ombudspersons from Southeast Europe, representatives of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, European Network of NHRIs, OHCHR, and UNDP along with representatives from Croatian government, civil society and youth organizations provided a platform for sharing peer-to-peer advice and cross-sector practical experiences from the re-

Catalytic Impact: Collaborative Networks and International Mechanisms for Human Rights Protection

With UNDP BRC's support and continued guidance, a number of country offices demonstrated leadership in following up UPR and promoting east-east knowledge sharing. Held in Kyiv on March 21-22, 2013, and led by UNDP Ukraine CO, the conference **"Building Bridges: Collaborative Networks and International Mechanisms for Human Rights Protection"** brought together over 140 human rights defenders, journalists, represen-

“Due to such mechanism as the Universal Periodic Review, we are able to overcome a lot of obstacles that existed in the past. Now, UN Member States may assess the situation with human rights and issue recommendations to their peers. Countries are to listen to each other and accept criticism”

Simon Smith, the Ambassador of Great Britain to Ukraine

between UNDP Country Offices and Regional Centre positioned UNDP well across the region and among development partners. Cross-sector sharing of good practices on the UPR follow-up process has strengthened ties between the key national stakeholders working in the human rights realm, instituted contacts among human rights organizations and media in the CIS region, and probed opportunities to enhance partnerships and establish dialogue among them.

tatives of human rights commissioners, and public officials from 10 countries, along with representatives of UNDP and OHCHR, and international experts. Despite having a regional focus on the Commonwealth of Independent States (CIS) region– represented by the Russian Federation, Ukraine, Belarus, Uzbekistan, and Turkmenistan – delegates from Denmark, Great Britain, Poland, Switzerland and Slovakia also joined the event. Sharing emerging practices and reflections on lessons learned from within the CIS region was also reflected in the case of Ukraine, the hosting country, which is one of the few countries in the region with submitted interim national report on the UPR follow up. The event also featured presentation of the report **“Universal Periodic Review in CIS States: Regional Characteristics, National Peculiarities”**, which analyzes regional tendencies and opportunities for cooperation between various actors in the area of human rights promotion and protection. Such knowledge partnership



“Achieving rights for all people in all countries require action and commitment from the major players in society. State, civil society and national human rights institutions have an essential role to play in advancing and protecting human rights. All three have been given due credit.”

Ricarda RIEGER, UNDP Country Director, Ukraine

Operationalising UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems

Legal aid, as part of an access to justice agenda, is a rapidly growing area in the world, which is in its advanced stages in some countries of the region (as in Georgia, Moldova and Ukraine), and which is emerging in the other countries (as in the case of Central Asia and Southeast Europe). Empowering disadvantaged individuals and groups through legal aid to seek remedies for injustice can strengthen the accountability mechanisms between right-holders and duty-bearers, and contribute to creating transparent, accountable and inclusive institutions. Within the framework of the PHASE Project, UNDP BRC is supporting national legal aid bodies and UNDP country offices in improving effectiveness of national legal aid system, and promoting international good practices in the region of Europe and Central Asia to introduce legal aid system.

Widening Access to Justice: Quality of Legal Aid and New UN Principles and Guidelines on Access to Legal Aid

In April 2012, the UN Commission on Crime Prevention and Criminal Justice adopted the first international instrument exclusively dedicated to legal aid. The UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, subsequently endorsed by the General Assembly in December 2012, provide a broad framework for institutionalizing and applying international principles in local contexts to ensure that suspects, detainees, accused and imprisoned persons have access to legal aid.

International workshop **“Widening Access to Justice: Quality of Legal Aid and New UN Principles**

“The UN Principles and Guidelines should be used at full potential to develop a global discussion on legal aid systems and promote regional/country experience and sharing of best practices.”

Nicola Harrington-Buhay,
UN Resident Coordinator and UNDP Resident
Representative, UNDP Moldova

and Guidelines on Access to Legal Aid in Europe and the CIS countries”, held on April 25-26, 2013 in Chisinau, gathered representatives of national legal aid institutions, bar associations, CSOs active in provision of legal aid and promoting community-based legal awareness programmes, youth groups, academic institutions, and the UN agencies (UNDP and UNODC) from 11 countries of the region and beyond. The event introduced the UN Principles and Guidelines and set a framework for their further implementation while showcasing different national legal aid systems and mechanisms in Europe and Central Asia and promoting collaboration between the networks of national legal aid institutions, experts and practitioners. With this in mind, the assessment of the national legal aid system of Moldova, the hosting country, has piloted operationalization of the guidelines in the region.

The workshop has increased the awareness of participants on how to use the guidelines as a strong advocacy tool and a framework to improve quality of legal aid. While facilitating exchange of knowledge and expertise through showcasing different national legal aid systems and mechanisms in the region, the

“The Republic of Moldova’s experience showed that the legal aid system has a disciplining effect on legal services providers.”

Victor Zaharia, Chairperson, National Legal Aid Council, Republic of Moldova

event has been catalytic for a number of follow-up activities, i.e. as a starting point for development of the new business line “Legal Aid for Justice”. In addition, BRC published the **workshop report**. Drawing upon the conclusions of the workshop, the report sets out issues which stakeholders might wish to take forward, such as ideas on joint trainings that can be organized across the region by involving other interested countries and sharing lessons learned in order to find practical solutions to existing challenges in setting up and running legal aid systems.

Legal Aid for Justice

In 2013, UNDP Bratislava Regional Centre introduced a new business line “**Legal Aid for Justice**” (LAJ) to consolidate available knowledge, analyze it and raise the awareness of the practitioners working in the area of Rule of Law, Justice and Human Rights. As such, it is intended to contribute to greater effectiveness of national legal aid systems across the region and to widen the access to legal

aid for marginalized, disadvantaged and vulnerable groups. Wide scope of the proposed LAJ activities allows for more responsive support tailored to specific needs of national legal aid systems. The first LAJ initiatives concern assessments of national legal aid systems in the region. While Moldova has already conducted a state-funded legal aid assessment, presented at the aforementioned workshop on legal aid, a similar initiative was realized in Armenia between October and November 2013.



For the displaced and socially and economically vulnerable a public attorney is the only hope for a proper legal defence.
Photo: UNDP Georgia

The business line “Legal Aid for Justice” has introduced a comprehensive action plan to promote and strengthen regional, and possibly cross-regional, collaborative efforts on effective legal aid provision. Catalyzed by the Moldova legal aid workshop, the initiative has already gained interest across the region, which was demonstrated by BRC advisory support to Kazakhstan in relation to the recently adopted law on legal aid (Effectiveness of Legal Aid to the Citizens of the Republic of Kazakhstan) and initiatives in Moldova and Armenia.

Capacity Assessment of the State Guaranteed National Legal Aid System in Armenia

The first Public Defender’s Office (PDO) in the Commonwealth of Independent States was established in Armenia, in June, 2007, in accordance with the 2004 Law on Advocacy. The PDO provides free legal aid in all criminal and most of civil cases for disadvantaged citizens. However, the free legal aid system is still not sustainable, and its financing is not

based on program budgeting. Risk of low efficiency is present. In addition, President’s Order on judicial and legal reform requires exploration of alternative solutions of co-funding of free legal aid. Supported within the Legal Aid for Justice initiative, the assessment was based on the situation analysis in Armenia which has examined the Law on Advocacy, the quality of legal aid, existing financial and budgeting framework and possibilities of enhanced cost effectiveness and efficiency of the system, as well as switching to project budgeting scheme. The assessment aimed to identify barriers for effective work of Public Defender’s Office and propose recommendations on how to improve the Office’s capacities, especially in regard to financing and the quality assurance of legal aid.

Given no effective system for free legal defence at place, the recommendations will be instrumental in identifying necessary steps to ensure effective program budgeting system and in refining quality standards in consultation with the involved stakeholders, as well as for establishing systemic monitoring of the quality of publicly funded legal services in criminal matters.

Sectoral/ Thematic Human Rights and Justice Capacity and Policy Strategy & Knowledge Development

- Making NHRIs relevant to National Development Agenda of the Middle Income Countries

- Access to Justice and Social Inclusion Knowledge Products

Making NHRIs relevant to National Development Agenda of the Middle Income Countries



Since 2000 there has been increasing attention to the characteristics of effective NHRIs (as opposed to just their formal design features), how to develop their capacity and also, to a much lesser extent, how to measure their impact. An important step in this process was the publication in the 2005 of the report on Assessing the Effectiveness of National Human Rights Institutions, jointly published by the International Council on Human Rights Policy and the Office of the High Commissioner for Human Rights. However, research carried out so far has mostly focused on measuring the effectiveness of specific activities and features of NHRIs, not their overall impact. While nowadays the overall importance of NHRIs and other national mechanisms in implementation of interna-

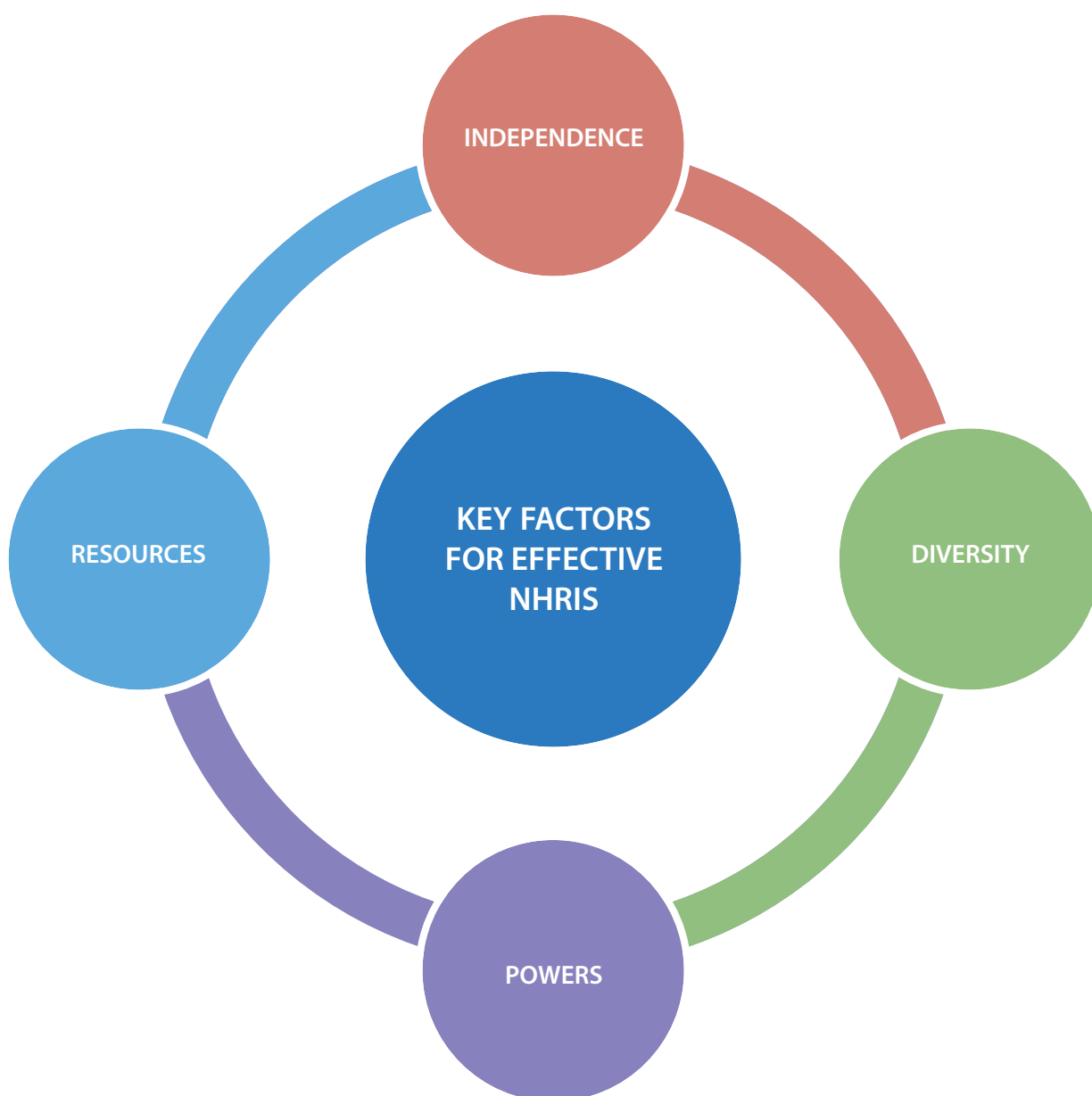
tional human rights standards is taken as given, there has been almost no serious research to verify the impact. With this in mind, UNDP BRC has launched an exercise to develop practical tools for **measuring the impact and development effectiveness of NHRIs**. The evaluation framework was presented at the international workshop for ombudsman institutions in Southeast Europe (Zagreb, November 7-8, 2013), where Ombudspersons from 8 countries in the region had the opportunity to test it. The exercise also served as a point for further fine-tuning and validation of the framework.

The effectiveness evaluation framework has been designed with two purposes in mind. Firstly, it is in-

tended for use as an evaluation tool by NHRIs themselves or for others (such as UNDP) as an aid to capacity assessment. Secondly, when used over a range of different countries, the effectiveness framework becomes a research tool to test the impact of a series

of explanatory variables on the effectiveness of national institutions (**Figure 3**). Its piloting is envisaged in 2014, on NHRIs from Southeast Europe, with potential replication to other countries in the region.

Figure 3: Key components of the effectiveness framework



Access to Justice and Social Inclusion Knowledge Products

Pursuing its continuous goal to strengthen the capacity of key partners in the region, UNDP BRC developed and published a number of knowledge products in 2013, as part of the *Lessons Learned Series: Rule of Law, Justice & Human Rights*.

Protecting and promoting the human rights of persons with disabilities (PWDs) has emerged as a priority theme for National Human Rights Institutions (NHRIs) also due to the emphasis the Convention on the Rights of Persons with Disabilities places on national monitoring. Various initiatives in Central Asia highlight the impor-



"All National Human Rights Institutions will strive to share their experiences in applying the Convention on the Rights of Persons with Disabilities, seeking to strengthen and improve the application in the region by sharing best-practices, challenges and – as appropriate – the insights gained from ongoing discussions. In particular, National Human Rights Institutions will utilize the opportunity to collaborate with institutions in the region to reflect on their role and contribution in increasing the inclusion of persons with disabilities."

Excerpt from the regional study "Promoting and Protecting the Rights of Persons with Disabilities by the NHRIs in Central Asia: Experiences, Challenges and the Way Forward"

tance of accessibility for and inclusion of PWDs across all spheres of life. NHRIs play a vital role in supporting such initiatives as the protection and promotion of the rights of marginalized groups in societies is one of their key competences.

Regional study **"Promoting and Protecting the Rights of Persons with Disabilities by the NHRIs in Central Asia: Experiences, Challenges and the Way Forward"** is based on the UNDP BRC study which brought together the whole range of initiatives throughout the Central Asian Region related to increasing the visibility of PWDs and therewith their growing inclusion in mainstream society in Central Asia. The study also outlines some of the key challenges that policy changes may face and highlights the important contribution that the experts in NHRIs can make. Drawing on examples in social policy,

health, education and employment, the study underscores the importance of mainstreaming initiatives related to inclusion and accessibility and stresses the potential that such policies hold for societies at large. The study identifies main issues of access and inclusion for NHRIs, grouped into 10 strategic goals, with a comprehensive list of indicators.

The International Convention on the Rights of Persons with Disabilities (CRPD), as one of international human rights treaties, pursues the goal of safeguarding the integrity and dignity of PWDs by establishing legal obligations on states to protect the rights of all PWDs under their jurisdiction, and as such is fundamental for integrating human rights models into disabilities policies of gov-

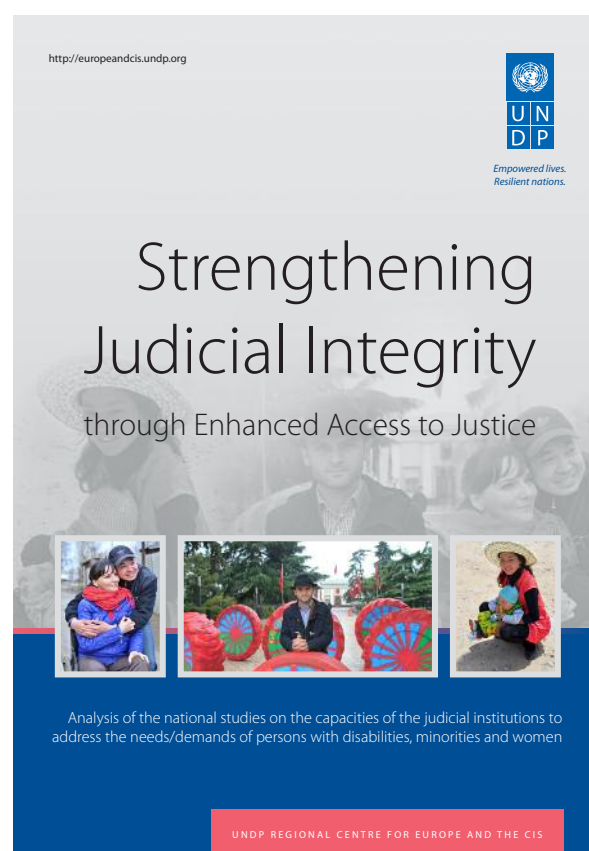
ernments. Many countries in the region have signed the CRPD and some of them have ratified it. **Promoting the Human Rights of Persons with Disabilities in Europe and the Commonwealth of Independent States: Guide** was developed to raise awareness of challenges faced by persons with disabilities across the region. This region-specific, research-based guide provides analysis of the key areas where PWDs are experi-

encing barriers and highlights the policy and programmatic approaches that have been effective for promoting their human rights. It contains a wide range of examples of successful strategies utilized by practitioners in the ECIS countries to promote implementation of the CRPD. It also suggests a range of measures that can be adopted to support ratification of the CRPD, from the use of the Universal Periodic Review (UPR) and aligning existing legislation with CRPD requirements, through development of an action plan and strengthening PWDs' role and involvement in decision making, to addressing attitudinal barriers to disability and ensuring wide public support for ratification of CRPD.

Access to justice, as a vital part of the UNDP mandate to reduce poverty and strengthen democratic governance, was once again under the spotlight of the BRC's continuous efforts to increase impact thorough leveraging knowledge of the key partners across the region. **Strengthening Judicial Integrity through Enhanced Access to Justice**



eriments. Many countries in the region have signed the CRPD and some of them have ratified it. **Promoting the Human Rights of Persons with Disabilities in Europe and the Commonwealth of Independent States: Guide** was developed to raise awareness of challenges faced by persons with disabilities across the region. This region-specific, research-based guide provides analysis of the key areas where PWDs are experi-



was developed in a follow up to conclusions and recommendations from the international conference on judicial integrity, which was held in Tbilisi,

in April 2011⁹. The objective of this report is to provide an analysis of the national studies that were carried out in five selected countries/territories, Bosnia and Herzegovina, Kazakhstan, Kosovo, Kyrgyzstan and Serbia, to assess the capacities of judicial institutions (courts) to address the needs of the target groups. The analysis, which was carried out to inform regional policy and programming support, identified possible entry points and niches for UNDP at the national level for the provision of further support in this area.

One of the chief indicators of the equitable application of the rule of law and access to justice principles is an efficient criminal justice process. Although led by legal professionals, it can only be considered efficient and effective if it fosters conditions for the timely and fair participation of citizens, namely victims and witnesses, and if it guarantees victims and witnesses their rights and provides them with security and the feeling of safety, indicating at the same time their importance in exercising their civic duty. **Development of a Witness and Victim Support System: Lessons Learned** captured experience and lessons learned from the project implemented by the UNDP Croatia. The project itself was internationally recognised as an example of good practice and its achievements have been streamlined into the Council of Europe Parliamentary Assembly's Resolution 1784 (2011): The protection of witnesses as a cornerstone for justice and reconciliation in the Balkans. This document is seen as a starting point for discussion among relevant stakeholders on how empowerment of victims can be incorporated into a broader judicial reform agenda, namely in Southeast Europe and Turkey. Based on relevant developments in both the EU and the UN, the document provides

an overview of how the victims and witnesses support programs can address challenges of vulnerability and exclusion in societies and support judicial systems to bring justice to victims.

Comparative report **Accessing Justice: Legal Aid in Central Asia and the South Caucasus** outlines the status of access to justice in six countries – Armenia, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan. Using data from national reports it describes the status quo, successes and challenges for access to justice. Conceptually access to justice is contemplated beyond the mere involvement of lawyers and existing free legal aid schemes. The inquiry looks at the international and national regulation, demographic and geographical barriers, supply of legal services, structure of legal and court fees, alternative means of delivery of legal services, funding and quality of access to justice mechanisms. Several key findings emerge from the report. First, it is clear that as a consequence of the historical tradition access to justice in the region has been conflated narrowly to legal aid in criminal cases. With the notable exception of Georgia, the countries from the region focus predominantly on the access to legal aid in criminal procedures. This trend is visible also in some of the constitutional provisions regarding access to justice. In each of the six countries accessible justice has been recognised as a value but the particular provisions point to criminal justice. This leads to the second conclusion that access to justice is not seriously present in the area of civil and administrative justice. The relatively new Georgian Law on Legal Aid sets a good example with regard to expanding legal aid to civil and administrative problems, setting up an institutional framework to support the delivery and quality assurance of various levels of legal services.

9 The workshop was organized in partnership with Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ).

Promoting Innovative Approaches and Civic Engagements for Human Rights And Justice

HuRiLab- Human Rights Laboratory

Innovative Approaches for Persons with Disabilities

HuRiLab- Human Rights Laboratory



One of the working teams at the HuriLab Social Innovation Camp in Armenia

In 2013, the UNDP BRC has introduced the HuRiLab initiative, aimed to promote innovation in the Rule of Law, Justice, and Human Rights programming. The initiative was launched at a **social innovation camp**, held in Yerevan on June 28-30, 2013, which gathered youth groups, civil organizations and UNDP representatives from 8 countries. On the eve of the camp, UNDP BRC organized Capacity Building Workshop for representatives of participating UNDP country offices from Armenia, Belarus, Bosnia, Iraq, Kyrgyzstan, Moldova, Montenegro and Ukraine. Cross-practice (with UNDP BRC Knowledge Management team), cross-sector (public, private sector, and civil society) and cross-regional (including Iraqi representatives) collaboration stimulated during the event will be further developed through the HuRiLab's **online platform**.

While the Capacity Building Workshop has enhanced the capacities of the UNDP staff to utilize and sustain

BOX 2: HuRiLab in numbers:



- **3** winning projects to be scaled up in 2013-14
- **8** UNDP Country Offices involved
- **111** ideas submitted
- **302** followers on **Twitter**
- **3 268** fans on **Facebook**

innovative tools in the areas of Rule of Law, Human Rights and Justice, the Camp has brought a new impetus for youth and CSO engagement in local, national and regional human rights initiatives (see **Box 2**) and increased digital literacy among the participants. Beside three awarded projects that are being scaled up in Belarus, Iraq, and Ukraine, the first HuRiLab franchisee is **to be organized** by UNDP Iraq. The up-

graded HuRiLab **website** will serve as a platform for cross-sector interaction and interface for greater youth and civic engagement while performing 2 main functions: 1) a source of innovative thinking for

Rule of Law, Human Rights and Justice programming; 2) a channel for bringing this agenda to broader audience in line with Human Rights Based approach to programming.



"It would be pompous of me to say that I will never be the same, yet I do believe that HuRiLab changed each and every one of us. And now that I, my views and my understanding of the problem have developed it is the right time to take action and to implement my project in order to make this world a better place."

Jan Guardian, author of the HuriLab winning project, Belarus

Innovative Approaches for Persons with Disabilities



Public Diaries on Disabilities

The UNDP BRC has supported project **“Public Diaries on Disability in Belarus: Employing Micro-Narrative Tool for Citizen Engagement and Evidence-Based Programming”** to establish a mechanism for collecting micro-stories from people both with and without disabilities on a range of issues pertinent for PWDs such as employment, education, accessibility, public perception. The micro-narrative tool will serve to empower the PWDs and promote their needs at the national level and thus reducing the “invisibility” of people with disabilities by giving them opportunities to voice their concerns and views. For some of them, probably for the first time in their lives, their voices will not only be heard but will also be used meaningfully to inform decision-making.

Aggregation of thousands of micro-stories provides opportunities for citizens to participate in public policy discourse and for public policy actors to

shape policies and programmes based on unique evidence. As Belarus prepares to adopt the UN Convention on the Rights of Persons with Disabilities, the project will also serve to advocate for improving the situation of persons with disabilities and for moving up the related issues on the agendas of both Government decision makers and members of civil society.

Emergency for Persons with Disabilities

In Kazakhstan, UNDP BRC has supported designing **a new mobile application for persons with hearing impairments** that will connect them with



emergency and legal aid services. This tool will enable deaf people in the city of Astana to send requests using their mobile applications or SMS to access legal aid and emergency services. In response to the request, the application will localize the person in need by using corresponding information of the person, previously stored in the database.

The application, which is currently being developed, will widen access to emergency and legal aid services for people with hearing disabilities who are currently without any emergency services equipped to respond to their special needs.

Integrating Agreed Human Rights Recommendations Into National Human Rights Systems

- UPR Follow-up Facility (UPRF)

- Regional/National Capacity Development Initiative on UPR follow-up

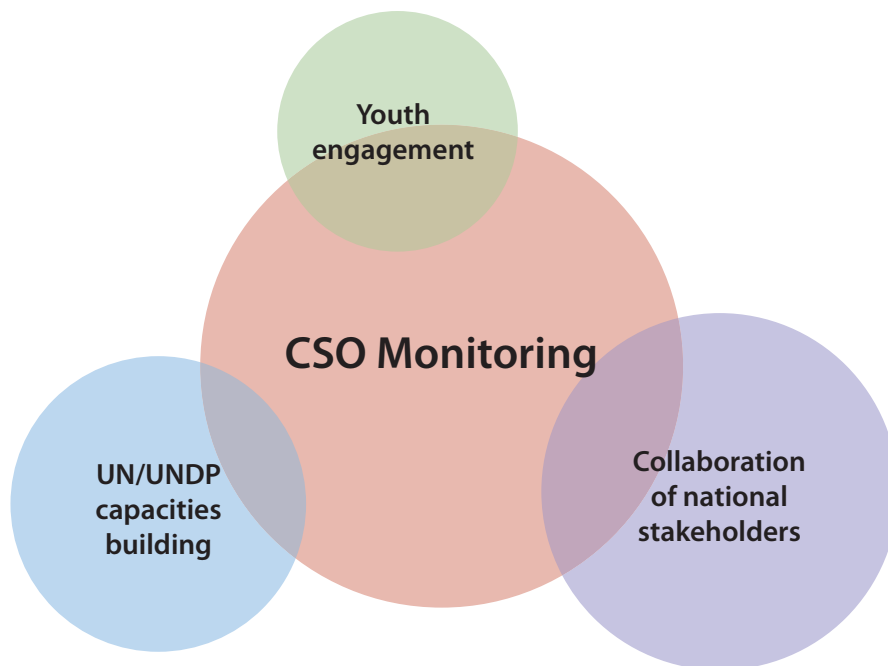
- Support to the application of the HRBA Principles in programming and/or cross-practice themes

UPR Follow-up Facility (UPRF)

In 2012, Bratislava Regional Centre introduced a new business line “**UPR Follow-Up Facility (UPRF)**” to better support UNDP offices in addressing UPR initiatives at the national, sub-national and local levels. In 2013, the support was provided to 6 countries in the region - Armenia, Belarus, Georgia, Kyrgyzstan, Moldova, and Serbia - to make their UPR process more accountable and effective (**Figure 4**).

ports and recommendations of the respective HR mechanisms with participation of government and CSOs. Both, the UN UPR working group and trainings for the staff of UN Agencies, have, in line with the Human Rights Based Approach to programming (HRBA), enhanced regular UN monitoring on the status of UPR follow-up and increased capacities to raise awareness about the UN Human Rights

Figure 4: Focus areas of UPRF 2013



The UPRF project in **Armenia** supported the establishment of an UN UPR working group led by UNDP and organized trainings for the staff of UN Agencies on implementation of UPR recommendations. The project also facilitated further activities of the inter-ministerial commission, which groups together the parliamentary standing commissions, the Human Rights Defender's Office, civil society and international organizations dealing with the UPR follow-up. Among awareness raising activities, the main focus was on workshops for governmental and civil society organizations in Armenian regions on UPR and Treaty Bodies mechanism as well as on organizing open discussions on UPR and re-

Mechanisms and UPR among civil society and other partners in Armenia. Activities of the inter-ministerial commission have enhanced the actors' capacities and knowledge to engage in a constructive dialogue and collaboration for more inclusive monitoring and support of the UPR implementation progress. An ongoing round of consultations with respective public institutions and CSOs is raising awareness on UPR and Treaty Bodies mechanisms and on mainstreaming them into the national human rights agenda.

The UPRF project in **Belarus** aims to intensify the currently weak dialogue between civil society and

state institutions on the UPR. The UPR follow-up workshop, held on December 5, enhanced capacities for civil society reporting and contributed to more inclusive participation in the UPR process with the participation of government representatives, CSOs, UNDP, OHCHR and international experts who shared experiences from the 2nd review cycle and discussed the roles of different stakeholders in the UPR process, including the role of civil society. The workshop provided an opportunity for civil society to increase capacities to contribute to UPR process through reporting, monitoring of implementation, and consultations with the government.

Within the framework of the **Georgian** UPRF project, a coalition of CSO has been selected to conduct comprehensive analysis of the implementation of 8 particular UPR categories of recommendations (constitutional and legislative framework; administration of justice and the rule of law; right to life, liberty, security and humane treatment of the person; non-discrimination; freedom of association and peaceful assembly; freedom of expression; freedom of religion; gender equality; and protection against domestic and gender-based violence). When published and translated, the reports will be promoted at large scale discussions with the participation of authorities, central and regional media, donor community and NGOs. The reports on particular categories of UPR recommendations will enhance the CSOs' capacities to participate in the UPR process and provide a comprehensive analysis of the status of implementation. Round table meetings with different stakeholders will raise awareness on the problematic areas identified by the monitoring reports.

The UPRF project in **Kyrgyzstan** has supported UNDP to assist the Government in implementation of human rights recommendations (i.e. women's and children's rights) through training for UNDP programme staff on UPR and other human rights mechanisms, and working level meetings to integrate specific UPR recommendations into the existing programmes and projects through the HRBA. In addition, upon the Government's request, the project undertook a study on the status of implementation of recommendations made by various UN human rights mechanisms. Finally, the project has streamlined the youth component in the human rights promotion through a series of

public campaigns within the Jashtar Camp and "Open Door Meetings" and thematic workshop on "Youth and Human Rights". Review of UNDP activities and training for UNDP staff has strengthened their capacities to assist the Government of implementation of UPR follow-up, which will be further demonstrated at the working level meetings. Study on the UPR specific recommendations and thematic workshop on "Youth and Human Rights" has raised awareness of the status of implementation of recommendations among various actors. Public campaigns within the Jashtar Camp - the largest youth event in Central Asia - and "Open Door Meetings" have promoted youth advocating for human rights.

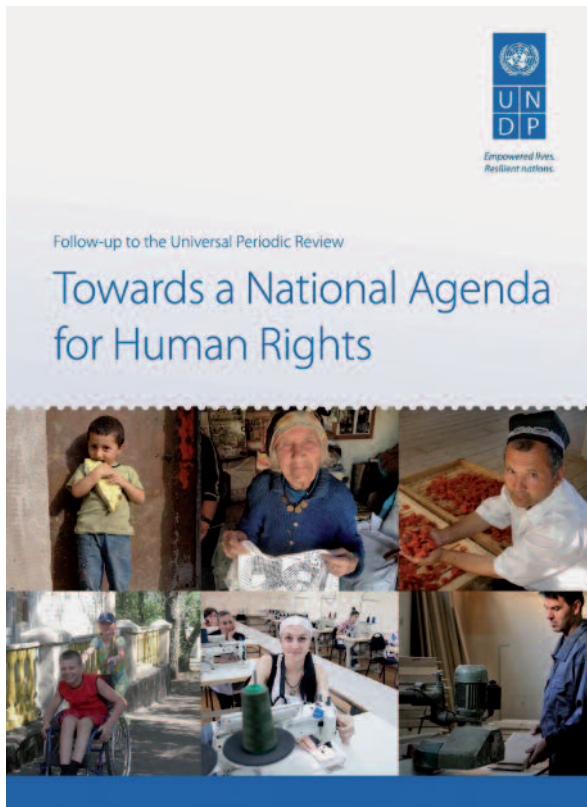
In **Moldova**, the UPRF project has been supporting civil monitoring, presented in quarterly CSO reports at the meetings with other stakeholders. The project also provided technical assistance and advice on good practices between civil society and governmental sector through the National Commission on the Implementation of National Human Rights Action Plan (NHRAP), which was amended in 2013 to include agreed recommendations. The regular civil monitoring has been enhancing capacities of the CSOs' in Moldova for systematic and sustainable tracing of the UPR follow-up. Technical assistance and advice on effective and representative oversight along with facilitating the coordination on the implementation of international and regional human rights recommendations have supported the National Commission in making the NHRAP Implementation more transparent and inclusive.

In **Serbia**, the UPRF project has focused on enhancing national capacities in formulating a National Human Rights Action Plan that unifies all efforts and stakeholders as well as streamlines and mainstreams all human rights programmes. On November 14-15, the project has supported a coordination meeting with ministries and agencies, which, based on a study previously conducted by OHCHR, discussed options for establishing government's high level mechanisms for monitoring implementation of the recommendations of UN human rights mechanisms. These efforts contributed to the Coordinated Plan of Action for the National Coordination Mechanism, presented at the national conference held on December 10, 2013. The supported

activities have facilitated the process of drafting the Action Plan for the implementation of the UPR recommendations. Recommendations of the study presented at the coordination meeting have been accepted, and, in line with one of the UPR recommendations, the Government will set up a mechanism to implement UPR, chaired by Minister of Justice, and with the Government's Office on Human

and Minority Rights acting as a Secretariat. Advancing mutual cooperation, OHCHR and UNDP will be further involved in the process, including in the drafting of the sectoral workplans to implement recommendations and reflections on the Coordinated Plan of Action for the National Coordination Mechanism captured at the National Conference on December 10, 2013.

Regional/National Capacity Development Initiative on UPR follow-up



The UPR process presents UNDP with a range of opportunities for engagement with the States, NHRIs and civil society. It has the potential to develop into a mechanism that can bring sustainable improvements to people's lives, particularly the disadvantaged and marginalized. It is therefore a key vehicle for conveying UNDP's experience in human rights policy advice, technical support, capacity development and knowledge management. The Policy Note **Follow-Up to the Universal Periodic Review: Towards a National Agenda for Human Rights**, developed by UNDP BRC, identifies potential development programming opportunities for UNDP to develop national capacity in the UPR area and contribute to the in-country UPR process. It also presents a model for UNDP engagements in

support of UN Resident Coordination System for the respective host governments, multi-stakeholders, and partners.

Focusing on lessons learned and good practices on implementation gap/follow-up to UPR recommendations, the report **International Conference on Responding to UPR Recommendations: Challenges, Innovation and Leadership** contains findings and recommendations from the international conference organized by the UNDP Regional Centre for Europe and Central Asia, the Government of the Republic of Moldova, and the OHCHR, in November 2011. The objective of the conference was to raise awareness among national governments and UN agencies regarding the modalities and challenges of implementing the UPR Recommendations agreed by national governments. Previously, UPR Recommendations had been made to States but no detailed guidelines had been given to key stakeholders (national government agencies, NHRIs, CSOs and others) regarding implementation modalities at the national, sub-national and local levels. As a consequence, different national processes, levels of commitment, modalities, mechanisms, and timeframes for responding to Recommendations currently exist. The conference therefore discussed these issues in an attempt to better equip the institutions involved to address them, as well as to try to pre-empt their re-occurrence in subsequent UPR cycles. Good practices and lessons learned featured in the report has provided a starting point for further research on the follow-up phase of the UPR Recommendations (especially for the regional report "Universal Periodic Review in CIS States: Regional Characteristics, National Peculiarities") and are still beneficial for advocating the incorporation of UPR recommendation into respective national agendas.

Support to the application of the HRBA Principles in programming and/or cross-practice themes

Cross-practice cooperation on human rights and justice themes in the HIV/AIDS agenda

In collaboration with the UNDP BRC's HIV, Health and Development Practice, the Human Rights and Justice Team is drafting a cross-practice handbook on legal empowerment for the People Living with HIV/AIDS which will be followed with a legal training course. This activity will build upon the previous successful mainstreaming of human rights

applicable and easy-to-understand advice from experienced practitioners on the organization of legal empowerment of persons living with HIV and relevant professional groups, and thus widen access to justice for this vulnerable group. Collaboration with the BRC's HIV, Health and Development Practice has contributed to better promoting and protecting the rights of people living with and affected by HIV and initiated policy dialogue on HIV and the Law in the context of key populations through national stakeholders.



and justice themes in the HIV/AIDS agenda, featuring comprehensive analysis of laws, policies and practices related to HIV provided at national stakeholder meetings in Moldova and Ukraine. The handbook will provide NGOs with practical,

Cross-practice cooperation on Economic, Social, and Cultural Rights

Capacities of civil society to engage with the legal instruments of UN treaty bodies were increased at the workshop introducing the new Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR), which was held on June 12-13 in Bratislava. Attended by representatives of UNDP (collaboration with UNDP BRC Poverty Practice), OHCHR, international CSO networks (ESCR-

Net; Global Initiative for Economic, Culture and Social Rights) as well as Slovak CSOs engaged with strategic litigation of economic, social and cultural rights, the workshop set ground for further collaboration on inclusive and rights-based development.

Regional Policy Advisory and Programme Support

- Strengthening Rule of Law,
Justice, and Human Rights in
Central Asia

- Follow-Up to UPR
Recommendations in Ukraine,
Moldova, Belarus

- Regional Consultation and
Capacity Development Workshop
in Armenia

- ECIS Visioning on Innovating for
Rule of Law, Justice and Human
Rights and Institutional Context
Analysis Workshop in Georgia

Strengthening Rule of Law, Justice, and Human Rights in Central Asia

UNDP BRC's support to Central Asia [Tajikistan, Kyrgyzstan, Uzbekistan, Kazakhstan and Turkmenistan] in drafting new Rule of Law, human rights, and access to justice and legal aid initiatives and projects, supporting resource mobilisation, building partnership, and strengthen national, in-house technical capacities played an important role in promot-

ing rule of law and human rights across the sub-region. Provided advice and support have led to the consolidation of a comprehensive rule of law platform that includes a number of components and provides mechanisms for coordination of the rule of law projects.

Follow-Up to UPR Recommendations in Ukraine, Moldova, Belarus

Advice, technical support and catalytic fund were provided to all three countries including on developing peer/policy review of the regional analysis on UPR recommendations. Contributions to the drafting process of regional studies and national reports resulted in analytical reports/studies i.e., "Universal Periodic Review in CIS States: Regional Characteristics, National Peculiarities". Technical advices and

regional-global insights shared at the national consultations have provided a bigger picture on the region's developments and enabled better reflection on the shared good practices and lessons learned at the national level. The PHASE Project played a complimentary role in supporting regional advisory services.

Regional Consultation and Capacity Development Workshop in Armenia

The UNDP BRC Human Rights and Justice Team joined the Focal Points from country offices at the **Regional Consultation and Capacity Development Workshop** to discuss emerging regional, sub-regional, and national challenges and priorities for programming and advocacy. The workshop also presented opportunities for promotion of innovation programmes, which was also demonstrated on the spot through design thinking methodology. The workshop was followed by a social innovation camp within the HuRiLab initiative, where the UNDP BRC's Regional Human Rights and Justice Advisor participated as a member of jury, and by meetings with representatives of Armenian Ministry of Foreign Affairs and Ministry of Justice. Discussion at the Regional Consultation and Capacity Development Workshop has identified some key

factors for future programming in the region also in light of the recent post-2015 consultations and web-based discussions. Participation in and coordination of the HuRiLab social innovative camp helped launch the regional initiative HuRiLab described above. Following the meeting in Yerevan, the Armenian Ministry of Foreign Affairs endorsed the UPRF proposal by the UNDP BRC and participated in revised version of the project. Following the meeting with the Armenian Deputy Minister of Justice, it was agreed that UNDP would support an assessment of the state funded legal aid system in Armenia, mentioned above, with the potential to contribute to a future Access to Justice project in the country as part of UNDP BRC's newly launched regional business line Legal Aid for Justice.

ECIS Visioning on Innovating for Rule of Law, Justice and Human Rights and Institutional Context Analysis Workshop in Georgia

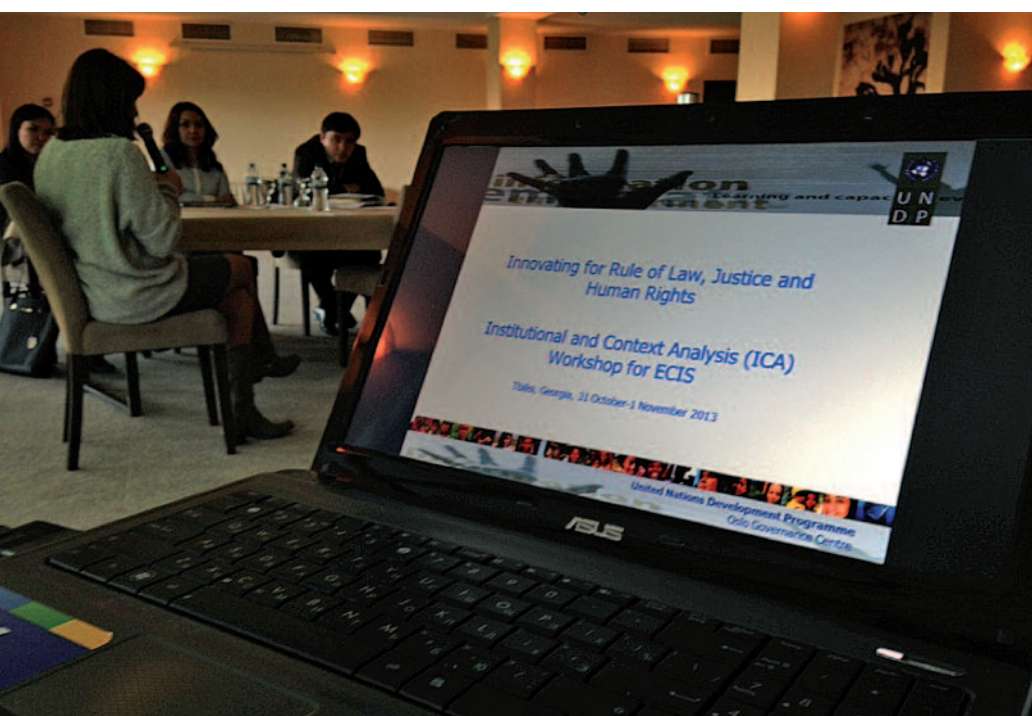
The UNDP BRC Human Rights and Justice team has participated in **the ECIS Visioning on Innovating for Rule of Law, Justice and Human Rights and Institutional Context Analysis (ICA) Workshop** while coordinating and facilitating a

cess to Justice, and contributed to future programming of the regional initiatives. Both exercises enhanced capacities of the staff members from most of the ECIS UNDP offices and contributed to better profiling their programme priorities for the upcoming period.

This also promoted East-East cooperation in building capacities of CO staff to serve the respective national counterparts better. The ICA workshop has helped identify and respond to development challenges related to rule of law, human rights and access to justice, taking into account the political and institutional context in the respective countries. The regional visioning for Rule of Law, Human Rights, and Justice, coordinated by the UNDP BRC Human Rights and Justice team, has cemented country support

hands-on training for the ECIS practitioners on ICA in the areas of Rule of Law, Human Rights, and Ac-

cess to Justice, and contributed to future programming of the regional initiatives. Both exercises enhanced capacities of the staff members from most of the ECIS UNDP offices and contributed to better profiling their programme priorities for the upcoming period.



Visibility

- External Communication Channels

- Internal Communication Channels

External Communication Channels

Website

Along with information provided on the UNDP BRC Human Rights and Justice **web page** and sub-pages, a new communication platform for broader audience has been introduced in 2013 through the **HuRiLab website**.

Another channel represents three “Akvo Really Simple Reporting” pages that inform about **PHASE**, **UPRF**, and **Legal Aid for Justice** programmes.

To introduce some aspects of the human rights and justice agenda to a broader audience, members of Human Rights and Justice Team have also contributed to the Voices of Eurasia blog with four blog posts:

- **The balance of justice: From victim support to justice for all**
- **Wanted: YOU, to promote human rights and justice**
- **Slovakia signs up to a new UN protocol that could protect your human rights**
- **HuRiLab: Making human rights and justice programmes innovative – and interactive**

Among knowledge products, two new publications informing on UPRF have been published online:

- **Universal Periodic Review International Conference;**
- **Towards a National Agenda for Human Rights.**

Until the end of 2013 five more publications will be published:

- **Promoting the Human Rights of Persons with Disabilities in Europe and the Commonwealth of Independent States: Guide**
- **Strengthening Judicial Integrity through Enhanced Access to Justice**

HuRiLab website.



- **Widening Access to Justice: Quality of Legal Aid and New UN Principles and Guidelines on Access to Legal Aid in Europe and the CIS countries, workshop report**
- **Development of a Witness and Victim Support System: Lessons Learned**
- **Accessing Justice: Legal Aid in Central Asia and the South Caucasus**

Social media and other mass media

Activities have been regularly covered and commented through the **Twitter** account of the UNDP BRC Human Rights and Justice Regional Adviser. Within the HuRiLab initiative, new **Facebook** page and **Twitter** account were launched to promote a wider platform for promoting new thinking in human rights and justice programmes. In addition to social media, broad public has been informed about the events and other activities through TV, radio coverage and press clippings from the events

Internal Communication Channels

Along with regular and ad hoc email and Skype communication, updates have been provided through thematic Teamworks groups and spaces:

- Thematic Service Space **Rule of Law, Justice & Legal Empowerment: Europe & Central Asia;**
- Thematic Service Space **Human Rights – Europe & Central Asia;**
- Thematic Service Space **UPR Follow-up Facility (UPR-F);**
- Event Space **HRBA Knowledge and Learning Forum.**

Going Beyond Minimum

Emerging Initiatives and
Partnerships

Emerging Initiatives and Partnerships

The cross-sectoral nature of the Project's components and their catalytic effect for future programming is an area of growth. For example, the effectiveness framework, developed by UNDP to support NHRI in their self-evaluation and further capacity building, has paved the way for new initiative "NHRIs Plus" which will be introduced in 2014. Legal Aid assessment conducted in Moldova in 2013 along with the new initiative Legal Aid for Justice have served as a basis for intended study on legal aid in frozen conflict zones [being discussed with interested offices, which may pilot similar assessments in other conflict-affected areas of the region]. Innovative approach to Rule of Law, Justice, and Human Rights programming introduced by HuRiLab initiative, will be applied across project areas to provide new perspectives for their better targeting and outreach, while creating new partnerships with youth groups and civil society organizations. Throughout two years of its existence, the UPRF initiative has become a very useful plat-

form to tailor support of national human rights systems to their specific needs and demands. This responsive approach will be further developed in the future programming. Successful cooperation has been built with HIV, Health and Development Practice and Gender Team on legal empowerment and legal aid while opportunities to develop cross- and intra-practice initiatives will be further strengthened with other teams.

Though not explicitly linked to the Project's portfolio, advisory support provided by Regional Adviser is crucial for its linkage to regional initiatives in support of national strategies, policies, key legislations and strengthened institutional framework. At the same time the effect of advisory support is enhanced by the project outputs in the respective areas. Such mutually reinforcing collaborations will positively affect the impact and scope of the UNDP BRC activities in the field of Rule of Law, Justice, and Human Rights.



*Empowered lives.
Resilient nations.*

**UNDP Regional Centre
For Europe and the CIS**

Grosslingova 35
811 09 Bratislava
Slovak Republic
Tel.: +421 2 5933 7111
Fax: +421 2 5933 7450
<http://europeandcis.undp.org>

Lessons Learned Series: Rule of Law, Justice & Human Rights