



PROJECT DOCUMENT

Uzbekistan
February 2020



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Project Title: Support to the Electoral Process in Uzbekistan 2019-2021
Project Number:
Implementing Partner: UNDP Uzbekistan
Start Date: October 2019
End Date: 31 December 2021
PAC Meeting date: 13 February 2020

Brief Description

In response to a formal request from the Central Elections Commission of Uzbekistan to provide electoral assistance and based on recommendations of the UN Needs Assessment Mission led by the Electoral Assistance Division of the Department of Political and Peacebuilding Affairs, UNDP has developed this project document to assist the Uzbekistan stakeholders in supporting the upcoming parliamentary and local elections in 2019 and provide long-term assistance, with the view to support future election.¹ The project is envisaged to last from October 2019 to December 2021 (total of 26 months) and will consist of three components, aiming to augment the capacity of various stakeholders, increase participation of women, youth and people with disabilities and devise the strategy for long-term, sustainable improvements to the electoral process overall. The project's strategy will consist of a two-phased approach. Firstly, the project will aim to provide maximum support to all relevant stakeholders for the upcoming parliamentary and local elections 2019, bearing in mind time and resource limitations. Secondly, considering recommendations from Election Observation Mission and lessons-learned, in close cooperation with the CEC and other stakeholders, the project will develop and implement a long-term strategy for comprehensive and sustainable improvement of the electoral process in Uzbekistan, with a particular emphasis on the next elections.

Contributing Outcome (UNDAF/CPD, RPD or GPD): Outcome 8. By 2020, legal and judicial reforms further ensure strong protection of rights, freedoms and legitimate interests of citizens. Indicative Output(s): GEN 2.	Total resources required:	US\$ 3,215,139.18	
	Total resources allocated:	DPPA/EAD/UNDP:	US\$134,000
		Donor:	
		Government:	
		In-Kind:	
	Unfunded:	\$3,081,139	

Agreed by (signatures)²:

UNITED NATIONS DEVELOPMENT PROGRAMME	CENTRAL ELECTION COMMISSION OF THE REPUBLIC OF UZBEKISTAN
	
Matilda Dimovska, Resident Representative UNDP in Uzbekistan	Mirzo-Ulugbek Abdusalomov, Chairperson, Central Election Commission
Date: 19 FEB 2020	Date: 03 MAR 2020

¹ This project document was developed in September 2019. Due to the announcement of the 2019 elections campaign, the signing of the project document was postponed until after the 2019 elections.

² Note: Adjust signatures as needed

I. DEVELOPMENT CHALLENGE

Since 2017, Uzbekistan's public governance, political and social institutions are being reformed under the 2017-2021 Development Strategy framework which streamlines the transformations in five priority areas: improving public and civic institutions, ensuring rule of law, liberalizing economy, optimizing social service sector and fostering human rights, religious and ethnic tolerance. A series of government decisions (presidential decrees and government resolutions) tackle some of the most systemic development challenges - creating an enabling environment for private entrepreneurship and reforming the judicial system, governance and civil service areas. Greater emphasis was placed on civil service, creating opportunities for citizens inquiries and grievances, lifting barriers for entrepreneurs/businesses, fighting red tape and corruption.

A newly established Agency of Public Services under the Ministry of Justice has become a leading force in improving public service delivery, overseeing 201 public service centres (PSC). The Agency become a game-changer, applying a citizen-centric approach and making public services more accessible, more effective, less costly, and significantly reducing corruption through digitalization of public service delivery.

The Government demonstrates substantial political determination to tackle corruption at all levels. Resilient, agile and adaptive government institutions are needed to cope efficiently with the current social and economic transformations, and to ensure sustainable development and equal distribution of the benefits of development. More than 20 Regulatory acts came into force to streamline anti-corruption system.

To ensure effective checks and balances system, improve the efficiency of judiciary and citizen's access to justice, system of free legal assistance becomes promoted. Government continues improving international cooperation in the field of human rights. For the first time since 2006 Uzbekistan was excluded from the list of countries of Particular Concern under International Religious Freedom Act, "as a country which is going to have less terrorism long term and more economic growth."¹

The reforms pay special attention to ensuring gender equality and empowering women. For instance, 16 legal acts focused on women empowerment & promotion of women's interests were adopted by the President, Parliament and the Cabinet of Ministers of Uzbekistan in 2018-2019, and only 32 legal acts of same power were adopted in 1991-2017. In August 2019, the laws "On equal rights and opportunities of women and men" and "On protection of women from harassment and violence" were adopted setting a new level of gender equality policy in Uzbekistan.

Series of reforms aimed at further improvement of the national legislative and rulemaking process are implemented, followed by the Decree of the President "On adoption of the Concept for Improvement of Normative-making Process", which sets the comprehensive framework on establishing efficient check and balances system for new decision-making mechanisms. The mass media sector demonstrated qualitative changes in its performance. Liberalization of information policy have provided a ground for a private on-line mass media resources and bloggers to become real power, making positive impact on decision makers at central and local administrations. The executive branch of the government pays attention to the development of independent mass media and individual bloggers segment and considers them as a reflection of public opinion on the impact of the reforms.

The upcoming parliamentary and local elections in December 2019 will further shape the political environment in the country and enhance the role of legislature and the new cohort of MPs in further implementation of the development priorities with much broader and inclusive focus on citizen engagement and voice, public consultations, openness and transparency.

¹ <https://www.state.gov/wp-content/uploads/2019/05/UZBEKISTAN-2018-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>

Uzbekistan is due to hold in December 2019 four sets of elections – to the lower chamber of Parliament (Oliy Majlis), and to the regional, district and city councils (kengashes). The bi-cameral parliament comprises a 100-member Senate and a 150-member lower chamber, both with five-year terms. The Senate comprises 84 members indirectly elected by 12 regional councils, the city of Tashkent and the Republic of Karakalpakstan, as well as 16 senators appointed by the President.

All officially registered political parties are represented at the Parliament. The outgoing lower chamber is composed of the Liberal Democratic Party of Uzbekistan (LDPU) with 52 seats, the National Revival Democratic Party (Milliy Tiklanish) with 36 seats, the People's Democratic Party of Uzbekistan with 27 seats, and the Social Democratic Party of Uzbekistan (Adolat) with 20 seats. In addition, in accordance with the then applicable legislation at the time, a quota of 15 seats was allocated to the Ecological Movement of Uzbekistan (EMU).

For the upcoming parliamentary elections, voters will directly elect all 150 members of the lower chamber from single-member, majoritarian constituencies. The EMU, formerly a movement has now registered as a party and is competing with the four other parties for seats.

The legal framework was recently changed with the adoption of a unified Election Code. Novelties introduced with the Election Code include, among others:

- The restriction on participation in elections of persons detained in prisons for minor crimes is excluded.
- Political parties received the exclusive right to nominate candidates for deputies of regional, district and city Kengashes.
- A unified electronic voter list of Uzbekistan is introduced, which guarantees the implementation of the principle “one voter - one vote”.
- The procedure for making proposals on candidates for members of the precinct election commission by self-government bodies of citizens, public associations and organizations is established. Candidates to be discussed at the meetings of district and city Kengashes and recommended for approval by the district election commission.
- The requirements for members of the election commission are set - citizens of Uzbekistan, aged 21 and older, with secondary or higher education, experience in preparing and holding elections and enjoying respect from the local population. Khokims, officials of prosecution bodies, courts, close relatives and proxies of candidates and persons who are directly subordinate to candidates are not eligible for being a member of election commissions

However, the following challenges remain and need to be addressed to ensure effective implementation of the norms of the newly adopted Electoral Code and contribute to further maintaining effective checks and balances system in Uzbekistan:

- Ensuring unconditional compliance of the actual electoral process with newly introduced electoral norms and principles on the ground; in particular, this applies to the organization of elections in prisons which is being done for the first time.
- Some of the new legal aspects may be inconsistent with other existing laws, which could impede the implementation of Election Code and organization and administration of the electoral process. The comprehensive monitoring and analysis of the Election Code implementation is required to provide grounds for further improvements.
- Introduction of unified electronic list of voters requires significant infrastructural, hardware and software preparations. For the first time, this system was tested in the elections to the district Kengashes of Tashkent in 2017.
- Implementation of the norms of the newly adopted Electoral Code would require a wide range of the capacity building activities for all the stakeholders of the process.

Moreover, as OSCE/ODIHR report from the 2016 early presidential election indicated, some of the challenges are systemic in nature and not easily addressed in a short timeframe or without deeper reforms, well beyond legislative amendments and improvements in the technical and procedural

aspects. Issues such as dominant position of state actors, highly restrictive media reporting and dissemination of the state-defined narrative², will most likely not be addressed in the short-term. However, with adequate political will and resources, significant improvements in these and other aspects of the electoral process could be made in the subsequent period.

Considering these challenges, the CEC requested UN electoral assistance ahead of the parliamentary and local council elections scheduled for December 2019. The assistance was requested in the following areas:

- 1) Capacity building/training of the staff of electoral commissions based on best international practices;
- 2) Support to voter information and education programmes, public information campaigns and related activities;
- 3) Optimization of the electoral legal framework;
- 4) Material and technical support to voter registration and polling processes.

I. STRATEGY

Following the request for assistance sent by the Uzbek authorities in June 2019 and in line with standard procedures, the Electoral Assistance Division of the Department of Political and Peacebuilding Affairs (EAD/DPPA) deployed a Needs Assessment Mission (NAM) in July 2019. The NAM report, issued soon after the mission, outlined several key areas of support to be implemented in a “targeted and phased manner”. In line with this recommended approach, and mindful of the time constraint imposed by the upcoming parliamentary and local elections (expected in December 2019), the strategy of the project is designed with a short- and long-term goals in mind. Moreover, considering this is the first time UNDP is providing electoral assistance to Uzbekistan, this strategy is expected to evolve in line with lessons learned along the way. Parliamentary and local elections 2019 are the first such elections held since the reforms introduced by the President Shavkat Mirziyoyev and, as such, will be viewed by national and international community through the prism of the overall progress of the reforms. Additional sign of the significance of the upcoming elections is the fact that OSCE/ODIHR will be deploying a full-fledged Election Observation Mission (EOM) to Uzbekistan, with up to 50 Long-Term and 250 Short-Term observers³.

The main responsibility for organizing elections rests with the Central Elections Commission (CEC) and its affiliates in the regions and, in line with this, the CEC is the key partner and beneficiary of the project. Nevertheless, as elsewhere, a multitude of entities play important roles in the electoral process and as such, will also benefit from project’s assistance. Reflecting this and in line with well-established procedures and methodology, OSCE/ODIHR EOM will observe not only the performance of the election officials, but also the overall process and atmosphere during the entire electoral period, including the role of media that will be monitored through a dedicated media monitoring element of the observation mission. Moreover, considering reforms in the electoral legislation, namely merging of the various electoral laws into a single Electoral Code which will be used for the first time, all key stakeholders must be aware of the new legal and procedural aspects. Most importantly, voters, candidates and elections officials should have a thorough understanding of and how the new legislative norms may impact their daily experiences during the electoral period, including pre-electoral (nominations, campaigning), electoral (election day procedures and norms) and post-electoral (vote counting, tabulation, announcement of results, lodging of the complaints).

² All of which were reported in OSCE/ODIHR 2016 report, p. 1: <https://www.osce.org/office-for-democratic-institutions-and-human-rights/elections/uzbekistan/306451?download=true>

³ <https://www.osce.org/odihr/elections/uzbekistan/428687?download=true>

Strategy of the project is based on the electoral cycle approach, which views the elections not as an event, but a process. Therefore, the project will provide assistance in all stages of the electoral cycle, although, as mentioned above, the assistance in the pre-electoral period in 2019 will be somewhat reduced due to a compressed timeline. Furthermore, the strategy is firmly rooted in bringing about sustainable, long-term, improvements, with the ultimate goal of increasing participation, transparency and credibility to the electoral process overall.

Project will initially adapt a strategy consisting of three components, with the understanding that the structure of the project and design of the strategy will be reviewed at various stages of the implementation, starting with the lessons-learned process in the aftermath of parliamentary and local elections. Nevertheless, aspects such as capacity building, particularly considering the new legislative framework, and inclusion of women, youth and people with disabilities, are expected to remain constant throughout the project and, as such, form the cornerstone of the project strategy. Taking into account that elections are a multi-faceted process involving a multitude of stakeholders, the project will support capacity building of a large array of organizations and individuals. In doing so, particular attention will be paid to minority groups and every effort will be made to translate as many of the training and education materials in relevant local languages.

Reflecting the overall intention to improve the electoral process, not only from the legislative and procedural perspective, but also in terms of international best practices, the project will seek to enhance the understanding of international best practices in electoral matters among the multitude of electoral stakeholders. This means not only simply sharing lessons and experiences from other places but actually applying them to the Uzbekistan context. UNDP's approach to electoral assistance is rooted in the understanding that there is no blueprint for democracy or electoral assistance and as such, any international practices and experiences are always adapted to the specific local contexts and realities.

Providing timely and accurate information to the population regarding the technical aspects of the elections, as well as political campaigning is an essential role played by the public and private media. Considering the new electoral legislation, and the overall expectation that the upcoming elections are more competitive than in the past, it is essential that the capacity of the journalists is improved, enhancing their understanding of the legal and procedural aspects, as well as international practices regarding reporting on elections. Redressing grievances in the electoral process by all the stakeholders, including voters themselves, is essential for the credibility and transparency of the process and with that in mind, the project will work with the training centre of the Supreme Court to train the judges at a central (Tashkent) and regional level in adjudication of electoral disputes.

Increasing participation of women, youth and people with disabilities will be another cross-cutting goal of the project in both long- and short-term. To do so, the project will develop a short-term and a long-term strategy, with a view to improving participation of those groups in the political life in a meaningful and sustainable manner. Expertise will be provided to the CEC and other stakeholders to develop strategies on increasing the number of women, young people and people with disabilities as candidates, as well as facilitating their registration and voting. In doing so, the project will establish partnerships with relevant civil society organizations, government organizations and media outlets to educate and inform those groups, as well as population at large, on this issue.

Beyond the dedicated component on increasing political participation of women, youth and people with disabilities, the project strategy will fully mainstream these three issues in all the project components and activities. The capacity building of the election officials, media representatives and judges will all include a component on women, youth and people with disabilities, and the overall strategy to improve the electoral process in the post-electoral process will pay particular attention on the greater inclusion of these three groups.

While the immediate emphasis will be on the upcoming parliamentary and local elections, time and resource constraints will limit what realistically can be achieved in the little time remaining. At the same time, the post-electoral period presents unprecedented opportunity for long-term reforms that

could have a significant impact on all future electoral processes. Elections 2019 will be observed by a large number of international observers (including a full-fledged OSCE/ODIHR mission), which will enable various missions to issue detailed and specific findings and recommendations, presenting a rich platform for analysis and planning of future reforms. Moreover, the project will conduct an in-depth lessons-learned process gathering feedback of all stakeholders, starting with the election commissions, candidates, parties, courts, civil society, media, as well as focus groups of voters. Based on the findings of this process and observers' conclusions, the project will assist the CEC and other national stakeholders in identifying priority areas for improving the electoral process and CEC three-year strategic plan

The success of this strategy can only be assured with full participation of all the relevant stakeholders and unambiguous political will on the part of the government, as well as firm support by the international community. Therefore, it is essential that all the stakeholders participate in the development of the strategy and, once agreed upon, take full ownership of that process.

In implementing the project, UNDP will seek active partnerships with relevant organizations and experts, particularly those with experience in working in Uzbekistan. The project will coordinate with organizations such as OSCE and Council of Europe and seek partnerships wherever this is practical and possible, in order to benefit from specialized expertise and experience. In line with established practice, the project will maintain regular communication with the Electoral Assistance Division (EAD) of the UN Department for Political and Peacebuilding Affairs and seek their input and advice during the implementation. Moreover, the project will benefit from the Single Electoral Roster, managed by EAD, as well as UNDP's ExPress Roster in identifying short- and long-term expertise in implementation of project activities.

II. RESULTS AND PARTNERSHIPS

Project Output: Capacity of the CEC and other stakeholders to plan and deliver transparent and inclusive electoral process in Uzbekistan are enhanced

Activity 1: Capacity building of the CEC and other stakeholders to ensure transparency and inclusiveness of electoral process

Capacity of the CEC and other stakeholders to deliver a transparent and inclusive process is at the heart of electoral assistance. Considering that the CEC has already launched the training activities for the election officials, in preparation for the upcoming parliamentary and local elections, the project will support these activities in line with available time and resources. This support is expected to include components such as translations and publication of documents in minority languages and advisory support in terms of international best practices in the field of capacity building. In the post-electoral period, the project will support the CEC in assessing the effectiveness of the trainings and gathering feedback from the field to improve future capacity building strategy and will also support equipping the department with basic computer and conference room technical equipment to improve its functionality.⁴ The senior electoral advisor, who will be embedded within the CEC, will lead this effort and will share with the training department international practices and modalities for improving capacity of election officials on all levels in a long-term, sustainable manner. This will include developing indigenous materials and strategies as well as using existing modalities, such as BRIDGE and other resources available to UNDP.

Media outlets, journalists and editors working within those organizations, are an essential component of an inclusive and transparent electoral process. Media in Uzbekistan is arguably underdeveloped and lacks experience in covering elections that are expected to be more

⁴ Depending on donor funding support

competitive than any of the previous ones. The need for capacity building is therefore clear; however, time constraints mean that any activities in the run up to December elections will have to be modest and well targeted. With that in mind, the project will deploy an international media expert, ideally a current or former journalist, who will design and deliver trainings to the selected media outlets (TV, print, radio, on-line) on international practices in reporting on the electoral campaigns, polling and electoral results. The project will aim to specifically address gender issues and portrayal of women candidates in the media, which often focuses on issues that are not seen as relevant for men (i.e. appearance and family status). The journalists and editors will also learn about reporting on political platforms and relationship between campaign promises and budgetary and political realities. To the extent possible, issues of social media and online sources for political information, fake news phenomenon and general impact of internet on the electoral process will also be covered.

During the post-electoral period, the project will initiate consultations with selected journalists and editors to identify key areas of improvement with the view to preparing for future elections. Based on the consultations, lessons-learned and findings of the observer reports, the project will design a medium- and long-term strategy for capacity building of the media sector to report on the electoral process in Uzbekistan. Considering the number of constraints, from lack of experience or capacity, to inadequate legal framework, the strategy will also have to be multi-faceted and involve a number of stakeholders, from journalists and media outlets, to the legislators, with the understanding that the paramount condition for any substantial reform will be political will.

Electoral disputes are another area where past elections offer little guidance. Firstly, very few complaints were lodged during previous elections, meaning that there is very little institutional memory in terms of adjudicating electoral disputes. Secondly, upcoming parliamentary and local elections will be the very first time the new Electoral Code will be used and as such, all stakeholders involved will need to understand the process. The Code allows for the complaints to be submitted to either elections commissions or the courts. While the electoral officials, members of the commissions, are expected to receive at least some trainings and instructions on processing of the complaints as part of their regularly scheduled trainings, this is not the case for the judges and staff of the various courts. To address this shortcoming, and indirect response to a request for training by the Supreme Court, the project will provide trainings to as many judges involved in adjudication of electoral disputes as possible, given the time constraints.

In doing so, the project will partner with the Council of Europe to deploy a senior legal expert, ideally a former judge, to conduct a series of trainings in Tashkent and the regions. The trainings will consist of two elements – one, specific legislative norms and provisions, including timelines/deadlines, as outlined in the Electoral Code and other relevant laws, and two, international practices in the field of electoral dispute resolution. In addition, in cooperation with the Supreme Court, the project will produce materials for other stakeholders, including political parties and voters, on correct procedures for lodging electoral complaints in a timely manner, as well as explaining the procedure of adjudication in a simple and straight forward manner.

In order to ensure that all the stakeholders, including voters and observers, are aware of the electoral complaints mechanism and understand relevant procedures and deadlines, the project will support the CEC and the media outlets in raising broad awareness on this issue. In particular, the information will be presented in a clear and concise manner that is easily understood by the vast majority of the voting population and translated into relevant minority languages.

As with other elements of capacity building, due to time constraints the number of stakeholders and thus overall impact will be limited. Nevertheless, an important aspect will also be the assessment of the current capacity and as such, will provide a solid baseline for the future engagement. Based on lessons learned and observer recommendations, the project will work with the Supreme Court, CEC, relevant ministries and the parliament in further improving the mechanism for electoral disputes overall. To the extent the political will can be mobilized in this direction, this will include legislative and procedural reform, capacity building of key stakeholders including judges, election officials, legal

experts, as well as raising awareness among the population at large about key elements of the complaints mechanism, particularly including the rights and obligations of voters, party agents and observers during the electoral period. In doing so, the project will seek to build upon already established partnerships with organizations such as Council of Europe, OSCE and others.

Activity 2: Establishment of enabling environment for increased participation of women, youth and people with disabilities in elections

The CEC expects that up to two million young voters will be eligible to vote in December for the first time, as well as participate in electoral process overall (as members of electoral commissions at all levels, electoral observers, etc). This is both a challenge (i.e. ensuring that the young people are aware of their rights and responsibilities, the need to check their voter registration, learn voting procedures, etc.), as well as an opportunity to ensure that their first experience with democratic participation is a positive one. All stakeholders have a role to play in this process. The CEC should develop a targeted voter education campaign to encourage young people to verify their voter registration and ensure they are aware of the location and procedures for voting; media should publicize the relevant information in the way accessible to young people (on-line, in student publications, etc.), and political parties should consider issues relevant to the young people when devising their political platforms and messaging. With the limited time available, the project will focus its efforts on supporting the CEC in developing public information campaigns and resources that the CEC can then share with other stakeholders. To do so, the project will seek to work with national experts and companies in the field of advertising and public relations, to ensure that the developed materials and messages are as effective as possible. Moreover, the CEC will be equipped with the resources to provide trainings and other resources to other stakeholders, such as media, civil society organizations and others in reaching out to the young voters.

Women have traditionally been underrepresented in the political life in Uzbekistan, both as candidates and as voters. Proxy voting, whereby a patriarch of the family votes on behalf of the entire family, particularly the women, has been an issue that has been identified by electoral observers in the past. This is not only a fraudulent practice, but it also reduces significantly any interest those women may have in the political life and consequently, may lead political parties to pay less attention to the issues that may be important to women. Uzbek authorities have recognized this issue as one of the main problems in the electoral process, and the CEC has reiterated that eliminating proxy voting is one of their priorities. Doing so will require efforts on multiple fronts, including voter education, targeting both women and men, as well as introducing more efficient prevention measures, such as better monitoring of the areas where proxy voting has been a problem before. The project will particularly work with women's civil society organizations and other groups in order to reach as many women as possible, with a special focus on the rural areas. In addition, the project will support media outlets in identifying and publicizing the aspects of political platforms particularly relevant to women.

People with disabilities face significant barriers in participating in political life overall, and in particularly voting on the election day. Majority of polling stations are not well equipped to accept people with disabilities, from lack of access ramps, polling booths for wheelchairs, to tactile ballot guides in Braille, to ballot papers that would allow blind voters to cast their ballot in secret. The project will assist the CEC and national authorities to improve this situation as much as possible in the run up to December election. Given the lack of time and resources in the short-term, the project will assist the CEC and local level commissions to identify the polling stations with the largest number of people with disabilities and focus on improving access in those locations. To do so, the CEC will need to work closely with lower-level commissions, the civil society and government agencies with presence throughout the country, who have the most up-to-date information. In line with available resources and time, the project will assist the CEC in procuring and/or constructing the access ramps to the polling stations and voting booths that can accommodate voters in wheelchairs. The CEC will

also be encouraged to review the location of the polling stations that are located on higher floors or other hard-to-reach areas and wherever possible, identify alternative locations. To allow voters with visual impairment to vote in secret, the project will assist in designing and procuring Braille alphabet ballot sleeves, allowing voters with visual impairment to vote on regular ballot papers. This is a preferred option to voting on specially-printed Braille ballots as it preserves the secrecy of the voter, particularly in those polling stations where only one or very few voters vote using Braille ballot.

Beyond voting, the CEC and other stakeholders will be supported in producing voter education materials, including posters, TV and on-line video clips aimed at voters with disabilities. All video clips will be broadcasted with subtitles, allowing hearing-impaired voters to receive the messages, and all will have the narrative element allowing visually-impaired to understand the content. In addition, part of the training for media (please see above) will also include a component on how to adequately and accurately report on the issues affecting people with disabilities and any media outlets specifically dedicated to reporting for and about people with disabilities.

As with the component on capacity building (Outcome 1 above), the Outcome 2 will incorporate a strategy for increasing participation of women, youth and people with disabilities in a long-term, sustainable manner. This strategy will be developed during the post-electoral period, with the goal of consolidating and advancing the achievements of 2019 and in line with the Outcome 3 below.

Sentences

Activity 3: Ensuring sustainability of the electoral process improvements

While all efforts will be made to improve the upcoming parliamentary and local elections 2019/20 and provide targeted, strategic assistance to all the stakeholders, considering the limitations in time and resources, this assistance will be limited. At the same time, the experience from 2019/20 electoral cycle will provide valuable baseline data and input for devising a long-term strategy of improving the electoral process in Uzbekistan.

To consolidate these lessons and ensure a comprehensive approach, mindful of all stakeholders, the project will initiate a lessons-learned process in the immediate aftermath of the 2019 parliamentary and local elections. This will be initiated by a series of round-tables and lessons-learned meetings around the country, with the election officials, civil society organizations, candidates, journalists, judges and all others involved in the organization and conduct of the elections. Given the sheer numbers (180,000) of electoral officials, clearly not all could be consulted, but every effort will be made to gather opinions from as many local (down to the polling station) level polling officials, representing a wide array of representatives, urban/rural, women/men, young/old and, ethnic minorities. As the second step, larger conferences and round-tables will be held in the 14 regional/republic/city capitals, to consolidate the findings from those specific areas, as well as to gather the views from those more urbanized areas.

In addition, a number of focus groups will be organized with the voters from around the country, to gather their views and experiences. In doing so, particular attention will be made to gather opinions from as wide array of groups as possible, including those from the urban and rural areas, younger and older voters, minorities, people with disabilities, and others. Gender balance will be of paramount importance and in addition, specific focus groups with women will be held as well. Moreover, the project will work with a local organization, experienced in organizing credible public opinion polls, to design and implement a public opinion polling among the voters regarding the electoral process. The poll will be apolitical in nature (i.e. no political questions regarding parties or candidates will be asked) and will focus on the procedural aspects of the electoral process and the experience of individual voters.

Further on, at the third level, a large-scale international conference to present the findings will be held in Tashkent, in the early 2nd quarter of 2020. The outcome of the conference should be a “road

map” on how to improve the electoral process overall, considering observer reports and findings of the lessons-learned process. It should be noted that for many of the improvements, political will at the highest levels of the government will be required, and therefore it is essential to initiate this discussion with the high-level government officials as soon as possible in the post-electoral period. Essential for the success of this process for future elections will be political consensus and willingness of all key stakeholders to contribute to the reform and improvement of the electoral process, and as such, any discussions should be as inclusive as possible.

Finally, consolidated and coordinated support by the international community will be essential for the success of this process. The project will therefore continue and broaden its cooperation with the international organizations such as OSCE, Council of Europe and others, as well as seek to mobilize and coordinate the international community in support of all the stakeholders in Uzbekistan as they drive this process forward.

Once the overall reform strategy is developed, one of the immediate tasks will be to review the legal framework and identify laws and procedures that will require updating in both short- and long term. To do so, the project will engage an experienced legal expert to produce a road map outlining the list of priorities and the time-frame under which this should be achieved. Once agreed, the project will support all the stakeholders, including first and foremost the parliament and relevant government agencies, in following the legislative reform roadmap. This support will consist of expertise provided by legislative reform experts, particularly taking into account international practices and experiences. In order to further expose the Uzbek lawmakers and practitioners to international experiences, two study trips will be organized for the lawmakers and members of the CEC, to learn from experiences of countries that have gone through similar reforms. While the details as far as location and timing will be determined at a later stage, the selection may include countries such as Armenia, Georgia, Kyrgyzstan and/or the Baltic states.

III. PROJECT MANAGEMENT

Project Management Unit (PMU) will handle day-to-day management of activities and will be led by the Chief Technical Advisor, who submits regular reports to the Steering Committee and reports to the UNDP Country Office. Sub-committees may be established by the Steering or Technical Committees, as needed, to further additional coordination and communication around key issues. For details on the Steering and Technical Committees, please see Section VIII – Governance and Management Arrangements below.

The Project Management Unit (PMU) will consist of the following experts and staff:

- **Chief Technical Advisor (CTA)** – International expert and the most senior member of the project team. Overall manager of the project and the most senior UN electoral expert, reporting to UNDP senior management and advising the UN Resident Coordinator (RC) and the entire UN country team on all electoral issues.
- **Project Manager** – National staff member, managing the project day-to-day. PM will have manager role in ATLAS, prepare AWP and financial reports.
- **Senior Project Assistant** – National staff member, assisting the CTA and Project Manager.
- **Admin/Finance Assistant** – National staff member, supporting all administrative and financial aspects of the project.

In addition, a number of short-term national and international experts will be deployed to support specific aspects of the project implementation.

Country Office support

The project will charge direct costs arising from services provided by the Country Office in the implementation of the project and include: (1) Payments, disbursements and other financial transactions; (2) Recruitment of staff, project personnel, and consultants, (3) Procurement of services and equipment, and disposal/sale of equipment (3) Organization of training activities, conferences, and workshops, including fellowships (4) Travel authorizations, visa requests, ticketing, travel arrangements and ICT commons services; (5) Shipment, custom clearance, vehicle registration and accreditation; and, (6) the costs of maintaining and operating a Project Office.

Monitoring and Evaluation

The goal of all monitoring and evaluation exercises is to learn lessons and incorporate these to the improvement of the Project. In terms of monitoring and evaluation, the project will be subject to UNDP's monitoring and evaluation procedures. UNDP will as a part of project assurance role, regularly share its findings with the Steering Committee. Some of the methods that will be used in monitoring progress towards the outcome include:

- Project management meetings for regular review of progress towards targets;
- Quarterly written assessment reports on progress towards targets;
- Based on the initial risk log, a project risk log shall be prepared and regularly updated;
- A project lessons learned log shall be activated and regularly updated to ensure on-going learning and adaptation within the organisation and to facilitate the preparation of the lessons learned report at the end of the project.

An ex-post evaluation of the Project will be undertaken to learn lessons and shared with CEC and other key partners.

During the delivery of the assistance, the project will keep the UN Electoral Affairs Division of the Department of Political and Peacebuilding Affairs (DPPA) updated on the implementation status. This will include providing status reports on a quarterly or more regular basis to the EAD Focal Point, who will also be kept informed of any contemplated project revisions or extensions in order to determine whether a further needs assessment is required or whether the revision or extension can proceed without such an assessment. Project extensions of limited duration alone will not trigger a needs assessment. EAD may also conduct a mission to review progress of the programme, assess the political situation, or to offer support to the programme.

Communication and visibility plan

The main objective of the project's visibility actions is to communicate the "positive results of the partnership", focusing on outputs and the impact of results. These will evolve throughout the project's implementation and could include joint press releases, TV spot, joint presentations, photo opportunities and policy-type publications in specialist press. UNDP will ensure that any internally required political clearance regarding public statements related to election matters is sought. In addition to action-based communication activities, whenever possible and practical, communication and visibility should be strategic, and build on broader sets of activities or programmes, focusing on activities which better lend themselves to attract the target audiences.

Moreover, conduct of UN personnel in and around electoral sites as well as any UN statements and public comments during the electoral period must be fully in line with the policy directives issued by the Electoral Assistance Division of DPPA.

IV. RESULTS FRAMEWORK

Intended Outcome as stated in the UNDAF/Country [or Global/Regional] Programme Results and Resource Framework:

Outcome 7. By 2020, the quality of public administration is improved for equitable access to quality public services

Relevant UNDP Strategic Plan Outcome: 2. Acceleration structural transformations for sustainable development

Relevant National priority or goal: Democratization of public administration.

Outcome indicators as stated in the Country Programme [or Global/Regional] Results and Resources Framework, including baseline and targets:

Number of Electoral Management Bodies (EMBs) with strengthened capacity to conduct inclusive and credible elections

UNDAF Indicator 7.1: Availability of institutional capacities at central government for policy coherence, planning, resources management and operational coordination (roadmaps) for better public service provision

Applicable Output(s) from the UNDP Strategic Plan: Constitution-making, electoral and parliamentary processes and institutions strengthened to promote inclusion, transparency and accountability

Project title and Atlas Project Number: Support to the Electoral Process in Uzbekistan 2019-2021

EXPECTED OUTPUTS	PLANNED ACTIVITIES	ACTION AND INDICATOR	DATA SOURCE	BASELINE		Targets				DATA COLLECTION METHODS & RISKS	
				Value	Year	Year 2019	Year 2020	Year 2021	FINAL		
Output: Capacity of the CEC and other stakeholders to plan and deliver transparent and inclusive electoral process in Uzbekistan is enhanced	Result 1/Output 1: Capacity building of the CEC and other stakeholders to ensure transparency and inclusiveness of electoral process	Activity 1.1: Capacity building of the electoral officials									
Indicator 1: Election observer reports		Indicator 1: Number of polling staff with access to high quality, gender and PwD sensitive training materials translated in minority languages	Consultations with women, minority and disability organisations	No	2019					11,000 staff. 30,000 copies printed	Central Election Commission training records. Election observer assessments. Translated manuals Distribution list
		Indicator 2: Percentage of CEC Website revised and translated	CEC	No	2019					100%	CEC Website

<p>concluded elections were more transparent and inclusive than previous elections. Baseline: No Target: Yes.</p> <p>Indicator 2: Number and percentage of electoral complaints concluded by judges in a professional and timely manner. Baseline 0: Target 100%.</p>	Indicator 3: Number of evidence-based capacity assessment conducted for election officials'	CEC	No	2019				1	Pre and Post Elections capacity Assessment report published on the CEC webpage	
	Indicator 4: Coverage rate of CEC employees and associates by e-learning platform	CEC	0	2019		e-learning platform updated E-platform developed	50%	100%	E-platform automated reports	
	Indicator 5. Proportion of heads of regional and district election commission covered by UN training	CEC	0	2019	100%				CEC	
	Activity 1.2: Capacity building of the media to report on the electoral process									
	Indicator 1: Number of journalists' skills enhanced on the electoral campaigns, polling and results reporting process	Consultations with media groups	No	2019	Five 2-day training. Expert hired for 15 days	15 trainings. Expert hired for 6 weeks			100 journalists trained in 2019. 1000 copies of training curriculum printed. 300 journalists trained in 2020. 5000 copies of training curriculum printed	Training curriculum. Training reports. Press release

	Indicator 2: Proportion of local mass media (by type: TV, on-line, printed periodic) employing the trained journalists.	E-platform automated reports	0	2019	100% of TV 100% of news-papers targeted at socio-political issues.			100% of mass-media entities targeted at socio-political issues (including on-line).	CEC and National statistical Agency compared to E-platform automated reports
Activity 1.3: Enhancing capacity for dealing with electoral disputes									
	Indicator 1: Number of judges trained on complaint adjudication and hearing procedures	Consultations with the Supreme Court	No	2019	Five one-day trainings in Tashkent and selected regions			15 judges trained in 2019 and 2021	Training curriculum. Training reports. Press release.
	Indicator 2: Percentage of administrative staff at the Supreme court using the On-line registrar of electoral complaints system	Consultations with the Supreme Court	No	2019	On-line register installed		On-line register updated	100%	On-line register - Matrix of complaints generated from the system.
	Indicator 3: Proportion of judges of administrative and supreme courts trained on complaint adjudication and hearing procedures	Consultations with the Supreme Court	No	2019	10%			100%	Training curriculum. Training reports. Press release.

Result 2/Output 2: Establishment of enabling environment for increased participation of women, youth and people with disabilities in elections	Activity 2.1: Creation of conditions for increased participation of the young people in elections									
	Indicator 1: Number and range of civic education products, TV and on-line voter education materials (video, audio, visual) distributed in advance of the elections targeting young and first-time voters	ODIHR Needs Assessment Mission Report - according to the CEC, some two million first-time voters are expected to participate in the elections	No	2019	Production of videos, audio and visual posters		Production of videos, audio and visual posters	Production of 4 videos, 4 audio and 10 visual posters	Video footages and audio clips Election Observer comments	
	Indicator 2: Number of round-tables and discussion groups at schools and universities held to increase participation of young people in the political life	ODIHR Needs Assessment Mission Report 2019 - according to the CEC, some two million first-time voters are expected to participate in the elections	No	2019			Regional roundtables convened	14 Regional roundtables total	Reports from regional roundtables. CEC press release Election Observer comments	
Indicator 3: Number and proportion population aged 18-29 participated in elections	CEC reports	N/A	2019	3.2 mln or 45%		4.7 mln or 65%		CEC press release		

Activity 2.2: Creation of conditions for increased political participation of women in elections										
	Indicator 1: Number of a media campaign on women's political participation conducted and developed including against family voting	OSCE/ODIHR Election Observation Mission Final Reports, 2014 and 2016 election	No	2019	Gender expert deployed for a 3 weeks period				Media campaign developed and approved by the CEC including video clips, posters, on-line campaigns. Decrease of family voting by 50 percent (OSCE report cited 27 cases of family voting in the 2016 election)	Approved media campaign document Observer recommendations
	Indicator 2: Number and proportion of adult women participated in elections	CEC	No	2019	3.9 mln or 35%				6.5 mln or 55%	CEC press release
Activity 2.3: Creation of conditions for increased participation of people with disabilities in elections										
	Indicator 1: Number and range of civic education products, video clips for TV/on-line use distributed in advance of the election Indicator 2: Number of voter education materials, tactile ballot guides printed in Braille script. Number	Consultations with disability organisations ODIHR Needs Assessment Mission Report 2019 - Special measures are planned to facilitate independent participation and further protection of electoral rights of voters with disabilities	CEC regulations 773 but not fully implemented		In cooperation with a national video production company, producing voter education video clips for TV/on-line use including sign language.			In cooperation with a national video production company, producing voter education video clips for TV/on-line use including sign language.	Produced: 4 educational clips in 2019 and 2021, 500 mobile ramp and 500 wide voting booths in 2019 Printed 20 000 educational material in Braille script in 2019 and 2021. 20 000 tactile ballot sleeves in 2019	Printed materials Observer reports

		of wide polling booth for voters in wheelchairs and mobile ramps are provided	OSCE/ODIHR Election Observation Mission Final Report 2016 election raised concern regarding the secrecy of the ballots printed in braille							
		Indicator 2: Number of trainings conducted for civil society organizations working with people with disabilities on communication and outreach skills	OSCE/ODIHR Election Observation Mission Final Report 2016 cited disproportionate and unreasonable legal and administrative impediments on the work of civil society organisations	No	2019			Training courses convened	5 Training courses convened and communication. Outreach skills of CSO representatives increased	Training report Observer reports
		Indicator 3. Number and proportion (to total officially registered adult PwD) of PwD participated in elections	CEC reports	N/A	2019	6000, or 1%		61000 or 10%		CEC press release

	Result 3/Output 3: Ensuring sustainability of the electoral process improvements	Activity 3.1: Creating the system to analyse the lessons learnt								
		Indicator 1: Number of lessons-learned workshops, focus group discussions and international conferences on lessons-learned and way forward convened	Post-election observer recommendations	No				Workshops convened with participation by election officials, CSOs, candidate, parties, media, judges		14 lessons-learned workshops in the regions 14 focus-groups of voters to assess their experience during the electoral process 1 Post-election survey on voter perception adopted One international conference on lessons-learned and way forward
		Activity 3.2: Development of the new CEC's strategic plan								
		Indicator 1: CEC's strategic plan and electoral reform roadmap is developed and implementation started	Insufficient strategy documents guiding the work of the CEC	No	2019	Inputs to the Strategic plan and the Road map are prepared	Draft Strategic plan and the Road map is formulated and discussed with the stakeholders	Strategic plan and the Road Map are finalized	New strategic plan and Road map development with participation of CEC, parliament and other stakeholders at the central level	Adopted strategic plan of the CEC Legal Reform Roadmap

V. MONITORING AND EVALUATION

In accordance with UNDP's programming policies and procedures, the project will be monitored through the following monitoring and evaluation plans: *[Note: monitoring and evaluation plans should be adapted to project context, as needed]*

Monitoring Plan

Monitoring Activity	Purpose	Frequency	Expected Action	Partners (if joint)	Cost (if any)
Track results progress	Progress data against the results indicators in the RRF will be collected and analysed to assess the progress of the project in achieving the agreed outputs.	Quarterly, or in the frequency required for each indicator.	Slower than expected progress will be addressed by project management.		
Monitor and Manage Risk	Identify specific risks that may threaten achievement of intended results. Identify and monitor risk management actions using a risk log. This includes monitoring measures and plans that may have been required as per UNDP's Social and Environmental Standards. Audits will be conducted in accordance with UNDP's audit policy to manage financial risk.	Quarterly	Risks are identified by project management and actions are taken to manage risk. The risk log is actively maintained to keep track of identified risks and actions taken.		
Learn	Knowledge, good practices and lessons will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project.	At least annually	Relevant lessons are captured by the project team and used to inform management decisions.		
Annual Project Quality Assurance	The quality of the project will be assessed against UNDP's quality standards to identify project strengths and weaknesses and to inform management decision making to improve the project.	Annually	Areas of strength and weakness will be reviewed by project management and used to inform decisions to improve project performance.		
Review and Make Course Corrections	Internal review of data and evidence from all monitoring actions to inform decision making.	At least annually	Performance data, risks, lessons and quality will be discussed by the project board and used to make course corrections.		
Project Report	A progress report will be presented to the Project Board and key stakeholders, consisting of progress data showing the results achieved against pre-defined annual targets at the output level, the annual project quality rating summary, an updated risk log with mitigation measures,	Annually, and at the end of the project (final report)			

	and any evaluation or review reports prepared over the period.				
Project Review (Project Board)	The project's governance mechanism (i.e., project board) will hold regular project reviews to assess the performance of the project and review the Multi-Year Work Plan to ensure realistic budgeting over the life of the project. In the project's final year, the Project Board shall hold an end-of project review to capture lessons learned and discuss opportunities for scaling up and to socialize project results and lessons learned with relevant audiences.	Specify frequency (i.e., at least annually)	Any quality concerns or slower than expected progress should be discussed by the project board and management actions agreed to address the issues identified.		

Evaluation Plan⁵

Evaluation Title	Partners (if joint)	Related Strategic Plan Output	UNDAF/CPD Outcome	Planned Completion Date	Key Evaluation Stakeholders	Cost and Source of Funding
e.g., Mid-Term Evaluation			8			

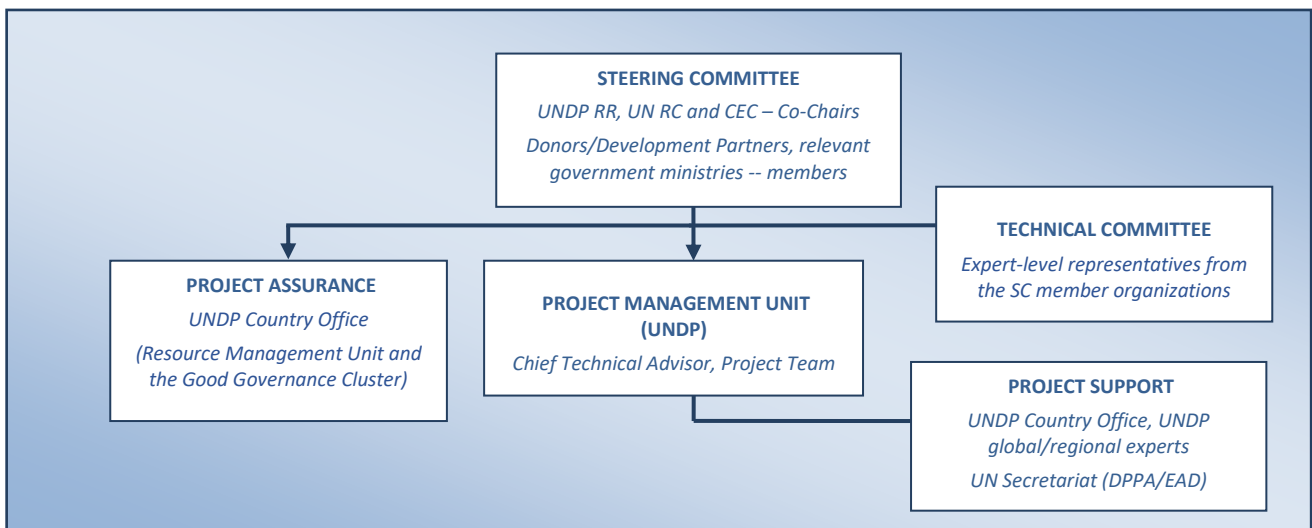
⁵ Optional, if needed

VI. GOVERNANCE AND MANAGEMENT ARRANGEMENTS

The Project will be undertaken using UNDP's Direct Implementation Modality (DIM). The modality requires that all activities of the Project be directly implemented by the Project in accordance with UNDP's relevant rules, regulations and procedures. As detailed below, the **Steering Committee** will provide guidance, oversight and quality assurance to the Project. The committee will consist of the representatives of all the development partners participating in a pooled funding, as well as the Uzbek Government should they decide to contribute to the project fund, CEC and UNDP. Other stakeholders, particularly from the government and civil society, maybe invited to participate as well. The Steering Committee (SC) will be co-chaired by the CEC Chairperson, UNDP Resident Representative and UN Resident Coordinator and will meet on a monthly basis or more/less frequently as needed. The SC will focus on the management and technical aspects of the Project, such as planning and budgeting, financial and technical reporting. The SC will also conduct preliminary analysis and present options for discussion and adoption during SC meetings.

In addition, the project will have a **Technical Committee**, consisting of the technical experts from all the donors who wish to participate, CEC, and UNDP, which will meet on a weekly or bi-weekly basis. Other participants may be invited to participate on a regular or ad-hoc basis. Technical Committee will consider all technical and procedural aspects of the project and as such, will draft the agenda for the Steering Committee meetings, as well as provide expert input in the SC discussions. Technical Committee will be coordinated by the Chief Technical Advisor.

Figure 1. Project Governance and Management Diagram



It is anticipated that multiple development partners as well as the Uzbek Government may participate with financial resources that will be administered by UNDP in a pooled funding, via third-party cost-sharing arrangements. All development partners supporting the project as well as the Uzbek Government will be invited to join the Steering Committee, to provide policy guidelines and strategies regarding the implementation of the project.

VII. LEGAL CONTEXT AND RISK MANAGEMENT

LEGAL CONTEXT STANDARD CLAUSES

This project document shall be the instrument referred to as such in Article 1 of the Standard Basic Assistance Agreement between the Government of Uzbekistan and UNDP signed on 1993. All references in the SBAA to "Executing Agency" shall be deemed to refer to "Implementing Partner". Uzbekistan has signed UNDAF Legal Annex in 2016.

RISK MANAGEMENT STANDARD CLAUSES

1. UNDP as the Implementing Partner will comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS.)
2. UNDP as the Implementing Partner will undertake all reasonable efforts to ensure that none of the [project funds]⁶ [UNDP funds received pursuant to the Project Document]⁷ are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via http://www.un.org/sc/committees/1267/aq_sanctions_list.shtml. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.
3. Social and environmental sustainability will be enhanced through application of the UNDP Social and Environmental Standards (<http://www.undp.org/ses>) and related Accountability Mechanism (<http://www.undp.org/secu-srm>).
4. UNDP as the Implementing Partner will: (a) conduct project and programme-related activities in a manner consistent with the UNDP Social and Environmental Standards, (b) implement any management or mitigation plan prepared for the project or programme to comply with such standards, and (c) engage in a constructive and timely manner to address any concerns and complaints raised through the Accountability Mechanism. UNDP will seek to ensure that communities and other project stakeholders are informed of and have access to the Accountability Mechanism.
5. In the implementation of the activities under this Project Document, UNDP as the Implementing Partner will handle any sexual exploitation and abuse (“SEA”) and sexual harassment (“SH”) allegations in accordance with its regulations, rules, policies and procedures.
6. All signatories to the Project Document shall cooperate in good faith with any exercise to evaluate any programme or project-related commitments or compliance with the UNDP Social and Environmental Standards. This includes providing access to project sites, relevant personnel, information, and documentation.
7. UNDP as the Implementing Partner will ensure that the following obligations are binding on each responsible party, subcontractor and sub-recipient:
 - a. Consistent with the Article III of the SBAA, the responsibility for the safety and security of each responsible party, subcontractor and sub-recipient and its personnel and property, and of UNDP’s property in such responsible party’s, subcontractor’s and sub-recipient’s custody, rests with such responsible party, subcontractor and sub-recipient. To this end, each responsible party, subcontractor and sub-recipient shall:
 - i. put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;
 - ii. assume all risks and liabilities related to such responsible party’s, subcontractor’s and sub-recipient’s security, and the full implementation of the security plan.
 - b. UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of the responsible party’s, subcontractor’s and sub-recipient’s obligations under this Project Document.
 - c. In the performance of the activities under this Project, UNDP as the Implementing Partner shall ensure, with respect to the activities of any of its responsible parties, sub-recipients and other entities engaged under the Project, either as contractors or subcontractors, their personnel and any individuals performing services for them, that those entities have in place adequate and proper procedures, processes and policies to prevent and/or address SEA and SH.
 - d. Each responsible party, subcontractor and sub-recipient will take appropriate steps to prevent misuse of funds, fraud or corruption, by its officials, consultants, subcontractors and sub-recipients in implementing the project or programme or using the UNDP funds. It will ensure that its financial management, anti-corruption and anti-fraud policies are in place and enforced for all funding received from or through UNDP.

⁶ To be used where UNDP is the Implementing Partner

⁷ To be used where the UN, a UN fund/programme or a specialized agency is the Implementing Partner

- e. The requirements of the following documents, then in force at the time of signature of the Project Document, apply to each responsible party, subcontractor and sub-recipient: (a) UNDP Policy on Fraud and other Corrupt Practices and (b) UNDP Office of Audit and Investigations Investigation Guidelines. Each responsible party, subcontractor and sub-recipient agrees to the requirements of the above documents, which are an integral part of this Project Document and are available online at www.undp.org.
- f. In the event that an investigation is required, UNDP will conduct investigations relating to any aspect of UNDP programmes and projects. Each responsible party, subcontractor and sub-recipient will provide its full cooperation, including making available personnel, relevant documentation, and granting access to its (and its consultants', subcontractors' and sub-recipients') premises, for such purposes at reasonable times and on reasonable conditions as may be required for the purpose of an investigation. Should there be a limitation in meeting this obligation, UNDP shall consult with it to find a solution.
- g. Each responsible party, subcontractor and sub-recipient will promptly inform UNDP as the Implementing Partner in case of any incidence of inappropriate use of funds, or credible allegation of fraud or corruption with due confidentiality.

Where it becomes aware that a UNDP project or activity, in whole or in part, is the focus of investigation for alleged fraud/corruption, each responsible party, subcontractor and sub-recipient will inform the UNDP Resident Representative/Head of Office, who will promptly inform UNDP's Office of Audit and Investigations (OAI). It will provide regular updates to the head of UNDP in the country and OAI of the status of, and actions relating to, such investigation.

- h. UNDP will be entitled to a refund from the responsible party, subcontractor or sub-recipient of any funds provided that have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of this Project Document. Such amount may be deducted by UNDP from any payment due to the responsible party, subcontractor or sub-recipient under this or any other agreement. Recovery of such amount by UNDP shall not diminish or curtail any responsible party's, subcontractor's or sub-recipient's obligations under this Project Document.

Where such funds have not been refunded to UNDP, the responsible party, subcontractor or sub-recipient agrees that donors to UNDP (including the Government) whose funding is the source, in whole or in part, of the funds for the activities under this Project Document, may seek recourse to such responsible party, subcontractor or sub-recipient for the recovery of any funds determined by UNDP to have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of the Project Document.

Note: The term "Project Document" as used in this clause shall be deemed to include any relevant subsidiary agreement further to the Project Document, including those with responsible parties, subcontractors and sub-recipients.

- i. Each contract issued by the responsible party, subcontractor or sub-recipient in connection with this Project Document shall include a provision representing that no fees, gratuities, rebates, gifts, commissions or other payments, other than those shown in the proposal, have been given, received, or promised in connection with the selection process or in contract execution, and that the recipient of funds from it shall cooperate with any and all investigations and post-payment audits.
- j. Should UNDP refer to the relevant national authorities for appropriate legal action any alleged wrongdoing relating to the project or programme, the Government will ensure that the relevant national authorities shall actively investigate the same and take appropriate legal action against all individuals found to have participated in the wrongdoing, recover and return any recovered funds to UNDP.
- k. Each responsible party, subcontractor and sub-recipient shall ensure that all of its obligations set forth under this section entitled "Risk Management" are passed on to its subcontractors and sub-recipients and that all the clauses under this section entitled "Risk Management

Standard Clauses” are adequately reflected, *mutatis mutandis*, in all its sub-contracts or sub-agreements entered into further to this Project Document.

VIII. ANNEXES

- 1. Project Quality Assurance Report**
- 2. Social and Environmental Screening Template**
- 3. Risk Analysis.**
- 4. Project Board Terms of Reference and TORs of key management positions**