



*Empowered lives.
Resilient nations.*

2014 ANNUAL REPORT

HUMAN RIGHTS AND RULE OF LAW IN EUROPE AND THE COMMONWEALTH OF INDEPENDENT STATES (CIS)



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1 All references to Kosovo are to be understood to be in the context of UN Security Council Resolution 1244 (1999).



Participants in an event about integrating persons with disabilities into society. Kyrgyzstan. Meri Bekeshova, UNDP Kyrgyzstan

FOREWORD

Promoting human rights and strengthening the rule of law are essential to the United Nations Development Programme's mission of supporting countries to achieve sustainable human development, strengthen democratic governance, and prevent violent crises. Human rights provide the normative framework to reach development objectives; rule of law principles form consistent standards to protect the human rights of, counter discrimination against, and provide redress for, marginalized and vulnerable groups.

The UNDP Strategic Plan: *Changing with the World (2014-2017)* emphasizes the importance of the rule of law, justice and security for sustainable development, peacebuilding and state-building, and recognizes the intrinsic value of civil, political, economic, social and cultural rights to development. All these elements have been acknowledged in the Millennium Development Goals, and continue to be recognized in the current proposal for the post-2015 development agenda and the Sustainable Development Goals, which are expected to give more leverage in the coming years to promoting human rights and strengthening the rule of law.

As part of UNDP's organization-wide restructuring that took place in 2014, a new Regional Hub for Europe and the Commonwealth of Independent States (CIS) was established in Istanbul. The Governance and Peacebuilding Cluster of this Regional Hub provides technical advisory services and programming support on Human Rights, Rule of Law, Justice and Security to UNDP Country Offices in the region. This Annual Report showcases UNDP's work in the region in 2014, promoting human rights and strengthening the rule of law in collaboration with partners across the UN family, regional multilateral organizations and bilateral donors. Some conflict-affected countries in the region have also benefitted from support from UNDP's Global Programme on Strengthening the Rule of Law in Crisis-Affected and Fragile Situations.

In Europe and the CIS, programming on human rights, rule of law, justice and security has been a key area of UNDP's engagement in building inclusive and effective democratic governance, strengthening the social contract between the state and the society in a manner that promotes equality, and building peace through social cohesion and reconciliation.

In the region, 2014 was marked by societal upheaval in Ukraine and violent conflict in the Eastern part of the country. This created an unprecedented humanitarian crisis, with significant loss of human life and more than 1 million people displaced. This tragic situation was deeply interrelated with the weak rule of law, widespread corruption and often severe human rights violations inside and outside the government controlled areas. In response, UNDP's efforts expanded: to raise national and international awareness of human rights violations, particularly in the conflict-affected territories; to support capacities of the Ombuds-institutions for human rights protection across the country; and to address the needs for legal protection of internally displaced persons and communities in the Eastern region.

In countries such as Georgia, Moldova and Armenia, UNDP has been supporting the design and adoption of National Human Rights Strategies and Action Plans in line with recommendations from UN human rights mechanisms. Strengthening the capacity and efficiency of National Human Rights Institutions has been another key area of support in countries including Bosnia and Herzegovina, Croatia, Georgia, Kyrgyzstan, Moldova, Tajikistan and Ukraine. In the Western Balkans, UNDP has been a key partner of governments in supporting justice sector reforms, including in the framework of the EU accession process, and has also been promoting access to justice for marginalized communities and conflict-affected victims.

UNDP's positive impact in the region would not have been possible without the continuous commitment and support of our partners. It is because of long-lasting collaborations with national counterparts, donor states, UN agencies, other international organizations and civil society that UNDP successfully contributes to the advancement of human rights and the rule of law in Europe, the CIS and worldwide.



Rastislav Vrbensky

Manager

UNDP Istanbul Regional Hub

INTRODUCTION

In Europe and the CIS, UNDP works with national and international partners to strengthen the social contract between the state and society in a manner that protects human rights, promotes equality, and enhances social cohesion. This includes increasing citizen access to justice and safety; supporting the development of legislation that protects the rights of people, particularly minorities and other vulnerable groups, and those with disabilities; building efficient National Human Rights Institutions (NHRIs)² and supporting the implementation of international standards and recommendations; strengthening capacities of security and justice institutions; supporting conflict prevention, and placing gender equality and women at the center of governance and peace efforts.

KEY SOCIO-ECONOMIC AND POLITICAL DEVELOPMENTS IN EUROPE AND THE CIS³

UNDP's work in the area of rule of law and human rights in Europe and the CIS is closely intertwined with socio-economic and political developments. Countries in the region have been struggling to return to robust economic growth. The human development progress has also slowed and the region continues to face significant socioeconomic and environmental challenges.⁴ Although Europe and the CIS comes second in the Human Development Index (HDI) rankings among developing regions – behind Latin America

and the Caribbean⁵ – poverty levels are disturbingly high, even in some upper middle-income countries.⁶

On the other hand, substantial progress has been made in many countries towards political stability, consolidation of democracy, rule of law, and improvement of human rights records. Most countries in the region, though, still face consequences of past authoritarian or totalitarian regimes and of recent and current armed conflicts. In many parts, democracy remains fragile and restrictions of political and civil rights continue to hamper progress. More specifically:

The development of the **South Caucasus and Western Commonwealth of Independent States (CIS)**⁷ is influenced by the dynamics of the European Union neighborhood policies. Georgia, Ukraine, and Moldova have geared their foreign and domestic policies towards European integration, while others are considering Eurasian integration as an alternative. This sub-region continues to be affected by weak democratic practices, intra-regional disparities, cross-border tensions, and post-conflict situations. The ambiguous status of disputed entities of Transnistria, Nagorno-Karabakh, Abkhazia, South Ossetia, and Crimea, with regards to de facto and de jure sovereignty, remains a concern and negatively affects the human rights of people living in these territories.

In 2014, the political upheaval in Ukraine dominated the regional events. The positive changes have been overshadowed by the ongoing conflict and the unprecedented humanitarian crisis in the Eastern region, with significant loss of human life and more than 1 million people displaced⁸ - a situation that, if not addressed, may threaten to drive further conflicts, worsen the country's already dire economic situation, and erode confidence in the Government. The crisis in Ukraine threatens regional stability as political and economic relationships are called into question, especially in relation to energy policy.

2 National Human Rights Institutions (NHRIs) are state bodies funded by the government but are required to function independently from it. The mandate of NHRIs is country-specific but, in general, their role is to promote and protect civil, political, economic, social and cultural rights of all individuals at the national level and to address all forms of discrimination. Core functions of NHRIs include investigations and handling human rights complaints, monitoring the human rights situation, providing human rights education, and making recommendations on law reforms. There are different models of NHRIs, including ombudsperson offices and human rights commissions.

3 Except where otherwise specified, this classification refers to the programme countries whose development aspirations are supported by UNDP's Regional Bureau for Europe and the CIS: Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Georgia, Kazakhstan, Kosovo (as per UNSCR 1244 (1999)), Kyrgyzstan, The former Yugoslav Republic of Macedonia, Moldova, Montenegro, Serbia, Tajikistan, Turkey, Turkmenistan, Uzbekistan, and Ukraine.

4 UNDP Press Release, "Progress slowed by social exclusion and environmental vulnerabilities in developing countries of Europe & Central Asia," 24 July 2014.

5 UNDP Press Release, "Progress slowed by social exclusion and environmental vulnerabilities in developing countries of Europe & Central Asia," 24 July 2014.

6 UNDP Regional Bureau for Europe and CIS, "Poverty, Inequality, and Vulnerability in the Transition and Developing Economies of Europe and Central Asia," October 2014.

7 Armenia, Azerbaijan, Georgia, Belarus, Moldova, Russian Federation, Ukraine.

8 Report on the Human rights situation in Ukraine, OHCHR, 15 December 2014.



Ukrainian Ombudsperson and Deputy Minister of Justice discussing Human Rights Strategy. *UNDP Ukraine*

Countries like Georgia and Moldova are making progress in addressing important human rights concerns, providing more space for civic engagement and reforming the justice system, notwithstanding challenges particularly due to a lack of institutional capacities and high levels of corruption, in the latter case.

Central Asian countries⁹ face a particular set of interrelated challenges that combine inequalities and a lack of job opportunities, ethnic tensions, community-level tensions, and a range of cross-regional causes of instability and conflict, such as organized cross-border crime in its southern neighborhood. In some of these countries, the political systems and decision-making structures are highly centralized, and there is limited space for political pluralism and civil society participation.

In recent years, Kyrgyzstan and Tajikistan have undertaken policy and legislative reforms to bring their legislation and justice systems into accordance with international standards.

Still, multiple challenges are present, ranging from a lack of institutional capacities and insufficient financial resources, to limited participation of civil society in the reform process. Throughout the region, there is a persistent gap between the international human rights commitments undertaken by these countries and actual implementation at the national level.

Countries in the **Western Balkans and Turkey**¹⁰ share a joint European aspiration with the EU agenda driving domestic policy priorities and reform processes. Some countries have made substantial progress in their EU membership process, including Croatia, that joined the EU in 2013, and Montenegro, that is advancing with accession negotiations. In other countries, the pace of reform to meet EU membership criteria is slower. Turkey, as a major emerging economy and member of NATO, remains a key partner for the EU, particularly on foreign policy issues.

9 Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan.

10 Albania, Bosnia and Herzegovina, Croatia, The former Yugoslav Republic of Macedonia, Kosovo, Montenegro, Serbia, Turkey.



Young people committed to combating gender-based violence during 16 days of activism against gender-based violence, 2014. *Olsi Beci, UNDP Albania*

Development in the Western Balkans continues to be affected by the legacy of recent conflicts with persisting inter-ethnic tensions within and across borders, and only slowly improving sub-regional cooperation. Although substantial progress has been made in creating a framework for respecting human rights and the rule of law, many issues need to be addressed, including the independence and efficiency of the judiciary, improving political parties' dialogue, widespread corruption, and discrimination based on ethnicity, nationality, race, sexual orientation, and other grounds.

Against this backdrop, UNDP continues its collaboration with national partners in 19 countries and territories in the region, addressing challenges related to the implementation of human rights, strengthening rule of law and improvement of justice and security standards. The UNDP Regional Hub for Europe and the CIS (based in Istanbul, Turkey) provides

advice and technical assistance to country offices on a number of initiatives, including the Universal Periodic Review (UPR) process, collaboration with NHRIs, efforts to increase access to justice for marginalized communities, and promotion of the rights of persons with disabilities.

UNDP also provides support to regional and country based initiatives in wider rule of law and related areas, such as arms control, security sector reform and conflict prevention and peacebuilding, which are not reflected in this report. This report presents an overview of UNDP assistance and results achieved in 2014 in the Europe and the CIS region in two important focus areas: 1) Strengthening National Human Rights Systems; and 2) Rule of Law, Justice and Security. Part I includes an overview of key country-level initiatives and results in these two focus areas. Part II consists of individual profiles for each country.

PART I

Free legal consultation for internally displaced and socially and economically vulnerable people, Georgia. *David Khizanishvili/UNDP*



FOCUS AREA 1 – STRENGTHENING NATIONAL HUMAN RIGHTS SYSTEMS



Educational campaign for youth to overcome gender stereotypes in Georgia. David Khizanishvili/UNDP

UNDP's current Strategic Plan (2014-2017) firmly anchors the organization's development work on human rights principles and standards, and the human rights-based approach is now an engagement principle for UNDP globally. In Europe and the CIS, the main areas of work include supporting national partners to collaborate with international human rights mechanisms, with a focus on Universal Periodic Review

(UPR);¹¹ strengthening NHRI's capacities; implementing measures for prevention of torture; working toward the elimination of discrimination; and promoting the rights of persons with disabilities.

1.1 ENHANCING COLLABORATION WITH THE INTERNATIONAL HUMAN RIGHTS SYSTEM

UNDP, in collaboration with the Office of the High Commissioner for Human Rights (OHCHR), supports states to prepare the UPR process, including follow-up on the UPR recommendations. UNDP also actively supports engagement with other international human rights mechanisms, such as treaty bodies,¹² and helps build national

- 11 The Universal Periodic Review (UPR) is a process that involves a periodic review (every 4 years) of the human rights records of all Member States.
- 12 Treaty-bodies: Committees of experts established by core human rights treaties in charge of: a) monitoring the implementation progress of states; b) interpreting treaties' provisions; and c) considering complaints from individuals or groups of individuals against their governments for failure to fulfill treaties' obligations (not all committees exercise this function yet).

CONSULTATIONS ON THE UNIVERSAL PERIODIC REVIEW (UPR) IN ARMENIA

Armenia duly completed preparations for the second round of the UPR review that took place in January 2015, and the national report was drafted in consultation with NGOs and human rights defenders. UNDP has been supporting the UPR preparation processes and the advancement of human rights dialogue through awareness-raising and capacity-building initiatives for the implementation and monitoring of UPR recommendations. In 2014, a series of consultations between the Government and civil society were organized to strengthen the fragile human rights dialogue started in 2012 during the first UPR follow-up process. Activities were also organized to share information on the UPR procedures, reporting requirements, and best practices from other countries. These efforts contributed significantly to the Government's openness and interest in engagement with the UPR, including the follow-up process. They also raised great interest from the international community in the country. As a result of UN/UNDP advocacy to integrate the UPR recommendations into the UN and national programming processes, the 2014-2017 Human Rights Action Plan was aligned with the UPR recommendations.

capacities for the implementation of recommendations by these bodies.

In 2014, tools and mechanisms for UPR reporting and follow-up were developed in *Bosnia and Herzegovina, Moldova, and Serbia*. Support was provided for the implementation of specific UPR recommendations, such as those related to the ratification and implementation of the Convention on the Rights of Persons with Disabilities in *The former Yugoslav Republic of Macedonia and Uzbekistan*, protection of vulnerable groups in *Montenegro and Tajikistan*, and improvement of detention conditions and prevention of torture and ill-treatment in *Georgia and Kyrgyzstan*.

Several countries have integrated, or are in the process of integrating, UPR and treaty bodies' recommendations into nationally owned development agendas. In particular, with UNDP assistance, National Human Rights Action Plans or

UPR Action plans were developed in *Armenia, Georgia, Kazakhstan, Turkmenistan, Uzbekistan, and Serbia*.

UNDP has been facilitating productive dialogue among states, NHRIs, civil society, and other stakeholders. Platforms for coordination of the UPR monitoring and reporting processes between governmental and non-governmental actors were established and supported in *Armenia, Belarus, Bosnia and Herzegovina, Moldova, and Kyrgyzstan*. Proactive engagement of civil society in the UPR process was encouraged and supported in *Serbia*, and targeted efforts in *Belarus, Georgia, and Moldova* enhanced capacities for civil society reporting and contributed to more inclusive participation in the UPR process. In addition, UNDP in *Kyrgyzstan, The former Yugoslav Republic of Macedonia, and Ukraine* have promoted youth engagement in UPR-related processes, viewing youth as important partners in this process.



Huricamp Q&A from the audience. Gor Kroyan/UN Armenia



Opening of a public park in Yerevan. *UNDP Armenia*

In the context of UNDP's efforts to strengthen collaboration between states and civil society with the UN treaty bodies, UNDP assisted Georgian authorities to develop capacities of the inter-agency working group in charge of preparing the State reports to the UN human rights treaty bodies. At the same time, at the outset of Ukraine's review by the UN Committee on the Convention against Torture (CAT), with UNDP's support, Ukrainian human rights defenders and the Ombudsperson presented alternative reports to the

Committee. UNDP also supported the organization of side events in conjunction with meetings of the UN Security Council, the Human Rights Council, and the Council of Europe to enable Ukrainian national human rights actors to present a balanced view of the human rights situation in conflict areas.

1.2 STRENGTHENING NATIONAL SYSTEMS OF HUMAN RIGHTS PROTECTION

Several National Human Rights Institutions (NHRIs) in Europe and the CIS do not yet fulfill all of the international criteria required by the Paris Principles¹³ on NHRIs. While some NHRIs

- 13 The Paris Principles related to the status of NHRIs are the main source of international standards for NHRIs. According to the Paris Principles, NHRIs should enjoy autonomy and independence from the government, should be pluralist in composition, and have adequate resources and powers of investigation. Based on these criteria, an international accreditation process has been established that provides accreditation by the International Coordinating Committee to NHRIs in three categories: A) NHRIs that fully comply with the Paris Principles; B) NHRIs that partly comply; and C) NHRIs that do not comply with the Paris Principles. These latter ("C" status) institutions have no rights or privileges with the ICC or in the United Nations rights forums. They may, at the invention of the Chair of the Bureau, attend meetings of the ICC.



“As the Ombudsperson of Ukraine, I highly appreciate partner support from UNDP Ukraine aimed at developing Ukraine's National Human Rights Institutions, focusing primarily on: development of the 2013-2017 Ombudsperson Strategic Action Plan; instituting and expanding a network of Ombudsperson regional civic coordinators in different oblasts of Ukraine; the establishment and development of the National Preventive Mechanism; and many other initiatives.

This assistance significantly enhanced the Ombudsperson Office's capacities to cover the whole territory of Ukraine, more effectively and efficiently carry out their activities and, most importantly, create a unique Ombudsman+ model that rests on cooperation with civil society while being one of the best NHRI models in Europe.

Throughout the years, UNDP's support has become instrumental in helping advance our Office's aim of evolving into a regional knowledge and practice hub, upholding and streamlining NHRI standards in the post-soviet space, and linking its counterparts to a system of high quality human rights promotion and protection standards, while championing innovative approaches and techniques.”

– Valeriya Lutkovska, Ukrainian Parliament Commissioner for Human Rights

lack autonomy, including a comprehensive legal framework to guarantee their independence from the government, others do not have adequate resources and/or capacities to fulfill their mandate.

UNDP supports NHRIs, equality and gender bodies, and other independent oversight institutions, to enhance their role as cornerstones of national human rights systems and to develop capacities of those NHRIs that need to fully comply with the Paris Principles. Initiatives in Europe and the CIS include assistance in strengthening legislative frameworks for strategic planning of NHRIs, capacity assessment, and institutional gap analysis, followed by technical and organizational capacity building support for NHRI's staff, as is the case in *Kyrgyzstan*, *Tajikistan*, and *Bosnia and Herzegovina*.

With UNDP support, the NHRI's monitoring and public inquiry capacity, including in crisis and post-crisis situations,

has improved in several countries. In *Kyrgyzstan*, with UNDP's technical assistance, the Ombudsman Office is establishing an online complaint submission process in order to become more responsive to people's concerns. In *Ukraine*, the Ombudsperson's capacity to monitor a wide range of human rights in several regions is increasing, including in conflict-affected territories. A network of coordinators, established by UNDP, is assisting the Ombudsperson to monitor different aspects of the human rights situation in the country. They conducted 85 visits to detention centers and issued relevant recommendations to the authorities.

Strengthening capacities of NHRIs for protecting the rights of marginalized groups, including persons with disabilities and Roma communities, was part of UNDP's support in *Georgia*, *Moldova*, and *Albania*.



Photo courtesy of Mr. Kravchuk, *The Day* newspaper Ukraine



Juvenile inmates at Goian Prison in a newly renovated workshop room. *Department of Penitentiary Institutions of the Republic of Moldova, Ministry of Justice.*

The engagement of NHRIs in the UPR process is another area of UNDP's involvement. In *Armenia, Croatia, Moldova, and Kyrgyzstan*, UNDP's support contributed to increasing public visibility of Ombudsperson institutions and strengthening their role in the UPR reporting and follow-up process. UNDP also engaged in discussions and advocacy towards

the establishment of an NHRI in *Belarus*, as per the UPR recommendations addressed to that country.

1.3 PREVENTION OF TORTURE AND ILL TREATMENT, AND IMPROVEMENT OF DETENTION CONDITIONS

The UN and other international organizations repeatedly include recommendations on the prevention of torture and ill treatment, as well as improvement of detention conditions, in their reports addressed to a number of countries in Europe and the CIS. Some of these governments acknowledge these issues and, with the support of UNDP and other international partners, have taken important steps to address them.

Moldova has made progress in adopting the necessary legal framework for the prevention of torture and ill-treatment, as well as tackling impunity for the perpetrators, although

14 The national body in charge to implement/enforce the anti-discriminatory legislation.

PREVENTING TORTURE AND ILL-TREATMENT IN MENTAL HEALTH FACILITIES IN MOLDOVA

Moldova authorities have taken a series of measures to address torture and ill-treatment in detention centers. However, the treatment of patients in mental health facilities has not been adequately addressed, in spite of many complaints from persons in these facilities of ill-treatment and degrading conditions.

UNDP, in the context of its work to strengthen capacities of key actors in torture prevention and the fight against impunity, is currently supporting national efforts to protect persons with psychosocial and intellectual impairments in mental health facilities. The Ministry of Health, with UNDP and OHCHR support, has established the Patients' Advocate in psychiatric institutions to provide legal counseling and monitor patients' treatment and rights. From July 2013 to December 2014, around 3,091 patients communicated their concerns to the Advocate, resulting in 112 specific recommendations to corresponding institutions. Fourteen cases were represented before other public institutions, 5 cases were referred to human rights NGOs for pro bono representation in courts, 4 cases were referred to prosecutors, 2 criminal cases were started on psychiatry related cases, and 3 decisions were released by the Equality Council.¹⁴ Also, work is in progress to develop methodological guidelines for prosecutors on the investigation of cases of ill-treatment against women and men in mental health facilities.

SUPPORT FOR THE ADOPTION OF THE LAW ON ANTI-DISCRIMINATION IN GEORGIA

In May 2014, the Georgian parliament adopted the Law on Anti-Discrimination, which covers all grounds for discrimination and establishes an anti-discrimination mechanism in the Public Defender's Office (PDO). UNDP in Georgia has a long-standing collaboration with the PDO, the State Commission on National Minorities, the Parliament, and specific NGOs to promote the rights of minority groups. UNDP has provided its support to facilitate the adoption process of the law on anti-discrimination through a participatory process.

“*The Law on Elimination of All Forms of Discrimination is a major step forward to promote equality and tolerance in every aspect of social, political, economic and cultural life. Public debate and active involvement of different groups of our society is the key to making such legislation effective, and to ensure its implementation. UNDP assisted the Government to reach out to the leading non-governmental organizations, civil groups and the media, making the process of developing and adopting the Law truly inclusive.*”

– Tea Tsulukiani, Minister of Justice of Georgia

fair and impartial investigations are challenging in practice.¹⁵ With UNDP support, the country is currently addressing cases of ill-treatment in mental health facilities.

Georgia is also seriously committed to preventing and ending immunity for torture, and its prison reforms have halved the number of prisoners and improved their conditions considerably. In this context, UNDP supports the National Preventive Mechanism (NPM) – under the Public Defender's Office – to exercise its independent monitoring of prison conditions through the involvement of independent experts from civil society.

1.4 SUPPORTING ANTI-DISCRIMINATION MEASURES AND PROMOTING THE RIGHTS OF PERSONS WITH DISABILITIES

Discrimination affects millions of people in Europe and the CIS. Many countries, composed of multiple national, ethnic,

and religious minorities, have faced co-existence challenges that have fueled past wars. A number of minority groups still suffer from discrimination and exclusion in political, social, and economic spheres – a situation that continues to pose threats for further conflicts. Discrimination based on gender, disability, and sexual orientation are also problematic across the region.



Winners of an educational quiz for youth about minority rights and tolerance. *Mariam Janashia/UNDP*

¹⁵ European Commission, Implementation of the European Neighbourhood Policy in the Republic of Moldova Progress in 2013 and recommendations for action, 2014.

Addressing inequalities and fighting discrimination is one of the key human rights principles at the core of UNDP's efforts to promote human rights and strengthen rule of law worldwide, as envisioned by its Strategic Plan (2014-2017). UNDP collaborates with national partners in several countries to adopt preventive measures and promote and protect the rights of excluded and marginalized communities.



UNDP Turkmenistan

UNDP in *Georgia* provided support for the adoption of anti-discrimination legislation, while in *Moldova*, UNDP is assisting the Government to assess the implementation measures and costs of the European Charter for Regional or Minority Languages, signed in 2002 but not yet ratified. In *Ukraine*, the Ombudsperson, in collaboration with a network of NGOs supported by UNDP, conducted a monitoring of the rights of Roma which was followed by recommendations that have been accepted by the Government and became mandatory for the authorities in charge of implementing the National Action Plan on Roma Inclusion. UNDP in *Albania* has also been supporting the capacities of the Commissioner for Protection from Discrimination (CPD) to increase the institution's presence and outreach, particularly among vulnerable communities, such as Roma and Egyptian; this has been reflected in an increased number of complaints received by this institution.

Lastly, In *Montenegro*, UNDP is supporting the Government to address discrimination based on sexual orientation; in 2014, it facilitated access to justice for the LGBT population through reinforcing cooperation with judicial and law enforcement authorities, as well as through raising awareness of the LGBT community on their rights.

PROMOTING THE RIGHTS OF PERSONS WITH DISABILITIES IN TURKMENISTAN

Since 2005, UNDP in Turkmenistan has been collaborating with the Deaf and Blind Society of Turkmenistan (DBST) to promote the rights of persons with disabilities and provide vocational training and employment opportunities for persons with visual and hearing impairments.

Recently, UNDP and DBST, with the financial support of the UN Democracy Fund (UNDEF), provided opportunities for 140 women with hearing and visual impairments to increase their knowledge on human rights, democracy, rule of law, and social policy formulation through expert consultations and participation in various discussion forums. This initiative promoted the engagement of women with disabilities in policy making and development programming, and contributed to building their leadership skills. For the first time, women with visual impairments developed 9 small projects geared towards the priorities of persons with disabilities; these were an inspiration for other women. In addition, with UNDP support, women with visual impairments obtained computer and internet skills in order to increase their employment opportunities.

PROMOTING THE RIGHTS OF PERSONS WITH DISABILITIES

Many countries across Europe and the CIS have made efforts to respect and protect the rights of persons with disabilities, shifting their policies towards community and educational inclusion in accordance with the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and the conceptual framework of the International Classification of Functioning, Disability and Health (ICF).¹⁶ Nevertheless, persons with disabilities still face social exclusion, low educational attainment, unemployment, and limited opportunities to participate in political and social life.¹⁷ Remaining problematic in the region is the legacy of the medical model of disability, which has accounted for the segregation of disabled persons in residential institutions and special schools.

UNDP supports national partners for the ratification and implementation process of the UNCRPD, with the aim of bringing the countries' legislation and practices in line with the convention's principles. To this end, UNDP is providing assistance to *Armenia* to address employment and livelihood barriers of persons with disabilities, ensuring their meaningful participation in decision-making and policy formulation. In *Albania*, following the ratification of the UNCRPD in 2012, UNDP assisted the Government to draft a participatory process on the Law on Inclusion of and Accessibility for Persons with Disabilities, approved by the Parliament in 2014. In *Uzbekistan*, with UNDP support, a National Action Plan for the ratification and implementation of the UNCRPD was drafted and shared for consultations with disabled people's organizations (DPOs). In *Moldova*, a research and feasibility study on the ratification of the Optional Protocol to the UNCRPD provided information to relevant government agencies on the areas of the domestic legislation that need to be harmonized with the treaty's provision.

16 ICF is based on the biopsychosocial model of disability, which integrates medical and social models. It defines disability in line with UNCRPD as a limitation in activities and participation as a result of the interaction of the physical or intellectual impairment of the person with environmental barriers.

17 *Promoting the Rights of Persons with Disabilities in Europe and the CIS: Guide*, UNDP Regional Center for Europe and CIS, 2013.



Photo courtesy of Mykola Tymchenko, *The Day newspaper Ukraine*

Supporting the capacities of organizations of persons with disabilities, including in their interactions with the Government, is another area of intervention. In *Turkmenistan*, UNDP continued its long-standing cooperation with the Deaf and Blind Society. In *Belarus*, a focus group with persons with disabilities was established in the context of the post-2015 national consultations. UNDP supported awareness-raising activities, including social media campaigns, and conducted research on the situation of persons with disabilities to support the advocacy efforts of DPOs in *Uzbekistan* and *Belarus*.



UNDP Kazakhstan



Training for the Goian prison staff on anger management/violence reduction. *Department of Penitentiary Institutions of the Republic of Moldova.*

FOCUS AREA 2 – RULE OF LAW, JUSTICE AND SECURITY

In Europe and the CIS, UNDP supports countries to uphold the rule of law in a fair and inclusive manner, and to empower citizens to make the most effective use of protection offered by the law. UNDP works with national partners to: develop and implement legal reforms for the justice sector; support justice needs and capacity assessments to analyze demand and supply for legal services; empower the poor and marginalized to seek responses and remedies for injustice; improve legal protection, legal awareness, legal aid and counseling; address sexual and gender-based violence;

and support transitional justice to promote redress for past violence and human rights violations, and to enable societies to recover from the legacy of violence. UNDP, with the Department of Peacekeeping Operations (DPKO), facilitates the broader UN rule of law efforts in crisis and conflict-affected settings in the framework of the Global Focal Point for Police, Justice and Corrections.¹⁸

¹⁸ UNDP Strategic Plan, 2014-2017.

SUPPORTING RULE OF LAW AND JUSTICE REFORMS IN MONTENEGRO

“Through my personal interaction with the members of UNDP Project Management Unit, which is based at the premises of the Ministry of Justice, I quickly realized the considerable extent of expertise and technical support that UNDP Rule of Law And Human Rights Programme (RLHRP) has been providing to the Ministry.”

“UNDP has been present in the rule of law reform area in Montenegro since 2004, firstly through consultancy support, the scope of which significantly expanded over the years. As of 2007, UNDP has been one of the main strategic partners of the Ministry of Justice, whose contribution to drafting two Strategies for the reform of the judiciary (2007-2012 and 2014-2018), and Action plans for their implementation, was crucial...

“UNDP provided expertise support in the formulation of the part of the Montenegrin normative framework, encompassing some of the most important laws...UNDP assisted in the upgrade of the institutional framework and strengthening of the existing human resources capacities through the establishment of the legal aid offices throughout the country, and through training judges, prosecutors, public officials, legal aid providers, mediators and other practitioners in several fields. Last but not the least, I would like to single out the contribution of UNDP to the establishment of the donor coordination mechanism for the judiciary... (and) would like to emphasize UNDP’s contribution to the area of international legal assistance...UNDP is also active in the field of legal aid, mediation, the fight against organized crime and corruption, the creation of integrity plans and Codes of ethics, anti-corruption, Chapter 23 and 24, the last area being very broad and, as such, proving UNDP’s flexibility and readiness to offer us the efficient support for urgent reform interventions that are crucial for Montenegro’s path toward EU.”

– Ms. Svetlana Rajkovic, Deputy Minister of Justice and Director General of the Directorate for Mutual Legal Assistance and European Integration at the Ministry of Justice. She is also negotiator for Chapter 23 (Judiciary and fundamental rights) and Chapter 24 (Justice, home and security) of the EU accession negotiation process.





A woman enters one of Montenegro's legal aid clinics, set up to help equal access to an expensive and complex justice system. *Milos Vujovic, Mediabox/UNDP in Montenegro*

2.1 SUPPORTING LEGAL REFORMS AND STRENGTHENING EFFECTIVE JUSTICE SYSTEMS

Countries in Europe and the CIS face a myriad of challenges in the justice sector that range from inadequate legal frameworks to a lack of implementing capacities of the judiciary and other enforcement mechanisms. The majority of these states, and in particular those aspiring to EU integration, have undertaken, or are in the process of undertaking, comprehensive legal and judicial reforms. Over the years, UNDP has been a key partner of governments by either providing capacity support or facilitating the reform processes.

At the policy and legislative levels, UNDP contributes towards the development of justice reform strategies, adoption or amendment of key legislation in the justice sector, and

facilitation of dialogue between state actors and civil society on the implementation of reforms. In 2014, judicial strategies and legal reform programmes were adopted, respectively, in *Montenegro* and *Tajikistan*. In addition, in *Montenegro*, legislative reforms were undertaken to ensure harmonization with EU legislation, and in *Tajikistan*, with UNDP support, a National Policy Dialogue Platform on Rule of Law and Access to Justice has been established as a mechanism for dialogue with civil society organizations. In *Kyrgyzstan*, several key pieces of legislation, including the Criminal Code and Code of Criminal Procedure, were re-drafted and amended, following a number of public consultations.

Supporting the capacities of justice sector actors, and offering technical assistance to improve their efficiency, is another area of intervention. In *Bosnia and Herzegovina*, around 800 judges, prosecutors, and investigators were trained in the area of investigative techniques in criminal cases. In *Montenegro*, UNDP is assisting the Ministry of Justice, courts

and Prosecutor's offices, to increase their efficiency and reduce corruption through the adoption of integrity plans and a code of judicial ethics. In *Moldova*, UNDP is providing technical support for the establishment of a DNA Profiling Laboratory, and work is underway to support the Ministry of Justice in the establishment of a uniform taxation and social insurance system for professionals in the justice system.

2.2 PROMOTING ACCESS TO JUSTICE THROUGH LEGAL AID FOR MARGINALIZED COMMUNITIES

Access to justice enables individuals to guarantee their rights through formal and informal justice systems in accordance with human rights principles and standards. Yet, millions of

SUPPORTING THE PROVISION OF LEGAL AID IN TAJIKISTAN



UNDP in Tajikistan is supporting local NGOs to provide free legal aid and consultations to marginalized groups, including the unemployed, victims of domestic violence, the elderly and youth, single parents, persons with disabilities, and refugees and stateless persons. In parallel with efforts to support local NGOs that provide legal aid services in Tajikistan, UNDP is also contributing to the establishment of state legal aid services. To this aim, a concept on State Guaranteed Legal Aid has been finalized; it is expected to be approved in 2015. The following is a story about a victim who was supported by legal aid in Tajikistan.

Nuriya,¹⁹ a 25 year-old woman, is one of the clients of the Legal aid Center in Vahdat, in Western Tajikistan. Nuriya was 15-years-old when her father remarried, after her mother passed away. Nuriya and her brothers struggled with difficult relations with their stepmother.

"She [stepmother] hit me and my siblings on a regular basis, despite the fact that we always obeyed her," recalled Nuriya. "Earlier, I applied to other local agencies for help, but they either showed reluctance in helping me or simply demanded a lot of money for their legal services. Therefore, Madadgor (the project's partner organization) became my only rescuer," she said.

When a lawyer at Madadgor started working on Nuriya's case, she already had had the first court hearing. *"When I first heard Nuriya's story, I only wished she could have come to us earlier. Nevertheless, I tried my best to protect her interests in court,"* said Gulsara Mirzoeva, a lawyer at Madadgor.

"When I first heard Nuriya's story, I only wished she could have come to us earlier. Nevertheless, I tried my best to protect her interests in court."

With the legal aid of Madadgor, Nuriya's stepmother was sentenced to five years and her father to one year in prison.

Nuriya now lives with her brother and his family in their parents' apartment. She is considering learning tailoring so that she can find a job and bring money to the family.

19 "Nuriya" is a pseudonym.



A lawyer provides legal aid in Tajikistan, in affiliation with UNDP Tajikistan's Rule of Law and Access to Justice Programme. *Alisher Primkulov*

people in Europe and the CIS, particularly those belonging to poor and disadvantaged groups, face multiple obstacles in seeking legal redress. This is due to a lack of financial resources and unawareness of legal rights, unaffordable fees, long distances or language barriers, or inefficient and corrupted justice systems.

UNDP promotes access to justice through legal aid as an essential element for a fair, humane, and efficient criminal justice system. UNDP also strives to extend legal services in civil, administrative, and other areas of law, and supports alternative dispute mechanisms for people who, due to their gender, income, ethnicity, nationality or location, do not have opportunities to exercise their rights, challenge discrimination, or hold decision-makers accountable.

Supporting national efforts to develop policies and frameworks on legal aid has been one of the main objectives for UNDP in many parts of the region, including in *Kosovo*,²⁰ *Georgia*, and *Montenegro*. In 2014, UNDP efforts continued in

Kyrgyzstan, where a draft law on free legal aid was developed and is expected to be approved in 2015. In *Tajikistan*, with UNDP's assistance as the leading member of the Rule of Law Working Group of the Development Coordination Council (DCC),²¹ a concept on State Guaranteed Legal Aid, including the assessment of the implementation costs, has been finalized and is expected to be approved in 2015.

Another priority for UNDP in this area is to strengthen the capacities of state agencies and civil society providers to deliver adequate legal aid services. In *Georgia*, the Legal Aid Service (LAS), supported by UNDP since its establishment in 2007, became an independent institution accountable to the Parliament, and extended its mandate on civil and administrative cases (in selected areas). In *Bosnia and Herzegovina*, the Free Legal Aid network (FLA) has expanded with a new office, increasing the total number to eight, and professional development opportunities have been provided to the FLA network staff. In several countries,

20 All references to Kosovo are to be understood to be in the context of UN Security Council Resolution 1244 (1999).

21 With an overall objective to strengthen aid effectiveness in Tajikistan, DCC was established to facilitate information exchange and collaboration within the development community, as well as foster dialogue on shared priorities with the Government of Tajikistan.

including *Albania, Bosnia and Herzegovina, Kyrgyzstan, Tajikistan, and Ukraine*, UNDP has been complementing the provision of legal aid services through support to nonprofit service providers, or NHRIs when state agencies do not have sufficient resources to provide legal aid services in all areas of their territories.

As the result of these interventions, thousands of victims of domestic violence, people with low-income or unemployed people from different ethnic or national minorities, persons with disabilities, youth, or those living in remote areas have been able to receive legal aid and counseling, court representation, or basic legal information. In addition, alternative dispute resolution mechanisms have been supported in *Kosovo* and *Tajikistan* to increase opportunities for people to access justice and reduce cases that overload courts.

2.3 ENHANCEMENT OF COUNTRY CAPACITIES TO PREVENT AND ELIMINATE SEXUAL AND GENDER-BASED VIOLENCE

Sexual and gender-based violence (SGBV) is a serious human rights violation and a common concern for all countries in the Europe and the CIS region, as raised repeatedly in the reports and recommendations of human rights mechanisms. According to the World Bank, 29-percent of women in the region undergo physical or sexual violence,²² with rates

22 World Bank Report, *Voice and Agency: Empowering Women and Girls for Shared Prosperity*, October 2014.

23 These videos can be viewed at the following links: <https://www.youtube.com/watch?v=ChwocBsef5E> and <https://www.youtube.com/watch?v=hX6PRFY-KDg>.

ADDRESSING SGBV WITH VIDEO TESTIMONIALS IN THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

Sexual and gender-based violence is considered the most widespread form of violence in The former Yugoslav Republic of Macedonia. The Government, with the support of UNDP and other international organizations, is taking a number of measures to address the issue, including the adoption of a new Law on Prevention, Combat, and Protection of Domestic Violence. For effective implementation of the legislation, though, a comprehensive and coordinated response is required from all relevant institutions and, particularly, the judiciary, which plays a central role in giving voice to women and ensuring that perpetrators are punished. Yet, the research shows that, for some victims, justice is denied due to several factors, including prevailing prejudices among judges about victims of gender-based violence.

As part of its overall objective to support the Government in curtailing gender-based violence, UNDP, in collaboration with the Academy for Training of Judges and Public Prosecutors, supported the training of 126 judges and prosecutors on how to avoid gender bias while assessing cases of domestic violence. To create a better picture for these officials on the ordeals of victims, UNDP included video testimonials from victims into the training curricula. Two women who had initiated court proceedings on domestic violence – one in criminal law and the other in civil law – talked about the attitudes of the officials involved in the respective judicial processes. In their testimonies, they highlighted possible areas where improvements should be made from the perspective of victims. Both stories were accompanied by video-narratives of two judges who highlighted the specificities of the two cases and provided an overview of the overall criminal justice system and its importance in reducing violence against women.²³



An innovative tool developed by UNDP helps citizens communicate their priorities to local decision-makers. *UNDP in The former Yugoslav Republic of Macedonia*

of domestic violence especially high.²⁴ Sexual violence is typically escalated in conflict situations, and in several countries in the region, such as the Western Balkans, women and girls have been disproportionately affected by, and still suffer from, the legacy of conflict-related sexual violence.

While many countries are making efforts to address SGBV, the implementation of preventive and protection measures requires a coordinated response from a number of national institutions, such as social services, the judiciary, and law enforcement agencies, though these often do not have adequate capacities. Moreover, gender stereotypes and prejudices among judges, prosecutors, and police make it difficult for victims of SGBV to access justice and find redress.

Part of UNDP's strategic priority to contribute to the

reinforcement of the rule of law and citizen security is the reduction of SGBV. Victims of SGBV are one of the groups that UNDP particularly supports through its legal aid initiatives in Europe and the CIS. Additionally, UNDP country offices are supporting a number of governments to adopt and implement comprehensive preventive and protection measures against SGBV.

Support for the adoption of legislation and strategies that address domestic violence has been provided by UNDP country offices in *Albania*, *Kyrgyzstan*, and *The former Yugoslav Republic of Macedonia*. In *Albania*, UNDP has been supporting the adoption and implementation of a National Action Plan on Involvement of Men and Boys as Partners to Women and Girls in Challenging Gender Stereotypes and Combating Gender-Based Violence – as part of the Secretary General's UNITE campaign²⁵ – which is breaking the myth

24 UN Women, <http://www.unwomen.org/en/where-we-are/europe-and-central-asia>.

25 <http://endviolence.un.org>.

that gender-based violence is only a women's issue. A draft Law on Domestic Violence was finalized in 2014 in *Kyrgyzstan*, and it is expected to be approved in 2015. In *The former Yugoslav Republic of Macedonia*, with UNDP support, a new Law on Prevention, Combat, and Protection of Domestic Violence was approved.

In other countries, UNDP efforts have been geared towards the implementation process of the existing legal frameworks. In *Kosovo*, UNDP, after assisting with the adoption and implementation of the Law on Domestic Violence, has been raising awareness of the issue through community-based programs. In *Montenegro*, UNDP has carried out awareness-raising activities that reinforced the recently adopted national legislation on domestic violence through involvement of all the relevant national stakeholders, with an emphasis on civil society participation. In *Serbia*, where a comprehensive legal framework is already in place, UNDP provides support for several stakeholders, including centers for social welfare, police, civil society organizations (CSOs), and the judiciary, to ensure an integrated response to cases of violence against women.

Finally, in *Bosnia and Herzegovina*, UNDP, through a joint UN Programme, has been working to enhance access to justice for Survivors of Conflict Related Sexual Violence through the protection of victims and witnesses before, during, and after trials. In this context, UNDP has provided assistance to free legal aid (FLA) providers and victim/witness support (VWS) centers to strengthen their capacities to deal with this particular group of survivors and enhance referral mechanisms.

2.4 DEALING WITH THE LEGACY OF CONFLICTS/TRANSITIONAL JUSTICE

Over the last 25 years, many countries in Europe and the CIS have experienced large-scale conflicts. The legacy of the armed conflicts, particularly in the former Yugoslavia, continues to challenge political, economic and social development. At the same time, it hampers inter-ethnic/inter-state reconciliation and the full enjoyment of human rights and rule of law. Citizens continue to seek justice and accountability for war crimes, and dealing with the



A Ukrainian student tells journalists about her missing parents in Donbass. *UNDP Ukraine*



Young people poured into the streets to join UNiTE- a global movement to raise awareness and take actions to eradicate violence against women and girls. *Olsi Beci, UNDP Albania*

VICTIM AND WITNESS SUPPORT MECHANISM IN BOSNIA AND HERZEGOVINA

Prosecution of war crimes remains one of the key priorities in Bosnia and Herzegovina (BiH) and, 20 years after the end of the war, thousands of victims of serious crimes continue to appear before courts. Due to overlapping investigations, repetitive summoning, and prolonged legal proceedings, victims and witnesses often face re-traumatization and do not receive the support and protection to which they are entitled.

To address some of these challenges, in 2010, UNDP in BiH supported the establishment of a Victim/Witness Support (VWS) mechanism that assists district courts and prosecutors' offices to provide psycho-social and administrative support to victims and witnesses in criminal proceedings. Over the years, the mechanism has expanded and currently covers 71% of the territory (12/17 locations); more than 1,500 witnesses have received support through more than 4,000 interventions.

For one victim, who provided testimony on the murder of his mother, the overwhelming feeling is one of gratitude:

"I do not know what to say, but to thank you for your existence. You have helped me a lot. Thank you."

“I do not know what to say, but to thank you for your existence. You have helped me a lot. Thank you.”

legacy of violence is an indispensable condition towards reconciliation. Nationally led transitional justice processes contribute to atonement for past crimes and human rights violations, facilitate state accountability, and are therefore key for re-establishing social cohesion, trust and reconciliation.

UNDP in *Kosovo* supports the Inter-Ministerial Working Group (IMWG) established to deal with the legacy of war. It also provides capacity support for civil society to ensure it contributes to a transitional justice process in a constructive and critical manner. In *Kyrgyzstan*, conflict prevention, recovery and early warning are key components of UNDP's broad programme on rule of law and human rights, especially in communities that suffered from the inter-ethnic violence in the southern part of the country in 2010.

Creating the foundation for integrated and sustainable victim and witness support and protection mechanisms within the judicial institutions has been a priority in *Bosnia and Herzegovina* and *Croatia*. In *Bosnia and Herzegovina*, UNDP has

helped to build the capacity of national and local institutions, especially local courts, to deal with international crimes, tackle war-time impunity, counter weapons proliferation, and provide reparations for victims of the conflict. Programming also seeks to increase access to justice, through legal aid and victim and witness support services, by fostering and institutionalising services and support networks across the country. In 2014, as the result of UNDP ongoing support for the Victim/Witness Support (VWS) mechanism, over 900 victims and witnesses (of both war crimes and other criminal cases) received proper emotional, psychological, and logistical support. In parallel, UNDP continued to strengthen capacities of the psychologists/social workers, judges, and prosecutors, and facilitated regional consultations to share the Bosnian experience in relation to VWS mechanisms with other countries in the region.

In *Croatia*, UNDP initiated and supported the establishment of Victim and Witness Support offices in seven major criminal courts in the country. While the VWS system has been

entirely integrated into the national VWS agenda since 2012, in 2013, UNDP joined forces with the Ministry of Veterans' Affairs to support preparation of new legislation on victims of wartime sexual violence. The Law on the Rights of Victims of Sexual Violence in the Homeland War,²⁶ enacted in 2015, assigns a special status to survivors, authorizing financial reparations for the abuse they have suffered, and providing additional psychosocial assistance to them and their families.

2.5 INCREASING COMMUNITY SECURITY

Even in the absence of conflict, high levels of violence and insecurity continue to inhibit development. Inter-ethnic tensions, circulation of small arms and light weapons (SALW), organized crime, and human trafficking, challenge security in many countries in Europe and the CIS. Lack of safety can perpetuate mistrust amongst individuals, communities, and the state, and people become unwilling to invest their time or resources into the future of their countries. This can affect

economic growth and investments, and absorb government resources, which could otherwise be spent in other areas of development.

UNDP's community security approach involves communities in identifying both the reasons for feeling insecure, as well as possible solutions to improve their safety. As a result, community safety plans, with the participation of communities, have been developed in *Kosovo*. In Southwest *Serbia*, an ethnically diverse region, UNDP aims to enhance human security for vulnerable communities through, inter-alia, improving public services, enhancing inter-ethnic dialogue, and promoting a culture of human rights.

In *Moldova*, UNDP is supporting reform in the police sector, focusing on enhancing capacities of the General Police Inspectorate and strengthening the links between the police and communities. A redesigning process of police stations, based on the needs of the population, is planned for 2015 in order to increase police transparency and bring them closer to communities. UNDP in *Belarus* facilitated the training of 125 law enforcement officials (from Belarus and the CIS) on issues related to human rights compliance and practical approaches to fighting online child sexual abuse.

26 "Homeland War" is widely used in Croatia to refer to the 1991-1995 Croatian war of independence.

SAFER COMMUNITY DEVELOPMENT IN KOSOVO

Designed to reduce armed violence in Kosovo, the Small Arms Control Initiative (KOSSAC) sought to create a safe and secure environment through the *Safer Community Development* approach. The objective was to facilitate collaboration and build partnerships between local authorities, police, the private sector, and volunteers to prevent crime, anti-social behavior, and address community concerns related to security and safety. From 2009 to 2014, around 31 safer community activities were implemented in 11 municipalities, covering 71 villages and 14 neighborhoods in urban areas where community concerns were identified through comprehensive and detailed research. With KOSSAC support, three municipalities drafted safer community plans with the participation of minority groups and women, and surveillance cameras and monitoring centers were established, primarily in areas inhabited by minorities and near schools.

Important progress was recorded in increasing the public safety in the three target municipalities of the Pejë/Peć Region where the project was implemented. According to the Kosovo Police statistics, a comparative analysis for 2013-2014 revealed a significant decrease in the number of criminal offences in the Pejë/Peć Region. A 33-percent decrease was recorded in homicide cases; serious bodily injuries decreased by 15-percent, and thefts and robberies decreased by 8-percent.

PARTNERSHIPS

UNDP's mission to promote human rights and strengthen the rule of law could not be possible without the commitments and contributions of our partners.

International donors and implementing partners play a vital role in ensuring the implementation of UNDP programmes through their contributions and support. UNDP is grateful to these important stakeholders for their generosity and involvement in shaping a vision for engagement in the areas of human rights and rule of law.

UNDP's work in the region takes place in coordination and partnership with other UN entities, agencies and funds, such as the Office of the United Nations High Commissioner for Human Rights (OHCHR), the leading human rights office in the UN system. The partnership with OHCHR is critical to moving forward the promotion and protection of human rights in the region and building and strengthening the capacity of governments to implement recommendations from the UPR process and the UN treaty bodies. In addition, collaboration with other UN entities and agencies is also

indispensable to UNDP's programming on human rights and rule of law. These include UN Women, United Nations Office on Drugs and Crime (UNODC), the UN Department of Political Affairs (DPA), the UN Department of Peacekeeping Operations (DPKO), the United Nations Population Fund (UNFPA), the United Nations Children's Fund (UNICEF), the United Nations High Commissioner for Refugees (UNHCR), United Nations Peacebuilding Support Office (PBSO) and funds, such as the Peacebuilding Fund (PBF), the UN Human Security Trust Fund, and the UN Trust Fund to End Violence Against Women. In conflict-affected settings, UNDP works in the framework of the Global Focal Point (GFP) arrangement for Police, Justice and Corrections Areas in the Rule of Law.

Civil society organizations across Europe and the CIS are a driving force for democratic governance and peacebuilding, and are important promoters of human rights and rule of law. Their active involvement in the work of UNDP has played a critical role in fostering the implementation of reforms throughout the region.



Representatives of different religious confessions discuss the rights of ethnic and religious minorities in Georgia. *David Khizanishvili/UNDP Georgia*



The Office of the United Nations High Commissioner for Human Rights (OHCHR) has a long-standing strategic partnership with UNDP, which was significantly increased, systematised and anchored on follow up action to legal obligations and political commitments made by Member States themselves in the context of their participation in UN human rights mechanisms in the Europe and Central Asia (ECA) region in 2014. Collaboration between the two organizations spanned across key areas pertaining to the rule of law, democracy, good governance and human rights, resulting in strengthened engagement at country and regional levels with international human rights mechanisms, as well as more shared analysis, joint advocacy and programmatic activities.

The roll-out of 12 UNDAFs in the region provided a valuable platform for OHCHR to engage in the process with UNDP and other UN partners, and to contribute to the drafting of UNDAFs and to quality assurance through the Peer Support Group under the ECA Regional undg team. In doing

so, a consistent focus was made on ensuring an integrated approach to addressing priority gaps identified through the work of UN human rights mechanisms, namely, the treaty bodies, special procedures and the Universal Periodic Review of the Human Rights Council.

Mainstreaming human rights into the programmatic activities of UNDP and other UN agencies was another area of cooperation. In the context of our programmatic work, OHCHR and UNDP have been working closely in many countries in the ECA region, such as in Belarus, Bosnia and Herzegovina, Georgia, Kyrgyzstan, Moldova, Serbia, Turkey and Ukraine. In many cases, OHCHR relied on and much valued good services and support received from UNDP.

Furthermore, the Secretary-General's Human Rights Up Front Action Plan opened new avenues for collaboration between OHCHR and UNDP in a number of countries. Of note is the joint UNDP-DPA-OHCHR mission to Tajikistan in December 2014, which aimed to support the UN Country Team in reaching a common assessment of the human rights situation and key human rights concerns, as well as supporting the UNCT in identifying additional capacities required. In Ukraine, OHCHR and UNDP worked with the Government and other partners to support the development of the National Human Rights Strategy and ensure a coherent approach in supporting a resulting NHRAP within the UN system, with the contribution of individual agencies and programmes in line with its specific mandate.

OHCHR-UNDP partnership was also instrumental in multiple thematic areas, such as our joint support for national human rights institutions, national preventive mechanisms, migration and Roma-related issues, as well as transitional justice. Our partnership is inclusive and involves other UN agencies and international/regional organizations. OHCHR values strategic partnership with UNDP and is committed to strengthening it in the spirit of consolidating human rights as the 3rd pillar of the UN, and making the UN fit for purpose in the context of the post-2015 development agenda.

– Gianni Magazzeni, Chief of Branch (Americas, Europe and Central Asia) at the Office of the United Nations High Commissioner for Human Rights (OHCHR)

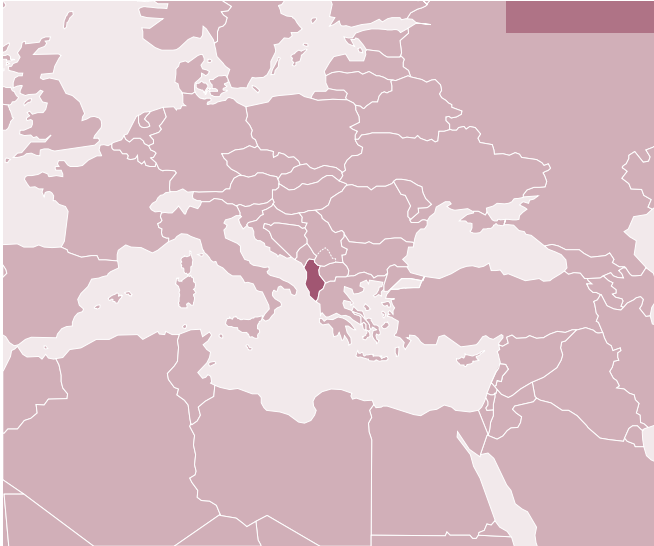
PART II^{*}

UNDP Ukraine



* The boundaries and names shown and the designations used on the maps in this report do not imply official endorsement or acceptance by the United Nations.

ALBANIA



BACKGROUND

Since the end of communist rule in 1991, Albania has made efforts to strengthen democracy, achieve human development, and sustain a market economy, despite multiple challenges over the years, including high levels of poverty, unemployment, and rampant corruption. European integration is a key policy priority and, as the result of political, economic and social progress, the country received EU candidate status in June 2014.

Strengthening of the rule of law remains paramount and reforms are underway to ensure the independence of the judiciary, increase the efficiency of public administration, and improve the governance of distributive social and economic policies. Fighting against corruption and organized crime are at the center of law enforcement efforts. Albania is party to all core human rights treaties and has made important steps in improving its human rights record and strengthening the national human rights institution. Yet, concerns remain about several issues, inter alia, gender inequality and domestic violence, human trafficking, child labour, and inadequate implementation of social policies for the inclusion of vulnerable groups, particularly the Roma and Egyptian communities, and people with disabilities.²⁷

27 Report of the Working Group on the Universal Periodic Review, Albania, second cycle, July 2014; Compilation of UN information for the UPR review of Albania, second cycle, February 2014.

ASSISTANCE AND IMPACT

In 2014, UNDP in Albania continued its support for the Ombudsman – People’s Advocate (PA) and the Commissioner for Protection from Discrimination (CPD), which in recent years have become more active in promoting human rights, particularly in relation to Roma and Egyptian communities, LGBT communities, and persons with disabilities. With UNDP assistance, the PA organized activities through public media and a series of training workshops on measures to fight discrimination against Roma and Egyptian communities. A Roma fellow was supported to work for the PA’s office on anti-discrimination issues and there are plans to establish this position permanently.

With UNDP’s support, the CPD’s outreach has increased. As a result, the quality of the Commissioner’s decisions and recommendations have improved. Furthermore, the number of complaints handled by the CPD increased from 15 in 2011 to 172 in 2014. The CPD has already initiated ex officio investigations in 12 cases this year.

In the framework of its efforts to promote social inclusion for marginalised communities, UNDP supported local NGOs to provide legal and paralegal services in civil and administrative matters. It also assisted in court proceedings of 75 vulnerable Roma families and their children. In addition, support has been provided to a local NGO to monitor and analyze the implementation of gender equality standards in court decisions in cases related to divorce and domestic violence.

An online tracking system for domestic violence cases was established

UNDP has been supporting the adoption and implementation of a National Action Plan on Involvement of Men and Boys as Partners to Women and Girls in Challenging Gender Stereotypes and Combating Gender Based Violence – as part of the Secretary General’s UNiTE campaign²⁸ –

28 <http://endviolence.un.org>.

which is breaking the myth that gender-based violence (GBV) is a women's issue. An online tracking system for domestic violence cases (REVALB) was established in 2014, playing an important role in monitoring and ensuring that pertinent legislation is implemented and that cases receive the necessary inter-disciplinary attention.

Following the ratification of the Convention on the Rights of Persons with Disabilities (CRPD) in 2012, UNDP supported the Government to develop, through a participatory process, a law on the inclusion of, and accessibility for, persons with disabilities, which was approved by the Parliament in 2014.

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

The reform of the judiciary remains one of the main challenges in the area of rule of law in Albania. Despite some progress, the functioning of the judicial system continues to be affected by politicization, limited accountability, and corruption.²⁹ These shortcomings are also reflected in the

legal aid system, where although formal procedures are in place for legal aid provision, in practice, there are significant barriers for poor communities to access free legal aid services and benefit from social inclusion policies.

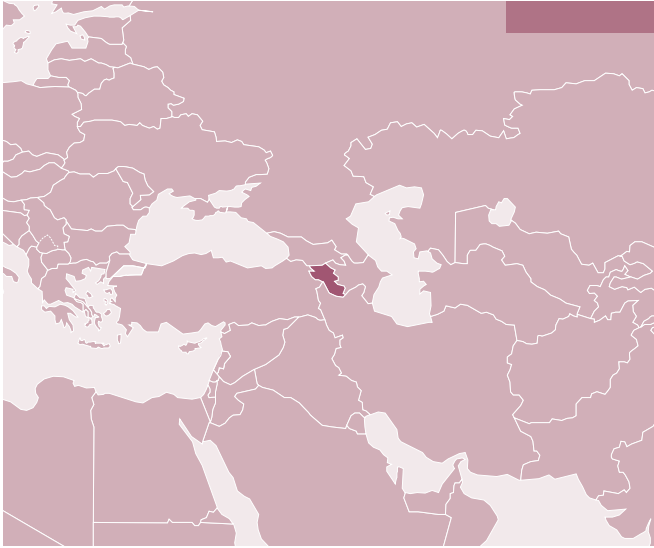
During 2015, UNDP Albania will continue its support for the Commissioner for Protection from Discrimination to better respond to the demands of vulnerable groups. In the area of GBV, work will continue to strengthen and expand the local Mechanisms of Coordination and Referral (MCR), responding to the needs of territorial reform taking place in the country and to implement the National Plan for involving men and boys against GBV. As for the rights of persons with disabilities, the focus will be in supporting the Government to develop secondary legislation for the law on the inclusion of, and accessibility for, persons with disabilities.

29 European Commission, "Albania Progress Report," 2014.



Elementary and high school children in Albania show their support against gender-based violence in the "Orange your Neighbourhood" campaign. *Elton Veliu, Observatory for Children's Rights/UNDP Albania*

ARMENIA



BACKGROUND

Armenia has undergone broad political, economic and social transformations. Since 2003, the country has experienced steady development, despite the impact of the 2009 financial crisis and the fact that Armenia's borders with neighboring Azerbaijan and Turkey remain closed. Armenia has implemented a number of EU-inspired reforms and maintains relationships with the European Union, as well as economic ties with the Russian Federation and other countries in the region.

Armenia is making efforts to establish a functional democracy and good governance by improving its legal and regulatory mechanisms.³⁰ The Strategy for Legal and Judicial Reforms (2012-2016) aims to improve the legal framework, increase access to justice, and strengthen the independence of the judiciary. Yet, public mistrust of the system and its integrity remains high and more reforms are necessary to strengthen the rule of law.³¹ Further implementation efforts are necessary in areas such as non-discrimination, violence against women, socio-economic rights, and the rights of persons with disabilities.³²

30 Evaluation United Nations Development Assistance Framework (UNDAF), 2010-2015 Republic of Armenia.

31 European Commission, "Implementation of the European Neighborhood Policy in Armenia, Progress in 2013 and recommendations for action," March 2014.

32 Compilation of the UN information submitted to the Human Rights Council for the UPR review of Armenia, January 2015.

ASSISTANCE AND IMPACT

In 2010, UNDP in Armenia launched the European Union Advisory Group (EUAG) – an initiative funded by the EU – to advise and support the Republic of Armenia in the implementation of its reform agenda and international commitments in several areas, such as justice, liberty and security, democratic institutions, and human rights. With support from EUAG, UNDP, and other international organizations, Armenia has complemented the National Human Rights Strategy with the creation of the 2014-2017 Action Plan. The Action plan includes clarifying the responsibilities of all State and civil society actors on human rights protection. EUAG also supported the development of a comprehensive migration policy, as well as reforms on approximation of Armenian legislation with EU standards in areas such as intellectual property, consumer protection, and others.

Armenia duly completed preparations for the second round of the UPR review that took place in January 2015, as the national report was drafted in consultations with NGOs and human rights defenders. In this context, UNDP has been supporting the UPR preparation process and the advancement of human rights dialogue through awareness-raising and capacity-building initiatives for the implementation and monitoring of UPR recommendations. This has been done through a series of consultations between the Government and civil society, aiming at strengthening the fragile human rights dialogue started in 2012 during the first UPR follow-up process. This large-scale joint civil society initiative to support the UPR follow-up has resulted in strengthened human rights dialogue between the Government and civil society. As the result of the UN/UNDP advocacy to integrate UPR recommendations into the UN and national programming processes, the 2014-17 Human Rights Action Plan was aligned with UPR recommendations.

The 2014-17 Human Rights Action Plan was aligned with Universal Periodic Review recommendations

A large-scale joint civil society initiative to support the UPR follow-up has resulted in strengthened human rights dialogue between the Government and civil society

On the occasion of Human Rights Day on 10 December 2014, the first HuRiCamp – an experimental UN³³ conference on human rights – was organized at the American University of Armenia. Human rights activists and defenders had the opportunity to share their ideas, solutions, challenges, and achievements in tackling human rights issues in Armenia.

UNDP is also supporting the Government in implementation of the UN Convention on the Rights of Persons with

Disabilities (UNCRPD)³⁴ through a large-scale process aimed at reforming disability eligibility criteria and individual rehabilitation procedures. In 2014, UNDP supported a co-design workshop for persons with disabilities in applying innovative tools to identify and prioritize challenges and possible solutions to a number of issues, including the meaningful participation of persons with disabilities in decision-making and policy formulation.

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

The UPR process greatly increased communication between the Government and civil society, but more efforts need to be undertaken for a meaningful human rights dialogue. The second UPR cycle provides significant opportunities in this respect, and UNDP is engaged to enable all stakeholders to reflect on the process, as well as to support the Government in the implementation of specific areas of the Human Rights Action Plan that are based on UPR recommendations.

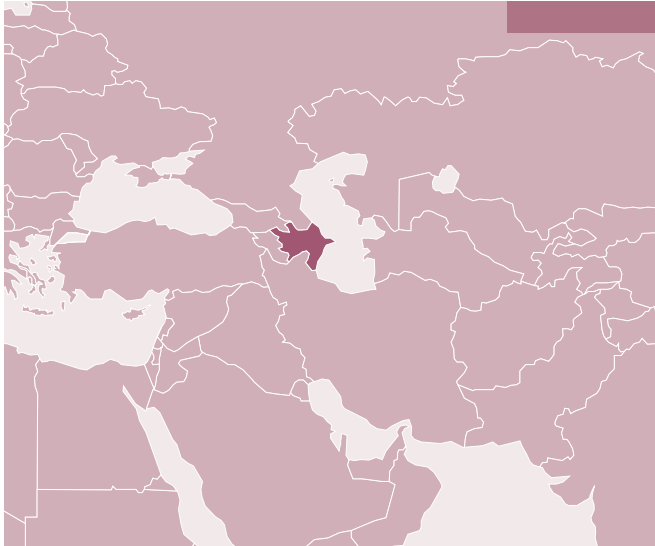
33 Jointly by UNDP, OHCHR, UNDPI, UNICEF, UNFPA, and UNHCR.

34 Armenia has been a Party to UNCRPD since 2010.



Identifying time slots at Huricamp. Gor Kroyan/UN Armenia

AZERBAIJAN



BACKGROUND

Azerbaijan has steady economic growth, mostly fueled by hydrocarbon wealth.³⁵ With support from the international community, Azerbaijan has launched a number of programmes on judicial and legal reforms to strengthen the rule of law and respect for human rights. Within these reforms, the Government has significantly improved the infrastructure of the justice sector, which includes construction of over 20 court buildings and facilities, as well as technical renovations and furnishing many others with the latest equipment. Substantive financial contributions have been allocated from the state budget, as well as grants from international organizations, to support various state reform programmes and national action plans. However, while the Government has made efforts to improve the situation, there are still shortcomings in the observation of the international human rights standards. The UN expert bodies have raised concerns with regard to human rights

35 Despite the global economic downturn, the country's GDP in 2013 reached US \$73.56 billion, a ten-fold increase from 2003, according to the World Bank: <http://data.worldbank.org/country/azerbaijan>.



Training for government officials on women empowerment. *UNDP Azerbaijan*



A delegation from Afghanistan visits Azerbaijan to learn and exchange knowledge about e-governance. *UNDP Azerbaijan*

protection. In particular, these include the protection of freedom of expression, association and assembly, and the independence of the judiciary.

Furthermore, following the 1991-1994 conflict between Armenia and Azerbaijan over the self-declared Nagorno-Karabakh Republic, Armenians of Karabakh continued to control most of the Nagorno-Karabakh region and seven surrounding Azerbaijani territories. There have been concerns over frequent escalations in fighting between Azerbaijan and Armenia; both sides report frequent shootings and attempted incursions along the cease-fire line.

ASSISTANCE AND IMPACT

Azerbaijan sustains its leading position among CIS countries in promoting the ICT sector and e-governance solutions. A Presidential Decree was signed in February 2014 to establish an e-court proceeding system, facilitating easy access to justice and improving court case management, with a new online system to become effective in 2015. Promotion of e-governance has remained a central component of UNDP's support. In addition to providing technical assistance for

developing the new National Strategy for Information Society Development in Azerbaijan for 2014-2020, UNDP facilitated knowledge transfers on e-governance between Azerbaijan and Afghanistan. Furthermore, UNDP cooperated with the Azerbaijan Service and Assessment Network (ASAN) on formulating its longer-term strategy.

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

Two decades after a fragile ceasefire of 1994, displacement still remains a major challenge for Azerbaijan; 616,978 persons from Nagorno-Karabakh and the seven surrounding occupied districts remain internally displaced, and a durable solution between the two sides is yet to be achieved. Addressing the needs of internally displaced persons (IDPs) and providing paths to improve their livelihoods and self-reliance is one of the priorities of Azerbaijan's Vision 2020 development concept. UNDP's work will focus on promoting good governance through strengthening institutional capacities and effective public and social services as outlined in the Vision 2020 development concept.

BELARUS



BACKGROUND

Since its independence from the Soviet Union in 1991, Belarus has made progress in human development. However, economic growth has recently slowed down, thus raising questions about the sustainability of the existing socio-economic model. The EU continues to provide assistance in the areas of social inclusion, environment, and local development. Belarus also actively participates in Russia-led integration structures, including the Eurasian Economic Community. Furthermore, it has managed to maintain a balanced position and play a mediating role in international negotiations concerning the conflict in Ukraine.

Belarus is a party to the major human rights treaties and has made efforts to collaborate with the international human rights system, particularly in the framework of the UPR process. Nevertheless, concerns from the international community and the UN have been expressed about a number of issues, including political freedom, the disappearance of political opponents, freedom of expression and association, torture and ill-treatment, the application of the death penalty, the independence of the judiciary, and the absence of a national human rights institution.³⁶ On the other hand, Belarus has made progress in areas such as gender equality,

poverty alleviation, social protection, and the fight against human trafficking.³⁷

ASSISTANCE AND IMPACT

In preparation of Belarus' second cycle of the UPR review, in May 2015, UNDP and other UN agencies have been supporting the Government in facilitating dialogue on the UPR recommendations, involving government entities and more than 50 civil society organizations. Preparatory consultations in 2013/2014 opened up opportunities for representatives of both the Government and NGOs to discuss the implementation process concerning a number of civil, political, economic and social rights, as well as the rights of women and children, and the fight against domestic violence and human trafficking.

A participatory process in preparation of the Universal Periodic Review was facilitated, for the first time, with representatives of more than 50 civil society organizations, the Government, and UN agencies

UNDP and its partners also assisted the Government in considering the establishment of an independent human rights institution in accordance with the Paris Principles, in line with UPR recommendations.

In addition, UNDP, in collaboration with partners, supported the Government in increasing the efficiency of the judiciary, with a project for the specialization of the courts. More than 500 judges and legal professionals from different regions were trained in juvenile justice and refugee law.

36 Human Rights Council Resolution, 2014, A/HRC/26/L.14/Rev.; "Report of the Working Group on the Universal Periodic Review, Belarus, 2010," Special Rapporteur on the Human Rights Situation in Belarus, UN Committee against Torture.

37 UN Country Team in Belarus: Written Contribution for the 2nd cycle of the Universal Periodic Review, 2014.



UNDP Belarus staff participating in the Zero Discrimination Campaign, 2015. *Maryia Malinouskaya, UNDP in Belarus*

UNDP also supported innovative social research on the situation of persons with disabilities in order to showcase their everyday experiences and challenges in the areas of employment, health, and education. The research was used to facilitate advocacy for Belarus's accession to the Convention on the Rights of Persons with Disabilities (CRPD) and raise awareness on the CRPD implementation.³⁸

UNDP in Belarus has a long-standing cooperation with the Government in its efforts to address human trafficking. In 2014, UNDP and other partners³⁹ facilitated the training of 125 law-enforcement officials from Belarus and the CIS on issues related to human rights compliance, as well as on practical approaches to fighting online child sexual abuse.

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

The Human Rights Council and Human Rights Treaty Bodies

More than 500 judges and legal professionals from different regions were trained in juvenile justice and refugee law

have called upon Belarus to carry out a comprehensive review of relevant legislation, policies, strategies and practices in order to ensure that they are in line with international human rights law and Belarus' human rights obligations and commitments. UNDP will continue its support for these processes, including the provision of technical expertise for the establishment of an NHRI in line with the Paris Principles. UNDP will also support advocacy efforts for the country's accession to the CRPD. In the meantime, the UPR process has given UNDP and the UN Country Team (UNCT) a strong basis for cooperation with national stakeholders on human rights issues, supporting the expansion of space for civil society participation, as well as encouraging the UNCT to take an integrated approach to human rights.

³⁸ Belarus is expected to sign the CRPD in 2015.

³⁹ OHCHR, and the International Training Centre on Migration and Combating Trafficking in Human Beings under the Ministry of Interior Academy.

BOSNIA AND HERZEGOVINA⁴⁰



BACKGROUND

Since the end of the war in Bosnia and Herzegovina (BiH), a series of measures have been taken to rebuild democratic institutions, provide remedies for conflict-related injustice, and prepare the country for European Union accession. Nevertheless, progress has been slow amid the economic and financial crisis, which, coupled with a lack of political gains, have left the country at a standstill in the EU integration process.

In 2014, there were widespread protests and severe floods highlighting the fragility of the socio-economic situation and negatively impacting the economy. Additionally, conflict

More than 900 victims and witnesses (of both war crimes and other criminal cases) received psychological, legal and logistical support, through victim and witness support offices

between ethnic groups and lack of political consensus slowed the reforms in many areas. However, progress is expected following a recent announcement by the BiH President, which declared the country's commitment to undertake reforms in the framework of the EU Accession Process.⁴¹

BiH is a party to all core international human rights treaties, but national implementation remains challenging. Although public awareness of the role of the Ombudsman Institution has increased,⁴² generally, state mechanisms in charge of respecting, protecting and fulfilling human rights suffer from gaps in coordination, accountability and efficiency.⁴³ Access to justice has moderately improved, however, the system suffers from fragmentation and lack of harmonization, which, particularly, affects the quality of services for marginalized individuals and groups. Additionally, dealing with the past and combating impunity for war crimes remains a challenge.

ASSISTANCE AND IMPACT

UNDP supported a number of initiatives to strengthen the rule of law, to comprehensively address the legacy of the war, to develop standards for witness protection and victim support, and to increase access to justice for the marginalized through the provision of legal aid.⁴⁴

UNDP provided support to BiH for the second cycle of the Human Rights Council's Universal Periodic Review (UPR) process, which took place in November 2014. Expertise and coordination support were provided to the Ministry of Human Rights and Refugees for the preparation of the national report. Additional awareness-raising activities included the live broadcast of the UPR session and video summary. In 2014, UNDP continued its support for the Victim/Witness Support (VWS) mechanism through development and coordination of VWS offices.

In 2014, over 900 victims and witnesses (of both war crimes and other criminal cases) received emotional, psychological,

40 Most of this country profile was first published in "Strengthening the Rule of Law in Crisis-Affected and Fragile Situations: Global Programme Annual Report 2014," United Nations Development Programme, 2015.

41 http://eeas.europa.eu/statements-eeas/2015/150129_02_en.htm.

42 European Commission Progress Report, "Bosnia and Herzegovina, 2014," p.11.

43 UNCT Submission to the Human Rights Council, UPR for BiH, 20th Session, March 2014, p. 1, para. 3.

44 UNDP interventions are aligned with ongoing EU projects on the implementation of the National War Crimes Strategy.

and logistical support. The VWS mechanism is contributing to increased efficiency of courts and prosecutor's offices in 12 of the 17 district courts, with plans to establish VWS offices in remaining locations. This year, local authorities agreed to allocate funds and human resources to the VWS offices, ensuring their sustainability beyond UNDP's assistance. In parallel, UNDP continued to strengthen related capacities of psychologists, social workers, judges and prosecutors and facilitated regional consultations to share the Bosnian experience with other countries. Approximately 800 judges, prosecutors, and investigators were trained in the area of investigative techniques in criminal cases in an effort to increase the efficiency of courts and prosecutors' offices.

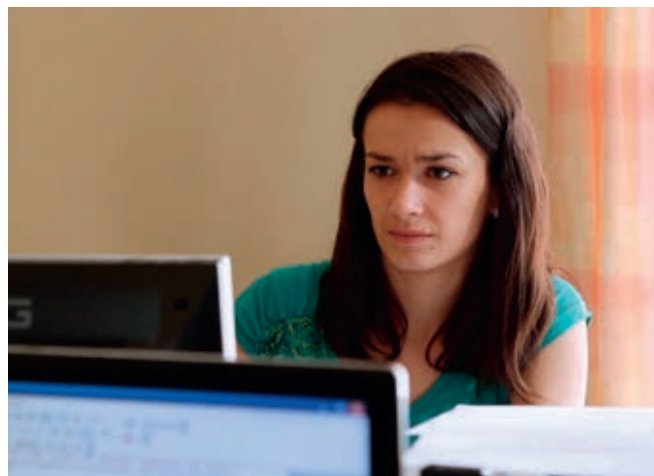
Free legal aid was provided in 11,726 cases through a free legal aid network that was established countrywide

UNDP worked with national partners to create a countrywide free legal aid system through the establishment and support of the Free Legal Aid network (FLA), comprising eight governmental and six NGO providers. In 2014, the FLA network provided services in 11,726 cases, involving victims of gender-based violence, human trafficking, single female households, and the unemployed. With UNDP support, a new FLA office opened in Mostar, professional development opportunities were provided for the FLA network staff, and a database was launched to connect all FLA providers and ensure an efficient way to monitor cases.

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

The UN system and UNDP will continue to support the Government to make the necessary reforms and implement the recommendations from the 2nd cycle of the UPR.⁴⁵ Constitutional amendments to prevent discrimination, efforts to ensure full integration of all minorities, and

⁴⁵ This will be feasible after the BiH approval of the recommendations in the 28th Human Rights Council plenary session in March 2015.



A lawyer operating within the Free Legal Aid Network supported by UNDP in Bosnia and Herzegovina. *Aleksandar Zahorodni, UNDP*

strengthening national systems for human rights protection remain key areas of focus, but will be very politically challenging to achieve.⁴⁶

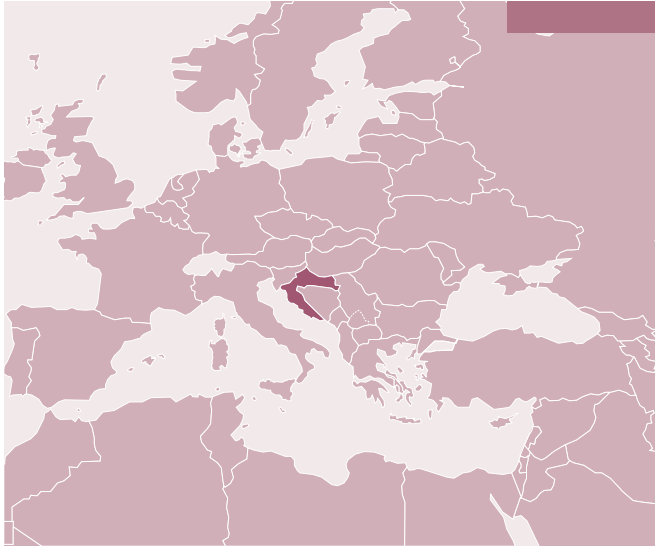
UNDP is supporting an analysis of the status and independence of the Ombudsman Institution to provide a baseline for future capacity development support.

Despite some progress in relation to war crimes and witness protection, work towards the adoption of a comprehensive strategy on transitional justice did not advance in 2014. This was due to the political turmoil preceding the elections, which undermined efforts to ensure national ownership. Challenges remain with the harmonization of the FLA due to lack of a relevant legal framework, thus excluding many people from accessing legal aid services. Efforts will continue to unify the system and to support the Government to adopt legislation on free legal aid at the state level.

A database was launched to connect all free legal aid providers and ensure an efficient way for monitoring cases

⁴⁶ Report of the Working Group on UPR, BiH, December 2014.

CROATIA



BACKGROUND

In 2013, less than 20 years after the end of the armed conflict, Croatia became a full member of the European Union. On its path to EU accession, Croatia has implemented broad economic and social reforms, and made significant progress in reforming the judiciary to ensure access to justice for all citizens and firmly establish all elements of the rule of law. The EU accession process also had positive effects on the protection of human rights and combating discrimination, especially through alignment of relevant legislation with international standards.

Although Croatia successfully met the EU accession criteria, the undertaken reforms have yet to prove sustainable in



A regional conference that underscored the necessity of providing justice and support to wartime victims of sexual violence. *UNDP Croatia/ Croatian Ministry of Veterans' Affairs*

the long run, and continued efforts to strengthen the rule of law, notably the independence of judiciary and the fight against corruption, are needed. Despite a well-established institutional and legislative framework for the protection and promotion of human rights, the implementation of laws and policies, particularly in the area of discrimination and minority rights, still remains a challenge.

ASSISTANCE AND IMPACT

In 2014, following the research on conflict-related sexual violence conducted in 2013, UNDP continued advocacy work and support to the Croatian Government for the preparation of new legislation on victims of wartime sexual violence. As a direct result of these efforts, the Law on the Rights of Victims of Sexual Violence in the Homeland War⁴⁷ was adopted by the Parliament in May 2015. The goal of this new law is to overcome the isolation and neglect that survivors have experienced, to help re-integrate them into society, and restore their confidence in the system.

UNDP supported the Ombudsman Institution to present and highlight relevant issues in different areas of human rights. UNDP also facilitated the inclusion of different stakeholders (i.e. NGOs, trade unions, media and parliamentarians) in the process of drafting the UPR report.

⁴⁷ “Homeland War” is widely used in Croatia to refer to the 1991-1995 Croatian war of independence.

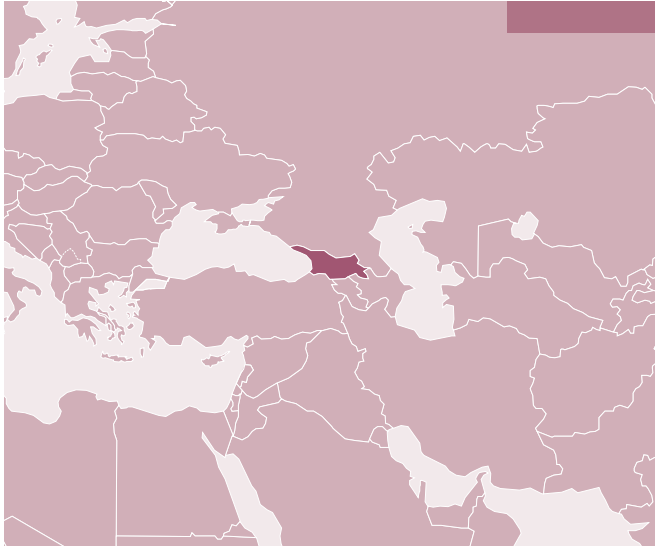
The Law on the Rights of Victims of Sexual Violence in the Homeland War was adopted by the Parliament in May 2015

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

Croatia is still coping with the legacy of the 1991-95 armed conflict. More than 21,000 lives were lost, including 6,605 civilians, and more than 1,700 people are still recorded as missing. Prosecution of war crimes still requires further efforts and regional cooperation, and there is a pressing need for developing institutional mechanisms for establishing the right to the truth, justice and reparation, not only in Croatia but also in other ex-Yugoslav countries.

The newly adopted Law on the Rights of Victims of Sexual Violence in the Homeland War assigns a special status to survivors, authorizing financial reparations for the abuse they have suffered, and providing additional psychosocial assistance to them and their families. However, continued efforts will be needed to address prevailing issues, namely, the lack of statistics, data and research on wartime sexual violence survivors, relevant capacity of the police, prosecutors and judicial system, and inadequate measures of protection and support for victims.

GEORGIA



BACKGROUND

Since the Rose Revolution in 2003, Georgia has made notable progress towards democracy and human development.⁴⁸ In 2012, the peaceful transition of power, following the parliamentary elections, was an important step towards democracy and rule of law. The country aspires to integrate into the European Union and Euro-Atlantic structures. To this end, in June 2014, Georgia signed the Association Agreement with the EU, including a Deep and Comprehensive Free Trade Area (AA/DCFTA) that significantly deepens their political and economic ties.⁴⁹ Yet, despite economic growth, poverty and unemployment remain problematic. Georgia is also struggling to resolve protracted conflicts regarding the ambiguous status of the territories of Abkhazia and South Ossetia/Tskhinvali.

In the last 10 years, Georgia has undertaken a number of reforms in the areas of human rights and rule of law, including: the adoption of a Criminal Justice Reform Strategy, a Civic Integration Strategy, and anti-discrimination legislation; new legislation that increases the independence of the judiciary; the establishment of an independent Legal Aid Service (LAS); and the improvement of prison conditions. These reforms require further measures to ensure adequate implementation, particularly the legislation against discrimination. More efforts are also required to address issues such as domestic violence, accountability for past

48 Georgia Human Development Index is 79.

49 EU External Action.

human rights violations, administrative detentions, the rights of internally displaced persons, freedom of religious belief, and the rights of minorities.⁵⁰

ASSISTANCE AND IMPACT

In 2014, UNDP and other international organizations, in partnership with the EU, supported the work of the Inter-Agency Council for the adoption of the National Human Rights Strategy (2014-2020) and its Action Plan 2014-2015 (NHRSAAP). The documents are binding and also introduce a human rights based approach in the formulation, implementation and monitoring of governmental policies and programmes. UNDP also collaborated with the Ministry of Foreign Affairs (MFA) to develop the capacities of the inter-agency working group in charge of preparing the State reports to the UN human rights treaty bodies.

The National Human Rights Strategy 2014-2020 and Action Plan 2014-2015 were adopted

As part of its support for the adoption and implementation of the anti-discrimination legislation, UNDP has been using innovative methods for collecting information and data related to minorities, including minorities based on ethnicity, religion and sexual orientation, and studying respective public perceptions, which were presented in a national conference on anti-discrimination.

Since 2012, UNDP has contributed to increased transparency within the penitentiary system by supporting the monitoring role of the National Preventive Mechanism (NPM) – a structure within the Public Defender's Office (PDO)⁵¹ – through the involvement of independent experts from civil society that visit and report on the conditions of prisons. In 2014, UNDP assisted the NPM to strengthen the capacities of its staff and independent experts, and to develop guidelines on monitoring the penitentiary establishments⁵² in line with UN and Council of Europe standards.

50 Human Rights Committee, Concluding observations on the fourth periodic report of Georgia, 2014.

51 Equivalent to Ombudsperson's office.

52 For adult male inmates.

Guidelines on monitoring penitentiary establishments were developed in line with UN and Council of Europe standards

UNDP has also been supporting the PDO in its recent role as the independent mechanism for monitoring the implementation of the Convention on the Rights of Persons with Disabilities.⁵³ An awareness-raising campaign on the rights of persons with disabilities and existing social programmes was conducted through distribution of materials in six languages.⁵⁴

UNDP has been providing assistance to the Legal Aid Service (LAS) since its establishment in 2007 at the policy, capacity building, and technical levels. In 2014, due to UNDP's continuous support, LAS became an independent institution accountable to the Parliament. The mandate of LAS was expanded on civil and administrative cases (in selected areas), and LAS lawyers were trained in civil and administrative law, although representation in courts and administrative bodies will begin in 2015 and 2018, respectively, due to limited current resources.

“Legal Aid Service” became an independent institution and its mandate was expanded on civil and administrative cases

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

The adoption of the NHRSA and other legislative reforms show the commitment of the Government to build strong and efficient democratic institutions. However, the implementation of these reforms is challenging and requires, *inter alia*, comprehensive capacity building of key human rights stakeholders at both the executive and legislative

levels; oversight of law enforcement agencies to find a balance between crime prevention and the protection of fundamental rights; and further support to the capacities of the PDO in its role of promoting and protecting human rights.⁵⁵

UNDP will continue its support to the Government of Georgia in the areas of human rights and rule of law, focusing additionally on the implementation of the NHRSA; strengthening capacities of the Personal Data Protection Inspector Office to monitor the protection of personal data; strengthening capacities of the Parliamentary Committee on Human Rights and Civil Integration and the Committee on Legal Issues; supporting an accessible justice system through a more independent and effective legal aid system and greater application of alternative dispute resolution mechanisms.



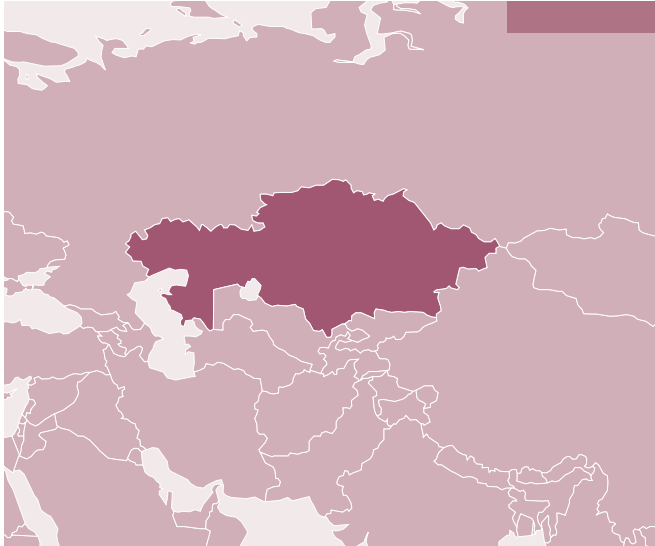
Representatives of different religious confessions attend the annual Tolerance Champions Awards organized by UNDP and the Public Defender of Georgia, 2011. *Daro Sulakauri/UNDP*

53 In accordance with Article 33; Georgia became a party to the CRPD in 2014.

54 Georgian, Abkhazian, Ossetian, Armenian, Azeri and Russian.

55 “Georgia in Transition: Report on the human rights dimension: background, steps taken and remaining challenges,” Report of former COE Human Commissioner and EU Special Advisor on Constitutional and Legal Reform and Human Rights in Georgia, Mr. Thomas Hammarberg, 2013; and other capacity assessment reports.

KAZAKHSTAN



BACKGROUND

Since its independence from the Soviet Union in 1991, Kazakhstan has experienced a rapid economic growth and high human development. The country is actively involved in, and promotes, the Eurasian integration processes. Kazakhstan is also a partner of the EU under a Partnership and Cooperation Agreement. In the last two decades, public administration reforms have been implemented, and efforts continue to improve the efficiency of the Government.

The delivery of public services, however, suffers from institutional weaknesses. Corruption and limited participation of civil society in policy processes are also still impeding Kazakhstan's further socio-economic advancement.⁵⁶ Gaps and challenges remain, particularly, in the areas of human rights and access to justice. The human rights mechanisms have issued recommendations in several areas, including prevention of torture and ill-treatment, domestic violence, forced labour, human trafficking, and restrictions on

⁵⁶ United Nations Development Assistance Framework for the Republic of Kazakhstan (2010-2015).

freedoms of religion, expression and assembly. Measures are also recommended to strengthen the independence of the judiciary.⁵⁷

ASSISTANCE AND IMPACT

UNDP in Kazakhstan is supporting the Government for the implementation of its human rights obligations, with a particular focus on the UPR recommendations, based on the UPR National Action Plan, adopted in 2011. UNDP supported consultations, with the participation of the Government and civil society representatives, to discuss the national report to the UPR, as well as the reports to the Human Rights Committee of the International Covenant on Civil and Political Rights.

UNDP is also supporting the Supreme Court and civil society organizations to introduce effective mediation/alternative dispute resolution practices throughout the country.

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

Although Kazakhstan has shown commitment in complying with its human rights obligations, there are gaps in national legislation with regards to implementation; the application of existing laws often lacks consistency and long-term strategies. The administration of justice needs to be improved and corruption remains a major source of concern and a real challenge.

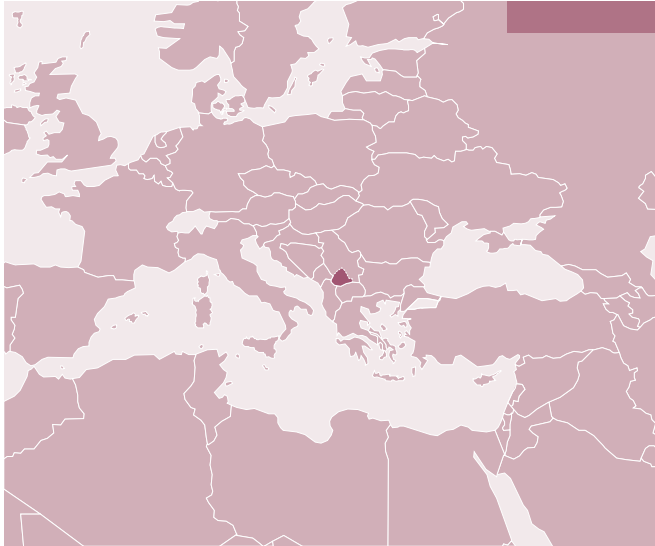
However, Kazakhstan remains engaged with the UN human rights mechanisms, which provides for good collaboration with UNDP. In the coming years, UNDP will support public monitoring and oversight measures to improve transparency and participation, and will strengthen capacities of civil society organizations at the local and national levels.

⁵⁷ Report of the Working Group on the Universal Periodic Review, December 2014; Compilation of UN information on Kazakhstan for the UPR review, second cycle, August 2014.



UNDP Kazakhstan

KOSOVO^{58 59}



BACKGROUND

Kosovo has taken important steps towards stability and building democratic institutions. Supported by international partners, Kosovo is in the process of adopting laws that could ensure adequate delivery of justice in accordance with human rights standards. Integration into the European Union remains a priority. In 2014, Kosovo concluded the Stabilization Association Agreement, which built on the 2013 agreement with Serbia regarding the normalization of relations.

Kosovo still struggles to enhance its human development. The fragile political environment and, in particular, the six-month political deadlock after the June 2014 elections, impacted the progress in strengthening democratic institutions and processes. Corruption and organized crime, including human trafficking, remain major concerns. In

The Agency for Free Legal Aid (AFLA) provided legal aid in 4,812 cases; about 35% of the beneficiaries were female

58 All references to Kosovo are to be understood to be in the context of UN Security Council Resolution 1244 (1999).

59 This profile was first published in "Strengthening the Rule of Law in Crisis-Affected and Fragile Situations: Global Programme Annual Report 2014," United Nations Development Programme, 2015. Minor modifications have been made.

particular, challenges exist with the implementation of the legislation and its further harmonization with the EU *acquis*. Reconciliation is another important consideration, as Kosovo society remains profoundly affected by its past with deep inter-ethnic divisions.

ASSISTANCE AND IMPACT

UNDP supported Kosovo in policy planning, coordination, and capacity development of the justice sector through a number initiatives including: judicial education, the establishment of the Agency for Free Legal Aid (AFLA), the introduction of a probation and mediation service, and strengthening capacities of Kosovo Police to address domestic violence and human trafficking. Additionally, complementary programming supports transitional justice efforts and community safety initiatives.

From 2009 to 2014, 31 safer community activities were implemented in 11 municipalities



Free legal aid in action for the Roma, Egyptian and Ashkali (REA) communities in Kosovo. Kosovo Agency for Free Legal Aid

In 2014, UNDP continued its technical support for AFLA, which provided free legal aid in 4,812 cases, of which 1,710 were female beneficiaries. In addition, a mobile legal aid clinic was established to offer assistance to rural communities, with a focus on aiding women and minorities. In parallel, UNDP encouraged AFLA's efforts to ensure sustainability through activities that sought to strengthen its capacities and raise awareness on the importance of free legal aid services among government agencies and civil society.

A mobile legal aid clinic was established to offer assistance to rural communities, with a focus on aiding women and minorities

UNDP's cooperation with the Mediation Commission resulted in the development of a Strategy for Mediation Services, leading to a reduction of court cases and increased opportunities for people to access justice. During 2014, 1,076 cases were referred for mediation to the Mediation Commission and a database was established, enabling the production of qualitative reports, including data disaggregated by gender and ethnicity.

Creating an environment conducive to transitional justice is a priority for UNDP and other UN agencies. Interventions focus on improving community relations, contributing to reconciliation and the prevention of future violence. Results include the production of a documentary on missing persons, and awareness raising on transitional justice through media (public service announcements, website, and other platforms). Support is provided to the Inter-ministerial Working Group (IMWG), established to address prior injustices and strengthen civil society's capacities to enable them to contribute to the transitional justice process.

The Kosovo Small Arms Control Initiative (KOSSAC) sought, among other things, to create a safe and secure environment through the Safer Community Development approach. The objective was to build partnerships between local authorities, police, private sector, and volunteers, to prevent crime and anti-social behaviour. From 2009 to 2014, 31 safer community activities were implemented in 11 municipalities,

covering 71 villages and 14 neighbourhoods. Three (3) of these communities, with KOSSAC support, drafted, with the participation of women and minorities, safer community plans and installed surveillance cameras and established monitoring centers.

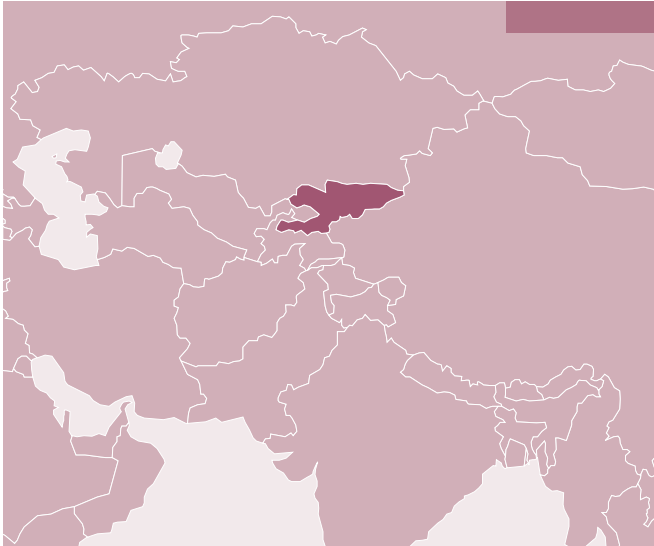
CHALLENGES, LESSONS LEARNED AND WAY FORWARD

UNDP's efforts to support the rule of law reforms in Kosovo are encumbered by the lack of institutional capacities and general inadequacy of the judicial system, including enforcement mechanisms. Furthermore, budgetary constraints of institutions have hindered programming sustainability, as in the case of the AFLA; once UNDP's support came to an end, AFLA was unable to secure government funding for the eight legal aid offices. Also, programming in the area of transitional justice is prone to political sensitivities, and safer community initiatives need to further increase public trust in local authorities, particularly for minority groups.

UNDP will continue to contribute through strengthening coordination in the justice system by creating a strategic plan for increased efficiency, and supporting independent justice institutions. With respect to transitional justice, the focus will be on enhancing awareness among the general public and in the provision of support to the IMWG. UNDP and local partners will further develop the Safer Community approach under a new initiative that aims to create a long-term impact by strengthening the relationship between communities and security providers. Nevertheless, to successfully achieve these objectives, consolidated programming is required to bring various initiatives under a comprehensive programmatic framework.

A total of 1,076 cases were referred for mediation to the Mediation Commission and a database was developed that produces reports and disaggregates data by gender and ethnicity

KYRGYZSTAN⁶⁰



A member of a dance group performing in an event about integrating disabled people into society, Kyrgyzstan. *Meri Bekeshova, UNDP Kyrgyzstan*

BACKGROUND

Two unstable political periods during the last decade, as well as inter-ethnic conflicts that sparked violence in the southern part of the country in 2010, led to a resolve to establish a parliamentary democracy. The new Constitution, adopted after the political transition of 2010, also paved the way to broad political and legal reforms, including the rule of law and the justice sector. In addition, Kyrgyzstan is party to almost all core human rights treaties and has established a national human rights institution to monitor the State's compliance with its human rights obligations. Five years after the adoption of the new Constitution, Kyrgyzstan continues an intense reform process related to the rule of law area. Much effort has been made to progress legislative reform and strategic planning, however, the shortness of the consultative process with key stakeholders may threaten to undermine the desired effects of the reform.

In 2014, the reform efforts exclusively focused on systemic reform, and many observers have noted a lack of any initiative to address the legacy of violence in recent history. Though a previous commitment was made to consider transitional justice mechanisms for human rights violations that took place in the south in 2010, none yet have been established, and no new initiatives for social inclusion have been proposed.

Many political and legal challenges still persist, deterring not only efforts towards democratic governance and rule of law, but also socio-economic progress. While new legislation was adopted in many areas, the capacity to implement and enforce new mechanisms needs to be strengthened. Public trust in the justice sector has been shaken and there is need for comprehensive reforms. Obstacles also remain with the implementation of human rights obligations, including recommendations of the UPR, as well as the capacities of the Ombudsman office, which is not yet fully compliant with the international standards for national human rights institutions.

60 This country profile was first published in "Strengthening the Rule of Law in Crisis-Affected and Fragile Situations: Global Programme Annual Report 2014," United Nations Development Programme, 2015. Minor modifications have been made.

A draft law on free legal aid and a draft law on domestic violence were recently developed

ASSISTANCE AND IMPACT

UNDP's engagement in the area of rule of law and justice aims to support the legal and judicial reform after the shift to a parliamentary democracy in 2010. Since mid-2012, UNDP implemented the multicomponent programme, "Enhancing Democratic Rule of Law to Promote Peace and Stability in the Kyrgyz Republic," which, through the project, "Putting Laws into Practice – Fulfilling Constitutional Rights of the Citizens," aims to build a foundation for sustainable peace in the Kyrgyz Republic. This project accomplishes this through support for: the strategic planning and implementation of core legislation in the justice sector; building capacities and consensus among the justice actors and civil society; empowering people, especially marginalized communities, to claim their rights through legal education; and addressing ethnically-motivated human rights abuses.

As the country prepared for the second cycle of the UPR review in 2015, the recommendations of civil society were taken into consideration during the preparation of the report to the Human Rights Council. Additionally, UNDP supported the Kyrgyz Institute of the Ombudsman's internal institutional review, which identified several weaknesses related to its operation and provided relevant recommendations. In response to the review outcomes, UNDP assisted in the design and installation of software and the modernization of the Ombudsman's website to facilitate the appeals submission process and increase responsiveness.

In 2014, UNDP continued its collaboration with Working Groups providing technical assistance for amending key pieces of legislation, including the Criminal Code and Code of Criminal Procedure. Concurrently, a financial assessment and implementation plan were developed for these laws, which are currently under Parliamentary review. In order to ensure sustainability of this initiative, UNDP has agreed to partner with national authorities to develop a drafting methodology for future legislation.

In collaboration with other partners, UNDP also provides support to the Government of Kyrgyzstan to address the lack of public trust in the justice system through comprehensive legal aid reform. After assessing factors that undermine access to justice for marginalized groups, a law on free legal aid was drafted that aimed to create a unified management system and free quality legal aid. In addition, a draft law on domestic violence was recently developed. With UNDP support, around 1,326 people, 92 percent of whom were women, received legal aid, including assistance in preparing legal documents and legal representation.

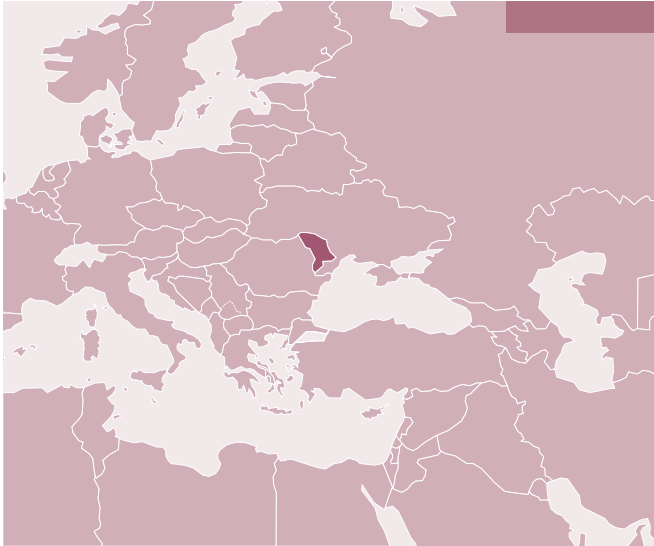
CHALLENGES, LESSONS LEARNED AND WAY FORWARD

Despite efforts of all actors in promoting rule of law, access to justice, and the protection of human rights, several obstacles remain. Challenges in the area of rule of law include difficulties in implementation of laws and policies due to lack of capacities of State institutions. This, coupled with a culture of impunity and lack of legal awareness of the population, undermine public trust in the reforms. Finally, while provision of direct legal assistance remains important, efforts must be combined with initiatives that increase the capacities of the State's institutions, which bear the main responsibility of ensuring access to justice for all.

1,326 people, 92 percent of whom were women, received legal aid

UNDP's efforts in these areas have shown the benefit of providing both short and long term policy advice and support to national authorities. This support helped guarantee the necessary balance between quickly installing reforms and enabling the implementation and the sustainability of initiatives. In this framework, UNDP plans to continue its cooperation with the executive, legislative, and judicial authorities, as well as civil society, as effective rule of law reform can only be delivered through constant dialogue and engagement of all actors. Finally, to maximize UNDP's impact, a comprehensive programmatic framework will be developed.

MOLDOVA



BACKGROUND

In the decades after its independence, Moldova's democratization efforts were affected by political instability and serious economic challenges. The recent economic growth and potential opportunities related to European Integration – with the Association Agreement with the EU concluded in 2014⁶¹ – have created an environment conducive to positive change. The country is undertaking policy, legal, and institutional reforms, including reforms in the justice sector. The coalition government that emerged from the November 2014 parliamentary elections proclaimed the rule of law, respect of citizens' rights, and acceleration of justice sector reforms among its main governance priorities. However, popular discontent with the Government arose, plunging the country into a political crisis.

Prison premises were renovated at Goian Prison and opportunities for vocational training for juvenile inmates were facilitated

61 EU Association Agreements are concluded with third countries with the aim of setting up an all-embracing framework to conduct bilateral relations.

Moldova is party to the main human rights treaties and has made serious efforts to implement its human rights commitments, including the adoption of anti-discriminatory legislation and the prevention of torture and ill-treatment.⁶² Yet, gaps remain with the implementing capacities of government agencies, as well as with national human rights institutions and civil society to monitor the Government's compliance with its obligations. The pace of justice reform implementation has been slower than expected, especially with the support of international organizations and donors.⁶³ The main reasons are a lack of adequate capacity and efficiency in the justice institutions, as well as corruption that has seriously undermined the public's confidence in the system.

ASSISTANCE AND IMPACT

With UNDP's support, Moldova has made progress with the implementation of the National Human Rights Action Plan (NHRAP) 2011-2014, through which the national legal framework was improved and national human rights mechanisms were supported. UNDP also supported civil society in the establishment of the National Human Rights Council (NHRC) – a civil society oversight and coordination body for the implementation of international and regional human rights recommendations. The NHRC provides expertise and advice on human rights issues to governmental, international and civil society actors in Moldova. In 2014, with UNDP support, civil society organizations provided technical advice to the National Commission on NHRAP about the implementation of the UPR recommendations.⁶⁴

In recent years, Moldova's authorities have made efforts to prevent and monitor cases of torture and ill-treatment in detention centers and mental health care institutions. In particular, the Ministry of Health, with UNDP and OHCHR support, has established a Patients' Advocate in psychiatric institutions to provide legal counseling and to monitor

62 The recommendations of the UN Human Rights Committee (2009), the UN Committee against Torture (2009), and UPR (2011); the Report of the Special Rapporteur on Torture following his mission to Moldova.

63 EU, U.S. Embassy, USAID, NORLAM, IOM, Soros Foundation Moldova, ABA/ROLI, UNICEF, UNHCR, EBRD and others.

64 Moldova underwent its first UPR review in 2011, and the NHRAP was amended in 2012 to incorporate a good part of the received UPR recommendations and recommendations from other international human rights bodies.

patients' treatment and rights. From July 2013 to December 2014, around 3,091 patients communicated their concerns to the Advocate, resulting in 112 specific recommendations to the corresponding institutions. Fourteen (14) cases were represented before other public institutions, five (5) cases referred to human rights NGOs for pro bono representation in courts, four (4) cases referred to prosecutors, two (2) criminal cases started on psychiatry related cases, and three (3) decisions were released by the Equality Council.⁶⁵ Also, work is in progress to develop methodological guidelines for prosecutors on the investigation of cases of ill-treatment against women and men in mental health facilities.

A Patients' Advocate was established in psychiatric institutions to provide legal counseling and to monitor patients' treatment and rights. From July 2013 to December 2014, around 3,091 patients communicated their concerns to the Advocate

Another area of UNDP support is in the assessment of the measures and costs required for the implementation of international treaties, including the European Charter for Regional or Minority Languages, signed in 2002 but not yet ratified by Moldova. Additionally, UNDP supported a research and feasibility study on the ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities (OP-CRPD).

UNDP has also been assisting with the design and implementation of the Justice Sector Reform Strategy (2011-2016). In 2014, a needs assessment and feasibility study were undertaken with the aim of establishing a DNA Profiling Laboratory for forensic and crime investigation purposes, also to be used in civil cases (e.g. paternity tests).

⁶⁵ The national body in charge to implement/enforce the anti-discriminatory legislation.

Furthermore, work is underway to support the Ministry of Justice in the establishment of a uniform taxation and social insurance system for professionals in the justice system. UNDP has supported the renovation of prison premises and facilitated opportunities for vocational training for juvenile inmates from Goian Prison. Finally, in 2014, UNDP collaborated with the General Prosecutor's Office on the establishment of an electronic management system in criminal cases. UNDP is also supporting reform in the police sector, focusing on enhancing the capacity of the General Police Inspectorate and strengthening the links between the police and communities.

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

The Government of Moldova has made commitments to comply with its human rights obligations. Yet, these efforts need to be complemented with strong national monitoring mechanisms, including the national Ombudsperson's Office, which currently are not fully efficient. Therefore, in the following years, UNDP will support the Ombudsperson's Office and the Equality Council to contribute more effectively to the protection and promotion of human rights and to address inequalities and discrimination, with particular attention to women, minorities, and marginalized groups.

A comprehensive reform of the justice system is one of the most complex and strategically important priorities for Moldova, as the country's aspiration towards joining the European Union is greatly dependent on its success. UNDP, in collaboration with other UN agencies and partners, will continue to provide support on the implementation of the reforms, focusing particularly on increasing capacities of the different law enforcement mechanisms.



Vocational school students taking part in consultations for a police station re-design, Chisinau. *UNDP Moldova*

MONTENEGRO



BACKGROUND

Since its independence in 2006, Montenegro has made steady progress towards human development,⁶⁶ democratic governance, and European integration, which is the key policy objective of the Government. In 2012, Montenegro received EU candidate status and accession negotiations are underway. Sixteen chapters were opened for negotiations by the end of 2014, including those on the rule of law. While positive political, economic, and social developments are notable in the country, more efforts are necessary to fight corruption, reduce poverty and social exclusion, and increase civic engagement.

Montenegro has been implementing constitutional and legislative reforms to enhance the independence of the judiciary through more transparent and merit-based appointment procedures.⁶⁷ Progress has also been made for the implementation of international human rights obligations, despite challenges in areas such as violence against women, impunity for human rights violations committed during the 1990s conflict, cases of ill-treatment in police custody, and discrimination on the grounds of sexual orientation and gender identity.⁶⁸

66 Montenegro's HDI value for 2013 is 0.789 – which is in the high human development category – positioning the country 51st out of 187 countries and territories.

67 European Commission, Montenegro Progress Reports, 2013 and 2014.

68 Concluding Observations of the Human Rights Committee, EU Progress Report, 2014.

ASSISTANCE AND IMPACT

UNDP in Montenegro is providing support to the Government to carry out reforms in the justice sector and increase institutional capacities for the fulfillment of the EU accession criteria. In 2014, with UNDP support, the new Strategy on the Judiciary Reform (2014-2018) was adopted and a legislative reform was completed – including laws on Courts, the Judicial Council, Prosecutor's Offices, and Special Prosecutor's Offices – that aimed to harmonize the legislation with the constitutional reforms of 2013. Moreover, with UNDP support, the Ministry of Interior has established a secure electronic communication network for mutual access to databases and exchange of information between law enforcement agencies, including the Public Prosecution Office.

The new Strategy on Judiciary Reform 2014-2018 was adopted

UNDP, in cooperation with the British Embassy, is also supporting the Government to address corruption in the justice system through development of integrity plans for the Ministry of Justice, courts and Prosecutor's offices. At the same time, the Code of Judicial Ethics was amended and harmonized with the European standards of judicial ethics. With UNDP support, an analysis of the harmonization of laws and regulations with the relevant international standards has been drafted, and training curricula in international legal assistance in criminal and civil matters were created and adopted by the Judicial Training Center.

In 2014, UNDP supported the Government of Montenegro to implement the UPR recommendations from the 2013-second cycle review pertaining to discrimination based on sexual orientation and the rights of the LGBT community. The respect of rights of sexual minorities is also a requirement for the EU accession, and has been already integrated into the Government Action Plan on Chapter 23. In this framework, UNDP facilitated a number of events, including consultations between representatives of the LGBT community and representatives of the Prosecution offices and Police.



Through UNDP's Rule of Law and Human Rights Programme, legal aid offices were opened in all basic courts in Montenegro. *Milos Vujovic, Mediabox/UNDP in Montenegro*

CHALLENGES, WAY FORWARD AND LESSONS LEARNED

Montenegro has made some advances with regard to the respect and protection of human rights of its citizens, including in matters related to the Roma communities, provision of legal aid, and gender equality. However, further steps are needed to fully comply with international obligations and recommendations of human rights mechanisms. In particular, the limited role of the Ombudsperson in dealing with anti-discrimination cases remains a matter of concern for the UN human rights mechanisms and the EU.⁶⁹

The establishment of a free legal aid system, which UNDP has supported in previous years, has improved access to justice,

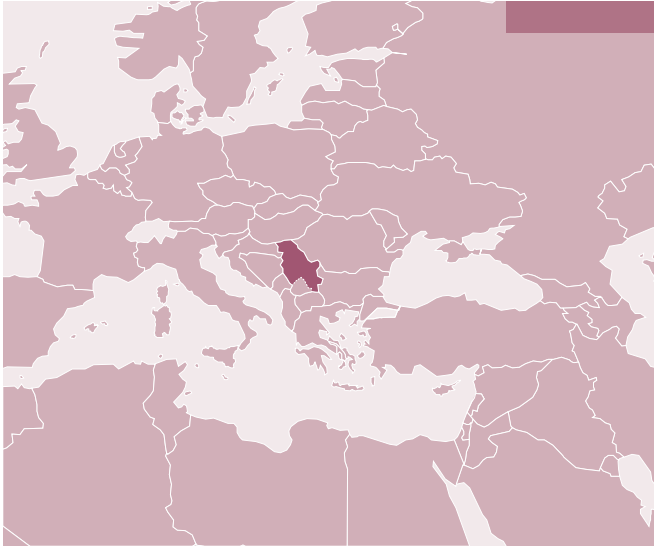
but the system still needs to be strengthened technically and financially, and it needs to offer services to all vulnerable groups countrywide.

UNDP will continue to collaborate with the Government of Montenegro on the EU accession process, as well as on initiatives that aim to strengthen the accountability of the judiciary. In addition, support will be provided to the Ministry of Justice to upgrade the existing Judicial Information System.

The development of integrity plans is being supported to address corruption in the justice system

⁶⁹ Concluding Observations of the Human Rights Committee, EU Progress Report, 2014.

SERBIA



BACKGROUND

Serbia has made important progress towards democracy and human development,⁷⁰ although absolute poverty and unemployment are still prevalent, particularly in the South and Southwest regions. Serbia continues to fully collaborate with the International Criminal Tribunal for the former Yugoslavia (ICTY), and it is an official candidate for membership in the European Union. The decision to open negotiations was reached in 2014 due to Serbia's progress in reforms and its continued commitment to the normalisation of its relations with Kosovo.⁷¹

Serbia has also advanced in the area of rule of law reforms, including the implementation of the 2013-2018 Strategy on Judicial Reform, although more efforts are needed to safeguard the judiciary's effectiveness and independence, and to ensure the adoption of key pieces of legislation, such as the law on free legal aid.⁷² The institutional framework for the observance of international human rights law is in place, but additional efforts are required from the Government to fully protect, respect and fulfill the fundamental rights of the population, especially of vulnerable groups. Efforts are underway by the Government and the Commissioner

for the Protection of Equality to address discrimination and ensure the protection of minorities.

ASSISTANCE AND IMPACT

UNDP, in collaboration with the OHCHR, successfully supported the establishment of the National Mechanism to be responsible for overseeing the recommendations of UN bodies on human rights under the Office for Human and Minority Rights. The first session of this mechanism took place in March 2015 during which its rules of procedures were adopted. With funding from the Human Security Trust Fund, UNDP has been leading a UN joint programme in Southwest Serbia – an ethnically diverse region – to improve human security for vulnerable communities through, *inter-alia*, improving services, enhancing inter-ethnic dialogue and promoting a culture of human rights. UNDP's work in promoting human security focused on diminishing ethnic stereotypes amongst youth through cultural, sport and art activities.

The elimination of gender-based violence (GBV) is another area of intervention by UNDP in Serbia, where the Government has already adopted a comprehensive policy and normative framework in line with international standards. UNDP supports strengthening preventive actions and systems for the protection of women from violence. It provides support for stakeholders such as centers for social welfare, police, CSOs and the judiciary to provide an integrated response to cases of violence against women.

A National Mechanism was established for overseeing the implementation of human rights recommendations from UN bodies

70 In 2014, the HDI was 0.745, thus positioning Serbia in the high human development category.

71 EU Progress Report, 2014.

72 EU Progress Report, 2014.

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

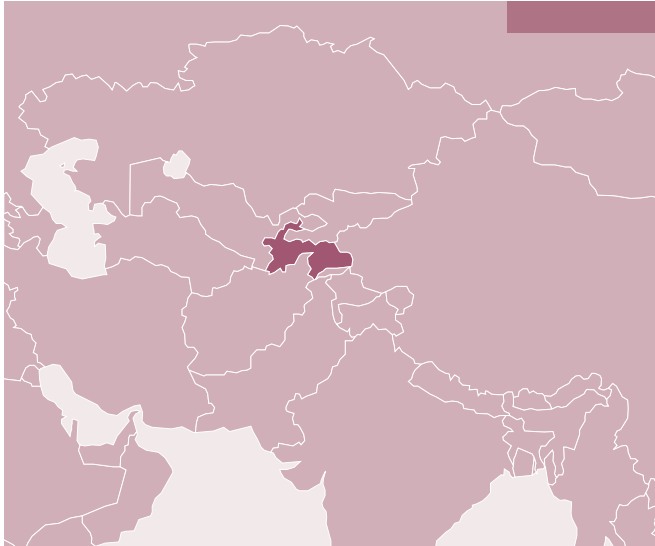
UNDP's work on human rights and rule of law in Serbia will continue to be linked to its efforts in the areas of human security for vulnerable communities and the elimination of GBV. UNDP's successful collaboration with independent human rights institutions, such as the Commissioner

for the Protection of Equality, will complement UNDP's engagement on social inclusion/protection and human security. Furthermore, it will focus on increasing the institution's presence at the local level through awareness-raising activities and the promotion of equality, and the enforcement of legislation on anti-discrimination.



A joint UN Programme on preventing violence against women, 2014. The banner reads: Let's stop violence against women and girls.
Aleksandar Mijailovic

TAJIKISTAN



BACKGROUND

Following independence from the Soviet Union, and since the civil war (1992-97), Tajikistan is slowly transitioning from the status of post-conflict recovery into an economically viable nation-state. However, it remains Central Asia's poorest country. During the last fifteen years, the Tajik Government has undertaken a number of policy and legislative reforms to bring its legislation in accordance with international standards, creating the framework for an effective justice system. Tajikistan has also expressed its commitment to comply with key human rights obligations and has established a Human Rights Ombudsman.

23 Legal Aid Centers run by local NGOs, as well as 2 public consultation offices of the Ombudsman, provided legal aid and counseling to 8,595 people

While these reforms have generally improved the legal framework, the implementation process remains challenging due to lack of national capacities and resources. Many people, particularly marginalized communities, face difficulties to access justice in the absence of a unified legal aid system.

More efforts are necessary to address human rights concerns related to, *inter alia*, gender equality and domestic violence, abolishment of the death penalty (currently suspended), and prevention of torture and ill treatment.⁷³

ASSISTANCE AND IMPACT

UNDP in Tajikistan, with the financial support of Switzerland and Finland, and in cooperation with Helvetas Swiss Intercooperation,⁷⁴ promotes human rights and rule of law through support to the national human rights institutions and justice sector actors. At the same time, in collaboration

The Government's new Judicial and Legal Reform Programme for 2015-2017 was adopted

with local civil society organizations, UNDP and its partners provide opportunities that increase access to justice through legal aid for marginalized communities.

In 2014, with UNDP support, a National Policy Dialogue Platform on Rule of Law and Access to Justice was established as a mechanism for dialogue where key challenges are being identified and addressed with the active participation of civil society organizations. In addition, with UNDP's assistance as the leading member of the Rule of Law Working Group of the Development Coordination Council (DCC),⁷⁵ the Government's new Judicial and Legal Reform Programme for 2015-2017 was adopted, and a concept on State Guaranteed Legal Aid, including the assessment of implementation costs, was finalized and is expected to be approved in 2015.

UNDP is also supporting the capacities of various justice sector institutions, including the Civil Registration (ZAGS) and the Notary office, with the aim of improving their

73 Concluding Observations of CEDAW (2013), Human Rights Committee (2013), Committee Against Torture (2013); UPR Review, 2011.

74 A development organization based in Switzerland.

75 With an overall objective to strengthen aid effectiveness in Tajikistan, DCC was established to facilitate information exchange and collaboration within the development community, as well as foster dialogue on shared priorities with the Government of Tajikistan.

services. In 2014, functional, legal, and policy reviews of ZAGS and notaries resulted in specific institutional and policy recommendations that are currently being addressed by the Ministry of Justice.

At the same time, multiple services supported by UNDP are providing free legal aid and consultations to marginalized groups, including the unemployed, victims of domestic violence, the elderly and youth, single parents, persons with disabilities, and refugees and stateless persons. In 2014, 23 Legal Aid Centers (LAC) run by local NGOs, as well as 2 public consultation offices of the Ombudsman, provided legal aid and counseling to 8,595 people, the majority in rural areas; 64% were women. Other services include a Hotline, paralegal services in rural areas where professional lawyers are not available, and a professional mediation service for pre-trial dispute resolution. This mediation service dealt with 60 cases, 57 of which had positive outcomes. Thirty-one of these cases were brought to court, 30 of which had positive outcomes. Many communities are receiving basic legal information on a number of issues, including family law, juvenile justice, land rights, social benefits and tax law. In 2014, as the result of UNDP support, around 943 informative activities, organized by local NGOs and the Ombudsman, provided legal information to 22,177 people, 63.5% of which were women, and 144 legal classes were organized in secondary schools.

Finally, in 2014, a structural and management analysis was conducted of the Ombudsman's office, as was a needs assessment and policy and legislation review. Based on the results, recommendations have been developed, and are currently being considered, by the Ombudsman's office during the elaboration of its new strategy for the period 2016-2020.

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

Despite some positive developments in recent years, several obstacles hamper progress in the area of rule of law and access to justice, including lack of technical capacities of government actors to implement the reforms, insufficient financial resources to ensure their sustainability, and limited participation of civil society in the implementation process of the reforms.

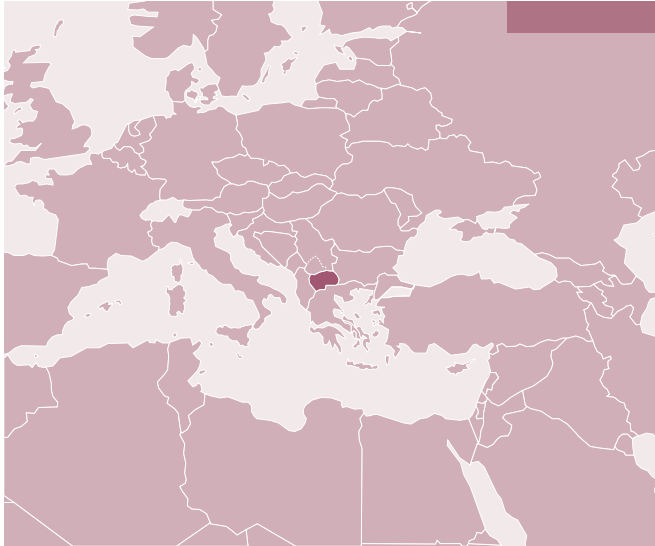
In order to address some of these challenges, UNDP will continue to implement comprehensive capacity-building measures that address gaps at the policy, institutional and service levels. The support for the implementation of a nationwide legal aid system remains one of the main priorities in the following years. Based on the current experience of its collaboration with the Ombudsman's office and Legal Aid Centers, UNDP will initially support pilot initiatives, which are expected to be gradually financed by the state budget. In addition, UNDP will continue to encourage the participation of civil society organizations in the on-going reform process, and support the capacities of local NGOs to complement the State's legal aid services.

A National Policy Dialogue Platform on Rule of Law and Access to Justice was established



A lawyer provides legal aid in Tajikistan, in affiliation with UNDP Tajikistan's Rule of Law and Access to Justice Programme. *Alisher Primkulov*

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA



BACKGROUND

Since its independence in 1991, The former Yugoslav Republic of Macedonia has made considerable progress towards democratic, social, and economic reforms, although levels of poverty and unemployment remain high. Inter-ethnic conflict in 2001 spurred violence, but concluded shortly with a peace agreement that aimed to guarantee the multi-ethnic character of the society.

Over the last 10 years, The former Yugoslav Republic of Macedonia has embarked on important reforms in the area of rule of law and justice. A robust human rights framework is in place, although more efforts are needed for the implementation process, particularly to address concerns about vulnerabilities in the context of gender inequality, domestic violence, freedom of the media, and prejudice and discrimination, particularly against the Roma population and LGBT community.⁷⁶

ASSISTANCE AND IMPACT

The former Yugoslav Republic of Macedonia underwent its second UPR review in January 2014. The UN has been supporting national actors in ensuring a participatory process during the implementation of the first cycle's recommendations and the preparation and follow-up

phase of the second review. In the framework of its efforts to promote greater civic engagement of young people in public life, UNDP supported several activities to raise awareness on the UPR process, targeting over 8,000 young people.

Since 2008, UNDP and other UN agencies have also assisted the Government in the fight against domestic and gender-based violence, both of which are serious concerns for the country.⁷⁷ In 2014, UNDP and UN Women, with support from the Government of the Netherlands, provided substantial support for the implementation of the National Strategy against Domestic Violence. These efforts included adopting an adequate legal framework; strengthening the capacities of government agencies, the judiciary and civil society to deal effectively with cases of domestic violence; and raising public awareness on the prevention of gender-based violence. As a result, the new "Law on Prevention, Combat, and Protection of Domestic Violence," approved in 2014, entails a gender-sensitive understanding of domestic violence and systematic preventive approaches. Support has also been provided to enable the effective application of the law through the adoption of bylaws and a Joint Protocol for the protection of victims of domestic violence.

The Law on Prevention, Combat, and Protection of Domestic Violence was approved in 2014

Furthermore, UNDP and UN Women supported the Academy for Training of Judges and Public Prosecutors in the development of specialized trainings for 126 judges, police and social workers who deal with cases of domestic violence. Training materials included two video testimonials, produced by UNDP, from women who shared their experience as victims of gender-based violence during

⁷⁶ Report of the Working Group on the Universal Periodic Review, The former Yugoslav Republic of Macedonia, Second Cycle review, March 2014.

⁷⁷ The first ever baseline survey carried out in 2012 by the Ministry of Labour and Social Policy and the UN, shows that almost 40% of women in the country have been subject to some form of domestic violence.



Young people from The former Yugoslav Republic of Macedonia define 'the future we want by 2030'. UNDP in The former Yugoslav Republic of Macedonia

criminal and civil proceedings. Finally, a structured 16-day campaign raised public awareness on the prevention of violence against women and girls, including a message from the country's President calling for zero tolerance to gender-based violence. In 2014, a 33% increase of registered criminal offences for domestic violence was recorded, as a result of capacity building of national institutions and public awareness on the prevention of gender-based violence.

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

The recent political crisis in The former Yugoslav Republic of Macedonia has shown the lack of trust of the population in the justice system, and the need for intensified efforts in several human rights areas, including judicial independence, media freedom and strengthening of the institutional capacity of the Ombudsman to ensure full compliance with the Paris Principles.⁷⁸

In addition, fragile inter-ethnic relations continue to pose a challenge, while further initiatives to promote an inclusive multi-ethnic society are needed.⁷⁹

These challenges also apply in the area of gender-based violence, where prejudices among judges and prosecutors against victims of domestic violence are still present. UNDP will continue to support the Government in providing specialized trainings for professionals in charge of the implementation of the recently adopted legislation on domestic violence. Efforts will also focus on promoting gender equality as an important prerequisite for preventing and fighting gender-based violence, and advocating for the ratification of the Istanbul Convention.⁸⁰

A 33% increase of registered criminal offences for domestic violence was recorded as a result of capacity building of national institutions and public awareness on the prevention of gender-based violence

78 The Ombudsman has a B accreditation status, as of 30 December 2014. ICC-NHRI accreditation status chart.

79 European Commission Progress Report, 2014.

80 Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

TURKEY



BACKGROUND

Turkey has emerged as one of the 20 largest economies in the world, although income and gender inequalities remain high. Turkey remains a candidate for the European Union membership, and it is a strategic partner of the EU, especially on foreign policy issues.⁸¹ Turkey provides exemplary humanitarian support to Syrians fleeing violence across the border, and has now become the world's biggest refugee hosting country, spending more than US\$6 billion on direct assistance to refugees.⁸²

More than 1 million students benefitted from a programme aiming to inform citizens about their legal rights and to contribute to the prevention of disputes

A specialized Department on Rights of Victims was established

The country has undertaken constitutional and legal changes and it is currently implementing its fourth judicial reform package. However, the reassignment or dismissal of a number of judicial officials following allegations of corruption in 2013 has raised concerns regarding the independence of the judiciary.⁸³ Positive developments include the announcement of a “democratization package” of political and human rights reforms in 2013, and the adoption of a law in 2014 that aims to pave the way for a solution to the Kurdish issue. In the area of human rights, additional measures are needed, particularly to address discrimination on the basis of gender, religion and sexual orientation, as well as increased efforts against domestic violence and further guarantees for freedoms of peaceful assembly, expression, and media.⁸⁴ In the last couple of years, concerns have been raised about excessive use of police force during the civil protests of 2013, and calls have been made for stronger independent institutions, separation of powers, and a consolidated system of checks and balances.⁸⁵

ASSISTANCE AND IMPACT

Since 2010, UNDP in Turkey has been supporting the implementation of justice reforms and national efforts to increase access to justice through legal education initiatives, promotion of alternative dispute resolution mechanisms, and strengthening the capacities of the judiciary.

With UNDP's support, the Ministries of Justice and Education established a programme on Law and Justice Education and developed relevant curriculum and training materials. These are incorporated into education programmes aiming to inform citizens about their legal rights and to contribute to the prevention of disputes. More than 1 million students benefitted from this Programme. In 2014, UNDP developed

81 EU progress report, 2014.

82 UNHCR, March 2015, <http://www.unhcr.org/55016fff6.html>.

83 EU progress report, 2014.

84 Compilation of UN Information – UPR, Turkey, Second Cycle, 12 November 2014.

85 Interview of Mr. Kamal Malhotra, 15 December 2014, <http://www.hurriyetdailynews.com/un-does-not-want-turkeys-democratic-gains-to-backslide.aspx?PageID=238&NID=75609&NewsCatID=359>.

promotional materials and TV-spots, and established a portal to increase awareness among students and the public at large about the Law and Justice Education Program.

The first 2000 mediators were selected to contribute to the implementation of the new Law on Mediation in Civil Disputes

In the area of alternative dispute resolution, UNDP has focused on the improvement of the practice of mediation in criminal and civil justice systems through capacity enhancement and awareness-raising initiatives for judicial actors and other relevant professionals. In this framework, UNDP supported the Ministry of Justice to develop alternative models on the structuring of the Institution of Alternative Dispute Resolution (ADR), establish a specialized Department on Rights of Victims, and adopt Guidelines for Victim Offender Mediation Practices. Furthermore, UNDP supported the capacities of the Ministry of Justice to create an enabling environment for the implementation of the Law on Mediation in Civil Disputes, adopted in 2012, through a number of awareness-raising activities targeting judges, bar associations, academia, chambers of commerce and notaries. The first 2000 mediators were selected through an interview process.

UNDP has also been supporting the Presidency of the Court of Cassation to improve the institutional administration of the high courts in Turkey. With UNDP assistance, a representative committee of the Court of Cassation prepared three draft codes on judicial conduct, public prosecutors, and judicial staff; implementation is expected to be supported by UNDP in 2016.

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

Turkey established the Ombudsman Institution (OI) in 2012. Since then, the OI has contributed to raising awareness about human rights compliance, handled individual complaints, and issued recommendations on a number of issues. However, as further efforts are necessary to consolidate

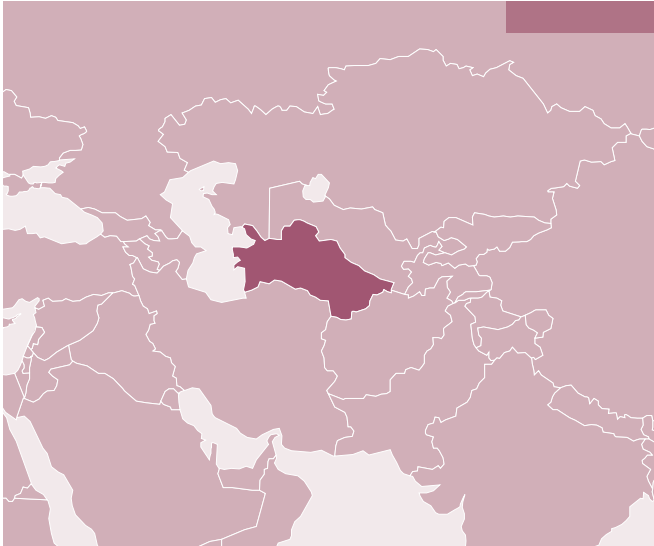
the role of this new institution, UNDP will support the Ombudsman to identify the required capacities for fulfilling its mandate, improve its functioning in accordance with the EU standards, and gain the trust of the public at large and civil society. In addition, UNDP will also get engaged in capacity development of the NHRI for fulfilling its mandate as a national preventive mechanism and for possible restructuring at the local level.

In the years to come, UNDP will engage in the improvement of the legal aid system. While Turkey has taken steps in introducing legal aid services in both civil and criminal matters for marginalized communities, the system lacks efficiency and adequate capacities. UNDP will support the Government to enhance the quality of the legal aid services, particularly focusing on the needs of disadvantaged groups, including the Syrian population in the southern provinces of Turkey. In addition, UNDP will address the institutional capacities of the Bar Associations to increase the efficiency, coordination, and accountability of the legal aid system.



Idea Generation Camp, International Entrepreneurship Initiative, Turkey. *UNDP Turkey*

TURKMENISTAN



BACKGROUND

During more than a two-decade-long period following independence from the Soviet Union in 1991, the Government of Turkmenistan invested enormous efforts into the nation-building process. Turkmenistan's increased engagement at the international level has been reflected in developments in the area of human rights. The National Human Rights Action Plan has been drafted in 2014, pending finalization and the Government's endorsement in 2015.

Despite these notable achievements and political commitments, serious concerns have been expressed by international organizations, foreign governments and treaty bodies about the broad gap between the country's legislation and its implementation. The need for strengthened implementation of the rule of law, and for enhanced access to justice, has also been identified as one of the key priorities for enhanced governance in Turkmenistan.

ASSISTANCE AND IMPACT

As a long-lasting and trusted partner of the Government of Turkmenistan, UNDP is advocating for mainstreaming human rights into national and sectoral development programmes and strategies. In 2014, support was thus provided to the development of the National Human Rights Action Plan.

Alongside the development of the National Human Rights Action Plan, UNDP advanced the partnership with the National Institute for Democracy and Human Rights (NIDHR),

and supported the development of a methodology for institutional self-assessment which will be rolled out in 2015.

During 2014, UNDP continued its long-standing cooperation with the Deaf and Blind Society of Turkmenistan (DBS), promoting engagement of women with disabilities in policy making and development programming, and assisted in building the leadership skills of 22 women with disabilities through participation in one-month leadership courses. Furthermore, expert consultations and participation in various discussion forums increased the knowledge of 140 women with hearing and visual impairments on the topics of human rights, democracy, rule of law, and processes of social policy formulation.

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

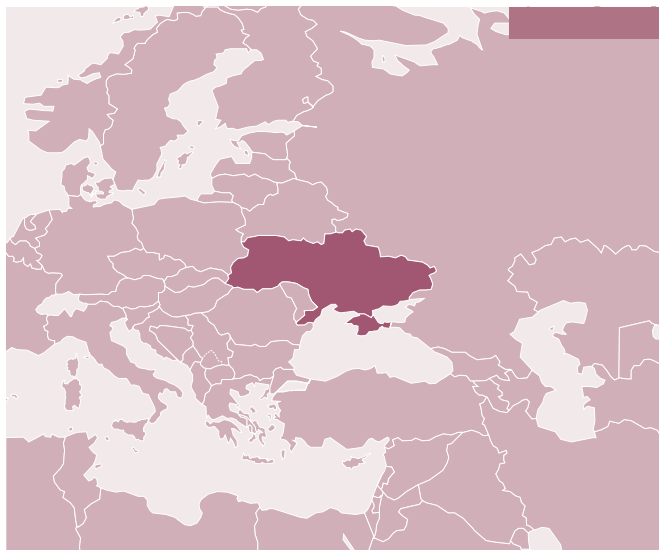
While the approval of the National Human Rights Action Plan developed in 2014 has been postponed for 2015, further revisions have been announced. Advocacy and support by the UN for the implementation of the National Human Rights Action Plan will be crucial in the coming years.

Furthermore, based on initial consultation on the establishment of an independent National Human Rights Institution, UNDP and NIDHR have agreed on activities to strengthen the capacity of NIDHR to: i) improve coordination and monitoring of the National Human Rights Action Plan implementation; ii) increase capacities for reporting, research and analysis on human rights; and iii) improve outreach and advocacy for human rights.



Participants of a roundtable discuss best practices in national reporting on the Convention on the Rights of People with Disabilities. *UNDP Turkmenistan*

UKRAINE



BACKGROUND

During the past few years, Ukraine has faced multiple political, social, and economic challenges, including stagnation of reforms and high levels of corruption. The decision of the former President Yanukovich in 2013 not to sign the Association Agreement with the EU fueled large-scale demonstrations that culminated with his extra-constitutional removal by the Parliament and early elections. Ukraine has also been confronted with dramatic challenges related to its territorial integrity and security. The ongoing conflict in the Eastern region has created an unprecedented humanitarian crisis, with significant loss of human life and more than 1 million people displaced⁸⁶ – a situation that, if not addressed, may threaten to drive further conflict, worsen the country's already dire economic situation, and erode confidence in the Government.

UNDP provided technical and financial support to civil society organizations and local authorities for the provision of legal advice to over 4,000 individuals

The establishment of the 15-strong civil society organization coalition, “Justice for Peace in Donbas,” has been supported by UNDP

The conflict has had direct impact on the enjoyment of the human rights of individuals living in conflict-affected regions, and has further amplified inequalities, social exclusion, and a lack of trust among communities. In addition, it has exacerbated long-lasting structural issues in the country related to governance, rule of law, and human rights, including impunity and lack of accountability. Yet, Ukrainians are showing a strong commitment towards democracy, with the new political leadership announcing a comprehensive reform agenda, and civil society, including human rights organizations, playing an important role during and after the revolution. The Ukrainian Ombudsperson, who is committed to fostering cooperation with civil society, received an A accreditation status in December 2014.⁸⁷

Two strategic litigation platforms, established with UNDP support, have been involved in around 45 cases in the area of human rights litigation and environmental rights

ASSISTANCE AND IMPACT

Since 2010, UNDP has supported networks of civil society organizations (CSOs) to promote and participate in democratic processes, contribute to the protection of human rights, and foster dialogue with the Government. In response to the 2014 events and the crisis in the East, UNDP's efforts expanded to: raise national and international awareness on human rights violations, particularly in the conflict-affected

86 “Report on the human rights situation in Ukraine,” OHCHR, 15 December 2014.

87 Conferred by the International Coordinating Committee on National Human Rights Institutions.



Learning about strategic litigation to defend human rights. *UNDP Ukraine*

territories; support capacities of the Ombudsperson for human rights protection countywide; and address the needs for legal protection of internally displaced persons (IDPs) and other communities in the Eastern region.

CSO networks played an important role during the 2014 protests and, subsequently, in transforming the protesters' potential into constructive civic actions to foster the implementation of reforms. In this context, UNDP provided technical and financial support to CSOs and local authorities (including in areas affected by the conflict) for the provision

of legal advice. Over 4,000 individuals were provided legal advice, about half of which were women.

Human rights organizations, with UNDP support, have increased their capacities in human rights advocacy and monitoring, reporting, and contributing to reforms in the legal system. In addition, they have raised awareness of the human rights situation, particularly in the East. In response to the crisis, UNDP has supported the establishment of the 15-strong CSO coalition, "Justice for Peace in Donbas," with the aim to document human rights violations in the conflict areas. With UNDP support, side events were organized in conjunction with meetings of the UN Security Council, the Human Rights Council, and the Council of Europe, to enable national human rights actors to present a balanced view of the human rights situation in the conflict areas.

962 Roma people received legal aid services and 150 of them received identity documents

In addition, two strategic litigation platforms, established with UNDP support, have been involved in around 45 cases in the area of human rights litigation and environmental rights, including violence against Euromaidan activists, and torture and mass beatings in prisons. Also, with support from UNDP, a regional network of coordinators/experts has been established to assist the Ombudsperson with human rights monitoring in 10 regions, involving around 20 thematic areas. The network conducted 85 visits to detention centers, examined 830 appeals, and provided legal aid to 675 persons.

The Ombudsperson has also increased its attention to the rights of the Roma population in three regions, where the monitoring of 220 focus groups involving 10,401 persons revealed serious cases of discrimination and social exclusion. Based on these results, the Ombudsperson submitted recommendations that have been accepted by the Government; these became mandatory for the authorities in

A regional network of coordinators/experts has been established to assist the Ombudsperson with human rights monitoring in 10 regions. The network examined 830 appeals and provided legal aid to 675 persons

charge of implementing the National Action Plan on Roma Inclusion. Also, 962 Roma people received legal aid services and 150 of them received identity documents.

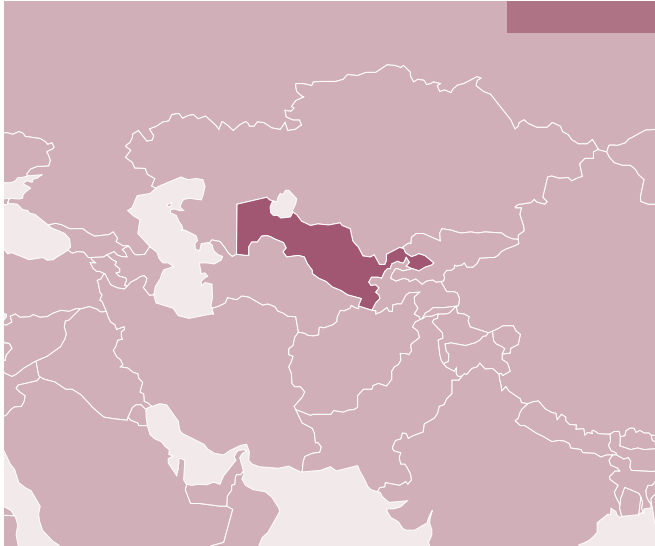
With UNDP support, alternative reports were presented by Ukrainian human rights defenders and the Ombudsperson to the UN Committee against Torture (CAT).

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

The new Ukrainian leadership is expected to implement broad reforms addressing the challenges that led to the political, security, and economic crisis. The process requires time and resources, and while the adoption of new legislation in some areas is progressing, the rule of law and justice reforms are still pending. Restoring peace and addressing the consequences of the conflict remain equally paramount for the country, including re-establishment of law and order, protection of the civilian population, and respect for human rights.

UNDP and its partners are designing a comprehensive human rights and rule of law programme that will also address the particular needs in the conflict-affected regions in the East. Many of the activities supported by UNDP in 2014 are informing emerging programmatic priorities. These include strengthening national capacities for the protection and respect of human rights, including personal and community security; (re)building social and political cohesion within and between communities in order to reduce the potential for further conflict; and laying the foundation for transitional justice.

UZBEKISTAN



BACKGROUND

Since the mid-2000s, Uzbekistan has enjoyed robust economic growth and made progress in reducing low-income rates, tackling malnutrition, and decreasing the gender gap in education and political participation. However, poverty and lack of employment opportunities, particularly in rural areas, remain problematic. The country is faced with security risks due to the situation in Afghanistan and tensions over regional issues with neighboring countries – especially the management and use of trans-boundary energy and water resources.⁸⁸

A National Action Plan for the ratification and implementation of the Convention on the Rights of Persons with Disabilities was drafted

Despite ongoing legal and judicial reforms, key governance challenges in Uzbekistan include the need for further decentralization reforms, independence of the judiciary, government transparency and accountability, and citizen participation in public life. Improvement in the representative, legislative, and oversight functions of the parliament are also needed to ensure respect for rule of law and human rights protection.⁸⁹ Uzbekistan is party to several human rights treaties, although many challenges remain with their implementation. The international community has raised concerns about several issues, such as torture and ill-treatment, child labour, restrictions on registration of political parties and public associations, freedom of expression and association, women's rights, and the rights of persons with disabilities.⁹⁰

ASSISTANCE AND IMPACT

In 2014, UNDP and other UN agencies in Uzbekistan supported the Interagency Working Group, under the Ministry of Justice, to adopt a National Action Plan (2014-2016) for the implementation of the UPR recommendations from the second review cycle, as well as the Concluding Observations of the UN Treaty Bodies addressed to the country.

UNDP, in cooperation with other partners, has recently launched an initiative aiming at increasing the efficiency and impartiality of the judiciary. In this context, UNDP is supporting the Supreme Court of Uzbekistan to provide better online services and public information to citizens.

With UNDP support, a National Action Plan for the ratification and implementation of the Convention on the Rights of Persons with Disabilities (CRPD), signed by Uzbekistan in 2009, was drafted in 2014. UNDP and its partners also supported: a campaign on social media platforms; the set-up of websites of organizations of persons with disabilities; and a festival on 'Unity of the Different And Equal', which provided the opportunity for all national stakeholders to discuss the situation of people with disabilities and the challenges they face.

88 World Bank, Uzbekistan Overview, 2015.

89 United Nations Development Assistance Framework for Uzbekistan (UNDAF), 2010-2015.

90 Report of the Working Group on UPR, Second Cycle, 2013, Human Rights Committee Concluding Observations, 2010.

CHALLENGES, LESSONS LEARNED AND WAY FORWARD

After the focus on the elections in 2014 and early 2015, it is hoped that Uzbekistan makes more progress in justice sector reform, and with the implementation of the UPR recommendations. UNDP will support national efforts to increase the efficiency of the judiciary, and particularly of the Supreme Court to achieve greater alignment

with international standards of accountability, rule of law, and judicial performance. Key objectives of UNDP's initiatives in this area include: increasing the Supreme Court's responsiveness to citizen feedback on civil justice administration; enhancing the knowledge and technical skills of judges, lawyers and court personnel; and improving the performance of the court's administration.



A meeting of Disabled People Organizations (DPOs). *UNDP Uzbekistan*



*Empowered lives.
Resilient nations.*