

External Review of the Prevention of Domestic Violence Project and Analysis of the Rule of Law Portfolio (in view of the next Swiss Cooperation Strategy with Tajikistan)

Report of mission, 29 November - 7 December 2015 (for internal use only)

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Abbreviations

BCC	Behavioural Change Communication
CoWFA	Committee for Women and Family Affairs
GDP	Gross Domestic Product
GIZ	Gesellschaft für Internationale Zusammenarbeit
LAC	Legal Aid Center
LDV	Law on domestic violence
MoIA	Ministry of Internal Affairs
MoJ	Ministry of Justice
MoU	Memorandum of Understanding
NGO	Non-governmental Organisation
OSCE	Organisation for Security and Cooperation in Europe
PDV	Prevention of domestic violence
RoL	Rule of Law
SDC	Swiss Development Cooperation
Seco	State Secretariat for Economy
ToRs	Terms of Reference
UNDP	United Nations Development Programme
UPR	Universal Periodic Review

Executive Summary

Task and methodology

This review had two tasks: One was to conduct a review of the SDC funded **Prevention of Domestic Violence Project**, with a view to deliver recommendations for the remaining of the current phase (until August 2016) and the upcoming exit phase. The second task was to analyse the **SDC Rule of Law portfolio** to provide recommendations for the development of the next cooperation strategy. The review was based on the study of relevant documents and on a 6-days-country visit with a series of meetings and semi-structured interviews with SDC staff, project partners and stakeholders. After a brief analysis of the context trends the report answers to a series of specific questions around the relevance of the domain of intervention, the significance and effectiveness of the interventions. The review came to the following conclusions:

Conclusions and challenges with regard to the PDV Project

Challenges for preventing domestic violence are manifold, and include many facets, as domestic violence has multiple causes. They include deeply rooted stereotypes of family and gender relations favoring the economic power of the husband and his family over the wife and children, during the marriage and after divorce. Religious beliefs on gender relations contribute to the challenge, and the deteriorating economic situation of many families add to the pressure on all members, often leading to open conflict. The phenomenon of early marriage seems to be increasing - contributing to the power misbalance in the marriage, and unregistered marriages lead to an almost complete lack of protection and rights of wives and children in case of conflict. The limited access of women to economic resources (such as employment) make them even more vulnerable in case of separation.

The PDV project has successfully contributed to address these challenges by addressing the policy and institutional framework, by delivering quality services to victims with a comprehensive and interdisciplinary approach, and by addressing behavioural change through adequate communication of the broader public as well as the authorities at national and local level. From the perspective of the logframe for this phase, the implementation of the project is on track to a very large extent. The long term engagement with the very sensitive issue of domestic violence, the partnering with national stakeholders as well as international actors, and the investment in solid relationship with local service providers (NGOs), and an innovative approach to communication have been important factors of success.

In the light of the remaining time for this phase and the next (exit) phase, recommendations for improvements include:

In general and in the remaining time of the current phase:

- Continue with the ongoing activities for the remaining phase, in all three components;
- Think about a more strategic approach to supporting CoFWA in its coordination role at national and Khukumat level, for holding line ministries accountable for fulfilling their responsibilities according to the law;
- Explore the possibilities of building alliances with other international actors (OSCE, UNIFEM, UNICEF) particularly with regard to support to CoFWA;

- Continue to re-orientate the support to local partner organisations, from service delivery to victims to develop supporting services for public service providers, monitoring, analysis and advocacy for the implementation of the law and the State program;
- For planning the exit phase: Invest in developing a clear set of hypotheses of change and discuss it with partner organisations to enable them to find their own role in the change process and in the exit phase of the project
- Continue to reflect about the values defended and approaches used by partner organisations in the area of family conflicts, and clarify (if needed) the messages provided when raising awareness on domestic violence in the context of the project;
- Engage in building awareness of the legal aid service system about the issues of domestic violence and the approaches to be taken by legal service providers, and build alliances with existing legal aid programmes in this respect
- Invest in building alliances between the project and partner organisations on the one hand and other donors and international actors on the other, use the Gender Thematic Group more proactively for building alliances and exchange information.

In the next (exit) phase:

- Think about how to keep the issue of domestic violence on the political agenda;
- Explore possibilities to support solid data collection by the national bureau of statistics, for assessing context and devising adequate interventions;
- Focus on building capacities of public services, developing quality standards, and referral systems, map potential service providers and their needs for capacity development and professional support;
- capitalize the project's experience made around the delivery of quality services, by elaborating products for orientation of the key stakeholders (e.g. issue paper) for politicians, CoWFA, ministries involved and a broader public, for service providers (manuals, referral mechanisms) and their future trainers.
- Develop ideas on how to prevent violence by addressing root causes of domestic violence in the future,
- explore the adoption of a clearer rights-based approach and work more closely with the existing and future legal aid centers to be established by the State;
- Continue to support the CoWFA structure in its coordinating and facilitating role at national as well as local level.
- Support partner NGOs in developing and implementing their own vision of working on domestic violence without the support of the PDV project, whether in the role of a subcontractor for (public) services (for piloting services or for capacity building), or in an awareness-raising, monitoring, or advocacy role;
- Assist partner NGOs in exploring funding possibilities outside the project (from public, international or private sources, e.g. diaspora);
- Continue to invest in partner NGO's capacities for awareness-raising, monitoring, analysis and advocacy for implementing the law and State programme, as well as in partners' methodological capacities for transferring knowledge to others.
- Invest in building and developing networks and coalitions between crisis centers and NGOs active in the field, with a view to building blocks for effective advocacy.

Conclusions and recommendations with regard to the Rule of Law portfolio

The domain of rule of law, particularly its current orientation towards access to justice remains highly relevant to SDC's engagement in Tajikistan. A series of achievements can be observed, particularly in relation to the use of extensive micro-level experience from projects for developing responsive judicial and legal reform policies and projects at national level. Other achievements include the opportunities that were created for policy dialogue between governmental and non-governmental actors on specific issues of concern. Finally, SDC's interventions contributed to put important issues of concern (the lack of access to justice for vulnerable groups, domestic violence) on the political agenda. The achievements made so far show that it is possible to get tangible results even in a very difficult context.

With a view of the design of the next cooperation strategy, recommendations include:

- Continue to work in the domain "rule of law", with the double goal of promoting access to justice for all and, at the same time, strengthening institutions and procedures able to protect the human rights of citizens
- Continue to work with a thematic orientation on legal aid and awareness, policy dialogue on legal and judicial reform issues, and reform of institutions to better respond to challenges in accessing justice.
- Continue to shift the focus of interventions to prevent domestic violence from parallel service delivery to strengthen State authorities in taking up their obligations – and foster the role of NGO partners in monitoring, awareness raising and advocacy, with an empowering and rights-based approach towards victims;
- Take the initiatives of the former HSD on board in the context of a future bilateral dialogue, and devise new interventions in human rights monitoring, strengthening and protecting human rights defenders, particularly by supporting them in international and national monitoring activities;
- Take up a funder role as well as a convener role, particularly with regard to the policy dialogue between civil society and the government, on legal and judicial reforms, in close coordination with UNDP and other international stakeholders.
- Be ready to make available the needed capacities to take a more prominent role when supporting the three projects in their own policy dialogue at national level.
- Design an objective system of outcomes for the domain based on the evolved context and the interventions' experience, and develop a monitoring matrix for the domain that combines quantitative and qualitative indicators for success;
- Increase coordination and cooperation with donors active in the domain (e.g. Finland, GIZ, USAID, the UNDP, UN Women, OSCE) and explore ways to join forces, particularly with a view to develop a common approach to work on the implementation of the law on domestic violence and beyond, on gender discrimination and access to justice.

1. Introduction: tasks and methodology

According to the ToRs (see annex 1), the task of the consultant was twofold:

Task 1: To conduct a review of the SDC funded Prevention of Domestic Violence Project: The review should deliver recommendations for the remaining of the current phase (until August 2016) and the upcoming exit phase, on strategic focus, modalities of assistance to the various State agencies and NGOs. A series of specific questions are listed in the ToRs that ought to be answered by the review.

Task 2: To analyse the SDC Rule of Law portfolio: The analysis should provide recommendations for the development of the next cooperation strategy. A series of specific questions is listed in the ToRs that are expected to be answered by the review. They relate to the coherence of the portfolio, future portfolio outcomes and key indicators relating to the domain, SDC's role in the future in particular with regard to the policy dialogue, SDC's capacities needed for the role envisaged, ways how to increase a programmatic approach, and team-up with other actors in the sector or in other SDC/seco domains, and finally on intervention strategies at project level.

From the point of view of methodology a series of documents were provided to the consultant for desk study and provided relevant basic information relating to the context of Tajikistan, the activities of SDC in general and the program activities funded by SDC. In an inception report the consultant refined the sources of information and methodology to be used for the review and analysis. In general, the review focused on cross-triangulation of information and appreciations gained from the preparatory desk study of documents (e.g. laws, annual reports, project documents, relevant studies) and by (semi-structured) interviews. The report identified the most relevant resource persons to be interviewed and listed key questions for each interview. It was taken care that the interviewees could provide insights and appreciations from a variety of perspectives. Conversations and interviews were planned with SCO staff, implementing partners and their partners, governmental and non-governmental stakeholders, and local and international observers as resource persons.

During its 6-days- visit to Dushanbe and Kurgan Tyube (30 November to 5 December 2015) the consultant had extensive discussions with the staff responsible for the domain at the SCO, and conducted the planned interviews with national stakeholders, SDC partners and international donors and key actors in the area of the rule of law as well as in relation to prevention of domestic violence (see programme [in annex 2](#)). With a view to make validation and consolidation of findings easier and develop a common learning approach to recommendations for the future, the consultant was accompanied by the responsible SCO staff (Shakarbek Nyatbekov and/or Nathalie Barbancho) in most interviews, with the exception of the interviews with the direct implementing partners of SDC (PDV project team, UNDP, Helvetas) to ensure a minimum of an “external” character of the review. The last day of the visit was dedicated to a workshop with SCO staff to validate the findings, sharing and discussing preliminary conclusions and recommendations to SDC. After the visit the consultant had a phone conversation with Viorelia Rusu from OSCE Dushanbe and contacted Véronique Haller from FDFA Human Security Division to get more detailed information about the strategic orientation of the Human Security Division with regard to human rights and the rule of law in Tajikistan.

The visit and the interviews were perfectly organized and prepared by the SCO staff. The consultant would like to sincerely thank the SCO team for this interesting mandate, its engagement and support, and the confidence shown by the many open discussions on complex issues.

This report presents the findings from the desk study, the meetings and interviews, and formulates recommendations as required by the ToRs. The methodology and time frame did not allow for a thorough fact-finding process and producing hard evidence in many aspects but aspires to give some trends based on the various meetings and interviews and the triangulation of findings. The report refers quite generally to information gathered without specifying the source.

It is agreed that the consultant will continue its support to the SCO in the form of a backstopping in the process of developing the new Cooperation strategy around March-May 2016.

2. The context: most relevant issues and trends

This report will not go into the details of a thorough analysis of the context. However, in the perspective of developing a future strategy, there are important key issues and trends that need to be briefly highlighted here.

2.1 Rule of Law: positive and negative dynamics

Several issues have been raised in interviews and SDC's own analysis that indicate a mixed trend:

According to many observers the political situation has not developed into the direction of a more democratic, transparent and accountable governance system. The geopolitical challenges due to the ongoing conflict in Afghanistan and the perceived threat of organized terrorism gave the government arguments for a more and more repressive attitude towards political opponents, banning opposition parties and imprisoning their leaders and their lawyers and supporters – or everyone who is perceived to be able to challenge the elite on power.

In general, the judicial system continues to be instrumentalized and manipulated by the executive, often under the pretext of national security, in cases where it has a vested political or economic interest. The judicial system is confronted with many challenges that hamper its capacity to play the crucial independent and impartial role it should have in a democratic governance system. The courts' capacities continue to be limited, in terms of human resources as well as logistics. Judicial procedures and methodology is perceived as not adequate in many cases due to severe limitations regarding legal and procedural knowhow, access to legal textbooks, methodological standards, organisational and logistical set-up of courts. The effort of the Council of Justice to hire additional judges has increased the number of judges bringing in a new generation that has more professional attitudes and is familiar with IT technology. However, many new judges are reportedly not eager to act independently, and the new chair of the Council of Justice (responsible for judicial procedures and recruiting and disciplining judges) seems to be relatively close to the executive power. Particularly the Supreme Court has lost independence over the last years, according to some observers.

Prosecutors are seen as relatively professional but still very much under the influence of the executive – as they were in soviet times. The police and security forces are perceived by many observers as mainly defending the interests of the ruling elite. The penitentiary system is still seen as harsh, and allegations of torture and ill-treatment in prisons and police stations are relatively frequent, despite the fact that since 2012 the criminal code penalizes torture in accordance with international law. The ICRC still has no access to prison facilities.

The number of attorneys able to represent citizens before the bars is very limited, and their knowhow and skills is perceived as low in many cases, making representation before court a privilege

for the rich ones. The various Bar Associations have been struggling among themselves for many years around the new legislation regulating the admittance, role and responsibilities of lawyers in court. A new law on the bar has been passed recently bringing much hope for an independent, competent and united bar system. However, the first elected chair of the new Union of Barristers was severely challenged by the Ministry of Justice last summer, and new amendments to the law by the Parliament increased again the Ministry's control over the bar. Additional barriers and penalties for lawyers as well as a complex licensing process were introduced that limit the access to the profession. Moreover, the lawyers defending various politicians of the political opposition parties seem to be specifically targeted for corruption, and a general feeling of intimidation and fear for reprisals is reported among attorneys when defending politically sensitive cases.

Enforcement of Court decisions continues to be a challenge, particularly in civil matters. If decisions are not implemented, the "chain of justice" is interrupted, and all efforts in getting quality judgments are simply in vain. It is difficult to say how many decisions are implemented. But it seems that today court decisions that are not in favour of powerful members of the society, tend not to be enforced. The bailiffs responsible for enforcing decisions lack know how, the power as well as the capacity to do so.

The formal judicial system continues to be hardly accessible to vulnerable groups for a variety of reasons. While legal awareness continues seems to have increased to a limited extent, technical knowhow and support (incl. representation) to bring cases before the court is hardly available and affordable for vulnerable groups. Serious problems with the coverage of civil registration have lead to a high percentage of unregistered births, with the consequence that public services are hardly accessible for those unregistered children. The limitations of civil registry also contribute to the fact that a growing number of marriages are not registered, with the consequence of a growing number of families that are living (and divorcing) under religious law and procedures.

While earlier reforms focused on allocating more staff to courts, building-up their capacities and improving operational aspects of judicial activities, the current **judicial-legal reform action plan 2015-2017** includes a list of measures involving several judicial actors: improving the pre-trial dispute resolution systems, revision of the civil, criminal, economic and administrative procedural legislation, the organisational arrangements of the economic courts and the Supreme Court, reforming the competences and capacities of the oblast courts, establishing of juvenile courts and procedures, ensuring the enforcement of court decisions by bailiffs, establishing an independent expertise structure for courts, developing free legal aid, and increasing technical, administrative and financial support for courts (to ensure their independence). However, the State budget does not seem to be able and ready to provide the financial means to implement these measures in a comprehensive way, and donors' funding is needed.

Although it lacks resources and capacities the ombudsman's office has continued to play a certain role in monitoring State authorities' action despite the fact that he is seen as relatively close to the executive power. Observers particularly mention the cooperation with the NGO "Coalition against Torture", in the context of monitoring visits to closed institutions. Several visits were planned and conducted but unannounced visits were not possible.

Human Rights NGOs continued to report on human rights violations and challenge the human rights situation particularly at the level of OSCE and the UN. As the "coalition against torture" shows,

human rights NGOs are increasingly working together and join forces on common issues. However, the scope of action of NGOs seems to have shrunk considerably in the last months. Tajikistan has followed the example of Russia (and other States in the region) promulgating a new law for public associations in 2015. Public Associations that are registered now have to report on foreign funding to the Ministry of Interior. It is not yet clear how this will be operationalized, and at least for now, the new rules do not seem to have the same disastrous impact on the work of NGO here, compared to Russia. However, the new law indicates a much more tense approach to human rights work. Civil society organisations and particularly human rights NGOs report that they are continuously convoked and even harassed by the tax authority and security forces, and they are not any more confident that they will be able to play a considerable role in the UPR reporting process that will take place in the next months. Since the events in September 2015 many human rights activists feel intimidated and fear for themselves and their families.

Tajikistan will have to present its report for the second UPR cycle in May 2016 in Geneva. In the light of recent developments that do not encourage critical voices at all there are some fears that the debate around the State report and the alternative report will be much less open and transparent than in 2011.

2.2 Prevention of domestic Violence

Despite a series of law ensuring gender equality in employment, business, inheritance, marriage and family, the reality shows many differences. The big number of male migrant workers out of country adds to the economic and social pressure on women. When remittances from husbands and fathers stop or migrants turn home, women often feel an immense responsibility to look after their families. Many observers also report an increasing number of young women dropping out of school to marry. Although civil registration of marriage is obligatory, the number of religious marriages without registration seems to be growing. While the children born out of un-registered marriages have no legal standing towards their fathers, the lack of civil registration has a severe impact also on the rights of wives in the moment of divorce, since the husband can just declare divorce by repeating a phrase three times in front of two witnesses. Religious marriage without registration also allows for avoiding inheritance rights as well as claims of wives and children for financial support. It also allows for polygamy that is increasingly practiced and often involves underage girls.

Some interviewees have mentioned that there is a severe lack of data with regard to domestic violence. Although many actors are active in the field, there is no systematic and coherent collection of data that would provide reliable information on the contextual situation. While the national bureau of statistics reportedly has got some data that were collected by a former project, it seems that there is no coherent approach today to collect and analyse relevant data up to now.

While domestic violence was a taboo for Tajikistan for a long time, it has become an issue that is publicly debated at various levels in the last years. A survey of 2014 of the National Statistic Bureau showed that one out of five women between 15 and 49 experience physical violence at home. According to an OSCE survey 70% of women experience violence at least once during their life cycles. While, according to the same survey, the husbands are the main group of perpetrators of domestic violence, mothers-in-law are reportedly violent in many cases. In most families of (rural) Tajikistan, the family is living with the parents of the husband. The absence of the husband due to migration and economic pressure make many daughters in law and her children suffer under the absolute power of the in-laws. Only a small number of cases of domestic violence are reported to the police

for many reasons including the feeling of victims and authorities that this is a private “family matter”, the fear of reprisals, and lack of adequate response by the authorities.

In Parliament the new law on the prevention of domestic violence was discussed for years and eventually adopted in 2013. Although the new law does not correspond to international standards, it has set an important new framework for prevention of domestic violence. Many observers say that the general public is much more aware about the incidence of domestic violence, and concerned state actors (particularly the police and courts, health services, social services) are increasingly acknowledging that there is a problem to be handled.

Following the adoption of the law the Committee on Women and Family Affairs COWFA and various ministries and judicial authorities are mentioned to be in charge of implementing the activities under the State program 2014-2023 to prevent domestic violence. The program aims at improving the legal framework, change public opinion, strengthen law enforcement, coordinate the state response, increase the responsibility of parents for their children and improve family relationships, establish aid centers for victims and improve the quality of legal, psychological and medical services. The program specifies measures and responsibilities of various stakeholders but does not really address the issue of financial resources that will be needed to implement all these measures.

The State program reflects the fact that domestic violence is a multifaceted phenomenon requiring a response in many domains and at many levels. Although gender issues are not high on the political agenda, the State program shows that there is a commitment of the State authorities to address the issue. Some ministries are increasingly aware about the responsibilities in their domains – at least if they can count on external funding for specific measures. The ministry of interior affairs agreed to invest in gender mainstreaming measures in the framework of the OSCE supported police reform. It established 5 gender-sensitive police units all over Tajikistan that are expected to contribute to a more adequate response to domestic violence cases by police forces. Courts and judges as well as police forces and local authorities were sensitized for domestic violence issues at various levels.

Although the CoWFA has a considerable number of staff at national level (22) as well as at Khukumat level (102 in total), the CoWFA's capacities to impact administrative response seems to be limited. Observers expect that the CoWFA will have difficulties to coordinate other ministries' approaches and effectively implement the program, due to its limited power and political standing in relation to other ministries. Nevertheless, the COWFA, supported by UN Women, is currently working on instructions for local authorities to establish effective referral mechanisms between the various services involved.

However, victims of domestic violence still have very limited access to medical, psychological, legal and social support, particularly outside Dushanbe. A limited number of NGO based structures ("crisis centers") are offering support, a support center is also working in the premises of Dushanbe city. Where these centers operate, referral mechanisms have been established, and cooperation between local authorities incl. the local COWFA structure, the police, social services (i.e. social service at home) and medical service providers seem to work to a considerable extent. Awareness raising activities and legal information efforts were taken by various actors (for example, the 18 OSCE funded women resource centers, legal aid centers/INIS, UN Women).

3. Review of the Prevention of Domestic Violence Project

3.1 Scope of the review

The Project on Prevention of Domestic Violence in Tajikistan is in its eight phase, since 2001 funded (exclusively) by SDC. It is foreseen that this is the last ordinary project phase and the next phase will be considered as an exit phase. Since 2008 it is managed by GOPA Consultants. This review of the project will not do justice neither to the overall project's achievements nor to the current phase's success in detail. The resources and methodology would not be adequate for such a task. The review aims at providing a brief overall assessment of where the project stands in relation to the current context, and formulates open questions for reflection.

According to the ToRs, the review should answer the following general question:

"What are the current challenges with regard to combating domestic violence? Potentials? What is already done, what could be done in a short term, in a long term perspective?"

The ToRs for the review list a series of specific questions that are to be answered by the review, to the extent possible in the framework of existing resources and methodology.

3.2 The PDV objectives system

The project is expected to have an impact on the **incidence** of domestic violence: The overall goal is that the level of domestic violence is reduced. More concretely, the project goal is focusing on reducing the **acceptance** of domestic violence in Tajikistan.

According to the logframe the current phase 2013-2016 is dedicated to three components with expected results at the level of outcomes and outputs:

Outcome C.1: The policy and institutional framework and environment for the fight against domestic violence at the national and local level in the project areas are improved.

Outputs:

1. Capacity and ownership are built among national stakeholders especially in the field of the enforcement of the LDV
2. Synergies with Rule of Law projects in Tajikistan in particular the Access to Justice project are identified and planned
3. A joint action plan on the enforcement on the law on DV is implemented by the relevant stakeholders (international organisations, MoI, Police Academy, CoWFA)
4. Joint approaches and materials (like manuals for police, referral cards/service directories if requested) on DV between national counterparts and international agencies are well coordinated
5. Capacity of religious leaders in terms of DV and gender mainstreaming is built
6. Capacity of policemen in terms of DV and gender mainstreaming is built
7. PDV supports the fight against DV through round table discussions with local authorities, initiative groups, police and religious leaders in the project areas

Outcome C.2: The access to quality psychosocial and legal services for victims of domestic violence in the project areas is improved.

Outputs:

8. Quality work of partner organisations is ensured and strengthened
9. Managerial and professional capacities of partner organisations are strengthened
10. Capacities on sustainable management are strengthened

Outcome C.3: People's awareness on the negative effects of DV increased due to availability and broad diffusion of high-quality information and communication material.

11. Quality work of NGOs is ensured
12. Professional capacities on BCC of NGOs are strengthened
13. Awareness in regard to DV among population is strengthened

3.3 Project structure and interventions in brief

The PDV project is implemented by GOPA consultants and managed by a project management unit based in Dushanbe. Under the project director (since 2014) the staff consists of a specialist on monitoring & evaluation as well as organisational development (working with project partners in Dushanbe and Khatlon), a project assistant (on policy and advocacy issues), a communication specialist, and a financial manager. The project management was facing particular challenges over the last years in terms of legal status (as a GOPA branch in Tajikistan) and related tax issues, and legal litigations with a former employee.

Under Component 1 (policy and advocacy) the PDV has contributed to many dissemination and training activities at national and local levels, in the context of launching the state programme as well as awareness raising on the legal framework and the responsibilities of the various authorities. The PDV provided support to the CoWFA, the Ministry of Internal Affairs and the Police. It also addressed the Ministry of Health and Social Policy as well as the Ministry of Education to involve them in addressing domestic violence issues through social services at home and local medical services. At local level the project works with local authorities in Dushanbe and Khatlon district through its partner organisations (mainly the crisis centers Bovaribafardo and Ghamchori)

With regard to Component 2 (Improved access to services) the PDV project is supporting the two crisis centers in Dushanbe (Bovaribafardo) and Khatlon (Ghamkhori) and partner organizations in rural areas around Khatlon (Khamroz, Makhbuba, Dilafruz) in delivering quality legal services, psychosocial and medical support.

According to the PDV BCC strategy of 2012 (Component 3) Behavioral Change Communication activities are expected to follow a coordinated positive message on "family free of violence - happy future for your children" instead of negative associations. Main communication channels include radio, billboards, comic brochures, flipcharts and internet (webpage PDV). A myriad of events and activities (in coordination with State authorities), particularly around the "16 days against violence" campaign, and the 2015 "Year of the Family" were organized at local level and media products were launched.

3.4 Achievements and challenges, in relation to the specific review questions

- *To what extent can positive behavioural changes (e.g. by victims, perpetrators, police, religious leaders) be perceived thanks to the project?*

The general lack of data at national level makes assessment of any contextual changes - and the contribution to changes by the project - difficult. The endline study of the PDV project will hopefully contribute to fill parts of the gap at least in the geographical areas where it is active.

The CoWFA, all project partners and many observers expressed very positive opinions about the quality of the BCC interventions of the project. Particularly the billboards standing on many roads throughout the country (produced by PDV project, distributed in the name of CoWFA), and other measures targeting the broad public have brought a lot of attention to the issue and strengthened the visibility of CoWFA (and PDV) throughout the country. Moreover, the brochure "100 questions - 100 answers" that was developed by PDV was also perceived as very useful to target key players and raise the awareness and capacities of authorities and partner organisations.

Many interviewees stated that the interventions of the PDV project at the level of policy makers, administrative authorities, and key social figures was successful in raising awareness around domestic violence and its negative impact on women, children, families and the society as a whole. According to the partner organisations behavioral change of local authorities and police officers (taking cases more seriously), as well as family members directly involved in cases of domestic violence, and other key players (like medical service providers, social workers) can be observed at various levels. It can be assumed that PDV's long term engagement in this area has contributed to some behavioral change among the targeted groups (although it will be very difficult to attribute behavioral changes (if any) directly to the PDV interventions).

- *How well is the project assessing (on the basis of the Logframe) the achieved results, and in particular the impact on the population?*

The indicator system of the logframe for the current phase identifies indicators at impact, project goal, outcome and output level. For the results at impact and project goal level, an endline survey will provide the information for assessing the change at the level of incidence of domestic violence as well as social acceptability at the end of the project, in a gender sensitive way. The indicators are measuring change with regard to incidence and acceptability at the level of the whole population in the targeted region - and seem to assume that the indicated change must be attributed as a result to the PDV project. It might have been more adequate to formulate an indicator focusing more specifically on particular social groups (such as girls and young women) and key actors targeted by the project's various interventions.

With regard to the outcome and output levels it can be said that the project addresses institutional frameworks, services and behavioural changes that are expected to have a considerable effect at the level of the population. The terminology of the logframe is addressing qualitative aspects assuming that such improvements will have an impact at the level of the population (e.g. with regard to policy and institutional frameworks in outcome 1, services for victims in outcome 2). Although not clearly formulated, the hypotheses of change behind the logframe seem adequate. However, neither the outputs nor the indicators clearly show what criteria would mark such quality improvement. For example, output 3 is just referring to the existence of a joint action plan to implement the PDV law - without identifying the main criteria of a successful action plan (distribution of responsibilities, clear targets and timeframes, resources, monitoring mechanisms). It is not only about disposing of a formal joint program but it should address the key elements for joint or coherent action.

The PDV project is investing a considerable amount of time and human resources in monitoring & evaluation of partner organisations, closely linking its monitoring efforts with coaching and training of partners. This is certainly very positive for achieving and assessing results. PDV has signed contracts with partner organisations that define specific quantitative and qualitative requirements

for services. Qualitative requirements include quality of staff, time frames, basic methodological and organizational requirements (see table in Annual Report Oct.2014, p. 10). Quantitative measuring focuses on the number of clients for the various services. Monitoring of and reporting from partner organisations refer to quantitative and qualitative indicators. Capacity development of partners was and is a key concern of PDV project activities, with a clear focus on organizational development of partner organisations. However, neither the stated indicators nor the monitoring reports show what kind of quality standards are applied and how the project is assessing the professional quality of the staff, the organisations' approaches and services, and the messages to the public that they provide.

- *To what extent have the planned results been achieved?*

Of course, this review after two of total three years of project duration is only able to assess trends in this respect. Moreover, based on the annual reports and some anecdotal evidence from interviews, this review can only provide some indications on achievements, without going into any detail of outputs.

- With regard to component 1, the planned outcomes and outputs will be partly achieved. At national level, a new legal framework is in place, and there are some indication of emerging joint policies on the basis of the State program of 2014. However, the achievements in terms of institutional capacities of CoWFA are limited. At the local level, awareness of and cooperation between local authorities (incl. CoFWA at Khukumat level), local service providers from line ministries, local leaders and NGOs for the sake of preventing domestic violence seem to have somewhat improved in the targeted regions.
- With regard to outcome 2 the achievements in terms of quality and quantity of provided services is on track, particularly with respect to the difficult regions targeted, since the Khatlon region is perceived as particularly difficult in terms of gender equality issues.
- With regard to outcome 3, the produced outputs (such as website, events, media campaigns, videos and billboards) are perceived as very successful by many interviewees: Awareness of the incidence and non-acceptance of domestic violence could be raised. Without being able to get hard evidence, it is broadly assumed that there are some achievements at the level of behavioural change with regard to physical violence, too.

However, sustainable change in behaviours will depend also of a change in the root causes of violence and in addressing more subtle forms of violence in its psychological, social, economic dimensions. While the main message of avoiding physical violence may be clear and commonly shared by all PDV project partners, there are some questions about the clarity of the message given by the project partners around the causes and forms of violence. Key actors (such as State authorities, traditional leaders, human rights NGOs, politicians etc.) will have their own vision of the family, the rights and roles of women and men, the relationship between parents and children, the rights of children – and their own theory of change. Is fighting domestic violence about saving the family and avoid divorce, at any cost? What is acceptable and what is unacceptable behaviour? Is it about empowering women to get out of violent relations? How much do we expect the victim to change instead of the perpetrator to change? What is the cost that men, women and children are expected to pay in case of divorce? How intensively and for what purposes should State authorities intervene in the private sphere of family relations? And lastly, how independent are women expected to live their lives, in the

family as well as in the economic context? While the PDV project is successfully building on the common denominator of “avoiding physical violence” at an operational level, the differences in values and visions between the partners will come up in the long run and risk to hamper sustainable achievements with regard to behavioural change. This means that partnerships should be carefully built, also taking into account the need for a common denominator in values and visions. For example, while it is clear that the PDV project should engage with religious leaders it is an open question to me whether it makes sense to work through them as direct partners.

- *How consistent are the achieved effects with the needs of the beneficiaries and the country's own priorities and planning?*

From the perspective of the existing legal and policy framework, the PDV project certainly is in line with Tajik thematic priorities and political commitment. However, in view of the limited financial commitment and the lack of human resources allocated to adequate services it can be doubted whether preventing domestic violence is a political priority.

From the point of view of beneficiaries - the targeted victims of domestic violence - the intended and realised effects of the project in terms of improved frameworks, support services, and behavioural change are certainly positive. Of course, this appreciation depends on how we see the needs of the beneficiaries, and the answers given by key stakeholders in the country might not be homogenous: What kind of support do battered women need, in the eyes of the various ministries, politicians in general, CoWFA members, traditional authorities, NGOs? Is it about psychological support to endure structural violence, for the sake of family unity? Is it legal support to punish perpetrators, to separate from husbands and families? About economic opportunities to build up independent lives, particularly after divorce? Building on Tajik realities the PDV project is working with traditional and religious leaders that probably have their own assessments of the victims' needs. Moreover, the government's intentions behind the Tajik "year of the Family" (possibly interpreted as keeping families together, at any cost) might not always have been in line with the PDV project's intention of preventing domestic violence. It might be helpful in the future to reflect together with partner organisations and stakeholders on the objective and approaches of intervention – and the common denominator needed. Do we want to focus our services on rehabilitation of the victims, protecting their physical and psychological integrity, avoiding their future victimisation, penalizing perpetrators? Do we want to address the root causes of violence? What is the bottom line of cooperation with partners (see above)? A human rights-based approach could be helpful to set a frame for the approach (see, for example, <http://www.endvawnow.org/en/articles/304-adopting-a-human-rights-based-approach.html>) .

- *How consistent are the activities and outputs with the intended effects?*

In general, it seems that the logframe is built in a convincing way, linking activities and outputs adequately to outcomes, project goal and impact. However, if looking at the ambitious goal and outcomes, the question is whether the long list of activities puts enough emphasis on building alliances among ministries and local authorities, with donors and local NGOs, with a view of effective contribution to a process of change - instead of investing in delivering services at local level covering relatively small geographical areas. For example, for output 4 ("joint approaches and materials are well coordinated") the list of activities just mentions regular participation in coordination meetings,

and joint activities with SDC Access to Justice project. With a view to improve the impact, there could be some room for increased engagement here, particularly from a rights-based point of view. With regard to outcome 2 ("access to services improved") there are a lot of activities listed that focus on capacities of religious leaders, police men, local authorities, partner organisations to provide services, but no activities that explicitly focus on building alliances with other stakeholders to reach the ambitious goals.

In which areas/with which approaches was the project particularly successful/unsuccessful?

One key area of success is the outreach of the communication component. Many observers say that particularly the billboards have made the issue of domestic violence as well as the CoWFA visible to the broad public. The website has also contributed to reach out to the interested public, also at international level (diaspora). The project was also successful in reaching out to local authorities and key stakeholders at the formal level (Khukumat) and informal level (Mahallas, local religious leaders, traditional leaders) that are involved in family conflicts. Another question that is more difficult to answer is whether the messages conveyed go beyond the common denominator of "avoiding physical violence" and address also the root causes of violence and power relations, and whether the communication endeavours have led to behavioural change (see above).

Another key success is the fact that the two crisis centers in Dushanbe and Khatlon have been operational for many years now and contribute to change perceptions about service delivery responding to needs of vulnerable groups in a comprehensive and multidisciplinary way. The project was not as successful in formalizing professional standards for such services, cooperation with existing service providers, and developing referral systems, together with the various service providers.

As already mentioned, the project is not working in isolation but there seems to be some room for improvement in cooperating with other stakeholders, at national and local level as well as with other international actors working in the same area. As a donor-funded project with even doubtful legal status, the PDV has limitations in working more formally with national authorities, so a strategy of cooperation and building alliances with other stakeholders is particularly important if the project wants to contribute to the ambitious goal of improving the policy and institutional framework.

- *What are the main challenges the project has been facing since the adoption of the law on violence in the family in Tajikistan, and how effectively has the project been addressing these challenges?*

The new law has made domestic violence a public issue and is the basis for holding public service providers accountable for their activities to prevent domestic violence in a systematic way. It establishes the right of victims to receive medical, psychological and social assistance and legal advice and other information on safety, to be placed at crisis centers, to appeal to local authorities and law enforcement agencies to hold perpetrators accountable (Art. 6). It extensively lists the responsibilities of national and local authorities, the CoWFA and the Child rights commissions at national and local level, the law enforcement agencies, educational and health institutions, and social protection agencies (7-17). The law also sets the frame for support centres and medical and social rehabilitation centres for victims (Art. 16-17) as well as individual remedies or instruments for preventing violence (disciplinary conversation, protection order, administrative custody (Art. 20-22).

But this is only the basis, and the legal provisions have to be systematically used and implemented. The State program 2014-2023 shows some commitment to implementing the law at various levels, and particularly under outcome 1 and 3 the PDV project has developed a series of activities supporting this commitment at national level (e.g. regarding the police, the responsibilities of social workers) although it seems that establishing working relationships with many ministries is difficult for the project. A lot of investment was made by the project to make the new law a living instrument also at local level. From my conversations in Kurgan Tyube it can be seen that the law had positive effects on the local police, on the (limited) medical and social services provided by public services, on the attitudes and behaviours of the local authorities at Khukumat and Jamoat level. The Crisis Centre and the other partner organisations are seen as important contributors to this process. Moreover, the project has rightly invested in elaborating a legal commentary of the law, in order to explain rights and obligations to the various stakeholders that have got responsibilities for implementation. However, I am not sure whether the law has been systematically used by the service providers as a reference for rights and obligations of the different stakeholders in their day –to-day work. I have the general impression that the various authorities are not used to perceive legal standards and State programmes as reference framework for their action and investment of resources. It might be useful for the PDV project and its partners to even more systematically refer to the obligations of the law and State programme as a practical tool for holding authorities (ministerial authorities at national level, police officials, public service providers) accountable for addressing the issue in a transparent and effective way.

- *To what extent do the capacity building and work on institutional sustainability of the project civil society partners lead to results or changes in their work?*

From the various interviews and the documents I have the impression that the project gives a lot of emphasis on and is successful in **developing capacities of partner organisations for organisational management** of their activities in terms of service delivery, outreach and advocacy, and partner organisations have improved a lot from the point of view of management and professional skills in this respect. However, whether they will keep engaged in the field of domestic violence after the project is doubtful. While all the partner organisations do certainly have a strong commitment and an **enhanced sensitivity for domestic violence issues**, the perceptions on how to address domestic violence in the long run, to identify and address the root causes of violence might not always be the same as it is proposed by the PDV project (see also above). They are working in a difficult environment, with partners that may have very different values and visions. They are confronted with a variety of attitudes and opinions on a subject that is culturally sensitive, involves the change of gender roles and power within the family as well as religious aspects around the sensitive relationship between women and men. The capacities and commitment to continue working in this field might be limited.

- *What are the main challenges related to the future role of NGOs in the implementation of the Law and how is the project addressing them?*

Art. 16 stipulates that support centers can be established by state bodies, individuals or legal entities, and lists the activities of prevention and protection of victims that can be fulfilled by the support centers. Providing support services to victims incl. shelters are mentioned, the services itself are not specified. However, it is evident that without external funding, the services of crisis centers to individual victims will be limited, since this is very cost intensive, and victims seeking advice will often

not be in position to pay for professional service. Governmental funding perspectives are perceived as very limited. On the other hand, Art. 16 also mentions the role of support centres in participating in State programs, reporting on cases and on situation in general, analysis of causes, awareness raising. This is a solid basis for future advising and advocacy activities in this regard, based on the broad operational experience of the crisis centers.

Under the new law services to victims have become a public task. This is a basis for making services sustainable and covering the whole territory (instead of a local focus of NGO services). Thus, parallel services by NGOs should not continue as before, to avoid the risk of hampering the building up of a workable public system. The challenge is for NGOs to find a new role – either as a subcontracted public service funded by the public budget or other sources, or giving up the service delivery to victims and focus on capacity building for service providers, awareness raising, monitoring, analysis and advocacy. In general, it will not be realistic and advisable to make the crisis centers build up a nationwide system of subcontracted service delivery. At first sight, however, the subcontracting model could be good for keeping piloting experience in the initial phase of building up a nation-wide system. However, in this perspective, the objective for supporting the crisis centers will have to shift from quantitative service delivery (for the sake of a high number of clients) to a more qualitative learning and piloting approach (what can we learn from our experience in managing cases and services? How can we transfer the lessons from piloting in the general system?).

For the moment, partner organisations seem to be very busy with delivering individual services and awareness raising. The project is already investing in organisational development of partner organisations, to make them fit to consultancy activities of any kind in the future. From the point of view of implementing the law, the project might perhaps focus more in supporting the analytical capacities (that do very much exist among the leaders of the crisis centers) to make them fit for new but equally important roles in implementing the law: as test or piloting institutions, professional experts able and willing to share their knowhow from piloting services, as civil society organisations able to monitoring standards advocating for strategic improvements. In a short term perspective, the challenge will be to **find adequate funding**, from international sources (other donors, for example in the form of a trust-fund), private sources (e.g. diaspora organisations, or national sponsors) and invest in exploring possibilities of cooperation and funding with State authorities in the long run.

- *To what extent does the project support the implementation of the relevant national law(s)?*
- *To what extent is the project successful in supporting the national state partners to effectively execute their functions according to the law?*

The discussions around the MoU with line ministries have clearly shown that the status of a donor-funded project limits the possibilities of the PDV project to get access to formal ministries. While the available funding helps to get access to a great extent to operational activities, it is not easy in principle to get involved in strategic decision-making procedures at ministerial level. The PDV project adopted a strategy of supporting the CoWFA as a key player in implementing the new law, but also aspired to work directly with the various line ministries involved, with a view to strengthen their responsibilities and develop operational referral mechanisms. Through the partner organisations, the project is working with local administrations at different levels.

The project has been quite successful in technically supporting the CoWFA in its work, although the CoWFA, due to personal and institutional limitations and limited political leverage has difficulties in

taking up a prominent role in coordinating and monitoring the implementation of the State program and the law. The CoWFA has particularly expressed its satisfaction with the support by the project, particularly in the field of communication to the public. In addition, the local CoWFA structures could have an important role in the future to coordinate implementation at the local level. The project might have an interest to explore more systematically how this potential could be strengthened and what concrete role CoWFA representatives at Khukumat level could play in the future. May be there is also a need for more strategic reflection on how to support the implementation of the State program by other ministries and identify mechanisms and procedures of cooperation among the various line ministries involved. Closer cooperation with other international stakeholders (OSCE, UN Women) and SDC in the context of donor coordination might help here.

- *What strategies is the project adopting and to what extent is it successful in working towards a shift from NGO provided services (parallel system) to services provided through the state?*

The project and its partner organisations are aware of the fact that the crisis centers are providing public services and will not be able to continue to fund their services to individual victims exclusively by donor money in the future. While the option of getting funding for subcontracted services from the State budget (at national or local level) or from clients is not perceived as very realistic, crisis centers themselves see their future role more in building capacities of existing state services on supporting victims (if the government is interested), and focusing on more general activities of awareness raising and monitoring (if external funds are available) - or leaving the area of domestic violence for working fields where there is funding available. Perhaps the project could invest more systematically in documenting the lessons learnt from the long-year work of the crisis centers, to draft professional standards for support services for victims, awareness raising and capacity building, and build methodological capacities of partner organisations to provide training for the various stakeholders (local authorities, medical and social services, police and judges) and engage in peer learning.

More concretely, during the next phase the PDV project could invest in reflecting about and bringing together the lessons learnt in a format that is easily understandable for various actors. A kind of **issue paper** could capitalize the experience of the project in providing services to victims and BCC: What are the issues at stake? What has been proven as successful in delivering services, BCC and case management, in preventing domestic violence in Tajikistan? What are the quality criteria for legal, psychological, social support to victims? for a shelter in emergency situations? A **manual for support services** could be a useful and more detailed and operational product for future service providers: What are the key factors to take into account by the various services? What are the dos and don'ts? This could then be the basis for capacity building activities by the crisis centers in the future. Moreover, it could be very helpful if the PDV project could invest in a **mapping of actors** and an analysis of potentials and challenges, with a view to get a more systemic picture on existing public service providers and a strategic orientation on where to invest in the future for the sake of quality support services. The crisis centers could, together with CoWFA, establish **strengths and weaknesses of the various actors** and service providers at local level, based on their unique experience. This could give flesh to the bone of the State programme and help future funders to identify the needs for support in a comprehensive perspective. This could eventually lead to a **elaborated and adequate referral system** that takes into account the existing capacities.

- *How well does the project complement/cooperate with other organizations working on prevention of domestic violence?*
- *To what extent is the project active/represented in the existing policy dialogue platforms on domestic violence (incl. promotion of the implementation of the Law)?*

The PDV project actively participated at the two coordination meetings ("Inter-Agency Working Group") that the CoWFA organized to bring together all the ministries and agencies with responsibilities listed in the law. With a view to make these coordination meetings an effective instrument to guide and coordinate the future implementation, the project is advocating, together with Un Women, for developing working mechanisms and tools. However, the CoWFA still seems to hesitate about its own role in this coordination process and the political leverage it has to monitor other ministries performance in this respect.

The PDV project is regularly participating in coordination meetings and joint events on Rule of Law and meetings of the Gender Thematic Group. While I can't assess the impact of the current set-up of the latter, many stakeholders insist on the importance for donor cooperation on the sensitive issues of gender relations. The project is perceived as open and transparent but not very active in new initiatives of cooperation. Many interviews showed a keen interest of other international stakeholders to intensify cooperation with the project and profit from the extensive knowhow of the project, its well established network at central and local level, and its experience that is very much acknowledged by all the interviewees.

3.5 Conclusions and Recommendations

What are the current challenges with regard to combating domestic violence? Potentials? What is already done, what could be done in a short term, in a long term perspective?

Challenges for preventing domestic violence are manifold, and include many facets, as domestic violence has multiple causes. They include deeply rooted stereotypes of family and gender relations favoring the economic power of the husband and his family over the wife and children, during the marriage and after divorce. Religious beliefs on gender relations contribute to the challenge, and the deteriorating economic situation of many families add to the pressure on all members, often leading to open conflict. The phenomenon of early marriage seems to be increasing - contributing to the power misbalance in the marriage, and unregistered marriages lead to an almost complete lack of protection and rights of wives and children in case of conflict. The limited access of women to economic resources (such as employment) make them even more vulnerable in case of separation.

The PDV project has successfully contributed to address these challenges by addressing the policy and institutional framework, by delivering quality services to victims with a comprehensive and interdisciplinary approach, and by addressing behavioural change through adequate communication of the broader public as well as the authorities at national and local level. From the perspective of the logframe for this phase, the implementation of the project is on track to a very large extent. The long term engagement with the very sensitive issue of domestic violence, the partnering with national stakeholders as well as international actors, and the investment in solid relationship with local service providers (NGOs), and an innovative approach to communication have been important factors of success.

In the light of the remaining time for this phase and the next (exit) phase, recommendations for improvements include:

In general and in the remaining time of the current phase:

- Continue with the ongoing activities for the remaining phase, in all three components;
- Think about a more strategic approach to supporting CoFWA in its coordination role at national and Khukumat level, for holding line ministries accountable for fulfilling their responsibilities according to the law;
- Explore the possibilities of building alliances with other international actors (OSCE, UNIFEM, UNICEF) particularly with regard to support to CoFWA;
- Continue to re-orientate the support to local partner organisations, from service delivery to victims to develop supporting services for public service providers, monitoring, analysis and advocacy for the implementation of the law and the State program;
- For planning the exit phase: Invest in developing a clear set of hypotheses of change and discuss it with partner organisations to enable them to find their own role in the change process and in the exit phase of the project
- Continue to reflect about the values defended and approaches used by partner organisations in the area of family conflicts, and clarify (if needed) the messages provided when raising awareness on domestic violence in the context of the project;
- Engage in building awareness of the legal aid service system about the issues of domestic violence and the approaches to be taken by legal service providers, and build alliances with existing legal aid programmes in this respect
- Invest in building alliances between the project and partner organisations on the one hand and other donors and international actors on the other, use the Gender Thematic Group more proactively for building alliances and exchange information.

In the next (exit) phase:

- Think about how to keep the issue of domestic violence on the political agenda;
- Explore possibilities to support solid data collection by the national bureau of statistics, for assessing context and devising adequate interventions;
- Focus on building capacities of public services, developing quality standards, and referral systems, map potential service providers and their needs for capacity development and professional support;
- capitalize the project's experience made around the delivery of quality services, by elaborating products for orientation of the key stakeholders (e.g. issue paper) for politicians, CoWFA, ministries involved and a broader public, for service providers (manuals, referral mechanisms) and their future trainers.
- Develop ideas on how to prevent violence by addressing root causes of domestic violence in the future,
- explore the adoption of a clearer rights-based approach and work more closely with the existing and future legal aid centers to be established by the State;
- Continue to support the CoWFA structure in its coordinating and facilitating role at national as well as local level.
- Support partner NGOs in developing and implementing their own vision of working on domestic violence without the support of the PDV project, whether in the role of a subcontractor for

(public) services (for piloting services or for capacity building), or in an awareness-raising, monitoring, or advocacy role;

- Assist partner NGOs in exploring funding possibilities outside the project (from public, international or private sources, e.g. diaspora);
- Continue to invest in partner NGO's capacities for awareness-raising, monitoring, analysis and advocacy for implementing the law and State programme, as well as in partners' methodological capacities for transferring knowledge to others.
- Invest in building and developing networks and coalitions between crisis centers and NGOs active in the field, with a view to building blocks for effective advocacy.

4. The Rule of Law Portfolio

4.1 SDC's current objectives for the domain

According to the Results Framework of the Cooperation Strategy Central Asia (Tajikistan) 2012-2016 Switzerland's goal in the domain of intervention of the Rule of Law is: "contribute to better access to justice for everyone and to enhance the capacities of the judicial and legal system to respect and protect human rights."

Contributions to the following outcomes are expected from the interventions:

Outcome 1: Legal awareness raising and legal aid allow for providing better access to legal protection for vulnerable groups in selected regions.

Outcome 2: Key challenges identified in the practice at grassroots level are taken up by civil society in a policy dialogue with the relevant authorities and other stakeholders leading to adequate responses.

Outcome 3: Selected judicial and legal institutions and procedures are reformed to provide a better response to the identified challenges.

4.2 Current and planned activities

Since 1999 SDC has been funding various activities in the Rule of Law sector in Tajikistan. The program went through different phases and stages. Depending on the opportunities of the situation in Tajikistan, SDC support was focusing on human rights, legal professional education, penitentiary reform, access to justice and reduction of violence against women.

Access to Justice project in Tajikistan (Current phase: 2012-2016, 4 mio CHF)

Implementing Agency: UNDP Tajikistan in partnership with Helvetas Swiss Intercooperation (consortium in which UNDP has the lead)

Main objective: At the impact level the project intends to contribute to better access to justice for marginalized persons – in particular for women left behind by labor migrants - by establishing mechanisms for dialogue between the Government and civil society to address key challenges in the access to justice and by enhancing the capacities of the Government and civil society in advancing rule of law reforms.

Concretely, the project supports the broad network of non-governmental legal aid centers throughout Tajikistan providing free legal aid services to vulnerable population. In 2013 the project was able to link its legal aid initiatives with the Government plans to establish a state legal aid system. Currently the project is actively sharing its experiences with the Ministry of Justice as the key state counterpart and supporting the start of the piloting process for the state free legal aid system in Tajikistan. In 2015, a key priority for the project will be on finding ways to ensure the integration of the existing free legal aid models supported by the Program, into the state piloting scheme.

The project also supports a policy dialogue platform between the Government of Tajikistan and the civil society on the legal reform and legal issues. The Ministry of Justice of Tajikistan is the key partner in this process. For the time being the project is preparing for the 4th high level policy dialogue meeting with extended participation of the civil society representatives. UNDP plays a crucial role in the establishment of the policy dialogue mechanisms and provides constant assistance to the Government and civil society in developing dialogue agenda and enhancing the capacities (professional and technical) of both sides of the dialogue. For 2015, a key priority for the project will be to further build the capacities of the civil society partners and expand their representation in the further policy platform discussions.

Prevention of Domestic Violence project in Tajikistan (Current phase: 2012-2016, 4 mio CHF)

Implementing Agency: GOPA Consultants (Germany)

Main objective: In the long-term perspective the project aims at reducing the level of domestic violence in Tajikistan. However as this goal is rather ambitious, the project uses the intermediate goal of reducing the acceptability of domestic violence in Tajikistan as a more tangible indicator of project progress.

Concretely, the project works on assisting the Government of Tajikistan in the implementation of the law on the prevention of domestic violence. The project supports the state institutions such as the Committee on Women and Family Affairs, the Ministry of Internal Affairs and the Ministry of Health and Social Protection of Population by building their capacities in service provision and overall implementation of the law. The project also supports network of the civil society organizations providing services to the victims of domestic violence and raising public awareness about the domestic violence as anti-social phenomenon in Tajikistan.

Pipeline project: Civil Registry System Reform in Tajikistan (2016-2024, Cost sharing agreement SDC-UNDP: 8 mio CHF SDC, and about 2 mio UNDP)

Implementing Agency: UNDP Tajikistan

Main objective: The project's overall goal will be to contribute to better protection of men, women and children's legal rights.

Impact hypothesis: If rural and urban men and women have improved access to quality and affordable civil registry services, they will be able to better protect their rights.

The project's implementation is planned to start at the beginning of 2016. Key counterpart is the Ministry of Justice, as the agency responsible for the civil registration system in Tajikistan. The project will support legislative reform, institutional reform and professional capacity building and

further introduction of the unified procedures and possible electronic systems allowing for the establishment of the modern system of the civil registrations.

Very much complementary to the Rule of Law Portfolio of SDC, since 2010 the Human Security Division of the Federal Department of Foreign Affairs is facilitating a **Human Rights dialogue between Switzerland and Tajikistan**. The process includes high level discussions of the progress and challenges faced by Tajikistan in the human rights sphere and in particular on five major topics: death penalty abolition, women rights (incl. domestic violence), labour migration, prison reform, tortures and Universal Periodical Review (UPR). The high level dialogue was supported by various smaller projects implemented in Tajikistan such as the assistance to the NGO Coalition against tortures, capacity building of the Ombudsman office in Tajikistan and public awareness on the Domestic Violence Law. The Domestic Violence is also the key topic of the cooperation between SDC funded project on Prevention of Domestic Violence (PDV) and the Swiss Human Rights program in Tajikistan. For 2016 it is planned that the human rights dialogue will be integrated in a high-level political dialogue between the countries. The Peace Building Adviser that had facilitated the dialogue in Dushanbe will not be present any more in the future.

4.3 Achievements and challenges, in relation to review questions

- *To what extent is the Rule of Law Domain contributing to the development priorities of the Government of Tajikistan? Is it having any significant impact at population and/or institutional level?*

In its constitution, the Tajik Government is committed to the rule of law, particularly to an independent judiciary that protects the rights of its citizens including equal rights of women and men. By ratifying most of the relevant UN conventions the Tajik government also accepted wide ranging obligations to respect, protect and promote human rights and establish and ensure an independent and accessible judicial system. During the last decades and years the government of Tajikistan has also adopted a series of key legal and judicial reforms and invested in the institutional development of the judicial system. Although there are important dysfunctions to be tackled and judicial reforms do not seem to be a priority of the government, it can be said that there is commitment for reform in the domain at various levels of the government, particularly in areas and related to cases that are not seen as politically sensitive (e.g. domestic violence, family matters). The areas of SDC's interventions correspond to the explicit reform priorities of the government: Legal aid, access to justice, and civil registry is anchored in the legal reform program and strongly promoted by the Ministry of Justice, and a specific State program was adopted for preventing domestic violence. While an explicit commitment by the State authorities is there, capacities and resources are lacking.

Thanks to a relatively long term engagement the impact of SDC's interventions can be seen at various institutional levels. The legal aid centers have contributed to develop standards of legal services, and the engagement for legal aid centers have finally led to the adoption of a concept of legal aid by the government. Domestic violence has become a public issue, a State program has been adopted that will be the legal and institutional framework for developing a system of public support services for victims as well as awareness raising. In general, legal awareness on the rights of vulnerable groups has been built around many issues, particularly family issues. And the new Civil Registry System Reform Project can be expected to have a considerable impact at institutional level (building up of an

effective and comprehensive civil registry) and individual level (particularly enabling vulnerable groups to access public services and exercise rights). Of course, all these impacts cannot be attributed to SDC's interventions only, but it can be said that the domain's intervention has contributed significantly to these results.

SDC's engagement in the domain has had an immediate impact at population level: For example, the high numbers of clients of legal aid centers and women crisis centers and the big percentage of women that have been served over the years, the stated change of attitudes towards the inacceptability of domestic violence are indicators of an impact at this level. Even more direct impact is expected from the civil registry reform that will enable citizens to access rights and services more easily. Moreover, the chosen approach of the State authorities to build up more sustainable legal aid centers that should cover the whole territory will have a considerable impact in the future – with a significant contribution by SDC. In addition to this immediate impact the hypothesis of change of SDC's interventions focuses on a long term impact: By making legal and judicial more coherent, operational and accessible in the long run, the population will increasingly profit from enhanced personal and financial security and a less fragile environment.

- *Is the Rule of Law Domain important and does it promote changes that may have an immediate or a long-term effect on the fragility, political or social conflict prevention or poverty reduction in the context of Tajikistan?*

The quality of public governance is a key factor of democratic and economic development in every context. The Sustainable Development Goals that have been adopted by the UN at the highest level of States in 2015 emphasize that sustainable development particularly depends on "access to justice for all" as well as on "effective, accountable and inclusive institutions" (Goal Nr. 16). On numerous occasions Switzerland has taken a strong position on the need of accountable, transparent, and inclusive State institutions and procedures that respect the principles of non-discrimination, the rule of law and human rights. Particularly in situations of fragility and conflict a justice system based on the rule of law is seen as a strategic element for building up State institutions and political processes that are able to respond to the need of citizens and build confidence that is key for a peaceful and prosperous future (see for instance the OECD Guidelines of 2011 on supporting state building in situations of conflict and fragility). Experience from many countries shows that investing in and working with state structures that are not committed to the rule of law may result in strengthening already powerful elites instead of fighting poverty, or even in directly fuelling of corrupt practices. Promoting civil society, empowering vulnerable groups, or developing a free market economy are impossible without respect for the rule of law.

Thus, working in the Rule of Law domain means addressing the key challenges of development in Tajikistan in a highly strategic manner. The interventions that have been undertaken in the domain are effectively promoting a judicial system that works for settling conflicts between citizens as well as for providing citizens access to public services. Particularly in a situation of growing tension and shrinking scope for critical political voices the commitment to the rule of law is supporting those internal actors within and outside the government that are committed to accountability and change. There are some immediate effects of the domain's interventions at the level of fragility and conflicts, namely the increased awareness on rights and obligations to be respected by all, the building-up of networks of human rights defenders, the strengthening of formal and informal mechanisms of conflict resolution. However, the hypotheses of change focus on medium and long-term impact.

- *To what extent is the Rule of Law domain coherent and focused? How well are the projects arranged with regards to the overall goal, strategic outcomes, etc?*

The three programs in the portfolio do relate closely to one or several domain outcomes:

- The Access to Justice project is contributing directly to outcome 1 (by providing access to legal aid services to vulnerable groups), outcome 2 (by convening and facilitating a political dialogue between the authorities and civil society organisations on issues identified by civil society), and partly to outcome 3 (contributing to reforming the legal aid system).
- The PDV project is also contributing to outcome 1 (by providing legal aid and additional support to victims of domestic violence), outcome 2 (by fostering dialogue between formal and informal authorities and social groups on adequate public response to the issue of violence, at local level), and outcome 3 (by contributing to make public response and State procedures more adequate to the needs of victims).
- The Civil Registry System Reform project is expected to contribute mainly to outcome 3. It was coming out of the experience of the Access to Justice Project where the lack of civil registration was identified as one of the main challenges for vulnerable groups in accessing rights and services, thus also in line with outcome 2.

From the point of view of coherence and focus, the three projects are closely related and have a great potential of synergies. However, it is not always easy to capitalize on synergies between different projects. Although cooperation has been established between the Access to Justice project and the PDV project on various issues and occasions, observers say that it could be more systematic, particularly on quality assurance and capacity building on legal aid services for women. The civil registry project will be in line with the focus of both "old" projects, since it will address key challenges for both projects.

The three projects also closely link to the overall goal ("contribute to better access to justice for everyone and to enhance the capacities of the judicial and legal system to respect and protect human rights". While the PDV project and the Access to Justice Project focus on "better access", the civil registry project clearly emphasizes the need for investing in the institutional system itself (second part of the overall goal) as well as in its accessibility. While there will be some shift to be expected in the PDV project to a more State oriented approach to domestic violence, it could be asked whether the current focus on legal aid is too narrow, in relation to the big needs to address at a systemic level of the judiciary (institutional reform and capacity building of law enforcement actors, lawyers, etc.). However, the time frame and methodology of this review makes it difficult to assess whether there would be other options to focus the programme on.

- *To what extent have the planned results at domain level been achieved? To what extent is the monitoring matrix of the CS adequate in measuring the results of the Rule of Law Domain?*
- With regard to outcome 1 considerable achievements were made on raising awareness and legal aid, the first part of the outcome. It is an open question whether these services really "allowed for providing better access to legal protection" for vulnerable groups. Of course, effective protection will depend on factors beyond legal aid, for example on the legal framework applicable, the judicial mechanisms available, and the capacities of the judicial institutions to respond to the claim. For example, the claim for alimony of a divorced women will only be

successful if there is a basis in the family law, a civil procedure available, and a competent court accessible to the claimant.

- With regard to outcome 2, the mid-term evaluation of the Access to Justice project recently showed some mixed but mainly positive results. Although a policy dialogue between authorities and civil society representatives was taking place due to the project, it was very narrowly focused on legal aid issues. Other policy dialogue fora were organized, but did not directly lead to adequate responses. PDV activities did lead to dialogue and exchange about the authorities response to domestic violence, in the context of implementing the law and State program particularly at local level and in a very limited geographical area.
- With regard to outcome 3 the Access to Justice project indirectly achieved a considerable change in the State's approach to legal aid procedures and, more generally, to legal and judicial reform. At least partly due to the continuous and committed engagement of SDC's partners on legal aid, the Ministry of Justice itself developed clear ownership of the idea, and a State concept on free legal aid has been adopted in 2015 that was built on the experience of SDC's partners in the area. SDC's interventions also contributed to change the way how legal and judicial reforms are developed and discussed in public: The Ministry of Justice organized a series of platforms of dialogue with civil society groups and NGOs to discuss important issues of (legal aid) reform. The National Legal Forum that took place in 2015 was a big achievement of lively policy dialogue between governmental and non-governmental actors, owned by the Ministry of Justice and facilitated by UNDP and SDC. The PDV project also can report on some achievements with regard to improving the implementation process of the law and State Program on domestic violence. Moreover, the civil registry procedures will be substantially improved due to the Civil registry project, and this reform came out of the analysis of challenges identified by legal aid institutions supported by SDC.

The **monitoring matrix** is listing indicators under the various outcomes of the Swiss program and the country development. It is always difficult to identify indicators that are simple enough while reflecting the complexity of the results to be expected. Moreover, indicators are always formulated *ex ante* when it is particularly difficult to project the change process and how it could be made visible. The following comments are therefore quite general, intended to be useful for the formulation of indicators for the next strategy. All indicators are quantitative (though including qualitative aspects) - it would be recommendable to have a mix of clearly quantitative as well as qualitative indicators.

- The two indicators relating to outcome 1 are measuring the number of marginalized people using free legal aid and the number of legal cases resolved positively. The source of information is the baseline and above all the case management system reports and analysis - a very valuable source in this respect. However, the second indicator (legal cases resolved "positively") is quite challenging: How do we assess "positive" resolution of a conflict? If the marriage has not been divorced? If there was a high amount of alimony allocated to the wife? If the process was stopped? We can easily see that this indicator is not simple and measurable enough.
- The two indicators for outcome 2 are the number of strategic litigation cases and the number of civil society organizations represented in the working groups to address reforms. The first indicator does not adequately reflect the outcome that is focusing on the methodology of "policy dialogue" although strategic litigation can also lead to more adequate response but through litigation. It seems that this indicator did not really work, since strategic litigation was not a methodology used by the legal aid centers, neither under the Access to Justice project nor

the PDV project. The second indicator seems to have adequately documented relevant achievements in respect to the stated outcome.

- The originally two indicators relating to outcome 3 are the "number of court discussions considered on family related issues" and the number of specialized judges for juveniles, apparently completed by a third indicator on "local stakeholders in the project areas that enforce the law on domestic violence and integrate the fight against domestic violence into their work plans". The first indicator is not understandable to me, but it was evidently used for monitoring based on the case management system. The second indicator related to previous activities on juvenile justice and was not used any more since these activities stopped. The third indicator can be perceived as a qualitative indicator, asking for a different methodology of verification and source of information, e.g. an endline survey as it is planned within the monitoring system for the PDV project.
- *To what extent is SDC well positioned in the sector? What role is SDC playing (incl. in the policy dialogue) in the sector?*

According to many observers from the governmental as well as the non-governmental perspective SDC is well positioned in a domain that is not crowded with donors and money. SDC seems to be well respected in the sector, due to its long term, reliable (but not extensive) funding and professional engagement with the issues at stake. It is particularly appreciated by many as a convener and facilitator of policy dialogue processes and platforms in the area of legal aid and judicial reform in general, building a bridge between governmental stakeholders and civil society.

The ministry of justice mentioned the key role the Swiss support played over the last years particularly in the legal aid reform, organising national and regional platforms for dialogue and civil registry reform but also more generally in judicial reforms, State human rights reporting, and preventing torture. In the field of domestic violence more donors are active but the PDV project also managed to be well positioned as a technical support to the CoWFA and as a manager of professional support services. Behind the PDV project, Switzerland seems to be less visible than in the area of access to justice.

Human rights defenders appreciate the continuous support by Switzerland (together with the EU) particularly in the human rights monitoring processes of the UN (UPR, treaty-based monitoring, special procedures) and the OSCE Human Dimension. While the funding of the alternative reporting procedures was also mentioned, human rights defenders highlighted the importance of the political backing they got in their role to raise critical voices. Some observers said that the donors were crucial in the mutual learning process involving the State authorities and the various NGO coalitions responsible for alternative reporting.

Other international actors appreciate the continuous and active presence of SDC in the working group, its knowhow and long term engagement.

- *In which areas/with which approaches was the domain particularly successful/unsuccessful?*

The intervention logic focusing on micro-level experience, with a view to inform and improve macro-level reform was quite successful, particularly with regard to outcome 2 and 3. The grassroots experience of SDC funded legal aid centers was an important basis for developing the new State Concept- The adoption of the State concept on providing free legal aid with the support of the Access to justice project was a great success marking the integration of an idea within the State system that

could not have been expected some years ago. Another success in this regard was the initiative to fundamental reform of the civil registry coming out of the assessment of legal aid centers, based on their day-to-day work: The number of individual cases showing gaps in the civil registry system made decision-makers aware and convinced of the need of reform at macro-level. In other areas these linkages between micro- and macro level did not easily happen. While it was expected that legal aid centers will systematically invest in identifying and analyse legal and judicial gaps from their cases and suggest ways for reform to be discussed between government and civil society, this was difficult to achieve, for various internal reasons (for details see the Access to Justice project evaluation), and there is room for improvement.

On the other hand, the approach of promoting and supporting platforms for policy dialogue between national stakeholders was successful. The debates did take place involving civil society organisations engaged with the legal aid projects and state authorities, and leading to the first national Rule of Law forum under the Ministry of Justice in 2015. From another perspective the PDV project also contributed successfully to a political debate on domestic violence issues by its support for innovative communication efforts.

The successes at local level include high quality service delivery, although in very limited geographical areas – and the fact that this piloting experience is now coming to another stage of testing at national level, in the frame of the new Concept of free legal aid. Indeed, the adoption of the State concept and its imminent implementation with the support of the Access to justice project was a great success marking the integration of an idea within the State system that could not have been expected some years ago.

For more successes see above.

- *How well does SDC complement/ cooperate with other organisations working in the sector?*

Due to its long term engagement in the sector SDC seems to be well accepted by other governmental and non-governmental stakeholders as well as by donors. SDC interventions seem to be conceived as part of a systemic approach, and not designed in isolation. SDC works well with non-governmental structures as well as with governmental authorities, supporting both of them in building capacities for fulfilling their respective roles. SDC is co-chairing the Rule of Law coordination group and participates actively to its meetings. Among donors it is perceived as a competent and committed actor, open for exchange and cooperation. In the interviews project partners have emphasized that SDC as a donor is committed and engaged at a strategic level but does not get involved in micro-management of project.

SDC funded projects are perceived as well conceived, taking into account the initiatives of others and based on cooperative approaches and partnerships with other stakeholders in the sector. However, it is difficult to say after this short review how complementary SDC's interventions really are, and with which partners cooperation could be intensified. In any case, coordination needs time and resources, and SDC staff and partners may often not have enough resources to invest in exchange of information, developing common approaches and complementary action. In the field of domestic violence there might be some room for improvement in the coordination of the PDV project with UN Women and the OSCE for the exit phase of PDV project, since the project might not have invested enough in cooperation with other stakeholders. In the field of legal aid and judicial reform the cooperation with other donors (Finland, GIZ, USAID, UN, OSCE) seems to work quite smoothly.

- *To what extent are the adopted intervention strategies (e.g. macro-meso-micro) in the domain effective?*

As it was mentioned before, both projects used intervention strategies that aspired to link macro-meso- and micro-level activities with a view to make all levels profit from each other. Important successes as well as some challenges were perceived in the context of the Access to justice project (see above). The State Concept on free legal aid (effectively coming out of piloting experience from SDC funded legal aid centers and SDC promoted policy dialogue between governmental and non-governmental stakeholders) as well as the civil registry reform (coming out of the needs assessment by SDC funded legal aid centers) are positive examples. For the area of domestic violence, the meso and micro level activities of the PDV project extensively profited from the engagement of the PDV project (and Swiss Human Security Division) at national level and the familiarity of the management with the discussions and institutional challenges and difficult relations between ministries both at national as well as local level.

- *What are the main challenges the domain is facing, which impact the effectiveness of the interventions?*

As in other domains of development cooperation the challenges of the rule of law domain are manifold, just to mention some:

- The socio-economic situation is weighing heavily on the State budget and its perspectives. The integration of (parallel) services for victims of domestic violence as well as legal aid services will be facing budget constraints that will impact on the quantity and quality of services available in the future.
- The brain drain in relation to well-educated young Tajiks emigrating because of lacking economic and social perspectives in Tajikistan.
- The return of migrants will put pressure on existing economic resources probably resulting in more conflict around land and other resources. Moreover, migrants often come back with a changed mentality and don't integrate easily again - putting even more pressure on conflict resolution mechanisms such as the judiciary.
- The widespread corruption makes judicial as well as administrative authorities lack credibility in the eyes of many citizens.
- The often very obvious and shameless disregard of rules and regulations by the powerful elites is discrediting the legal and judicial system.
- The lacking public awareness of the role of laws and judicial institutions and procedures in a democratic system and market based economy, and the growing reliance on informal rules and mechanisms that favour men over women, old over young and tend to disfavour individual human rights and equality.
- ... and last but not least: The increasingly repressive attitudes of the powerful elites using judicial procedures to silence critical voices, also in the name of security and anti-terrorism. Currently, climate of intimidation and fear is tangible among human rights defenders and will impact on the ongoing reform of the bar and the availability of lawyers ready to challenge the power in sensitive cases.

All these challenges continuously have an impact on the achievements in this domain as well as in other sectors of SDC's interventions. SDC's interventions have mitigated the risks involved challenges in various ways, by focusing on partners that are perceived as committed, reliable, with integrity, or by focusing on areas where drivers of change could be identified. Due to these challenges, the future

strategy will have to be cautious with regard to the outcomes to be expected in this domain, and to mitigate the risks involved, SDC should continue to invest in:

- Keeping a focus on general awareness raising of key stakeholders about rights and obligations, and building up ownership for reform by building on common gains to be expected by different stakeholders from specific legal and judicial reform ;
 - Providing financial support to the building of key institutions with a strict focus on quality: judicial and administrative institutions should be independent, transparent, competent, responsive, and accessible to all - and accountable to the rule of law;
 - Supporting vulnerable groups to use the law as an empowering tool to improve their own situation with regard to security and access to services;
 - Strengthening non-governmental actors, particularly human rights defenders, in their role to monitor State action and thus contribute to an informed, constructive and meaningful political debate about legal and judicial reforms;
 - Focusing on building bridges and fostering open dialogue between governmental and non-governmental stakeholders with different interests in the judicial field.
-
- *To what extent is SDC working with the right implementing partners and state institutions? What is the opinion of the governmental stakeholders, the local NGOs working with the project, and other stakeholders, about the implementing partners UNDP, Helvetas, GOPA?*

In relation to the fields of intervention (legal aid and legal and judicial reform processes, preventing domestic violence, civil registry) SDC is definitely working with the right partners at governmental level. The ministry of justice is the key actor in the field of legal aid, legal and judicial reform processes and civil registry. The Minister is perceived by many observers as a person of integrity, committed, and smart, with dedicated and professional staff- the perfect project partners in many respect. However, there is a considerable risk of staff turnover, particularly in these times of political insecurity. In the design of the strategy of the domain it should be thought of this cluster risk and possible mitigation measures.

The implementing partners UNDP and Helvetas are both seen as competent implementers by many observers, in different roles. UNDP has the political leverage for framing and convening policy dialogue while Helvetas has extensive experience in supporting legal aid centers in their service delivery and outreach role. However, some comments were made by various NGO stakeholders in relation to Helvetas' capacities to implement the project's tasks relating to the analysis of legal aid cases in view of strategic litigation or advocacy for change. It seems that the cooperation between the two implementers who divided their tasks and roles does not really go smoothly. This cooperation will be further under pressure in the coming year when the State concept of legal aid will be piloted, under the lead of UNDP. The emerging conflict in cooperation will have to be addressed soon with a view to avoid negative impact on the intervention's approach and achievements (see the ongoing project evaluation).

The PDV project is working with the CoWFA, the various ministries implementing parts of the State program, and the local authorities at governmental level. The focus of the project on implementation of the law on domestic violence requires this set of partners. The PMU is perceived by the CoWFA as helpful providing useful financial and technical support. However, the political leverage of a project managed by a consultancy firm like GOPA in relation to ministerial decision making processes is obviously limited.

4.4 Conclusions and recommendations

The domain of rule of law, particularly its current orientation towards access to justice remains highly relevant to SDC's engagement in Tajikistan. A series of achievements can be observed, particularly in relation to the use of extensive micro-level experience from projects for developing responsive judicial and legal reform policies and projects at national level. Other achievements include the opportunities that were created for policy dialogue between governmental and non-governmental actors on specific issues of concern. Finally, SDC's interventions contributed to put important issues of concern (the lack of access to justice for vulnerable groups, domestic violence) on the political agenda. The achievements made so far show that it is possible to get tangible results even in a very difficult context.

With a view of the design of the next cooperation strategy, recommendations include:

- Continue to work in the domain "rule of law", with the double goal of promoting access to justice for all and, at the same time, strengthening institutions and procedures able to protect the human rights of citizens
- Continue to work with a thematic orientation on legal aid and awareness, policy dialogue on legal and judicial reform issues, and reform of institutions to better respond to challenges in accessing justice for women and vulnerable groups.
- Continue to shift the focus of interventions to prevent domestic violence from parallel service delivery to strengthen State authorities in taking up their obligations – and foster the role of NGO partners in monitoring, awareness raising and advocacy, with an empowering and rights-based approach towards victims;
- Take the initiatives of the former HSD on board in the context of a future bilateral dialogue, and devise new interventions in human rights monitoring, strengthening and protecting human rights defenders, particularly by supporting them in international and national monitoring activities;
- Take up a funder role as well as a convener role, particularly with regard to the policy dialogue between civil society and the government, on legal and judicial reforms, in close coordination with UNDP and other international stakeholders;
- Be ready to make available the needed capacities to take a prominent role when supporting the project partners in their policy dialogue at national level, with a view to foster coherent and sustainable reform in the areas of intervention;
- Design an objective system of outcomes for the domain based on the evolved context and the interventions' experience, and develop a monitoring matrix for the domain that combines quantitative and qualitative indicators for success;
- Increase coordination and cooperation with donors active in the domain (e.g. Finland, GIZ, USAID, the UNDP, UN Women, OSCE) and explore ways to join forces, particularly with a view to develop a common approach to work on the implementation of the law on domestic violence and beyond, on gender discrimination and access to justice.

Annex 1: Terms of Reference

Terms of references

Contract no. 81034167 (Mandate type X)

External Review of the Prevention of Domestic Violence Project and Analysis of the Rule of Law Portfolio in view of the Development of the next Swiss Cooperation Strategy with Tajikistan

1. Background

1.1. General context

Tajikistan is a country in transition from a post-Soviet legacy and a post-conflict situation towards democratization and stability. This transition has put extraordinary demands on the government to change the policy, fiscal, and regulatory environment and establish democratic governance. Although some instability and conflicts were experienced during the last decade in the Central Asian region, Tajikistan managed to overcome the civil war of the nineties, and made some progress in its economic development. Despite some efforts, 35.6% of the population lived in poverty in 2013 (World Bank) with women and children as the most vulnerable groups. The last 20 years have further seen a massive brain drain. Moreover, over one million Tajiks work as labor migrants abroad, their remittances (over 3.8 billion USD, amounting to almost half of the country's GDP) being the major reason for the mitigation of poverty.

With regards to the progress in developing adequate legal frameworks, the new Constitution adopted in 1994 laid down the basic guarantees for the rights and freedoms of people living in Tajikistan. It envisages separation of state powers and independence of the judiciary, guarantees the protection of people's rights in court trial and general protection of basic Human Rights. The Constitution also introduced the international law into the national legal system of Tajikistan as an important instrument of Human Rights protection.

Tajikistan ratified most of the UN Conventions and, in particular, the six major UN Human Rights Conventions, thereby committing itself to respecting, protecting and realizing human rights. At the same time, the Government of Tajikistan is trying to improve overall national legislation in order to bring it in compliance with international standards. For the time being further legislative and procedural reforms are ongoing in the following sectors: judicial, legal aid, housing, agrarian, water and energy, financial/banking and local government. A new package of legal and judicial reforms has been decided in 2014 by the President of Tajikistan in the form of a program and action plan for legal and judicial reform, providing a basis for next steps to be taken in this respect.

Furthermore, the law on "the Prevention of violence in the family" was adopted in Tajikistan in 2013 and the National Program on the implementation of this law was approved by the Government in 2014.

The Government also initiated other systemic reforms of the Bar System, free legal aid system and the system of the civil registrations as part of a comprehensive approach in developing public and legal services in Tajikistan.

While some progress has been achieved with regards to legislative reforms, certain specific challenges remain:

- The establishment of an effective access to justice system with available legal aid services and independent and unbiased court system, accessible to rights holders. The current system lacks

clear separation of powers; legal rules and court decisions are not consistently enforced; vested interests and corruption are still wide spread phenomena. For some groups of population such as women and children access legal information, legal services and fair courts remain rather difficult.

- Limited resources and capacities. The development of the system is hampered by insufficient staff and funds as well as limited capacities/competences of the staff. At the same time there is a lack of awareness among the population on their basic rights and protection mechanisms. While migration processes has further impact in Tajik society, vulnerable groups (women, children, pensioners, disabled and poor) experience more difficulties with some legal issues (e.g. divorce, alimonies, etc.) due to poor awareness and lack of quality public services and justice provided to them.
- Legal insecurity. The current system is characterized by a gap between the needs and problems of citizens when claiming rights and the State's response to people's needs. Several civil society organizations are advocating reforms, but there is so far only limited space and opportunity for them to interact and engage in a solid dialogue with the Government. Such a dialogue is however important to remedy shortcomings in lawmaking and legal enforcement processes.

1.2. Swiss engagement in the Rule of Law domain

Since 1999 SDC has been funding various activities in the Rule of Law sector in Tajikistan. During this time the projects completed several phases and went through various changes and improvements. Depending on the opportunities of the (political) situation in Tajikistan, SDC support was focused on issues such as human rights, legal professional education, penitentiary reform, access to justice and reduction of violence against women.

Rule of Law is one of the pillars of the current Swiss Cooperation Strategy 2012-2015 (extended now to 2016), with the goal to "Contribute to better access to justice for everyone and to enhance the capacities of the judicial and legal system to respect and protect human rights".

The Rule of Law Domain currently consists of the following interventions:

Access to Justice project in Tajikistan (Current phase: 2012-2016, 4 mio CHF)

Implementing Agency: UNDP Tajikistan in partnership with Helvetas Swiss Intercooperation (consortium in which UNDP has the lead)

Main objective: At the impact level the project intends to contribute to better access to justice for marginalized persons – in particular for women left behind by labor migrants - by establishing mechanisms for dialogue between the Government and civil society to address key challenges in the access to justice and by enhancing the capacities of the Government and civil society in advancing rule of law reforms.

Concretely, the project supports the broad network of non-governmental legal aid centers throughout Tajikistan providing free legal aid services to vulnerable population. In 2013 the project was able to link its legal aid initiatives with the Government plans to establish a state legal aid system. Currently the project is actively sharing its experiences with the Ministry of Justice as the key state counterpart and supporting the start of the piloting process for the state free legal aid system in Tajikistan. In 2015, a key priority for the project will be on finding ways to ensure the integration of the existing free legal aid models supported by the Program, into the state piloting scheme.

The project also supports a policy dialogue platform between the Government of Tajikistan and the civil society on the legal reform and legal issues. The Ministry of Justice of Tajikistan is the key partner in this process. For the time being the project is preparing for the 4th high level policy dialogue meeting with

extended participation of the civil society representatives. UNDP plays a crucial role in the establishment of the policy dialogue mechanisms and provides constant assistance to the Government and civil society in developing dialogue agenda and enhancing the capacities (professional and technical) of both sides of the dialogue. For 2015, a key priority for the project will be to further build the capacities of the civil society partners and expand their representation in the further policy platform discussions.

Prevention of Domestic Violence project in Tajikistan (Current phase: 2012-2016, 4 mio CHF)

Implementing Agency: GOPA Consultants (Germany)

Main objective: In the long-term perspective the project aims at reducing the level of domestic violence in Tajikistan. However as this goal is rather ambitious, the project uses the intermediate goal of reducing the acceptability of domestic violence in Tajikistan as a more tangible indicator of project progress.

Concretely, the project works on assisting the Government of Tajikistan in the implementation of the law on the prevention of domestic violence. The project supports the state institutions such as the Committee on Women and Family Affairs, the Ministry of Internal Affairs and the Ministry of Health and Social Protection of Population by building their capacities in service provision and overall implementation of the law. The project also supports network of the civil society organizations providing services to the victims of domestic violence and raising public awareness about the domestic violence as anti-social phenomenon in Tajikistan.

For 2015, a key priority is to assist the Government with the effective implementation of the National Program and the law on “the Prevention of violence in the family” through capacity building of the relevant state partners responsible for the law implementation and establishment of the law execution coordination mechanisms for the state and non-governmental partners.

Pipeline project: Civil Registry System Reform in Tajikistan (2016-2024, Cost sharing agreement SDC-UNDP: 8 mio CHF SDC, and about 2 mio UNDP)

Implementing Agency: UNDP Tajikistan

Main objective: The project’s overall goal will be to contribute to better protection of men, women and children’s legal rights.

Impact hypothesis: If rural and urban men and women have improved access to quality and affordable civil registry services, they will be able to better protect their rights.

The project’s implementation is planned to start at the beginning of 2016. Key counterpart is the Ministry of Justice, as the agency responsible for the civil registration system in Tajikistan. The project will support legislative reform, institutional reform and professional capacity building and further introduction of the unified procedures and possible electronic systems allowing for the establishment of the modern system of the civil registrations.

Very much complementary to the Rule of Law Portfolio of SDC, since 2010 the Human Security Division of the Federal Department of Foreign Affairs is facilitating a **Human Rights dialogue** between Switzerland and Tajikistan. The process includes high level discussions of the progress and challenges faced by Tajikistan in the human rights sphere and in particular on five major topics: death penalty abolition, women rights (incl. domestic violence), labor migration, prison reform, tortures and Universal Periodical Review (UPR). The high level dialogue is also supported by various smaller projects implemented in Tajikistan such as the assistance to the NGO Coalition against tortures, capacity building of the Ombudsman office in Tajikistan and public awareness on the Domestic Violence Law. The Domestic Violence is also the key topic of the cooperation between SDC funded project on Prevention of Domestic

Violence (PDV) and the Swiss Human Rights program in Tajikistan. In this regards the Swiss Human Rights program and PDV have extensive collaboration in support to the Governmental initiatives on the implementation of the law on Domestic Violence.

2. Purpose of the mandate

As indicated above, the current Cooperation Strategy¹ (CS) for Central Asia (includes Kirgizstan, Tajikistan, Uzbekistan) comes to an end in 2016, and a new Strategy for the period 2017-2021 will be elaborated.

A first milestone in this regard will be a “Regional Strategy Evaluation Central Asia 2012-2015”, mandated by the Evaluation and Corporate Controlling Division of SDC to an external Consultant working with three internal peers. The goal of the evaluation will be to assess the relevance and coherence of the Swiss development cooperation in regard to national development priorities and the Federal Council Dispatch. It will assess the results achievement of the CS Portfolio at the level of domains of intervention and according to the performance of the CS implementation. The key milestones of this evaluation will be an Inception Report to be finalized by the end of October 2015, a Field mission taking place in the first half of November, and a Final Report delivered in February 2016.

With regards to the Rule of Law Portfolio, two external reviews are planned in 2015, independently from the CS process, for the two ongoing interventions of which the phases are coming to an end in 2016.

With regards to the Access to Justice Programme, UNDP will be mandating an external review, for which the results are expected by the end of October 2015.

The purpose of the present mandate is twofold:

i) To conduct a review of the Prevention of Domestic Violence Project

In this regard, specific aspects related to relevance, effectiveness and sustainability of the Project will be reviewed, and recommendations given for the implementation of the remainder of the phase and the upcoming exit phase. Of particular interest will be the assessment of the role/contribution of the project to the implementation of the Law on Prevention of Domestic Violence which was adopted in 2013; also, the future of the Crisis Centers, their sustainability, their role in the implementation of the Law will be key aspects to consider.

Specific questions:

Impact:

- To what extent can positive behavioural changes (e.g. by victims, perpetrators, police, religious leaders) be perceived thanks to the project?
- How well is the project assessing (on the basis of the Logframe) the achieved results, and in particular the impact on the population?

Relevance:

¹ For Tajikistan, the current Domains of intervention are: Safe Urban and Rural Drinking Water Supply and Sanitation, Health, Private Sector Development and Rule of Law.

- How consistent are the achieved effects with the needs of the beneficiaries and the country's own priorities and planning?
- How consistent are the activities and outputs with the intended effects?

Effectiveness:

- To what extent have the planned results been achieved?
- In which areas/with which approaches was the project particularly successful/unsuccessful?
- What are the main challenges the project has been facing since the adoption of the law on violence in the family in Tajikistan, and how effectively has the project been addressing these challenges?

Sustainability:

- To what extent do the capacity building and work on institutional sustainability of the project civil society partners lead to results or changes in their work?
- To what extent is the project successful in supporting the national state partners (particularly: Committee on Women and Family Affairs, Ministry of Interior, Ministry of Health and Social Protection) to effectively execute their functions according to the law?
- What strategies is the project adopting and to what extent is it successful in working towards a shift from NGO provided services (parallel system) to services provided through the state?
- What are the main challenges related to the future role of NGOs in the implementation of the Law and how is the project addressing them?

Alignment:

- How well does the project complement/cooperate with other organizations working on prevention of domestic violence?
- To what extent is the project active/represented in the existing policy dialogue platforms on domestic violence (incl. promotion of the implementation of the Law)?
- To what extent does the project support the implementation of the relevant national law(s)?

Recommendations

Recommendations are expected in relation to the assessment of all the questions above. Recommendations will be on one side, for the implementation of the remainder of the phase (until August 2016) and on the other side, for the upcoming exit phase of the project (3 years).

Topics of particular importance in view of the recommendations for the exit phase:

- What should be the strategic focus (including reflections on micro-meso-macro levels) of PDV project in supporting the implementation of the law on violence in the family in Tajikistan?
- What type of assistance to the responsible agencies (Committee on Women and Family Affairs, Ministry of Interior, Ministry of Health and Social Protection, Local Authorities, etc.) would be the most effective in working towards the concrete implementation of the law?
- Support to the NGOs: what type of assistance should the project continue to give to the NGOs (what should be done differently, what should not be done/supported any more, etc.)

ii) To conduct an analysis of the Rule of Law Portfolio in view of the development of the next CS

Related to this task, the assessment of the coherence and effectiveness of the Portfolio as a whole will be a priority. Also, the relevance of having a Rule of Law Portfolio, in relation to the other sectors of the Strategy, and in relation to the other Rule of Law initiatives (by other donors), will be looked at. Recommendations with regards to adaptations to the Portfolio (in particular also in relation to the formulation of the Strategic Outcomes for the next CS) will be given. Of particular interest will be the reflections of the consultant on the topic of Prevention of Domestic Violence (e.g. should it still be continued in the new CS?) and on the issue of synergies with the other CS Domains.

The analysis and recommendations will be done on the basis of:

- Relevant background documents, including especially the ongoing external evaluations of the two ongoing projects, the upcoming results of the Evaluation of the Cooperation Strategy;
- A few key meetings which will be organized during the mission in Tajikistan
- Exchanges and discussions with NPO and Management of the Swiss Cooperation Office

Specific questions:

- To what extent is the Rule of Law Domain contributing to the development priorities of the Government of Tajikistan? Is it having any significant impact at population and/or institutional level?
- Is the Rule of Law Domain important and does it promote changes that may have an immediate or a long-term effect on the fragility, political or social conflict prevention or poverty reduction in the context of Tajikistan?
- To what extent is the Rule of Law Domain coherent and focused? How well are the projects arranged with regards to the overall goal, strategic outcomes, etc?
- To what extent have the planned results at Domain level been achieved? To what extent is the monitoring matrix of the CS adequate in measuring the results of the Rule of Law Domain?
- To what extent is SDC well positioned in the sector? What role is SDC playing (incl. in the policy dialogue) in the sector?
- How well does SDC complement/cooperate with other organisations working in the sector?
- In which areas/with which approaches was the Domain particularly successful/unsuccessful?
- To what extent are the adopted intervention strategies (e.g. macro-meso-micro) in the Domain effective?
- What are the main challenges the Domain is facing, which impact the effectiveness of the interventions?
- To what extent is SDC working with the right implementing partners and state institutions?
- What is the opinion of the governmental stakeholders, the local NGOs working with the project, and other stakeholders, about the implementing partners UNDP, Helvetas, GOPA?

Recommendations

Recommendations are expected in relation to the assessment of all the questions above.

Topics of particular interest:

- What are the recommendations for the future coherence of SDC Rule of Law portfolio in Tajikistan? Shall the topic of domestic violence remain as a topic in the future strategy?
- What are the recommendations in view of the development of the Domain Outcomes in the new Cooperation Strategy? And with regards to key indicators which could be used for monitoring and measuring results at Domain level?
- What are the recommendations in relation to SDC's role in the sector in the future, in particular also in relation to the Policy Dialogue? What capacities would SDC need to be able to play such role?
- What are the recommendations to increase a programmatic approach and to team-up with other actors in the sector or with other SDC/SECO domains in Tajikistan?
- What are the recommendations in relation to the intervention strategies at the project level?

As the final report of the CS Evaluation organized by SDC will only be available at the end of February, the reporting will be done in draft form and finalized afterwards. It is expected that the consultant will also be providing some ad hoc backstopping to the Cooperation Office, in relation to the development of the new CS (6 days desk work around March-May 2016).

3. Requested qualifications

The International Consultant should possess the following qualifications:

- Professional skills and working experience in evaluation methodologies;
- Excellent knowledge of sustainable development and cooperation in transition context, in particular with regard to project management and capitalization of experiences;
- Good knowledge of and working experience in the field of state and legal reform processes, public services development (legal and family related social services), domestic violence prevention, advocacy;
- Good knowledge and working experience in organisational and institutional development, networks, and effective cooperation between government and civil society organisations;
- Working experience in the Commonwealth of Independent States (CIS) and/or Central Asia is a strong asset;
- Excellent oral and written knowledge of English.

To support the international expert, depending on the needs a national expert might be appointed; profile and tasks will be further defined during the preparation stage.

4. Methodology and deliverables

During the preparatory stage, the consultant will review all the relevant background documents.

Based on the desk study, An inception report outlining the elements of the evaluation methodology and enriching the key questions which will be provided, is to be presented before the field mission.

A field mission of one week will be implemented, in which project visits (mainly on the Prevention of domestic violence project, to a limited extent on the Access to Justice/Civil Registry Programs), and the interviews with key stakeholders related to the Rule of Law sphere in Tajikistan will be conducted.

At the end of the mission, two debriefings will be organized. In the first, the consultant will present the preliminary findings, conclusions and recommendations related to the Prevention of Domestic Violence Project to the SCO and the implementing partner. In the second, the consultant will present the preliminary findings, conclusions and recommendations related to the Rule of Law Portfolio to the SCO.

A draft report (electronic) in English language is to be submitted to the Swiss Cooperation Office in Dushanbe within two weeks after return from the mission. The revised final report is expected two weeks after SDC/SCO staff has commented the draft.

The report is introduced by an executive summary. Its main body starts with a description of the method used and is structured in accordance with the present ToRs. Based on the mission findings, the consultant shall draw conclusions and make recommendations and present them in order of priority.

The Report should not exceed 15 pages for the PDV part, and 15 pages for the Rule of Law Portfolio part (without annexes).

5. Mandate Timetable

The mandate will be implemented in the period from 15th of November 2015 to 31st of May 2016.

The mission in Tajikistan is tentatively scheduled for the week 48 or 49.

The following total time allocation is suggested:

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|---|--------|
| - preparation, desk study: | 6 days |
| - travel (in/out): | 2 days |
| - field work: | 6 days |
| - report writing (draft, finalization) | 5 days |
| - backstopping related to development of new CS | 6 days |

Total working days: 25

8. Logistics

SCO Dushanbe shall support the international consultant in his/her travel arrangements (e.g. VISA), if required, and shall organize the field mission and provide the necessary logistical support.

9. Documentation

- Swiss Strategy for Central Asia 2012-2016
- Credit Proposal and the ProDoc with the LogFrame of the Access to Justice project
- Credit proposal and the ProDoc with the Logframe of the Prevention of Domestic Violence project
- Most recent project reports and reviews
- Relevant legal documents adopted by the Government
- ...

10. Formal aspects of the mandate

The Swiss Cooperation Office in Tajikistan is the direct mandating party for the consultancy.

Interested bidders are invited to express their interest in executing the mandate by sending an email to nathalie.barbancho@eda.admin.ch . The expression of interest shall contain a short description on motivation and competencies to implement the mandate and a CV shall be annexed.

The deadline for submitting the expression of interest is the 18th of June 2015.

The Swiss Cooperation Office reserves the right to contact the bidders to request additional information. Award of mandate and notice to unsuccessful bidders will be communicated by the end of June 2015.

Annex 2: Mission Programme

MONDAY, 30 NOVEMBER 2015

TIME	ACTIVITY	ADDRESS/CONTACT	PARTICIPANTS	REMARKS
04:30	Arrival of Erika Schlappi flight TK 254 Istanbul – Dushanbe Please go to CIP lounge Transfer from Airport to Serena Hotel	Pick-up at the Airport Serena Hotel, Dushanbe	STAIG	SCO car (Toyota LC) Driver
10:50	Pick up from Serena hotel to the Swiss Cooperation Office			SCO car Driver: tbd
11:15 – 12:00	Briefing with Peter Mikula, Director of the Swiss Cooperation Office	SCO	Erika Schlappi, Peter Mikula, Nathalie Barbancho	confirmed
12:00 – 13:00	Lunch at the Swiss Cooperation Office	SCO		confirmed
13:00 – 15:00	Briefing with Nathalie Barbancho, Deputy Director of SCO, Patricia Dvoracek, Human Rights	SCO		confirmed
15:15 – 17:15	Meeting with the Access to Justice external evaluator	SCO	Erika Schlappi, Tomas Baranovas, NIYSH	confirmed
17:15 – 18:15	Continuation of briefing with SCO Tj team	SCO	Erika Schlappi, BRN, NIYSH	confirmed
18:30	Dinner with the Head of OSCE – Amb. Markus Müller	Serena hotel		confirmed

TUESDAY, 1 DECEMBER 2015

TIME	ACTIVITY	ADDRESS/CONTACT	PARTICIPANTS	REMARKS
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8:45	Pick up from Serena hotel to Vefa Center			SCO car (Toyota LC) Driver
09:00 – 11:30	Meeting with PDV project team	PDV office, Vefa Center (8th floor)	Erika Schlappi, without NIYSH	confirmed
12:00 – 13:00	Lunch		Erika Schlappi, NIYSH	
13:15 – 14:15	Meeting with the Committee on Women and Family Affairs	CoWFA office	Erika Schlappi, translator, NIYSH	confirmed
14:30 – 15:30	Meeting with UN Women – <i>external partner</i>	Vefa Center	Erika Schlappi, NIYSH	confirmed
15:45 – 17:00	Meeting with the Crisis Center “Bovari” – <i>project partner</i>	Bovari office (Poytakht business center)	Erika Schlappi, translator, NIYSH	confirmed
18:00	Dinner with Ms. Nigina Bakhrieva (director of NGO „Nota Bene“ – <i>external opinion</i>)	tbd	Erika Schlappi, NIYSH	confirmed

WEDNESDAY, 2 DECEMBER 2015

TIME	ACTIVITY	ADDRESS/CONTACT	PARTICIPANTS	REMARKS
6:30 – 08:30	Pick up from Serena hotel and travel from Dushanbe to Kurgan-tube	Kurgan-tube	Erika Schlappi, translator, NIYSH	SCO car (Toyota LC) Driver
8:40 – 9:15	Meeting with Kurgan tube Mayor office		Erika Schlappi, translator, NIYSH	confirmed
9:15 – 10:00	Meeting with the Crisis Center “Gamhori” – <i>project partner</i>	Kurgan-tube, CC Gamkhori	Erika Schlappi, translator, NIYSH	confirmed
10:00 - 11:30	Meeting with local authorities (tbd with PDV project)	CC Gamkhori: committee of women, police	Erika Schlappi, translator, NIYSH	confirmed
12:00 – 12:30	Visit of action devoted to 16 day against DV	Rumi district, PO Mahbuba	Erika Schlappi, translator,	confirmed

			NIYSH PDV team	
13:00 - 14:00	Lunch in Kurgan-tube with PDV team	Kurgan-tube	Erika Schlappi, translator, NIYSH, PDV team	confirmed
14:05 – 15:45	A) meeting with religious leaders B) local authorities, (tbd with PDV project, Bohtar or Vahsh jamoat)	Kurgan-tube, NGO Dilafruz	Erika Schlappi, translator, NIYSH Religious leaders Jamoats & mahalla committees	confirmed
15:50 - 16:45	Meeting with NGOs “Dilafruz”, “Hamroz” and “Mahbuba” – <i>project partners</i>	Kurgan-tube, NGO Dilafruz	Erika Schlappi, translator, NIYSH	confirmed
16:45 - 18:30	Travel back to Dushanbe		Erika Schlappi, translator, NIYSH	

THURSDAY, 3 DECEMBER 2015

TIME	ACTIVITY	ADDRESS/CONTACT	PARTICIPANTS	REMARKS
08:45	Pick up from Serena hotel to Vefa Center			SCO car (Toyota LC) Driver
09:00 – 10:00	Meeting with UNDP Mr. Douglas Muir, Chief Technical Advisor UNDP Rule of Law program. – <i>project partner</i>	Vefa Center	Erika Schlappi, without NIYSH	confirmed
10:00 – 11:30	Meeting with Ms. Shahnoza Nodiri, Deputy Minister of Justice	Ministry of Justice	Erika Schlappi, translator, NIYSH	
12:00 – 13:00	Lunch with Peter Mikula	tbd	Erika Schlappi	
13:30 – 14:30	Meeting with Ms. Mavjuda Pulodi – Deputy Chairman, Council of Justice	Council of Justice	Erika Schlappi, translator, NIYSH	confirmed
15:00 – 16:00	Meeting with the Ministry of Interior – Mr.	Ministry of Interior	Erika Schlappi, translator,	confirmed

	Buhoriev Mansur Goibovich – deputy head of international relation department		NIYSH	
16:30 – 17:30	Meeting with Ms. Barbara Jung, Director of Helvetas Swiss Intercooperation	Helvetas office	Erika Schlappi, without NIYSH	confirmed
18:00	Dinner with GIZ – Viktor Kessler & Abdurazok Alimardonov (Legal Program of GIZ) – external partner		Erika Schlappi	confirmed

FRIDAY, 4 DECEMBER 2015

TIME	ACTIVITY	ADDRESS/CONTACT	PARTICIPANTS	REMARKS
08:45	Pick up from Serena hotel to Vefa Center			SCO car (Toyota LC) Driver
09:00 – 10:00	Meeting with Law Program director of OSI Tajikistan – <i>external partner</i>	Vefa Center	Erika Schlappi, NIYSH	confirmed
10:15 – 11:15	Meeting with UNICEF Child Protection officer – <i>external partner</i>	Vefa Center	Erika Schlappi, NIYSH	confirmed
12:00 – 13:00	Lunch	TBD	Erika Schlappi, NIYSH	
13:30 – 14:30	Meeting with OSCE Human Dimension Officer – <i>external partner</i>	OSCE office	Erika Schlappi, NIYSH	confirmed
15:00 - 16:00	Meeting with Ms. Nargis Zokirova – NGO “Bureau of Human Rights” – <i>external opinion</i>	BHR office	Erika Schlappi, NIYSH	confirmed
16:00 - 17:00	De-briefing with SCO team: Peter Mikula, Nathalie Barbancho, Patricia Dvoracek, Firuza Rahimova	SCO office	Erika Schlappi, MKP, BRN, DVR, RAHFI, NIYSH	confirmed
18:00	free			

SATURDAY, 5 DECEMBER 2015

TIME	ACTIVITY	ADDRESS/CONTACT	PARTICIPANTS	REMARKS
	Free morning			

12:00 – 13:00	Kahramon Sanginov – International Bar Association	Serena hotel	Erika Schlappi	confirmed
13:15	Pick up from Serena hotel to the Swiss Cooperation Office		Erika Schlappi	SCO car Driver
13:30 – 17:00	Internal workshop with the SCO team	SCO office	Erika Schlappi, BRN, NIYSH	confirmed
17:00 – 20:00	Dinner with Nathalie Barbancho	Nathalie's house		confirmed

SUNDAY, 6 DECEMBER 2015

TIME	ACTIVITY	ADDRESS/CONTACT	PARTICIPANTS	REMARKS
	Free day			

MONDAY, 7 DECEMBER 2015

TIME	ACTIVITY	ADDRESS/CONTACT	PARTICIPANTS	REMARKS
04:00	Pick up from Serena Hotel Travel to airport/ flight TK 255	Serena Hotel	Erika Schlappi	SCO car Driver