



## Justice Sector Institutional Strengthening Project (P143274)

EUROPE AND CENTRAL ASIA | Kazakhstan | Governance Global Practice |  
IBRD/IDA | Investment Project Financing | FY 2014 | Seq No: 11 | ARCHIVED on 25-Jun-2020 | ISR40877 |

Implementing Agencies: Republic of Kazakhstan, Ministry of Justice

### Key Dates

#### Key Project Dates

Bank Approval Date: 19-Mar-2014

Effectiveness Date: 22-Oct-2014

Planned Mid Term Review Date: 15-Feb-2017

Actual Mid-Term Review Date: 12-Feb-2017

Original Closing Date: 31-Dec-2018

Revised Closing Date: 31-Dec-2021

### Project Development Objectives

Project Development Objective (from Project Appraisal Document)

The objectives of the Project are: (a) to strengthen the institutional capacity of Selected Agencies for effective implementation of selected laws, and (b) to improve the efficiency and transparency of, and access to, selected public services in the justice sector.

Has the Project Development Objective been changed since Board Approval of the Project Objective?

No

### Components Table

Name

- A. Strengthening the Implementation of Key Elements of the Legal and Institutional Framework:(Cost \$2.35 M)
- B. Improving the Service Quality and Responsiveness of the Ministry of Justice:(Cost \$11.86 M)
- C. Strengthening Judicial Efficiency and Professionalism:(Cost \$4.91 M)
- D. Project Implementation and Coordination:(Cost \$4.88 M)
- Contingency:(Cost \$3.00 M)

### Overall Ratings

Name	Previous Rating	Current Rating
Progress towards achievement of PDO	<input type="checkbox"/> Moderately Satisfactory	<input type="checkbox"/> Moderately Satisfactory
Overall Implementation Progress (IP)	<input type="checkbox"/> Moderately Satisfactory	<input type="checkbox"/> Moderately Satisfactory
Overall Risk Rating	<input type="checkbox"/> Substantial	<input type="checkbox"/> Moderate

### Implementation Status and Key Decisions

**The project restructuring was approved by the RVP on May 14, 2020, to allow for the completion of ongoing activities that are critical to enhance Kazakhstan's business environment and rule of law, and enable sustained and timely delivery of critical public sector services in the context of the COVID-19 pandemic.** Intrinsic to the restructured project design is the scale-up approach to implementation that requires expansions of the cope of work of some contracts. In this regard and with the need to address COVID-19 related measures, the component activities will be continued and adapted as per government requirements.

**Summary progress status of Project Components:**



- *Component 1 “Legal and Institutional Framework”* supported the advancement of constitutional and law enforcement reforms by: providing just-in time expertise to commentaries on constitutional amendments; introducing elements of the adversarial system into the Kazakh legal system; and guaranteeing citizens’ constitutional rights in criminal proceedings. In order to ensure uniform law enforcement, scientific and practical commentaries to the Constitution, the Civil Procedure Code and the Administrative Code were developed. Recommendations and draft laws were developed to improve the legislative rule-making standards and process, enhance business regulations (for instance with the introduction of English common law standards), and increase transparency and the legal culture of citizens through legal outreach and advocacy. In addition, new tools and mechanisms to increase awareness of the public in lawmaking process were enshrined in this draft law. Activities directed to strengthening institutional capacities of the MoJ in the field of administrative justice and administrative procedures are underway. This includes workshops and training of key stakeholders such as public officials, judges and parliament members on legislative amendments, secondary legislation and commentaries to draft Administrative Procedures and Procedural Code (APPC). These activities are expected to increase transparency and access to state bodies, in turn ensuring the rule of law in the relationship between public authorities and the civil society.
- Under *Component 2 “MoJ Service Quality and Responsiveness”*, efforts have been carried out to strengthen the country's forensic capabilities and, in particular, improve the professional skills and competencies of the forensic experts. Specifically, 211 experts were trained and undertook 21 types of forensic examinations in advanced laboratories and institutions around the world, such as the King's college's department of Forensics in London. The MoJ's Information and Communications Technology (ICT) strategy has been elaborated and approved; recommendations have been developed to improve the legal and institutional framework for the provision of judicial services, lawyer and notary activities, the activities of justice bodies, state-guaranteed legal aid, registration of real estate rights, and acts of civil status. In addition, to ensure uniform law enforcement practices, scientific and practical commentaries to the laws "On state registration of rights to immovable property" and "On forensic activities" were developed, as well as to draft laws aimed at improving state-guaranteed legal aid and notarial activities. Further activities are underway to strengthen the MOJ's capacity in the field of judicial expertise, the registration of legal entities, their branches and representative offices, legal outreach and education, private enforcement of judicial acts and intellectual property. Legal outreach programs to raise awareness of, and increase legal predictability for producers, stakeholders and other subjects about intellectual property rights and their exercise were developed and conducted. Draft laws aimed at reforming the fields of intellectual property and the improvement of justice bodies activities were also drawn up. Once passed, the implementation of these legislation will strengthen the MOJ's capacity to represent and defend the country's interests on the global stage and improve the openness and transparency of justice bodies activities.
- Under *Component 3 “Judicial Efficiency and Professionalism”*, advisors and judge assistants were engaged to improve the efficiency of two pilot courts and their judicial staff in Astana. The work performed under this component has resulted in increased efficiency of service delivery and case administration as well as reduced case backlogs in the pilot courts supported by the Project. Moreover, both the SC and the Academy of Justice's ICT Strategies were developed and approved. The capacity of the SC staff with regards to court administration and e-justice were strengthened through a series of knowledge-sharing events and technical visits, including a visit to the Singapore judiciary. Other activities underway include: activities aimed at developing the quality management system of the administration of justice; public opinion surveys to assess citizens’ perception of the quality of justice, the level of public trust in the judiciary, and citizens’ overall satisfaction with the justice system; activities directed to improve the application of the Code of Judicial Ethics; and a court mapping exercise aimed at optimizing the courts’ geographical presence and the caseload allocations to enhance justice service delivery. The Project also provided support to the creation and institutional strengthening of the HJC, which is an autonomous body responsible for selecting and evaluating judges. Specifically, the Project supported reforms in the selection process of both judges and judge candidates to enhance transparency and raise public trust in the judiciary.

**Moving forward**, in line with the approved project restructuring, the Bank team will support the development of the plan for COVID-19 response related contracts. This plan is expected to be finalized by end September 2020.

## Risks

### Systematic Operations Risk-rating Tool

Risk Category	Rating at Approval	Previous Rating	Current Rating
Political and Governance	--	☐ Substantial	☐ Moderate
Macroeconomic	--	☐ Substantial	☐ Substantial
Sector Strategies and Policies	--	☐ Substantial	☐ Moderate
Technical Design of Project or Program	--	☐ Substantial	☐ Moderate



Institutional Capacity for Implementation and Sustainability	--	<input type="checkbox"/> Moderate	<input type="checkbox"/> Moderate
Fiduciary	--	<input type="checkbox"/> Substantial	<input type="checkbox"/> Substantial
Environment and Social	--	<input type="checkbox"/> Low	<input type="checkbox"/> Low
Stakeholders	--	<input type="checkbox"/> Substantial	<input type="checkbox"/> Moderate
Other	--	<input type="checkbox"/> Substantial	<input type="checkbox"/> Substantial
Overall	--	<input type="checkbox"/> Substantial	<input type="checkbox"/> Moderate

## Results

### PDO Indicators by Objectives / Outcomes

Strengthen institutional capacity of selected agencies for effective implementation of selected laws				
► Availability of new tools and mechanisms for public participation in lawmaking, enshrined in draft law and subordinate legal acts (Yes/No, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	No	Yes	Yes	Yes
Date	31-Dec-2014	23-Aug-2019	14-Jun-2020	31-Dec-2021
Comments:	<p>Under QCBS-04, the draft law "On introduction of amendments and additions into certain legislative acts of the Republic of Kazakhstan on improvement of rule-making" was prepared, approved by the Government and submitted to <i>Majilis</i>, the Lower Chamber of the Parliament in December 2019. The proposed new tools and mechanisms include:</p> <ol style="list-style-type: none"> <li>1. Implementation of the "Regulatory policy advisory document" and the "draft concept" (based on the White and Green books). The Regulatory policy advisory document is discussed by the public (target groups), public councils, NCE "Atameken" and expert councils. The Regulatory policy advisory document ensures public involvement in rulemaking through public discussions on the web-site of the open normative legal acts; public hearings involving the media in an open format; and public debates (for the most significant initiatives that have high social risks). The draft concept is being discussed by government agencies and interested organizations.</li> <li>2. Introduction of the Institute for evaluating the effectiveness of legislation in the framework of legal monitoring;</li> <li>3. Providing the necessary time for citizens to prepare for the new regulation. It involves mandatory informing and providing explanations to the public and business about legislative changes.</li> <li>4. Establishing an obligation to develop a support and clarification program;</li> <li>5. A requirement to send mandatory messages to the maximum number of subjects covered by the relevant regulation, as well as other ways to bring information about legislative initiatives to the widest range of subjects, starting from the stage of developing the concepts of draft laws is being introduced;</li> <li>6. Improving scientific and legal expertise, including avoiding the involvement of expert organizations and creating conditions for all scientific experts with relevant knowledge to participate in this process;</li> <li>7. Implementation of E-legislation</li> </ol> <p>The Project team is closely monitoring the law approval process to ensure that the clauses related to the new tools and mechanisms for public participation in lawmaking are approved</p>			
Improve efficiency, transparency of, and access to selected public services in the justice sector				



► Availability of new tools that improve the awareness of eligible vulnerable groups on obtaining free legal aid (Yes/No, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	No	Yes	Yes	Yes
Date	31-Dec-2013	23-Aug-2019	14-Jun-2020	31-Dec-2021
Comments:	<p>The new law "On advocacy and legal aid" was supported by QCBS-05 "Improvement of Property Registration, Valuation Services and State-Guaranteed Legal Aid". It was adopted on July 5, 2018. The law envisages the following tools and mechanisms to ensure appropriate access to free legal aid:</p> <ol style="list-style-type: none"> <li>1. MoJ ensures the publication of information on the legal aid system and annual results at least once a year in mass media distributed on the whole territory of Kazakhstan and online at its website;</li> <li>2. MoJ ensures public legal awareness about persons providing free legal aid, mechanisms, grounds and conditions to provide free legal aid;</li> <li>3. Creation of a unified information system of legal aid.</li> </ol> <p>The consultant also proposed to (i) establish network of offices or centers only for eligible groups, (ii) introduction of primary and secondary legal aid, (iii) introduction of hotline to process urgent requests and complaints and (iv) develop online consulting. Recommendations on network of centers, primary and secondary legal aid are being worked out under instruction of the Office of President of the RK on the improvement of free legal aid service system. Online consulting services are being worked out in the framework of creation of unified information system of legal aid.</p>			
► Increased number of licensed forensic experts (Number, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	607.00	655.00	750.00
Date	31-Dec-2013	23-Aug-2019	14-Jun-2020	31-Dec-2021
Comments:	The cumulative number of licensed forensic experts reached 655 compared to 6 in 2015.			
► Publication on the Supreme Court website of main outcomes of regular monitoring of court performance and reports on implementation of SC recommendations (Yes/No, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	No	Yes	Yes	Yes
Date	31-Dec-2013	23-Aug-2019	14-Jun-2020	31-Dec-2021
Comments:	Supreme court publishes the results of regular monitoring at <a href="http://sud.gov.kz/">http://sud.gov.kz/</a>			
► Percent of users of JSISP-supported pilot courts expressing they are 'fully' or 'somewhat' satisfied with the quality of judicial services (Percentage, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	27.00	89.00	89.00	92.00
Date	31-Dec-2013	23-Aug-2019	14-Jun-2020	31-Dec-2021
Comments:	The data comes from the questionnaires (internal users) and exit poll results (external users) conducted by the Advisors to the two Pilot Courts in Astana. The last survey was conducted in 2018. The data will be updated once the user surveys are completed under UNDP-04 by December 2020 subject to no COVID-19 related interruptions. Under UNDP-04 a new survey of court users is developed, which includes three			



modules: telephone interviews with a random sample of more than 3,000 citizens to measure public trust in courts; exit polls of court users; and focus-group discussions. Despite the restrictions imposed by the COVID-19 lockdown in Kazakhstan, the telephone interviews were conducted in March-April 2020, and the results are being analyzed. The focus group discussions are currently being adapted to an online format and will be conducted after the focus group questions are modified based on the results of the telephone interviews. Finally, the exit polls were started in March 2020, but had to be postponed due to the closure of courts and social distancing requirements following the coronavirus outbreak.

► Number of forensic laboratories with international and domestic certification (Number, Custom)

	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	--	0.00	3.00
Date	16-Apr-2020	--	14-Jun-2020	31-Dec-2021
Comments:	This is a new PDO level indicator, which was added during the May 2020 restructuring.			

► Formalization of the High Judicial Council's institutional transformation policy by ensuring the use of transparent mechanisms, including in automated mode, for selection of judges (Yes/No, Custom)

	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	No	--	No	Yes
Date	16-Apr-2020	--	14-Jun-2020	31-Dec-2021
Comments:	This is a new indicator added during the May 2020 restructuring.			

**Intermediate Results Indicators by Components**

A. Strengthening the Implementation of Key Elements of the Legal and Institutional Framework

► Percentage of producers, copyright holders, and other entities, expressing they are 'fully' or 'somewhat' satisfied with the draft law, aimed at intellectual property rights and its protection (Percentage, Custom)

	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	0.00	0.00	60.00
Date	31-Dec-2016	23-Aug-2019	14-Jun-2020	31-Dec-2021
Comments:	QCBS-05 "Improving Standards in the Field of Intellectual Property" was signed in March 2018. Work in progress: the draft law, aimed at improvements in IP was originally planned for April 2019, but was moved to December 2019 by the Parliament and is still under the review. A survey of user satisfaction with the draft law was conducted; the results will be available in August 2020.			

► Number of laws and legislative acts supported under the project that are implemented (Number, Custom)

	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	--	1.00	3.00



Date	31-Dec-2014	--	14-Jun-2020	31-Dec-2021
Comments:	This is a new intermediate indicator added during the May 2020 restructuring.			

#### B. Improving the Service Quality and Responsiveness of the Ministry of Justice

► Publication on the respective websites (in situation center and similar display mechanisms) of the Ministry of Justice, the Supreme Court and pilot courts, supported by the projects, statistics on jud (Yes/No, Custom)

	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	No	Yes	Yes	Yes
Date	31-Dec-2013	23-Aug-2019	14-Jun-2020	31-Dec-2021
Comments:	Web-links to the SC and MOJ information: <a href="http://sud.gov.kz/rus/kategoriya/statisticheskie-dannye-sudov">http://sud.gov.kz/rus/kategoriya/statisticheskie-dannye-sudov</a> <a href="http://www.adilet.go.v.kz/ru/articles/informaciya-po-indikatoru-registraciya-sobstvennosti-0">http://www.adilet.go.v.kz/ru/articles/informaciya-po-indikatoru-registraciya-sobstvennosti-0</a>			

► Direct project beneficiaries (Number, Custom)

	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	3,266.00	4,158.00	5,000.00
Date	31-Dec-2013	23-Aug-2019	14-Jun-2020	31-Dec-2021
Comments:	Direct project beneficiaries include the staff of the MOJ, Supreme Court, and other agencies and justice sector organizations who received training or participated in seminars organized by the Project.			

□ Female beneficiaries (Percentage, Custom Supplement)

	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	56.26	34.82	55.00

#### C. Strengthening Judicial Efficiency and Professionalism

► Average number of days for disposal (from filing to final decision) of civil (including tax and family) cases in pilot courts supported by the project (Days, Custom)

	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	420.00	61.00	60.00	61.00
Date	31-Dec-2013	26-Feb-2019	14-Jun-2020	31-Dec-2021
Comments:	99.0 percent of cases in pilot courts were disposed of within 60 days. According to the SC data, the distribution of cases disposal rate is as follows: 16.7% of total number of cases in pilot courts were disposed of within up to 3 days. 53.6% of total number of cases in pilot courts were disposed of within 3 to 30 days. 28.7% of total number of cases in pilot courts were disposed of within 31 to 60 days. 0.8% of total number of cases in pilot courts were disposed of within 61 to 90 days. 0.2% of total number of cases in pilot courts were disposed of within 91 to 180 days.			



▶ New Concept of Judicial Modernization for 2018-2020 (Yes/No, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	No	No	No	Yes
Date	31-Dec-2014	23-Aug-2019	14-Jun-2020	31-Dec-2018
Comments:	A Concept Paper was prepared by the Supreme Court in February 2018. Drafting the Strategy of Judicial System Development was planned for 2019 under the Agreement #KZJSISP/MOJ/UNDP-04. The Agreement was signed on June 14, 2019. Due to the reduced scope of the contract, it will now support drafting of selected reforms related to the quality of judicial administration. The results of the users survey to be financed by the UNDP-04 will also shed a light on weaknesses in judicial system and help set a benchmark for measuring the progress towards results.			
▶ Percent of judges and judicial staff trained under the Project, expressing they are 'satisfied' or 'fully satisfied' with training courses (Percentage, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	95.00	95.00	75.00
Date	31-Dec-2013	28-Jan-2019	14-Jun-2020	31-Dec-2021
Comments:	The data is derived from satisfaction questionnaires disseminated during or after an event. No training courses were held in 2019.			
□ Percent of women judges and women judicial staff trained under the Project expressing they are 'satisfied' or 'fully satisfied' with training courses (Percentage, Custom Breakdown)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	93.00	93.00	75.00
Date	31-Dec-2013	28-Jan-2019	14-Jun-2020	31-Dec-2021
▶ Percentage of external judge candidates (applicants who are advocates, notaries, legal consultants, legal professionals from the corporate sector, etc.) (Percentage, Custom)				
	Baseline	Actual (Previous)	Actual (Current)	End Target
Value	0.00	--	0.00	16.00
Date	31-Dec-2013	--	14-Jun-2020	31-Dec-2021
Comments:	This is a new indicator added during the May 2020 restructuring.			

**Performance-Based Conditions**

**Data on Financial Performance**

**Disbursements (by loan)**

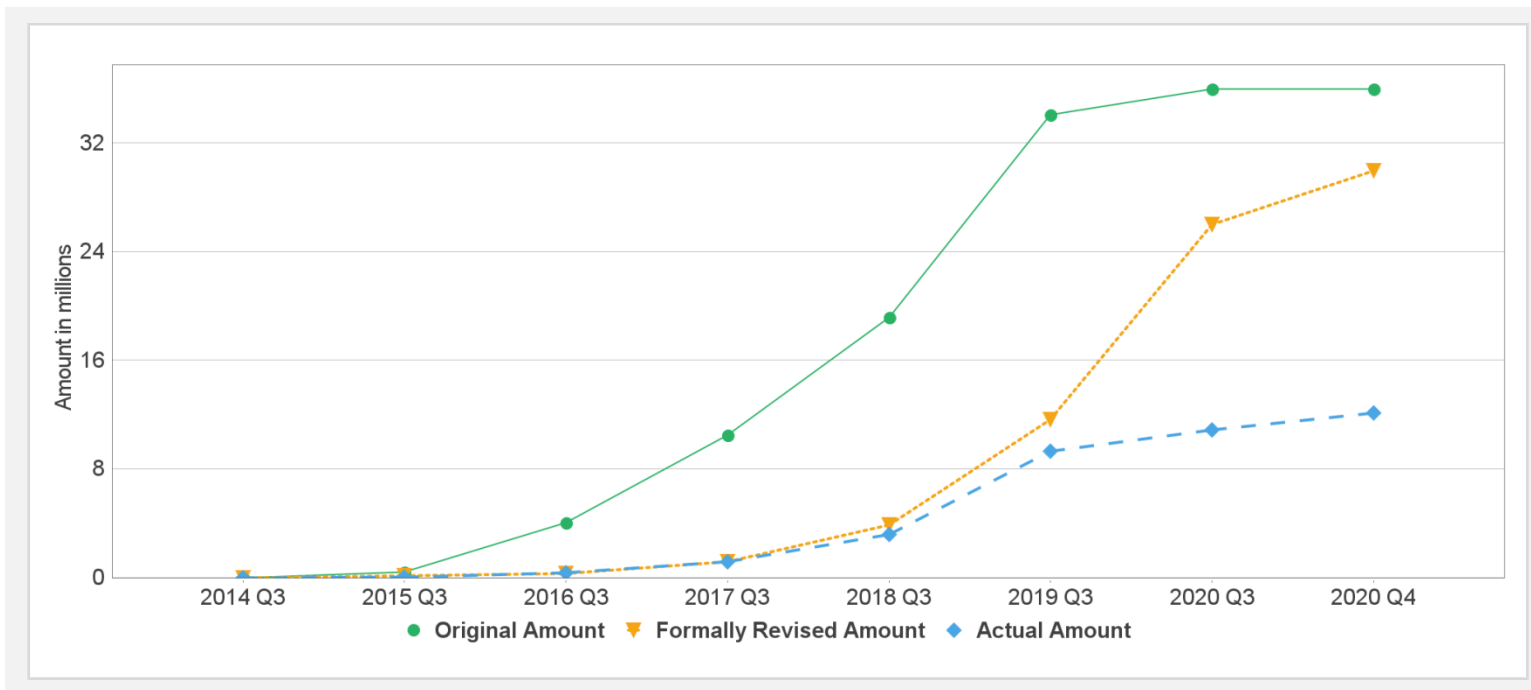


Project	Loan/Credit/TF	Status	Currency	Original	Revised	Cancelled	Disbursed	Undisbursed	% Disbursed
P143274	IBRD-83610	Effective	USD	36.00	27.00	9.00	12.15	14.85	45%

**Key Dates (by loan)**

Project	Loan/Credit/TF	Status	Approval Date	Signing Date	Effectiveness Date	Orig. Closing Date	Rev. Closing Date
P143274	IBRD-83610	Effective	19-Mar-2014	29-Apr-2014	22-Oct-2014	31-Dec-2018	31-Dec-2021

**Cumulative Disbursements**



**PBC Disbursement**

PBC ID	PBC Type	Description	Coc	PBC Amount	Achievement Status	Disbursed amount in Coc	Disbursement % for PBC
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**Restructuring History**

Level 2 Approved on 17-May-2018 ,Level 2 Approved on 03-Aug-2018 ,Level 2 Approved on 14-May-2020 ,Level 2 Approved on 21-May-2020

**Related Project(s)**





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There are no related projects.

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