

**TERMS OF REFERENCE**

**PREPARATION AND CONDUCTING STUDY TOUR TO THE CZECH REPUBLIC  
FOR LEARNING CZECH EXPERIENCE IN THE FIELD OF PRO BONO / FREE  
LEGAL AID FOR PARTICIPANTS FROM UZBEKISTAN**

**1. Background**

Below described project refers to the UNDP project “Development of Capacities of the National Human Rights Institutions in Uzbekistan” which supports the implementation of UNDP's policy on human rights. The UNDP project aims at strengthening the capacities of the national human rights institutions and other relevant bodies to effectively fulfill their mandates for promotion and protection of human rights. One of the areas taken on by the project where support of international partners is needed is development of the legal aid system. Currently, the legal aid system in Uzbekistan is on its initial stage. The free legal aid is provided by lawyers under the financial support of the government only under the criminal procedure code in cases when average monthly income of defendant is lower than USD 30. Some free legal aid is provided by lawyers of good will and several legal clinics. But they also are limited because of legislation restrictions. There is no pro bono legal support in civil and administrative procedure at all. To assist the Government in establishing a state supported legal aid system, the Project has supported National Human Rights in drafting law on legal aid. Currently it's being discussed on the stakeholders' level with the parliament discussions expected in 2011. In this regard, the Project has received requests from its counterparts (especially from the National Human Rights Center and Legal Clinics) to organize a study tour to learn good practices of establishing legal aid system, preferably in Eastern or Central Europe.

The project also supports the development of legal clinical education in the country. Several universities that have law departments (in Tashkent, Namangan and Nukus) opened legal clinics. Mandate of the law clinics includes training of the future lawyers enabling them to provide best legal aid to those in need and access to justice to all groups of population, especially to vulnerable ones. UNDP is supporting three existing legal clinics (under the University of World Economy and Diplomacy, under Tashkent State Law Institute and under the Lawyers' Training Center) and assisting to expand legal clinical education to the regions (in Namangan and Nukus), thus increasing the number of people who can get access to free legal aid and let students in other regions enjoy the benefits of legal clinical education. Within 2009 more than 150 students from 5 legal clinics have been already involved into clinical legal education process and more than 550 people have got free legal support from legal clinics in Uzbekistan.

Thus, the experience of Czech Republic in establishing legal aid in criminal and civil proceedings, including that provided by Czech Bar Association (including private law firms), legal clinics and NGOs will be of special interest for Uzbekistan.

**Goals & Objectives:**

The project aims at strengthening the capacities of the national human rights institutions and relevant bodies such as Uzbekistan Bar Chamber to effectively fulfill their mandates for promotion and protection of human rights. For this purpose, the project facilitates:

1. Assistance to improve effectiveness and efficiency of the work practices of the national human rights institutions and similar bodies,
2. Developing capacities of partner organizations through training, advocacy, information and other education activities,
3. Support to access to justice for the poor through development of clinical legal education.

The main objective of Study Tour is to support the access to justice for the poor through development of clinical legal education based on Czech experience in the field. The participants of the study tour will be able to improve their capacity and knowledge in the following areas:

- Czech experience in harmonizing domestic law on legal aid with the relevant international and EU standards;
- Legal and institutional framework of Czech legal aid system;
- Good practices in fund-raising and human resource management of legal aid organizations;
- Advance training and professional courses available for lawyers;
- Czech experience in sphere of integration of clinical legal education into curriculums and structure of universities;
- Structure and content of Legal Clinics study program and its correspondence with the practice;
- Strategy planning in the area of legal aid development;
- How to spread information concerning access to legal aid;
- Basic principals of legislative regulation of Legal Clinics' activity and legal aid system;
- Main spheres of cooperation of Legal Clinics with the government, NGOs and among themselves;
- How to attract students into clinical legal activity (ex., additional credits for students, certification, etc.);
- Documents circulation procedures in Legal Clinics;
- Cooperation mechanism among providers of free legal aid (visits to 2-3 NGOs providing free legal aid);
- Rendering pro bono legal service by private law firms (field visits to 1-2 well-established law firms with pro bono practice)
- Judicial system of Czech Republic.

Specifically, the study tour to the Czech Republic is expected to result in the following:

1. Increased knowledge in the field of legal aid in Czech Republic and relevant procedures for providing legal aid;
2. Share best practices by visiting the Czech Bar Association and 2-3 legal clinics under Czech law schools (e.g. in Prague and Olomouc);
3. Learn Czech legal aid system established by the Association;
4. Identify new ways of establishing legal aid system in Uzbekistan.

### **3. Expected Outcomes/results**

The participants will be able to contribute to:

- Develop and revise the curriculum for teaching and training of legal clinic students;
- Establish network with Czech colleagues for new partnership opportunities;
- Organize a round table on exchange of lessons learnt and present findings to respective government agencies (presentation of enhanced clinical legal education system to stakeholders);
- Implement best practices in the work of the relevant Uzbek agencies and mainstream them in their clinics
- Review study courses of Uzbek Legal Clinics;
- Implement best practices in sphere of attraction of human and financial resources into clinical legal activity;
- Elaborate articles on exchange of experience in sphere of pro bono legal aid by study tour participants;
- Prepare list of proposals by study tour participants for universities' administration on integration of clinical legal education into law school curriculum;
- Prepare amendments into Uzbek draft law on pro bono legal support using Czech lessons learnt.

### **4. Participants:**

The study tour group from Uzbekistan will consist of 13 representatives of legislative and executive authorities and respective UNDP project personnel, including:

- Ministry of Justice (1 person),
- Ministry of Higher and Secondary Special Education (1 person),
- Legal clinics (9 persons)
- 2 Project staff

### **5. Duration of the study visit:**

Period of the task implementation is 2 months which covers the preparation of the 5-days study tour (logistics, ensuring experts, organizing site visits) and conduction of the study tour.

The Study Tour will last 5 working days and shall tentatively take place in first week of July 2010.

## **6. Reporting**

The Contractor is responsible for submission of:

- Progress report from the preparatory phase of the implementation of the project and final report on the study tour implementation including all study materials and participants' evaluation of the study tour.

UNDP Uzbekistan, the requesting officer, is responsible for submission of:

- Brief summary report on study tour results, lessons learnt and possibilities of further follow-up activities. This report will be delivered by requesting officer from UNDP Uzbekistan to Ms. Barbora Novotna, UNDP BRC.

## **SPECIFIC INSTRUCTIONS**

### **A: Description of the activities and services required**

The following activities are envisaged to contribute to attainment of overall objective:

- range of presentations by relevant practitioners and experts
- visits to relevant institutions and meetings with relevant stakeholders
- provision of guidance materials into Uzbek
- ensuring relevant contacts as well as other relevant information according to participants' expectations

#### **1) Preparatory activities:**

- Communication with UNDP office in Uzbekistan and UNDP office in Bratislava
- Selection of participants with cooperation of UNDP Uzbekistan and UNDP office in Bratislava
- Identification of the Study Tour priority areas (details of the programme and topics to be covered)

#### **2) Organization of the Study Tour:**

- Logistics of the whole study tour including transportation and hotel arrangements, assistance with visa procedure (invitation letters), interpretation, etc.
- Programme preparation and organization: experts to be consulted, visits to selected institutions, social event (e.g. dinner, sightseeing or similar) and other activities (informal meetings, roundtables, discussions etc.).

#### **3) Preparation of the Study Tour materials and guidelines:**

The study tour materials, documentation, guidelines, etc. for handing over to the participants shall cover main topics as described above.

- 4) Preparation of database of Czech experts and relevant institutions which can be used for further consultations and networking
- 5) Preparation of the written report on the implementation will be required (consisting of a Progress report and a Final report).

## **B: Qualification required**

The experts/organization should have:

- Demonstrated experience with cooperation with all stakeholders: universities, law-enforcement, NGOs, local governments, etc.;
- Experience in designing and delivering of trainings and training modules;
- Previous experience in organization of the workshops and study visits;
- Previous working experience within the stakeholders from international organisations; Europe & CIS region is a merit;
- Understand the mandate and practices of UNDP and other international organisations;
- Appropriate references will be considered an advantage.
- Good communication skills, exceptional interpersonal skills and cultural sensitivity
- Proficient knowledge of English
- Proficient knowledge of Russian will be an asset

## **C: Proposal content and form** (*see also Annex I – Instructions for Offerors and Annex V – Price schedule*)

Technical proposal should include the following:

Draft programme of the study tour – including topics to be covered in theoretical part (lectures, presentations, discussions, etc.), experts to be consulted, visits to selected institutions with brief reasoning of selection of the respective institution, other proposed activities (informal meetings, roundtables, discussions, etc.) and social event (e.g. dinner, sightseeing, or similar);

- Proposed time schedule for the activities to be carried out as per the ToR;
- Interpretation into Uzbek
- Description of topics and areas to be covered in study materials, guidelines, etc. for handing over to the participants;
- Methodology of study tour evaluation;
- Description of general logistics – what type of transport (public transport, rented mini/bus,...) will be used, type of accommodation (single rooms are required) and other services provided, including type of premises for lectures, technical equipment, refreshments, etc.;
- CVs of both internal and external experts;
- Other proposed activities (informal meetings etc.).

- Information about corporate social responsibility (CSR) of the company. If two proposals are evaluated to be identical or with minimal differences, company with better CSR program may be given preference.
- Information about “green” efforts/ green policy of the company. If two proposals are evaluated to be identical or with minimal differences, company with better green program may be given preference.

Financial proposal should be prepared separately for each activity according to the attached budget template in Annex V

- The format in *Annex V* pages should be used in preparing the price schedule. The format includes specific expenditures, which may or may not be required or applicable but are indicated to serve as examples.

In addition to the hard copy, please also provide **all the information on CD-R. Two separate CDs** are required for technical proposal and financial proposal.