

Search for Common Ground Kyrgyzstan



Final Evaluation

*Promoting Religious Freedom Through
Government and Civil Society
Collaboration in the Kyrgyz Republic*

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Julv 2017. Bishkek

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Abbreviations

CGA	Common Ground Approach
DRL	Bureau of Democracy, Human Rights and Labor
MIA	Ministry of Internal Affairs
MoES	Ministry of Education and Science
MoJ	Ministry of Justice
MSWG	Multi-Stakeholder Working Group
SCFE	State Center for Forensic Expertise under the Ministry of Justice
SCNS	State Committee for National Security
CSO	Civil Society Organization
SCRA	State Commission for Religious Affairs
Search	Search for Common Ground
TOR	Terms of Reference
WG	Working Group

Executive Summary

This report presents findings of the external evaluation of the project “*Promoting Religious Freedom through Government and Civil Society Collaboration in Kyrgyzstan*” implemented by Search for Common Ground (Search) with financial support from the United States Department of State Bureau of Democracy, Human Rights, and Labor. The project officially started in May 2015 and ended in May 2017. It aimed to promote religious freedom in the Kyrgyz Republic through working with executive, legislative, and judicial government institutions, as well as civil society stakeholders. The project had three specific objectives:

- To strengthen the legal framework in support of the protection of religious freedom;
- To increase the knowledge of local judges on national and international laws in terms of religious freedom;
- To increase public oversight of cases of religious freedom.

In light of the project’s closure, an external evaluation (hereafter evaluation) was commissioned by the project. The main focus of the project evaluation was to -

- evaluate the design, implementation, and outcome of the project, specifically assessing its **relevance**;
- analyze the **effectiveness** of the project by providing an analysis of the extent to which it met its goals and objectives, compare its actual outcomes against the ones outlined in the project proposal, and identify its unintended outcomes;
- advise on the depth and scale of the project’s **impact**;
- explore the **sustainability** of the project;
- examine the following key areas:
 - a) increased beneficiary capacity,
 - b) participatory approach,
 - c) coordination among implementing partners.

The evaluation team used a range of qualitative data collection tools during the evaluation fieldwork. Overall, more than thirty semi-structured interviews were conducted with relevant Search staff, donor representatives, government representatives, judges, civil society organizations, independent experts, and academics from Bishkek city and Batken, Osh, Jalalabad, Chui, and Issyk-Kul regions. Focus group discussions were also conducted with civil society representatives, who participated in the project. More than 35 documents were reviewed. The evaluation collected and analyzed data based on the OECD-DAC criteria: relevance, effectiveness, intermediate impact and sustainability. To assess the degree to which the project scored along these aforementioned criteria, a scale of high, moderate, and low was used. Below are the key findings.

Relevance (section 2.1.)

The relevance of the project was assessed as **high**. The project’s design and implementation were in line with the government’s efforts and a state policy on the promotion of religious freedom. In particular, the project was congruent with the State Policy on Religion for 2014-2020 and the National Sustainable Development Strategy for 2013-2017. The analysis of the situation on religious freedom in Kyrgyzstan showed that there was a need for different government and non-government actors to come together to discuss issues of religious freedom and come up with joint solutions. The evaluation identified that the project addressed this gap by creating a Multi-Stakeholder Working Group (MSWG), which included different actors from government and civil society, to work together to address the issues of religious freedom.

Effectiveness (section 2.2)

All of the project outputs in the project proposal and log-frame were implemented. The project had four foci: enhancing knowledge of judges, enhancing communication and collaboration of government and non-government actors, institutionalizing the efforts initiated by the project, and monitoring of court cases. The effectiveness of the project activities was assessed as **high**.



Pic 1: Judges are working during the group work, Training for Judges on April 21-22 in conference hall of Sunrise Hotel, Osh city. Photo by N. Zhakypova

Enhancing knowledge of judges. The evaluation identified that the project aimed to increase the knowledge of local judges on national and international laws on religious freedom. Thus, the project worked with legal experts to develop a curriculum and an accompanying guidebook on religious freedom based on the existing national and international legislation. These materials were developed for judges to provide them with information for the protection of religious freedom and beliefs in the Kyrgyz Republic.

As planned, in 2016, a two-day training on religious freedom and the judicial system was delivered to 40 judges from all seven provinces. It was highly valued by the judges, who reported an increase of their knowledge. With reference to the success of this training, the Higher School of Justice under the Supreme Court of the Kyrgyz Republic requested that Search deliver additional training to judges. Consequently, the project provided extra training to judges in 2017.

Enhancing communication and collaboration between government institutions and civil society organizations a legal framework on religious freedom in Kyrgyzstan. The project made a significant input in strengthening collaboration between government and civil society actors by creating a MSWG and small working groups (WGs) where representatives from the government, CSOs, and religious experts came together to collaborate. According to the evaluation respondents, such collaboration never happened in the past due to contrasting views of these stakeholders and sensitivity of the issue of religious freedom.

Institutionalizing the efforts initiated by the project. The legislative and regulatory initiatives and other intellectual products developed within the project included the following (discussed in detail in Section 2.2.3.):

- Practical Commentary to the Law of the Kyrgyz Republic “On Freedom of Religion and Religious Organizations in the Kyrgyz Republic.”
- Expert Analysis of the Regulatory Environment of Burials of Religious People in Kyrgyzstan, including the Evaluation of the Draft Law on Burial issues.
- Publication “Human Rights for Dignified Burial.”
- Instructions on Provision of Land for Burials.
- Comprehensive Religious Studies and Psycholinguistic Expert Examination Methodology.
- Guidebook for “Monitoring of the Status of Religious Freedom and Belief.”
- Report on the Results of Monitoring of Trial Cases for Status of the Right for Freedom of Religion.
- Guidance for Judges “Freedom of Religion and Administration of Justice.”
- Curriculum for Training Judges on Freedom of Religion and Administration of Justice.
- Concept of reforming religious studies and religious education.

All of these outcomes were produced as a result of the intense and productive work of small inter-agency WGs, which were established within the project, and external consultants supported by the project staff. Institutionalization of the produced legislation and other legal documents was ensured by the establishment of official partnerships and approval of these documents by the relevant government agencies.

Monitoring of religious freedom cases.

The project worked with civil society representatives from the northern and southern parts of the country to monitor and document cases where various groups' rights to freedom of religion were violated. Civil society monitors were trained to use the developed comprehensive monitoring tools. As a result, 28 cases on freedom of religion were identified across the country and closely monitored. Based on the monitoring of identified cases, a report on the current court practices was produced and recommendations were developed to ameliorate the present shortcomings. The report was shared with the relevant state authorities, such the Supreme Court, and MSWG members.



*Pic 2: Public Oversight on Religious Freedom Training for CSO on May 30-31, 2016 in conference hall of Sunrise 2 Hotel, Osh city.
Photo by N Zhakypova*

Intermediate Impact (section 2.3.)

Based on the evaluation findings, the impact of the project was rated as **high**. The project contributed to strengthening the legal framework on religious freedom by defining the gaps in the legislation and filling these gaps by developing a number of legislative documents, guidelines and publications.

The doctrine commentary to the religious law of the Kyrgyz Republic was developed to avoid misinterpretation of the law. The doctrine thoroughly examined each article of the current law and explained its provisions in accordance with the Constitution and other normative legal acts of the Kyrgyz Republic. It also showed the existing problems in law enforcement practice. The commentary is intended for judges, state officials, lawyers, students, postgraduates, researchers, and teachers at higher education institutions.

The Legal Analysis of the Regulatory Environment of Burials of Religious People in Kyrgyzstan, including the Evaluation of the Draft Law on Burial issues, was conducted by the project. The analysis showed that the problem with cemeteries should be resolved in the near future to prevent serious inter-religious conflicts, which can lead to the radicalization of religious minorities.

Publication of "Human Rights for Dignified Burial" and the development of the **Instructions on Provision of Land for Burials**, which is in the process of approval by the government, could play a great role in eliminating tension among religious groups on the issues of burials. The developed handbook on burial issues has been tested in the project's regions and received positive feedback. The publication was distributed to the representatives of the local government and human rights

defenders in some target regions.

The religious studies and complex judicial psycho-linguistic expertise methodology was developed by the project's WG - the first expertise of its kind in the Kyrgyz Republic. As a result, the Ministry of Justice (MoJ) initiated amendments to the law "On forensic expertise" which includes religious expertise. The methodology provides high standards for the quality of expertise and experts' professionalism which can ensure independent, objective investigation of materials and increase the responsibility of experts for perjury. The methodology was adopted by the SCFE.

The curricula and guidebook on religious freedom in the Kyrgyz Republic were developed within the project. The guidebook aimed at serving as a key resource for local judges for information that supports the protection of religious rights. The guidebook and curricula went through the obligatory expertise test by the Training Center for Judges and was approved by the Supreme Court.

The concept on reforming religious studies and religious education was developed in cooperation with the State Commission on Religious Affairs (SCRA) and the Ministry of Education and Science (MEoS). The concept formulates a common vision for the development of religious studies and religious education in the country, designates its place and role in the education system, develops a classification system of educational programs, and identifies the main aspects and stages of reforming the delivery of religious education.

As shown above, the project positively contributed to the process of strengthening the legal framework by developing materials which were identified as necessary by the project stakeholders. Unlike other projects, Search built its project activities based on the suggestions of MSWG members, which represents stakeholders' ownership of the project initiatives. According to the views of the stakeholders expressed during the interviews, such an approach allowed the project participants to tackle issues of religious freedom that are relevant to the context in Kyrgyzstan.

Sustainability (section 2.4)

The sustainability of the project was rated as **moderate**. The project produced a number of important outcomes on the legislation and policy level which can lay the groundwork for further activities conducted by the stakeholders. Specific actions were taken by the stakeholders to promote the project materials through different WGs. The Legal Doctrine Commentary to the Religious Law of the Kyrgyz Republic was included in the TOKTOM database and website which ensures access to the Commentary by a wide audience. All produced materials mentioned above, which were circulated to various stakeholders, contribute to the creation of long-term processes for reducing prejudices, overcoming stereotypes, and promoting religious tolerance and freedom in Kyrgyzstan.

Recommendations (section 3)

With reference to these findings, it can be concluded that the project was implemented successfully, with a number of lessons learned for the future. The evaluation offers a set of strategic and operational recommendations for Search's future activities. Section 3 of the report focuses on the following recommendations (please refer to the relevant section for further details).

Strategic recommendations:

- **Continue working on religious freedom in the Kyrgyz Republic by bringing together all relevant stakeholders, strengthening their cooperation and dialogue, and by building capacity of involved stakeholders.** The project reached a tremendous achievement in bringing together previously antagonistic actors. This work needs to be continued as the project has just laid the ground and there is still a need to

jointly promote religious freedom in the Kyrgyz Republic.

- **Continue working on the improvement of the legislation on religious freedom.** There are still gaps in the legislation that require work in the future - such as promotion of amendments in the Criminal Code and the Laws on the freedom of religion and religious organizations, as well as on countering extremist activity. There is also a need to conduct a comprehensive analysis of the laws on freedom of religion from the perspective of human rights and security, which should provide detailed recommendations for further actions.
- **Spread information about the achievement of the project to the stakeholders involved at the national and local levels and monitor the effectiveness of the regulations, handbooks, and guidelines developed in the project.** Search needs to take the accomplished project outcomes forward to raise awareness among a wider number of relevant stakeholders so that they use these documents and materials. The future activities can concentrate on assessing the effectiveness of the regulations and handbooks, monitoring how they are implemented, and addressing any concerns that emerge.
- **Work with a wider range of stakeholders and professionals such as lawyers, advocates, prosecutors, and investigators,** as they play an important role in ensuring fair trials to citizens accused of breaking laws on religion.
- **Expand the legal knowledge base** by, for example, considering the publication of a dictionary of legal terminology and concepts on religious freedom in Kyrgyz, Russian, and English languages.

Operational recommendations

- **Ensure that all materials and publications produced within the project are available in Russian and Kyrgyz languages.** As the Kyrgyz language is widely used in target communities, especially in the southern part of the country, it is recommended to produce all material in both languages.
- **Provide ongoing support to CSOs in southern Kyrgyzstan by improving communication with them.** It is important to ensure that the project provides ongoing support to CSOs involved in monitoring court cases in all project sites equally.
- **Ensure that the same participants attend meetings, trainings and events** to promote continuity and efficiency of interventions.
- **Include judges in the platforms such as MSWGs** so they can express their concerns to other stakeholders and open up a discussion on issues related to law enforcement practices on freedom of religion and work on addressing them.

1. Context

1.1 Context: Situation of Religious Freedom in Kyrgyzstan

The Constitution of the Kyrgyz Republic guarantees freedom of religion, defines the secularity of the state, and establishes the separation of religion and state. It prohibits the establishment of religious-based political parties and the pursuit of political goals by religious groups. The establishment of any religion as the state practice or mandatory religion is also prohibited. However, a regulatory framework still imposes a restriction on the execution of this right.

In 1991, the first law “On Religious freedom and religious organizations” was adopted as a response to the rise of religion in the post-Soviet period. The law stipulated the fundamental principles of tolerance and respect for different religions. After 17 years, as a response to the new religious developments in the country, a new version of the law was adopted on 31 December 2008 by Decree No 282 “On the freedom of religious expression and religious organizations of the Kyrgyz Republic.” However, experts believe that, compared to the law adopted in 1991, the law of 2008 increased the number of prohibitions and introduced disproportionate interference on the state in religion (ex.in terms of registration of religious organizations which is described below).

The 2010 Constitution of the Kyrgyz Republic set new standards for guaranteeing human rights and freedoms, including freedom of religion. Further, the importance of reforming the state policies on religion became pressing due to a changing religious situation in the country and the world. As a result of this and also understanding the increased religious extremism, the government developed and adopted the Concept of National Security of the Kyrgyz Republic, approval No 115, dated February 18, 2009, and the National Strategy for Sustainable Development for 2013-2017 (Decree No 194, dated September 27, 2013).

The Concept of National Security of the Kyrgyz Republic obliged relevant government agencies to develop a state policy on religion and measures to promote secularism of the state and prevent prosecution on the basis of religion. Consequently, the Defense Council of the Kyrgyz Republic under the President’s Office (renamed as a Security Council on 15th of March 2017 by the Decree of the President), the main body responsible for defense and security policies in the country, rendered a decision to develop a national policy on religion (February 2014). On 14th of November 2014, by the Decree of the President (No 203), the Concept of the State Policy of the Kyrgyz Republic on Religion for 2014-2020 was adopted. There are three topics covered in the strategy: 1) state regulation of affairs of religious organizations, 2) state regulation of religious education, 3) state policy for the prevention of religious radicalism and extremism.

However, focusing on the shortcomings of the legislation on the freedom of religion, the experts on religion emphasize that the Law “On freedom of religion” (2008), despite an amendment in 2012, does not comply with the new Constitution and international standards. This law has a number of problematic elements. For example, the law preserves the definition “sect”, which is not a legal term, has a theological meaning and is negatively perceived in society. Moreover, government officials use evaluating terminology in regulatory documents such as “non-traditional organizations”, “heterodoxy people”, and “non-traditional religions”¹ which apply a negative meaning to other religions. Another example is that the law allows for the active intervention of the state against freedom of religion and religious organizations, even in the absence of violations.

¹ “Freedom of Religion or Belief in the Kyrgyz Republic: an overview”, Open Position, Bishkek, 2013

Another problem with the law “On freedom of religion and religious organizations of the Kyrgyz Republic” is its prohibition of the activities of religious organizations without registration with the SCRA. An individual who performs an activity on behalf of an unregistered religious organization should bear responsibility and be held liable under this law. Consequently, in Kyrgyzstan, the freedom to practice one’s religion or belief, either alone or in community with others, is only possible within the framework of an established and registered organization.

This aspect of the law is in a direct conflict with the Constitution that claims that Kyrgyzstani citizens have the right to “practice his or her religion or belief, either alone or in community with others.”² Moreover, the law creates obstacles for individuals wishing to register a religious organization. For example, it requires a religious organization wanting to register to present a proof of having 200 members. Small religious organizations cannot provide such evidence. OSCE and USCIRF asserted that the law “criminalizes unregistered religious activity and imposes burdensome registration requirements.”³



Pic 3: Representatives of state authorities, CSO and academic community are developing recommendation of improvements of the legal frameworks on RF, MSWG Workshop VI on December 17-18, 2016 in Jannat Resort. Photo by N Zhakypova

Other requirements of the law include that members of religious organizations should be citizens of the Kyrgyz Republic who have reached the age of 18 years and permanently reside in the territory of the country. The SCRA has the right to request additional information and send the documents of the applicant for examination by religious leaders. Further, as pointed out by religious experts, refusal to register religious organizations as legal entities is highly inefficient in preventing religious conflicts and monitoring the religious situation in the country.

There is a general view among the expert community that the adopted and proposed laws increasingly show an eagerness of the state to privilege some religious organizations over others. As pointed out by experts, a number of minority religious groups were registered annually before the adoption of the 2008 law. According to official data, from 2011 to 2013, only 3 Orthodox and 135 Islamic organizations were able to pass through procedures of official registration. In the period of 2009 to 2011, no other organizations were registered.

When Kyrgyzstan gained independence in 1991, there were 39 mosques and several Orthodox churches. As of 2016, there are 2989 religious organizations in total, of which 2595 are Islamic and 380 are Christian organizations, one Buddhist, one Jewish and 12 Bahai⁴. There are 20 organizations that are banned to operate in Kyrgyzstan due to the perceived extremist nature of the

² Problems of legal freedom of religion, AlmazEsengeldiev, Bishkek, 2013

³ USCIRF (2015) Monitoring Report. Available from http://www.uscirf.gov/sites/default/files/USCIRF_Monitored_Kyrgyz.pdf

⁴ UNDP and SCRA (2016) Influence of the religious factors on the socio-political situation in the Kyrgyz Republic. Research Paper. Available from http://religion.gov.kg/wp-content/uploads/2016/11/%D0%92%D0%9B%D0%98%D0%AF%D0%9D%D0%98%D0%95_%D0%A0%D0%95%D0%9B%D0%98%D0%93%D0%98%D0%9E%D0%97%D0%9D%D0%9E%D0%93%D0%9E_%D0%A4%D0%90%D0%9A%D0%A2%D0%9E%D0%A0%D0%90.pdf

organizations⁵. According to the data provided above, both Islam and Christianity have seen almost an equal growth rate. However, new religious groups faced challenges with registration. For example, in 2016, the court refused registration to four Jehovah's Witnesses Churches.

In the post-Soviet period, new religious organizations started operating in Kyrgyzstan by proselytizing individuals from different backgrounds and ethnicities. While in large cities the existence of new religious groups goes unnoticed, in rural areas where the communities are closely linked through family, cultural and religious ties, the presence of Christian followers - proselytes from Kyrgyz communities - is creating a social turbulence along religious lines. There have been known recurrent religion-based conflicts/incidents across Kyrgyzstan. One of the contested issues in communities is the burial of Kyrgyz Christian converts in Muslim cemeteries. Local Islamic clerics reason that such practices desecrate the Islamic cemeteries. Thus, these converts are refused burial when they die. This has created many issues and a widespread disagreement among communities.

Further, in the post-Soviet period of Kyrgyzstan's development, there has been a gap in the legislative framework on trials of religious cases. While cases of religious terrorism have been occurring in the courts in the past several years, an appropriate legislative and normative basis has been non-existent. Finally, a lack of capacity and expertise on religious affairs has been one of the barriers in Kyrgyzstan to promote and ensure the right to religious freedom.

1.2 The Project:

The "Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic" project has been implemented in the Kyrgyz Republic since May 2015 and is funded by the United States Department of State Bureau of Democracy, Human Rights, and Labor. It aimed at promoting religious freedom in the Kyrgyz Republic through working with executive, legislative, and judicial government institutions as well as civil society stakeholders. The activities were designed to i) make recommendations to enhance the legal framework; ii) improve local judges' knowledge about the legal framework of religious freedom under the 2010 Constitution as well as international laws; and iii) improve civil society-government collaboration in monitoring the implementation of decisions coming out of the courts, executive actions, and new legislation. The project had three objectives, eight activities, and five intermediate results as demonstrated in *Table 1*.

⁵ Ibid

Table 1: Matrix of project objectives, activities, and intermediate results

Objective	Activities	Intermediate Results
Objective 1 - To strengthen the legal framework in support of the protection of religious freedoms	<ul style="list-style-type: none"> ● MSWG workshops ● Development of draft laws and regulations ● Public hearings on draft laws and regulations 	<ul style="list-style-type: none"> ● There is increased communication between government and non-governmental stakeholders about the status and legal framework regarding religious freedom ● Diverse religious groups and CSOs participate at a greater frequency in the formulation of new policies, laws, and directives targeted at religious rights
Objective 2 - To increase the knowledge of local judges on both national and international law in terms of religious freedom	<ul style="list-style-type: none"> ● Curriculum and guidebook development for judges ● Local judicial training of religious expression 	<ul style="list-style-type: none"> ● Judges who participate in the project have greater knowledge of the legal framework surrounding religious freedom as enshrined in the 2010 Constitution
Objective 3 - To increase public oversight of cases of religious freedom	<ul style="list-style-type: none"> ● Curriculum development for CSOs ● Ongoing monitoring of the status of religious freedom ● Public oversight of religious freedom workshop 	<ul style="list-style-type: none"> ● The Kyrgyz state has increased knowledge of the gap between the formulation and implementation of laws, policies, and regulations ● Kyrgyz civil society's capacity to provide in-depth, balanced and well analysed judicial implementation of the laws is increased

As a result of the above-stated activities, the project expected to have the following project outcomes:

- Number of recommendations on new laws, policies, and directives for the government to consider;
- Seven MSWG sessions and reports;
- Number of external position memos and communiqués on on-going initiatives;
- 27 small WG discussions;
- Two recommended laws, regulations, or policies drafted;
- 14 public hearings; 420 participants reached through the hearings;
- One curriculum developed; one guidebook produced;
- 30 civil society actors equipped with the knowledge of Kyrgyz and international laws;
- One (1) strategy; and one (1) monitoring and documentation toolkit;
- Seven joint monitoring exercises involving all the relevant stakeholders.

1.2.1 Key Theory of Change

The project was framed by the theory of change which stated that *“If* government institutions – including executive, legislative, and judicial actors – understand the long-term implications of restricted religious freedom and have tools and methodologies to enshrine their protection, *then*

they will act in support of religious freedom. Furthermore, **if** a wide range of stakeholders – including government and non-state actors – convene to work collaboratively to formulate new policies, as well as monitor existing policies, **then** the protection of religious freedom will be concretely supported”.

1.2.2 Expected Results

As stated above, the project was intended to achieve the following results:

Intermediate Result 1.1: There is increased communication between government and non-governmental stakeholders about the legal framework on religious freedom.

The 2010 Constitution was enacted with an intention to increase religious freedom. However, the implementation of this constitutional commitment in the existing legal framework has faced difficulties. This project planned to focus on this existing judicial gap by facilitating collaboration at the state inter-agency level and with an active engagement of civil society to promote proactive reform of laws and regulations.

Intermediate Result 1.2: Diverse religious groups and CSOs participate at a greater frequency in the formulation of new policies, laws, and directives targeted at religious rights.

Search proposed to organize a MSWG on religious freedom to serve as a platform to advocate for policy and legal changes. The MSWG was planned to be established by the SCRA, co-chaired by Search, and comprise of 20-25 cross-sectoral members from various government entities – including executive, legislative, and judicial institutions – as well as from a wide range of non-state and religious actors. The intention was that the group would meet quarterly to identify current gaps in the legal and policy framework in terms of religious freedom and make recommendations on policy and law changes. Once the laws and regulations were drafted, they were planned to be disseminated throughout the seven regions in public hearings aimed at fostering grassroots support and buy-in.

Intermediate Result 2.1: Judges who participate in the project have greater knowledge of the legal framework surrounding religious freedom as enshrined in the 2010 Constitution.

It was planned that external experts, with the support of Search, would develop a curriculum for training judges and an accompanying guidebook on religious freedom in the Kyrgyz Republic. The guidebook was proposed to serve as a key source of information for local judges who are responsible for ruling on new laws, policies, and regulations that are being passed through the Kyrgyz government.

Intermediate Result 3.1: The Kyrgyz state has increased knowledge of the gap between the formulation and implementation of laws, policies, and regulations.

Intermediate Result 3.2: Kyrgyz civil society’s capacity to provide in-depth, balanced and well analysed judicial implementation of the laws is increased.

Search planned to work with 30 civil society representatives from the northern and southern parts of the Kyrgyz Republic to develop a methodology and strategy to monitor, research, and document cases where religious groups’ rights are violated. This activity would act as a key resource for government agencies (executive, judiciary, and legislation) represented at the MSWG in monitoring the impacts of their initiatives. This would also aim to identify gaps in the current legal framework, loopholes in the justice system, and assess of the impact of legislative initiatives.

1.2.3 Target Groups and Areas

The project has implemented its activities at both the national and local levels. The project envisaged the development of a legal framework to promote the freedom of religion in the Kyrgyz Republic and, as a result, would impact the entire country. Certain specific activities of the project such as the public hearing and training of judges targeted all seven provinces of the country. The project had three groups of target stakeholders:

1. 30 representatives from civil society who were provided with training on the monitoring methodology and engaged in the monitoring of court proceedings on religious freedom.
2. Around 40 local judges – 20 in the north and 20 in the south – who were provided with training on the protection of religious freedoms in the court.
3. Governmental and non-governmental stakeholders, who participated in the MSWG. The governmental stakeholders consisted of representatives of all three branches of the state: members of parliament (MPs), SCRA, Department 10 under the Ministry of Interior (Mol) and the Supreme Court. Civil society stakeholders in the Working Group represented a wide range of faith-based groups as well as non-governmental organisations working on the promotion of human rights and religious freedom.

As indicated in the project proposal, the final beneficiaries were the greater population of the Kyrgyz Republic, who would have access to the rule of law on religious freedom.

1.2.4 Primary Target groups

The project focused on two broader target groups:

- Government institutions
- Non-state actors and civil society organizations

1.3 Audience of the final evaluation

This evaluation has the following audiences:

- Project implementers- the staff of Search Kyrgyzstan, Search Asia, and other counterparts
- Project partners - government and non-government organizations that were involved in the activities of the project.
- Donor community - the United States Department of State Bureau of Democracy, Human Rights, and Labor, the funding agency.
- Other interested parties - peacebuilding community, interreligious and interethnic leaders, CSOs, government authorities.

1.4 Evaluation Methodology, Evaluation Criteria and Data Collection Tools

The overarching aim of the final evaluation was to assess the project implementation and to examine to what extent the project objectives have been achieved. According to the Terms of Reference (TOR), the evaluation process was framed by four specific objectives:

1. To understand how the project has improved the legal framework for religious freedom in Kyrgyzstan.
2. To understand how the project has promoted religious freedom in Kyrgyzstan.
3. To understand how the project has built bridges between state and non-state actors in implementing rulings on religious freedom in Kyrgyzstan.
4. To understand where the opportunity lies for Search moving forward to create enduring

change.

Further, according to the TOR, the evaluation has the following specific questions structured along the OECD-DAC criteria: relevance, effectiveness, intermediate impact, and sustainability. There are also questions focused on lessons learned and scaling up the initiative.

Relevance

- How is the project intervention relevant to the current religious dynamics and government efforts in dealing with religious freedom and the religious movements taking place in the Kyrgyz Republic?
- How relevant and useful is the current project modality in promoting religious freedom in Kyrgyzstan?

Effectiveness

- How has the project contributed to enhancing the knowledge and capacity of judges in court rulings that reflect national and international legal frameworks on Freedom of Religion and Belief?
- How has the project contributed in enhancing communications and collaboration between government actors and civil society actors (especially those participating in the project) on discussing and deliberating a legal framework on religious freedom in Kyrgyzstan?
- What role did the participating judges, governmental authorities and members of MSWG play in institutionalizing the efforts initiated by the project intervention in the last two years?
- To what extent has the project contributed in mobilizing Kyrgyz civil society in the monitoring of trial cases related to religious freedom?

Intermediate Impact

- How has the project contributed to strengthening the legal framework in support of the protection of religious freedoms?
- To what extent are the project stakeholders filling the gap between the formulation and implementation of laws, policies, and regulations?
- To what extent are project stakeholders initiating actions that represent their ownership or buy-in of the project initiatives?

Sustainability

- What steps are planned or have already been taken by the project team (Search and partners) to create long-term processes to reduce prejudices, overcome stereotypes and promote religious tolerance and freedom in Kyrgyzstan?
- Have there been independent initiatives in promoting religious freedom as a result of their (stakeholders') participation in the project? If yes, then to what extent has this contributed to religious freedom in Kyrgyzstan?

Lesson learned and scaling up

- What are the best practices or major lessons learned from this two-year initiative? What worked and what did not work? How coherent were the design, implementation, and achievements?
- What potential is there for scaling up this initiative?

The evaluation used qualitative data collection methods, namely desk-study, semi-structured interviews, focus groups, which were carried out by the evaluation team, and participation at the

MSWG meeting and training for judges.

Desk study

The team received relevant project documents for review (the list of the documents is attached in Annex 2). The purpose of the document review was to extract necessary information and verify the implementation of activities.

Semi-structured interviews with project target groups and partners

Individual semi-structured interviews were conducted with the following institutions. For the most part, a purposive sampling method was used to choose interviewees. In other words, individuals, who could provide the most relevant and useful information for the evaluation (i.e. key informants), were contacted for interviews.

Table 2: The number of people, who participated in the evaluation

No	Target groups	Number of people
1	MSWG members and members of small WGs (government representatives)	8
2	MSWG members (civil society representatives)	10
3	Judges who participated in the training	9
4	Trainers for CSO and judges	2
5	Team leaders for trial monitoring by CSOs	1
6	Educational institutions	2
7	Independent experts	2
	TOTAL:	34

Focus groups

Focus groups were conducted with civil society representatives a) who were trained to monitor trial cases – 7 people (Bishkek and Osh), and b) who are now involved in the monitoring– 7 people (Bishkek and Osh). Participants for focus groups were selected in consultation with Search. Civil society representatives who attended training on monitoring trial cases were selected randomly. Civil society representatives who are now involved in monitoring were selected using a purposive sampling method.

Semi-structured interviews with independent experts

Two interviews were conducted with independent experts on religious freedom to substantiate and validate the outcomes. The potential interviewees were discussed with Search.

Semi-structured interviews with Search team and donors

Semi-structured interviews were conducted with the following project staff to discuss and explore project implementation, outcomes, overall experience, and lessons learned:

- Country Director, Mr. Keneshbek Sainazarov
- Project Coordinator, Ms. Indira Aslanova
- Design, Monitoring and Evaluation Specialist, Mr. SheradilBaktygulov
- Search Asia Regional Director, Mr. Michael Shipler

The following donor representatives were interviewed:

- Donor representative, Mr. Darin Mcanally
- Human Rights Officer at the US Embassy, Mr. Howard Chyung

Discussion with the Multi-Stakeholder Working Group

Originally, the evaluators planned to conduct a workshop with MSWG members, but due to the difficulty in gathering them, group discussions were conducted during the final MSWG meeting (April 26, 2017, in Bishkek). The aim of the exercise was to collect outcomes from the participants. Accordingly, six groups of 4-5 people were formed out of 25 MSWG members to discuss what had changed in the past two years on religious freedom in terms of the relevant legal framework, government and civil society relations, the promotion of religious freedom in Kyrgyzstan, and what was Search's contribution.

1.5 Scope and Limitations of the Evaluation

The project evaluation team experienced a slight delay during the fieldwork. As the project targeted high-level officials responsible for the promotion of religious freedom in the country, it was difficult to arrange interviews with them due to their busy schedules. However, this issue was addressed. The evaluation team attended project training, working group meetings, and other activities to meet the interviewees. In addition, the time allocated for the whole evaluation was sufficient to address these difficulties.

As mentioned above, a workshop with MSWG members to harvest outcomes of the project was planned initially. The members were high-level officials and had busy schedules. For this reason, instead of conducting a separate workshop, a planned MSWG final meeting was used to do conduct the evaluation exercise and gather participants' opinions on the outcomes.



The project training involved judges from all seven provinces of the country. The evaluation team did not travel to the provinces to interview the project stakeholders. Instead, the evaluation team conducted its activities in Bishkek (north) and Osh (south) where stakeholders were gathered for a training event. Some interviews were shortened to be able to conduct as many interviews as possible during the training.

Pic 4: Trainers are presenting during the Training for Judges on April 18-19, 2016 in Bishkek. Photo by N Zhakypova

Due to the sensitivity of the topic of religion, a number of interviewees asked to switch off the recording device. Some interviewees provided information which was considered to be sensitive and could potentially pose some security issues to the evaluation team members. All these issues were discussed with the Search team who were informed of the information received and concerns raised. The Search and evaluation teams discussed the ways to report findings so that they do not jeopardize the integrity of the report but, at the same time, do not pose any issues for the evaluators in the future.

2. Evaluation Findings and Summary

Project Outputs

The project started in May 2015 and lasted for 24 months. The project activities focused on capacity building of the target groups, contributing to the strengthening of the existing legal framework, and increasing public oversight of cases of religious freedom. The following outputs were produced during the life of the project.

Table 3: Project outputs

Quarters	Activity
Quarter 1 (May-June 2015)	Recruitment of the project team (Manager/Coordinator and Assistant), building relationship with partners, stakeholder mapping,
Quarter 2 (July – September 2015)	Baseline study, establishment of MSWG, workshop for MSWG, drafting new policy on religious education
Quarter 3 (October-December 2015)	Quarterly MSWG workshop, presentation of the Concept on reforming religious and religious studies education to stakeholders, forming small WGs on drafting religious expertise methodology, and development of a curriculum and a guidebook for judges, signing of the memorandum of cooperation with the Training Center for Judges.
Quarter 4 (January -March) 2016	Quarterly MSWG workshop, a legal analysis of burial issues conducted, forming a small WG on development of legal doctrine commentaries to the law on religious freedom, 2 public hearings with participation of 100 people (90% supported the concept) held on the Concept on reforming religious and religious studies education, a curriculum and a guidebook for judges produced, WG on the development of monitoring of trial cases toolkit established
Quarter 5 (April – June 2016)	Quarterly MSWG workshop, monitoring of trial cases toolkit developed, public oversight of religious freedom workshop conducted in Bishkek and Osh (43 participants) and a team of monitors formed (and 1 Coordinator hired), 2 day training conducted for 38 judges in Bishkek and Osh, WG on the development of religious expertise methodology established (discussions with stakeholders held) and draft developed, a curriculum of “Introduction to Religious Culture” drafted, the Concept on reforming religious and religious studies educations sent to government agencies for endorsement.
Quarter 6 (July – September 2016)	Quarterly MSWG workshop, a Comprehensive religious and psycho-linguistic expert examination methodology developed, legal doctrine commentaries to the law on religious freedom developed and presented to the stakeholders, ongoing trial monitoring of the status of religious freedom conducted
Quarter 7 (October –	Quarterly MSWG workshop, WG established and regulations of burial practices for believers developed, handbook “Human rights for dignified

December 2016)	burial” drafted, needs assessment in the conflict communities related to burial issues conducted, ongoing trial monitoring of the status of religious freedom conducted
Quarter 8 (January – March 2017)	Quarterly MSWG workshop, public hearings conducted in 4 regions on the Concept of Religious Education (138 participants, 96 % voted for adoption of the concept), ongoing trial monitoring of the status of religious freedom conducted, public hearings of regulations on burial practices for believers conducted (161 participants, 96% supported the draft regulations), training for experts (2-3 of March 2017)
Quarter 9 (April – May 2017)	Final MSWG workshop, a report of trial monitoring of the status of religious freedom results published, training for judges in Bishkek and Osh, final project evaluation carried out

Evaluation Summary

This section presents the findings of the final evaluation of the project. The evaluation team considers that the reported results in this document are accurate to a great extent. To ensure this, the evaluators used data from a number of sources to examine the project activities from different perspectives and triangulate the data. All of the relevant stakeholders (project team, partners, and civil society organizations) were interviewed to gather their views and perspectives. Data from one source (e.g. monitoring reports) was cross-checked with data from another source (e.g. interview, focus groups). Project documents were carefully studied and also used for evaluating project activities.

Further, the achievement of objectives and results was also estimated. Each indicator was given a score on a scale of 0 – 10 (0 – not achieved; 10 – fully achieved) based on the evaluators’ judgment of the data gathered during the evaluation. The scores were tabulated, and the percentage was determined (See Table 4). The indicators were assessed according to the targets set for each indicator. In the table below, the planned and achieved targets are compared. Each indicator was given a score based on the comparison of the target and actual figures. For each objective, a mean average achievement score was calculated. Indicators of all the objectives were achieved. In fact, as Table 4 shows, most of the indicators (e.g. 1.1.1 and 1.2.2) were exceeded.

Table 4: Achievement of indicators

Activity	Indicator	Target	Actual	Score
Objective 1: To strengthen the legal framework in support of the protection of religious freedoms				
Result 1: Increased communication between government and non-government stakeholders about the status and legal framework regarding religious freedom				
Multi-Stakeholder Working Group on Religious Freedom Workshops	Indicator 1.1.1 Number of persons of institutes and agencies who actually participated in the project	25	32	10
	Indicator 1.1.2 Number of MSWG workshops	7	7	10
Result 2: Diverse religious groups and CSOs participate at a greater frequency in the formulation of new policies, laws, and directives targeted at religious rights				
Development of draft law	Indicator 1.2.1 Number of recommended	2	5	10

and regulations that promote religious freedom	regulations, or policies, amendments			
	Indicator 1.2.2 Percentage of participants of public hearings who supported draft laws and regulations	30 %	93 %	10
	Indicator 1.2.3 Number of public hearings conducted	14	14	10
	Indicator 1.2.3 (F-Indicator # 2.2.1-7) Number of USG-assisted civil society organizations that participate in legislative proceedings and/or engage in advocacy with national legislature and its committees	15	16	10
			Average	10 out of 10= 100%
Objective 2: To increase the knowledge of local judges on both national and international law in terms of religious freedom				
Result 1: Judges increased knowledge in judicial reforms, on international laws in terms of religious freedom				
Training on National and International terms on religious freedom	Indicator 2.1.1 Number of Curriculum and Guidebook on religious freedom in KR	2	2	10
	Indicator 2.2.1 Percentage of judges who increased knowledge in judicial reforms, on international laws in terms of religious freedom	20 %	20 %	10
	Indicator. 2.2.2. (F indicator # 2.1.2.-7) Number of Judges and judicial personnel Trained with USG Assistance	40	40	10
			Average	30 out of 30 = 100%
Objective 3: To increase public oversight of cases of religious freedom				
Result 1: Civil societies increased participation in monitoring the implementation of laws, regulations, policies, and court decisions regarding freedom of religious				
Public Oversight of Religious Freedom Workshop	Indicator 3.1.1 % of representative of civil society who are better informed about public oversight of Religious Freedom in Kyrgyzstan	20 %	21 %	10
	Indicator 3.1.2 Number of developed toolkit for monitoring	2	2	10
	Indicator 3.1.3 # of civil society actors equipped with the knowledge of Kyrgyz and International Laws on religious freedom	30	43	10
On-going monitoring	Indicator 3.1.4 #of cases what were elicited during Monitoring of the Status of the Freedom of Religious Expression	7	28	10
Public sessions and public	Indicator 1.1.2 (F-Indicator 2.1.1-4.)#of	14	14	10

forums	USG-supported Public Sessions Held Regarding Proposed Changes to the Country's Legal Framework.			
	Indicator 4.1.1. (F-Indicator#2.2.1-6) Number of Public Forums Resulting from USG Assistance in which national legislators and members of the public interacted	10	52	10
Average				60 out of 60 = 100 %
Total Average				100 %

To assess the extent to which the project met the OECD-DAC criteria, a scale consisting of three measurement points was used: high, moderate, and low. To identify the measurement-point of each criterion, each question within the criteria was given a score between 0 – 3. The average score for all the questions identified to what extent the respective OECD DAC criterion was met: 0 – 1 (low), 1.1 – 2 (moderate), and 2.1 - 3 (high).

1.1 Relevance

According to the TOR, this OECD criterion presented two questions regarding relevance (presented in Table 5). Based on the evaluation findings, the average score is 3 which makes the relevance of the project **high**. As discussed in the Evaluation Summary section, the score was given by the evaluators based on the data gathered and analysis carried out during evaluation. It should be noted that this scoring is subjective since it is given by the evaluators. However, the purpose of providing a score is to convey the qualitative data in a way that gives readers a sense of the extent to which the component of the project has been achieved.

Table 5: Relevance score

Questions	Score
How is the project intervention relevant to the current religious dynamics and government effort in dealing with religious freedom and the religious movements taking place in the Kyrgyz Republic?	3
How relevant and useful the current project modality in promoting religious freedom in Kyrgyzstan?	3

1.1.1 Relevance of the project to the current religious dynamics and government efforts in dealing with religious freedom and the religious movements taking place in the Kyrgyz Republic

All key informants agreed that the project was timely and relevant to the current government's effort to promote religious freedom in the country. In particular, the project is in line with the concept of the state policy of the Kyrgyz Republic on religion for 2014-2020 and the plan for its implementation. The aim of the policy isto (i) develop the optimal model for state and confessional collaboration,based on the secular characteristics of the state, through effective state regulation of religious and public institutes to ensure security of citizens and the state; (ii) strengthen inter-

confessional harmony and tolerance; (iii) promote counteraction against radicalism and extremism based on the principles of human rights and religious freedom⁶. In addition, the project was in compliance with the national strategy of sustainable development for 2013-2017, which stipulates the measures for increasing inter-religious dialogue and ensuring fundamental principles of separation of religion from the state, while adhering to the right for freedom of religion.

Currently, the government and civil society are conscious of the need to develop conceptual foundations of the religious policy and define a format for the engagement of the state and religious groups. As mentioned above, the religious situation in Kyrgyzstan is very dynamic. It is influenced by global geopolitics and, particularly, current events in Central Asia, Russia, and the Middle East. As stressed by the independent experts during in-depth interviews, religious organizations - in particular, organizations of a radical protest-political nature - are constantly changing their tactics to reach the population and it is difficult to predict what the future holds for religious organizations. Nevertheless, the government and civil society organizations have to collaborate to frame the legislation in the way that promotes freedom of religion and ensures security in the country. Thus, the project was launched and carried out in time to build a platform for collaboration of different actors and open a discussion on the religious issues.

According to the interviews with the MSWG members, the project initiative was relevant in supporting the government to gather all stakeholders around one table and discuss issues of religious freedom and religious groups. For example, an interview with a member of the WG on burial issues revealed that the project was very important for interdenominational relations since conflicts often occur on the basis of burial. Another interview



Pic 5: Representative of President's Office Shaazadan Tumenbaev is speaking during IV MSWG Workshop on June 30, 2016 in Park Hotel, Bishkek. Photo by N Zhakypova

with a representative of the SCFE of the MoJ of the Kyrgyz Republic disclosed that the concerned governmental structures are often not

able to attract external specialists to develop new expert methodologies due to the shortage of funds and the absence of internal specialists on the topic. Thus, the project was quite relevant on the macro and mezzo levels to promote freedom of religion in Kyrgyzstan.

1.1.2 Relevance and usefulness of the current project modality in promoting religious freedom in Kyrgyzstan

As outlined in the project proposal, this project employed a multi-pronged approach based on three pillars: 1) the locally rooted approach ensuring the inclusive participation of all actors related to religious freedom in the Kyrgyz Republic 2) the Common Ground Approach (CGA) and 3) interagency collaboration.

⁶The concept of state policy of the Kyrgyz Republic in the religious sphere for 2014-2020, retrieved from http://www.president.kg/ru/news/ukazy/4901_podpisan_ukaz_o_kontseptsii_gosudarstvennoy_politiki_kyrgyzskoy_respubliki_v_religioznoy_sfere_na_2014-2020_godyi/

Locally Rooted Inclusive Participation. This approach was implemented through the formation of the MSWG. It was used as a platform to identify the project priorities and activities. This process was implemented at the national level through direct consultations with the state agencies, CSOs, and religious leaders. Further, this inclusive approach was also practiced during project’s public hearings by involving various groups, including state authorities, religious groups, and the general public. A gender-responsive approach was not specifically implemented in the project. However, a gender balance was taken into account when forming the MSWG, (12 of 32 members were women) and in the small WGs where women were equally represented. The training of judges included four women out of the 38 judges⁷ in 2016 and 5 women out of the 32 judges in 2017.



Pic 6: Teachers are sharing opinions about the Concept on reforming Religious and Rel.Studies Education, Public Hearing on February 25, 2017 in Naryn. Photo by N Zhakypova

The Common Ground Approach. This approach was described as a cornerstone for the project team and Search management in Kyrgyzstan and Asia, and was integrated through all activities. All project participants interviewed confirmed that Search succeeded in bringing people together across “dividing lines” such as state agencies, religious leaders, and CSOs to understand each other’s roles in promoting freedom of religion in the country. The organization facilitated the process of finding commonalities and working collaboratively on shared interests. Search’s unique approach cultivated dialogue and collaboration among a diverse group of stakeholders (local authorities, religious leaders, community leaders, and civil society leaders) to build bridges across religious divides (e.g. when launching a discussion on burial issues). Conflict sensitivity, especially Do No Harm principles, were built into this wider approach by excellently managing established partnerships and challenging the negative stereotypes among opponents.

“I thought it is impossible to bring together such a diverse group of people to discuss such a sensitive theme as freedom of religion. I was wrong, it is possible and it is necessary to open dialogues to prevent extremism in the society and to fully enjoy the right for freedom of beliefs”.

Project evaluation participant, Bishkek

Interagency Collaboration. The project worked with a wide range of stakeholders, including interagency actors from across the government of the Kyrgyz Republic such as the President’s Office, Department of Ethnic, Religious Policy and Interaction with Civil Society, Office of Ombudsman, State Commission on Religious Affairs, Spiritual Administration of Muslims, members of Parliament, local judges and the Supreme Court. Various actors interviewed during the fieldwork confirmed that the project ensured that all parties were equally represented and all opinions were heard. The

⁷ According to 2014 statistics, there were 36 % of women judges in the country, source: http://zanoza.kg/doc/330965_kakie_voprosy_jenshiny_sydi_reshaut_lychshe_kolleg_myjchin_videointervu.html

project succeeded in promoting synergy between the various governmental actors when working on a particular piece of legislation, methodology development, or training module creation.



Pic 7: Cover page of the Methodology on religious expertise

One of the examples is the development of the first-ever regulations and methodology for conducting the process of religious expertise in the Kyrgyz Republic. Search and SCFE under the MoJ formed a small WG represented by various actors including state, CSOs, and experts who developed a ‘Comprehensive Religious and Psycholinguistic Expert Examination Methodology’ to guide their analysis and judgment of criminal cases involving allegedly extremist literature. The establishment of the group was approved by a decree of the MoJ, signed on July 28, 2016. The developed methodology was finalized by October 2016 - in a very short period of time which demonstrated the effective interagency cooperation and intensive work. One of the fieldwork participants said: *“under usual practice, it is impossible to develop such a comprehensive product in such a tight timeframe. The working group was meeting every week and nearly discussed every word in the guidance to produce a quality product. With the support of Search, we delivered a high-quality paper which is very timely and useful for our work”*.

1.2 Effectiveness

According to the TOR, this OECD criterion had four questions as presented in Table 6. Based on the evaluation findings, the following scores were provided to each question (See Table 6). The average score is 2.5 which makes the effectiveness of the project **high**.

Note: As discussed in the Evaluation Summary section, the score was given by the evaluators based on the data gathered and analysis carried out during evaluation. It should be noted that this scoring is subjective since it is given by the evaluators. However, the purpose of providing a score is to convey the qualitative data in a way that would quickly give a reader a sense of the extent to which the component of the project has been achieved.

Table 6: Effectiveness score

Questions	Score
How has the project contributed to enhancing the knowledge and capacity of judges in court rulings that reflect national and international legal frameworks on Freedom of Religion and Beliefs?	3
How has the project contributed in enhancing communications and collaboration between government actors and civil society actors (especially those participating in the project) on discussing and deliberating a legal framework on religious freedom in Kyrgyzstan?	3
What role did the participating judges, governmental authorities and members of MSWG play in institutionalizing the efforts initiated by the project intervention in the last two years?	2

To what extent has the project has contributed to mobilizing Kyrgyz civil society in the monitoring of the court cases related to religious freedom?	2

1.2.1 Contribution of the project to enhancing the knowledge and capacity of judges in court rulings that reflect national and international legal frameworks on Freedom of Religion and Beliefs

The second objective of the project was *to increase the knowledge of local judges on both national and international law in terms of religious freedom*. As part of the activities, the project worked with legal experts to develop a curriculum and an accompanying guidebook on religious freedom in the Kyrgyz Republic for judges. The purpose of the guidebook was to provide judges with information that would support a legal precedent for the protection of religious freedom and beliefs grounded in national and international legislation.

The developed guidebook contains a chapter on the general characteristics of the religious situation in the country and information on the state policy and legislation on religious freedom. Another chapter focuses on the current problems of ensuring the right to freedom of religion, specifically the issues related to burial and wearing religious attributes in the secondary educational institutions. The largest part of the guidebook is devoted to the constitutional foundations, international standards, and the national legislation. The case studies presented in the book illustrate the legal protection of religious freedom in the international practice. Finally, the last chapter provides assignments and questions to the guidebook users to solidify knowledge.



Pic.8: Trainer C. Musabekova awards a certificate to Deputy Judge of Zhalabad oblast S.Zhakypbaev on Training for Judges on April 22, 2016 in Sunrise Hotel Conference Hall, Osh city. Photo by N.Zhakypova

As planned, two-day trainings on freedom of religion and the judicial system was delivered to 40 judges, from all seven provinces, in two locations: Bishkek (April 18-19, 2016) and Osh (April 21-22, 2016) (Table 7). During the training, participants learned about the basics of the religious situation in the Kyrgyz Republic, freedom of conscience and religion and its constitutional basis, the practices of the European Court of Human Rights and the Human Rights Committee of UN. The presentation and discussion of the case studies from the perspective of international and national norms were useful and relevant for the judges.

Table 7: The number of judges participated in the training.

Place Conducted	Year Conducted	Judges		Other Participants		Total Participants
		Female	Male	Female	Male	
Training in Bishkek	2016	2	16	1*	1*	20
Training in Osh	2016	1	17	1*	1*	20
Seminar in Bishkek	2017	4	12			16
Seminar in Osh	2017	1	15			16

*from the administrative office of the Supreme Court

A fruitful partnership was established with the Higher School of Justice under the Supreme Court of the Kyrgyz Republic. The Higher School of Justice played a great role in the development of the curriculum and the guidebook and provision of the training to judges. In addition, the Higher School of Justice significantly contributed to the training by providing a conference hall and covering costs related to accommodation of participants in 2016.

Based on the success of the first training and responding to the request from the Higher School of Justice, the project team delivered an additional one-day seminar/information sharing workshop in April 2017 for the same group of judges (32 participants) in Bishkek (April 11) and Osh (April 6) on the issues of freedom of religion and the administration of justice. However, not all judges who participated in the first training in 2016 were invited to the second seminar.

The interviews conducted with the judges who participated in both events confirmed that the knowledge received was useful and very relevant to their work. One of the judges shared that the information received in the first training in 2016 was used in one of his cases related to extremist literature. Others stated that there were no cases on the freedom of religion in their practice so far. However, as pointed out by the judges, the guidebook is very relevant to the current context and juridical practices in the country as the judges possess limited knowledge on the subject. The

“For me, some of the information received in the training was an eye opener. In our practice around 117 people were held administratively liable and out of them 40 were sentenced wrongly. Now I understand that”.

Project evaluation participant



Pic 9: Search Country Director K Sainazarov and Training Center of Judges' Director Z Kojokmatova are opening the Training for Judges in Bishkek on April 18-19, 2016 in Bihkek. Photo by M Mashrabov

interviewed judges also stressed that usually the cases related to freedom of religion are reviewed in the court of the first instance and very rarely in the second, provincial court. In some provinces, there are no such cases at all (Naryn/Talas).

All interviewed judges confirmed that, after each training, they returned to their workplaces and shared the information received: *“We discussed the training in our working meeting and shared the knowledge. I will apply the knowledge*

received in both training, and I am able to consult my colleagues. However, this kind of training is needed for judges of the first instance as they mostly deal with the cases of freedom of religion. I represent the court of the second instance, at the provincial level. We have the system of mentoring in our province, and I mentor eight judges from 2 districts with whom I share knowledge and information, from now, including on the issues freedom of religion”.

In terms of the training conducted in 2016, it was indicated in the post-training report provided by the trainers that the level of knowledge of participants increased at least 20% in Bishkek and Osh⁸. The trainers assessed pre-training knowledge of the judges on international legislation regarding freedom of religion as minimal and the level of knowledge of the national legislation as lower-middle, which shows the necessity of such an intervention. According to trainers, training participants showed great awareness of their region’s problems and adequate ability to analyze and interpret the situation based on the new information received during the training.

According to post-training questionnaires, 93% of participants thought that the objectives of the training sessions were fully achieved and 7% of participants stated partly achieved in Bishkek. 65% of participants in Osh thought that the objectives of the training were fully achieved. 35% of participants in Osh indicated that the objectives were partly achieved. Unfortunately, there were no comments which could support these indicators. However, the average level of satisfaction from training events in both locations was 79 %, which supersedes the targeted indicator of 75 % defined in the monitoring plan.

An additional presentation of information (workshop) on the results of monitoring of trial cases within training of judges was held in Bishkek on April 6, 2017, and in Osh April 11, 2017. The level of satisfaction or knowledge was not assessed as the event was conducted in the form of an informative workshop and an open discussion. 32 people from the northern and southern parts of the country participated at the event (27 men and 5 women).

The project involved judges only twice in the course of the 2-year lifecycle of the project. The evaluation team was present at the second training/workshop conducted in April 2017 in Bishkek and Osh. When judges were asked about the project goals and outcomes, most of the judges interviewed in Bishkek and Osh had a hard time remembering what was presented about the project during the training in 2016. In addition, not all the judges present at the second training participated in the first training and vice-versa. Judges from distant districts were not present at the training in the Osh region, and most of the judges’ present were from the Osh region. However, it should be noted that the selection of participants for both trainings was made by the Training Center for Judges, which is one of the leading project partners.

A common problem pointed out by the judges was a lack of literature on religions and the religious situation published by the government. There was a mix of approval and protest in Osh when judges were handed the legal commentary on religious law of the Kyrgyz Republic. An argument ensued between two judges as one defended such handbook, calling it “priceless than gold” despite the publication being in the Russian language. Meanwhile, the opposing judge argued that in remote districts of Kyrgyzstan, where the local population are ethnically diverse, the Kyrgyz language is the common medium of

“As an outcome of these trainings, I can point out that we started to think of the rights of those people who we judge.”

A judge from the northern region

⁸ Trainers’ reports in Osh and Bishkek, 2016

communication in all court hearings, including those involving ethnic minorities. *“If I am making a decision, I want to show on paper what I am basing my decisions on to the person in trial. How can he trust my decision, if he knows no Russian?”* The same judge further argued that such publications in Russian have a risk of approaching a local problem with a foreign mindset and terminologies that will not have a practical use, as long as there are not also publications in the Kyrgyz language.

Thus, judges agreed that the trainings were relevant to their needs. However, as it was pointed out by the judges in the south, the legislative documents produced by the project should be translated into Kyrgyz.

1.2.2 Contribution of the project to enhancing communications and collaboration between government actors and civil society actors on discussing and deliberating a legal framework on religious freedom in Kyrgyzstan

There are several bodies in Kyrgyzstan responsible for the implementation of international and national obligations on freedom of religion. The government, particularly the MoJ, is the main body responsible for the enforcement of laws and policies on religious freedom. Its central agency, SCRA, is accountable for the implementation of the state policy on religion. The SCRA coordinates and supervises activities of religious organizations and develops state policies on the prevention of terrorism and extremism. The relevant bodies in Parliament are the Committee on Human Rights, the Defense and Security Committee, the Committee on Education, Science, Culture and Sports, and the Committee on Social Policy. In the Office of the President, the Defense Council and its working group, the Department of Ethnic, Religious Policy and Interaction with Civil Society, work on reforming the state policy on religion. Other corresponding bodies include the Supreme Court, the State Agency on Local Government Affairs and Inter-Ethnic Relations, and the Public Expert Committee on the issues of inter-ethnic, inter-confessional development.

There are several CSOs actively working on human rights and freedom of religion such as the Open Position, Religion, Law and Politics, Interfaith Council, Mutakallim, Human Rights and Democracy Center, Ventus, Institute of Social Analysis and others.

As noted by the independent external expert, the status of communications and collaboration between government and civil society actors in Kyrgyzstan related to freedom of religion has positively changed in the last three years. Both state agencies and CSOs have started a dialogue focusing on the problems in the area of freedom of religion and belief. As pointed out by the expert, the situation with the inter-sectorial communication and collaboration changed due to input by such organizations as Search. Nonetheless, there are still a limited number of initiatives of CSOs and international organizations on religious freedom. The expert also noted that individuals who worked in this field also struggled with confrontations due to differing religious views and personal attitudes. For example, there were confrontations at the level of the SCRA and Spiritual Administration of Muslims (*muftiyat*) because of different understanding or interpretation of religious freedom.



Pic 10: Representatives from MIA KR, MoES KR, NGO Ventus, KRS University are collaboratively developing plan for the next project period, Final DRL I MSWG Workshop. Photo by N Zhakypova

Referring to the current project participants (MSWG members), all evaluation interviewees echoed the common view that the project definitely improved collaboration between government and civil society actors. As pointed out by the project team member: *“There were hard times to manage the situation during some meetings due to the diversity of group members. But we succeeded to earn trust and be able to successfully facilitate the group due to our common ground approach and excellent communication skills of our national director.”* Indeed, professionalism of the project team was one of the factors that contributed to the productive implementation of the project, which was acknowledged by the final project evaluation participants. The project manager is a religious studies scholar who had previously established fruitful cooperation and contacts with the majority of the state and non-state representatives as well as experts on religious affairs in the country. She was a member of the working group established within the counter-terrorism project of Search and was a co-author of the research paper on State Policy in the Religious Sphere. The small (2 people) and very efficient team excellently coordinated the project activities and facilitated the establishment of positive relationships and work synergies to promote the intended initiative with the support and guidance of the Search country team.

“The group met once a week, which rallied and brought the relations between the members of the group closer together. Each time there was a lot of hot discussions, so the work in the group was, on the one hand, very difficult, on the other - interesting. We became close to each other.”

One of the working group members on Doctrine Commentaries, Bishkek

Finally, within the project, the interaction of civil society representatives and experts with state bodies improved because they established common goals. According to the interviewees, it is important for civil society and expert community representatives to be able to influence the government in decision-making processes to ameliorate people’s lives regarding freedom of religion. The government’s openness to collaborations played a major role in enhancing the communication and collaboration with civil society actors. For example, one of the MSWG representatives from civil society specified: *“The government did a good job by being open and sending its experts and specialists to participate in the Search project.”*

Nonetheless, it should be noted that the above mentioned positive collaboration concerns the MSWG members. Their work took place at the national level in the capital city where all responsible state agencies are located. The MSWG consisted of state representatives and active civil society actors who work on freedom of religion.

However, as mentioned above, the project came at the right moment when the relations of relevant stakeholders began to thaw. Changes in the management of SCRA and Muftiyat has contributed positively to this process. Recent socio-political developments in the Middle East pushed the government to start an open dialogue to ensure security and the right to freedom of religion in the country. Nevertheless, the Search project contributed to this process of an open dialogue by offering interventions relevant to the current country context described in this section.

1.2.3 Role of the participating judges, governmental authorities and members of MSWG play in institutionalizing the efforts initiated by the project intervention in the last two years

The careful study of the documented activities and outputs enables Search to state that the project outputs were institutionalized in the form of decrees and publications. Table 8 provides a summary of the legislative and regulatory initiatives promoted within the project. Institutionalization of the

produced legislation and other legal documents were ensured by the establishment of official partnerships and approval of these documents by the relevant state agencies. For example, the Memorandum of Cooperation signed with the Training Center for Judges under the Supreme Court of the Kyrgyz Republic institutionalized the efforts for development of curriculum and guidebook for judges. As a result, the guidebook and curriculum were approved by the Supreme Court.

Table 8: The list of evidence showing institutionalization of project efforts

No	Area of Intervention	Outcome	Evidence
1	General Legal Framework	Practical Commentary on the Law of the Kyrgyz Republic “On Freedom of Religion and Religious Organizations in the Kyrgyz Republic”	Published and placed in the TOKTOM ⁹
2	Burial issues	Expert Analysis of the Regulatory Environment of Burials of Religious People in Kyrgyzstan, including the Evaluation of the Draft Law on Burial issues	Analysis submitted to the Parliament
		Publication “The Right of a Person for Dignified Burial”	310 copies of publication handed over to the Spiritual Administration of Muslims of the Kyrgyz Republic, and 300 copies to SCRA of the Kyrgyz Republic for further distribution
		Instructions on Provision of Land for Burials	In the process of approval by the government
3	Forensic Expertise	Comprehensive Religious and Psycholinguistic Expert Examination Methodology	Approved by SCFE of the MJ KR
4	Monitoring of observance of rights for freedom of religion or belief	Guidebook for monitoring “Monitoring of Observance of Rights for Freedom of Religion and Belief”	200 copies published and distributed to stakeholders
		Report on the Results of Monitoring of Trial Cases on Observance of the Right for Freedom of Religion	100 copies published and distributed to MSWG members, other WG members
5	Capacity building of Judges	Guidance for Judges “Freedom of Religion and Administration of Justice”	Approved and used by the Department of the Higher School of Justice under the Supreme Court of the Kyrgyz Republic
		Curriculum for Training Judges on Freedom of Religion and Administration of Justice	Approved and used by the Supreme Court of the Kyrgyz Republic

⁹ TOKTOM is the biggest non-state archive of legislative acts and other documents for specialists from various spheres. Website: www.toktom.kg

6	Religious education	Concept of Religious Education	Approved by Ministry of Science and Education and will be forwarded to President's Office for approval
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The development of the practical commentary to the Law of the Kyrgyz Republic “On Freedom of Religion and Religious Organizations in the Kyrgyz Republic” was initiated by the MSWG. The commentary doctrine thoroughly examines each article of the current law and explains its provisions in accordance with the Constitution and other normative legal acts of the Kyrgyz Republic. It also shows the existing problems of law enforcement practice. The commentary was intended for judges, state officials, lawyers, students, postgraduates, researchers, and teachers of higher education institutions. Aware of the need for such a commentary, one of the experts who developed the doctrine wanted to promote it and had been asking for support from different organizations for 5-6 years. He received no positive response until the SCFG project took this initiative forward.

As a result of this work, the project team was officially approached by TOKTOM to list the doctrine on their website for the use of a broader audience. TOKTOM is the first and largest non-governmental archive of a wide range of legislative documents which is used by lawyers, auditors, accountants, banking and finance specialists, as well as state and civil society representatives. Thus, the doctrine will be displayed at the TOKTOM website for a public use.

An interview with a member of the WG on burial issues revealed that the project was very important for interdenominational relations since conflicts often occur because of burial issues of believers. There have been no instructions or regulations on the allocation of cemeteries for various religious groups or division into sectors. Meanwhile, the local governments need regulatory acts to solve occurring conflicts and help local *imams* inform the population. As a result of the WG’s work, the Instructions on Provision of Land for



Pic 11: Group of presenters (representatives of Muftiyate, MIA, SCRA, SCNS, etc.) during Informative events on Burials of believers on December 08, 2017 in Toktogul city. Photo author unknown

Burials was developed and currently is in the process of approval by the government. The publication “Human Rights for Dignified Burial” developed in the project by the WG was also popular, especially among Muftiyat.



Pic.12: SCFE Director A.Kadyrova is making opening speech of Roundtable on Religious Expertise on April 11, 2016 in Kyrgyz Slavic University conference hall. Photo by N.Zhakypova.

The reasoning behind the development of a methodology for religious expertise was that, when people are detained by the police for possessing extremist materials, they are convicted based on the religious expertise of the SCRA. According to lawyers, civil society, and human rights defenders group, the SCRA does not have the authority to determine whether religious literature is extremist or not. SCRA's ruling based on "religious

expertise" is very subjective on many occasions and issued without a clear justification. Therefore, Search along with the

SCFE formed a small WG, which was tasked to develop a 'Comprehensive Religious and Psycholinguistic Expert Examination Methodology' to guide experts' examination and judgment in cases involving religious literature. The establishment of the WG was approved by the MoJ through a decree signed on July 28, 2016¹⁰. The group consisted of representatives from the SCFE, SCRA, Ministry of Interior/Number 10 Special Unit, prosecutor's office, religious studies experts, and experts on the text analysis (linguists, religious study expert, psychologists). The developed methodology will be used as a key guidebook by the experts from the SCFE and SCRA during the examination of religious literature detained by police. The guidance was approved by the SCFE of the MoJ. As the final stage, the MoJ submitted a request to higher management to include the methodology into the state forensic methodologies' list.

Besides, the MoJ initiated amendments to the law "On Forensic Expertise" to include religious psycho-linguistic expertise as part of forensic expertise. This sets high standards for the quality of expertise and experts' professionalism; ensures independent, objective investigation of materials; and increases the responsibility of experts for perjury.

In terms of the concept of religious education, the project staff and its experts faced difficulties in bringing together the SCRA and MoES in a constructive discussion; such meetings had been tense before the project. It was revealed that the MoES delayed introducing the subject of religion in the school curriculum even though the program of the Ministry for 2014- 2020 had this as one of the goals. The SCRA had to take responsibility for this task. All in all, the MoES appears to have a number of institutional issues. In particular, because of a constant staff turnover at the management level, the staff at the lower levels are slow to carry out the instructions of the management.

In addition, there was an irregular involvement of the MoES in the project. Each time different people represented the Ministry at the project meetings, which created difficulties in communication. Despite these difficulties, through facilitating the meetings sensitively and finding a common ground, the project prepared the concept on religious education together with these

¹⁰ Quarterly project report, October 30, 2016, Search, Bishkek 2016

parties. At this stage, it needs to be approved on the state level. In addition, the relationship between the SCRA and MoES has improved due to a close cooperation within the project.

The concept on reforming religious studies and religious education formulates the common vision of the development of the religious studies and religious education in the country, designates its place and role in the system of education, develops a classification system of educational programs and identifies the main aspects and stages of reforming the process of delivering the religious education. The concept focuses on two main areas:

- 1) reforming religious studies in the secular educational institutions, which implies an introduction of a course “History of Religious Culture” for the 9th and 11th grades of the secondary school to give pupils an understanding of various religions and teach tolerance and respect for religious rights; considering religious studies as a major at the higher educational level (Bachelor, Master, Doctoral degrees) and introducing vocational training for the state employees and teachers.
- 2) reforming religious education in religious institutions by introducing a list of secular subjects into their curricula such as the history of Kyrgyzstan, history of religions, Russian/Kyrgyz language and literature. The aim of introducing secular subjects into the religious educational institutions is to foster tolerance, open mindedness and to give an opportunity for students to acquire knowledge on secular subjects in religious institutions.

In addition, due to the persistent interest of the project manager and her professionalism, she, as an expert in religion and religious studies and a co-author, has contributed to the development of the curriculum and textbook on the “History of World Religions and Cultures” in the framework of the MoES and Oslo Coalition on Human Rights cooperation. In March – April 2017 the curriculum and textbook were piloted in 10 secondary schools in Kyrgyzstan. The evaluation team could not find the specific outcomes of the piloting since it was implemented in the framework of a different project and organization.

After monitoring trial court cases, their analysis was published (100 copies) and presented to MSWG on 26th of April 2017. The monitoring report provides an analysis and evaluation of law enforcement practices for ensuring the rights to freedom of religion. As indicated in the report, monitoring of freedom of religion plays a great role in maintaining the minimum standards by the state. The nine months of monitoring achieved its aim, which was to evaluate the fairness of court processes in light of international and national standards. The results of the monitoring laid the ground for the development of recommendations for strengthening the legal framework and enforcement practices which can further promote the enhancement of the situation of the human rights in the country.



Pic 13: Participants discuss the topics of group works, JME with experts on April 3-4, 2017 in conference hall of Smart Hotel, Bishkek. Photo by M.Karimova

Finally, the interviewed judges reported that the information they received during two workshops in 2016 and 2017 was very useful and relevant to their professional practice, which was described in section 1.2.1 above.

1.2.4 Contribution of the project to mobilizing Kyrgyz civil society in the monitoring of cases related to religious freedom

The project worked with civil society representatives from the northern and southern parts of the country to monitor and document cases where religious groups' rights to freedom of religion were violated.

As specified in the project document, trial monitoring is one of the methods of monitoring the status of freedom of religion or belief in a country. The following methodological principles underline the monitoring process: *non-intervention* in the judicial process, meaning respect for the independence of the court; *objectivity*, meaning reporting on legal proceedings using clearly defined and accepted standards; *agreement*, meaning that MSWG and all the staff involved in the monitoring process achieved common understanding regarding the purpose of monitoring.

The monitoring was based on the internationally accepted trial monitoring practice to assess compliance with fair trial standards. It aimed to assess the way in which certain proceedings, phases, or issues are handled by the authorities. It was an in-depth research exercise aimed at providing critical information to religious freedom cases. The subject of the monitoring cases related to the enjoyment of religious rights, including the registration of religious organizations, wearing religious attributes, burial of believers, possessing religious literature (possessing extremist materials), and violations during missionary activities (*davaat*). The guidebook for observers on monitoring of religious freedom rights was developed and published in 2016.

Following the "Public Oversight of Religious Freedom" workshop conducted in May 2016 in Bishkek and Osh, selected CSO members, including lawyers, civil society activists, and advocates, were expected to serve as monitors in the regions. Search developed monitoring mechanisms, handouts, and reporting structures.

The evaluation found that most of the civil society stakeholders were familiar with a monitoring process and had experience of monitoring in the framework of previous projects related to other organizations, but they have not had experience monitoring cases of religious freedom.

Since the number of cases proposed on religious freedom by the trained CSO members did not meet the deadlines and planned number, the Monitoring Group Coordinator proposed Search accelerate the process of finding the cases by recruiting additional experienced monitors. The experience of monitors among respondents was from 6 months to 6 years.

Correspondingly, 50% of focus group participants from CSOs in Osh city, whose cases were selected for monitoring, did not receive Search training. The other half participated in both training and monitoring. In Bishkek city, 80 % of focus group respondents did not participate in



Pic 14: Group photo from the Public Oversight on Religious Freedom Training for CSO on May 30-31, 2016 in Sunrise 2 Hotel, Osh. Photo by N Zhakypova

the training but monitored cases. When asked what they learned from the Search training, focus group respondents said that they gained new knowledge on the legislation of the Kyrgyz Republic on religious freedom and information on the number and names of banned religious organizations.

The data from the trainers' report shows that the training for members of CSOs was evaluated highly. Each training session was evaluated by the participants separately. On average, 82% of training participants were satisfied with training in Bishkek and 65 % were satisfied in Osh. The comparison of the pre and post-test results indicated in the trainers' report shows a 21% increase of knowledge of training participants in Bishkek and a 20% increase in Osh.

Since the court cases have several hearings before the judge reaches the final verdict, the monitors from Osh found it time consuming to fill out the same forms for each hearing. When the evaluator asked the same question to the respondents in Bishkek, they did not have the same problem because the monitoring coordinator instructed them not to record the same information for each hearing. This shows poor communication between CSOs in Osh and the monitoring coordinator. In fact, the monitors from Osh said that there was difficulty in general communicating (by email) with their Monitoring Coordinator who was located in Bishkek. There was a complaint that it took too long to get a response from the coordinator. It usually took more than three days to receive feedback from the coordinator, and by the time the response was received, the issue could lose its importance. However, monitors in Bishkek city and Chui region did not experience any problems in exchanging information with the coordinator, who communicated via telephone or in person. They praised the professionalism of the monitoring coordinator. Based on this, it can be concluded that there was a miscommunication or lack of communication between the Osh monitors and the monitoring coordinator.

Focus groups respondents shared the following difficulties from their monitoring experience:

Difficulty in finding information on religious cases. There is no unified system where all the cases are stored. Court hearings and cases are posted on a government website, www.sot.kg. But it mostly posts cases from Osh and Chuy regions. There is no information from Jalal-Abad and Batken regions.

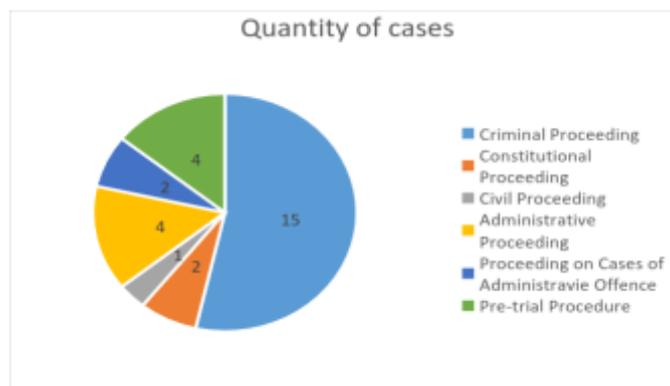
Court hearings of the cases can take anywhere from several months to several years before the judge makes a verdict. Some cases, which were monitored during the project, are still in progress. It was difficult for monitors to follow these cases because the project ended and there is no financial incentive to continue monitoring.

In total, 58 cases were identified by monitors in Osh and Bishkek. 28 were accepted for monitoring. The following is the regional representation of cases: Bishkek – 12 cases, Chuy Province – 4 cases, Naryn Province – 2 cases, Issyk-Kul – 2 cases, Jalalabad – 6 cases, Osh Province– 2 cases¹¹. Out of 28 monitored cases, 15 cases were under a criminal proceeding for the possession of prohibited religious material, 2 cases under a constitutional proceeding, 1 case under a civil proceeding, 4 cases under an administrative proceeding, 2 cases under an administrative proceeding, 4 in a pre-trial procedure (Refer to Chart 1). For 14 of 28 identified cases, a full set of monitoring tools was applied.

¹¹ Report on Monitoring of Court Trials Related to the Freedom of Conscience and Belief in the Kyrgyz Republic, Search, Bishkek, 2017

For the other 14 cases, questionnaires, a collection of trial acts and other documents were used¹².

Chart 1: Quantity of total cases monitored according to proceeding type



It is worth mentioning that those who were not selected to monitor but participated in the training enthusiastically made efforts to search for relevant cases for Search. However, their case proposals were not approved due to the fact that the majority of submitted cases were about banned religious materials. This type of case, according to the Search project coordinator and experts, is not related to religious freedom. Nevertheless, some of these cases were accepted. Most participants of the Search training represented human rights activists, lawyers, former judges, and assistants of advocates. Nearly all of them had juridical education. Thus, the selected monitors were professionals. The following examples of cases show the gaps in the regulatory framework identified during the monitoring process.

Two cases concerned people who conducted *daavat* (Islamic missionary) and were detained for lacking an approval letter. In the first case, a group of people were held liable according to Article 395, Part 2 of the Code for Administrative Liability of the Kyrgyz Republic. According to the Code, a religious worker and members of religious organizations can be held liable for violation of the restrictions on organizing and holding religious assemblies, demonstrations and other ceremonies of worship. In the second case, a group of citizens were held liable for administrative offence, and the administrative arrest order was imposed on them for recurrence to confirm the legal enactment of the law enforcement officer (Article 371, Code for Administrative Liability). In both cases, the following was not clarified: 1) which provision of the law requires approval for conducting *davaat*; 2) which agency is responsible for issuing such an approval; 3) what norms or rules are set for organizing and conducting religious assemblies/gatherings, demonstrations and other ceremonies of worship.

The monitored cases were analyzed and main conclusions were made in the analytical report on the on-going monitoring of the religious freedom status (2017). Its key recommendations in the report include: 1) to draw the attention of oversight bodies and judicial authorities to violations in carrying out operational-search activities and investigative actions; 2) to draw the attention of the supervisory bodies and the judiciary that the Law of the Kyrgyz Republic "On Combating Extremist Activity" prescribes that the information materials be ruled as extremist by the court, while in practice, criminal prosecution for the acquisition and possession of extremist materials occurs without the court recognizing them as such; 3) to draw the attention of supervisory bodies and the

¹² Report on Monitoring of Court Trials Related to the Freedom of Conscience and Belief in the Kyrgyz Republic, Search, Bishkek, 2017.

judiciary that the production and examination of extremist materials is being carried out by the SCRA, which is not the authorized body for such examination.

As shown, the project succeeded in mobilizing Kyrgyz civil society by monitoring court cases related to religious freedom. The whole process was analyzed and presented to the stakeholders during the final MSWG meeting and workshop for judges. Additionally, the report on the monitoring results, with specific recommendations for improving court practices, was distributed among interested parties.

1.3 Intermediate impact

According to the TOR, this OECD criterion had three questions as presented in Table 9. Based on the evaluation findings, the following scores were calculated for each question. The average score is 2.3 which makes the impact of the project **high**.

Note: As discussed in the Evaluation Summary section, the score was given by the evaluators based on the data gathered and analysis carried out during evaluation. It should be noted that this scoring is subjective since it is given by the evaluators. However, the purpose of providing a score is to convey the qualitative data in a way that would quickly give a reader a sense of the extent to which the component of the project has been achieved.

Table 9: Intermediate Impact Score

Questions	Score
How has the project contributed to strengthening the legal framework in support of protection of religious freedoms?	3
To what extent are the project stakeholders filling the gap between the formulation and implementation of laws, policies, and regulations?	2
To what extent are project stakeholders initiating actions that represent their ownership or buy-in of the project initiatives?	2

1.3.1 Contribution of the project to strengthening the legal framework in support of protection of religious freedoms

As pointed out by the project team, all initiatives related to the legislation were raised and prioritized by the MSWG members, which underlines the relevance of the project action to the local context.

The religious law contains controversial issues regarding the registration of religious organizations, the liquidation of religious organizations and the concept of double registration. In addition, a lot of terms used were taken from various scientific and theoretical sources and that caused misinterpretation of the law. Thus, as a result of intensive discussions within MSWG, its members decided to develop a **doctrine commentary to the religious law of the Kyrgyz Republic**. This small WG consisted of knowledgeable specialists representing both relevant government agencies such as the MoJ, the Analytical Department of the SCRA, a civil society representative with experience of advocating for the registration of religious organizations, and two associate professors. As a result of

the teamwork, the commentary doctrine that was developed thoroughly examined each article of the current law and explained its provisions in accordance with the Constitution and other normative legal acts of the Kyrgyz Republic. It also showed the existing problems of law enforcement practice. The commentary is intended for judges, state officials, lawyers, students, postgraduates, researchers, and teachers of higher education institutions.

The doctrine commentary was peer-reviewed by international and local professors: R.A. Podoprigora, Professor of the Caspian University, member of the Scientific Advisory Council of the Supreme Court of the Republic of Kazakhstan, Doctor of Laws, and B.I. Borubashev, Professor, Head of the Department of International and Constitutional Law of the Kyrgyz-Russian Slavic University, Doctor of Laws. The evaluation revealed that, as a result of valuable comments and criticism from the reviewers, the document was re-written and edited to ensure high quality.

Regarding burial issues, the **Legal Analysis of the Regulatory Environment of Burials of Religious People in Kyrgyzstan**, including the Evaluation of the Draft Law on Burial issues, was conducted by the project. The analysis showed that the problem with cemeteries should be resolved in the near future to prevent serious inter-religious conflicts in the country and further radicalization of religious minorities. Proselytism, apostasy and burial sites for proselytes have been causing conflicts between Kyrgyz Muslims and Kyrgyz Christians for several decades. The conflict comes from the active missionary activities of Protestants groups among Kyrgyz populations that resulted in the wave of Muslims leaders` discontent. In response to the increasing proselytism among Kyrgyz, in 1996 the Muftiat issued the *fatwa* (resolution) banning burial sites for Kyrgyz proselytes in village cemeteries. Since then, burial for the converted Kyrgyz Christians has been restricted at the municipal graveyards that were considered by the local population to be ancestral cemeteries. As a result, the number of inter-religious conflicts related to burial sites for proselytes had been rapidly increasing, especially in remote regions of the country. The core of confrontation between these two groups was deeply connected to ethnic identity and religious affiliation¹³. The expert Analysis of the Regulatory Environment of Burials of Religious People in Kyrgyzstan was submitted to the Parliament for further consideration.



Pic 14: Cover page of the handbook “Human Rights for Dignified Burial”.

The publication of **Human Rights for Dignified Burial** and the development of the **Instructions on Provision of Land for Burials**, which is in the process of approval by the government, could play a great role in eliminating tension among religious groups. Though, according to the WG representatives, it is too early to judge the results of the work of the group. However, by now, the developed handbook on burial issues has been tested in the regions and received positive feedback. The other publications were distributed among the representatives of the local government and religious human rights defenders of some regions. The project evaluation respondents confirmed that the publication is in demand.

On 8th December, 2016, Search Kyrgyzstan in partnership with the MoJ presented the final version of the **religious studies and complex judicial psycho-linguistic expertise methodology** to the interstate working group after intensive work of the WG on the development of the methodology. This is the

¹³ Quarterly report, April 30, 2016, Search, Bishkek, 2016

first-ever expertise regulation and methodology for conducting such research in the country. As a result, the MoJ initiated amendments to the law “On Forensic Expertise” to add religious expertise as part of forensic expertise. The methodology was adopted by the SCFE and a position of a specialist on religious expertise was approved within the commission. However, as indicated by the MSWG member, the position is still vacant as there are no qualified individuals available in the country who could work for a low state salary.

Another small WG produced **curricula and a guidebook on religious freedom** in the Kyrgyz Republic. The guidebook aimed at serving as a key source for providing local judges with the information that supports protection of religious rights. The guidebook and the curricular went through the obligatory expertise test by the Training Center for Judges and was approved by the Supreme Court. For more information on the content of the guidebook, please refer to Section 2.2.1.

The concept of reforming religious studies and religious education produced in the small WG in partnership with SCRA and MoES focuses on reforming religious studies in secular educational institutions by introducing a course entitled “History of Religious Culture” to the secondary schools, as discussed above. The concept also focuses on reforming religious education in religious institutions by introducing a list of secular subjects into their curricula to foster tolerance and open mindedness, as well as give an opportunity for the students to acquire secular subjects in religious institutions.

A small WG produced tools for monitoring court trial cases related to freedom of religion and belief. They hoped these would prompt the representatives of the relevant state agencies to discuss the current situation, find the common ground between various religious groups and believers, and thereby unite efforts to protect human rights. The monitoring of trial court cases was conducted in all regions and resulted in analyzing 28 monitoring cases. Specific recommendations were also given as an outcome of the monitoring analysis. The report was shared with MSWG members at the final meeting in Bishkek on April 26, 2017, and raised the attention of the partners. 100 copies of the report were shared with all interested stakeholders.

As shown above, the project positively contributed to the process of strengthening the legal framework in support of protection of religious freedoms in the country by a strong facilitation of this process and practical contribution of expertise.

1.3.2 Role of the project stakeholders in filling the gap between the formulation and implementation of laws, policies, and regulations



Pic. 15: Team of authors: Ch.Musabekova, N.Ismailov, N.Alenkina and SFCG Country Director K.Sainazarov during the press conference on 27.09.16 in Information Agency Kabar. Photo by G.Jekshembaeva.

The project stakeholders have an important role in filling the gap between the formulation and implementation of laws, policies, and regulations. First, as discussed thoroughly above, the project stakeholders, particularly MSWG, identified a number of gaps in the legislation and they were addressed by the development of the doctrine, guidebooks, and various publications (see section 1.3.2). As one of the stakeholders stated, these suggestions can be a clear clue for the Parliament in modifying and improving policy on religious

freedom.

Secondly, practical actions were taken by the project to fill these gaps as shown in Section 2.3.1. The outcomes produced by the project laid a foundation for further work. For example, the developed doctrine commentary and suggestions on the regulations are bound to facilitate the work of the relevant state, public and religious organizations. It lessens the divide between state and religious organizations because there is already a formula for interaction. Another example is the development of complex forensic expertise by the members of the WG and independent experts. As mentioned above, it is the unique expertise for Kyrgyzstan that was developed for the first time with the technical support of the project. However, the evaluation team also noticed an opposition to the creation of such expertise.

One of the interviewees explained that there is no need for such expertise as this practice only exists in the post-Soviet countries. The necessity of this expertise was implied by the 2008 law on religion, which according to the opinion of many experts, does not correspond to the Kyrgyz Constitution, thus the expertise is not required. Further, this expertise will allow the state to ban undesired religions. This point of view was also discussed during the MSWG meeting and it was decided that, under the current situation in the country, the existence of methodology for religious studies and complex judicial psycho-linguistic expertise would improve the situation.

To sum up, the project stakeholders, particularly MSWG, have done substantial work in identifying the gaps in the legislation, policies, and regulations. The outcomes produced are bound to improve the practice. The relevant organizations are expected to use the materials produced by the project. However, it is clear that bringing legislation to practice can be a focus for future Search interventions.

1.3.3 Actions of the project stakeholders that represent their ownership or buy-in of the project initiatives

As the evaluation team met and interviewed members of MSWG, regardless of whether they represented CSOs or the government, they were all experts in their respective fields and shared a desire to make a difference. The Search project team managed to create a platform where such experts were able to sit down together and discuss the current religious situation in Kyrgyzstan.

Unlike other projects (as stated by the WG members), Search built its project activities based on the suggestions of MSWG members. This allowed the project participants to tackle the issues that were relevant to the stakeholders in the context of Kyrgyzstan.

The project has been successful in generating many interesting results in promoting religious freedom, facilitating the process of relationship building and strengthening cooperation between CSOs, government members, and community experts, particularly who participated in MSWG and small WGs. Almost all MSWG members interviewed during the evaluation shared how they shifted their perception and attitude towards the project. As most participants said, they did not believe in the project's ability to impact the status of religious freedom in the beginning. However, after participating in the first meeting, where they realized that they would play main roles in making these changes, they changed their attitude. For example, one of the evaluation respondents said that it was his idea to make the doctrine commentary to the religious law. Prior to the project, he made a lot of proposals to other organizations for more than 4-5 years and no one supported his idea. Search became the first and only organization to support the development of the doctrine and

made it possible to realize this idea.

To sum up, one of the key findings of the evaluation was that the project emphasized ownership by the stakeholders. The project's key stakeholders demonstrated a great extent of the ownership of the project intervention since they were closely involved in the project activities and the development of different materials.

1.4 Sustainability

According to the TOR, this OECD criterion had two questions as presented in Table 10. Based on the evaluation findings, the following scores were provided to each question. The average score is 2, which makes the sustainability of the project a **moderate one**.

Note: As discussed in the Evaluation Summary section, the score was given by the evaluators based on the data gathered and analysis carried out during evaluation. It should be noted that this scoring is subjective since it is given by the evaluators. However, the purpose of providing a score is to convey the qualitative data in a way that would quickly give a reader a sense of the extent to which the component of the project has been achieved.

Table 10: Sustainability Score

Questions	Score
What steps are planned or have been taken by the project team (Search and partners) to create long-term processes for reducing prejudices, overcoming stereotypes and promoting religious tolerance and freedom in Kyrgyzstan?	2
Have there been independent initiatives promoting religious freedom as a result of their (stakeholders') participation in the project? If yes, to what extent has this contributed to religious freedom in Kyrgyzstan?	2

1.4.1 Steps taken by the project team (Search and partners) to create long-term processes in reducing prejudices, overcoming stereotypes and promoting religious tolerance and freedom in Kyrgyzstan

The project has produced a number of important outcomes as discussed above. Most of these outcomes are on the legislation and policy level. Thus, they can be considered as long-term processes since they lay the ground for practical activities of the stakeholders. Further, the evaluation interviews identified specific actions taken by the stakeholders to promote the project materials. For example, a recommendation on the burial issue, which was drafted by the project's small WG, assisted the Kyrgyz government in writing an instruction on burials that places the responsibility on the local governments to take action to resolve the issue.

Further, according to one of the evaluation respondents, a WG was established under the government to develop proposals for the optimization of the burial legislation. They issued a manual and submitted it for approval. The manual was developed based on the handbook "Human Rights for Dignified Burial." Thus, the interviewee from the WG on burial issues supposes that the legislation of the Kyrgyz Republic will be amended in the future since there is a demand for the handbook and the manual.

As many evaluation participants pointed out, the problem with burial issues on the ground occurs due to the misinterpretation or misunderstanding of religious burial requirements by imams and public. It is necessary to spread information on the issue through such publications as “Human Rights for Dignified Burial” to reduce prejudices, overcome stereotypes, and promote religious tolerance and freedom in Kyrgyzstan.

With regard to the Legal Doctrine Commentary to the Religious Law of the Kyrgyz Republic, recently, TOKTOM¹⁴ suggested posting the doctrine commentary on their site and including it in their database, which ensures that all state and non-state bodies have access to the Commentary.

The concept of reforming religious studies and religious education both in secular educational institutions and religious educational institutions, after approval of the Government, will positively contribute to fostering tolerance, understanding and respect for religious rights at all levels.

In conclusion, it can be stated that the project resulted in outcomes that can have an impact on reducing prejudices, overcoming stereotypes and promoting religious tolerance and freedom in Kyrgyzstan in the long-run. However, this depends on the commitment of government and non-government stakeholders to the promotion of religious freedom.

1.4.2 Independent initiatives in promoting religious freedom as a result of stakeholders’ participation in the project and its contribution to religious freedom in Kyrgyzstan

The evaluation team applauds the Search staff in their ability to create a platform where experts on religious freedom were able to jointly discuss the current religious situation in Kyrgyzstan. There were initiatives promoting religious freedom because of stakeholders’ participation in the project.

As mentioned in the above sections, due to the collaboration of religious experts, religious leaders, and members from the government, burial issue of the proselytes was resolved through working together in MSWG. A recommendation on the burial issue was drafted within the small WG that consisted of religious experts and religious leaders. As an independent initiative, another small WG of members of the relevant state agencies was formed under the SCRA by the order No 3, dated 10th of January 2016. Their purpose was to write a government instruction on burials that will be used as a legal document which puts the responsibility on local governments to take action to resolve the issue.



Pic. 16: MSWG VVwokshop on September 29, 2016 in conference hall of Park Hotel, Bishkek. Photo by N.Zhakypova.

Another example revealed by the project evaluation is related to religious education. Through the collaboration of the religious experts and the MoES, a pilot program in ten schools across Kyrgyzstan will be launched. The program will introduce a new “religion” subject into the school curriculum. The

¹⁴ "TOKTOM" is the first largest non-state archive of normative and other documents required for lawyers, auditors and accountants, employees of banking and financial institutions, enterprise managers and specialists of public services in everyday work as a powerful tool for analytical work.

material will introduce major world religions to school students to foster tolerance towards various religions and to provide a better understanding of religions in general.

The psycholinguistic expert center for analysis of prohibited religious literature under the MoJ was created before the launch of the project. However, the center did not fully operate due to various reasons such as a shortage of staff and an absence of methodology. The center was revived under the independent initiative of the Ministry due to the support provided by the project to develop psycholinguistic expertise methodology. Functioning of the center will expedite court hearings on related cases by giving expert opinions. Previously, SCRA was providing the expertise but it did not have certified experts to do the work. Due to the high number of cases in courts that are related to the possession of prohibited religious material, the creation of this center will help to identify the real threats to Kyrgyz society.

1.5 Lesson learned and scaling up

1.5.1 Best practices and major lessons learned

Within two years, Search has accomplished a tremendous work in the area of religion and religious freedom, which is perceived by many stakeholders as exemplary and effective. Because of the Common Ground Approach, it was possible to develop a current doctrine commentary, which to date is the most quality commentary produced in any of the Central Asia countries. One of the respondents from the government institutions, who also participated in a WG shared, *“Recently, the government developed an action plan for extremism and terrorism and a report on achievements was presented; 70% of the work was done by Search. It was funny, but in fact, it’s good that the Government is giving NGOs such opportunities to implement projects on religious freedom.”*

The impressive achievements of this project are that it was able to bring participants from the government and civil society together in a constructive cooperation, which has not happened before in the efforts of other projects and/or organizations. It is not possible for a two-year project to promote religious freedom on a big-scale, where the changes could be observed in the lives of citizens in the long run. However, the project had planted seeds and prepared a fertile ground for further larger initiatives.

“The project carried out a large-scale work on religious freedom, when like no other organizations, such as the OSCE, the United Nations that have been working in this sphere for years, did so. In other words, the project did a systematic job, and provided huge results with a logical completion.”
MSWG member, Bishkek

The project revealed that bringing together different stakeholders based on a decision and task oriented agenda is a very effective and important intervention that could significantly contribute to the promotion of religious freedom in Kyrgyzstan. One of the MSWG members from the southern region shared his experience of participating in similar training where

Pic 17: Representatives of Russian Orthodox Church, Public Hearing of Regulation on Burial Issues in Bishkek on March 31, 2017. Photo by SCRA.



different religious organizations and state agencies were gathered; but that project failed. However, he noted that the Search project exceeded the expectations of all its participants, helping to build relationships between different actors.

The evaluation identified that, for future activities, the collaboration between different actors established within the project need to be accompanied by activities informing other stakeholders (judges and CSOs not with MSWG) and raising public awareness about the project's achievements and any other updates related to religious freedom. For example, one of the interviewees noted that more religious organizations, in addition to the Orthodox Church and Muftiat, could have also been included. According to this person, Protestants could be involved, which are today the second largest religious minority group in the country.

To conclude, many interviewees noted that it would be good to continue this project because it brought positive results. They greatly appreciated the format of the project. Search, community experts, religious leaders, and civil society have established their relationship with the government agencies for future collaboration and coordination, which will provide new opportunities to promote freedom of religion further.

1.5.2 Potential for scaling up

The evaluation considers that there is a large potential for scaling up of project's best practices and lessons learned. As noted above, the project has done work on contributing to the enhancement of communications and collaboration between all stakeholders, increasing the capacity of judges, filling gaps in legislation, and mobilizing civil society in the monitoring of the court cases related to religious freedom. However, as discussed throughout the report, these are initial steps. There is a need for expanding work on all of these areas: further promoting the government and civil society relations, increasing the capacity of judges and other relevant stakeholders, improving the legislation, and engaging CSOs.

More importantly, it should be noted that, per the findings of the evaluation, there is a great urgency for further interventions on religious freedom. A lack of such interventions can destabilize the security and social situation in Kyrgyzstan and the Central Asia region in the whole. Issues such as burial of Christian converts, religious extremism, opaque trials, and a raising divide between secular and religious parts of the population are the potential factors leading to conflict. For these reasons, activities of the Search, especially based on this project, needs to be continued.

2 Conclusions and Recommendations

The evaluation has aimed to assess the project implementation, to examine to what extent the project objectives have been achieved, and specifically to answer four main questions: 1) How the project has improved the legal framework for the religious freedom in Kyrgyzstan, 2) How it has promoted religious freedom in Kyrgyzstan, 3) How it has built bridges between state and non-state actors in implementing rulings related to religious freedom in Kyrgyzstan, and 4) Where is the opportunity for Search moving forward to create enduring change.

Based on a number of interviews with relevant Search staff, MSWG and small WG participants, judges in Bishkek and Osh cities, and experts, and focus groups with training participants and

monitors from CSOs, findings of which were elaborately discussed throughout the report, the evaluation team provides the following answers to the above-stated questions.



Pic 18: Final Evaluation team member G.Asilbekova and K.Jailobaeva, Final MSWG Workshop on April 26, 2017. Photo by K.Kydyrova

The project has significantly contributed to the improvement of the legal and policy framework on the religious freedom in the country by contributing an important commentary to the religious law in Kyrgyzstan, discovering gaps in the relevant legislation, and assisting the Government in regulating burial issues. The project contributed to the improvement of the relations between state bodies and civil society by using a unique and professional approach, where all

stakeholders focused on a task-oriented collaboration rather than just discussions. The project promoted religious freedom in the country on a technical level by improving the legal and policy basis, building the capacity of judges, and engaging with civil society organizations. However, its impact on a practical level is not known yet since it will take time for the outcomes produced by the project to have a tangible impact on the practice of religious freedom by citizens of the Kyrgyz Republic.

As demonstrated above, the relevance, effectiveness and intermediate impact have been evaluated as high. The project's sustainability has been assessed as moderate. The processes that can potentially have a long-term impact have been created by the project. However, their future success depends on the stakeholders. The analysis in the report showed that the first steps in the cooperative work have been taken. However, more effort should be put for different stakeholders to work together on a regular basis. Moreover, the professional and institutional capacity of stakeholders remains an issue.

The evaluation team offers the following recommendations for future Search initiatives to create enduring change on religious freedom in the Kyrgyz Republic.

Strategic recommendations

- *Continue working on religious freedom in the Kyrgyz Republic by applying an Search approach to bring together all the stakeholders and strengthen the newly established cooperation and dialogues between the stakeholders and building capacity of involved stakeholders.*

As stated throughout the report, the Search project had remarkable success bringing together previously antagonistic actors to discuss the issues of religious freedom then engage them in a task and decision-oriented cooperation. This work needs to be continued as the project has just laid the ground and there is still an immense necessity on the joint activities to promote religious freedom in the Kyrgyz Republic. There is a necessity to continue building the capacity of relevant stakeholders.

- *Continue working on the improvement of the legislation on religious freedom*

The project has taken its first steps in the improvement of the legislation on religious freedom. As the analysis in this report shows there are still many gaps in the legislation that require work in future. A number of interviewees highlighted that future activity could concentrate on the promotion of amendments in the Criminal Code and the Laws related to the freedom of religion and religious organizations, as well as countering extremist activity. In addition, there is a need to conduct a comprehensive analysis of the laws on freedom of religion, analyze the interplay of human rights and security considerations, and develop recommendations for further actions.

- *Spreading information about the achievement of the projects to the stakeholders involved in the national and local levels and monitoring the effectiveness of the regulations, handbooks, and guidelines developed in the project.*

The project needs to take the accomplished project outcomes forward to raise awareness of a wider number of relevant stakeholders so that they use these documents and materials. Many important project outcomes have been achieved (e.g. doctrine commentary to the religious law of the Kyrgyz Republic, publication of “Human Rights Dignified Burial”, the religious studies and complex judicial psycho-linguistic expertise methodology). The project needs to take these actions forward to raise the awareness of a wider number of relevant stakeholders and promote their use of these documents and materials. For example, as discussed above, burial of representatives of non-Muslim religions (particularly from the converts from ethnic Kyrgyz household) has become a pressing issue in the Kyrgyz Republic leading to numerous scandals on the community level. Future activities can concentrate on assessing the effectiveness of the regulations and handbook, monitoring how they are implemented, and addressing corollary concerns. The project also needs to collect feedback from the stakeholders involved about the effectiveness of the regulations and handbook for further improvement. To raise awareness, the project can consider working on the community level with local authorities who deal with the burial issues in the first instance. They should be informed about these materials, and their capacity should be built.

- *Working with a wider range of stakeholders and professionals as lawyers, advocates, prosecutors, investigators, etc.*

The evaluation fieldwork made it clear that a wider range of specialists like lawyers, prosecutors, investigators are actors who have an important role in ensuring a fair trial to citizens accused of breaching laws related to religion. The feedback from the judges and CSOs showed that lawyers lack professional capacity and moral commitment to a fair trial, and as a result they violate the rights of the individuals under trial.

- *Expanding the legal knowledge base*

The project should continue working on producing educational materials for actors involved in the justice system. Such materials are bound to have a long-term effect since they can be used for years to build the capacity of judges, lawyers, and others. For example, one of the suggestions made by partners was to consider the publication of a dictionary of legal terminology and concepts on religious freedom in Kyrgyz, Russian, and English languages.

Operational recommendations

- *Ensuring that all the materials and publications produced within the project are available in Russian and Kyrgyz languages*

Within the project outcomes, the developed and published “Commentary on the Religious Law of Kyrgyz Republic” and all other documents that are intended to be used in all parts of Kyrgyzstan should be produced in the Kyrgyz language. While across Kyrgyzstan the Kyrgyz language is used, in Bishkek city the Russian language is widely used on a day to day basis. There was praise of the published materials within the Search project outcomes. Moreover, it should be highlighted that a number of project publications are already available in both Russian and Kyrgyz languages. Nonetheless, this achievement would be further strengthened if all the materials were translated into Kyrgyz to make them accessible to all stakeholders outside of Bishkek.

- *Providing ongoing support to CSOs in the southern region by improving communication with them.*

As noted above, CSOs from the southern region noted that communication with the Monitoring Group Coordinator was an issue since they could not get a timely response to their queries about monitoring the cases. For this reason, better communication mechanism should be considered and put in place.

- *Ensuring that the same participants attend meetings, training and events.*

As pointed out in the discussion, training, events, and meetings organised within the project were not attended by the same representatives from the partner organisations. Such inconsistency can weaken the effectiveness of the project. The evaluation team acknowledges that this is a challenging task since state organisations tend to have busy schedules and high staff turn-over. Nonetheless, effort should be put to ensure consistency of participants of training and meetings. For example, the project team could lobby for issuing an internal order within a partner state organization to ensure that one responsible person is assigned to liaise with the project and represent the organization at official MSWG meetings.

- *Including judges to platforms such as MSWGs*

A common suggestion from the judges interviewed during the evaluation fieldwork was to hold a roundtable meeting with the representatives of other stakeholders relevant to the issues of religious freedom (relevant ministries and departments from the government, lawyers, Supreme Court, CSOs). Judges asserted that they want to express their concerns to other stakeholders and open up a discussion of these issues to address them.



Pic 18: MSWG members and DRL project team members group photo, VI MSWG Workshop on December 17-18, 2016 in Jannat Resorts. Photo author Incognito.

3 Annexes

4.1. Bibliography

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4.2. The list of project documents studied

1. Program Activities		
I. <u>Objective I</u>		
➤ MSWG Workshops		
<i>I MSWG Workshop September 23, 2016</i>		<ul style="list-style-type: none"> ➤ Invitation letters ➤ Minutes and audio ➤ Payments ➤ Photos ➤ Supplementing documents <ul style="list-style-type: none"> • Activity report • Agenda (Eng/Rus) • Budget • List of participants (Eng) • Registration list scan ➤ Other documents <ul style="list-style-type: none"> • Information about the project • Letter of Commitment to MSWG members • Material for bulletin
<i>II MSWG Workshop December 17, 2016</i>		<ul style="list-style-type: none"> ➤ Invitation letters ➤ Minutes and audio ➤ Payments ➤ Photos ➤ Supplementing documents <ul style="list-style-type: none"> • Activity report • Agenda (Eng/Rus) • Budget • List of participants (Eng) • Registration list scan ➤ Other documents <ul style="list-style-type: none"> • Database of participants M&E • Material for bulletin
<i>III MSWG Workshop March 30, 2016</i>		<ul style="list-style-type: none"> ➤ Invitation letters ➤ Minutes and audio ➤ Payments ➤ Photos ➤ Supplementing documents <ul style="list-style-type: none"> • Activity report • Agenda (Eng/Rus) • Budget • List of participants (Eng) • Registration list scan ➤ Other documents <ul style="list-style-type: none"> • Database of participants M&E

<p><i>IV MSWG Workshop June 30, 2016</i></p>		<ul style="list-style-type: none"> ➤ Invitation letters ➤ Minutes and audio ➤ Payments ➤ Photos ➤ Presentations ➤ Supplementing documents <ul style="list-style-type: none"> • Activity report • Agenda (Eng/Rus) • Budget • List of participants (Eng) • Registration list scan ➤ Other documents <p>Database of participants M&E</p>
<p><i>V MSWG Workshop September 29, 2016</i></p>		<ul style="list-style-type: none"> ➤ Invitation letters ➤ Minutes and audio ➤ Payments ➤ Photos ➤ Presentations ➤ Supplementing documents <ul style="list-style-type: none"> • Activity report • Agenda (Eng/Rus) • Budget • List of participants (Eng) • Registration list scan
<p>➤ Development of Draft Laws and Regulations</p>		
<p><i>Burial Issues</i></p>		<ul style="list-style-type: none"> ➤ External communications memos <ul style="list-style-type: none"> • Letters to/from President's Office • Letter to ZhogorkuKenesh ➤ Handbook on Burial Issues <ul style="list-style-type: none"> • WG Meetings ➤ Legal analysis of Burial Issues <ul style="list-style-type: none"> • Last version of the analysis • Budget • Payment to developer
<p><i>Doctrinal Interpretation to Religious Law</i></p>		<ul style="list-style-type: none"> ➤ HR Recruitment of the WG Coordinator ➤ Last version of the Doctrinal Interpretation ➤ Payments for development, editing printing ➤ Press-conference of Doctrinal Commentaries September 27, 2016 ➤ Registration for books ➤ Success story ➤ WG meetings
<p><i>Religious Education Concept</i></p>		<ul style="list-style-type: none"> ➤ Last version of the Concept ➤ Payments to developers ➤ Presentation of the draft Concept December 24, 2016

		<ul style="list-style-type: none"> ➤ State agencies roundtable on discussion of the concept May 17, 2016 ➤ Supplementing documents <ul style="list-style-type: none"> • Budget • List of WG members Eng ➤ WG meetings
<i>Religious Studies Expertise Methodology</i>		<ul style="list-style-type: none"> ➤ Examples of expertise ➤ External communications memos <ul style="list-style-type: none"> • Letter of Defense Council • Decree of Ministry of Justice ➤ Last version of methodology ➤ Payments to developers ➤ Roundtable on Religious expertise April 11, 2016 ➤ Roundtable on Religious expertise March 14, 2016 ➤ Roundtable on Religious expertise July 08 2016 ➤ WG meetings
➤ Public Hearings of Draft Laws and Regulations		
<i>Public Hearing in Bishkek March 31, 2016</i>		<ul style="list-style-type: none"> ➤ Minutes ➤ Payments ➤ Photos ➤ Supplementary documents <ul style="list-style-type: none"> • Agenda • Budget • List of participants • Press-release SCRA • Registration list scan
<i>Public Hearing in Bishkek March 25, 2016</i>		<ul style="list-style-type: none"> ➤ Minutes ➤ Payments ➤ Photos ➤ Presentations ➤ Supplementary documents <ul style="list-style-type: none"> • Agenda • Budget • List of participants • Registration list scan
II. <u>Objective II</u>		
➤ Curriculum and Guidebook Development for Judges		
<i>Curriculum and Guidebook Development</i>		<ul style="list-style-type: none"> ➤ Expertise of Guidebook ➤ Last version of Curriculum and Guidebook ➤ Payments to developers ➤ Printing the guidebook ➤ Registration for books ➤ Translation of the guidebook
➤ Local Judicial Training: Freedom of Religious Expression		
<i>Training for Judges in</i>		➤ Evaluation and reports

<i>Bishkek April 18-19 2016</i>		<ul style="list-style-type: none"> ➤ Payments ➤ Photo ➤ Success story ➤ Supplementing documents ➤ Trainers report ➤ Training materials and presentations ➤ Voucher for TCJ Raritet
<i>Training for Judges in Osh April 21-22 2016</i>		<ul style="list-style-type: none"> ➤ Evaluation and reports ➤ Payments ➤ Photo ➤ Supplementing documents ➤ Trainers report ➤ Training materials and presentations
III. <u>Objective III</u>		
➤ Curriculum Development for CSO		
Curriculum and Guidebook Development for CSO		<ul style="list-style-type: none"> ➤ Developing ➤ Editing ➤ Last version of the Guidebook ➤ Printing
➤ Ongoing monitoring of the Status of Religious Freedom		
Ongoing monitoring		<ul style="list-style-type: none"> ➤ Cases ➤ HR Recruitment of the WG Coordinator ➤ Monthly & quarterly reports ➤ Payments
➤ Public Oversight of Religious Freedom Workshop		
Public Oversight of RF Workshop Bishkek May 26-27 2016		<ul style="list-style-type: none"> ➤ Evaluation and reports ➤ Payments ➤ Photo ➤ Supplementing documents ➤ Trainers report ➤ Training materials and presentations
Public Oversight of RF Workshop Osh May 30-31 2016		<ul style="list-style-type: none"> ➤ Evaluation and reports ➤ Payments ➤ Photo ➤ Supplementing documents ➤ Trainers report ➤ Training materials and presentations
2. Quarterly reports		<ul style="list-style-type: none"> ➤ Quarter I_MAY-JUNE 2015 ➤ Quarter II_JUL-SEP 2015 ➤ Quarter III_OCT-DEC 2015 ➤ Quarter IV_JAN-MAR 2016 ➤ Quarter V_APR-JUN 2016 ➤ Quarter VI_JUL-SEP 2016
		➤
3. M&E		<ul style="list-style-type: none"> ➤ Questionnaires & evaluation Training for judges ➤ Questionnaires & evaluation Public Oversight of RF for CSO

4. Action Plan and Budget		<ul style="list-style-type: none"> ➤ Action Plan ➤ Costed work plan and budget
5. Project submitted documents		<ul style="list-style-type: none"> ➤ Project proposal narrative
6. Start-up protocol		<ul style="list-style-type: none"> ➤ Baseline research ➤ Stakeholder mapping exercise ➤ Kick-off exit memo

4.3. Data collection tools

Workshop with the multi-stakeholder working group

The aim is to collect outcomes. The structure of the workshop will be as follows:

1. Introduction: Presentation of the evaluation aims and the purpose of the focus group.
2. Split the group into small groups of 3-4 people
3. Provide them with flip charts and markers
4. Ask each group to discuss and answer the following questions (30 - 40 minutes):
 - What is the relevance of the project in the context of current conflict and religious dynamics in KYZ?
 - What are the most significant changes in the policies, practices, relationships, or activities on religious freedom in Kyrgyzstan that have been influenced by the activities and actions promoted by the project?
 - Who changed what? Which individuals and organisations have been responsible for these changes?
 - When and where did these changes happen?
 - What is the contribution of Search in these changes?
 - What were the immediate results of the Search projects?
 - What do you think the intermediate outcomes (long-term results) of the project is going to be?
 - Is there any evidence to substantiate these changes?
5. Ask the groups to present their answers – ask follow up questions if necessary (30 – 40 minutes)
6. Once all the groups have presented, facilitate a group discussion (1 hours)
 - Why do you think that these are major changes on the religious freedom?
 - In what way has the process promoted by the project and supported by the initiative contributed to these changes?
 - Are there any changes that are particularly crucial and should be highlighted as important in promoting religious freedom?
 - What are the key priorities for future actions?
 - Do you believe the project initiative will sustain in the longer run?

Interview questions for multi-stakeholder working group members - (government representatives, civil society members).

Introduction: This interview is being conducted within the final evaluation of the “Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic”. The aim of the evaluation is to identify what outcomes have been achieved as a result of the project activities. I have a number of questions for you. I would like to note that our discussion can last up to one hour. I will record our interview so that I do not miss out any of the information if you do not mind. All the information will be treated confidentially and only for the purpose of this study. Your names will not be revealed in the report or passed on to other parties.

Objective: to discuss the outcomes of the project.

Duration: 1 hour

Interview Date: _____

Interview Start/End Time: _____

Interview Location: _____

Respondent’s Background Information:

Gender F/M:		Professional title:	
Respondent Name:		Phone contact:	

Key facts on interviewees’ involvement in the project

1. How long did you participate in the project?
2. In what project activities were you/your organisation involved in? Could you elaborate please?
3. As a member of MSWG, can you talk about your MSWG in terms of its members, activities, and meetings?

“Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic” project

4. What did you/your organization gain from the project?
5. In your opinion, are the project interventions relevant to the current government effort in dealing with religious freedom and the religious movements taking place in the Kyrgyz Republic? If yes, how? If no, why not? Can you elaborate your answer?
6. How were the project approaches relevant in promoting religious freedom in Kyrgyzstan (in general)?
7. To what extent were the project activities relevant to your work?
8. Have there been any effects/benefits because of the work you did during the project? Any changes in policies, practices, relationships, or activities of those you have been trying to influence?
 - If yes
 - a) Who changed, what, when and where? (probe changes in legal framework, what change in any legal document or polciiesyour are reffering to, changes in government – civil society organisations interaction, religious freedom, gap between the formulation and implementation of laws, policies, and regulations closer)
 - b) How, exactly, did the project contribute?
 - If no, why do you think there was no change?
9. Have your relationship with other institutions improved? Please elaborate your answer. (Instructions: ask government institutions about their relations with civil society organisations and vice versa).

Before the Project

10. Before your involvement in the project, in what ways did you work on religious freedom?
11. Did you work with civil society organisations on religious freedom?
 - If yes, how did you work?
 - If not, why did not you work?
12. If we compare then (before the project) and now (as a result of your participation in the project), are there any new methods/tools/ideas/practices/regulations/relationships that you work with? Please elaborate your answer?

After the Project

13. What further actions are planned within the working group (when the project ends) and within your organization in relation to the promotion of religious freedoms in Kyrgyzstan?
14. Were there independent initiatives (or planned) in promoting religious freedom as a result of your (your organization's) participation in the project?
 - If yes, to what extent this has contributed (or will contribute) to religious freedom in Kyrgyzstan?
 - If no, why not?
15. Are the stakeholders interested and committed to continue the programme activities or replicate it? Elaborate your answer.

Concluding questions

16. What are the best practices or major lessons learned from this project? What worked and what did not work?
17. What were the strengths of the project?
18. What can be improved?
19. What could be done differently in order to achieve the project aims?
20. What recommendations do you have for further promoting religious freedom in Kyrgyzstan?
21. Any recommendations to the staff of SCG?

Wrap up

This is the end of our discussion. Thank you very much for your answers. I would like to note again that all of the information will be used for the purpose of the research only.

Interview questions for small working group members

Introduction: This interview is being conducted within the final evaluation of the “Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic”. The aim of the evaluation is to identify what outcomes have been achieved as a result of the project activities. I have a number of questions for you. I would like to note that our discussion can last up to one hour. I will record our interview so that I do not miss out any of the information if you do not mind. All the information will be treated confidentially and only for the purpose of this study. Your names will not be revealed in the report or passed on to other parties.

Objective: to discuss the outcomes of the project.

Duration: 1 hour

Interview Date: _____

Interview Start/End Time: _____

Interview Location: _____

Respondent's Background Information:

Gender F/M:		Professional title:	
Respondent Name:		Phone contact:	

Key facts on interviewees' involvement in the project

1. In what project activities were you/your organisation involved in? Could you elaborate please?
2. Can you talk about your small working groups? What did it do?

"Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic" project

7. What did you/your organization gain from the project?
8. In your opinion, are the project interventions relevant to the current government effort in dealing with religious freedom and the religious movements taking place in the Kyrgyz Republic? If yes, how? If no, why not? Can you elaborate your answer?
9. How were the project approaches relevant in promoting religious freedom in Kyrgyzstan (in general)?
10. To what extent were the project activities relevant to your work?
11. Have there been any effects/benefits because of the work you did during the project? Any changes in policies, practices, relationships, or activities of those you have been trying to influence?
 - If yes
 - c) Who changed, what, when and where? (probe changes in legal framework, changes in government – civil society organisations interaction, religious freedom, gap between the formulation and implementation of laws, policies, and regulations closer)
 - d) How, exactly, did the project contribute?
 - If no, why do you think there was no change?
12. Have your relationships with other institutions improved? Please elaborate your answer. (Instructions: ask government institutions about their relations with civil society organisations and vice versa).

Before the Project

13. Before your involvement in the project, in what ways did you work on religious freedom?
14. If we compare then (before the project) and now (as a result of your participation in the project), are there any new methods/tools/ideas/practices/regulations/relationships that you work with? Please elaborate your answer?

After the Project

15. Were there independent initiatives (or planned) in promoting religious freedom as a result of your (your organization's) participation in the project?
 - If yes, to what extent this has contributed (or will contribute) to religious freedom in Kyrgyzstan?

- If no, why not?
16. Are the stakeholders interested and committed to continue the programme activities or replicate it? Elaborate your answer.

Concluding questions

17. What are the best practices or major lessons learned from this project? What worked and what did not work?
18. What were the strengths of the project?
19. What can be improved?
20. What could be done differently in order to achieve the project aims?
21. What recommendations do you have for further promoting religious freedom in Kyrgyzstan?
22. Any recommendations to the staff of SCG?

Wrap up

This is the end of our discussion. Thank you very much for your answers. I would like to note again that all of the information will be used for the purpose of the research only

Key informant interview questions for government representatives (not involved in the working group)

Introduction: This interview is being conducted within the final evaluation of the “Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic”. The aim of the evaluation is to identify what outcomes have been achieved as a result of the project activities. I have a number of questions for you. I would like to note that our discussion can last up to one hour. I will record our interview so that I do not miss out any of the information if you do not mind. All the information will be treated confidentially and only for the purpose of this study. Your names will not be revealed in the report or passed on to other parties.

Objective: to discuss the outcomes of the project.

Duration: 1 hour

Interview Date: _____

Interview Start/End Time: _____

Interview Location: _____

Respondent’s Background Information:

Gender F/M:		Professional title:	
Respondent Name:		Phone contact:	

Key facts on interviewees’ involvement in the project

1. How long did you work on the project?
2. In what project activities were you/your organisation involved in? Could you elaborate, please?

“Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic” project

3. What did you/your organization gain from the project?
4. In your opinion, are the project interventions relevant to the current government effort in dealing with religious freedom and the religious movements taking place in the Kyrgyz Republic? If yes, how? If no, why not? Can you elaborate your answer?
5. How were the project approaches relevant in promoting religious freedom in Kyrgyzstan (in general)?
6. To what extent were the project activities relevant to your work?
7. Have there been any effects/benefits because of the work you did during the project? Any changes in policies, practices, relationships, or activities of those you have been trying to influence?
 - If yes
 - e) Who changed, what, when and where? (probe changes in legal framework, changes in government – civil society organisations interaction, religious freedom, gap between the formulation and implementation of laws, policies, and regulations closer)
 - f) How, exactly, did the project contribute?
 - If no, why do you think there was no change?
8. Have your relationship with other institutions improved? Please elaborate your answer. (Instructions: ask government institutions about their relations with civil society organisations and vice versa).

Before the Project

9. Before your involvement in the project, in what ways did you work on religious freedom?
10. Did you work with civil society organisations on religious freedom?
 - If yes, how did you work?
 - If not, why did not you work?
11. If we compare then (before the project) and now (as a result of your participation in the project), are there any new methods/tools/ideas/practices/regulations/relationships that you work with? Please elaborate your answer?

After the Project/sustainability

12. What further actions are planned within your organization in relation to promotion of religious freedoms in Kyrgyzstan?
13. Were there independent initiatives (or planned) in promoting religious freedom as a result of your (your organization’s) participation in the project?
 - If yes, to what extent this has contributed (or will contribute) to religious freedom in Kyrgyzstan?
 - If no, why not?
14. Are the stakeholders interested and committed to continue the programme activities or replicate it? Elaborate your answer.

Concluding questions

15. What are the best practices or major lessons learned from this project? What worked and what did not work?
16. What were the strengths of the project?
17. What can be improved?

18. What could be done differently in order to achieve the project aims?
19. What recommendations do you have for further promoting religious freedom in Kyrgyzstan?
20. Any recommendations to the staff of SCG?

Wrap up

This is the end of our discussion. Thank you very much for your answers. I would like to note again that all of the information will be used for the purpose of the research only.

Interview questions for judges.

Introduction: This interview is being conducted within the final evaluation of the “Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic”. The aim of the evaluation is to identify what outcomes have been achieved as a result of the project activities. I have a number of questions for you. I would like to note that our discussion can last up to one hour. I will record our interview so that I do not miss out any of the information if you do not mind. All the information will be treated confidentially and only for the purpose of this study. Your names will not be revealed in the report or passed on to other parties.

Objective: to discuss the outcomes of the project.

Duration: 1 hour

Interview Date: _____

Interview Start/End Time: _____

Interview Location: _____

Respondent’s Background Information:

Gender F/M:		Professional title:	
Respondent Name:		Phone contact:	

Key facts on interviewees’ involvement in the project

1. How long did you work on the project?
2. In what project activities were you/your organisation involved in? Could you elaborate, please?

“Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic” project

3. What did you/your organization gain from the project?
4. In your opinion, are the project interventions relevant to the current government effort in dealing with religious freedom and the religious movements taking place in the Kyrgyz Republic? If yes, how? If no, why not? Can you elaborate your answer?
5. How were the project approaches relevant in promoting religious freedom in Kyrgyzstan (in general)?

6. To what extent were the project activities relevant to your work?
7. Have there been any effects/benefits because of the work you did during the project? Any changes in policies, practices, relationships, or activities of those you have been trying to influence?
 - If yes
 - g) Who changed, what, when and where? (probe changes in legal framework, changes in government – civil society organisations interaction, religious freedom, gap between the formulation and implementation of laws, policies, and regulations closer)
 - h) How, exactly, did the project contribute?
 - If no, why do you think there was no change?
8. In your opinion, what is the long-term impact of the Search project on your work going to be?
9. In your opinion, what is the long-term impact of the Search project on the religious situation going to be?
10. What new knowledge and skills you gained by participating in the project?
11. Have you applied the knowledge and skills received during the training in your practical work?
12. In your opinion, what are the gaps between the formulation and implementation of laws, policies, and regulations on religious freedom in Kyrgyzstan?

After the Project

13. Were there independent initiatives (or planned) in promoting religious freedom as a result of your (your organization's) participation in the project?
 - If yes, to what extent this has contributed (or will contribute) to religious freedom in Kyrgyzstan?
 - If no, why not?

Concluding questions

14. What are the best practices or major lessons learned from this project? What worked and what did not work?
15. What were the strengths of the project?
16. What can be improved?
17. What could be done differently in order to achieve the project aims?
18. What recommendations do you have for further promoting religious freedom in Kyrgyzstan?
19. Any recommendations to the staff of SCG?

Wrap up

This is the end of our discussion. Thank you very much for your answers. I would like to note again that all of the information will be used for the purpose of the research only.

Focus group questions for civil society representatives who are involved in monitoring of cases on the religious freedom

Instructions:

Focus groups will be conducted in two different formats.

- 1) The first half of the focus group should take the form of a group interview to gather factual data as well as the opinion of the participants on the project outcomes.
- 2) The second half of the interview should take a form of the focus group discussion. The group should be welcomed to reflect on the outcomes within the frame of outcome harvesting.

Set the scene for the focus group, making sure the focus group participants understand the background to the project - who we are, why we are conducting the evaluation and who we are doing it for.

Thank you very much for coming to participate in our focus group. My name is I am conducting a project evaluation for the Search for Common Ground.

This focus group is being conducted within the final evaluation of the “Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic” project. This project has been implemented since 2015 capturing all regions of the country collecting in Osh and Bishkek. The key goal of the project was to promote religious freedom in the Kyrgyz Republic through working with executive, legislative, and judicial government institutions, as well as civil society stakeholders.

The objectives of the focus group are to discuss activities you were involved in and project outcomes.

The focus group will last up to three hours. We have a number of questions that we would like you to discuss. It is important to note here that our role is to facilitate the focus group discussion not to train or teach you. Therefore, your active participation in the discussion as well as in the whole process is crucial.

All your answers will be confidential. We will not put your names in the report. The data will be used for the purpose of this report only. We will record the interview if you do not mind. This is for the purpose of collecting accurate information. Please do answer honestly, actively, and accurately as the research results depend on what you say to us. Thank you.

PART 1 – In the form of group interview

Key facts on interviewees’ involvement in the project

23. How long did you work on the project?
24. In what project activities were you/your organisation involved in? Could you elaborate, please?

“Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic” project

25. Did you participate in any training/workshops organised by the project?
 - Please, can you tell me when it was and what was discussed on them?
 - What new did you learn?
 - What was useful?
 - Have you applied your knowledge acquired from the training in your work?
 - Please elaborate your answer.
26. Did you participate in developing monitoring tool? Please elaborate your answer.
27. Have you been monitoring the court cases on the religious freedom and the implementation of laws, regulations, policies, and court decisions regarding freedom of religion prior the project implementation?

- Please, can you tell us your experience?
 - Have you used the monitoring tool developed within the project?
 - What are the factors that make monitoring easy?
 - What are the factors that make monitoring difficult?
28. What have you learned from your monitoring experience?
29. To what extent do you think the project helped you to increase your capacity on monitoring the cases on the religious freedom?
30. Since you got involved in this project, do you think your interaction with the government institutions has changed?
- If yes, what are the changes?
 - If no, what are the relations with the government institutions are like?
31. What is your cooperation with judicial actors look like? Within the project, has the cooperation been effective so far?
- If yes, what factors contribute to this effectiveness?
 - If no, why? Elaborate your answer, please.
32. In your opinion, are the project interventions relevant to the current government effort in dealing with religious freedom and the religious movements taking place in the Kyrgyz Republic?
- If yes, how?
 - If no, why not? Can you elaborate your answer?
33. How were the project approaches relevant in promoting religious freedom in Kyrgyzstan (in general)?
34. To what extent were the project activities relevant to your work?
35. Has your monitoring produced any success stories? Elaborate your answer.

Before the project

36. Is there anyone in the group who participated in monitoring the implementation of laws, regulations, policies, and court decisions regarding freedom of religion prior the project implementation?
- If yes, compared to your previous experiences and the experience gained in the project, is there a difference? Can you elaborate your answer?
 - If no, why did you not get involved in monitoring?

After the project

37. Have you been monitoring the cases on the religious freedom beyond this project?
- If yes, in what ways?
 - If no, why not?
38. Apart from the activities/requests of the project, have you had a chance to independently express your initiatives in promoting religious freedom in Kyrgyzstan?
- If yes, can you talk about this? What are the successes and challenges in your initiatives and how it influenced to the religious freedom?
 - If no, why not?
39. Would you continue monitoring the cases on the religious freedom after Search project ends?

- If yes, do you have enough capacity, resources?
 - If no, why not?
40. Are other project stakeholders interested and committed to continue the programme activities or replicate it? Elaborate your answer.

Concluding questions

41. What were the strengths of the project?
42. What can be improved?
43. What could be done differently in order to achieve the project aims?

PART 2 - Outcome harvesting

The aim is to collect outcomes.

1. Introduction: Presentation of the evaluation aims and the purpose of the focus group.
2. Split the group into small groups of 3-4 people
3. Provide them with flip charts and markers
4. Ask each group to discuss and answer the following questions (30 minutes):
 - What are the most significant changes in the policies, practices, relationships, or activities on religious freedom in Kyrgyzstan that have been influenced by the activities and actions promoted by the project?
 - Who changed what? Which individuals and organisations have been responsible for these changes?
 - When and where did these changes happen?
 - What is the contribution of Search in these changes?
 - Is there any evidence to substantiate these changes?
5. Ask the groups to present their answers – ask to follow up questions if necessary (15 minutes)
6. Once all the groups have presented, facilitate a group discussion (30 minutes)
 - Why do you think that these are major changes on the religious freedom?
 - In what way has the process promoted by the project and supported by the initiative contributed to these changes?
 - Are there any changes that are particularly crucial and should be highlighted as important in promoting religious freedom?
 - What are the key priorities for future actions?

WRAP UP

This is the end of our focus group. If you have any additional comments or any other issues that we have not discussed but you feel it is relevant to our evaluation, you can say it now. Please, you can also ask any questions to us. Thank you very much for your participation.

Focus group questions for civil society representatives who are involved in training

Instructions:

Focus groups will be conducted in two different formats.

- 1) The first half of the focus group should take the form of a group interview to gather factual data as well as the opinion of the participants on the project outcomes.
- 2) The second half of the interview should take a form of the focus group discussion. The group should be welcomed to reflect on the outcomes within the frame of outcome harvesting.

Set the scene for the focus group, making sure the focus group participants understand the background to the project - who we are, why we are conducting the evaluation and who we are doing it for.

Thank you very much for coming to participate in our focus group. My name is I am conducting a project evaluation for the Search for Common Ground.

This focus group is being conducted within the final evaluation of the “Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic” project. This project has been implemented since 2015 capturing all regions of the country collecting in Osh and Bishkek. The key goal of the project was to promote religious freedom in the Kyrgyz Republic through working with executive, legislative, and judicial government institutions, as well as civil society stakeholders.

The objectives of the focus group are to discuss activities you were involved in and project outcomes.

The focus group will last up to three hours. We have a number of questions that we would like you to discuss. It is important to note here that our role is to facilitate the focus group discussion not to train or teach you. Therefore, your active participation in the discussion as well as in the whole process is crucial.

All your answers will be confidential. We will not put your names in the report. The data will be used for the purpose of this report only. We will record the interview if you do not mind. This is for the purpose of collecting accurate information. Please do answer honestly, actively, and accurately as the research results depend on what you say to us. Thank you.

PART 1 – In the form of group interview

Key facts on interviewees’ involvement in the project

1. In what project activities were you/your organisation involved in? Could you elaborate, please?

“Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic” project

2. Did you participate in any training/workshops organised by the project?
 - Please, can you tell me when it was and what was discussed on them?
 - What new did you learn?
 - What was useful?
 - Have you applied your knowledge acquired from the training in your work?
 - Please elaborate your answer.
3. Did you participate in developing monitoring tool? Please elaborate your answer.
4. To what extent do you think the project helped you to increase your capacity on monitoring the cases on the religious freedom?
5. Since you got involved in this project, do you think your interaction with the government institutions has changed?

- If yes, what are the changes?
 - If no, what are the relations with the government institutions are like?
6. What is your cooperation with judicial actors look like? Within the project, has the cooperation been effective so far?
 - If yes, what factors contribute to this effectiveness?
 - If no, why? Elaborate your answer, please.
 7. In your opinion, are the project interventions relevant to the current government effort in dealing with religious freedom and the religious movements taking place in the Kyrgyz Republic? If yes, how? If no, why not? Can you elaborate your answer?
 8. How were the project approaches relevant in promoting religious freedom in Kyrgyzstan (in general)?
 9. To what extent were the project activities relevant to your work?

Before the project

10. Have you ever received any training on monitoring religious freedom cases and issues related to religious freedom?
 - If yes, what was the training about? Who provided it? When? How different was it from the training provided by Search?

After the project

11. Apart from the activities/requests of the project, have you had a chance to independently express your initiatives in promoting religious freedom in Kyrgyzstan?
 - If yes, can you talk about this? What are the successes and challenges in your initiatives and how it influenced to the religious freedom?
 - If no, why not?
12. Would you get involved in monitoring the cases on the religious freedom after Search project ends?
 - If yes, do you have enough capacity, resources?
 - If no, why not?

Concluding questions

13. What were the strengths of the project?
14. What can be improved?
15. What could be done differently in order to achieve the project aims?

PART 2 - Outcome harvesting (30 minutes)

The aim is to collect outcomes. These question will be asked to representatives of the civil society organisations who participated in the training but have not been members of the MSWG. The questions are the same because the purpose is the same. We want to collect outcomes but from a different group (CSOs involved in the training).

1. Introduction: Presentation of the evaluation aims and the purpose of the focus group.
2. Split the group into small groups of 3-4 people
3. Provide them with flip charts and markers
4. Ask each group to discuss and answer the following questions (30 minutes):

- What are the most significant changes in the policies, practices, relationships, or activities on religious freedom in Kyrgyzstan that have been influenced by the activities and actions promoted by the project?
 - Who changed what? Which individuals and organisations have been responsible for these changes?
 - When and where did these changes happen?
 - What is the contribution of Search in these changes?
 - Is there any evidence to substantiate these changes?
5. Ask the groups to present their answers – ask to follow up questions if necessary (15 minutes)
6. Once all the groups have presented, facilitate a group discussion (30 minutes)
- Why do you think that these are major changes on the religious freedom?
 - In what way has the process promoted by the project and supported by the initiative contributed to these changes?
 - Are there any changes that are particularly crucial and should be highlighted as important in promoting religious freedom?
 - What are the key priorities for future actions?

WRAP UP

This is the end of our focus group. If you have any additional comments or any other issues that we have not discussed but you feel it is relevant to our evaluation, you can say it now. Please you can also ask any questions to us. Thank you very much for your participation.

Interview questions for Project Manager

Introduction: This interview is being conducted within the final evaluation of the final evaluation of the “Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic”. The interview will be recorded if you do not mind. This is for the purpose of collecting accurate information. Please do answer honestly and accurately as the evaluation results depend on what you say to us. Your answers will stay confidential. Your name directly will not be used in the report.

Objectives: 1) to discuss the implementation of the project; 2) to discuss the relevance, effectiveness, and intermediate outcomes of the project; 3) to discuss strengths and weaknesses of the project.

Duration: 3 hours

1. When did the project start and what was a key rationale for its launch?
2. What is the SCG approach? What does that mean? How did you apply this in this project?
3. Can we talk about the log-frame (needs to be shown) in terms of what is/is not implemented? What is replaced? Where? Why?
4. Did you have a theory of change within this project? if yes, what was it?
5. How did you make sure that the project was relevant to the context of Kyrgyzstan?
6. How did you select and approach your target groups (judges, government organisation, and civil society organisations)?
7. What were the difficulties in approaching your target groups (government organisations, judges, politicians, CSOs, religious organisations)?

8. Now you are ending your project, do you think the objectives, expected results and activities objectives were logically connected? Or did your experience of implementing the project indicate something different? Should something have been done differently?
9. What were the intermediate results?
10. How has the project been evaluated and monitored?
11. In your opinion and based on your ongoing M&E process, has your project managed to:
 - enhance the knowledge and capacity of judges in court rulings on the issues of religious freedom? Elaborate your answer. How did you measure this increase/decrease?
 - enhance communication and collaboration between the government organisations and civil society organisations on discussing and deliberating a legal framework on religious freedom. What indicators of enhanced communication and collaboration have been used?
 - mobilise CSOs to monitor cases related to religious freedom? To what extent do you think CSOs will continue to do this when the project ends and why?
12. Has MSWG taken any initiatives to institutionalise the efforts initiated by the project? elaborate your answer.
13. All in all have you observed any initiatives undertaken by the project stakeholders based on the project activities that we could say that the stakeholders are engaging in and continuing the initiatives of the project
14. A considerable effort has been made on improving regulations, policy, and laws, but how about the implementation of them? What have been done in that field? What are contributing and impeding factors in implementing regulations, policy, and laws?
15. If we look at the legal framework on religious freedom before the project and after (now), on the scale from 1 to 10, how would access an impact level of the project on the improvement of the legal framework? (1 – the project had little impact on strengthening the legal framework and 10 – the project had high impact on strengthening the legal framework) Why? Elaborate.
16. Have you observed any independent initiatives of your project stakeholders on religious freedom? Can you elaborate in details? How successful have these initiatives been?
17. What do you think the intermediate outcomes (longer term results) of the project are?
18. Have your project carried out any activities that would produce long-term processes in reducing prejudices, overcoming stereotypes and promote religious tolerance and freedom on Kyrgyzstan? Please elaborate your answer.
19. In the scale from 1 to 10 (1 being least sustainable and 10 being most sustainable), what rate would you give to the sustainability of your project and why?
20. Are there similar initiatives in the country like yours? If yes, please can you talk about them if you are aware of their activities? How different is your project from all other initiatives?
21. What have been the key lessons learned for you?
22. What are the issues on religious freedom in Kyrgyzstan that have become apparent as a result of the project implementation that you would want to continue working on?
23. What have the key achievement of the project been? What worked well?
24. What have the weaknesses of the project been? What did not work well? Why?
25. How could the project be improved? (Probe: its methodology, activities)?
26. Could the model of the project scale up (e.g. more judges trained, more CSOs involved in monitoring, more collaboration with the government institutions) in terms of numbers of institutions and regions involved? Elaborate your answer. If yes, are their conducive conditions for this? What could be the barriers?

Introduction: This interview is being conducted within the final evaluation of the final evaluation of the “Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic”. The interview will be recorded if you do not mind. This is for the purpose of collecting accurate information. Please do answer honestly and accurately as the evaluation results depend on what you say to us. Your answers will stay confidential. Your name directly will not be used in the report.

Objective: 1) to discuss the implementation of the project; 2) to discuss the relevance, effectiveness, and intermediate outcomes of the project; 3) to discuss strengths and weaknesses of the project.

Duration: 1 – 1.5 hours

1. What is the SCG approach? What does that mean? How did you apply this in this project?
2. What were the difficulties in approaching your target groups (government organisations, judges, politicians, CSOs, religious organisations)?
3. Did you have a theory of change within this project? if yes, what was it?
4. How did you make sure that the project was relevant to the context of Kyrgyzstan?
5. Now the project is ending, do you think the objectives, expected results, and activities objectives were logically connected? Or did your experience of implementing the project indicate something different? Should something have been done differently?
6. What were the intermediate results?
7. Has MSWG taken any initiatives to institutionalise the efforts initiated by the project? elaborate your answer.
8. All in all, have you observed any initiatives undertaken by the project stakeholders based on the project activities that we could say that the stakeholders are engaging in and continuing the initiatives of the project
9. A considerable effort has been made on improving regulations, policy, and laws, but how about the implementation of them? What have been done in that field? What are contributing and impeding factors in implementing regulations, policy, and laws?
10. If we look at the legal framework on religious freedom before the project and after (now), on the scale from 1 to 10, how would access an impact level of the project on the improvement of the legal framework? (1 the project had little impact on strengthening the legal framework and 10 – the project had high impact on strengthening the legal framework) Why? Elaborate.
11. Have you observed any independent initiatives of your project stakeholders on religious freedom? Can you elaborate in details? How successful have these initiatives been?
12. What do you think the intermediate outcomes (longer term results) of the project are?
13. Have your project carried out any activities that would produce long-term processes in reducing prejudices, overcoming stereotypes and promote religious tolerance and freedom on Kyrgyzstan? Please elaborate your answer.
14. In the scale from 1 to 10 (1 being least sustainable and 10 being most sustainable), what rate would you give to the sustainability of your project and why?
15. Are there similar initiatives in the country like yours? If yes, please can you talk about them if you are aware of their activities? How different is your project from all other initiatives?
16. What have been the key lessons learned for you?
17. What are the issues on religious freedom in Kyrgyzstan that have become apparent as a result of the project implementation that you would want to continue working on?
18. What have the key achievement of the project been? What worked well?
19. What have the weaknesses of the project been? What did not work well? Why?

- 20. How could the project be improved? (Probe: its methodology, staff, utilization of inputs)?
- 21. Could the model of the project scale up (e.g. more judges trained, more CSOs involved in monitoring, more collaboration with the government institutions) in terms of numbers of institutions and regions involved? Elaborate your answer. If yes, are their conducive conditions for this? What could be the barriers?

Interview questions for individual experts

Interviews will be conducted with individual experts to substantiate the outcomes. We have adapted an interview guide presented in the World Bank Guide (2014)

Introduction: This interview is being conducted within the final evaluation of the final evaluation of the project “Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic”. The interview will be recorded if you do not mind. This is for the purpose of collecting accurate information. Please do answer honestly and accurately as the evaluation results depend on what you say to us. Your answers will stay confidential. Your name directly will not be used in the report.

Objective: to substantiate outcomes

Duration: 1 – 1.5 hours

Interview Date: _____

Interview Start/End Time: _____

Interview Location: _____

Respondent’s Background Information:

Gender F/M:		Professional title:	
Respondent Name:		Phone contact:	

Beginning of the interview

- Thank the person for participating in the interview.
- Begin by stating the purpose of the interview. “We are using a technique called Outcome Harvesting to document and learn from the results of the project of the “Promoting Religious Freedom through Government and Civil Society Collaboration in the Kyrgyz Republic” on which we are collaborating. An important part of this process is to gain experts view on the outcomes identified by the project stakeholders to substantiate them.”
- Ask if there are any questions before you begin. Be prepared for a range of questions, particularly if the project is still ongoing, but try to keep the conversation focused on the substantiation at the beginning. You can mention that there will be time at the end for more

general questions or to share any background information and that further follow-up through other means (e-mail, a second call, etc.) is possible.

Explain the substantiation

- Explain that we have identified key outcomes for verification by stakeholders. The description of these outcomes or milestones is provided to aid understanding of the changes that have been influenced by the project. We have identified one key outcome to verify with each stakeholder, and we have pre-drafted the description.
- Explain there are three pieces of information being verified for each outcome: Description of the outcome (who changed what, where, when); description of the significance of the outcome (why does it matter); and description of the project contribution (what, where, when, who). There will also be an opportunity for the substantiator to answer a question on the extent and/or significance of the project contribution.
- Explain that the purpose of the substantiation is to better understand the outcome, by asking the extent to which they agree with the pre-prepared description. They may also give an explanation or provide an alternative description. Explain that any comments are welcome to learn from and improve the described information. Explain that if they do not wish to be quoted by name in the report or in an external publication, they will have that option. They will be listed by name and title amongst all the substantiators.

Step-by-step through the form

Overall description of the information on the outcome:

- Say “Let’s start with the overall description of the information on the outcome [this response is for the overall accuracy of the three described pieces].” You may remind them that this is only one outcome out of many [such as X]. You may wish to explain why this outcome was chosen for their specific feedback.
- Read the description of each piece of the outcome. Ask “Do you fully agree?” Pause for the answer. Whether yes, or some other answer, record it. If they do not fully agree, ask for an explanation. Explain to the interviewee that the following questions will provide the opportunity to explain any disagreement with the accuracy of the information.
- Ask, “Do you wish to comment further on the overall description of the outcome information?”

Outcome statement:

- Say “Now let’s consider the outcome statement, specifically.”
- Read the description again if helpful. Ask “Does the description accurately explain what happened, where, by whom, and when? Are there any other relevant missing elements? Would you like to suggest an alternative description of the statement?”

The significance of outcome:

- Say “Now let’s consider the significance of the outcome, for the progression toward the objective of the project.” You may wish to remind the person of the objective of the project.
- Read the description again if helpful. Ask “Is the description accurate? Are there any other relevant missing elements (such as the description of the problem addressed by the outcome or how it relates to the objective)?” As suitable, ask probing questions, such as “Would you like to suggest an alternative description of the significance?”

Project contribution:

- Say “Now let’s consider the project’s contribution.” You may wish to describe in a broad sense the various partners for this project.
- Read the description. Ask “Is the description accurate?” Pause for the answer. Ask for any additional details they can provide on the project contribution.

The extent of project contribution:

- Say “Now let’s consider the extent of the significance of the project contribution. The format of this question is a little different than those before.”
- Read all four potential answers (negligible contribution, indirect or lagged contribution, some contribution, major contribution). Then invite the person to select the response that s/he believes is most accurate. Invite them to add comments to explain their answer. For the interviewer, note the explanations of these ratings, in case of questions arise:
 - o Negligible contribution: The project is associated with the whole initiative, but the progression to this outcome step and its significance was not influenced by project input at the stage of achievement of the outcome.
 - o Indirect or lagged contribution: progression to this outcome step or its significance may not be directly identified with the project by all stakeholders, but according to the knowledge of this substantiator, it would not have occurred without project input, which may be identified with present or past contributions.
 - o Some contribution to this outcome: This substantiator believes, and states some evidence, that the project directly contributed to progression to this outcome step or its significance, but that impact was not solely due to the project. The substantiator may wish to comment on others that contributed. The others could be external partners or the stakeholder organizations and networks themselves, who, given a certain momentum, were mainly responsible for progression to this step or its significance.
 - o A major contribution to this outcome: This substantiator believes and states some evidence that the project directly contributed to progression to this outcome step, was the main contributor, and in all likelihood, the outcome would not have happened without the project contribution. Others may still have contributed, but the project was the main contributor, according to this substantiator.

Invite further questions and bringing closure

- Thank the interviewee for their contribution and ask if they have any further questions.
- Ask if there is anything they have said they do not want to be quoted by name and title in the evaluation report. Or, if there is anything that they do not want to be quoted in an external publication. If necessary, explain that at the least they will be listed among all of the substantiators.
- Invite the interviewee to still fill out the form and return it within one week. Tell them that they will favor the information in the form if received promptly, but plan to use the oral information just collected if the form is not received.
- Ask, if appropriate, if they can suggest colleagues or other stakeholders that could contribute to understanding the outcome. If so, obtain the names, titles, and contact information, and/or ask for that information to be supplied by email. Also, if appropriate, ask them to send any written documentation that they may have cited in the interview.

- Acknowledge any questions that need to be answered in a separate communication. If appropriate, ask if they would like a copy of the final report. Before offering this, be clear on what form the final report will likely take—will it be an internal set of notes for the team, or will it be a published case study.

In case of disagreement

In the case of significant disagreement, remind the interviewee(s) that Outcome Harvesting is a learning exercise. Thus, accuracy is important but there may be different views on what happened, its significance and how the project contributed. Remind the interviewee(s) again that they may further discuss their views with the project team at a future time and date or follow-up to complete the form in writing, including any comments.

4.2. Terms of Reference
As separate attachment