



**UNODC**

United Nations Office on Drugs and Crime

**PROJECT DOCUMENT**

<b>Project Number and Title</b>	XACX44: Strengthening the capacity of the Central Asian Republics to protect and assist victims of human trafficking and smuggled migrants, especially women and children, in partnership with NGO and civil society actors.
<b>Duration</b>	24 months, November 1, 2011 – October 31, 2013
<b>Estimated Starting Date</b>	November 1, 2011
<b>Location</b>	Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan)
<b>Strategic Theme and Result Area*</b>	<p><i>Themes:</i> 1. Rule of Law and 3. Prevention</p> <p><i>Result areas:</i></p> <p>1.1.- Ratification and implementation of conventions and protocols</p> <p>1.3.- Criminal justice systems: more accessible, accountable and effective</p> <p>3.8.- Assistance to victims</p>
<b>Executing Agency</b>	United Nations Office on Drugs and Crime Regional Office for Central Asia
<b>Associated / Implementing Agency</b>	
<b>Overall Budget (needed to implement the entire project)</b>	873 671.80 EUR USD 1,244,690
<b>In-Kind Contributions**</b>	

**Partner Organizations: United Nations Population Fund (“UNFPA”)**

**Brief Description**

This Project aims at strengthening the capacity of the Central Asian Republics to identify, protect and assist victims of human trafficking and smuggled migrants especially women and children, in partnership with NGO and other civil society actors, mainly by providing legal drafting support focusing on protection of victims of human trafficking and smuggled migrants’ rights, developing operational standards for law enforcement personnel on victim identification and conducting training on best practices, and introducing a Partnership Plan for effective cooperation among Government agencies, NGOs and civil society actors. Expected outcomes include: i) improved legal standards for the protection of victims of human trafficking, smuggled migrants and witnesses; (ii) strengthened capacity of criminal justice practitioners to identify, protect and assist victims of human trafficking and smuggled migrants; (iii) enhanced cooperation among Government, NGO, and civil society actors in assisting and protecting victims of human trafficking and smuggled migrants; and (iv) increased number of victims of human trafficking and smuggled migrants identified, protected and assisted.

Signed on behalf of:\*\*\*

Party/Entity	Name/Title of Signatory	Date	Signature
UNODC Regional Office for Central Asia	Regional Representative		

\* As they appear in UNODC Strategy.

\*\* Specify in-kind contributions by party and in US\$ equivalent

\*\*\* For HQ projects approved electronically by the Executive Director or Deputy Executive Director do **not** require a signed cover page.

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## 1. Situation Analysis and Justification

### 1.1 Problem Analysis and Counterpart Capacity

UNODC research shows that human trafficking and migrant smuggling are serious and growing problems in Central Asia. Irregular migration poses very real dilemmas for the Central Asian states, as well as exposing migrants themselves to insecurity and vulnerability. The problem of irregular migration has been exacerbated by the Financial Crisis which has created large pools of unemployed labourer many of whom are recently returned labour migrants. Finding no employment in their home country, these individuals are increasingly desperate to secure employment again and may be willing to take risks which could lead them to become trafficking victims.

The Central Asian countries are source, transit and destination countries for human trafficking and migrant smuggling. The long established destination for migrants from the region has been Western Europe – in particular Germany, Italy and Greece – and Central and South-East Europe – in particular Bosnia and Herzegovina, Poland, Albania and Bulgaria. In addition, Turkey is a major destination for victims of sexual exploitation. The Russian Federation and Kazakhstan are often destination countries for victims of forced labour. However, many victims of trafficking from Central Asia pass through Kyrgyzstan and the Russian Federation en route to other destinations in Europe. More recently, Asia and the Middle East have become growing destinations for trafficking victims including China, India, Indonesia, Israel, Japan, Malaysia, South Korea, Thailand and the UAE. Within Central Asia, trafficking for the purpose of sexual exploitation, forced labour and forced begging occurs between each of the countries. The growing scale of migrant smuggling into Kazakhstan due to its relative economic success is of increasing concern.

Having carried out an analysis of State responses to human trafficking in the region, as part of UNODC Global report on trafficking in persons,<sup>1</sup> UNODC has identified the following shortcomings that prevent a more effective response by the beneficiary States to human trafficking and smuggling of migrants:

1. Inadequate legislation and weak criminal justice responses: Trafficking in persons and migrant smuggling are not sufficiently prevented because of a lack of understanding of these phenomena, poor knowledge and practical skills including poor implementation of recently adopted anti-trafficking legislation as well as existing stereotypes amongst law enforcement officials towards victims of human trafficking and smuggled migrants more largely. Legislation, law enforcement and judicial capacity to counter human trafficking and migrant smuggling in the Central Asian countries remain to be strengthened. While Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan have introduced laws and strict penalties for trafficking in persons, implementation of these laws has been severely hampered by the lack of technical capacity or a clear plan for how these frameworks should be implemented on the ground. Throughout the region as a whole, there remains a general lack of understanding among law enforcement and even prosecutorial authorities as to how to define, detect and prosecute trafficking/smuggling cases. While general legislation is in place to protect those victims willing to testify against their traffickers, only few victims are prepared to come forward, often because of lack of trust in the police and the courts, and lack of confidence in the legal system due to the absence of witness/victims protection legislation and mechanisms. There is a need to strengthen the role of victims of human trafficking and smuggled migrants in the criminal justice system, so as to reduce the risks of re-victimization, protect their rights and promote their active participation in trials against traffickers.

2. Lack of or insufficient cooperation between government agencies and civil society actors. Currently, NGOs working to protect and support victims of human trafficking and smuggled migrants often face administrative hurdles to their work and are sometimes viewed with suspect by government counterparts. NGOs may themselves be wary of working with the government or law enforcement

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<sup>1</sup> [http://www.unodc.org/documents/human-trafficking/Global\\_Report\\_on\\_TIP.pdf](http://www.unodc.org/documents/human-trafficking/Global_Report_on_TIP.pdf)

believing that they do not put the needs of the victims first. No specific cooperation procedures have been developed for investigating human trafficking cases. Operational practices relating to protection and assistance measures for victims of trafficking entailing cooperation between State actors and civil society organisations are not yet established or widespread.

With a view to better assist trafficking victims in their recovery and simultaneously create an environment in which victims feel safe and secure to participate in the criminal investigation and to reconcile potential conflicting interests between victims service providers and law enforcement, it is important to institutionalize – that is, to clearly regulate and guide – the working relationship between the police and other government agencies and NGOs. The purpose should be to ensure a clear understanding of the roles and responsibilities of each actor, preferably in a formalised cooperation mechanism. In some of the Central Asian countries there is no state mechanism for the identification of victims or their referral to institutions providing support, assistance and reintegration. This is substantial problem that causes many victims to go without on much needed services.

3. Uneven and insufficient services to victims: Shelter services availability and quality differs dramatically both within and between countries in the region. In Turkmenistan there are currently no shelters either government or NGO run. In Uzbekistan, a national rehabilitation centre to help and protect victims of human trafficking and the few functional shelters can offer support and assistance to only a limited number of victims while the number of victims has been steadily growing. Moreover, shelters are concentrated in the capital city, Tashkent, as opposed to Ferghana and Karakalpakstan where most of the victims originate from. In Tajikistan, there are two shelters run by IOM which were established based on the funding for the U.S. and are likely to be succeeded by the Government of Tajikistan once the budget is made available. Professional shelters offering holistic services in partnership with government. NGO and civil society actors are a necessary component to ensure that trafficking victims do not suffer secondary traumatization caused by their treatment from institutions and individuals. In this regard, one of the key needs in the Central Asian region is to support the work of service providers to enable them to reach as many victims as possible, especially in light of the growing demand for their services.

The proposed Project has been designed to identify the specific needs in the target region from the very outset through conducting comprehensive country assessments in the three activity groups – criminal justice, partnerships and services. The country assessments will assist in determining which state actors and civil society organizations are the key stakeholders in counter human trafficking and migrants smuggling activities, establish what types of formalized cooperative mechanisms will be most effective in each target country, identify gaps in existing cooperation mechanisms and address what issues require the most attention. Throughout the project, promoting the rights of trafficked persons and smuggled migrants in a cross cutting theme.

## 1.2 Justification

UNODC is uniquely qualified to undertake this Project, given its well-established expertise in strengthening criminal justice capacities and promoting international best practises and standards. UNODC has been active in Central Asia since 1993. With a regional office in Uzbekistan a regional senior legal advisor in-house and sub-offices in the other four Central Asian countries, UNODC has accumulated the required local expertise and coverage as well as extensive contacts within the law enforcement and legal communities and civil society in the region. Moreover, the Regional Office will draw on the global anti-human trafficking experience of UNODC and tools such as Legislative Guidelines, a Model Legislation Against Trafficking in Persons, Toolkit to Combat Trafficking in Persons, Advanced Anti-Human Trafficking Manuals for Criminal Justice Practitioners as well as the Toolkit to Combat Smuggling of Migrants, the UNODC Model Law against Smuggling of Migrants and the Basic Training Manual on Investigating and Prosecuting Smuggling of Migrants. These tools are widely agreed to represent international best practises.

Importantly, while some of international organizations dealing with human trafficking are not represented in certain countries such as Uzbekistan and Turkmenistan, UNODC is accredited in

all the countries of the region and has established solid working relations based on 15 years of successful partnership in technical assistance in the region.

### 1.3 Synergies/Partnerships

The Project will build on and benefit from the work of a UNODC Senior Regional Legal Adviser posted in Tashkent to implement a Global Legal Assistance Programme (GLO/900). GLO/900 provides assistance with bringing domestic laws, institutions and implementing practices in compliance with the UN instruments against drugs, organised crime and corruption. The Senior Legal Adviser will be serving as the International Legal Expert for the Project. The lessons learnt from the implementation of the GLO900 Programme in the CIS, and the legal tools developed by this Programme (including model legislation, expert working group guidance on extradition, mutual legal assistance, confiscation, special investigative techniques and joint investigation, mutual legal assistance requests writer tool and on-line directory of national central authorities) will be also considered and utilised by the Project. It will also be utilizing the experts and expertise of the anti-human trafficking project for Uzbekistan “Strengthening the criminal justice response to trafficking in persons in Uzbekistan”(UZB/S20) which was implemented from 2009 to 2010, the sub-regional UNDA funded project “Strengthening the criminal justice capacity to disrupt key human trafficking routes in Egypt, Pakistan and Kyrgyzstan as well as the Global project “Promoting the implementation of the Protocol to Prevent, Suppress and Punish Trafficking in persons, especially Women and Children and the Protocol against Smuggling of Migrants by Land, Sea and Air, both supplementing the UNTOC” (GLOT 55).

Through partnership with UNFPA, an additional value added is the focus on the rights of child and female who are victims of human trafficking or smuggled migrants and ensuring that all trainings and services take into consideration the unique needs of these groups.

### 1.4 Partnership Arrangements/Modalities

In order to create effective partnerships and national ownership, the Project will be implemented in cooperation with the Ministry of Interior, National Security Service, General Prosecutor’s Office, Ministry of Justice, Ministry of Labor, Supreme Court, Parliament and Migration Service in each central Asian country. Relevant civil society actors, in particular NGOs, will be actively engaged. The UNODC Regional Office for Central Asia (ROCA) based in Uzbekistan, will ensure effective overall supervision of the Project implementation. Anti-Human Trafficking and Migrant Smuggling Unit of UNODC HQ will provide backstopping supports towards the project implementation. UNODC maintains sound and well established working relationships with the relevant national and regional counterparts mandated to work in the anti-human trafficking and migrant smuggling field. Furthermore, in implementation of the Project, UNODC will partner with UNFPA. The corresponding partnership statement has been signed by UNFPA. The mandate of UNFPA, as established by the United Nations Economic and Social Council (ECOSOC) in 1973 and reaffirmed in 1993, is (1) to build the knowledge and the capacity to respond to needs in population and family planning; (2) to promote awareness in both developed and developing countries of population problems and possible strategies to deal with these problems; (3) to assist their population problems in the forms and means best suited to the individual countries' needs; (4) to assume a leading role in the United Nations system in promoting population programmes, and to coordinate projects supported by the Fund.

### 1.5 Target Groups

Criminal justice practitioners. Criminal justice practitioners including police, prosecutors, judges and border control officials still often face difficulties in completely understanding the problem of trafficking and smuggling and might have not received sufficient training on how to identify and assist victims of human trafficking and smuggled migrants. Moreover, existing stereotypes amongst criminal justice practitioners towards victims and irregular migrants more largely can lead to these individuals being re-victimized by the very persons they turn to for assistance. While Kazakhstan,

Kyrgyzstan, Tajikistan and Uzbekistan, Turkmenistan have introduced legislative provisions criminalizing trafficking in persons, their implementation has been severely hampered by the lack of a clear plan for how these legal frameworks should be implemented on the ground. Adequate witness/victim protection is largely absent.

By targeting criminal justice practitioners in the Central Asian countries, the Project will (1) enable the relevant institutions to increase their capacity to develop anti-trafficking/smuggling measures with a focus of victims of human trafficking and smuggled migrants identification and protection through increased knowledge of international legal instruments, standards and best practices; and (2) improve the expertise of criminal justice practitioners through sensitizing training to enable them to identify victims of human trafficking and smuggled migrants more easily and know the appropriate course of action to take. A key component of this will be the development of standard operating procedures (SOPs) including standards by which victims of human trafficking and smuggled migrants are identified and the development of an obligation to protect.

Shelter service providers, NGO and other civil society actors. Shelter service providers, NGO and other civil society actors (professional associations, faith-based organization, advocacy groups, etc.) working in this area face a myriad of challenges including financial constraints, lack of capacity and often adversarial relationships with government agencies.

The Project will benefit shelters service providers, NGO and other civil society actors in the region by (1) bringing all stakeholders in regular contact, promoting fruitful discussion of potential synergies and obstacles to cooperation and introducing of a Partnership Plan for effective cooperation among Government agencies, NGOs and civil society actors (“Partnership Plan”); and (2) increasing their capacity to support the victims of trafficking and smuggled migrants through improving shelter infrastructures and services.

Actual and potential victims of human trafficking and smuggled migrants. Central Asia is one of the main sources of labour migrants;<sup>2</sup> however, the vast majority of these labour migrants are unaware of their rights and are scared of law enforcement. With the decreasing pool of employment both at home and abroad as a result of the Financial Crisis, many of these migrants may accept more risky offers of employment leaving them vulnerable to traffickers/smugglers.

A gender-sensitive approach will be adopted throughout the implementation of the project, with particular focus on the special needs of women and children and in conformity with UNODC’s commitment to promote human rights. Through the Project, actual and potential victims of human trafficking/smuggled migrants will benefit by (1) improving protection of the rights of victims of human trafficking and smuggled migrants by strengthening their role in the criminal justice system, promoting their active participation in the trials against traffickers, and through successful prosecution of cases brought against traffickers as a consequence of strengthened national legislation and improved capacity of the criminal justice system, (2) assuring victims of human trafficking and smuggled migrants are treated in a manner that respects their rights and dignity and are referred to adequate shelters to get a full range of assistance including temporary housing, medical assistance, psycho-social support, vocational training and legal assistance.

Destination countries within and outside the region. Destination countries within the region will benefit from (1) a reduction in the number of persons trafficked, which in turn will reduce crime and the impact of organized crime, (2) increased capacity and cooperation among origin, transit and destination countries, leading to better coordinated action to successfully prosecute traffickers and support victims of human trafficking and smuggled migrants, and (3) increased sensitivity and capacities of law enforcement to identify and protect victims of human trafficking/smuggled migrants

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<sup>2</sup> Economic stagnation in some countries of Central Asia combined with the growth in the Russian Federation and Kazakhstan have led to an increase of seasonal or permanent labour migration; see IOM website of Central Asia, <http://www.iom.int/jahia/Jahia/activities/asia-and-oceania/pid/488>

in a manner that protects the rights of migrants and to effectively prosecute organized criminal networks in the region.

Because one of the major components of the projects centers on the introduction of a Partnership Plan and ongoing consultative meetings, the participation of all relevant target groups and beneficiaries is ensured.

## **2. Strategy**

### **2.1 UNODC Strategy Context**

The Project activities will be carried out under the themes of (1) Rule of Law and (3) Prevention, treatment and reintegration, and alternative development of the UNODC Midterm Strategy.

In the Rule of Law area, the project will mainly contribute to

- Result area 1.1. -Ratification and implementation of conventions and protocols
- Result area 1.3. -Criminal justice systems: more accessible, accountable and effective

In the Prevention area the project will mainly contribute to

- Result area 3.8. Assistance to Victim

### **2.2 Project Objectives, Outcome, Outputs and Indicators**

In the following describe the Project Objective, Outcome(s), Outputs and respective Indicators.

<p><b>2.2.1 Project Objective:</b> Target countries more effectively identify, protect and assist victims of human trafficking and smuggled migrants, especially women and children in partnership with NGO and civil society actors</p> <p><b>2.2.2 Outcome(s):</b> <b>Outcome 1.</b> Criminal justice personnel identify victims of human trafficking, smuggled migrants and witnesses and provide assistance and protection to them in accordance with international legal instruments (To be completed by UNODC)</p> <p><b>Outcome 2.</b> Law enforcement agencies, NGOs and other actors actively cooperate to address the needs of victims of human trafficking and smuggled migrants, and the protection of their rights (To be completed by UNODC)</p> <p><b>Outcome 3.</b> Shelters and victim support services improve availability and quality of services to victims of human trafficking and smuggled migrants especially women and children (To be completed by UNFPA)</p> <p><b>2.2.3 Outputs (necessary to achieve the Outcome/s)</b> <i>Related to Outcome 1</i> Output 1.1: Revised or new anti-trafficking legislation (where necessary) focusing on victim/witness identification, standards of protection.</p> <p>Output 1.2: Trainers are trained in legal protection and assistance to the victim of human trafficking and smuggled migrants in Central Asia.</p> <p>Output 1.3: Development of SOPs including standards by which victims of human trafficking and smuggled migrants are identified and an obligation to protect.</p> <p>Output 1.4: Law enforcement trained on victims of human trafficking and smuggled migrants identification, protection and assistance.</p>	<p><b>2.2.4 Indicators</b> <i>Related to Project Objective:</i></p> <ol style="list-style-type: none"> <li>1. Increased number of victims of human trafficking and smuggled migrants receiving assistance (disaggregated by origin, age and gender)</li> <li>2. Cooperative mechanisms between Governments and civil society actors.</li> <li>3. Number of prosecutions of human trafficking and migrant smuggling cases</li> </ol> <p><i>Related to Outcome 1.</i></p> <ul style="list-style-type: none"> <li>- 1. New or revised anti-human trafficking legislation is presented to regional governments</li> <li>- 2. Number of law enforcement investigations of human trafficking and migrant smuggling cases increased</li> <li>- 3. Number of victims of human trafficking, smuggled migrants and witnesses identified</li> </ul> <p><i>Related to Outcome 2</i></p> <ul style="list-style-type: none"> <li>- 1. Mechanism of cooperation between Government, law enforcement and civil society actors established.</li> <li>- 2. Geographical area and audience covered by distribution of Aide memoire and advocacy materials on victims of human trafficking and smuggled migrants' rights.</li> </ul> <p><i>Related to Outcome 3</i></p> <ul style="list-style-type: none"> <li>- 1. Number of trained personnel of the shelters for victims of human trafficking and smuggled migrants</li> <li>- 2. Number of improved shelters in terms of staff properly skilled.</li> <li>- 3. Number of outreach materials to raise awareness regarding rights of victims of human trafficking and smuggled migrants.</li> </ul>
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<p><i>Related to Outcome 2</i></p> <p>Output 2.1: Gaps in services to victims of human trafficking and smuggled migrants are identified and synergies between partners are explored.</p> <p>Output 2.2: Partnership Plan introduced</p> <p>Output 2.3: Consultative meetings held twice a year for all stakeholders to promote cooperation and a common understanding of the rights of victims of human trafficking and smuggled migrants and identify obstacles to cooperation as they emerge.</p> <p>Output 2.4: Development of an aide memoire (pocket-sized) on the rights of victims of human trafficking and smuggled migrants.</p> <p><i>Related to Outcome 3</i></p> <p>Output 3.1: Increased capacity to support the victims of human trafficking and smuggled migrants through improved shelter infrastructures in terms of professionals and services delivered.</p> <p>Output 3.2: Increased awareness among shelter staff and users of the rights of victims of human trafficking and smuggled migrants</p>	
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### 3. Assumptions or Risks

#### **Main Preconditions and Assumptions** **During Implementation**

- The political situation does not change significantly.
- The governments will be supportive of Project activities.
- The Central Asian states have the political will to adopt new laws or amend existing legislation.
- Relevant parliamentary committee has enough capacity to lobby for and draft new legislation.
- Criminal justice practitioners are receptive to new anti-human trafficking practices and ready to change existing stereotypes
- Relevant criminal justice practitioners selected for train the trainer sessions
- Government and law enforcement will coordinate activities (including assistance and protection of victims) with civil society.

#### **After Implementation**

- The issues of trafficking in persons and migrant smuggling will remain high on the governments' agenda.
- Criminal justice practitioners will be willing to apply new identification and protection procedures in their day-to-day work
- Efforts to continue collaboration between criminal justice practitioners and NGO's will continue after the conclusion of the Project.
- All relevant government and non-government groups will continue to work towards improving the services provided to shelters to victims of human trafficking and smuggled migrants, in particular women and children.

## **Risks**

### **Political**

**Risk:** The commitment of national governments to prioritize the goals and objectives delineated in the Project may diminish over time. **Mitigation:** Government will be kept up to date on the progress of the Project and comprehensively informed of the Projects' results and benefits thereby ensuring their sustained commitment.

**Risk:** The political situation may hamper the timely implementation of the Project. **Mitigation:** Ensuring that the Project stays focused on its stated, approved goals will ensure that political considerations do not hamper the execution of Project activities.

**Risk:** Human resources of the relevant agencies may be insufficient to ensure the sustainability of the activities initiated under the Project. **Mitigation:** The Project is designed so that agencies, both governmental and non-government will be required to make minimal human resources commitments to the Project.

**Risk:** Regional governments and/or NGO's are unwilling to work cooperatively to establish a formalized mechanism for cooperation between them. **Mitigation:** Comprehensively educating both groups on the benefits of cooperation will serve to mitigate concerns on cooperation.

### **Economic**

**Risk:** A lack of funding may inhibit the implementation of further Projects designed to multiply and replicate the results of the Project. **Mitigation:** Ensuring that proper and appropriate trainers are identified and that genuine discussion between NGO's and criminal justice practitioners is initiated during the Project should ensure the sustainability of the Project's goals even without efforts to replicate and multiply the Project.

**Risk:** Salaries, working conditions and employment policies may fail to encourage the trained pool of experts to stay in their positions. **Mitigation:** Designing standard operating procedures and training materials to be easily understood and replicable with minimal instruction should ensure that training can continue even if some of the experts or trained trainers leave their positions.

### **Social**

**Risk:** Law enforcement practitioners, especially those on the front-lines of interacting with witnesses and victims of human trafficking and smuggled migrants will not be willing, despite the implementation of a Standard Operating Procedures manual and the production of the *aide memoire*, to mentally remove their stigmatized attitudes towards victims and witnesses and earnestly engage in their identification and assistance. **Mitigation:** Ensuring that training, especially refresher courses, are offered on at least an annual basis to law enforcement practitioners. Additionally, asking law-enforcement practitioners who have had experience on a personal level, perhaps through a family member, with human trafficking and migrant smuggling to speak on their experiences to other law

enforcement practitioners may serve to underline to law enforcement practitioners that anyone can be victimized by human traffickers and migrant smugglers.

#### **4. Project Management Mechanisms and Structures**

The Project has been designed as a result of various UNODC regional and national activities conducted in partnership with the target countries. All activities will be gender-mainstreamed and take into account the special needs of vulnerable groups such as women and children.

##### UNODC Regional Office for Central Asia based in Tashkent (Uzbekistan)

The Project forms part of the Strategic Programme Framework of the UNODC Regional Office for Central Asia 2008-2011. This office will maintain the overarching responsibility for the implementation of the present Project in the Central Asian region and:

1. Provide the overall management of the Project;
2. Provide guidance and supervision of staff recruited under the Project;
3. Provide technical, substantive and administrative support on all stages of the Project;
4. Ensure coordination with similar national and regional actions in Central Asia implemented by other actors ;
5. Prepare reports on the Project implementation as per the established reporting requirements for the UNODC projects and prepare reports, briefings as requested by the Donor.

##### Project Implementation Team

The daily implementation of the Project will be carried out by an Implementation Team based at ROCA, Tashkent (Uzbekistan) and UNFPA Sub-regional Office for Central Asia based in Almaty (Kazakhstan). The team will consist of a Senior Legal Advisor, a National Project Coordinator who will coordinate its work, and a focal point from UNFPA. A Project Assistant will also be recruited to provide administrative support. The team will work in close collaboration with the five National Steering Committees, which will be comprised of representatives from the Ministry of Interior, National Security Service, General Prosecutor's Office, Ministry of Justice, Ministry of Labor, Migration Service, Supreme Court, Parliament, relevant NGOs and civil society actors in the five target countries of Central Asia. A focal point (Crime Prevention Expert) from the Anti-Human Trafficking and Migrant Smuggling Unit of the Organized Crime and Illicit Trafficking Branch of Division of Treaty Affairs based in UNODC, Vienna will ensure the backstopping and provision of technical expertise by the relevant UNODC Sections. The Senior Legal Advisor based in Tashkent and the Crime Prevention Expert from the Anti-Human Trafficking and Migrant Smuggling Unit based in Vienna will provide their services on a cost-shared basis and for a limited period of time throughout the overall implementation of the project (see below, section 5).

UNFPA Sub-regional Office for Central Asia, being a partner organization within the Project will identify one focal point amongst its personnel which will be responsible for implementation of the Project activities as envisaged in the workplan (attached) during the entire duration of the Project.

##### National Steering Committees

To ensure transparent implementation, a National Steering Committee will be established in each country. It will consist of relevant Government counterparts including representatives from the Ministry of Interior, National Security Service, General Prosecutor's Office, Ministry of Justice, Ministry of Labor, Migration Service, Supreme Court, Legislative Chamber of Parliament, relevant NGOs and other civil society actors. As a part of the NSC the representatives from relevant NGOs will contribute to the development of the national strategic plans and successful achievement of the Project objectives.

The NSCs will be responsible for implementation of national activities under the Project in close cooperation with the Implementation Team and under the overall coordination of heads of the UNODC and UNFPA offices for Central Asia.

The above-mentioned implementation methodology is proposed in order to maximise existing experience and utilise an existing implementation capacity in ROCA. This modality has the benefit of drawing on significant work experience in the region and on existing mechanisms allowing for the immediate commencement of activities with an assured financial services capability.

## 5. **Work and Monitoring Plan**

The regional scope of the Project and its wide geographical coverage does require the setting up of a working structure capable of ensuring due implementation of the different activities at national and regional levels.

The Project Implementation Team's working structure will thus be composed as follows:

- a. Senior Regional Legal Adviser (SRLA) (1): posted in Tashkent under the overall supervision of the UNODC Regional Representative for Central Asia, will be responsible for leading the Project by providing specialized technical expertise; coordinating inputs required from external providers related to specialized expertise; plan, monitor and supervise activities implemented at regional and national levels; monitor and certify budget and administration issues; plan, supervise and coordinate evaluation exercises; report to UNODC and the EC on the advancement of the proposal. The SRLA will conduct working activities for a total of six months throughout the overall duration of the project.
- b. National Project Coordinator (NPC) (1): posted in ROCA (Tashkent) under the overall supervision of the respective UNODC Representatives and reporting to the SRLA on all substantive matters, will be responsible for the overall implementation of the Project, for assisting national counterparts in the factual implementation of national activities; facilitating on the ground coordination to UNODC HQs experts and other external providers of specialized assistance; monitoring implementation of activities at national level; assist the SRLA in planning and implementing the Project's activities as well as in dealing with administrative and budget-related issues; and in the absence of the SRLA, report to the UNODC Regional Representative for Central Asia. The NPC will be responsible for the management and implementation of project activities for the entire duration of the project.
- c. Project Assistant (PA) (1): posted in ROCA (Tashkent) under the direct supervision of the NPC, will provide the administrative and secretarial support required for the implementation of the Project. The PA will be assisting in the implementation of project activities for the entire duration of the project.
- d. Focal point (Crime Prevention Expert (L3)) will be based in Vienna (UNODC Anti-human Trafficking and Migrant Smuggling Unit of Organised Crime and Illicit Trafficking Branch of Division of Treaty Affairs) and ensure backstopping activities envisaged under Project and provide support to the Implementation Team at UNODC HQs level. The Crime Prevention Expert will provide support in the implementation of project activities for a total of four months throughout the overall duration of the project.
- e. UNFPA Sub-Regional Office for Central Asia based in Almaty (Kazakhstan), being a partner organization within the Project will identify one focal point amongst its personnel which will be responsible for implementation of the Project activities as envisaged in the workplan. The UNFPA focal point will be responsible for the implementation of project activities, as envisaged in the workplan, for the entire duration of the project.

The daily implementation of the Project will be carried out by a UNODC Implementation Team. The team will work in close collaboration with the National Steering Committees designated by the national authorities, which will be comprised of representatives from the Ministry of Interior, National Security Service, General Prosecutor's Office, Ministry of Justice, Ministry of Labor, Supreme Court,

Parliament and Migration Service in the target countries. Representatives of the NGOs will also be involved in the activities of National Steering Committees.

## **6. Project Evaluation**

Procedures for evaluation will be applied under the framework of UNODC results-based management adopted to ensure effective delivery of technical assistance. In this regard, the Project will be subject to regular monitoring. An independent final evaluation will be carried out as well as a tri-partite review involving the donors, implementing agency and beneficiaries. Reports of the reviews and the final evaluation will be made available to the donors.

Specifically, an Action Progress Review Committee (APRC), consisting of representatives of National Steering Committees, UNODC, UNFPA and EC will be established. The APRC will meet once per year in Tashkent to monitor the progress of the implementation and review the work-plan accordingly. It will be responsible for assessing the impact of the Project and addressing problems which may hamper the smooth implementation of activities outlined in the work plans.

This Project can be reviewed by UNODC at any stage during its implementation. The Implementation Team will prepare a thorough analytical report on delivery, results and actions taken in the implementation of activities. Findings of the analysis will in turn be submitted to the APRC. The Governments benefiting from UNODC technical assistance through this Project will be asked to facilitate any review missions by UNODC, as requested. The monitoring of the execution of the Project will be the responsibility of UNODC. A final independent Project evaluation to determine the relevance, effectiveness, and sustainability of the Project and to identify lessons learned will be conducted by external evaluator/s. The evaluation process will be managed by UNODC; in doing that, the Implementation Team will closely cooperate with the Independent Evaluation Unit (IEU). Six months before the end of the Project the National Project Coordinator will start preparing for the evaluation. The terms of reference, duration and purpose of any evaluation mission will be determined by UNODC, in consultation with other parties, as appropriate. A total amount of \$21,800 has been allocated under Budget-Line 2100 for the project evaluation.

The Project is subject to examination by both the United Nations Office for Internal Oversight and the United Nations Board of External Auditors. Upon their request, the auditors' access to Project documentation and correspondence, accounts, expenditure and inventory records will be facilitated.

## **7. Sustainability and Follow-up (Full Application Part B Section 1.6 P.19)**

### **Financial**

The Project has been designed to avoid any activities that would require substantial financial support after the Project's conclusion. In addition, by providing coherent frameworks for Project, the Project will contribute to making more efficient use of already available but scarce resources.

### **Institutional**

At the institutional level the implementation of the standard operational procedures (SOP) manual and the production of the *aide memoire* will ensure that not only are improved legislative guidelines institutionalized within the organizational structures of criminal justice practitioners in Central Asia but that identifying and protecting victims of human trafficking and smuggled migrants as well as witnesses thereof become entrenched within the social conscience of criminal justice practitioners throughout the region.

### **Policy Level**

At the close of the Project, the target countries will have the necessary legislation in place and relevant actors trained, to implement this legislation and to utilize the tools and mechanisms to

effectively identify and protect witnesses and victims and human trafficking and smuggled migrants.

## **8. Legal Context**

The Governments of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan (the “Governments”) agree that the Standard Basic Assistance Agreement (SBAA) signed on 5 October 1992, 14 September 1992, 1 October 1993 and 5 October 1993 (both for Turkmenistan and Uzbekistan), respectively, with the United Nations Development Programme (UNDP), shall apply, *mutatis mutandis*, to the assistance provided by UNODC under the present project document. The Governments confirm, in particular, that Article IX (Privileges and Immunities), Article X (Facilities for the execution of UNDP assistance), Article XI (Suspension or Termination of Assistance) and Article XII (Settlement of Disputes) of the SBAA shall apply to the activities of UNODC under this project.

In case of conflict between the provisions of the present project document and those contained in the SBAA [or the Standard Supplemental Provisions, as the case may be], the terms of the present project document shall prevail.

### ***Non Liability/Compensation clause***

UNODC is not liable for any damage, injury, illness or death resulting from the actions of employees of the Government(s) or consultants or other persons contracted by or on behalf of the Government(s) in relation to the implementation of the present project. No claim for compensation may be made against UNODC for any such damage, injury, illness or death nor for any reimbursement of amounts that may have been paid by the Governments as compensation in such event.

The Governments shall ensure and confirm that adequate compensation coverage for such eventualities exists, and applies to all persons employed by them or engaged by them or on their behalf in relation to this project.

### ***Equipment-related clauses***

The Governments will defray any customs duties and other charges related to the import of equipment, its transport, handling, storage and related expenses within Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan.

UNODC-funded equipment remains UNODC’s property, until formally transferred or otherwise disposed of, irrespective of who undertakes its procurement.

UNODC-funded equipment may be transferred, with the consent of UNODC, to any entity, at any time during the present project for the purposes of implementation of the project. However, the decision on the final disposal of equipment, including the transfer of ownership, remains with UNODC, who shall endeavour to make such decisions in consultation with the party/parties and entity/entities concerned.

The entity to which UNODC-funded equipment has been transferred, is responsible for ensuring that such equipment is used strictly for the purposes of the present project, as agreed with UNODC, and must arrange for and bear the costs of its proper maintenance. The entity also must arrange for, and bear the costs of, adequate insurance coverage for such equipment. In the case of non-expendable equipment, the entity shall maintain a detailed inventory of such equipment.

### ***Copyright clause***

**UNODC retains copyright and related intellectual property rights for all material (documents, reports, studies, publications, etc) that result from activities carried out under the present**

**project. Upon written request, at the end of this project, the Government(s) shall be granted a free-of-charge user license over such material.**

***Opt-out clause***

The implementation of UNODC activities under the present project document is subject to the availability of adequate funding, on a yearly basis. Should required funding not be available, UNODC reserves the right to unilaterally terminate its assistance under this document.

**Oversight /Audit clause**

The present project is subject to oversight/audit by the United Nations Office for Internal Oversight Services and the United Nations Board of Auditors. UNODC will coordinate the implementation of such oversight/audits and will follow up on the implementation of agreed oversight/audit recommendations.

***Revisions/Dispute resolution of the project document***

The present project document may be modified by written agreement between the parties concerned.

## 10. UNODC Logical Framework

UNODC Logical Framework				
Project Title: Strengthening the capacity of the Central Asian Republics to protect and assist victims of human trafficking and smuggled migrants, especially women and children, in partnership with NGO and civil society actors.	Strategy Theme(s): <i>3. Prevention, treatment and reintegration, and alternative development</i>  <i>Result Area</i>	Strategy Result Area(s): <i>3.8. Assistance to victims</i>	Strategy Region/Country: Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan)	Project Number / Code: XACX44
			Date: June 2011	Duration: 24 months, November 1, 2011 – October 31, 2013
<b>Result(s) at the Strategy Level:</b> 3.8.2. Strengthened capacity of Member States to implement victim assistance programmes for the most vulnerable segments of society, including women and children and alternative development of the UNODC Midterm Strategy.				
		<b>Indicators</b>	<b>Means of Verification</b>	<b>Assumptions/Risks</b>
<b>Project Objective:</b> Target countries more effectively identify, protect and assist victims of human trafficking and smuggled migrants, especially women and children in partnership with NGO and civil society actors.		1. Increased number of victims of human trafficking and smuggled migrants receiving assistance (disaggregated by origin, age and gender)  2. Cooperative mechanisms between Governments and civil society actors.  3. Number of prosecutions of human trafficking and migrant smuggling cases	1. UNODC Progress and Assessment reports.  2. MoU's signed. Records of regular meetings held  3. Official statements of authorities and other kinds of attention in mass media.	
<b>Outcome 1.</b> Criminal justice personnel identify victims of human trafficking, smuggled migrants and witnesses and provide assistance and protection to them in accordance with international		1. New or revised anti-human trafficking legislation is presented to regional governments 2. Number of law enforcement investigations of human trafficking and migrant smuggling cases increased 3. Number of victims of human trafficking,	Outcome 1.  1. Gap analysis and assessment reports. 2. Accurate reports /information from governmental officials, NGOs and civil society	1. Political will of State to adopt new laws or amend existing legislation.  2. Relevant parliamentary committee has enough capacity to draft and lobby new legislation.

<p>legal instruments (To be completed by UNODC)</p> <p><b>Outcome 2.</b> Law enforcement agencies, NGOs and other actors actively cooperate to address the needs of victims of human trafficking and smuggled migrants, and the protection of their rights (To be completed by UNODC)</p> <p><b>Outcome 3.</b> Shelters and victim support services improve availability and quality of services to victims of human trafficking and smuggled migrants especially women and children (To be completed by UNFPA)</p>	<p>smuggled migrants and witnesses identified (disaggregated by age, origin, gender)</p> <p><b>Outcome 2</b></p> <ol style="list-style-type: none"> <li>1. Mechanism of cooperation between Government, law enforcement and civil society actors established.</li> <li>2. Geographical area and audience covered by distribution of Aide memoire and advocacy materials on victims of human trafficking and smuggled migrants’ rights.</li> </ol> <p><b>Outcome 3.</b></p> <ol style="list-style-type: none"> <li>1. Number of trained personnel of the shelters for victims of human trafficking and smuggled migrants</li> <li>2. Number of improved shelters in terms of staff properly skilled.</li> <li>3. Number of outreach materials to raise awareness</li> </ol>	<p>regarding law enforcement.</p> <p>3. Information from the justice system and mass media on successful Investigation/court cases.</p> <p><b>Outcome 2.</b></p> <ol style="list-style-type: none"> <li>1. Agenda of and reports on joint activities.</li> <li>2. Formal cooperation agreements (MOU) discussed and progressed for conclusion during the joint events.</li> </ol> <p><b>Outcome 3</b></p> <ol style="list-style-type: none"> <li>1. Pre/post testing and evaluation of personnel (include here disaggregation by gender for trained staff)</li> <li>2. Official Statistics reports and statement of the relevant officials representative</li> <li>3. Outreach materials.</li> </ol>	<ol style="list-style-type: none"> <li>3. Criminal justice practitioners are receptive to new anti-human trafficking practices and ready to change existing stereotypes.</li> <li>4. Relevant criminal justice practitioners selected for the train-the-trainer session.</li> <li>5. Government/law enforcement will coordinate anti-human trafficking activities (including assistance and protection of victims) with the civil society actors.</li> </ol>
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	regarding rights of victims of human trafficking and smuggled migrants.	Record of distribution	
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UNODC Logical Framework (cont.)			
Outputs & Activities	Indicators	Means of Verification	Important Risks and Assumptions
<p><i>Related to Outcome 1</i></p> <p><b>Output 1.1:</b> Revised or new anti-trafficking legislation (where necessary) focusing on victim/witness identification and standards of protection.</p> <p><b>Output 1.2:</b> Trainers are trained in legal protection and assistance to the victim of human trafficking and smuggled migrants in Central Asia.</p> <p><b>Output 1.3:</b> Development of SOPs including standards by which victims of human trafficking and smuggled migrants are identified and an obligation to protect.</p>	<p>- Legislation has been analyzed and discussed and enforcement gap analysis focusing on victims of human trafficking/ smuggled migrants /witness identification and protection developed</p> <p>-Draft legislation</p> <p>Number and level of criminal justice practitioners trained on identification, protection and assistance to victims of human trafficking and smuggled migrants. Including results of evaluation and/or pre/post testing of trainees</p> <p>-SOPs for criminal justice practitioners on Victim identification/protection and an obligation to protect.</p>	<p>Meeting with stakeholders Gap analysis document</p> <p>Draft legislative document</p> <p>Training records Pre/post testing, evaluation of trainees</p> <p>SOP documents</p> <p>Training records Pre/post testing, evaluation of</p>	<p>The commitment of the stakeholders, namely Ministries, National Agencies and civil society will continue.</p> <p>The government provides necessary support to ensure attendance of the relevant officials at the meetings and trainings organized.</p> <p><b>Risks:</b> The commitment of the Governments to prioritize the objective of the project may diminish</p> <p>The political and economic situation may hamper the timely implementation of the project.</p>

<p><b>Output 1.4:</b> Law enforcement trained on victims of human trafficking and smuggled migrants identification, protection and assistance.</p> <p><i>Related to Outcome 2</i></p> <p><b>Output 2.1:</b> Gaps in services to victims of human trafficking and smuggled migrants are identified and synergies between partners are explored.</p> <p><b>Output 2.2:</b> Partnership Plan introduced.</p> <p><b>Output 2.3:</b> Consultative meetings held twice a year for all stakeholders to promote cooperation and a common understanding of the rights of victims of human trafficking and smuggled migrants and to identify obstacles to cooperation as they emerge.</p> <p><b>Output 2.4:</b> Development of an aide memoire (pocket-sized) on the rights of victims of human trafficking and smuggled migrants</p> <p><i>Related to Outcome 3</i></p> <p><b>Output 3.1:</b> Increased capacity to support the victims of human trafficking and smuggled migrants through improved shelter</p>	<p>Number and level of criminal justice practitioners trained on identification, protection and assistance to victims of human trafficking and smuggled migrants. Including results of evaluation and/or pre/post testing of trainees</p> <p>-Assessment report of gaps in services to victims of human trafficking and smuggled migrants</p> <p>- Consultative meetings held (target = 3).</p> <p>Consultative meetings in Year 1 for all stakeholders (target = 3)</p> <p>- Holding two follow up consultative meetings in Year 2</p> <p>-Number of Aides memoires produced and distributed</p>	<p>trainees</p> <p>Gap assessment document</p> <p>Records of meetings Lists of participants</p> <p>Lists of participants Report on outcome of meetings</p> <p>Lists of participants Report on outcome of meetings</p> <p>- Aide memoire document - List of major recipients of aide memoires</p> <p>Assessment report</p> <p>Report on workshops</p>	<p>Same as above</p>
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<p>infrastructures in terms of professionals and services delivered.</p> <p><b>Output 3.2:</b> Increased awareness among shelter staff and users of the rights of victims of human trafficking and smuggled migrants</p>	<p>-Assessment of the current stock and quality of shelters for victims of human trafficking and smuggled migrants.</p> <p>-Number of attendees at regional workshops (disaggregated by gender, place of origin)</p> <p><i>Related to Output 3.2</i></p> <p>- advocacy materials developed and disseminated</p> <p>- national training session in each country on assessment held</p> <p>- regional conference on international best practice held</p>	<p>Materials</p> <p>List of recipients (where possible/practicable)</p> <p>Number of participants (disaggregated by gender, origin)</p> <p>Pre/post testing and evaluation of trainees</p> <p>Number of participants (disaggregated by gender, origin)</p>	
<p><b>Key Activities:</b></p> <p><i>Describe key activities (limit to 40 characters) which need to be implemented in order to accomplish each of the Outputs. Activities will have to be listed also in the monitoring framework, item 11 (see page 14). Description of Activities will be limited to 40 characters..</i></p>	<p><u><i>Related to Outcome 1</i></u></p> <p><i>Related to Output 1.1.</i></p> <p>1.1.1 -- Gap Analysis and Legal Assessment Report</p> <p><i>Related to Output 1.2.</i></p> <p>1.2.1 -- Regional legal protection “train the trainer” course</p> <p><i>Related to Output 1.3</i></p> <p>1.3.1 -- Assessment Mission by the law enforcement consultant</p> <p>1.3.2 -- Criminal justice capabilities assessment and SOP Manual</p> <p><i>Related to Output 1.4</i></p> <p>1.4.1 – Regional law enforcement “train the trainer” course</p> <p><u><i>Related to Outcome 2</i></u></p> <p><i>Related to Output 2.1.</i></p>		

	<p>2.1.1 – Assessment Mission by the international consultant  2.1.2 -- Assessment Report on Governments-Civil Society Cooperation</p> <p><i>Related to Output 2.2.</i>  2.2.1, 2.2.2 and 2.2.3 – (three meetings) national consultative meetings in Year 1 for all stakeholders to a) assess jointly the unmet needs to victims of human trafficking and smuggled migrants; b) explore possible synergies between actors to meet these needs; c) identify obstacles to cooperation; and d) introduce a Partnership Plan.</p> <p><i>Related to Output 2.3</i>  2.3.1 -- Two follow up consultative meetings in Year 2 to ensure ongoing cooperation and address any new obstacles to cooperation as they emerge.</p> <p><i>Related to Output 2.4</i>  2.4.1 – Develop national aide memoires on victims of human trafficking and smuggled migrants’ rights for developing and promoting a common understanding of the rights of migrants and distribution to key personnel and actors (law enforcement practitioners, NGOs and public)</p> <p><u><i>Related to Outcome 3</i></u>  <i>Related to Output 3.1.</i>  3.1.1. -- Assessment Mission by the international consultant  3.1.2. -- Situation Assessment Report  3.1.3. -- National training workshop on assessment of the availability and quality of protection and assistance services to victims of human trafficking and smuggled migrants.  3.1.4. – Regional workshop on international best practice regarding protection and assistance of victims of human trafficking and smuggled migrants.</p> <p><i>Related to Output 3.2</i>  3.2.1. – Advocacy materials to educate shelter staff and service users</p>
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