



FINAL REPORT
BY THE CIVIC FOUNDATION
TRANSPARENCY KAZAKHSTAN
UNDER THE PROJECT
KAZAKHSTAN ADVOCACY
AND LEGAL ADVICE CENTER

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INTRODUCTION

In April 2008, in Almaty was established Kazakhstan Advocacy and Legal Advice Center. In autumn of the same year was opened a similar center in Astana. The main purpose of establishing the ALAC was to provide assistance and free legal advice to citizens who faced corruption and abuse of powers, to change the prevailing view in society that people are indifferent to the problem of corruption.

Already today we can say with confidence that ALAC has proved following: when someone faces facts of corruption and can get qualified answer to his/her question on how to resolve the problem, people understand that it is possible not only to solve their own problems but also assist in the process of reducing corruption. A toll-free hotline was established in ALACs to receive corruption related complaints.

The main objectives of the ALAC were to:

- Empower victims and witnesses of corruption to address their grievances
- Strengthen the ability and willingness of institutions to receive and act upon corruption-related complaints
- Bring about systematic improvements (legal, administrative and institutional) in the fight against corruption

1. STATISTICAL REPORT

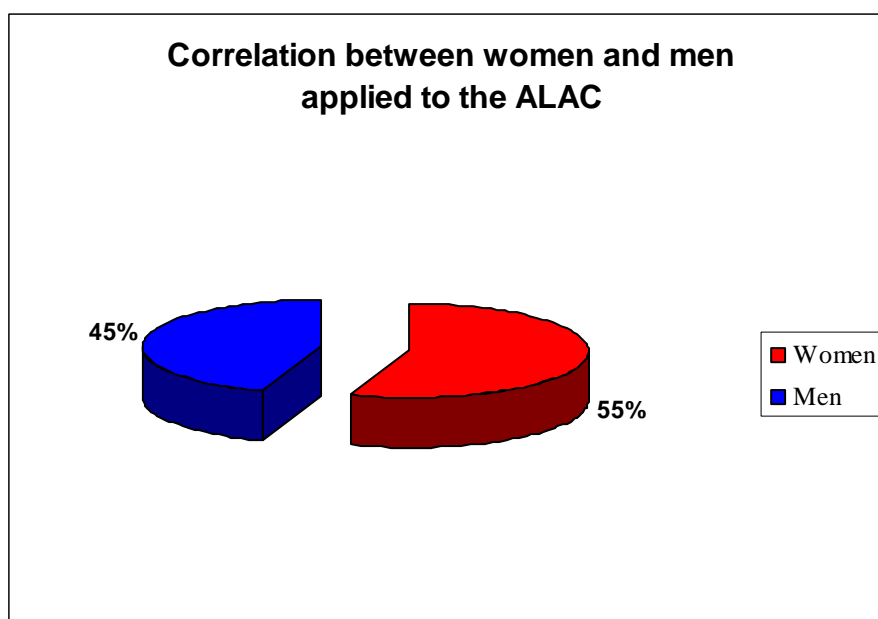
Statistical data presented in this section of the report, formed with the help of a database for the collection of citizens complaints to the Advocacy and Legal Advice Center (hereinafter ALAC).

The database is a single computer program, created by Transparency International, which makes possible not only to keep track and monitor citizens' complaints to the ALAC and the course of consideration of cases by lawyers, but also to form the important statistical data, broken down by: age, place of residence (urban, rural), sex, level of complaints (which government or private organizations are involved), the dynamics of the consideration, the number of rejections, successfully resolved, etc. ALAC offices in Almaty and Astana from the first day of their work collected received complaints using database.

As a result effective information management system was organized. This system allows forming and adjusts strategy of the work, marketing policy, etc, taking into consideration needs of citizens and the reality of the situation. And the most importantly: being based on real experiences of citizens bring about systematic improvements, to work on developing recommendations for improvement legal, administrative and institutional norms in the field of fight against corruption.

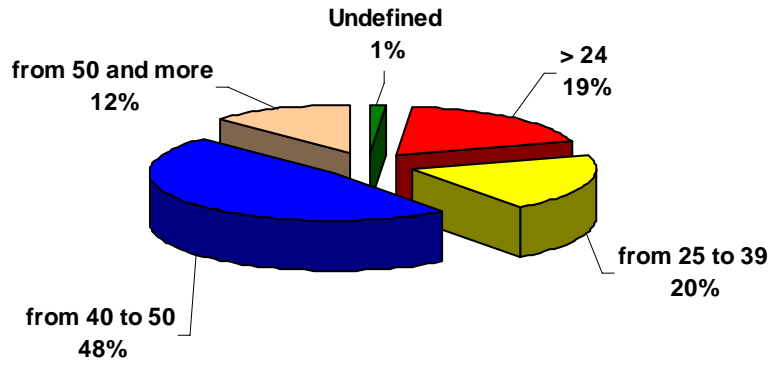
1.1 Advocacy and Legal Advice Center in Almaty

Total for the period of 12 months ALAC in Almaty received 630 corruption related complaints. 45% of which were from men and 55% from women.



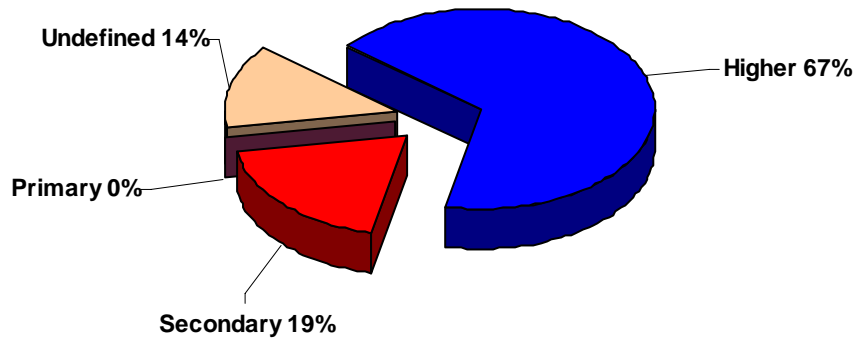
48% of citizens applied to the ALAC are in age from 40 to 50 years. It should also be noted that a large percentage of citizens who applied to the ALAC are in the age category of 25 - 39 years. Based on this information the ALAC shows a positive trend that the active working population is willing to assert their rights and interests, keen to get more information on how to do this.

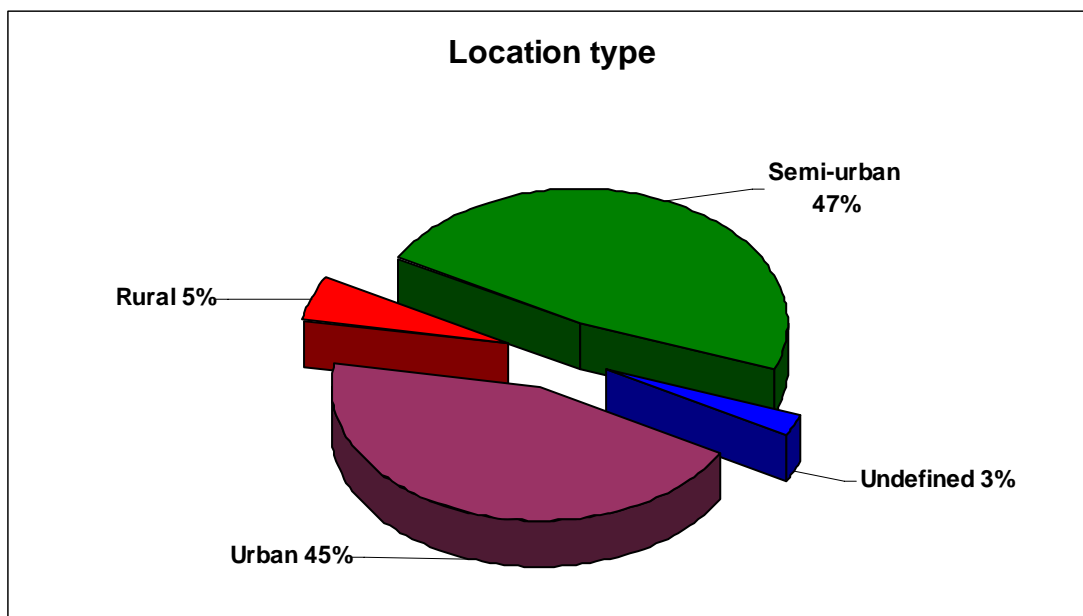
Age of citizens applied to the ALAC



67% of citizens, who contacted the ALAC, have completed higher education. However, analysis of applications shows that despite a proactive approach and willingness to defend the restoration of their lost or violated rights, legal awareness of their problems quite low and often absent.

Highest level of education completed





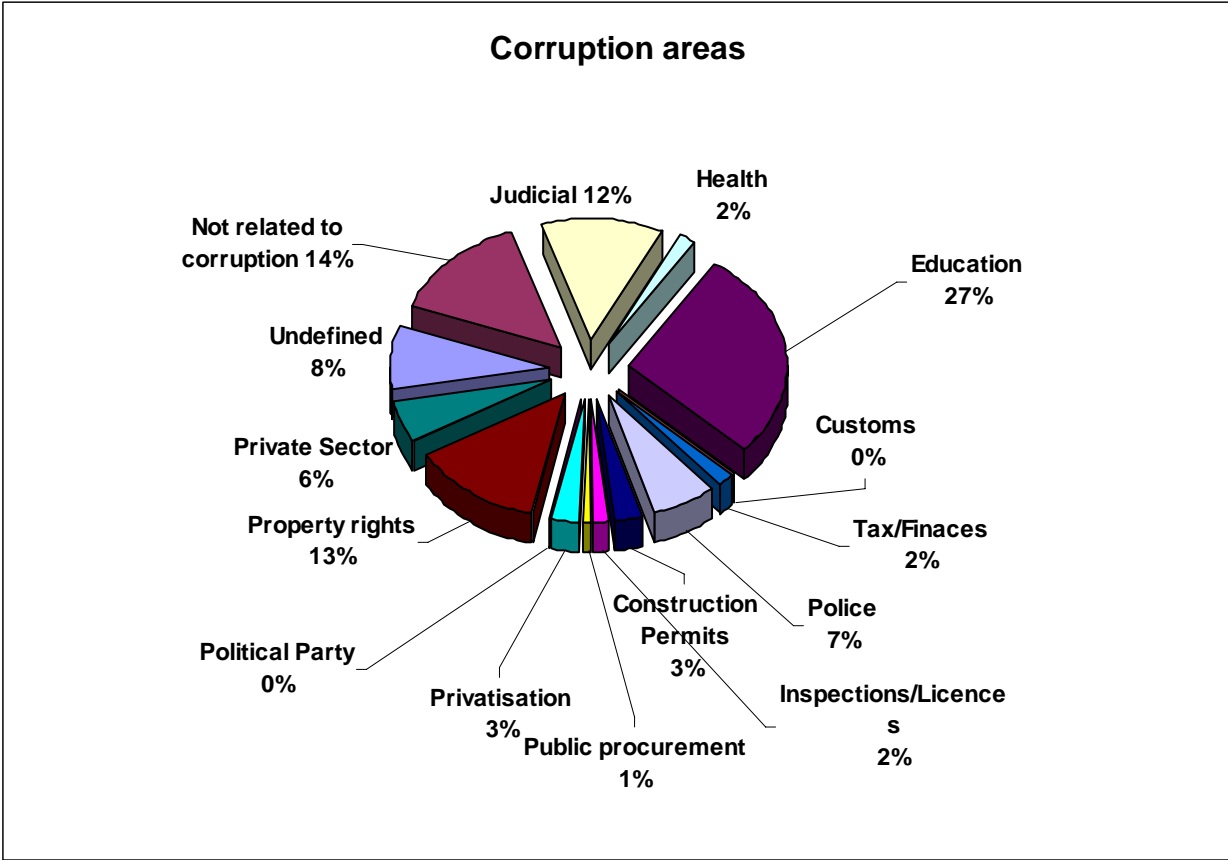
45% of complaints are from cities of Kazakhstan. That could be explained by already established fact that the urban population, in principle, is more active than the rural. The leaders on the number of complaints are Almaty and Astana cities, which could be explain by the location of ALAC offices. However, geography of complaints is not limited to complaints from Almaty and Astana. We receive complaints from residents of Almaty oblast, Astana, Aktau, Atyrau, Aktobe, Almaty, Shymkent, Pavlodar, Ust-Kamenogorsk, Uralsk and Petropavlovsk.

This speaks primarily about the lack of access to quality legal assistance for the population of regional cities and rural areas. Residents of rural and suburban areas do not have any opportunity to obtain any legal assistance or information on the place of residence. In this connection, those citizens who, due to lack of material or other resources can not hire a lawyer, go to the regional center in order to file a complaint, etc. - are excluded from the process of protecting their rights.

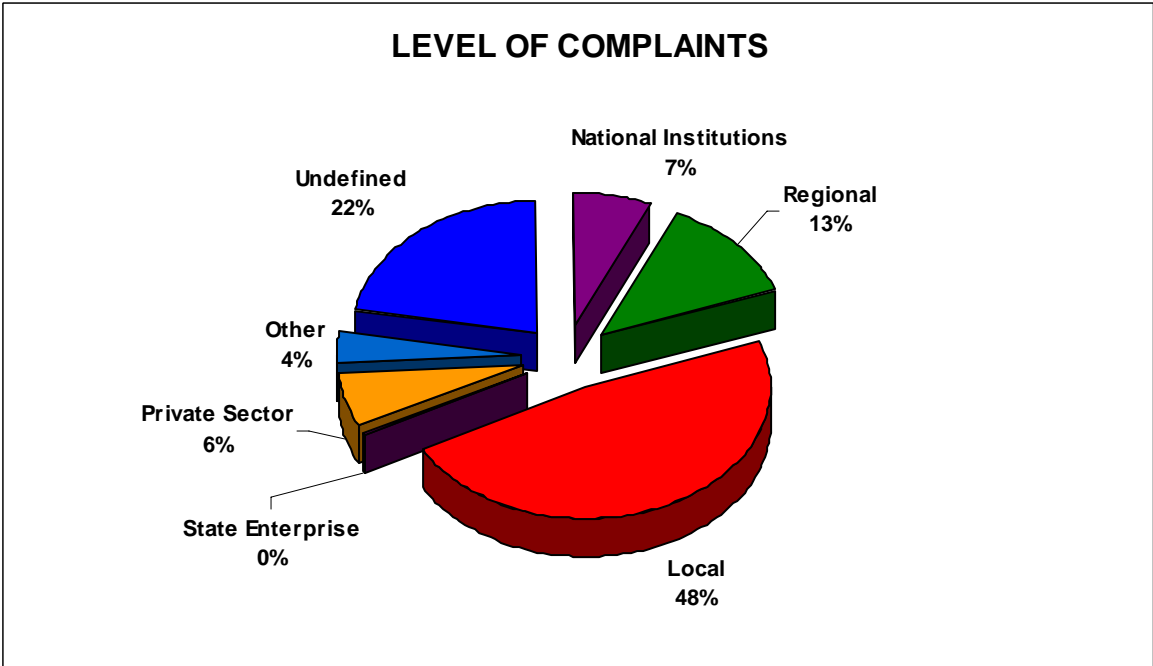
The most interesting picture is on areas of corruption. Education leads in the number of hits. It should be noted that this trend has been from the beginning of ALAC work and remains to present days. This is mainly are complaints from students on facts of bribery in their universities, also we receive complaints from the teachers regarding violations of their rights.

In second place (14%) are complaints not directly related to corruption. Citizens ask to clarify their rights, provide legal advice. This shows a lack of legal information, lack of access to legal information.

At the third place are complaints from the category "Property rights". Basically these are complaints from owners of pulling down housing, land owners, etc. In recent months, the number of complaints about participants of share construction and mortgage holders has raised.



48% of all complaints are against local authorities: City mayor's office, district mayors' offices, City police department, city / district prosecutor's office, etc. In second place are complaints against regional authorities. The share of central government accounts for only 7% of complaints, due to the lowest interaction of central government authorities and citizens.

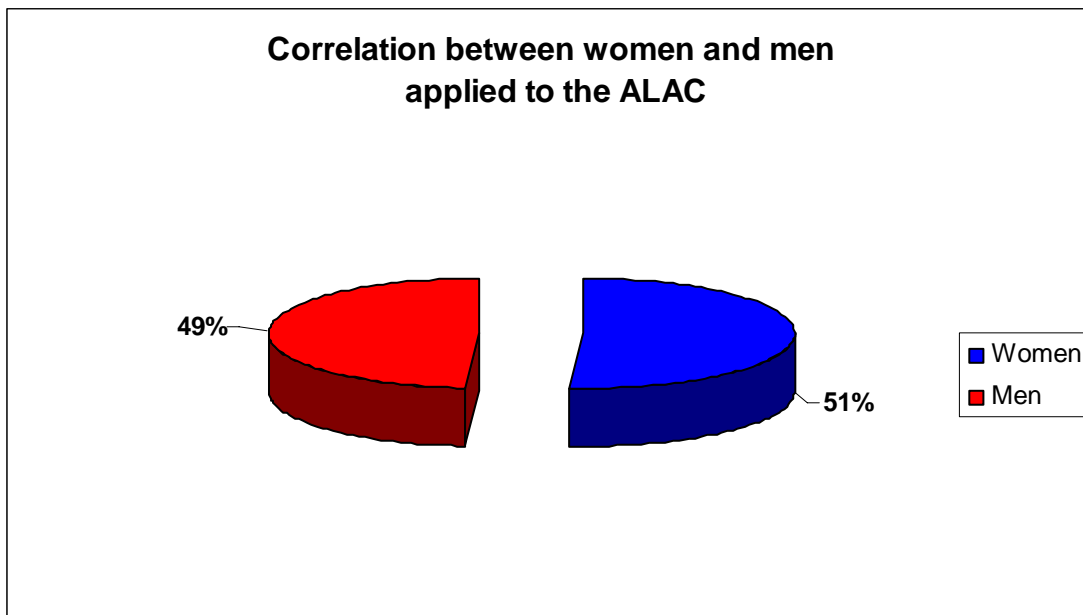


22% of complaints are placed to the section “undefined”, mostly these are complaints of citizens which can be described as «dead cases», and i.e. the case where missed deadlines for consideration, or because of incorrect documentation and filed applications several government agencies are involved into the process. ALAC lawyers concluded that in most cases these situations arisen because of low-quality legal assistance, both on the part of paid legal practitioners, as well as from non-governmental organizations providing legal advice.

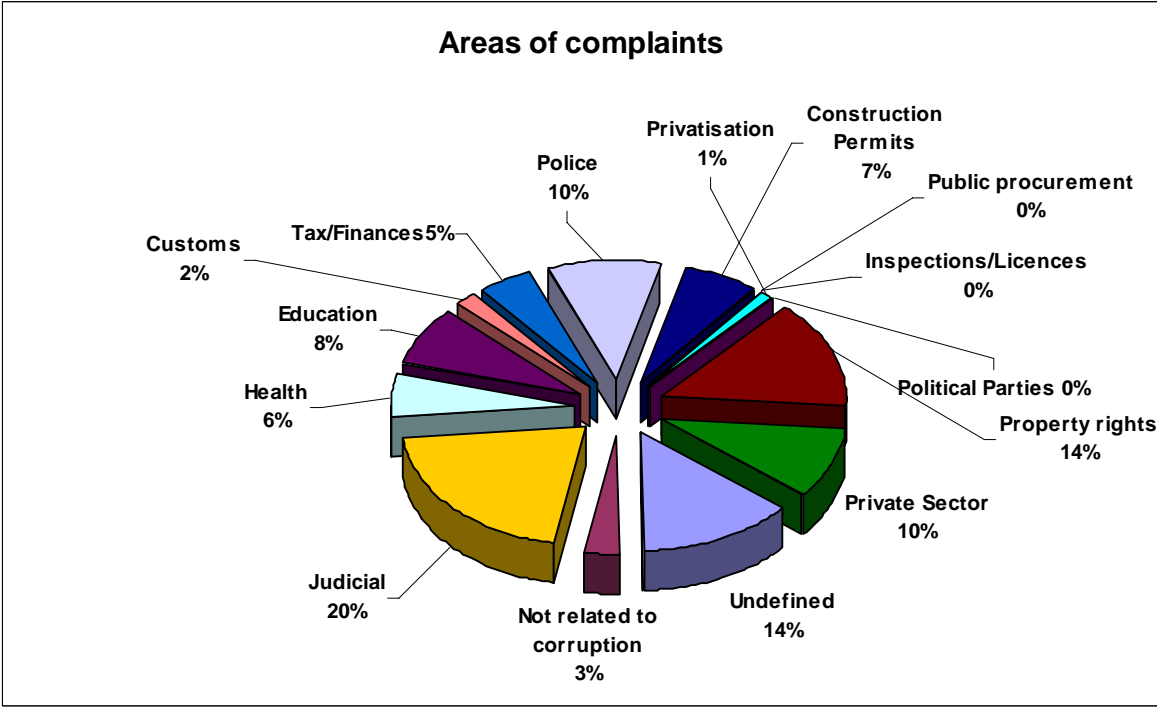
1.2 Advocacy and Legal Advice Center in Astana

Office of Advocacy and Legal Advice Center in Astana was established in October 2008. During the period of 6 months ALAC in Astana received 330 complaints from citizens. Thus, the ratio of male and female clients is 51% women and 49% of men.

88% of all complaints to the ALAC are from city residents. 11% of complaints received from residents of suburban areas near to Astana. Just as in the Almaty ALAC, Astana ALAC receives complaints from different cities of Kazakhstan, which confirms the assumption that outside the two central cities, the population lacks access to qualified legal assistance.



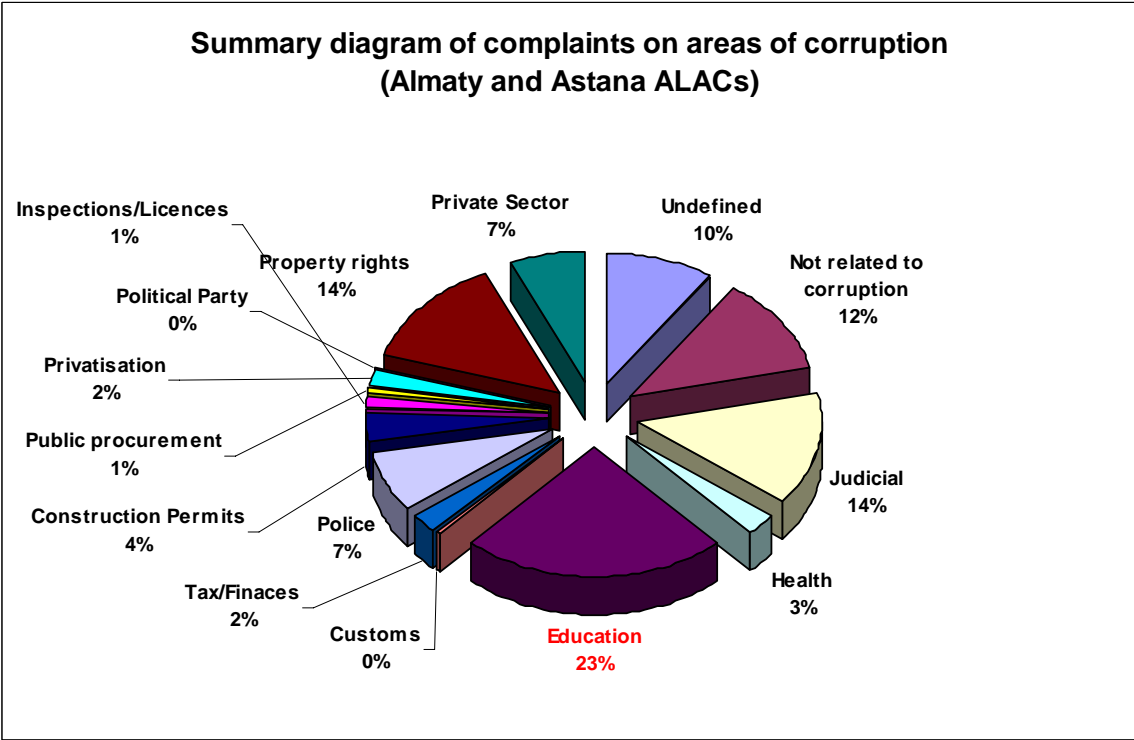
In reviewing the diagram «Areas of complaints», in Astana the leader is judicial system. In second place - the category «Property rights», complaints about this sphere have especially increased in early 2009, when many construction companies have announced about problems associated with the financial crisis and suspended implementation of their obligations under the share construction contracts.



Analyzing complaints we can conclude that most part of complaints are not directly related to corruption. The majority of these complaints are about omissions, negligence, whether by public authorities and private organizations.

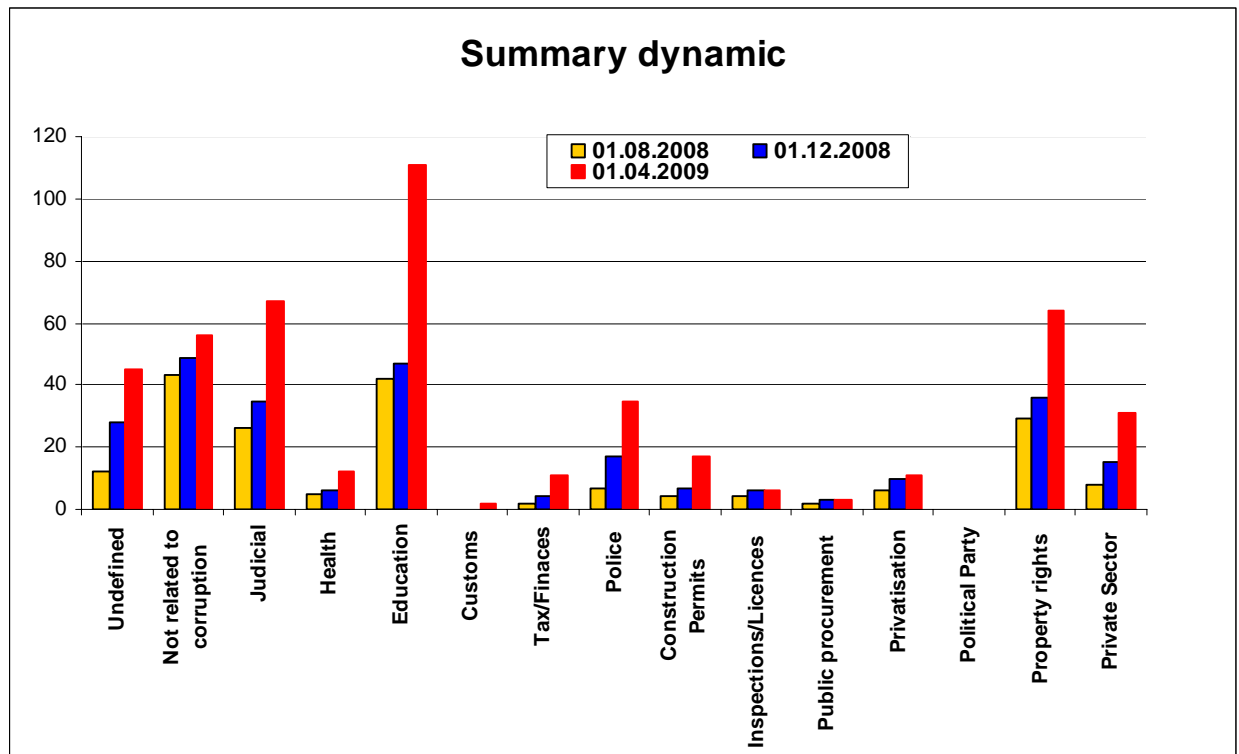
1.3 Comparative analysis and conclusions

Summary table of complaints in two ALACs in Astana and Almaty shows: in the first place, 23% of the total number of complaints the field which is most affected by corruption - «Education». The second place was shared between «Judicial system» - 14% of the total number of complaints and «Property rights» - 14% of the total number of complaints.



With interim measure the number of hits at ALACs in Almaty and Astana, there is a negative trend toward increasing number of complaints about education, judicial system and property rights.

In this analysis of hits a large percentage of complaints from citizens who are advised to contact us with their friends and relatives who have already obtained advice of our experts, and it worked perfectly.



CONCLUSIONS:

1. There is a positive trend in changing the behavior of active working population between the ages of 25 to 50 years in relation to negation of corruption. Citizens who contacted our offices have a negative perception of corruption and with the help of our specialists wishing to learn how to resolve their problems. An interesting picture can be viewed on complaints from rural and regions: inhabitants of northern regions are less active in the desire to resolve their problems, than the inhabitants of southern regions.
2. Despite the fact that 80% of complainants have completed higher education, the level of awareness about their rights and legal literacy in general is quite low.
3. The work of ALACs and the geography of complaints showed that residents of not central cities and rural areas face an acute shortage and often complete lack of access to qualified legal assistance. It is in relation to these statistical data, the specialists of ALAC in Astana made a successful attempt to conduct mobile trainings for citizens in regions. This experience was a vivid proof that the inhabitants of rural areas lack access to legal information, assistance. Of course, the main cause is the lack of financial resources to hire a lawyer or just go to a regional center for meeting with public agency representative. Citizens who are heard in the Supreme Court also come to Astana ALAC, they seek legal assistance. Citizens from other regions come to us with a request to open similar centers in their cities, which will provide the same assistance.
4. Local authorities are leading on the number of complaints received from citizens. On the one hand, the explanation of this is the fact that these institutions more closely interact with the public. But on the other hand the absence of a strong system of local self-government, control from the part of higher institutions, including the public, has led to abuses and corruption.
5. Areas where citizens are most often confronted with corruption are: Education - 16% of complaints; judicial system - 15% of complaints and Property rights - 14%. Analysis of complaints to the ALAC shows the low level of domestic corruption.

2. EMPOWER VICTIMS AND WITNESSES OF CORRUPTION TO ADDRESS THEIR GRIEVANCES

The approach to legal assistance is not limited only to the problems of citizens who applied to ALACs; we have not intended to make a lawyer from everyone who contacted us. The principal of this approach to the work was to teach the citizens themselves to defend their rights to equip them with knowledge, increase the level of legal literacy.

Professional lawyers are working in ALACs, they considering cases, help them to find the best solutions for their problems, help in writing the complaints, requests to authorities. Where necessary ALAC sends a letter of support to the public authorities with its legal assessment of the circumstances.

The ALAC mandate is not intended to represent interests of citizens in courts, but our lawyers track the progress of each complaint since its receiving until the end. In addition, lawyers are directly involved in the analysis of complaints received by the center, with a view to make recommendations for improve the standards and procedures that contribute to the presence of corruption.

Active participation in the process of providing legal assistance take ALAC volunteers, who are students of legal departments, they receive applications, provide primary consultation, collect documentation and communicate with ALAC clients.

2.1 Toll-free hotline

Toll-free hotline - a telephone line with a memorable number, through which ALAC receive citizens' complaints. Hotline number in Almaty - 2600-678, in Astana - 400-569. Hotline is also equipped with voice mail, recorded message explains citizens in two languages the ALAC mandate and working hours.

To ensure that Hotline number is well known ALAC conducts special advertising campaigns: distribution of leaflets with hotline numbers, advertising on television in the form of a running line, placement of posters with hot line numbers in the buildings of state institutions, in public transport, supermarkets, courts, in tax committees, in educational institutions.

As it was said, ALAC volunteers receive initial calls to the hot line. Each of volunteers who have expressed a desire to work in ALAC passes a mandatory training course. During the training ALAC staff explains the specifics of work with citizens, ALAC mandate and work conditions, anti-corruption legislation, the specifics of working with government, monitoring and recording of information received by ALAC, as well as statutory provisions of the Transparency Kazakhstan.

Receiving the initial call, volunteers record the caller contact details, the crux of the matter, what specific assistance / support citizen requests, requesting for necessary documents. It should be noted that all information, documents received by ALAC are kept in strict confidentiality, any action on the case, including the sending of documents to public authorities, disclosure of details of the case in the media agreed with the client. In each case ALAC operates only on behalf of client.

In cases where citizens ask for informational support (contact information of state bodies, clarification of procedures, law) – such assistance is providing on the phone, without invitation

for a meeting and request for documents. In cases where ALAC lawyers need to review documentation under the case, talk to client - citizens are invited for a meeting with lawyer.

It is also possible to receive applications through ALAC web site or e-mail. The procedure for processing requests made through website or by e-mail remains the same.

ALAC receives a large number of anonymous complaints where citizens are unwilling to initiate any formal action by themselves. Unfortunately, in these cases, we can't be very helpful, but our lawyers provide client with legal assessment of the state of affairs. Further consultations are not possible, because without a consideration of the official documents under the case and being based only on the vision of the situation only from the words of client, did not allow us provide professional legal assistance.

2.3 Legal advice provided to victims and witnesses of corruption

Corruption crimes are the most provably difficult. With its latency not many who are involved in it will be openly speak about corruption they faced as a victim, witness, or even direct participant. According to the legislation accusing someone of corruption crime, person should be very sure that he or she is able to present strong evidences; otherwise he/she could be accused of libel. It is the risk which is the most significant in the work of ALAC.

In order to start description of the work of ALAC it is very important to give a description of the context we started to operate. The projects of "legal clinics" work in Kazakhstan already for 7-8 years. In 2007 the President of Kazakhstan announced the wide public campaign on the fight against corruption. Citizens were urged to contact the largest political party (which has headed the campaign) if the faced corruption. No results were published, the public didn't know about the successes or failures of the campaign. Thus, any anti-corruption initiatives got not very positive image among the society. Media were suspicious to any anti-corruption initiatives from different organizations.

On April 7, 2008, Board member of the Transparency Kazakhstan announced about the launch of Advocacy and Legal Advice Center in Almaty. ALAC hired professional lawyers for rendering legal assistance. There were developed work schedules, forms of documents providing to citizens (answers to queries), set up a database with contact information of government agencies, NGOs, standard forms of application to the state agencies.

Analysis of first complaints has showed that in most cases facts presented by citizens had only indirect evidence of corruption, which is consequence is very hard to prove.

Many of cases received by the ALAC are lasted already for 10 years. If the case concerns judicial system, so in 50% of such cases legally foreseen deadlines for consideration of appeals and motions were missed or they have already been reviewed by the Supreme Court which means that procedural possibilities to change anything are exhausted. Particularly distressing the fact that in some cases procedural possibility to appeal unjust decisions of the court were missed only because of badly rendered legal advice by different organizations.

ALAC received 5 complaints of citizens who under the advice of some NGOs appealed the decision of the local Kazakhstan court in the Strasbourg Court on Human Rights, thereby missed

all legally foreseen deadlines for appealing the decision in Kazakhstan¹. Studying the complaints of citizens we found out evidence of unprofessional actions of some organization involved in legal advice to citizens.

A woman applied to the ALAC with the request of legal advice. She tried to protest the decision of local Akimat (mayor's office) on withdrawal of land piece which belonged to her died father. The land was withdrawn by Akimat because the owner didn't registered property right for this land. When he died he didn't leave any will to his children and in one year Akimat adopted a decision on withdrawal. Our client hired a lawyer who unsuccessfully during 5 years wrote numerous motions, application to courts, different state agencies. When she applied to the ALAC, the last term to protest the decision of the court had expired one month ago, however her lawyer assured that she has 12 year for bringing the protest.

The analysis of complaints has showed that in some cases state agencies neglect their duties; in some cases we can see so-called "mutual guarantee" or corporate solidarity in a bad sense of this word.

A woman applied to the ALAC regarding the trial on land. She owns the land piece and wished to make a will for her daughter and went to the Department of Justice to register all officially. There she developed that a part of her land already belongs to some other person. She brought civil suit into the court. As the result the judge decided in favor of our client, but with one mistake: to get back the land to our client in the size of 6 square centimeters. It should be noted that these "6 square centimeter" was simple misprint which was confirmed by court employees in conversations with ALAC lawyers. However any attempts to protest this decision were unsuccessful. When she applied to the ALAC the decision had been confirmed by the last court instance – the Supreme Court. Numerous attempts to contact with district and regional courts and take possible action to improve situation weren't successful.

Another big problem is anonymous complaints. This confirms findings by Transparency Kazakhstan that the protection of persons who report about corruption is critically low. Citizens complain about facts of corruption they present different evidences: name names, speak about details but absolutely refuse to start any formal actions against anyone. A particularly high proportion of anonymous complaints are about education. People say that they are afraid to lose their positions, lose to be dismissed, afraid of being refused in issuing of diplomas, etc.

The ALAC also receives complaints with direct signs of corruption. But not all citizens agree to start formal action.

A woman called to the ALAC and informed that a doctor of one hospital demands 200 USD for necessary care for her son. The son of our client was in intensive care unit of one Almaty hospital. The cost of the operation was covered by the State under the program of social support. Our lawyers joined the case; she agreed to initiate formal actions, to submit official statement on the fact of extortion. She only said that will make final decision after advice from her family. Later she called and said that they are afraid and have already paid money because her son's health is more important.

However, among our clients there are people who are ready to openly speak about displays of corruption.

¹ Citizens of Kazakhstan have no possibilities to appeal decision of local courts in Strasbourg Court on Human Rights, because the Republic of Kazakhstan is not a member of Council of Europe in the jurisdiction of which the Court operates.

A teacher of one Almaty university applied to the ALAC with the complaint about violations from the part of management of the university. He informed that dean and staff are engaged in selling of diplomas, scientific degrees. He also presented confirmation documents. ALAC lawyers opened the case. Together with ALAC he submitted documents to the finance police and investigation had been started. The ALAC organized our client's appearance before media and state representatives. For today his case is considering by the court. Against university staff that was charged of corruption crimes finance police initiated one more check. ALAC monitor the course of the case.

We also receive complaints, where citizens wish to revenge someone with the assistance of ALAC. And in this context, the primary legal assessment of facts and documents presented to the ALAC is very important to us. This absolutely doesn't mean that we don't trust in anything people say. Simply, if we submit any documents and application to the state agencies on behalf of our clients we need to be sure that all information is reliable. First of all we request to provide us with evidences, any facts on the case for legal assessment. This is important for our future clients, because reputation of our lawyers to a large extent influences the success of resolving clients' problems.

More than 60% of complaints to the ALAC these are request to render informational support: to explain rights of citizens, legislative provisions, assist in filing the complaint, application to any state institution, explain decisions by state agencies, answer questions re court hearings, etc. to increase a level of legal literacy ALAC has started a series of educations programs.

For the reporting period it was successfully resolved 25 cases and about 100 complaints of citizens where they asked for advice, which subsequently assisted them to solve a problem arisen. Below we present some samples of successfully resolved cases.

Family of a young man applied to the ALAC. According to them, their son was kidnapped by policemen and placed in jail, without any official charges against him and resolutions of supervising authorities. As our clients said, relatives of high-level officials were involved in the conflict. After studying all documents under the case and presented evidences, the ALAC had organized a meeting of our clients with Chairman of the State Agency on fight against economic and corruption crimes. We also prepared and submitted our letter with legal assessment of the case. After checking of facts a young man was released and all charges declined.

A woman who was detained by police called ALAC under the charge of distribution of counterfeit money. She informed that in supermarket when paid for buying, the seller told her that one of bank notes is counterfeit. Once the seller told her about that the security service of this supermarket and police were called. At the moment of ALAC lawyer arrival woman was sitting in the basement of the supermarket and wrote a frank confession in distribution of counterfeit money under dictation of security service officers. In doing so, woman was deprived of her personal belongings, mobile phone and policemen were threatening her. When ALAC lawyer demanded explanation regarding why she writes a statement under dictation, why security service of private enterprise substitute the police and detains people, etc. This caused resentment from the part of policemen and they began to threaten to our lawyer. But not wishing the development of scandal and having no bases for detention of our client, the police returned belongings to our client and released her without bringing any charges against her.

A group of parents whose children are studying in public school applied to the ALAC. They complained about illegal payments they should do to the administration of public school. All, without exception, make monthly contributions, fearing that if they refuse, then their children

will be under pressure. According to legislation such actions by the administration of public schools are illegal and if anyone wishes to financially assist the school all transfers must be done through a bank account. And parents can not to pay if they don't want that. We advised not to pay and if their children anyhow will suffer, they should call us. Later a representative of this group called and thanked for the advice, saying that ALAC lawyer was right when advised not to pay anything. Everything was fine and nobody demanded to pay money anymore, children were also fine.

After announcement by ALAC about the launch of public campaign "Education without corruption", a group of students visited ALAC. They said that by the example of ALAC they organized a public oversight campaign against corruption in their university. The purpose of this campaign is to reveal the facts of corruption and publicly report about them. This public initiative works till now.

2.4 Educational activities under the project

As it was mentioned above, more than 60% of complaints to the ALAC are with the request to render informational assistance. Generally, analyzing all complaints we can draw a conclusion that the level of legal literacy of the population is critically low. In relation with this, the ALAC began more active educational activity under the project.

On the specially created ALAC web-site it was developed a rubric "Frequently asked questions" where our lawyers answer to citizens' questions. Permanently we organized interviews of ALAC representatives in media, on TV where we explained people their queries.

In August 2008, the manual "Practical recommendation on fight against corruption" was published. There being based on real complaints of citizens our lawyers explained about how these problems were resolved, advises on prevention of such situations and also recommendations for state institutions on improvement. This manual was distributed free-of-charge among ordinary citizens, NGOs (manuals were sent to 15 regions of Kazakhstan). More than 500 downloads were made from our web-site.

In March, 2009 there was published another brochure "We answer your questions". Taking into account previous experience we gathered the most asked questions and gave full answers to them. The brochure was published in the amount of 1000 copies and distributed in Almaty and Astana among population.

In November – December, 2008 there was conducted a series of mobile trainings for inhabitants of three villages of Akmolinskaya oblast (near to Astana). In addition to providing legal assistance ALAC staff conducted a lecture on counteraction corruption.

In April, 2009 Astana ALAC started a series of seminars for students and teacher of universities in cooperation with city department of finance police and youth movement "Karsy". The first seminar was held in Eurasian National University. 200 students participated in it.

In cooperation with Association of Business Women of Kazakhstan, ALAC staff will conduct training for business women and their families on basics of labor legislation and measures of preventing corruption in the field of labor relationships.

ALAC received 20 proposals from regional NGOs which are interested in transfer of ALAC experience and ready to work on this initiative in their regions. In relation with this we consult

NGOs, organize mutual projects. In particular, beginning from May 2009, at the web-site www.transparencykazakhstan.org will be opened a joint forum.

3. WORK WITH STATE AUTHORITIES TO RECEIVE AND ACT UPON CORRUPTION-RELATED COMPLAINTS

In its activity, Transparency Kazakhstan adheres to the principle, that the constructive cooperation with state agencies is the effective method for counteraction corruption. From the beginning of ALAC we started to establish more close cooperation with state institutions already under the ALAC project.

3.1 Memorandums of Understanding

ALAC sent letters of interest to Akimats, courts, tax committees. In all these establishments were placed information posters of ALAC with the hotline number. It was agreed about information exchange and cooperation.

Transparency Kazakhstan initiated a creation of the public council on rule of law under the mayor of Almaty city with the purpose of creation a system of public oversight over the activity of state agencies in Almaty. The council has powers to consider complaints of citizens and organizations. Despite all decisions of the council are recommendatory in nature, a possibility to express and disclose violations of citizens' rights are an effective tool in our work.

Representatives of Transparency Kazakhstan are members of State Commission on Human Rights under the president of RK, Commission on fight against corruption under the president of RK, Expert council of the State Agency on fight against economic and corruption crimes, Public Council of the Ministry of Internal Affairs. This allows direct access to public authorities with the purpose to work under the citizens' complaints and present our recommendations on elimination of corruption to decision makers without intermediaries.

In March, 2009 we have signed a memorandum of understanding with Institute of General prosecutor's office. The signing of MoU between Transparency Kazakhstan and State Agency on fight against economic and corruption crimes is preparing.

In the framework of ALAC work, where necessary, we apply to state agencies. For the reporting period there was no any refusal in consideration of our appeal. Any time we were assisted in resolving our clients' cases. More, state agencies were always active in all events organized by the ALAC.

3.2 Joint actions

In the framework of ALAC cooperation with state agencies we organized several joint events.

Together with the State Agency on fight against economic and corruption crimes there was organized a series of seminars for students of universities on counteraction corruption.

Under the order of Ministry of Justice a research on development of anti-corruption strategy for Departments of Justice had been conducted. Recommendations developed under the ALAC were used at formulation of conclusions.

Transparency Kazakhstan was included as a partner organization into the action plan on realization of State program on fight against corruption until 2010. Transparency Kazakhstan

together with State Agency on fight against economic and corruption crimes initiated an issue of a magazine “To society without corruption”, with the purpose to attract public attention to issues of social prevention of corruption offenses, to introduce into the public consciousness of the value of law-abiding conduct, to form a civilian position.

Together with the State Agency on fight against economic and corruption crimes it is planned republishing of the manual for students of law and economics “Basics on preventing corruption”. First This manual was firstly developed and issued by Transparency Kazakhstan in 2004, under the project «Civic education against corruption». The textbook was recommended by the Ministry of Education and Science of Kazakhstan and included in the curricula of higher education establishments for students of law and economics. This year it was decided to republishing in the light of amended legislation.

Mutual with the State Agency on fight against economic and corruption crimes and OECD international conference on implementation of Istanbul action plan – September 2009.

Transparency Kazakhstan consults the Committee on legislation of the Mazhillis of the Parliament of RK; we make analysis of draft laws for the existence of corruption norms.

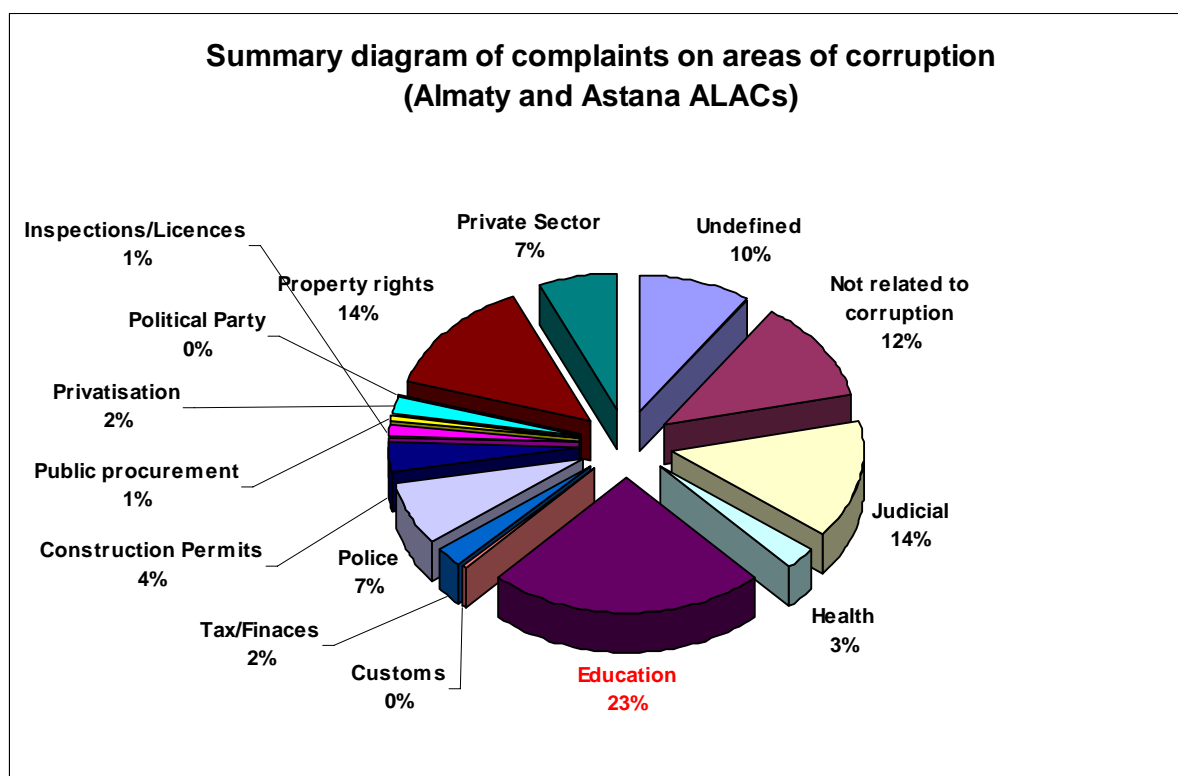
4. RECOMMENDATIONS TO IMPROVE THE LEGAL, ADMINISTRATIVE AND INSTITUTIONAL NORMS IN THE FIELD OF FIGHT AGAINST CORRUPTION

The main strategy of the ALAC is the use of information received from citizens to identify problems at the system level. This analysis helps to identify «soft points» in the system that allow corruption to flourish, specific gaps in the legislation emerged by citizens. In addition, the fight against corruption would be more effective if citizens are involved in this process. Direct contact with citizens helps get a better understanding of how the corruption schemes work in practice. Such data can not always be obtained from the research. And the most importantly - reflecting the real facts, advocacy campaigns are more legitimate.

40% of all complaints to the ALAC are anonymous. Citizens are afraid for their safety, including legal. The level of trust in public authorities is very low. In addition, under Kazakhstan law, the anonymous statements to law enforcement agencies are not considered.

4.1. Analysis of citizens’ complaints and development of recommendations for systematic improvements

Under the results of one year work, the analysis of complaints both from citizens and organizations shows that corruption, anyhow, exists in all spheres of the state. Leaders on the number of complaints are education, judicial system and property rights.



During the year there was a steady growth of complaints in these three spheres. Last five months the number of complaints about private sector organizations had been increased. Generally these are complaints about violations of labor legislation, dismissals, refuse of employers to pay dismissal wage, not paying taxes.

Percentage of complaints which are not related to corruption is very high. Such complaints can be divided into following categories:

Lack of access to information/legal illiteracy: mainly citizens experience the lack of information about public institutions activity, about rules and procedures. Awareness of citizens about their basic rights and duties is very low, which allows unprofessional employees, both of public and private organizations use the legal illiteracy of citizens in their own interests. Citizens sign documents, receipts for the lack of claims against the seller after the calculation. Applying to public authorities, they do not visa them, etc.

Legal nihilism of citizens who didn't realize the consequences of corruption want to solve their problems by corruption means. These applications to the ALAC are mostly anonymous, they complain about so-called failure of «corruption commitments». I.e. giving a bribe for a “service”, citizen complains that the service wasn't implemented properly and his money was not returned. A large percentage of citizens who signed the contract on consumer loan in the bank, make a claim for excessive rates of interest on it.

Unqualified legal assistance. More than half complaints are not related to corruption – these are complaints of citizens who have already cooperated with several paid lawyers, appealed to organizations working in providing legal assistance to the population. However, the quality of legal assistance is not very high. ALAC receives complaints where already nothing can be done. In such cases, the deadlines are missed because legal representatives of citizen communicated with authorities about empty issues. They filed complaints about the protest of actions and decisions of public authorities without motivated arguments, legal facts, based on emotions and not the right details.

Education. Complaints about education can be divided into three main categories:

- Violations of rights of students and teachers on the part of employers and owners of educational institutions – non-observance of contractual obligations in the sphere of paid education;
- Bribing of teachers by students who want in easy way to pass exams/get a diploma;
- Illegal payments in public schools, when parents are obliged to pay for the repair of class rooms, to buy gifts for teachers, etc.

Judicial system. The half of these complaints is about non-execution of court decisions. In some cases decisions of courts are not executed for ten years. Another part of complaints is unjust decisions in favor of huge monopolies. It should be noted about the big number of complaints about violations in the course of civil disputes on land, property rights. In the most cases citizens suffer from their legal illiteracy, at the same time actions of judges deserve intent attention on the part of supervisory authorities.

Having not clear regulation by the procedural legislation actions of judges and current indulgence of higher court instances regarding clear violations of the proceedings, when this is by no means always actions and decisions of judges corresponds with the canons of adversary. Very often the trial from adversary turns not only into “investigative”, but even into “inquisitional”. Judges unreasonably and many times refuse in complaints, applications, claims, unreasonably decline petitions, biased explore and evaluate evidences.

Property rights. The fifth part of all complaints is from participants of share constructions. Mainly this is not fulfillment of contractual obligations under the construction of individual housing. Initiative groups of citizens applied to the ALAC claim that their money is already in offshore zones or simply spent.

From documents presented by our clients it is clear that construction companies, at the moment of signing the contracts with buyers of apartments, didn't have licenses for constructions, enough experience in construction. More at the moment of registration of the company in the departments of justice, many of companies didn't have authorized capital.

There are many complaints against actions of local governments, who issued orders on withdrawal of land pieces for such short-lived companies with numerous violations of rights of citizens and organizations owned these land. At that there is a question: how could these firms got licenses from local governments? How it could happen that legal entities and natural persons were deprived of their property rights without any compensations.

Agency on fight against economic and corruption crimes instituted proceedings against some heads of construction companies, some of them are already under arrest. Almaty Akimat recalled licenses from more than 30 construction companies. Some of share-holders got court rulings on compensation from construction companies. But these rulings are not executing – simply construction companies do not have money to compensate anything.

The main reason of arisen problems is in absence of the Law on share construction. The share construction as a part of business started to develop very active since 2003. The law on share construction had been adopted in July 2006. In 2007 it was amended by provisions which foresee the greater responsibility of constructions companies: introduction of nonrecurrent license for the construction of every single project instead of previous general license, company should have experience in construction of housing not less than three years and having of its own authorized capital in amount not less than 100 of specified rates, demand on having funds in the separate

account funds (not less than 5% from all involved funds) for payments for those citizens who decided to cancel contracts with companies. BUT THE LAW HAS NO RETROACTIVE FORCE AND CAN'T BE USED FOR THE RESOLVING SITUATIONS OF CITIZENS WHO SIGNED CONTRACTS EARLIER.

Also ALAC receives many complaints against condominiums and local self-governance. The great percentage of complaints is against chairmen of condominiums who rent or sell non-residential premises in apartment houses and land around these houses to businessmen.

Chairman of condominium of one new district in Almaty let on lease all non-residential premises in apartment house. According to the contract with apartments' owners all these non-residential premises are equity ownership of all residents of this house, they monthly paid for utility. At that all funds from rent, according to our clients weren't used for needs of the house. Also we consider complaints related to non-transparent activity of condominium chairmen and not effective work of different commissions from amongst apartments' owners, in the result of what all financial system of condominium became uncontrolled.

According to the information from prosecutor's office in Almaty, 17 chairmen of condominium didn't report about their activity before apartments' owners till now.

According to acting legislation the activity of condominium's chairmen should be under the control of general meeting of apartments' owners. For today city authorities have no right to interfere the activity of condominiums because these are not-for profit organizations.

Chairmen of condominiums and local authorities can deal with these as they want, because these relationships are not regulated by the legislation. It also concerns violations of rights of owners of demolishing houses. The analysis of complaints shows presence of abuse of powers and possibilities fro corruption crimes at the process of issuing of court rulings, refusals in institution of proceedings in respect of officials and decisions of other state agencies.

Healthcare. Complaints in this category can be divided into two parts: bribes from the part of medical staff and abuse of power from the part of supervisory personnel. It is significant, that the majority of complaints about health are anonymous. The problem here is in not sufficient control of the sphere of medical services, both public and state, and of course the low salaries for medical staff.

It should be also noted that already in 1995 had been adopted Constitution of the Republic of Kazakhstan where it is said that during next two years the la on local self-governance should be adopted. Already 13 years past - and the law wasn't adopted. The local self-governance is the effective mechanism of counteraction corruption. Acting maslikhats (local parliaments - representative authority) are not effective in the sphere of control over construction, healthcare and education.

Police. In some cases citizens who apply to the ALAC face problems in communications with police departments. According to these complaints, police officers not very gladly institute proceedings in respect of violations of citizens' rights. Using legal illiteracy of citizens policemen force people to write statements under dictation, conduct not qualitative investigations and prepare documents for court hearings. In the court, as a rule, hear such cases in absence of victim and decide not to institute criminal case. In the course of work on citizens' complaints policemen do not work properly with citizens: do not work on the full scope of activities, in many cases intentionally do not explain complainant his rights, the order and terms of

investigation, rights to appeal adopted decision, do not give original copies of documents under the case thus depriving complainant the right to appeal the decision of authorized body.

We suppose that it happens because of: corruption component, dominating of personal factors at solving of professional issues (unwillingness to take upon responsibility, the fear to mar figures of statistics, encouraged inactiveness), workload, impossibility to work on the full scope of activities (monitoring of the complaints from the beginning to the end – from the statement to the police to the suit into the court).

The greatest problem in the Republic of Kazakhstan, including the sphere of fight against corruption, is failure to observe a law. And first of all by state agencies, which are obliged to fight against it. Acting legislation allowed and still allows effectively fight against crimes and corruption. At that the law application practice witnesses that in Kazakhstan there is no unavailability of punishment.

MAIN CONCLUSIONS UNDER THE CITIZENS' COMPLAINTS:

- The level of passiveness and fear of citizens before corruption crimes is high. This confirms by the fact, that 40% of all complaints to the ALAC are anonymous.
- Despite the fact that there legal possibilities to fight against corruption – a distrust of citizens in state is growing day by day which allows corruption to remain latent.
- The most number of displays of so-called “downstream corruption” – on the level of cooperation between local governments and population.
- Citizens do not know where to apply if they face corruption. Despite the existence of large number of telephone hotlines of different state agencies – there are no information about that.
- Despite the existence in the legislation prescribed norms and procedures which allow population to obtain information about state organizations, their functioning, decision making processes in public administration, about the decisions and legal acts which touch interests of the population – the access to such information in many cases is closed.
- Lack of mechanisms to appeal corrupt actions of state agencies officers.
- Businessmen prefer to spend money on bribes, than on taxes.

4.2 Comparative table of ALAC proposals and adopted changes

ALAC proposals	Result	Document
IN THE FIELD OF RAISING LEVEL OF LEGAL LITERACY OF THE POPULATION		
<p>Establishment of the single state hotline for people who faced corruption and abuse of power, where specialists could explain citizens their rights and duties.</p>	<p style="text-align: center;">ADOPTED</p> <p>State Agency on fight against economic and corruption crimes established the single hotline “144” for receiving citizens’ complaints about corruption and abuse of powers.</p>	<p>Action plan under the State program on fight against corruption in the Republic of Kazakhstan</p>
<p>Production and distribution of preventive TV-spots about the harm which corruption causes with the purpose to attract attention of the society to problems of social prevention of corruption crimes; introduction into the social conscious the value of law-abiding behavior, to form a civil position</p>	<p style="text-align: center;">ADOPTED</p> <p>State Agency on fight against economic and corruption crimes produced and broadcast on TV channels television spots. They can be downloaded at www.finp.kz</p>	<p>Action plan under the State program on fight against corruption in the Republic of Kazakhstan</p>
<p>Networking with civil society organizations in order to promote the knowledge and adherence to anti-corruption legislation, including for the complex sociological research on corruption</p>	<p style="text-align: center;">ADOPTED</p> <p>State Agency on public service is responsible for organizing an open competition for non-governmental organizations “The organization of complex sociological research. The Ministry of Culture and Information - support civil society actors, who deliberately and consistently engaged in the formation of anti-corruption views at population</p>	<p>Action plan under the State program on fight against corruption in the Republic of Kazakhstan</p>

<p>Organization of seminars for young people to promote knowledge on anti-corruption.</p>	<p style="text-align: center;">ADOPTED</p> <p>State Agency on fight against economic and corruption crimes together with Transparency Kazakhstan started to conduct a series of seminars for students of universities on anti-corruption</p>	<p>Own initiative of the Agency under the realization of the State programme on fight against corruption</p>
<p>Inform the public about decisions taken by public authorities (government procurement, environment, land) to ensure transparency and openness.</p>	<p style="text-align: center;">ADOPTED</p> <p>Taken steps to improve the work of the state websites, improving the work of state agencies press-service, collaboration with NGOs. The work had begun, although much remains to be done.</p>	<p>Action plan under the State program on fight against corruption in the Republic of Kazakhstan</p>
CHANGES OF LEGISLATION		
<p>To ratify international anti-corruption conventions, in particularly to ratify UN Convention against corruption and UN Convention against transnational organized crimes, among them adopt laws on ratification of all protocols on import of illegal migrants by land, sea and air, on prevention of traffic of persons, especially women and children, etc.</p>	<p style="text-align: center;">ADOPTED</p> <p>On May 5, 2008 and on June 4, 2008 president had signed a decree on ratification of these international documents and all its protocols. Already now the work on implementation of these conventions in national legislation had started. Also the preparation on ratification of other European anti-corruption conventions.</p>	<p style="text-align: center;">Decree of the President</p>
<p>Activities of the Public Prosecutor's Office and the Financial Police, other law enforcement agencies should be preventive in respect of corruption</p>	<p style="text-align: center;">ADOPTED</p> <p>The coordination of law enforcement activity was intensified, especially in the field of protection social and economic</p>	<p style="text-align: center;">April 22, 2008 – Minutes of the Coordination Council.</p>

<p>offenses</p>	<p>rights of citizens. It was created a Coordination Council of law-enforcement bodies under the chairmanship of Prosecutor General. The Council includes representatives of Agency on fight against economic and corruption crimes, Ministry of Internal affairs, Ministry of Justice, Ministry of Finance, Ministry of Emergency Situations. It is decided to organize a work of secretariat on prevention and investigation of corruption crimes, and first of all bribery. It is decided to develop a draft law on this Council.</p>	
<p>In Kazakhstan, for corruption fight responsible MIA, Committee on National Security, Financial police, thus there are facts of “unhealthy” competition between these bodies. Correspondingly the effectiveness of work is very weak. It was proposed to transfer the exclusive jurisdiction for corruption offenses to Agency on fight against economic and corruption crimes.</p>	<p style="text-align: center;">ADOPTED</p> <p>To transfer exclusive jurisdiction on investigation of criminal cases foreseen by the Art. 302, part 2 and Art. 308, part 2 criminal Code of the RK</p> <p>Decree of the President foresee measures stimulating anti-corruption behavior of citizens, including mechanisms of encouragement of citizens assisting in preventing and disclosure of corruption crimes;</p> <p>The Decree introduces the responsibility of state servant to inform about facts of corruption.</p> <p>Decree demands to develop a legal mechanism to ensure transparency re issues of property of citizens during their work on public service, as well as for a certain period after the dismissal from public service, establishing the obligation of public servants, as well as persons who have been dismissed from government service, for a certain period after the dismissal present information about the origin of the assets which cost more than the official income of these persons;</p>	<p>Decree # 793 by the President of the RK on additional measures on fight against corruption and further improvement of law-enforcement activities in the Republic of Kazakhstan, Astana, Akorda, 22 April, 2009</p>

	Decree foresees development measures on counteraction corporate corruption;	
<p>It is necessary to adopt legislative frameworks for responsibility of board of condominium on financial obligations before apartments' owners and control over this sphere.</p>	<p style="text-align: center;">ADOPTED</p> <p>The bill is aimed at a systemic change in the housing and utilities, with a view to improving management of the condominium, the definition of a financial mechanism to maintain an adequate state and update the existing housing stock, creating the conditions for the effective management of the housing stock.</p> <p>Under the amendments specified authority of the Government to develop the main directions of state policy in sphere of housing, the improvement of management of a condominium, designating an authorized agency, to establish the administrative liability of boards of the condominium for failure to comply with housing legislation.</p> <p>Has been amended to exclude the administrative responsibility of the owner of the dwelling (apartment) for failure to participate in the cost of maintaining the common property of the condominium site and the official body of the object of a condominium for dereliction of duty for manufacture of major repairs;</p> <p>Amendments specifying the powers of housing inspections to monitor compliance with the rules of the housing stock;</p> <p>Amendments to provide for the right of local authorities themselves initiate the meetings of owners of premises (flats);</p>	<p>In the Senate, the Committee for Economic and Regional Policy discussed the bill "On amendments to some legislative acts of the Republic of Kazakhstan on housing and utility" The document sent to the Senate.</p>

IN THE SPHERE OF PUBLIC OVERSIGHT		
Initiate to create a public council on rule of law under the Akimat of Almaty city	ADOPTED Under the initiative of Transparency Kazakhstan it was established a Council on rule of law under the mayor of Almaty city	Decree of Akim
Enhancing cooperation between NGOs and government authorities.	ADOPTED State agencies started active cooperation with NGO in different spheres. A memorandum of understanding between Institute of General Prosecutor's office and Transparency Kazakhstan had been signed. A memorandum of understanding between State Agency on fight against economic and corruption crimes and Transparency Kazakhstan is preparing for signing Transparency Kazakhstan work with Ministry of Justice, MIA, Supreme Court, we consult Committee on Legislation of the Mazhilis of the Parliament.	State program on fight against corruption
Recommendations on implementation the UNCAC	ADOPTED A working group for implementation of the UNCAC into the national legislation had been created at the Agency on fight against economic and corruption crimes. Recommendation proposed by Transparency Kazakhstan have been approved and TK became a member of this working group	State program on fight against corruption
IMPORTANT CHANGES THAT HAVE NOT BEEN ABLE TO IMPLEMENT		
Education: Introduction on the state level the unique model contract for students of universities of all ownership forms, which will fix rights of students to specified rate of payments for education, rights at any disputes with university,	WASN'T ADOPTED Despite the ongoing work being done by ALAC, the Ministry of Education chooses not to respond to specific proposals.	

<p>adoption a single model contract for teachers and technical staff of educational institutions. Regulate the rights, labor relations, level of payment (fixed salaries) for faculty.</p> <p>The introduction of corporate governance principles for all educational institutions.</p>		
<p>HEALTH: Do not allow medical institutions to enter into commercial contracts with private companies and banks on the provision of social, financial and other services. There are facts, when the hospital entered into an agreement with banks, insurance companies, pharmaceutical companies and mortician, to attract customers from among the patients.</p> <p>Fix the responsibility for the advertising of medical services.</p> <p>Prohibit the advertising of medicines.</p>	<p style="text-align: center;">WASN'T ADOPTED</p> <p>Despite the ongoing work being done by ALAC, the Ministry of Health chooses not to respond to specific proposals.</p>	

5. PUBLIC CAMPAIGNS TO REDUCE THE NEGATIVE DISPLAYS OF CORRUPTION, INVOLVEMENT OF CIVIL SOCIETY ORGANIZATIONS

5.1 Marketing campaign

Plan of marketing campaign included variety of methods to publicize the work of ALAC, in particular:

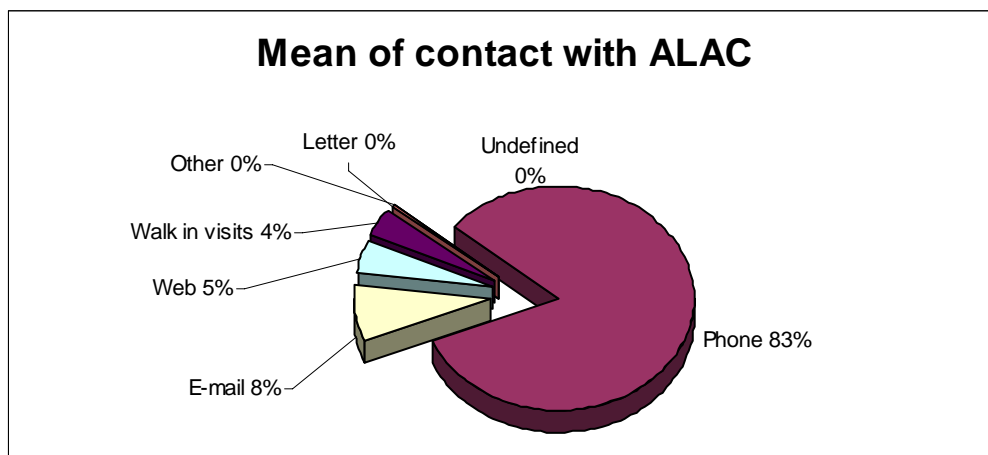
Make recognizable among the population of Kazakhstan number of hotline.

To do so, we produced and distributed leaflets in two languages with a hotline numbers. In total, over a period of 12 months, it was distributed 12 thousand of leaflets in Almaty and Astana.

Placement of posters with the number of hotlines in the public reception of state institutions, court buildings, the tax committees, centers of public services (Department of the Ministry of Justice), in public transport, shops.

Running line on TV with a number of hotlines in Almaty and Astana.

This strategy justified all expectations, 83% of applications the ALAC were on the phone, and thus it helped to avoid the large flow of people in the offices and the ability to schedule meetings with lawyers. What in generally creates a better system for processing incoming information, and hence customer satisfaction center.



Continue to inform the society about ALAC activities

Each month, the Press Service of ALAC produced press reports about the Center's activities include statistics on cases, comments by ALAC lawyers, as well as answers to frequently asked questions. This activity allows maintaining interest to ALAC from the part of media. The budget does not allow publishing advertisements in print media on a paid basis, production of reports is a good marketing tool for the availability to have publications. In addition, reports are sending by e-mail to all regional media, so information on the ALAC is publishing all over Kazakhstan, which is confirmed by data of media monitoring.

Interviews with ALAC staff

ALAC press-service also organizes thematic interviews with ALAC lawyers, staff. The purpose of these interviews is to mainstream concerns of the citizens to contact the ALAC to talk about successes, problems of ALAC. The great attention in the interview is given to the explanation to citizens about their rights. Because of accessible and clear information, media themselves initiate publication about ALAC. In March 2008 under the initiative of TV channel Kazakhstan it was shot film about ALAC. TV Channel Almaty regularly organizes “hotlines” shows with ALAC staff for their viewers.

Publications

The first complaints to the ALAC revealed problems in the field of legal literacy of the population. In order to raise legal literacy, ALAC initiated the publication of Toolkit «Practical Recommendations on fight against corruption», where by the example of citizens' complaints lawyers explained the legislation, policies and approaches that have been used to solve the problem of the persons contacted the ALAC. It was also published a brochure «We answer to Your questions», where the lawyers gave answers to frequently asked questions from the public contacted the Center. Also in the brochure were published the most commonly used model forms of documents, statements submitting to public agencies. All materials are distributed free of charge among citizens: on the streets of cities, through a partner NGOs, across the state authorities.

Press Conferences

This tool of the marketing campaign was used only for the announcement on launch of ALACs in Almaty and Astana.

Release the movie «What is corruption?»

We went to the streets of Almaty city with the purpose to ask ordinary citizens: What is corruption, which public authorities are empowered to deal with it, whether we are able to overcome this phenomenon. The video was posted on the ALAC website and on the portal YouTube. Broadcast on TV was expensive, so we abandoned it. Discs with the video were distributed among public who attended the conferences and round tables organized by the ALAC.

Creating a project web site

To increase the awareness of citizens on the activities of ALACs were created two websites: www.alactk.org and www.alactk.org/astana/ where it can be found last published information on ALAC activities, announce of events related to the work of ALAC, lawyers are responsible for questions of citizens coming to the web site. Also on the web, you can find all interesting information about the project, its goals and objectives. In addition, the website provides electronic form of complaint to ALAC.

5.2 Education without corruption

The idea of the campaign “Education without corruption” initially was brought to the Centre by ALAC clients. In 2008, students’ parents being worried about the level of corruption in higher education system asked ALAC to undertake any possible actions in order to influence on illegal actions of teachers during the entrance exams. The Kazakhstan Advocacy and Legal Advice

Centre (hereinafter Center) conducted a public campaign «Education without corruption» in universities of Almaty city. As part of this campaign we invited students, teachers, and parents of students to contact the Center if they faced corruption or abuse of power. More than 300 citizens contacted us within the campaign organized by the Center. All who contacted us reported on corruption in their own universities.

In addition to the campaign «Education without corruption», a survey of students and teachers of five universities in Almaty had been conducted, in order to identify the level of corruption perception, as well as the potential demand for corrupt services in higher education.

According to the results of the survey and analysis of citizens' complaints to the Center, we could draw following findings:

- In the stages of educational process, the most have negative attitude towards corruption and great demand for fair and incorruptible government in the system of higher education;
- Citizens refused to initiate any formal action against violations of their rights. The level of trust in public authorities by the citizens is very low;
- The greatest number of citizens' complaints are about state owned universities (survey sample was direct, not representative, in such a way we cannot to assert anything about the comparative features of the universities, but we can speak about disposition towards corruption);
- In spite of the fact that, in general, the negative attitude of citizens towards corruption dominates, because of mistrust in the public system, law enforcement agencies, and the inability to confront corruption by their own - there is high potential demand for illegal services in education;
- The study found the risk that upon reaching a certain critical mass, the corruption in the education can grow from a combination of individual displays up to the scales of social norms.

It was agreed to continue activities in this regard and undertake systematic research which will be not only a logical continuation of the activities of ALAC and Transparency Kazakhstan, but proposes to focus on the problems of higher education in the promotion of system changes through special Advocacy campaigns.

5.3 Mobile trainings

Proceeding from the analysis of complaints, which showed that residents of rural areas are experiencing a significant lack of access to legal information, it was decided to organize a mobile ALACs to rural areas Akmolinskaya oblast area (near Astana), as well as a series of seminars for population on prevention of corruption. The ALAC in Astana visited Arshaly village and Akkol village. Akimats of these villages assisted with premise. Almost all inhabitants of these towns have an appointment with the lawyer, where he provided them with legal assistance. About 50 people in each village took part in a seminar on prevention corruption. Among citizens of these villages were distributed ALAC publications.

The very important result of mobile trainings was establishment of cooperation with local akimats, who not only assisted in the organization of training and facilities, but also actively participated, as well as they placed posters in their offices.

5.4 Seminars for students

Young people is the future of any state, and how careful we are going to be to their education and formation of civic mindedness and awareness, value of law-abiding behavior is depends the development of the country. ALAC pays attention to the work with youth. For this purpose, a strategy of seminars «Corruption and its consequences» among university students was developed. This action is carrying out together with the Department of Financial Police; they speak with young people about basics of legislation, with examples of specific cases describing the effects of corruption. The first lecture was attended by 200 people.

5.5 Conferences, round tables and cooperation with NGOs and the media

In the frameworks of the ALAC was held a conference where we presented the ALAC and first results of its work before target groups of the project. Representatives of the Administration of President of the Republic of Kazakhstan, Agency on fight against economic and corruption crimes (Financial Police), the Supreme Court, Majilis of the Parliament, the Ministry of Justice, General Prosecutor's Office, Agency on Public Service, the Ministry of Internal Affairs, UN , OSCE, EU, Transparency International, representatives of diplomatic missions and international organizations, non-governmental organizations of Kazakhstan and the media attended the conference.

During the conference, were discussed:

- Mechanisms for public participation in fight against corruption;
- Possibilities for legal protection of citizens and organizations;
- International Experience: Advocacy and Legal Advice Centers (ALACs)
- Effective mechanisms for interaction between state and public institutions in combating corruption.

In January 2009, in Astana, a round table to discuss the results of the project was held. The round table brought together representatives of government organizations, NGOs, international organizations and journalists.

The purpose of the round table was not only to present results under the project, but also to bring together organizations working in the area of fight against corruption and to discuss possibilities of cooperation. Especially important was to make this event not only for NGOs but also to engage in discussion government institutions and international organizations to enable them to describe the results of their work. Very interesting were the reports by European Commission representative and by representative the Netherlands Embassy, who not only described how this activity carrying out in their countries, what measures are used there to combat corruption, but also gave their assessment of Kazakhstan.

6. THE RESULTS OF THE PROJECT: THE EXTENT TO WHICH THEY WERE ADDRESSED

This section of the report consists of description the results and achievements.

Promoting changes in society (p.2.1.1 TK project proposal)

The analysis of data from complaints to the ALAC shows a positive trend regarding the ongoing changes in society. Active working population is willing to assert their rights and interests, keen to get more information on how to do this. ALAC publications are demanded by clients. Clients come again and ask more copies for their friends. Also the changes in society can be measured by calls and letters from citizens who apply to the ALAC just to give their assessment of the state of affairs in the State, to evaluate the anti-corruption initiatives both by public and government organizations. Another important result is the reaction by government authorities for our initiative and the level of their application. Together with other organizations we could actualize the theme of fight against corruption in society.

Capacity of public institutions

The ALAC on an ongoing basis is actively cooperates with various government institutions that learn from our work, and work with us citizens' complaints. The impact of this cooperation can be measured by responses from public bodies to our inquiries regarding specific cases of ALAC clients. Over the entire period we were not denied in consideration of cases. In March 2009, a memorandum of understanding with Institute of Persecutor's office was signed. Transparency Kazakhstan became a strategic partner under the realization of Action plan on implementation the State program on fight against corruption.

To promote changes in the system

See section 4.2 Comparative table of proposals and recommendations

Establishment and operation of two ALACs in Almaty and Astana

In April 2008, ALAC in Almaty was established, in October 2008 was established ALAC in Astana. Despite the completion of funding, the Center continues its work, developing and improving its services.

Legal assistance to citizens

During the period of operation of two ALACs 960 citizens applied to the ACLAC. 50 applications received by e-mail, 30 via website.

Publication of manuals for the Prevention Corruption

During the period of the project it was published «Practical recommendations on fight against corruption», where by the example of citizens' complaints lawyers explained the legislation, policies and approaches that have been used to solve the problem of the persons contacted the ALAC. It was also published a brochure «We answer to Your questions», where the lawyers gave answers to frequently asked questions from the public contacted the Center. Also in the brochure were published the most commonly used model forms of documents, statements submitting to public agencies. All materials are distributed free of charge among citizens: on the streets of cities, through a partner NGOs, across the state authorities.

ALAC initiated publication of materials for project target group, public authorities and NGOs working in the field of anti-corruption «Social mechanisms on prevention corruption» - where recommendations for the implementation of the UN Convention against corruption were.

Website Project

It was created and operates two websites www.alack.org - ALAC in Almaty and Astana www.alack.org/astana/ - ALAC in where it can be found last published information on ALAC activities, announce of events related to the work of ALAC, lawyers are responsible for questions of citizens coming to the web site. Also on the web, you can find all interesting information about the project, its goals and objectives. In addition, the website provides electronic form of complaint to ALAC.

Database

Two ALACs equipped with database, which assist in collection, monitoring and analyzing complaints received by ALACs.