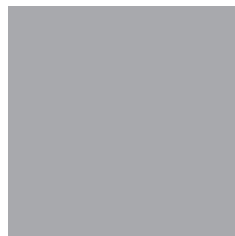
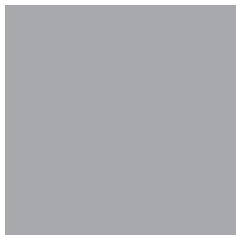


ЖЫЛДЫҚ ЕСЕП  
ГОДОВОЙ ОТЧЕТ  
ANNUAL REPORT

2011



Сорос - Қазақстан Қоры  
Фонд Сорос - Казахстан  
Soros Foundation - Kazakhstan



**ANNUAL REPORT OF  
SOROS FOUNDATION-KAZAKHSTAN  
2011**

Сорос-Қазақстан Қорының жылдық есебі 2011  
Годовой отчет Фонда Сорос-Казakhstan 2011  
Annual report of Soros Foundation-Kazakhstan 2011

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*In memory of Anna Alexandrova*



## WELCOME SPEECH

2011 was not an easy year for Soros Foundation-Kazakhstan.

In 2011 SFK continued to implement its new two-year strategy in which the additional role of policy broker was clearly specified for the first time.

During 2011 we had to ensure the relevance of the chosen strategies to the fulfillment of our mission – fostering responsible transparent government and a tolerant, active society.

As a policy broker the Foundation was able to initiate and support active discussions around several important draft laws, such as a draft law on youth policy and a draft law on TV and radio broadcasting. It is a remarkable achievement that heated discussions about these two documents continue on into 2012 without the active participation of our Foundation. Additionally the Foundation acted as an intermediary in arranging the development and publication of the first Citizens Budget in Kazakhstan (a state budget designed to be understandable to the general public).

Throughout the year the entire SFK team worked with inspiration and exceptional dedication. However, it was a sad and tragic year for us. In December Anna Alexandrova, Chair of the Executive Council, unexpectedly passed away.

Anna's contribution into the Foundation development can hardly be overestimated. She brought great dynamism and managed to unite a strong team of employees and partners around her brave vision, goals and perspectives. Despite her very severe ill health toward the end of the year, Anna successfully presented the Foundation's strategy for 2012-2013 which is a logical continuation of the Foundation's previous work.

Anna's characteristic features were a belief in justice, a caring nature and a belief in our potential to change the world for the better. Her passionate dedication and high level of professionalism energized us all and filled us with enthusiasm.

In Anna's memory the Board of Trustees took the decision to establish a special grant in honor of Anna Alexandrova which will be awarded each year to civil society activists who promote ideas and principles of social justice.

Nargis Kassenova,  
Chair of the Board of Trustees



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# 1

## INCREASING BUDGET TRANSPARENCY AND PUBLIC PARTICIPATION

### Public Finance Transparency Program

The Public Finance Transparency program is aimed at increasing transparency, accountability and efficiency throughout the whole process of creating and using the financial income from the extractive industry: from executing contracts on subsurface use to budgetary provisions to financing social-economic development. The program which began in 2010 is the successor to two Soros Foundation-Kazakhstan programs – Kazakhstan Revenue Watch and the Budget Transparency and Public Accountability Program.

### PROGRAM MISSION

Assisting the responsible and transparent management of income from the extractive industry to the benefit of present and future Kazakhstani generations.

### PRIORITIES FOR 2010 – 2011:

- increasing information transparency regarding present and future subsurface use contracts between the Republic of Kazakhstan and extracting companies;
- development of multi-lateral cooperation while fulfilling social projects funded by extractive companies in the regions of Kazakhstan;
- fulfillment and development of Extractive Industries' Transparency Initiative (EITI) in Kazakhstan;
- increase the transparency and accountability of government finance at a national and regional levels;
- increase the efficiency of government programs in the spheres of healthcare, education, environmental protection and the electricity industry;
- implementation of responsible corporate governance practice into activity of NGOs involved into government finance monitoring.

### CURRENT SITUATION

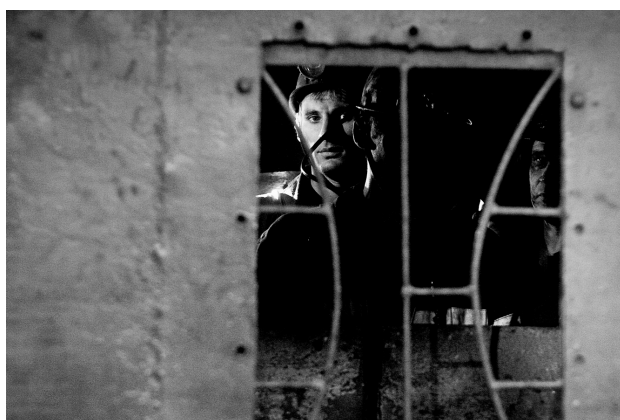
The socio-economic situation in Kazakhstan remains stable despite the continuing global financial crisis. The social sector in 2011 saw strategically important government programs underway which are planned to be completed by 2020.

The range of these programs covers education issues, healthcare, employment, upgrading housing and utilities infrastructure, house construction and more.

The total government budget to fulfill Kazakhstan's development programs exceeds one hundred billion KZT, and two thirds of expenses are fulfilled through local budgets. A significant share of development programs are funded by transfers from the National (oil) Fund of Kazakhstan.

Commercial oil & gas and ore mining companies of Kazakhstan bear some of the social load in the regions; however, the public still does not have the opportunity to take part in the decision-taking processes for social investments.

## SOCIAL INVESTMENT MANAGEMENT IN EXTRACTING COMPANIES IN THE REGIONS: FIRST STEPS



Miner weekdays  
© Valeriy Kaliyev

The term social investment covers mandatory and voluntary funding by extracting companies to increase the welfare of local communities including both citizens and businesses (1). Social investment projects play a significant role in the socio-economic development of the regions provided there is a transparent and accountable decision-making process.

Today in most of Kazakhstan's oblasts a bilateral decision making model is practiced where dialogue is held between representatives of governing authorities and the extracting companies. Since 2010 Soros Foundation-Kazakhstan has drawn the attention of stakeholders to best international practice and supported projects aimed at moving decision making to a multi-lateral model in which the local community joins the dialogue between governing authorities and business about priorities for social projects.

This mechanism allows for a constructive dialogue, taking into account the interests of third parties and representatives of the local community. Decisions are taken on the basis of criteria such as priority, timeliness and satisfying the population's needs. International experience shows that work this type of decision making and the associated improvement in public welfare increases the population's confidence in governmental authorities and business.

(1) Social payments can include scholarships, employment quotas in companies, funding of construction or renovation of social infrastructure objects, culture and sports, special support programs for various social groups.



The program has supported civil society initiatives to establish multi-lateral councils in Atyrau, Mangystau, Karaganda and East-Kazakhstan oblasts of Kazakhstan. Initial steps have also been taken to do the same in West-Kazakhstan and Aktobe oblasts.

On October 25, 2011 the program held a conference entitled “Securing transparency of social investments in extractive industries through creation of public multi-lateral councils”, in order to discuss the activities of multi-lateral councils and ensure their sustainability. This was attended by representatives of government, extracting companies, NGOs and other experts. Following this conference initiative groups in East-Kazakhstan

and West-Kazakhstan oblasts began establishing councils in their regions and expressed their intention to work to improve the existing legislative base in the sphere of state management and local self-governance. Additionally at the event, civil society representatives offered a proposal to make an analysis of acting law possibilities and develop methodology to organize multi-lateral councils to create a common approach in the future to guarantee the activity of such councils. During the next few years the plan is to improve the quality of councils so that they can be supported by all stakeholders such as local executive agencies and extracting companies making decisions about social projects priority and their monitoring, fulfillment and assessment.

### KAZAKHSTAN NATIONAL FUND AND INVESTMENTS INTO SUSTAINABLE DEVELOPMENT

The National Fund known as the “oil fund” was established by the President’s Decree in August 2000. Over the last eleven years the National Fund has secured the economic stability of Kazakhstan and during the crisis period has served as a “cushion” for the country’s economic stability. During this period 11.8 trillion KZT has been invested into the Fund. Since its inception funds totaling 4.6 trillion KZT have been spent which is comparable to the size of the republic’s budget for 2011.

The main source of finance for the National Fund of Kazakhstan is direct taxes from oil sector enterprises which provide 85-90 percent of investments into the Fund. The next significant portion of contributions is investment income from Fund management. When establishing, managing and using the funds of the National Fund, principles of transparency and accountability not only benefit the republic’s economy and strengthen its investment attractiveness, but also enhance the confidence of citizens.

*“Despite the fact that during recent years the National Fund has become more transparent, the issue of accountability still remains. This causes two problems. First of all, citizens do not feel involved in the National Fund, thus, it is not so much national as state. So, there is a contradiction between the statement “oil income belongs to the people” and what the authorities do. Secondly, absence of public discussion about the National Fund significantly complicates its transformation into a sustainable development institute.”*

**Nargiz Kasenova,  
Chair of the Board of Trustees  
Soros Foundation–Kazakhstan**



Presentation of the research results «National Fund and investments into sustainable development»  
© Soros Foundation-Kazakhstan

On November 23, 2011 as part of the Public Finance Transparency program Soros Foundation-Kazakhstan presented the results of research entitled “National Fund and investments into sustainable development”. It was discovered that despite the overall efficiency of the existing model used to manage the National Fund there are some issues requiring improvement.

Data analysis of investment income levels during the whole period of the Foundation’s existence indicates uneven growth and decline. Thus, in 2008 losses from investment activity comprised 66.2 billion KZT, while in 2009 extremely high income was observed – 919 billion KZT. Reasons for the high yield can only be understood by securing transparency about the National Fund’s activity.

In Kazakhstan’s President’s annual message on 27 January 2012, the issue of the National Fund was discussed from the point of view of using funds for future generations and for the benefit of the country’s development. It is obvious that procedures of establishment, usage and management of the National Fund means are can expect significant changes, both of the National Fund Concept and Budget Code regulations touching upon budget lending issues and directly affecting the National Fund. Nevertheless, maximum transparency and public participation should be key elements of the economic modernization process.

### DEVELOPING BUDGET TRANSPARENCY AND ACCOUNTABILITY AT THE LOCAL LEVEL

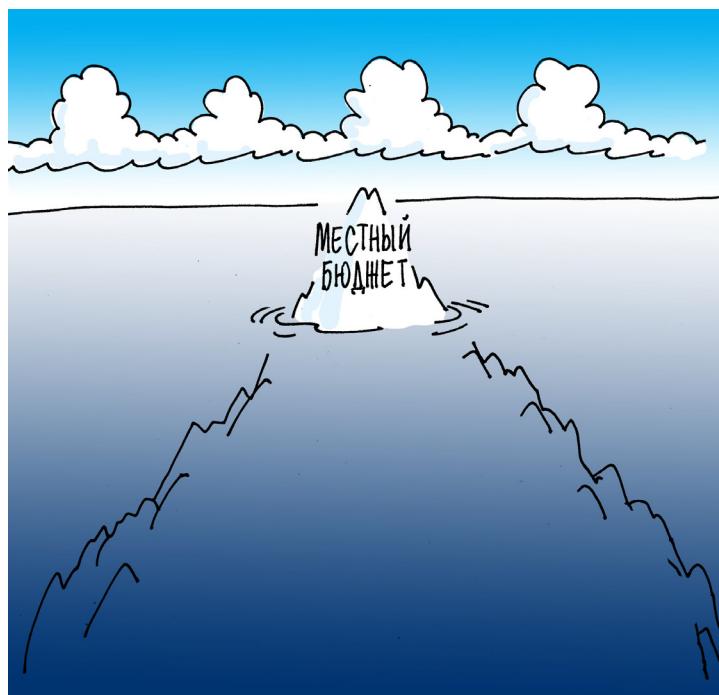
Assessment of budget process transparency on a local level is the first attempt by civil society to appraise the budget process transparency level and budget documentation availability at the level of oblasts, Astana and Almaty using the Open Local Budget Index.

The idea of having such an index belongs to the “International Budget Partnership” (IBP). In 2010 IBP selected 12 pilot countries to develop a methodology of Local Budget Transparency. Kazakhstan did not join this group, however, this project was supported by the Public Finance Transparency Program of Soros-Foundation Kazakhstan and fulfilled in cooperation with experts in budget processes and national budget network members under IBP expert assistance.

To fulfill this project NGO representatives were attracted, as well as representatives from the academic community, independent researchers and government officials directly related to the development, approval, fulfillment or control of budget execution. In 2010 the index methodology itself was developed and pilot testing was undertaken in three Kazakhstan oblasts.

In 2011 major research was conducted, the main result of which was building an index of all 16 administrative-territorial units of the Republic of Kazakhstan.

In 2011 the score for the whole republic on the index of local budget transparency was 50 out of a maximum 100. This corresponds to the level “lower than average”. Highly transparent budgets were noted in Atyrau and Kzyl-Orda oblasts which scored 63 points each. “Average” transparency was demonstrated by nine Kazakhstan oblasts which scored between 38 and 54 points. Local budgets with minimum transparency levels were noted in Mangystau and west-Kazakhstan oblasts (which scored 37 and 32 respectively). Almaty, the commercial city of Republic, scored 57 points and the capital of the Republic; Astana - 59 points. Independently conducted research provides the best basis for dialogue between different stakeholders.



Local Budget © Murat Alimov

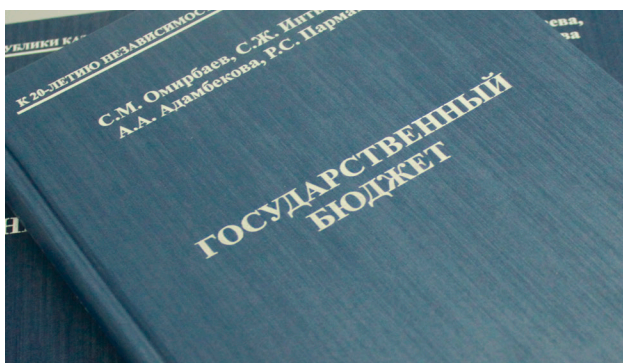
The Open Local Budget Index is an accurate and efficient tool to measure budget process effectiveness, allowing assessment of budget processes transparency at the local level. It can motivate local administrative bodies to increase their information, accountability and transparency and show which regions provide the best opportunities for their citizens to take part in the budget process. The index can also become a tool to assess activity of local authorities and encourage effective budget policy formation.

It is anticipated that similar research will be repeated in two years time to uncover any changes in accessibility of budget information and public participation in the budget process.



## NEW TEXT-BOOK ON STATE BUDGET

A new text-book on state budget has been needed for a long time. Over the last 20 years Kazakhstan has experienced a number of changes both in the society and in the budget system itself. At the legislative level new authorities and institutions have been established. A range of projects are underway to diversify the economy and secure sustainable development. Despite all these changes, at present Kazakhstan's universities use text-books which do not always satisfy current requirements.



The «State Budget» text-book © Soros Foundation-Kazakhstan

In 2011 Kazakhstani economists developed and published a text-book entitled “State budget” with the financial support of the Public Finance Transparency Program.

Joint authors Serik Omirbayev, Saule Intykbayeva, Ainagul Adambekova and Rimma Parmanova presented the first Kazakhstani text-book on state budgets. It describes the theoretical foundations of budget relations' formation in Kazakhstan, the functioning of state finance, its essence, functions and role.

The economists devoted their attention to issues of planning and governing budget relations at national and local levels and to budget policy during

*The text-book “State budget” allows counting not on the success in occasional wandering, but being guided by comprehensive system of knowledge and “see the woods for the trees”.*

**Omarkhan Oksibayev,**  
Chairman of the Accounts Committee  
of the Republic of Kazakhstan

the post-crisis period, state functions in the process of strategic and operative planning and budget execution at all levels. The text-book also elaborates on the issue of organization of the budget system.

The uniqueness of the text-book lies in the fact that it has been created in the context of the contemporary state of budget relations' development in Kazakhstan.

The training material has been certified by the authors over several years while teaching students and master's degree candidates at economic universities and refresher course participants.

This text-book is recommended by the Republic Education-methodological Council of the Ministry of Education and Science of the Republic of Kazakhstan and by the Republic state budget-supported enterprise “republic scientific-practical center “Text-book” at the Ministry of Science of the Republic of Kazakhstan.

As part of the framework of the project 1000 Russian language copies were issued in and the same number in Kazakh language. A number of universities teaching in English expressed interest in translating text-book into English. The text-book was freely distributed among leading universities in all Kazakhstan oblasts. An electronic version of the text-book is available on the web-sites [www.soros.kz](http://www.soros.kz) and [www.budget.kz](http://www.budget.kz).

This text-book can be recommended to students, master's degree and refresher course candidates, teachers, and continuing education course participants, government officials of financial and non-financial bodies and budget process participants.

### PROVISION OF MEDICINES AS THE FOCUS OF ATTENTION OF PATIENT-PROTECTIVE NGO'S

In the area of public healthcare an important issue is that of pharmacological support. Pharmaceutical companies, distributors together with the government share responsibility to secure vital medicines in framework of guaranteed scope of free medical aid. Timeliness of procurements and the transparency of the pharmacological support system can save the lives of people requiring medicines. This issue unites NGOs dealing with the protection of patients' rights to conduct monitoring of these processes.

Soros Foundation-Kazakhstan together with the Public Health of the Open Society Institute supported the "Amansauyk" initiative and its partners to ensure public monitoring of procurement and pharmacological support. This initiative united Kazakhstan's civil society representatives, Kazakhstan's Ministry of Healthcare and pharmaceutical companies.

*"Out of 2012 applications which were accepted on the "hot line" telephones during the project fulfillment period, every second call was accompanied by a complaint regarding securing free medicines. We hear about the regular inflow of state funds however the situation has not improved since 2008. It is necessary to revise existing approaches to the financing system for guaranteed pharmacological support based on international standards."*

**Bakhyt Tumenova,  
President of PF "Amansauyk"**

Public organizations made their appraisal of the transparency of pricing processes and medical supplies based on research conducted in 2010. It covered 79 medical institutions in four cities of the republic: Almaty, Kyzylorda, Karaganda and Semey.

Research showed that formation of the list of medicines to be purchased remains a closed topic not only to the public, but also for medical technicians themselves. Cases were noted when medical staff without a pharmacological education were involved in the formulation of applications for medicine procurement. Additionally reporting deadlines were not adhered with on issues such as obtaining and distributing medicines to higher authorities.

In the course of conducting additional surveys doctors and patients gave their appraisal of the accessibility of guaranteed pharmacological support under a five point score system. 68.9% of the interviewed doctors and 83.6% patients gave it an unsatisfactory mark.

As part of the fulfillment of these projects Kazakhstan's Ministry of Healthcare established a Public Council to protect patients' rights including civil society representatives and ministry officials. Its aim is to protect patients' rights, prevent corruption and infringements in the sphere of healthcare.

The results of the initiative demonstrated the necessity of more active civil society participation in the processes of procurement for guaranteed pharmacological support. At the same time, it is necessary to increase awareness of healthcare system workers about the role and value of civil society participation in state processes.



"Transparent Kilowatt" series: applied research in the field of transparency of the electricity sector in the Republic of Kazakhstan  
© Soros Foundation-Kazakhstan

## TRANSPARENT KILOWATT: MYTH OR REALITY?

The government of Kazakhstan is planning to invest 6.8 billion USD into the electricity industry during the period 2011-2014. This comprises about 11 percent of the total investment of the Forced industrial-innovative Development of the Republic of Kazakhstan project (FIID) and a total of 1.1 percent of annual GDP. Kazakhstan's FIID program aims at the development of generating capacity by renovating and upgrading existing power stations, and the construction of the new ones. The electrical energy industry, being one of the most attractive areas for investment, has the opportunity for steady development and to become more transparent and more accountable.

In 2011 Soros Foundation-Kazakhstan rendered financial support to four research projects to study the economic and organizational structure of the electricity sector, investment policy and relevant legislation. As part of these projects analysis of state policy in the sphere of electric energy industry was conducted, intermediary results of current reforms were studied, as well as tariff design issues and the possibilities of implementing international initiatives to manage the electricity

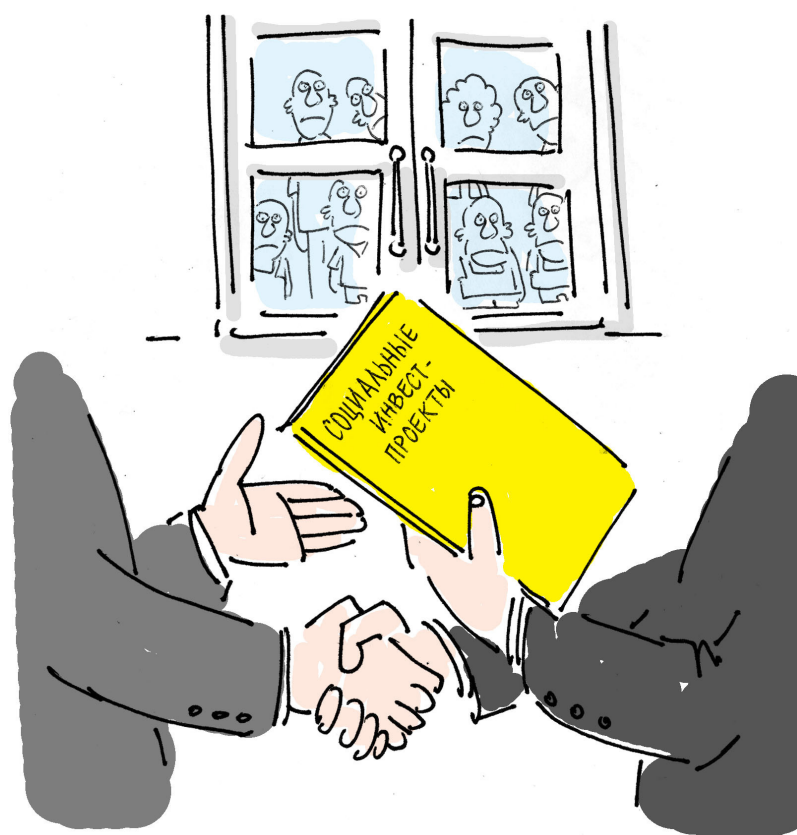
sector in Kazakhstan. Research results (2) were presented on September 20, 2011 in Astana and became a basis for discussion with participation of experts, economists, NGO representatives and government regulatory agencies.

According to researchers the electricity industry in Kazakhstan requires significant investment in order to modernize. Today increased tariffs are generating funds for this purpose. The issue of increasing power output efficiency remains open. According to research data, non-standard loss of electrical energy totals approximately 20 percent, whereas in developed countries this ratio remains at the level of three percent or lower.

Experts recommended a joint effort by the electricity industry subjects and civil society to promote open, transparent and responsible decision-taking processes which will allow progress on these issues. Applying international practices and initiatives, such as EGI (3), can be used as decision models, tools in managing electrical energy sector.

(2) Research is available on the web-site [www.soros.kz](http://www.soros.kz), [www.budget.kz](http://www.budget.kz)

(3) Note: Electricity Governance Initiative, EGI



Social Investment Projects © Murat Alimov

### CHAPTER SUMMARY

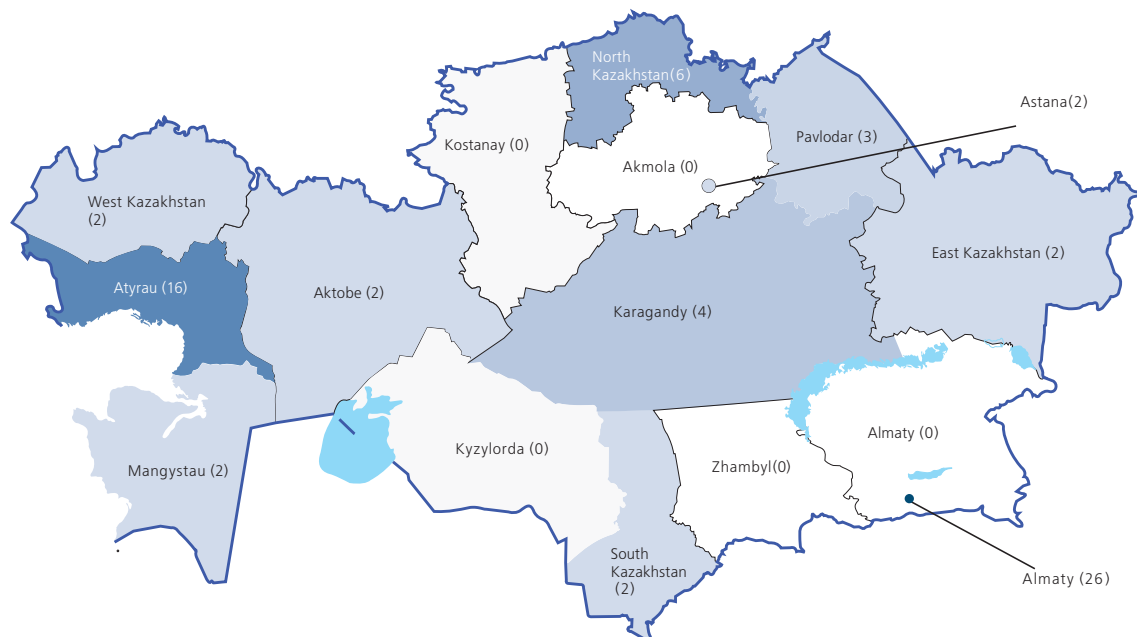
In 2011 as part of the Public Finance Transparency Program work continued to support areas such as transparency of subsurface use contracts, support of public councils on the issues of social investment projects of extracting companies, promotion of the “Transparency of extracting industry companies” Initiative and monitoring of state programs’ efficiency. The program started to focus on new directions, such as electricity sector transparency and transparency of government expenses as well as environment protection.

Projects supported by the program (over 70) have become a basis to form dialogue and constructive interaction between government bodies, business and civil society and aim to increase community awareness, proper state management and social responsibility in business.

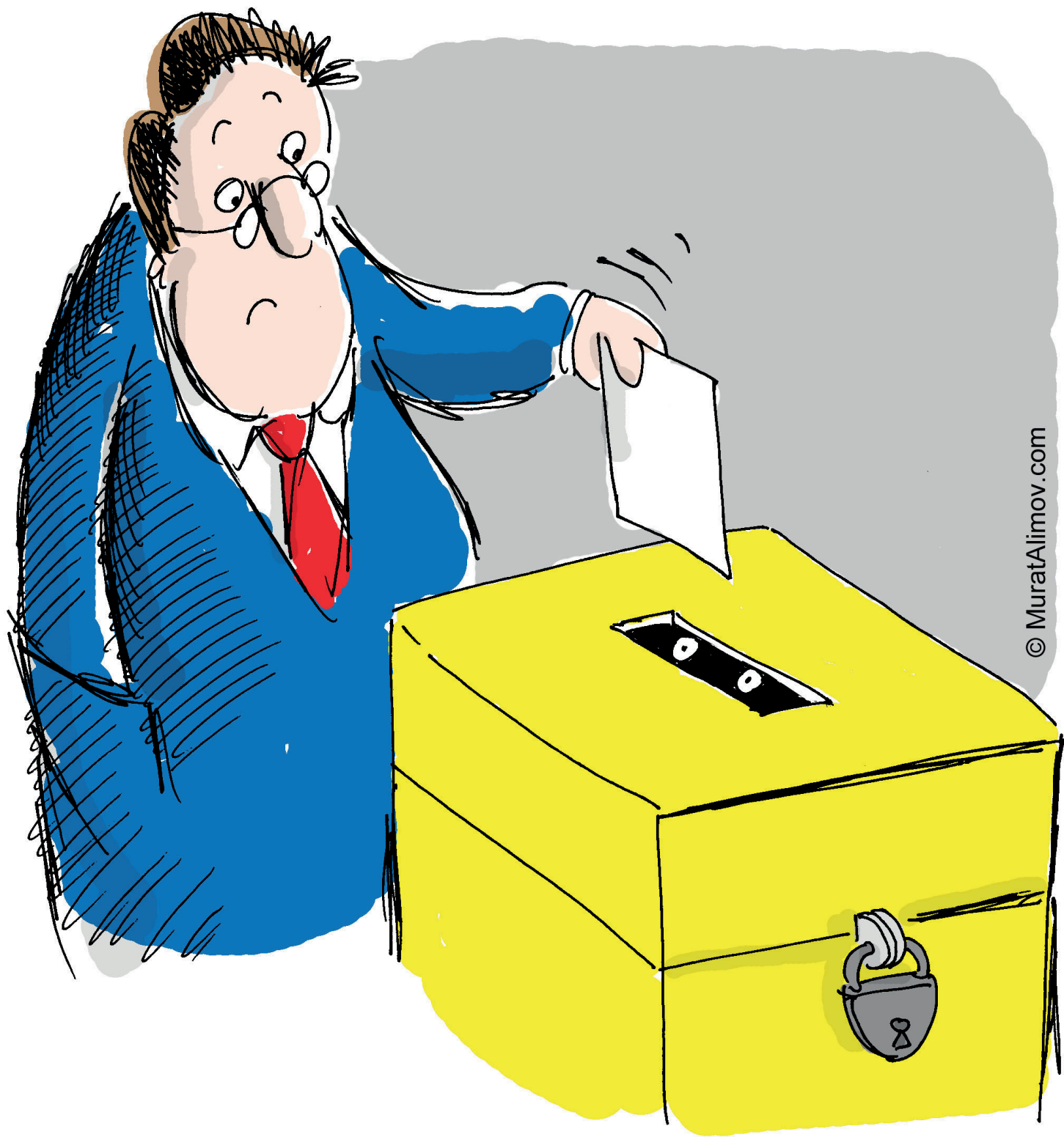
Results obtained during the course of the projects clearly demonstrate civil society and government commitment to move towards securing more transparency, accountability and public participation in decision-taking processes.

The new program strategy is based on the program’s achievements in 2011. Subsurface use contracts, community councils on social investments, support of transparency international initiatives and monitoring of budget expenses efficiency will be the focuses of attention.

## THE NUMBER OF GRANTS ALLOCATED UNDER THE PUBLIC TRANSPARENCY PROGRAM







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# 2

## FAIR LAWS ARE THE BASIS OF A DEMOCRATIC STATE

### Law Reform Program

The Law Reform Program began in 1996. Since this time the program has supported various projects in the areas of access to justice, education, human rights reforms and promotion of tolerance. Since 2010 the program has focused on two main areas: Political and social-economic rights.

### PROGRAM MISSION

Assisting Kazakhstani legislation and law enforcement practice to correspond more closely to international standards of human rights.

### PRIORITIES FOR 2010 – 2011:

- assisting in legislative reform: providing free legal assistance, access to information, administrative justice and palliative assistance;
- advocacy support: projects to prepare alternative reports on main international conventions ratified by Kazakhstan, strengthening of NGP human rights potential;
- support for socially-vulnerable groups' rights: handicapped people, migrants, people with mental health defects and sexual minorities.

### CURRENT SITUATION

In 2011 Kazakhstan celebrated its 20th year of independence. After Kazakhstan's chairmanship of the OSCE in 2010, the country became chair-country of the Organization of the Islamic Conference (OIC).

An initiative on holding a referendum to prolong presidential authority proposed in early 2011 received a negative reaction from many international organizations. Nevertheless, the necessary law changes to conduct such reforms were completed swiftly. On February 3, 2011 the parliament passed a law introducing changes and additions to several constitutional laws of the Republic of Kazakhstan (RK), allowing the Head of State to announce ad-hoc presidential elections. The same day the law was signed by the President of RK Nursultan Nazarbayev. On April 3, 2011 presidential elections were held which resulted in a clear victory for the incumbent President.

In summer 2011 the process began to transfer functions and authorities of the Ministry of Justice regarding criminal-executive activity to the Ministry of Internal Affairs of RK. Many human

rights organizations assessed this step as a return to a Soviet past where the power of ministerial departments made it impossible for prisoners to appeal the illegal acts of penal authorities and complicated the process of public monitoring of detention centers. Such a turn of events demonstrated poor and non-system planning in the area of law reform and occurred in spite of the fact that this reform contradicted not only international standards, but also the main national document covering national law policy – "Law Policy Concept of the Republic of Kazakhstan for 2010 – 2020".

The same scenario was applied to adoption of the law of RK "On religious activity and religious unions". Experts note registration of religious unions among its regulations arising questions, as well as reasons and procedure to conduct theological expertise etc. General opinion was that this law restricts freedom of religion in Kazakhstan.

In 2011 the Law Reform Program worked in the context of Kazakhstan's existing situation and continued to take consecutive steps to achieve program goals.



## FREE LEGAL ASSISTANCE IN KAZAKHSTAN



Over the last ten years the government, advocacy, experts and Kazakhstan's civil society have been heatedly discussing issues regarding the necessity to reforming the existing system to render qualified legal assistance from government funds, in other words, free legal assistance (FLA). Despite years of judicial-legal reform there have been no significant changes in the sphere of free legal assistance.

According to the law of RK citizens can get free legal assistance on criminal, administrative and civil cases. However, in practice people face such problems as low quality of the legal services provided, untimely services and insufficient availability for those in most need. These issues are a consequence of low salaries of the lawyers involved in such cases, low-awareness among citizens about procedure and FLA provision, an absence of transparent procedures in attracting lawyers on criminal and administrative cases and absence of a united FLA system administrator.

Soros Foundation-Kazakhstan considers FLA to be one of the keystones of access to justice and has taken part in the discussion on this topic since 2004. It continues rendering competent technical support to the participants in this process.

In 2010 Soros Foundation-Kazakhstan supported the publication of an analysis of the main models of systems rendering legal assistance to assist in studying and selecting the most effective model for a reformed system. This publication was written by authors representing different viewpoints (advocacy, academic society and NGOs), it covers the best practices in the sphere of establishment and improving systems rendering legal assistance.

Dialogue by Márquez  
© Roman Gubanov

*"The constitutional right of population to receive qualified legal assistance is a condition and guarantee of access to justice. Mechanisms to exercise this right have to be improved. ... The system of providing legal assistance itself also has to be improved. Above all, it is necessary to improve system of rendering legal assistance to people with a low income level. The pay-roll administration system of attorneys providing free legal assistance also requires adjustment. This system should be consolidated and made transparent ..."*

**Legal policy concept of RK for 2010-2020  
Approved by the Decree President's dated August 24, 2009**

In 2011 Soros Foundation-Kazakhstan arranged a study tour for a range of people involved in the process of FLA draft law development. So, in September 2011 representatives of the government, advocacy and representatives of Kazakhstan civil society visited Georgia in order to assess practical tools in the sphere of FLA system administration and familiarize themselves with its funding mechanisms, as well as how to provide efficient and high-quality FLA. The participants of the Study tour watched the FLA system working in practice and studied its

advantages and disadvantages. Meetings with attorneys rendering assistance, NGO representatives and government officials revealed a diversity of opinions and arguments, "pros" and "cons" of the existing FLA system in Georgia.

The unique experience of system reform in Georgia lies is due to the fact that the Georgian legal assistance Service established in 2007 managed to achieve maximum efficiency in terms of providing legal services within quite a short period of time.

### ADMINISTRATIVE JUSTICE

One of the measures of a mature and effective justice system in a country is administrative justice. Administrative disputes are settled with a higher degree of productivity and efficiency where these disputes are considered by specialized judicial institutions, rather than ordinary courts. Kazakhstan's legislation has a number of problems which, along with bureaucracy and administrative barriers, create an unfavorable climate for businessmen and complicate the interaction of government bodies with population. These problems also create conditions for corruption and act as a reason for the population to distrust the government and, which can lead to widespread pessimism about the law.

Since 2010 Soros Foundation-Kazakhstan has been working in a new direction. It aims to initiate establishment of an effective administrative justice system in Kazakhstan and assist legislation reform.

In order to enhance awareness level and spread best practices in this area in 2011 Soros Foundation-Kazakhstan jointly with the Representative Office of the German Community on international cooperation in Kazakhstan developed a collection of law acts of several states on administrative justice. It represents the collective experience of countries in the former Soviet Union and gives examples of effectively operating West-European administrative justice systems, Germany in particular. This publication describes in detail the administrative-procedural laws of states which regulate administrative legal proceedings in the framework of civil process. As the examples show, availability of such laws results in more adequate legal relations between the government and citizens and takes into account the specifics of government administration and public-legal disputes.

*"Administrative procedures should, first of all, secure the rights of people in their dealings with the government and secondly, regulate the activity of government bodies and their officials to preclude any abuse of power".*

Yevgeniy Porokhov, Director of the Research Institute of financial and tax law



The compendium of laws of some countries in the field of administrative justice © Soros Foundation-Kazakhstan

In 2011 as part of the framework of the Administrative Law School Soros Foundation-Kazakhstan held an international conference on the topic: Administrative justice: overseas experience and perspectives on reform in the Republic of Kazakhstan. This event was arranged jointly with the German Community on International Cooperation and Law Institute of RK under the auspices of the Supreme Court of RK. It was attended by government officials and judges, scientists-lawyers and NGO sector representatives. One of the important conference outcomes was the readiness of people who take decisions to work on further development and administrative justice implementation in Kazakhstan.

With the support of Soros Foundation-Kazakhstan the Research Institute of Financial and Tax Law conducted research studying the state of administrative procedures in Kazakhstan and international experience and arranged a round table entitled "Administrative procedures in the Republic of Kazakhstan: theory and practice problems" which was attended by scientists, RK Supreme Court representatives, RK legislation Institute, advocacy, education institutions, international organizations, NGOs and independent researchers. Their research uncovered weaknesses in administrative procedures and, no less important, presented practical recommendations on how to improve the situation.



## HOSPICE AT HOME



Social advertisement «Palliative Care in Kazakhstan»  
© «Rasar films»

At present in Kazakhstan there are 6 specialized institutions rendering palliative assistance in a country with population over 16 million. On average 15 thousand people die from oncological diseases every year, the number of specialist institutions is currently insufficient.

One of effective ways to render palliative assistance is "Hospice at home". This notion is in the Code of the Republic of Kazakhstan "On nation health and healthcare". Internationally the concept of "Hospice at home" is considered best practice in the development of palliative care. Rendering care in the home is considered to be economic and can provide the necessary assistance within a short period of time without large expenses.

The Law Reform Program began working in the area of palliative assistance in 2008 as part of the research project "State of palliative assistance in the Republic of Kazakhstan". In 2009 Soros Foundation-Kazakhstan started work on a government project on rendering palliative help with the participation of local and foreign experts. In 2011 Soros Foundation-Kazakhstan's Law Reform Program supported a pilot project of OJSC "Credo" "Hospice at home" in Temirtau city. The project results showed that arrangement of hospice at home is possible and necessary for people who cannot attend specialized medical institutions and need a special approach at serious stages of their disease.

*Internationally the practice of rendering palliative care has made great progress. For example, Romania's experience – in a country with population of 19 million people there are now 21 specialized medical institutions rendering palliative assistance. These are minimum standards codified in Romania's law. In Poland with population of 38 million people there are 385 hospices, in the city of Lodz there are seven times as many hospices as a comparable city in Kazakhstan.*

Project "Hospice at home" gave a chance to people suffering from AIDS in Temirtau city to get an individual treatment plan, professional care by medical staff, as well as receive psychological and moral support to them and their relatives.

In framework of the project a multi-discipline team was formed which included doctors, medical nurses, psychologists and social workers. Besides studying documents and regulations regarding palliative assistance this team monitored over 16 patients at the IIIrd and IVth stages of AIDS. Specialists also worked with patients' relatives both during their illness and after their death. This small medical team managed to become a link between the AIDS center, polyclinic and state services.

OJSC "Credo" jointly with Karaganda state medical university on December 7-8, 2011 held an International scientific-practical conference on the topic: "Problems in developing palliative assistance in the Republic of Kazakhstan". Conference participants were representatives of medical university, Healthcare Department at Karaganda oblast, Lodz association of hospices in Poland, doctors, social workers, psychologists, medical nurses.

Towards the end of 2011 members of the multi-disciplinary project "Hospice at home" with the support of Soros Foundation-Kazakhstan and the network program of FPU "International Palliative care Initiative" attended specialized courses on such subjects as "Program for nurses" and "Clinic courses" held in the "Casa Sperantei" education hospice center in Brasov city (Romania). The Law Reform Program is planning to continue work in the sphere of palliative service system development in Kazakhstan.

*"From point of view of the state "hospice at home" is a less expensive program than a standard hospice. Without harming the latter, by expanding the "hospice at home" program, the burden on stationary hospices will be reduced and they can then concentrate on patients without relatives or carers, or patients whose relatives are unable to assist them. "Hospice at home" solves two important problems for people living with HIV-infection, their close people and relatives. It gives a chance for some people to realize themselves to the utmost in love and compassion for those they care for. Sufferers get a possibility to feel this love and know that they are not abandoned are needed and valued ...."*

**From creative report of Multi-disciplinary team  
On participation in a study tour to the city Brasov, Romania**

## MOOT COURT AMONG STUDENTS-LAWYERS

Around the world practice moot courts constitute an important part of legal education. They make it possible to check student's knowledge in a legal proceeding which is as close to realistic conditions as possible.

In autumn 2011 the "Legal reform" program initiated the "Moot Court for Foundation Cup" project. Student teams competed in knowledge of international public law demonstrating their skills at oral speeches, preparing documents on the topic "Protection of the right to demonstrate and the freedom to hold peaceful meetings". Based on the history of non-sanctioned meetings in a fictional country the teams had to build a legal position on behalf of each country.

Students and candidates for master's degrees at legal universities in the Republic of Kazakhstan took part in the contests.

The contest was held in two stages. During the first stage 14 teams from 6 universities of Kazakhstan participated who prepared written memoranda according to contest conditions on behalf of the plaintiff and defendant. Nine teams which presented the best memoranda moved to the next stage – oral rounds of a legal proceeding where they had the chance to speak before the judges. During preparation for the contest students not only studied various sources on international rights, but also judicial precedents in the sphere of conflict resolution and on the freedom to hold peaceful meetings.



Moot Court - 2011, semifinals  
© Soros Foundation-Kazakhstan

*“The hearing will be conducted about protection of peaceful demonstrations and right on right to demonstrate and the freedom to hold peaceful meetings. The plaintiff is a small fictional state with a developed economy and high population density – Kingdom Argon; defendant – Republic Rastoria, fictional state with developing economy, vast territory and small population density. A dispute between the two countries broke out because of disorder that occurred during a folk festival in the capital of Rastoria which resulted in a lot of citizens of Kingdom Argon and Republic Rastoria being injured”.*

**From an announcement for students**

Top-class refereeing was handled by respectable and well-known lawyers both from Kazakhstan and from the near abroad, experts in the sphere of human rights protection and acting judges of specialized courts of RK. In particular, retired former Judge of Constitution Court of the Republic of Belarus was invited as a judge, as well as one of the experts of OSCE Guiding Principles on the freedom of peaceful meetings – master of law, Professor Alexander Vashkevich.

Team “KAZSL” including Zhorayev Yernar ad Iskakova Asel won the final match and took Soros Foundation-Kazakhstan cup. This team not only showed the best legal knowledge in the sphere of protecting demonstrations and freedom of peaceful

meetings of all the teams, but also managed to demonstrate high skills in oral presentations as well as reasoned and comprehensive case consideration.

The project united stakeholders in social networks. Video-instructions were issued for teams on how to accurately draw up memoranda. The Moot court has become a kind of training for future lawyers not only to develop oral and written skills, but also to learn how to effectively work in a team, analyze long documents, find solutions under stressful situations and ( the main thing for a professional lawyer) find out necessary facts in the course of legal proceedings. Participants also had a chance to communicate with eminent lawyers, practicing judges and share their impressions from the Contest.

*The most memorable moment in the Moot Court was the award ceremony when we held in our arms our long-awaited Cup ... We managed to study a huge number of international documents, law sources and court precedents. It was very useful to listen to Alexander Vashkevich's opinion on which documents we should use to guide us when preparing memoranda. I wish this kind of moot courts were more common, since practical knowledge in particular can raise our students to a new, higher level of knowledge.*

**From the interview with Yernar Zhorayev,  
Moot Court Winner of 201**



### INCLUSIVE EDUCATION IN KAZAKHSTAN

In terms of general secondary education Kazakhstan at present enjoys 98% population coverage which among the countries demonstrating high ratios. However, for socially-vulnerable sections of the population access to quality educational services in Kazakhstan can still be limited. Because of this issues of securing equality and social justice based on universal access to quality basic education are key issues in programs that aim for sustainable country development.

The concept of inclusive education reflecting social justice serves as one of the supports to form a more fair society. The notion of “inclusive education” is based on the belief that all children can be educated and schools should give an equally good education to each child regardless of his or her family’s economic level, place of residence, social status, health state or ethnic group.

Since 2010 under the Law Reform Program Soros Foundation-Kazakhstan has been developing a whole range of initiatives aimed at supporting and promoting the concept of inclusive education in Kazakhstan. Program experts are concentrating their attention the existing barriers in the sphere of inclusive education among which are: not flexible education programs, absence of skills to work with

children with the teachers, absence of corresponding teaching aids, inaccessible study rooms. The number of factors inclusive education includes low levels of community awareness about the situation with access to quality education services by children from socially-vulnerable groups and a lack of understanding and support from the community.

In 2011 Soros Foundation-Kazakhstan supported several projects in the sphere of inclusive education, including research entitled “Access to quality education for children from socially-vulnerable groups: case study” (project executor – research Center SANGE); social promo “Together to school - together in life” (project executor is Public Fund “Sunshine”; creation of a documentary film “Schoolbag” (project executor is Public Fund “AURORA”).

The research project “Access to quality education of children from socially-vulnerable groups: case study” covered not only children from socially-vulnerable groups, but also their parents and teachers from 16 regions of Kazakhstan. Recommendations based on the results obtained address a wide range of stakeholders and, above all, representatives of management bodies.

#### **Assessment of quality of obtained education by the children from vulnerable groups: Outcomes and comments**

**Schools are indifferent to progress of children from vulnerable groups:** “Everybody at school keeps on saying that these are my problems, learn yourself if you need it”.

**Rural schools are poor and cannot provide high quality education:** “There are no good teachers of Maths, Physics, English language at school. We do not see computers, there is no Internet. We cant’ even hire a private teacher since there is none in the village”.

**Education at home does not provide a sufficient level of knowledge:** “What quality knowledge we can speak about with those who study at home. It is considered that basic knowledge is enough, the main things are to be able to read and write”.

**Low level of teachers’ qualification:** “Not all teachers can properly explain material. We have to hire private teachers”.





© Vladimir Zaikin

Recommendations include: revision of mechanisms to fulfill program “Education for everyone”; legal recognition of the social worker’s and pedagogue’s status; updating of programs to prepare and raise teachers’ qualification; enhancement of the professional education system taking into account the needs of this group of children; raising the status of NGOs working with vulnerable groups of children; providing additional education services (club activity, sports sections etc.) for this group of children on a free basis and more.

The documentary film “Schoolbag” tells the real stories of children with special educational needs (a girl with Down’s syndrome, children from migrants’ families, children with hearing disorders), whose parents send them to secondary schools. These are different stories told by the children themselves, their parents and teachers. Film, showing problems such children face in ordinary schools, encourage people to develop a respectful, tolerant attitude to the needs of various groups of children and recognition of this difference as an integral part of community life. The film can be used as additional methodological material in framework of various education events.

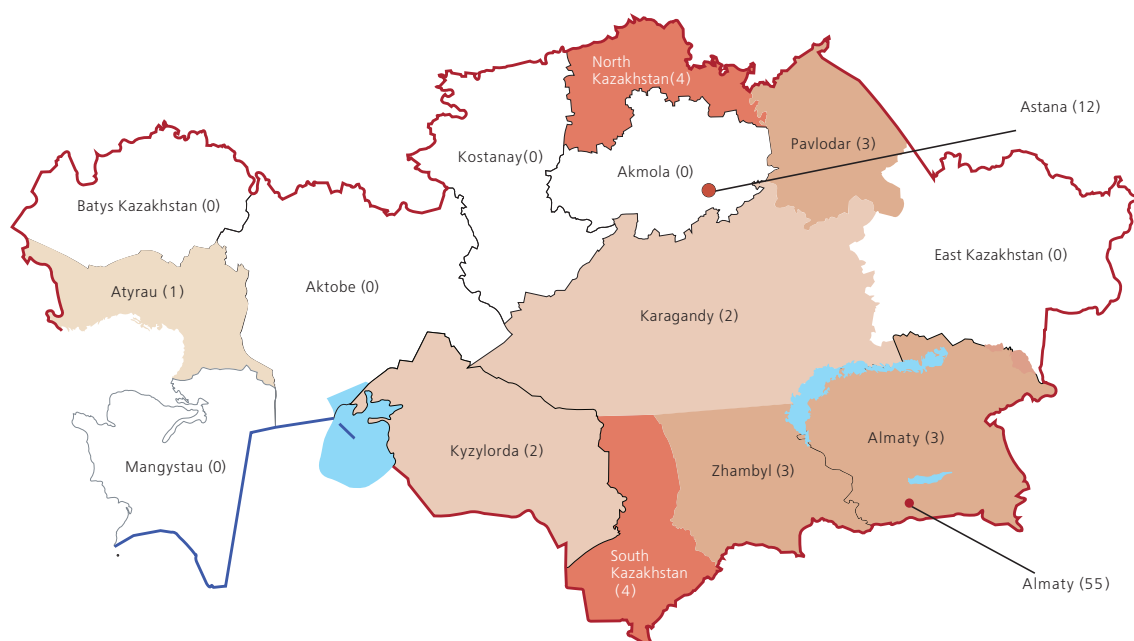


© Svetlana Glushkova

## CHAPTER SUMMARY

Political and legal processes which were started and are being continued by Soros Foundation-Kazakhstan, show that dialogue between state and civil society should be strengthened. The program's activity in 2011 showed that the foundation's efforts in securing human rights, tolerance and equality should be continuation and involve new partners and using different methods, including new information-technology possibilities. In general, to achieve program strategic goals and objectives it is necessary to continue building on and adding to the potential of the main program partners.

## THE NUMBER OF GRANTS ALLOCATED BY THE LAW REFORM PROGRAM







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# 3 KAZAKHSTAN MEDIA: CHALLENGES AND PERSPECTIVES

Media Support Program

The Media Support Program was launched in 1996 to support independent journalists working in mass media, media NGOs, to implement new media-technologies and assist legislation changes in the sphere of information policy.

### PROGRAM MISSION

Expansion of citizens' access to diverse information by mass media democratization and strengthening the skills of professional journalists.

### PRIORITIES FOR 2010 – 2011:

- promoting a sustainable development strategy for mass media: conducting training in media-management, blogging and multimedia journalism to increase mass media competitiveness;
- consolidation of media NGOs: public discussions on mass media development issues, monitoring of Kazakhstan mass media;
- mass media professionalism: school of journalist investigations on socially-economic and political issues;
- professionalization of lawyers and legal protection of journalists: monitoring of threats to mass media and journalists, support of initiatives to provide journalists free legal assistance;
- expansion of civil society participation in discussing state policy on transfer of TV-and-radio broadcasting to digital format: promotion of law initiatives in introducing amendments into the draft law "On TV-and-radio-broadcasting".

### CURRENT SITUATION

In early 2011 Kazakhstan, while fulfilling OSCE recommendations on mass media freedom issues, undertook efforts to reform the legislation system in the sphere of information policy. So, in February an administrative prejudgment was established which waives criminal responsibility for slander in cases of first offence. In April the Republic of Kazakhstan (RK) enacted a law "On introducing changes and additions into several legislation acts of RK on issues of improving civil law" which deprived legal entities the right to claim compensation from journalists for moral damage in suits on protecting honor, dignity and business reputation. Thanks to the latest amendment multi-million actions were withdrawn against the newspapers "Megalopolis", "Vzglyad" and a number of others.

In 2011 the Ministry of Communication and Information of RK celebrated the launch of the 37-channel national sputnik network which technically expands the population's access to local television. Adopted by the Parliament Senate of RK on December 28, 2011 the law of RK

"On TV-and-radio broadcasting" creates conditions which narrow the country's information space and increases state regulation of electronic mass media. So, implementation of digital TV-and-radio broadcasting is in fact part of the common intention to strengthen government monopoly on information.

Mass media political polarity is encouraged not only by the state's monopoly on the country's information market, but often by informal division of mass media into pro-government and opposition. According to the Ministry of communication and information of RK, out of 2500 Kazakhstani mass media just 16 percent (439) are government-based and overwhelming majority (2301) are private.

Despite its visible paucity, state mass media in particular have broad potential opportunities to reach vast audiences. Weekly circulations of the newspapers "Kazakhstanskaya Pravda" and "Yegemen Kazakhstan" (200 thousand each) significantly exceed the circulation of more popular public-political newspapers.



Following the results of monitoring of PF “Adil Soz”, from the beginning of 2010 the MIA Department on protection of author’s rights identified over 200 web-resources, to which access was restricted on the territory of Kazakhstan frequently via extrajudicial procedure (1). Among popular Internet-mass media still blocked are the web-sites of newspaper “Voice of the Republic”, TV-channel “K+”, as well as blogging platform “LiveJournal”. Access to “Wordpress.com” was derestricted from July 2011.

Unprecedented mass media freedom restrictions in 2011 included suspension of the video-portal “Stan.tv” due to a decision by the Regional economic court of Almaty city. Following a

suit brought by the city’s Sanitary & Epidemiological Service the court recognized noncompliance by the editor’s staff regarding temperature conditions on the premises and indicated radioactive emission pollution of the office equipment which contradicts permissible rates.

Despite government intention to maintain social stability, in fact controls on mass media continue to expand. Kazakhstan’s movement from 162nd to 154th place in “Rating of freedom of press-2011”, prepared by international agency “Reporters without limits” is considered by experts to be purely a formality. Analysts describe Kazakhstan’s accession in the ratings as “just minor fluctuations between neighbors at the end of the list” (2).

## LAW “ON TV-AND-RADIO BROADCASTING”

Since February 2011 the National association of TV-and-radio Broadcasters of Kazakhstan (NAT) and PF “Adil Soz” have under the auspices of Soros Foundation-Kazakhstan conducted an advocacy campaign to introduce amendments into the Law of RK “On TV-and-radio broadcasting”. During the 20 years of Kazakhstan’s independence it is the first regulatory document to consider the activity of electronic mass media. According to the Ministry of Communication and Information of RK it will give impetus to new information projects produced locally which will be an additional support in developing the state language.

Thanks to the participation of public organizations in Task Force meetings at the Ministry of Communication and Information of RK the procedure to register foreign mass media broadcasting in Kazakhstan was simplified. As a result, the law now guarantees mandatory inclusion into the package of digital broadcasting from the funds of republic budget acting private regional TV-and-radio companies. Thus, with mass transfer of Kazakhstan TV to a digital format in 2015 non-government regional TV-channels should remain on air.

According to experts, pluralism of information sources will be significantly reduced without the participation of private regional

television in highlighting regional problems, as well as transparency and accountability degree of local municipal agencies to residents. New pricing plans to be developed by the national TV-and-radio broadcasting operator of JSC “Kaztelradio” will show in practice if private regional TV has a future after 2013.



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(1) “Statistics of mass media threats to journalists in Kazakhstan in 2011”: <http://www.adilsoz.kz/news/ctatistika-narushenij-prav-smi-i-zhurnalistov-v-kazaxstane-v-2011-godu/>

(2) PF “Adil Soz”, Kazakhstan occupies 154th position out of 179 in the Index of press freedom following the results of 2011, January 25, 2012: <http://www.adilsoz.kz/news/kazaxstan-zanimaet-154-poziciyu-iz-179-v-indekse-svobody-pressy-po-itogam-2011-goda/>

## REGIONAL SCHOOL OF JOURNALIST INVESTIGATIONS IN THE SPHERE OF GOVERNMENT FINANCE

In 2011 the “Regional school of journalist investigations in the sphere of government finance” was launched. It was a pilot project initiated by Open Society Foundations in Azerbaijan, Ukraine and Kazakhstan. In our country the project was carried out under the Media Support and Public Finance Transparency programs. The project aimed to develop journalist investigation as a genre, to increase journalists’ competence and to train them to western journalistic standards. A training program to hold cross-regional investigations was developed and fulfilled jointly with the London Center of journalist investigation and attended by 20 journalists from the abovementioned countries.

This project resulted in investigations and the publication of articles on a range of socio-economic issues. For example, journalist Ardak Bukeyeva with the assistance of Georgian colleagues in her material “How “KazMunayGas” “buried” money into Borjomi” disclosed corruption in an investment project of a large Kazakhstani company which built the Georgian health-resort “Borjomi-Likani”. Other project participants Mariya Umarova from Aktobe city, Tatyana Panchenko from Almaty and Lev Guzikov from Atyrau in their materials raised questions about shortages of medicines and unauthorized spending of budget funds in the state penitentiary system.



Regional school of journalist investigations, Baku, 2011  
© Soros Foundation-Kazakhstan



## NEW MEDIA DEVELOPMENT IN KAZAKHSTAN

Every third Kazakhstani person now has access to the Internet. So, in 2011 the number of Kaznet users exceeded 5.5, million (3), and by January 2012 this number had increased to 9.4 million. Despite efforts by the state to regulate the virtual information space by law, the internet is still considered to be a relatively open and free platform to express opinions and promote ideas. Set against Kazakhstan's quick growth of Internet-audience there is an obvious deficit of information in the state language. Although out of 2500 officially registered mass media in Kazakhstan 70% are in Kazakh language, out of 60,000 Kaznet web-sites – only 9% have Kazakh versions.

Soros Foundation-Kazakhstan has initiated a series of projects to increase legal literacy among journalists. In the framework "Create on-line media-2011" three projects were supported: initiative of PF "Arasha" to launch the first Kazakh information-analytical portal [www.arasha.abai.kz](http://www.arasha.abai.kz), project of PF "Namys" on creating online-magazine for disabled people (Almaty) <http://www.student-disable.kz/> and youth portal of the Center of students self-management (Temirtau city) <http://www.mportal.info/>.

The winners of the contest "Create online-media-2011" passed special trainings of Transitions Online to launch and promote online-projects in social networks.

With the help of Soros Foundation-Kazakhstan the Center of journalists' support "Minber" (4) on its web-site created on online-service "Zanger kenesi" to render free legal consultations to prevent and settle information disputes. During the service's first month of work about one hundred applications were received.

*"Conducting legal online-consultations in Kazakh language is our pilot project. Knowing their professional rights, journalists can protect themselves from undesirable information disputes".*

**Yesengul Kap,  
the President Center  
of journalists' support "Minber"**

*"To get a grant we had only an idea, but we did not have enough knowledge and skills to create and launch an internet-resource. During the project fulfillment we jointly developed a web-site design and started studying the interests of our target audience. Now created in terms of this project PF "Arasha" will continue fulfilling online-mass media support and promotion".*

**Aizhan Koshkenova,  
President of PF "Arasha"**

In 2011 jointly with PF "Institute of media-standards" and Center of journalists' support "Minber" six visiting training sessions were conducted to train journalists and NGOs in new media technologies and they were attended by over 100 people from five oblasts of the republic.

The Media Support Program intends to continue work on new media implementation into mass media and NGOs activity in 2012.

(3) JSC «Kazcontent», «Kaznet statistics»:  
[http://kzcontent.kz/rus/kaznet\\_3/13/](http://kzcontent.kz/rus/kaznet_3/13/)  
(4) [www.minber.kz](http://www.minber.kz)





## OPEN DIALOGUE PLATFORMS

The Media Support Program actively supports formats for open discussion on the issues of trends, challenges and solutions in the sphere of Kazakhstan media-industry development. In 2011 such dialogue platforms included: "Media Kurultay", "Forum of regional mass media", "Central-Asian forum on Internet development in the region", "Forum of student mass media" among others.

The audience for these three discussion platforms comprised 500 participants among whom were editors-in-chief, journalists of leading mass media, representatives of the Ministry of communication and information, deputies, media-researchers and international experts.

Working on the format of "open tribune", these events served not only to exchange opinions between government agencies and the Kazakhstan media-community, but also for official applications. In the framework of "Media Kurultay-2011" the Ministry of Communication and Information of RK for the first time declared that digital TV-and-radio broadcasting would include all private regional TV channels and free of charge.



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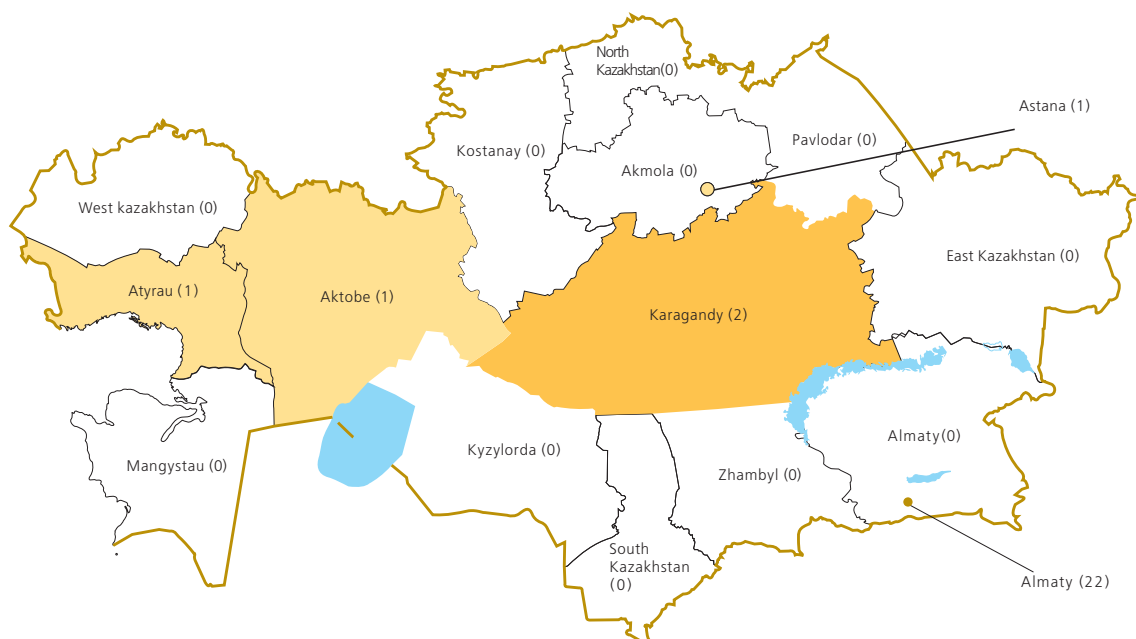
## CHAPTER SUMMARY

Program initiatives in 2011 gave impetus to distribute and develop new technologies among mass media and Kazakhstan media NGOs. Pilot educational initiatives of the Media Support Program “to increase professional journalists’ potential” will continue in 2012. The focus of attention will remain journalist investigations on publicly valuable topics that are poorly highlighted in mass media.

The Media Support Program of Soros Foundation-Kazakhstan intends to create new opportunities for the Kazakhstani media-community in the fulfillment of online-projects. Additionally the program will continue supporting public discussions to discuss law initiatives in the sphere of information policy where the critically important condition is securing participation of citizens in the development of open dialogue and community.



### THE NUMBER OF GRANTS ALLOCATED BY THE MEDIA SUPPORT PROGRAM







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# 4

## KAZAKHSTAN YOUTH: ACTIVE AND NOT INDIFFERENT

### Youth Initiatives Program

The Youth initiatives Program began in 2010 as a pilot under the Media Support Program. Six months later the program became independent as a result of the success of many youth initiatives and the amount of interest it received from young people. The program is targeted at young people as key drivers of new ideas and active partners involved in the public discussion and solving of social problems.

### PROGRAM MISSION

Increasing the participation of Kazakhstani youth in the process of moving to tolerant and active civil community.

### PRIORITIES FOR 2010 – 2011:

- development of youth initiatives aimed at solving key public issues and forming public and youth policy;
- enhancing expert potential by increasing youth professionalism and creating conditions to allow exchange of ideas, opinions and experience;
- applying new technologies to key youth issues, initiatives and projects;
- attracting creative youth potential and using their creative approaches to solve key public issues and promote open society principles in Kazakhstan.

### CURRENT SITUATION

As of 2011 Kazakhstani youth comprises 4,510,435 people (1), it is about 30 percent of the total population of Kazakhstan. Just over half of the young population lives in the cities. Funding of the youth policy state program for 2011 totaled 115,386 million KZT. There are 1043 non-commercial youth organizations in Almaty and Astana. Effective assessment of feasible policy is not available at present.

Young people are skeptical of civil society activity in the Republic of Kazakhstan. When they see that “grown up” civil society experiences difficulties in achieving positive changes, young people feel dissatisfaction and uncertainty about their own abilities. State and many international donors continue to treat youths in a paternalistic manner and see them as nothing more than another vulnerable section of society. They do not feel that young people can be an equal partners and an important driver of positive changes in the community.

The following challenges organizations face when working with young people in Kazakhstan are a result of the above situation:

- Using youth in one's own interest without taking into account their needs. This is a trend among political parties, government bodies and a number of other organizations.
- Lack of unity among the youth community in Kazakhstan expressed in difficulties of cooperation between youth representatives, an absence of consolidated action and solidarity between youth NGOs, sometimes even mutual hostility, unhealthy competition and rivalry over resources.
- Absence of social competences such as underdeveloped critical thinking capacity and social responsibility due to low quality education.
- Low youth work standards due to created gap in civil youth education and social designing. The situation is especially aggravated in the regions of Kazakhstan.
- Distorted perception of youth activity models both by the youth and donor organizations which continue supporting projects aimed at charity, entertainment and not leading to system changes.

Nevertheless, there are examples of projects and events demonstrating that there are a lot of young people with innovative ways of thinking who are aware of their responsibility towards the future of their country.

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(1) Data of youth policy department

## CINEMA WEEK HEAD-TO-HEAD

In spring 2011 as part of an initiative of the “Arzhan” public fund, a group of volunteers “Zholashar” and KIMEP students started a project called “Cinema week head-to-head” which allowed 2000 handicapped people (HP) to visit 14 cinemas in Almaty city. This campaign aimed to call public attention to problems of accessibility for disabled people and to remind the community about social responsibility.

Research results on the subject of public places’ accessibility showed that most of Almaty’s cinemas do not have amenities for disabled people. Volunteers found that theoretically just 5 out of 18 cinemas can be attended by disabled people using wheelchairs, but of this modest list not all cinemas have specifically equipped disabled places. There are over 400 thousand disabled people in the country of different categories, in Almaty – 36 thousand. Nevertheless, the existing city infrastructure does not allow for active HP integration into public life.

*“A good name, equal to equal ... I wish there were more such campaigns and weeks, since a lot of people do not care ... These handicapped people are different but they should know that society is open to them”.*

**Oleg Boretskiy,**  
movie critic



Cinema week head-to-head  
© Soros Foundation-Kazakhstan



*A lot of people, who witnessed this campaign, were touched by the problem of accessibility and public openness towards handicapped people:*

*"When we read about it, we were happy for the handicapped people! Since we do so little for them and pay so little attention because we are healthy and it seems to us that everyone around us is healthy and happy! We should start from something small, but it is already pleasant and I think they will be appreciative!" (Rus, March 11, 2011)*

*"Good for you, a good idea. We should teach our society to perceive and see handicapped people in all public places and there should be full amenities available for handicapped people. We are human beings and we are all equal" (Alina, March 12, 2011)*

**From creative report of PF "Arzhan"**

65 volunteers participated in the project, as well as specialists in various activity areas – and students – made up the majority of them. In the course of the project HP managed to watch the latest movies with their relatives and accompanying people. There were participants who visited the cinema for the first time and those who had not visit a cinema for many years. The campaign was a festive event for these people and members of their families.

At present the project is being transformed into a more scalable work to create an interactive map of accessibility of public places for HP. Drawing the attention of citizens to the accessibility of this or that city facilities, buildings and parks in Almaty and a number of other cities of Kazakhstan. The project's authors hope that it will allow them to gather more objective information, attract the attention of respective competent bodies, raise issue among citizens about community openness problem and increase the public's readiness to see and understand handicapped people.

### ***Specialized boarding school #2, musculo-skeletal children.***

*There were so many words of gratitude, so many positive emotions and attention to children. And when one coordinator called a child minder to find out how they were enjoying the movie, the children cried into the telephone "THANKS! GREAT!".*

### ***Family: three children with ICP.***

*Mother called back in the evening from home. She was so grateful. It is really difficult since there should be one more person to accompany her and her children since she can't cope herself. And in the cinema volunteers helped and she managed to relax and also had a rest.*

### ***Disabled woman and her disabled mother***

*My mother is in a wheelchair, she can move but only if someone helps. They used inva-taxi and next day they decided to get to the cinema themselves, on foot. The daughter drove her mother in the wheelchair since she can't get to public transport with it and taxi is prohibitive luxury for them. They both said that the project is like a wonder for them!*

***A girl called and asked:*** *"Is it a joke or a competition prize? Or can a car really be booked to visit the cinema free of charge?" And what can we reply? People do not believe that they are cared about and are not used to it. To them it sounds as "competition prize" and those who took part in it called it "wonderful, a holiday, a fairy tale".*

**From a creative report**



## [NON]CONFERENCES FOR NOT[INDIFFERENT]

Creating new possibilities for young people by initiating various dialogue platforms is one of the main objectives of the Youth Initiatives Program. The aim is to use non-standard events formats to make them interesting, effective and economic for young people. As a result the program began holding youth events in a “Camp” format.

The first ZhasCamp was conducted in 2010 and it successfully brought together young people from different regions of the country to discuss the issues surrounding Kazakhstan’s youth policy. Discussion was conducted with youth participation, representatives from the Department on youth policy, Parliament deputies and international experts from the Council of Europe, World Bank and Kyrgyzstan. ZhasCamp allowed expert assessment of the level of youth awareness about legislation and created conditions for communication with representatives of the authorities and familiarization with forming and developing youth policy in neighboring countries.

*“Camp” - a new event format (BarCamp Central Asia, ArtCamp 2011, ZhasCamp), the so-called [non]conferences are arranged and moderated by their participants and are open to all those wishing to take part.*

After the events complex analysis was conducted of youth policy in Europe, CIS and Asia and the results were presented by the representatives of the Department on youth policy, Parliament and mass media with participation of young activists. Following the presentation and discussion results a Task Force was formed to introduce changes and additions into law “On youth policy”.



“Open your eyes!” contest of social promos © Soros Foundation-Kazakhstan

In 2011 ZhasCamp was dedicated to youth activeness issues, youth organizations, their problems and successes and discussion of the previous year's results on working at a draft law "On youth policy" with the participation of 350 young people and experts.

The law "On youth policy" was not chosen as a main event topic. Since in 2011 main work was carried out to update the law, during ZhasCamp the draft law was passed for consideration into the Parliament of RK. Questions not included in the draft law were raised at the event. A panel discussion dedicated to this issue was attended by representatives of the government bodies and Parliament: Yerlan Karabalyev, the Head of management of analysis, monitoring and social programs of the Department on educational work and youth policy and Murat Abenov, deputy of the Parliament of RK. Speakers from other countries (Agneshka Slomiyana, Chair of the Management Board of the Institute of Poland eastern initiatives, Sergey Makarov, Director of the Institute of new mass media development in Kyrgyzstan) shared their experience of youth policy in their countries.

Over two days 53 presentations were held, 4 thematic discussions, 8 small groups, 11 training sessions and 1 panel discussion. Following ZhasCamp's results a number of organizations noted the applicability of the event to their work and joined a network on issues of youth policy Law.

In 2011 Youth ArtCamp'2011 was held to encourage creative youth to use their potential for the benefit of the community in various modern art

genres and in order to attract public attention to social problems and find new ways to solve them. During Youth ArtCamp workshops and lectures were held converging modern art, performances, master-classes of creative youth representatives and workers of art grouped into four sections – "Word", "Sound", Movement" and "Vision" for over 250 participants.

Around 300 people attended this event. Besides Kazakhstani speakers, artists and theatrical companies, there were tutors from Kyrgyzstan, Russia and the USA who took part in Youth ArtCamp'2011.

Below there are just some of them: Pavel Bannikov: Author's self-presentation in literature sphere, Yuriy Seryabryanskiy: "All these poets were shot in a duel", Ivan Beketov: "Time and text", Saule Sulemenova: "What is art? Defining notion "now""", Alexander Ugay: "On young art", Nickolya Zhurnu: "Comical pictures in mass media", Tulegen Baitukenov: "Kazakhstan cinema What and How", group of artists Inside Out (Kyrgyzstan): "Modern art solves social issues, is that possible?", Kendy Chong (USA): Public Art, Olga Zhitlina (Russia): "Jakey-structure: modern city project", Irena Aravina: "Modern society as a product of music education deficit. Facts, analysis, perspectives and alternative", Olga Veselova: "Life as a sound wave", Theatre-club "Place D" (Kyrgyzstan): "Theatre of depressed: solution of social problems with the help of theatrical techniques", Theater of under-words (Russia): stage director Anna Bashenkova, surdo-translator Varvara Romashkina, actors: Yevgeniy Yerovenkov and Natalya Khokhlova.



Youth ArtCamp' 2011 © Soros Foundation-Kazakhstan

Every day the event culminated with a creative party. On the first day this was a charity theatrical performance by the team from Bishkek V-day "Monologues of Billingsgate box", the main aim of which is to attract attention to problem of violence towards women and fighting against it. On the second day there was a free concert of music groups performing in tandem with modern Kazakhstani poets.

The event was highlighted in the mass media and on the internet. ArtCamp'2011 united a diverse youth audience and created an atmosphere of youth, art, inspiration and service to society.

### YOUNG RESEARCHERS

One high priority area of the Youth Initiatives Program is development of the expert potential of Kazakhstan's youth. The "Young researchers" project is one way for young sociologists and researchers not only to study topics they are interested in more deeply, but also to popularize the results of their work. Since 2010 as part of the framework of this project 17 research projects were supported. The results of these projects were published in regional mass media and on the internet. Most of these surveys are available on the web-site of Soros Foundation-Kazakhstan.

The range of issues studied by the project participants covers issues of NGO activity accountability and efficiency of government bodies to problems of obtaining free medical services, access to justice, HP and others. Before starting research projects participants attended training on the fundamentals of methodology and conducting research, promoting projects in mass media and the internet. Additionally, each young researcher had an opportunity to have a consultation with a professional sociologist.

A mandatory condition for taking part in the project was making presentations of the research results to the public, mass media and interested government bodies. Some researchers managed to use new technologies, e.g. on-line

conferences, which allowed them to expand the audience and attract participants from other countries. According to the project participants, they not only gained practical skills to embody their ideas, but also moved forward significantly in the sphere of public activity.

*"Thanks for supporting our project. I say "our" since the topic of the project has been in the process of development for several years by my group of colleagues. I start work on this project with great pleasure and enthusiasm and I am looking forward to having results".*

**Murat Narkulov, 27, Shymkent**

*"In the course of work in this project there were a lot of difficulties: no information about autism, policy regarding treatment of children-autism in Kazakhstan, the painful reaction and desperation of these children's parents caused by an absence of support from authorities and the community in general... but the main thing is that I tried to attract attention to this problem from the general public and authorities".*

**Christina Gabdullina, 24, Uralsk**

### YOUTH NGOS IN THE REPUBLIC OF KAZAKHSTAN: WHO, WHY AND HOW?

The "Youth initiatives" program acts as an intermediary between different parties, initiates and supports different dialogue platforms with participation of NGOs, mass media, representatives of government bodies and business. So, for example, in 2011 a round table was held on the topic "Youth NGOs in the Republic of Kazakhstan: who, why and how?".

There are over three thousand youth non-government organizations (YNGO) in

Kazakhstan. In many cases YNGOs experience difficulties in defining their role and strategy, their activities, ensuring transparency in their work, and achieving results. This meeting has become an effort to exchange experience and opinions about the challenges and difficulties of youth NGOs, factors of successful and sustainable activity, effective ways of raising funds, volunteers and attention of public to its activity, issues of YNGO activity accountability and efficiency of YNGO state support.





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The basis of the event was presentations by participants in the “Young researchers” project. In particular, their research projects on the issues of accountability and transparency of NGO activity and YNGO state support. One of the conclusions emerging from of this event was that the state should take into account youth opinion when forming policy to finance youth social projects. YNGOs, in their turn, should bear responsibility for effective usage of funds by developing strategic planning skills, fund-raising, administration and promoting socially-valuable projects.

The round table was broadcast live on the internet, which allowed those who wished to follow the course of discussion from a distance. The event was attended by 60 people not counting the on-line audience (over 40 spectators). All video-materials from the round table have been posted on the Soros Foundation-Kazakhstan youtube channel (2).

(2) [www.youtube.com/websfk](http://www.youtube.com/websfk)



### INDIVIDUAL MINI-GRANTS

It turned out that one of the most popular competitions among young people was a contest for mini-grants. Mini-grants allow them to undertake specific, productive work with a small amount of funding while developing professional and social skills all within the framework of a small project. In 2011 the Foundation received 90 applications from all parts of Kazakhstan, of which 20 of them received approval from the program experts to be carried out.

A project to support low budget initiatives showed that young people are ready to demonstrate active participation on socially valuable issues. For example, the project Nurzhamal Prenova from Almaty city, "Way to independence and self-esteem" through sports dances on wheelchairs" aimed to arrange sports dances on wheelchairs for young people with physical restraints. As a result, a group of young dancers performed at various publicly valuable events including a big concert in New Square in Almaty.

Young people from the small town of Ridder in East-Kazakhstan oblast received support on two thematic directions: volunteer movement development and increasing youth legal literacy. Project of Alisa Golovkina "I, you, we – for those who are near" involved gathering 20 young volunteers

who held 18 events in partnership with local NGOs. Nina Badreyeva (project "My rights") raised the question on legal literacy in youth environment, filling a vacuum in the sphere of protection of young people not only in the city of Ridder, but in the surrounding villages and area. Events held in framework of this project, were attended by 1500 people between the ages of 16 and 29.

Analysis of youth initiatives and already completed mini-projects indicates that a lot of young people are not indifferent to integration issues of handicapped people into community. So, for example, Madina Bulatova from Kostanay oblast undertook a project entitled "Life without barriers" which was targeted at the creation of an integrated mini-center to fulfill the intellectual and cultural needs of handicapped children. Based on this mini-center thematic parties were held, as well as creative workshops, seminars and training sessions with psychologists, photo-exhibitions, on-line excursions and a lot more. Finally Zarina Nurmukhambetova from Almaty arranged in Zhetysay and Auezov regions of Almaty city the "Ayaz Ata open air "Fiesta" for families with handicapped children, to show how parents can unite their efforts to promote the interests of their children, give set an example for other parents' unions in and create conditions for free and productive communication.

### CONTEST OF SOCIAL PROMOS "OPEN YOUR EYES!"

How can we talk about a problem for just one minute and attract the attention of society and raise discussion? The "Open your eyes!" contest of social promos was an attempt to answer this question. Held as part of the "Youth initiatives" program for 2010 this project brought together modern technologies and the creative potential of young people to open the eyes of their community's to social problems and injustice via video-tapes.

Over two years this contest accepted about 130 video-works, 20 of them received money, prizes and the opportunity to broadcast on TV channels, public transport, city screens of Almaty and cities of Kazakhstan and on the Internet. Program experts took part in video-tape assessment as well as participants of ZhasCamp in 2010 and 2011, and the on-line community of blog-platform yvision.kz.



«Generation of Youth», 3rd place at the “Open your eyes!” contest of social promos © Adil Azhibayev

*“I really liked the idea of the video about corruption! It’s excellent, sincere! a super video! Simple and graceful!”*

*“I saw all the videos! Super!”*

*“It was nice that there were two videos attracting attention to problems of the disabled people. It is felt that in Astana (and what happens in other country towns leaves much to be desired) disabled people should not go to the street. I understand their problem... there are no access ramps at all or such access ramps as there are horrible almost to the point of irony ...”*

*“All the video-tapes are worthy! I liked “Look into my eyes” the most”*

*“I would watch it on TV channels”*

#### Responses of viewers in social networks

Corruption, ecology, decline of moral values, drug addiction, rights for handicapped people, employment of young specialists, healthcare, equality before the law, pluralism, patriotism and other topics all attracted attention of the competitors.

The social video-tapes were assessed by popular experts, such as cinema critic Oleg Boretskiy and creative director of TV channel “Khabar” Yerzhan Suleimenov. Both experts agreed that the genre of social video-tapes is urgent and necessary. They also noted level of quality and originality in the work of all the competitors. All the winners’ materials are available on the web-site [www.youtube.com/websfk](http://www.youtube.com/websfk).



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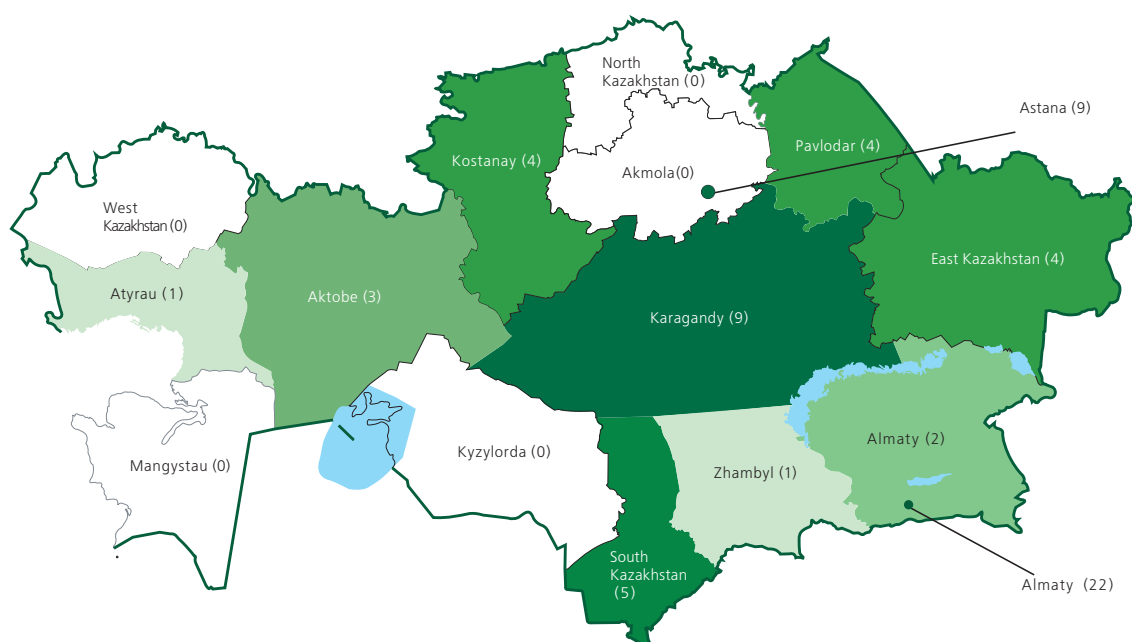
### CHAPTER SUMMARY

In 2011 the pilot program of Soros Foundation-Kazakhstan entitled “Working with youth” became an independent, dynamically developing program thanks to active cooperation with partners and a diversity of supported initiatives. During the year the program managed to attract the attention of a large number of young people to community problems. During the fulfillment of the program strategy, new, more flexible formats of working with young activists were used, as well as more effective and economic approaches to conducting events.

The results obtained prove high motivation, involvement, professionalism and interest among Kazakhstani youth to key social issues. The main differentiating feature of the program’s approach lies not only in applying complex measures, but also considering youth as a key and equal partner at all stages of project fulfillment. To effectively interact with young people it is necessary to take into account their own opinions and attitudes as well as to use varying methods and approaches.

Next year the Youth Initiatives Program intends to pay more attention to voluntary initiatives in the youth environment, increase the of potential at all priority areas and work to create equal opportunities for young people regardless of their social status, language of communication and place of residence.

## THE NUMBER OF GRANTS ALLOCATED BY THE YOUTH INITIATIVES PROGRAM







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# 5

## CREATING INTERNATIONAL EXPERT NETWORKS

East East: Partnership Beyond Borders  
Program

The East East: Partnership Beyond Borders Program is an Open Society Foundations project established in 1991 in Central and Eastern Europe. The program provides civil society participants with international cooperation opportunities on key social issues. The program supports joint initiatives by civil society organizations from two or more countries to exchange information, knowledge and experience between Kazakhstan and countries of Central and Eastern Europe and Asia, Africa and Latin America. Soros Foundation-Kazakhstan has been taking part in this program since 1996.

### PROGRAM MISSION

Provision of opportunities for international exchange of experience and ideas in a framework of important public initiatives.

### PRIORITIES FOR 2010 – 2011:

- support civil society initiatives aimed at exchanging NGO experience in solving socially important problems in the countries of Eastern Europe;
- support other Soros Foundation-Kazakhstan projects via international exchange of experience between NGOs of Kazakhstan and countries of Eastern Europe and Central Asia;
- support long-term initiatives to create and develop international expert networks to achieve positive changes in the following areas:
  - support of socially-vulnerable community groups;
  - promotion of cultural, ethnical, social equality and diversity;
  - expansion of people's access to information;
  - increasing community participation in civil dialogues.

### CURRENT SITUATION

The spread and application of new civil society technologies in 2011 allows improved ties and expanded contacts within and outside the country. At the same time traditional formats for exchanging experience and information, such as international conferences, round tables and study tours, remain the most effective. Participation allows the expansion of expert networks and contacts as well as the opportunity to become immersed in the atmosphere of other countries and to have positive experiences. New technologies give the ability to set

goals and to become organized, as well as to apply obtained knowledge.

Despite recent political events in the country a lot of NGOs remain committed to their mission and continue to work in the sphere of rights protection and the protection of vulnerable groups. For example, in 2011 the civil society sector has actively worked to unite efforts and to promote the rights of people with disabilities.

## REGIONAL NETWORK OF PARENTS OF CHILDREN WITH AUTISM IN CENTRAL ASIA

Currently there are about 67 million people who suffer from autism. There has been a significant increase in the number of children with autism defects all over the world. Ten – twenty years ago there were just 3-4 cases of child autism per 10 thousand people, now this ratio has increased to up to 10-20 cases. There is an active growth in the number of children with autism in Kazakhstan. In cases where an early and adequate correction is made children with autism have a chance to follow a standard school program.

Experience around the world has shown that the system of support for children with autism depends greatly on public organizations and parents. Taking into account the situation with the rights of autistic children, their exclusion and the negative public attitude towards their problem, uniting parents groups and NGOs is one of the most pressing objectives according to experts.

In October 2011 Almaty hosted the first regional meeting of children with autism from Central Asian countries under the patronage of the East East: Partnership Beyond Borders Program. PF “Ashyk Alem” acted as organizers of this meeting which was held in Almaty, Kazakhstan and the following organizations participated: PF “Initiative of parents of children with autism “Iroda” (Dushanbe, Tajikistan), Initiative of parents with children with autism, Kyrgyzstan (Bishkek, Kyrgyzstan).

*“This meeting has shown that we each move towards the same goal in our own way and each of us can teach one another something and share experience. If we unite at this stage, we are sure that we will have more opportunities and more strength, more voice in protecting the rights of our children.”*

*“We really hope that this initiative to establish network of parents’ organizations will help strengthening the movement for the rights of our children, prove parent competence and the efficiency of contemporary approaches to autism in our country.”*

*“We – parents take part in the correction process. Only we, being representatives of our children can protect their rights. We are interested in providing help to our children starting from pre-school age and ending with vocational guidance, employment and quality of life till the end.”*

### Meeting participants’ opinions

*“If autism is discovered before 3 years old, 90% of people diagnosed, recover and socialize in society. In cases when there has been no early diagnostics, 60% are alienated/left out of the community”*

**Aliya Arkharova,  
the President of PF “Ashyk Alem”**

As a result of this meeting a regional network of parents of autistic children has been established in Central Asia in order to begin the process of integration of autistic children and their families into a community. Members of this network hope to change not only society’s attitude to such children, but also to increase their own professionalism and knowledge in the field of working with autistic children and in the field of bio-medical autism treatment methods.

### PROMOTING RIGHTS OF PEOPLE WITH DISABILITIES AT/TO WORK

During recent years the expert community has paid increased attention to the rights of people with disabilities at work. At the end of 2008 Kazakhstan signed the UN Convention on the rights of people with disabilities and has developed a national action plan to implement the provisions of the convention. There is a lack of mechanisms for people with disabilities: only three percent of employers have employees with disabilities, secure access to working places, professional-labor rehabilitation of people with disabilities and access to quality secondary and professional education all remain unsolved.

*"Member-states recognize the right of people with disabilities to work equally with others; it includes the right to have an opportunity to make their living through work, a person with disability can freely choose or freely agree upon with the conditions of an open labor market and production environment that is inclusive and accessible for people with disabilities."*

**From UN Convention on the rights of people with disabilities.**



© Vladimir Zaikin



In 2011 the East East: Partnership Beyond Borders Program in partnership with the Law Reform Program, a project supported by the Association of social workers, disabled people and volunteers (PF ASWSV), promoted legislation of the rights of disabled people at/to work.

On April 6-7, 2011 as a part of this project's framework Almaty hosted an international conference "Partnership and dialogue to develop legislation and services to fulfill the right of people with disabilities at/to work" with participation from the representatives from Kazakhstan's Ministry of Labor and Social protection, NGOs, Kazakhstani and foreign experts. This meeting was an effort to set priority directions of developing legislation and services.

*"This project expands the opportunities of quality changes in the sphere of social services for people with disabilities in Kazakhstan."*

**Yurate Tamashauskene, Director of the the Center "Shvas" of Vilnius city (Lithuania),  
Expert in the sphere of social integration of people with mental defects**

ASWSV employees have also conducted a study of foreign and Kazakhstani legislation, looking at how to secure the rights of disabled people at/to work. There has been a trip to Lithuania to study reforms in the sphere of securing the rights of disabled people at/to work that has allowed representatives of the government bodies and NGOs from Kazakhstan, Kyrgyzstan and Tajikistan to witness the efficiency of social services for people with disabilities.

Following the results of this project proposals were developed to improve the Republic of Kazakhstan's existing laws in the field of the rights of disabled people's working rights and development of a new Standard of guaranteed scope of special social services and professional-labor rehabilitation for people with disabilities. There is a plan of work to introduce changes to the laws in the framework of the National action plan for 2012-2018.



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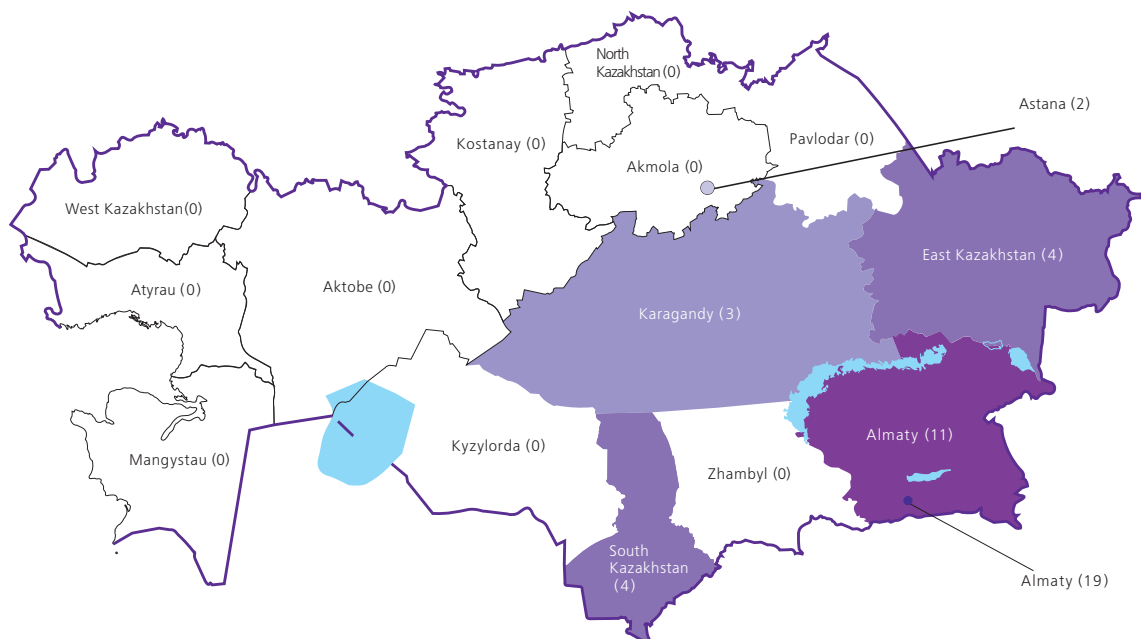
### CHAPTER SUMMARY

In 2011 the program assisted expert network development in solving issues and achieving their sustainability, providing equal access for studying the most successful practices in solving social problems. The overwhelming majority of projects supported by the program were related to the promotion of the rights of people with specific needs. Other notable initiatives supported were those aimed at development of alternative pre-school education models in rural regions and implementation of international palliative assistance standards.

A lot of initiatives were fulfilled with the joint support of the East East: Partnership Beyond Borders Program and other programs belonging to Soros Foundation-Kazakhstan.

The results obtained once again prove the invaluable contribution of international experience and information exchange to enhancing civil society potential, its role in the process of increasing transparency and accountability, as well as securing protection of human rights and freedoms.

## THE NUMBER OF GRANTS ALLOCATED BY THE EAST EAST: PARTNERSHIP BEYOND BORDERS PROGRAM



## FUNDS ALLOCATION REPORT 2011 (TENGE)

East East: Partnership Beyond Borders Program	32 459 888
Law Reform Program	113 863 150
Media Support Program	76 710 379
Youth Initiatives Program	44 309 391
Public Finance Transparency Program	141 843 888
Other program expenses	32 006 064
Administrative expenses	149 705 625
<b>Total:</b>	<b>590 898 385</b>



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