

9. Kyrgyzstan's National Evaluation Capacities: Population Confidence and Rule of Law Indices

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BACKGROUND

Kyrgyzstan is a young developing country with a history of independence of more than 25 years since the collapse of the former Soviet Union. The dissolution of the Soviet Union posed challenges owing to the breakdown of the entire system, the functions of which are still being restored by governmental institutions with financial, technical and methodological assistance from international organizations, including the United Nations Development Programme (UNDP). The present paper presents a brief description of two recently developed instruments in Kyrgyzstan, the Index of Population Confidence and the Rule of Law Index, as well as a discussion of the present challenges for evaluation.

METHODOLOGY

Index of Population Confidence

The methodology for this Index was developed by a group of independent and State experts with the aim to understand public perception with regard to public institutions. Preliminary data were collected quarterly by the Kyrgyz National Statistical Committee, but for the last two years it has been collected twice per year. Only three questions were asked of respondents:

1. Personal trust of the population towards State and municipal bodies;
2. The level of corruption in the evaluated bodies from the point of view of the respondent;
3. Personal satisfaction of the population with the activities of State and municipal bodies.

However, the results demonstrate a wider picture of the common perception towards State institutions. Therefore, it is difficult to understand the grounds for negative perceptions of certain institutions (mainly related to the security sector) and thus provide specific policies for improvement. However, it must be recognized that this Index was successfully institutionalized at the National Statistical Committee of the Kyrgyz Republic.

Rule of Law Index

In cooperation with the UNDP Rule of Law Programme, the National Institute for Strategic Studies conducted a study on measuring the Rule of Law Index in the Kyrgyz Republic. The methodology of the Rule of Law Index was based on measurement of four factors that were formulated in 31 questions. Those factors are: (1) the limitations of State power; (2) the absence of corruption; (3) order and security; and (4) civil and criminal justice. In 2016, based on the methodology developed, a pilot questionnaire was conducted with 400 respondents among the population in the cities of Bishkek and Osh, as well as in several villages. It is worth mentioning that the idea for measurement of the rule of law situation in Kyrgyzstan was initiated by the Office of President of the Kyrgyz Republic, thus, proving the fact that political will is one of the main components for the country's development.

In the current year of 2017, the geographic distribution of questionnaires was expanded and the total sample of the population was increased to 1,000 people. During both studies and research in 2016 and 2017, in-depth interviews were held with representatives of the civil service, independent experts including human rights defenders, political scientists, judges and lawyers.

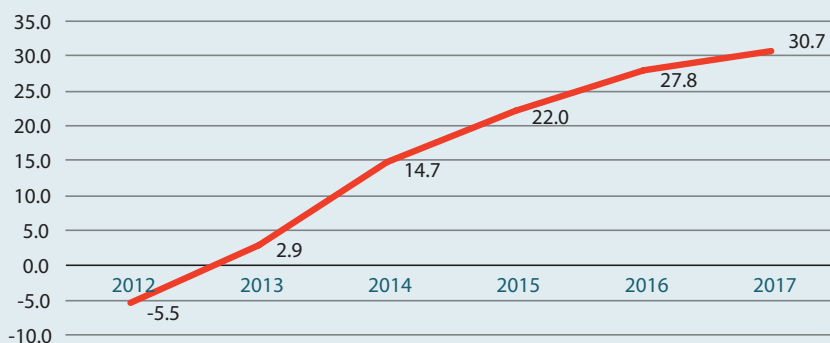
The purpose of the study was to systematically and comprehensively measure the rule of law in the Kyrgyz Republic, contributing to the achievement of Sustainable Development Goal (SDG) 16 by 2030 in "promoting peaceful and open societies for sustainable development, ensuring access to justice for all and creation of effective, accountable and participatory institutions at all levels". The study on measuring the Index included:

1. Monitoring of the dynamics of the judicial reform progress aimed at:
 - strengthening the rule of law;
 - adherence to the principles of justice;
 - equality of all before the law and the court;
 - ensuring transparency of justice;
 - impeccable conduct of judges;
 - increasing the level of confidence in the judicial system;
2. Assessment of the satisfaction of Kyrgyz citizens with the rule of law, manifested through the activities of State bodies and local self-government bodies;
3. Monitoring the dynamics of changes in the mood of society and perceptions of the laws on the part of the population, civil servants and qualified experts.

THE MAIN RESULTS

Since the introduction of the Index of Population Confidence in 2012, the people's perception of and confidence in State institutions have substantively changed, as illustrated in Figure 1.

FIGURE 1. INDEX OF POPULATION CONFIDENCE IN KYRGYZ REPUBLIC, 2012-2017



The results of the Index of Population Confidence are usually discussed during the meeting of the Prime Minister with other representatives of State bodies, and certain instructions and recommendations are usually provided to improve the level of people's confidence towards State bodies.

The Rule of Law Index scoring ranges from -100 to +100, with any score above zero indicating positive public opinion and less than zero meaning that negative attitudes prevail. In 2016, scores were disaggregated between the general population, with a score of +12, and civil service, with a slightly higher score of +15. The index also shows that in general, the rural population assesses the state of the rule of law positively, leading to the overall positive result for the country. In terms of age groups, the most negative assessments were made by those aged 18 to 28 and 65 to 75, that is, the youngest and the oldest generations. The most positive assessments of the situation with respect to rule of law were given by the group aged 41 to 52. The most interesting finding was the disaggregation by level of education. The survey showed that the lower the level of education, the more positively the respondent views rule of law in the country, and conversely, the higher the education level, the more critical the respondent.

Based on the results of the Rule of Law Index, a number of recommendations were developed for the Government to improve the rule of law in Kyrgyzstan. As a result of the pilot study and the 2017 study, the experts developed the following recommendations:

- In order to prevent offenses, the Government should continue its targeted work on legal information and advocacy among the population of the country;
- The Government should continue its work for improved transparency of State and municipal bodies, including law enforcement agencies; strengthen the role of civil society; and carry out measures for monitoring of State and municipal bodies by the public;
- The Government should allocate sufficient financial resources for the reform, development and protection of the prison system;

- For more complete and effective work on the administration of justice in the judiciary, the Government should create conditions for the development of the system of jury trials by civil society.

The results of both indices, in addition to many other instruments for measuring SDG 16, serve as a basis for the continuous fight against corruption and for striving to improve the quality of the public services and the perceptions of the population, among other goals related to this sphere.

It is worth mentioning that quantitative data of both indices is based on public perception. However, the practice shows that for the analysis and evaluation of the situation, for both Indices to measure just perception is not enough to understand the full picture and the challenges facing both government institutions and the population. There is a need for broader understanding of the issues, including the experience of respondents. In this regard, the Central Asia Strategic Center for Analysis, Dialogue and Development and the National Institute for Strategic Studies of the Kyrgyz Republic, with the financial assistance of the Rule of Law Programme Office in Kyrgyzstan, are conducting research on the assessment of public services by the population. During this study, innovative new instruments were used but as in any research, there were certain technical limitations.

CONCLUSION

Kyrgyzstan's practice again demonstrated that political will of high-level officials as well as the institutionalization of certain evaluation instruments can lead to better managed reforms in the rule of law and many other spheres.

Among the current challenges to national evaluation capacities in Kyrgyzstan are the low capacities (technical, financial and methodological) of national institutions in terms of monitoring and evaluation, although State institutions are willingly cooperating with international organizations and specialized non-governmental organizations.

Of course, the turn to digital development of the entire State system in Kyrgyzstan, including the transition to a digital society, opens a number of opportunities to improve national evaluation capacities, thus turning "a new page" in national evaluation opportunities. This is quite new for the country and all kind of experience on evaluation capacities from similar countries are very welcome.

REFERENCES

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