



AUCA INTERNATIONAL AND BUSINESS LAW DEPARTMENT

Departmental Development Plan for 2012-2013 academic year

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I. REPORT FOR 2011-2012 ACADEMIC YEAR

Since the curriculum development and improvement has been always stated as initial goal of the Departmental Development Plan, the Department carried out activities in implementing these objectives, including conducting a series of Departmental meetings and developing certain documents on the following issues:

Human Rights Component and Curriculum of IBL Department

Integration of Human Rights Component into Law Curriculum

Recognizing the significance of human rights, the IBL Department has continued inputting the human rights component into each of its offered courses. A number of special departmental and individual faculty meetings have been held on this issue. Faculty members of the Department have provided reports on how they have incorporated the human rights component into their classes. The activities included student presentations, written assignments and lectures on human rights. Understanding the need to have a comprehensive policy on incorporation of human rights, the Department developed the Guidelines on the Integration of Human Rights into the Curriculum of the International and Business Law Program. The guidelines focus on the methodology and substance of inputting the human rights component into law curriculum as well as models of such integration.

Subsequently, the Department organized a round table on the "Integration of Human Rights into Law Curriculum" to present the guidelines and discuss ongoing efforts of the IBL Department in integrating human rights as well as to invite collaboration in this field. This was done pursuant to the Memorandum of Understanding to cooperate and collaborate regarding the task of integrating human rights component into the curriculum of the law faculties following last year's conference on "Contemporary Issues of Human Rights in the Legal System of the Kyrgyz Republic". The participants of the roundtable were faculty representatives from AUCA, Kyrgyz National University, Kyrgyz-Russian Slavic University, Academy of Ministry of Internal Affairs and Kyrgyz State Law Academy. They discussed the importance of quality human rights education, approaches and methodology that teachers could use in introducing human rights issues in their respective classes. The discussion has generated a lot of useful recommendations and suggestions on this issue. The faculty of the represented universities agreed to collaborate in writing a Manual on the integration of human rights into law school curriculum provided the availability of funding for this project.

The IBL Department RS also applied for a grant to the Norwegian Ministry of Foreign Affairs. The purpose of the grant is to initiate a project that promotes the study of human rights by undergraduate students in law faculties of Bishkek, Kyrgyzstan through the production of a textbook on human rights, training on human rights and a manual on the incorporation of human rights into legal curriculum. If the project gets approval and funding, it will be implemented with the Norwegian Helsinki Committee, a non-governmental organization working to ensure that human rights are respected in practice via monitoring, reporting, teaching and democracy support. The other partner of this project will be the Central and Eastern European Initiative for International Criminal Law and Human Rights (ICLHR Initiative) which was created to disseminate key knowledge for the effective handling of human rights violations. The project will also involve faculty from other law schools in Bishkek that have expressed their willingness to work on this issue.

In addition, returning scholars of the IBL Department made a presentation on the Program project on "Integration of Human Rights component into the law curriculum" at the Budapest DGM meeting in March, 2012. The presentation generated much positive feedback and useful discussion.

Legal Clinic Operation and strengthening human rights component in the Legal Clinic Program

Legal Clinic has been always a part of IBL curriculum, which was working with human rights component. The IBL Department, with the help of Legal Clinic, is aiming at constructive change of the Kyrgyz Republic system. Though the aim pursued was very broad and far reaching goal, one of the steps to pursue was to introduce the application of international mechanism of human rights protection in the Legal Clinic Program and the Curriculum.

As the basis to address the human rights we took the Convention on Elimination of All Forms of Discrimination against Women (hereinafter "CEDAW"). Under the framework of application of international mechanisms of human rights protection, we took Health law and Bride-kidnapping issues.

During 2011-2012 the AUCA Legal Clinic conducted three full day training for students to be working on the concrete projects on general such mechanisms and specifically on CEDAW academic year so that students of the Legal Clinic knew about such international mechanisms of human rights protection. It was very important for students to know about the human rights and means to protect them domestically, internationally and specifically to CEDAW, especially considering that the Kyrgyz

Republic is a party to the Optional Protocol to the CEDAW, which enables individual bring the individual complaints against Kyrgyzstan to the CEDAW Committee.

After conducting the training to interested students on the Human rights project, AUCA Legal Clinic divided students into two groups. First group was working on Health law issue and the second on the case of bride-kidnapping in Kyrgyzstan.

Under the first group project, by the end of the year, students of our Legal Clinic draw up all recommendations coming from three Concluding Observations of CEDAW Committee over the last decade particularly connected to the Health of Women. Such issues as maternal mortality, family planning, access to contraception, women and HIV/AIDS were analyzed. After drawing all the recommendations of the CEDAW Committee, our Legal Clinic has analyzed which recommendations were fulfilled by the Government of the Kyrgyz Republic, and which recommendations are still to be implemented. The result of this work we have incorporated into the collaborative project among the International Business Law Department, the AUCA Tian-Shan Policy Center, and the U.N. Office of High Commissioner on Human Rights on developing Compendium of all recommendations of the U.N. Treaty bodies, the Special Rapporteurs and the UPR process given to Kyrgyzstan and the Matrix of Gaps and Further actions to be taken by the Government of Kyrgyzstan.

The second project was to address the bride kidnapping, which is non-consensual abduction of women and forcing her into the marriage. The AUCA Legal Clinic with its students conducted a thorough research on the Bride-kidnapping, including gathering statistical data, analysis of bride-kidnapping phenomena and violation of human rights norms etc. Upon this project we have one student who decided to write her Thesis work on bride-kidnapping and submit it this 2012 year. Currently we are on the stage of initiating the legal proceeding to the local courts, for this we are seeking the woman who suffered from the bride-kidnapping and willing to sue her abductors. However, the AUCA Legal Clinic faced that finding such women is rather difficult due to social pressure and cultural norms women do not want or afraid to refer to the state officials.

AUCA Legal Clinic and the International Business Law Department have already applied for the grant to the Soros Foundation in Kyrgyzstan on the application of international mechanism of human rights protection. In this case we plan to use the U.N. Human Rights Council mechanism and present the report on human rights in Kyrgyzstan at their session in Geneva. If the grant will be approved, we plan to work on this coming academic year.

The Legal Clinic also started connecting with local NGOs on any kind of cooperation in seeking the information and practical expertise from them, providing them with the Legal aid. We also started establishing the connections with the working Legal clinics under Universities of Bishkek. For the second time this year all Legal Clinics of Bishkek have gathered on the Human rights training, organized by the Soros Foundation in Kyrgyzstan. We have noticed that at present, in Kyrgyzstan there is a great demand for establishing a network of legal clinics. This idea has high potential – by consolidating efforts and exchanging experience we can attain more significant and essential success and progress in the field of human rights protection and advocacy. Finally, last but not least, our AUCA Legal Clinic has shot PR video clip on our history, aims and activities in English and Russian languages. We believed that such video-clip will both help the public to learn more about us and refer for solving their legal issues, as well as for us attracting Public Interest Cases.

Collecting data and draft of curriculum for a certificate program on "International Human Rights Law"

One of the plans of the Department was to see the possibility of creating Summer Human Rights Law Certificate Program. We did researching and also consulted with our International Scholar, who shared experience at his school – Human Rights Academy (<http://www.wcl.american.edu/hracademy/summer.cfm>).

We analyzed several issues, including, the faculty component, participants, attractive title/name of the program, inclusion the competitions into the program, funding options, tuition fees. After searching, discussing and analyzing we came to the conclusion that one of the major concerns is funding to establish such program during summer, especially, since we were also interested in having visiting lecturers from abroad. In addition, there was a concern as to the possible participants of the program. Our initial interest was to engage students from whole Central Asian region. However, if the program will be explicitly called as "Human rights", then the chances of participants coming from neighboring anti-Human rights oriented countries and participating at the event will be very low. Moreover, this year new state standards were developed and, therefore, it became harder to implement such program into the curriculum.

Since we are committed to the Human Rights, we came up with the idea of creating Summer School on Human rights understanding the need in training Human Rights lawyers and advocates in the region. However, during this year we made possible the idea of opening of whole *Major in Human Rights*. We have already discussed with AUCA administration on opening such Major in Human Rights, and the latter has supported this idea. This Major program will be a hybrid of different approaches, e.g. of human rights and sociology or psychology. Still majority of the programs components will be the law subjects, we have already met with different departments to discuss what courses will fit into the curriculum of this new major on Human Rights. This program will be new opportunity to work next year.

Nevertheless, we still aspire to the idea of organizing such Summer school on Human Rights in the Central Asian region. We hope if the *Major in Human Rights* will be opened at the AUCA, Summer school on Human rights will have the most possibility to be organized.

Curriculum Development and Improvement

Creating Departmental Learning Grids and Outcomes

The Department has continued its work on creating general departmental learning grids and outcomes based on the missions of the Department and university. We have analyzed the syllabi of our faculty members in terms of the content and formulation of course outcomes for each course. The analysis showed that the understanding and approach to utilization of concept of "learning outcomes" in the syllabi vary greatly among the faculty members. Therefore, the faculty members have worked together and collaborated on creating the general departmental "learning outcomes" for the courses offered by the IBL Department. As a result of collaborative efforts, the faculty members have developed learning outcomes that will ensure that students acquire the necessary knowledge and gain lawyering skills throughout their four year studies. The creation of these learning grids and outcomes will help the Department in the process of reforming its curriculum in a way as to combine local requirements in higher legal education with western principles of education.

Drafting state standards on the International and Business Law Department

In summer 2012, the license on International and Business Law Program will expire. Recognizing the significance, importance and the indeed need in development of such state standards, the Department throughout current academic year starting Fall 2011, was working on the development of a new curriculum for an application to the Ministry of Education. The Department collected data on curriculum on International and Business Law program from other universities. Based on the research being made the Department drafted state standard on a program of „International and Business Law“, which is going to be reviewed by International Scholar Rick Wilson, and which is going to be submitted in summer 2012 for consideration of the Ministry of Education (MOE) of the Kyrgyz Republic in Summer 2012.

Implementation of a New Format of State Exams

One of the plans of the Department for this academic year was to conduct training on drafting multiple choice questions, which will be aimed at testing analytical skills of the students. At the beginning of the spring semester (in February) we started organization of these training. One of the faculty members of the Department conducted them for the whole department faculty, and the latter started then to develop new multiple choice questions for the upcoming state exam. The trainings took form of the lectures and practice exercises for faculty members. At the present stage of implementation, the new questions were already submitted. Compared to last years experience the Department is having more complicated answers and expect that it will not be as easy to guess an answer as it was during last year's experience. The current stage is to see how the test actually will be completed by the students during their exam.

In addition, the responsible AFP RS of the Department were working on development of Grading Rubrics for students' oral presentations and written works. The aim was that these rubrics will help evaluators more objectively and easily grade students' performance. So far the preliminary rubrics have been implemented while conducting pre-defense of students. For the finalization and completion of the grading criteria, the Department will need the final remarks or recommendations of the members of the state exam committee, who might suggest whether it needs to be modified and to what extent.

Development of Senior Project in line with the liberal arts framework

During this academic year the Department continued improving the process of the senior project writing for all of its senior undergraduates. The project is an original, individual, intellectual, and creative activity that rounds out and caps each student's program of study. It is a student-driven and teacher-guided project that demonstrates and celebrates the knowledge and skills acquired during their four years of liberal arts education at AUCA. The senior project may be in the form of either a senior paper or an honors paper. Both papers are research works in which students are expected to present their critical and independent analysis and cover the relevant statutory and doctrinal sources on the chosen subject.

Responsible AFP RS have worked on further refining the policy on the senior project. A number of improvements have been made regarding the procedural and substantive aspects of the senior project drafting in line with the liberal arts framework. In this regard, the Department had an assistance of the AFP IS Rick Wilson that provided excellent feedback on the departmental policy and helped to improve it.

This year the Department has offered two mandatory courses for senior students that have been aimed to facilitate the process of completing the senior project. In

particular, the responsible RS teaching "Legal Research Methods" course improved the syllabus of the course and included a number of various mini assignments to help students start writing the senior project in a comprehensive way. The course was updated with new teaching materials. During this course the responsible RS worked in close cooperation with the AUCA library to provide students with assistance in finding and using electronic databases and literature. All of this has allowed discussing important research-related themes, demonstrating the progress of student projects and providing the exchange of constructive feedback.

In addition, the Department has developed a Policy on the supervision of senior projects to provide guidance to supervisors in the process. Apart from that, a number of new forms related to senior project have been developed and introduced, including forms on the supervisors' approval of topic and certain substantive parts of the project. Responsible RS also developed the senior project grading rubric. The rubric would be used in grading of student presentations during the defense of senior projects. It serves to provide explicit criteria used in grading the presentation in order to ensure transparency of the process and help students prepare for the defense.

Realizing the importance of helping students to prepare for the senior project writing in advance, the Department undertook concrete steps to help junior students. Rick Wilson together with one of faculty members (RS fellow) conducted a training session on how to choose the senior project topic for junior students. In addition, as in the last year, each of the students' project proposals will go under strict scrutiny during the IBL departmental faculty meeting on the senior project topic approval. This will help students to pursue the types of projects that will indeed be extended, significant intellectual works that shall result in a culmination of their undergraduate experience at AUCA.

Departmental Activities

Organization of a round table on "Integration of Human Rights into Law Curriculum" and an inter-departmental meeting on the integration of human rights across disciplines

The IBL Department conducted a round table on the "Integration of Human Rights into Law Curriculum" with representatives of other law schools in Bishkek to present the departmental activities on the incorporation of human rights and invite collaboration in this field. The participants included the Kyrgyz National University, Kyrgyz-Russian Slavic University, Academy of Ministry of Internal Affairs and Kyrgyz State Law Academy. AFP IS Rick Wilson introduced the idea and made a presentation on the importance of quality human rights education. AFP RS made presentations on the Departmental guidelines on the integration of the human rights component into legal curriculum. The overall discussion has generated a lot of useful recommendations and suggestions on this issue. Participants agreed to collaborate in writing a Manual on the integration of human rights into law school curriculum provided the availability of funding for this project.

The Department RS also held a meeting with the representatives of AUCA programs on the topic of the integration of human rights across disciplines. Rick Wilson together with AFP RS made a presentation on the importance of human rights. The meeting generated much discussion. A number of questions were raised, including the challenge of incorporating human rights into certain disciplines, such as economics.

Peer review

The Department continued conducting the peer review process among the faculty members. The goal of the peer review is to improve teaching methodology and

philosophy of instructors by providing constructive feedback and recommendations. As a result of this peer review, the responsible committees provided reports on the results of the activity. Further meetings were held in order to generalize and direct specific recommendations to each instructor.

II. OBJECTIVES AND PLANNED ACTIVITIES FOR 2012-2013 ACADEMIC YEAR

For the next 2012-2013 academic year, the Department plans to work on the following issues:

Human Rights Component and Curriculum of IBL Department

Legal Clinic Program

Under the Legal Clinic we remain promoting the Human Rights, along the traditional civil law litigation cases, taking up human rights advocacy, human rights research as well as some publication activities. We will proceed connecting with NGOs, concluding memorandums with them on cooperation and let our Legal Clinic help them in their legal issues. We will also continue build connections with the University Legal Clinics across Bishkek.

We aim at work on strengthening and improving Legal Clinic Program by making it focused on high impact public interest law cases since very often people turn to Legal Clinic seeking for help to protect their rights against unlawful measures of authorities or individuals. Promotion and enforcement of human rights on the territory of the Kyrgyz Republic is one of the highly discussed debates and problems. Accordingly, there are number of States across the nations that are developing very strong domestic enforcement mechanisms of human rights, per se India, Germany, Israel and South Africa through the constitutional courts by the well known procedure of public interest litigation. The standing provisions of following states' Constitutions enable any individuals and legal entities whose constitutional rights were effected to apply to the constitutional court. Alike in aforementioned States one of the major tasks of the Constitutional Chamber of the Kyrgyz Republic, former the Constitutional Court, is the promotion of human rights. Article 20 of the Constitution enables any individual (individuals) and legal entities whose constitutional rights were affected to apply to the constitutional chamber. Even though past history of judgments of the Constitutional Court on human rights promotion was ineffective, since such domestic mechanism of human rights protection stipulated in the Constitution and possible in the theory, we believe that such domestic mechanism should be strengthened and applied. Therefore, AUCA Legal Clinic wants to set a long-term goal using both local and international mechanism of human rights protection in benefit wide group of people under the Public Interest Case. For this coming 2012-2013 academic year we want to plan to conduct the research of the matter or normative legal act that would contradict the Constitution and the International Human Rights norm, so that we could refer with this to the Constitutional Chamber of the Kyrgyz Republic. We aim first to seek the issue and for next academic year to find the applicant and only then undertake the case at the Constitutional Chamber. We believe that despite that this kind of cases take long time and preparation, they will benefit most the society.

Further, we want to plan to develop legal guidelines (handbooks) on the most actual legal issues jointly with students. We noticed that there are matters like family issues, health care, inheritance, contracts that repeatable. Since the establishment of our Legal Clinic in 2003 our clients refer mostly with the same issues. Therefore, we thought that such handbook would be useful both for our clients and students undertaking such cases. For this 2012-2013 academic year we think that the most

privileged areas for the future researches are healthcare system, and environment protection.

Finally, we will proceed establishing network with other legal clinics of the country. For the second time this year all Legal Clinics of Bishkek have gathered on the Human rights training, organized by the Soros Foundation in Kyrgyzstan. We have noticed that at present, in Kyrgyzstan there is a great demand for establishing a network of legal clinics. This idea has high potential – by consolidating efforts and exchanging experience we can attain more significant and essential success and progress in the field of human rights protection and advocacy.

Internship

Over the recent years the IBL Department has been putting efforts to enhance the effectiveness of its Internship Program on the whole. Among other reforms, the Department added a human rights component into the Internship Program. For example, the provisions of the revised internship policy of the Department encourage students to learn more about practical aspects of human rights protection in the internship placements. In particular, students are recommended to observe how human rights (e.g., fair trial, access to courts, etc.) are being enforced in practice; reflect their observations in their internship reports, make comments and recommendations (if any) for improvement. As a next step in this direction, the Department plans to develop more internship placements, where students can directly apply their knowledge of human rights in practice. Currently a plan to establish a cooperation with human rights specialized Kyrgyz Women's NGO is being discussed. As a part of the collaboration with this NGO, the participating students will be involved in doing research of real life cases and prepare presentations for the United Nations Human Rights Council (HRC) within the mandate of the upcoming HRC Agenda. The NGO Women's Forum has agreed that students can raise any issue they identify within the U.N. Human Rights Council Agenda, and also expressed interest to have students participate with them in upcoming sessions of the Commission on the Status of Women in New York City.

IBL Department has signed a Memorandum of Cooperation with the Central and Eastern European Initiative for International Criminal Law and Human Rights (ICLHR Initiative) in Spring 2011. The interested students will be involved in the project activities of ICHLR initiative. One of the projects of ICHLR is compilation of Core International Crimes Database, where IBL students are going to participate starting from Summer 2012. The overall objective of Core International Crimes Database is to prevent violent disturbances and conflicts by supporting the delivery of justice for core international crimes through worldwide dissemination of legal information. This Objective will be achieved, first, by launching the cutting-edge searchable digest of authoritative jurisprudence related to core international crimes, and secondly, by enhancing the substantive, analytical and research capacity of young professionals in Kyrgyzstan.

In Summer 2012, the IBL Department also plans to negotiate opportunity for its students to do internship at American Bar Association Rule of Law Initiative and Advocate Training Center.

We also hope to cooperate with AUCA Career Center in organizing meetings with the representative of other human rights NGOs, which would be interested in cooperating with IBL Department in terms of engaging our students in their activities.

Integration of human rights into Law Curriculum and Textbook on Human Rights

During the next academic year the Department plans to further strengthen the human rights component of each course offered within its curriculum. As we have comprehensive guidelines on integration of human rights, we will implement guideline suggestions and have students make presentations, work on written assignments, listen to guest speaker and faculty presentations on the interconnection of human rights and the course they are taking. There may be a number of other activities of similar kind. In addition, the Department plans to cooperate with other universities on this project and is going to organize trainings for our faculty and faculty of other schools on the integration of such component into the legal curriculum (especially into business oriented courses).

If the IBL Department's grant application to the Norwegian Ministry of Foreign Affairs is approved, we will work on the production of a textbook on human rights and training on the incorporation of human rights into legal curriculum. We will start developing the law textbook on the interrelationship of human rights and Kyrgyz administrative, criminal, civil, and constitutional law together with our project partners. The book will provide professors and students with insight on the most important and challenging issues that arise in the study of human rights in the context of select areas of national law. The textbook will be written with a goal of supplementing existing law curriculum in Kyrgyz universities.

The IBL Department realizes that legal education needs to link international human rights standards with the everyday legal dilemmas relevant to Kyrgyzstan. Therefore, the reasoning of international human rights authorities shall be applied to the arguments or justifications used in national law. Cooperating partners plan to write a conceptually uniform textbook which represents our common vision. Partners will also arrange a conference and will assist a Network of Human Rights Instructors to inform and encourage the use of the textbook.

The project is planned to have a consultation phase, where we will establish a Board of authors. We will then have a first group meeting, where ICLHR, NHC, AUCA will arrange a seminar on human rights education for the Board of authors. Following this there will be a writing phase and a second group meeting, during which findings and challenges will be reviewed and analyzed. The book will be edited and will come out in 2 languages, English and Russian. Subsequently, there is a plan to hold an Inter-University Law Conference on Human Rights Education. Cooperating partners will arrange group sessions on introduction of human rights education into different legal fields. They will present how the textbook can be applied in criminal, civil, constitutional and administrative law. If the grant application is successful, we will start all above-mentioned activities next year and finish them by 2014. If we do not get the grant, we will search for other funding opportunities and apply for them.

Curriculum Development and Improvement

Assessment tools. Internal course and teacher evaluation form

One of the activities of the IBL Department in the past time for improving teaching methodology and philosophy of the instructors was peer review. From next year, the Department is willing to develop and probe the new assessment tool – course and teacher evaluation form – surveys filled by students. The feedback with comments provided in the form by students can effectively influence and shape the course and teaching. In fall AFP RS are going to research the information and develop the survey questions and the form itself. In spring the form will be tested and from the outcomes it will be possible to evaluate how effective it will be. It should be noted

that within the university, there is already an existing survey, which students fill out by the end of each semester. However, this survey does not reflect and does not contain necessary questions or information, which might be useful for an instructor to rely on for further improvement.

The IBL Department RS have an aim to develop internal evaluation form, which will contribute to the teaching methodology and course as a whole. Such type of evaluation survey was used during the Master's studies of each RS, therefore, it is considered to be necessary for implementation as well. The Department understands that there are certain issues or concerns associated with the evaluation process, hence, we are planning to develop a separate *Policy* highlighting important parts such as that instructor will be provided with feedback only after putting the grades, or indicate any other precautions, which might be necessary for getting more honest and substantial feedback of students. One of the ideas that the Department is having for the later consideration is creation of special Committee, who might be responsible for analyzing the forms and providing the feedback to the instructors, but this is only a preliminary idea. Moreover, AFP RS are willing to present their idea during the disciplinary meetings and discuss the issue with other RS and IS, and see their suggestions on improvement.

Bachelor's Degree Program on Human Rights

During the academic year of 2012-2013 the Department plans to explore the possibility of setting up the Bachelor's Degree Program on Human Rights. This Program is going to be interdisciplinary involving corresponding courses across the disciplines/departments in AUCA. The Bachelor's degree program will allow interested students of the IBL Department to get a U.S. accredited degree from Bard College major in Human Rights. In this connection, AFP RS will be doing a comprehensive research and feasibility studies to assess the work to be undertaken and opportunities and challenges that this program might entail. This will include, but will not be limited to research and consultations with the existing universities, where similar program has already been set up, development of curriculum and course contents, admission policy, duration of the course, number of credits to be conferred, funding etc. The program is envisioned to be open for undergraduate students and will emphasize the interaction between human rights theory and practice and provide students the opportunity to explore human rights both inside and outside the classroom. It is contemplated that the faculty of the program will be comprised of human rights experts and activists. The possibility of inviting visiting lecturers from local, Central Asian and Western universities (including CEU) will also be explored. A working group will be created (AFP and non-AFP) which will collect and process data and correspondingly draft curriculum.

Development of Senior Project in Line with the Liberal Arts Framework

For the academic year 2012 - 2013 the Department plans to further develop the senior project policy as well as the policy on the supervision of the project. In particular, grading criteria will be improved, a number of substantive rules will be refined and requirements on the amount of work will be revised. As during this academic year, the Department will also offer two mandatory courses on the "Legal Research Methods" and "Senior Project" for senior students to facilitate the process of completing the senior project. We plan to update the two courses with new research materials and further improve the syllabi. Special training sessions to juniors on the choice of the senior project topic will be provided. The Department also plans to work in close cooperation with the AUCA and National libraries in providing students assistance in finding and using electronic databases and literature.

Departmental Activities

(on professional development and research)

Workshops for professional development and research activity

The IBL Department plans to organize for its young faculty members' and any other interested faculty members from AUCA a series of workshops in October 2012 and April 2013. The workshops will be in the format of half-day training on the issues of:

- (a) Process of study in local PhD programs: "aspirantura" and "doctorantura" levels;
- (b) Process of local publication of articles in a law review journals and publication of textbooks/books.

The format of the workshop will be very practice-oriented and relate to following issues:

- (a) Concurrent and actual aspects of study at the local PhD programs ("aspirantura" and "doctorantura" levels): official requirements for the research proposal, format of the research proposal, examination procedures (PhD required courses), internal and outside required departmental peer review and evaluations, expertise, references, list of documents etc.;
- (b) Formal and technical requirements to the format of the articles and textbooks – "monographiya", (which must be published to obtain the degrees of "candidate of legal sciences" or "doctor of legal sciences"): list of journals approved by National Attestation Committee of the Kyrgyz Republic (in Kyrgyzstan and outside of the country), contacts and addresses of the journals' offices, procedures of application and requirements for the format, requirements for the content, necessary preliminary expertise, number of articles or books/textbooks needed for particular degree, procedures of obtaining the codify number from State Book Chamber (for books) and the Universal Code from National Library (for articles), etc.
- (c) Formal and informal requirements to the content of the articles and textbooks – "monographiya" and useful approaches: methodology and tactics in writing research papers, identifying problems, preliminary literature/material search, work with legal data and normative legal acts, developing research questions, objectives, references, results and format of the conclusion, etc.

The workshop will concentrate on the questions interesting not only for the part of faculty staff studying for these degrees, but also for all who want to publish academic and research papers/works. In case if the workshop is very effective and useful, the Department will organized this type of workshop for students interested in participating in the conferences, publishing the articles or applying for graduate study.

The program of the workshop will be developed by the faculty member with relevant experience, knowledge, contacts and necessary practical information. It appeared that such workshop is inevitable activity for members of the law faculty to successfully start or continue fulfillment of their work in progress in the PhD program.

Conference on Contemporary Challenges to Rule of Law in Central Asia

Understanding the importance of promoting the rule of law and emphasizing its role for the efficient functioning of the legal system, the Department plans to organize a conference on the contemporary challenges to the rule of law in Central Asia. This is in line with the American University of Central Asia's focus on the promotion of research on Central Asia. The conference will be open for students, faculty and interested experts in the field. It is planned that the conference will have a number of various panels, including a panel on the rule of law and human rights. The envisioned organizers of the conference will be AUCA and Kyrgyz National University, with the

latter being responsible for publishing articles in its law review. The holding of the conference is subject to the approval of the University and funding.

Professional Development Activity/Faculty Research

Throughout this academic year each RS faculty member has been working on research and other professional development activities:

1. *Kamila Mateeva* continues working with supervisor on her dissertation: "The legal status of the Kyrgyz Nation under the Kyrgyz Customary Law during XIX century". She has published an article in a law review journal of the National Academy of Science of the Kyrgyz Republic, which was her first chapter of dissertation. She continues writing her second chapter, the article of which she is planning to publish by the end of Spring 2012.
She also successfully implemented the assessment tools and innovative teaching methods learned at the Curriculum Resource Center workshops, attended in May-June 2011, at CEU, Budapest.
Kamila has drafted recommendations for a new state standards on a program "Jurisprudence" composed by the Educational Methodological Board established by Ministry of Education of the Kyrgyz Republic.
2. *Kanykei Kasybekova* was enrolled with a local PhD program at National Academy of Science of the Kyrgyz Republic as a part time student, she is now in search of supervisor and identifying a topic for the approval. Apart from PhD studies, during this academic year, she was working in collaboration with RS Gulnaz Naamatova on article "HPV Vaccine: patent protection vs. women's health". This is one of the areas or titles where she is considering writing PhD paper, while studying at local PhD. Along entering the PhD program, Kanykei successfully implemented into the teaching of her courses all the knowledge she received at the Curriculum Development Center workshops, CEU, Budapest, in May - June 2011. In particular, she made modification in syllabi and assessment in the courses she teaches.
Within scope of one course she is working on the article with preliminary draft title "Tax and Antimonopoly regulations: which prevails?". She is willing to analyze controversies which exist in the current legislation and the solutions, which might be proposed.
One of the major activities related to the Department, is that Kanykei prepared comments and draft on the state standards change together with Kamila Mateeva. These comments were made to the Educational Methodological Board, who was working on the new state standards for "Jurisprudence".
3. *Ainura Abdyrakunova* continues her dissertation research in the field of e-commerce and international trade. In addition, she has been involved in the research related to legal procedures for the admission of disaster relief goods, on which she made a presentation during the AFG DG meeting in November, 2011. She has also participated in the Workshop on the Departmental Curriculum Development organized by CEU Curriculum Resource Center in June, 2011, which helped her to improve her teaching methods and revise her course syllabi.
4. *Gulnaz Naamatova* together with Kanykei Kasybekova initiated to write an article "HPV vaccine: women's health vs. patent protection". Currently, they are on the stage of drafting the article. In addition, under Tian-Shan Policy Center at the AUCA she was involved in the project for UN OHCHR in developing the Compendium of all recommendations given to Kyrgyzstan by UPR process, Special

Rapporteurs visiting Kyrgyzstan and Treaty Bodies, to which Kyrgyzstan is a party to.

5. *Begaiym Esenkulova* will be continuing her research within the framework of her Ph.D. dissertation in Central European University. Her work is related to sustainable development and legal regulation of foreign direct investment in Central Asia with a particular focus on environmental rights. She will be working on the literature review, collecting data and writing the dissertation. She plans to use AFP PDF for research abroad. Begaiym will also be in regular contact with her CEU Legal Studies Department supervisors regarding the progress of her work. In addition, she is going to attend conferences and publish articles that are related to her Ph.D. project, including one in an international peer reviewed law journal. As part of her work on the doctoral dissertation she is planning to participate in a number of specialized courses on environmental sustainability and legal regulation, one of which is the Academy of European Law Summer School on Human Rights (specifically on environmental dimension of human rights). She will also be working on developing a new course related to the topic of her dissertation in AUCA.

III.ROLE OF INTERNATIONAL NON-RESIDENT SCHOLAR IN THE DEVELOPMENT OF THE DEPARTMENT

The Department intends to work with the International Scholar for the next academic year, who could be AFP affiliate or other professor with strong academic and practical background on human rights law issues.

We hope that the IS will assist the Department in undertaking the following activities during the 2012-2013 academic years:

- a) Participate in the discussions and exploration of ideas for further strengthening the human rights track of the Legal Clinic.
- b) Suggest direction or courses for the new Major on Human Rights.
- c) Suggest of the possible collaborative project (of IS with RS)
- d) Assist in finding resources for doing individual research for each RS.
- e) Finding options for professional development, assist in finding international conferences and research opportunities
- f) Assist in international publications
- g) Advise on the internal evaluation tool, help on developing questions and form
- h) Advise the Department in developing of state standards for the IBL program.
- i) Provide feedback and comment to syllabi of the courses, which will be developed and taught by new returning scholar Saniya and Ayaz.
- j) Visit faculty members' courses and peer-review/reflect on their teaching methods.
- k) Conduct training for sophomore students on human rights issues in connection with Internship.
- l) Contribute to the conference on Rule of Law by sharing his experience at the event.

IV.LOCAL CAPACITY BUILDING

- Kamila has made presentation at the DGM meeting in Fall 2011 of her first chapter of the dissertation on "Development of Rights and Duties among Segments of a Population: Evolution of Differential Legal Statuses in the period of XIX – beginning of XX century in the History of the Kyrgyz Republic". She

received number of recommendations that were implemented in her chapter. She has been closely worked with IS international scholar and RS Zoryana Chernenko during Fall 2011. Turkey, Istanbul.

- Kamila was invited as an expert in International Law to UNDP in cooperation of the Parliament of the Kyrgyz Republic. Kamila has been working in a group of experts together with representatives from the Ministry of Foreign Affairs of the Kyrgyz Republic (KR), Government of the KR, and Parliament of the KR, (starting September 2011- present), Bishkek, Kyrgyzstan.
- Kamila has published an article in December 2011 at the law review journal at the National Academy of Science of the Kyrgyz Republic on "The Concept of Legal Status of Population", Biskek, Kyrgyzstan.
- Kamila participated in a round table on Legal Clinical Education, organized by International University of Kyrgyzstan, October 2011, Bishkek, Kyrgyzstan.
- Kamila participated in a series of best classroom practices workshop and also was a trainer of one of such workshops for faculty members of American University of Central Asia in March, Bishkek, Kyrgyzstan.
- Kamila has made presentation at the DGM meeting in Spring 2011 on the project of International and Business Law Department on "Integration of Human Rights component into the law curriculum", Budapest, Hungary.
- Kamila participated in the Lecture on "Conflicts of Georgian reforms. What Georgian mistakes Kyrgyzstan should not make" presented by the conflict specialists Paat Zakareishvili that was conducted and organized by UNDP at AUCA, March 2012, Bishkek, Kyrgyzstan.
- Kamila participated at the Lecture on "International Economic Court of CIS states" presented by the Head of International Department in the Supreme Court of the Kyrgyz Republic, Aziz Dosmanbetov, February 2012, Bishkek, Kyrgyzstan.
- Kamila organized with Tyan Shan Policy Center at AUCA a lecture on "Problematic Aspects of the Criminal Justice System in the United States: the Patriot Act and Guantanamo Bay Detention" provided by The Honorable Russell F. Canan, Associate Judge of the Superior Court of the District of Columbia, Mr. Erik Peterson the United States Federal Prosecutor, Mr. Dan Humble, Resident Legal Adviser for the United States in Kyrgyzstan, and U.S. Attorney of the U.S. Department of State.
- Kamila Mateeva has participated in the Language and Thinking Program workshop in Bard College, New York, USA in July 2011 and taught a week long course titled „Freedom with Responsibility" on the meaning of education as part of the AUCA academic orientation week for freshmen in August 2011, Bishkek, Kyrgyzstan.
- Kanykei Kasybekova participated at the round table on "Legal Clinic Education", which was held in October 2011 at the International University of Kyrgyzsstan, Bishkek.
- Kanykei Kasybekova has made presentation with Gulnaz Naamatova on their early stage idea of writing an article on interaction of Intellectual Property and Woman Human Rights: "HPV Vaccine: patent protection and women's health in the Kyrgyz Republic" Throughout the year, they has been regularly discussing the challenges of their idea project with external experts, RS fellows and other international AFP fellows.
- Kanykei Kasybekova participated in the workshop "Writing Effective Research Proposal", which was held in November 16, 2011. This workshop was conducted by faculty members of the Sociology department, AUCA, where they shared their experience on applying for different fundings.
- Kanykei Kasybekova participated at the presentation on "Economic Court of CIS states: establishment and perspectives of its development", which was on

- February 13, 2012. Aziz Dosmanbetov, head of the International Department of Supreme Court of the Kyrgyz Republic, gave presentation in AUCA.
- Kanykei Kasybekova participated in the workshop "Teaching Engaged Reading: Individual & Collaborative Work" conducted on February 22, 2012. The workshop introduced engaged reading activities and was led by Kamila Mateeva.
 - Kanykei Kasybekova participated lecture by US Federal Judge and US Federal Prosecutor on "Problematic aspects of the Criminal Justice system in the US: Patriot Act v. Guantanamo tension", which was held in March 2012 at AUCA.
 - Kanykei Kasybekova is teaching Tax Law, and she participated in the educational courses on "Basics of accounting" and "Taxes, which were held from August till October, 2011. The courses were conducted by Chamber of Tax Consultants, Bishkek, Kyrgyzstan.
 - Kanykei Kasybekova participated in the workshop on Broadband Fundamentals and ICT Policy, which was held in April 17-19, in AUCA.
 - Ainura Abdyrakunova has made a presentation on her research related to legal procedures for the admission of disaster relief goods during the AFP DG meeting held in Istanbul, November, 2011.
 - Ainura Abdyrakunova has taken part in the CEU Curriculum Resource Center workshop on the Departmental curriculum reform in Budapest, Hungary.
 - Ainura Abdyrakunova has participated in the conference titled "Preparing Future Lawyers: The Role of Field Placements" organized by Harvard Law School and Northeastern University Law School in Boston, USA, March, 2012.
 - Ainura Abdyrakunova acted as a coach of the student team for participation in the inter-university competition on civil law, April, 2012
 - Ainura Abdyrakunova participate in a roundtable organized by the UNDP DMR Project on "Legal Bottlenecks of Importing Disaster Relief Goods into the Kyrgyz Republic", Bishkek, June, 2011.
 - Ainura Abdyrakunova has made presentation at the DGM meeting in Spring 2011 on the project of International and Business Law Department on "Integration of Human Rights component into the law curriculum", March, 2012, Budapest, Hungary.
 - Gulnaz Naamatova participated in the training "Health law and Human Rights, Soros Foundation in Kyrgyzstan", November 2011, Issyk-Kul, Kyrgyzstan.
 - Gulnaz Naamatova took part in the training "Medical Law, Institute of Professional Development of Doctors", December 2011, Bishkek, Kyrgyzstan.
 - Gulnaz Naamatova took part in the training on Human Rights organized by Soros Foundation in Kyrgyzstan, April 2012, Issyk-Kul, Kyrgyzstan.
 - Gulnaz Naamatova participated in conference: Youth Reproductive Health, UNFPA, February 2012, Bishkek, Kyrgyzstan.
 - Begaiym Esenkulova is continuing her modular doctoral studies in the Legal Studies Department of the Central European University (CEU). She has passed her doctoral comprehensive examination, receiving the highest grade of "A". Throughout the year she has been consulting with AFP IS and RS, experts on her dissertation. In April of 2012 she successfully presented her doctoral research results as part of CEU Work-in-Progress seminar.
 - Begaiym Esenkulova has made presentations at the DGM meeting in Spring 2011 on the project of International and Business Law Program on "Integration of Human Rights component into the law curriculum" and on "Teaching Legal Research and Writing", March, 2012, Budapest, Hungary.
 - Begaiym Esenkulova participated in the organization of the inter-university round table on "Integration of Human Rights into Law Curriculum" and made a presentation on "AUCA IBL Program Guidelines on Integration of Human Rights into Curriculum" in AUCA. She also made a presentation on "How to Write a Senior Project in Law" to junior students of the AUCA IBL Program together with AFP IS Rick Wilson. December 2011, Bishkek, Kyrgyzstan.

- As part of Ph.D. studies Begaiym Esenkulova has participated in sixteen doctoral seminars and workshops on various fields of law organized by the CEU Legal Studies Department, CEU seminars on human rights and environmental law and a doctoral workshop on writing doctoral dissertations in legal field in Croatia. She also served as a teaching assistant of CEU Professor Tajti's course on public law.
- Begaiym Esenkulova has participated in the online module of the CEU/UNDP Summer School on "Sustainable Human Development: From International Frameworks to Regional Policies" and written a report on "The Legal Aspects of the Environmental Challenges to Sustainable Human Development in the Kyrgyz Republic".
- Begaiym Esenkulova participated in the International conference on "The Anthropology of Law" (organized by the L'viv National University), Ukraine, where she presented her article "On Select Problems of Applicability of Principle of Universal Jurisdiction in International Law" in December of 2011. This article was subsequently published in the L'viv University Law Review.
- Begaiym Esenkulova has participated in an academic workshop on human rights as part of Philosophy of Human Rights project of the Regional Seminar for Excellence in Teaching. She has also participated in the seminar for excellence in teaching on "Teaching Strategies for Critical Thinking and Writing in Academic Courses" organized by the CEU Center for Teaching and Learning in Budapest, Hungary.
- Begaiym Esenkulova has participated in the Language and Thinking Program workshop in Bard College, New York, USA, in July 2011 and taught a week long course titled „Freedom with Responsibility" on the meaning of education as part of the AUCA academic orientation week for freshmen in August 2011, Bishkek, Kyrgyzstan.
- Begaiym Esenkulova has served as a judge during the International moot court competition in the Central European University, Budapest, Hungary.

V. SUGGESTED LIST OF RETURNING SCHOLARS FOR 2012-2013 ACADEMIC YEAR

1. Ainura Abyrakunova, LL.M from World Trade Institute, Switzerland
2. Begaiym Esenkulova, LL.M from Central European University, Hungary
3. Kanykei Kasybekova, LL.M from Central European University, Hungary
4. Saniya Toktogazieva, LL.M from Central European University, Hungary
5. Ayaz Baetov, MPP from National Graduate Institute for Policy Studies, Japan; PhD in Law from Kyrgyz National University, Kyrgyzstan.