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KAZAKHSTAN

SUCCESS STORY

Courts Improve Transparency

Videorecording system improves quality of judicial proceedings



Judge Nurabaev reviews a protocol to render his decision. Photo: Chemonics

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Prior to the introduction of videorecording systems, Kazakhstan’s courts used court secretaries to record court proceedings. The protocol was basically a summary of the process. “The old protocol system used by courts did not reflect every aspect of the hearings,” says judge Nurabaev who works at the Astana City Court that exercises oblast-level jurisdiction. “This is why criminal and civil proceedings were predisposed to complaints.” Case appeals averaged 30 percent countrywide. However, without a complete protocol – essentially a detailed transcript – it was difficult for the courts to dismiss or accept complaints without appearing capricious or arbitrary. Public confidence in the judiciary was low.

To help the courts system improve transparency and public trust, USAID’s Kazakhstan Judicial Assistance Project proposed to introduce an innovative videorecording system that uses multiple video and audio recording devices to capture every aspect of the proceedings. The videorecording system renders a detailed, real-time record of hearings from which a designated court secretary produces a verbatim written protocol (record of hearing). The protocol is then signed by attorneys and prosecutors to attest to the content’s validity and accuracy. Electronic copies of the protocol and video record are stored on the court’s server, and only authorized parties, such as the attorneys for the defendant or the plaintiff, prosecutors, judges, and court secretaries can access the record for review.

Together with the Supreme Court, USAID installed the system in 40 key courts around the country and trained staff to use it. The new system has already significantly reduced the number of procedural complaints by 11 percent, indicating improved trust in the court’s work. Judge Nurabaev believes that the videorecording system also reduces the number of appeals on substantive matters of law.

Judges, attorneys, prosecutors, and parties favor the use of the court videorecording system. “I believe we need to implement these recording programs not as an experiment, but everywhere” said Alexander Tchurankov, deputy prosecutor of Saryarkinskyi rayon in Astana.