

United States Agency for International Development (USAID)



FAIR JUSTICE PROJECT

Kyiv
2015

GOAL AND OBJECTIVES OF THE PROJECT

The United States Agency for International Development (USAID) FAIR Justice Project (FAIR) is working in Ukraine from October 2011 to promote judicial reform. The goal of FAIR is to strengthen the rule of law through enhancing judicial independence, improving transparency and accountability of the judiciary, raising awareness of the public about the judiciary to increase public trust and confidence.

FAIR builds on achievements of the previous USAID Ukraine Rule of Law Project (UROL) which was implemented from 2006 to September 2011 under the Agreement between the Government of the United States of America and the Government of Ukraine.

OUR MISSION

To promote Ukraine's democratic development and economic growth by helping establish a fair, accountable, independent and transparent judiciary.

OUR VISION

We work to form an independent judiciary with strong leadership that is trusted by the Ukrainian public.

OBJECTIVES OF THE FAIR PROJECT ARE TO:

- // assist in harmonizing the national legislative and regulatory framework for the judicial reform with European and international standards of judicial accountability and independence;
- // strengthen the accountability and transparency of key judicial institutions;
- // enhance the professionalism and effectiveness of the judiciary;
- // increase the role of civil society organizations as advocates for and monitors of the judiciary.

PROJECT'S PARTNERS

- // Presidential Administration
- // Verkhovna Rada (Parliament) of Ukraine
- // Supreme Court of Ukraine
- // High Council of Justice of Ukraine
- // High Qualifications Commission of Judges of Ukraine
- // High Administrative Court of Ukraine
- // High Civil and Criminal Court of Ukraine
- // High Commercial Court of Ukraine
- // State Judicial Administration of Ukraine
- // Ministry of Education and Science of Ukraine
- // Ministry of Justice of Ukraine
- // National School of Judges of Ukraine
- // Council of Judges of Ukraine
- // Interim Special Commission for Vetting of Judges of General Jurisdiction Courts

The project actively cooperates with civil society organizations, higher educational institutions, media and international donors that are active in promoting the rule of law in Ukraine.

AREAS OF ACTIVITY



IMPROVING LEGAL FRAMEWORK FOR THE JUDICIARY

- // Ensure expert support to the process of reviewing and improving the Law on the Judiciary and Status of Judges, Law on High Council of Justice and implementation of constitutional reform;
- // Support development and adoption of quality legislative amendments to advance reform and modernization of the judiciary;
- // Engage domestic and international experts in providing unbiased analysis of legislative initiatives to evaluate compliance with international and European standards of independence of the judiciary, bar reform and legal education reform;
- // Help establish social dialogue by supporting, organizing and conducting public events with wide participation of the public, media and experts to discuss judicial and legal reform.



JUDICIAL SELECTION, ETHICS AND DISCIPLINE

- Support quality implementation of legislative provisions regarding introduction of merit-based competitive selection of judicial candidates;
- Provide expert assistance in improving the process of testing and selection of judicial candidates;
- Enhance the capacity of the judiciary to foster compliance with ethical standards by judges;
- Support judicial self-governance bodies in implementing the new version of the Code of Judicial Ethics;
- Support the High Qualifications Commission of Judges of Ukraine in improving internal procedures and judicial discipline practices through applying best practices of the similar foreign institutions and applying European and international standards to the process of handling judicial misconduct complaints; cooperate with the High Council of Justice on improving its internal procedures and practices in line with judicial independence guarantees.



IMPROVING THE PROFESSIONALISM OF JUDGES AND COURT STAFF

- Provide expert support for the institutional development of the National School of Judges of Ukraine;
- Assist the National School of Judges of Ukraine in developing and implementing key curricula for ongoing training of judges and court staff on the issues of ethics, opinion writing, rule of law and human rights, human resources management, communications, etc. both for in-class and distance learning;
- Provide expert support for the process of special initial training of judicial candidates and curricula development;
- Support in building the corps of judges-trainers for the National School of Judges of Ukraine and in developing and publishing training materials and handbooks;
- Cooperate with respective ministries, Ukrainian higher education establishments and other donors in the area of legal education reform.



STRENGTHENING INSTITUTIONAL CAPACITY OF JUDICIAL BODIES

- Provide expert support to the Council of Judges of Ukraine and State Judicial Administration of Ukraine in developing and practical implementation of a standardized court performance evaluation framework;
- Support the process of implementing a long-term strategic plan for the judiciary;
- Promote improvement of court administration;
- Promote implementation of communication strategy for the judiciary;
- Provide expert support to developing and promoting legislative changes to bring budget processes of the judiciary in compliance with the principles of separation of powers and independence of the judiciary;
- Provide expert and financial support to court automation processes with Ukrainian judicial institutions.



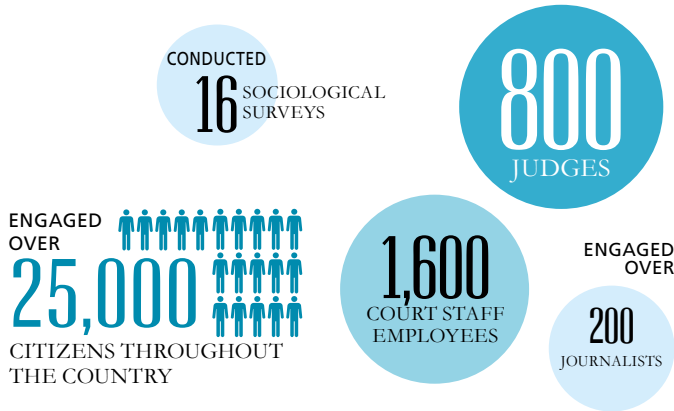
CIVIL SOCIETY ENGAGEMENT IN JUDICIAL REFORM

- Encourage and support civil society organizations in building a dialogue with the Government and Parliament regarding judicial reform issues;
- Support engagement of the public in promoting the innovations and achievements in judicial reform through civic education programs;
- Support civil society organizations in the processes of independent monitoring of performance of judicial institutions as well as the quality and pace of judicial reform.

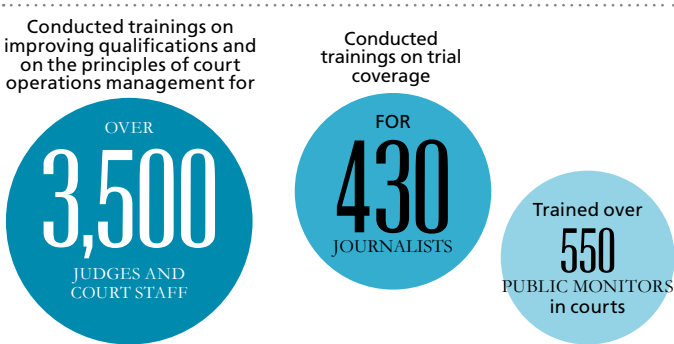
ACHIEVEMENTS AND INITIATIVES

From 2006 to 2014, the USAID Ukraine Rule of Law Project and its successor the USAID FAIR Justice Project achieved the following results:

MONITORING OF THE QUALITY OF COURT PERFORMANCE AND IMPLEMENTATION OF JUDICIAL REFORM



PUBLIC DISCUSSIONS ON CHALLENGES FACING THE JUDICIARY AND JUDICIAL REFORM ISSUES



SUPPORTED

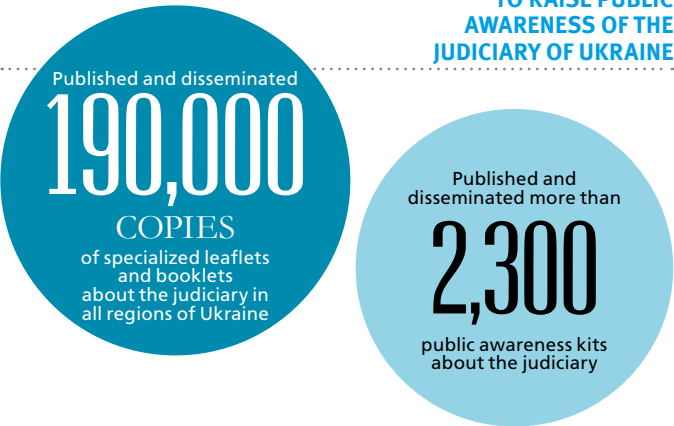


ACTIVITIES ENHANCING TRANSPARENCY AND ACCOUNTABILITY OF THE JUDICIARY

Supported the conduction of three national anonymous judicial tests, which were taken by over



CIVIC EDUCATION ACTIVITIES TO RAISE PUBLIC AWARENESS OF THE JUDICIARY OF UKRAINE



*"The **USAID FAIR Justice Project** is working very fruitfully in Ukraine and assists the Council of Judges in strengthening the judiciary and independence in administering justice. This seminar is conducted with the project's assistance, the event agenda includes in fact all areas of the Council of Judges activity. This will allow to determine priorities in our work and the sequence of addressing them."*

Valentyna Simonenko

Chair of the Council of Judges of Ukraine,
Justice of the Supreme Court of Ukraine

From her speech at "Strengthening Judicial Self-Governance in Ukraine"
workshop for newly elected members of the Council of Judges of Ukraine
(Kyiv, September 3-4, 2014)

*"I am extremely grateful to the **USAID FAIR Justice Project** for the priceless knowledge we had received during the two weeks of the program. Just thanks to my participation in such a program I felt that I can achieve positive changes both in terms of improved professionalism and self-fulfilment. My capstone was devoted to professional development programs for court staff resulting in improved quality of services and better access to justice. Jointly with my proactive colleagues I am implementing this program and I hope that by now our court visitors are feeling already the first results."*

Olga Pasichnyk

Chief of Staff of the Odesa Circuit Administrative Court, graduate
of the first round of the Court Administration Certificate Program

*"Today we live by a new Law «On Higher Education» recently adopted by the Verkhovna Rada of Ukraine. Therefore, we aspire to open a new page in the University development, which requires proper evaluation and adequate reflection. I thank the law school dean and the group of experts for long term and intensive efforts in implementing the pilot external independent assessment of the quality of legal education. Special thanks to the **USAID FAIR Justice Project** which supported the pilot to assess for the first time in Ukraine, first ever at the University the state of affairs and construct a vision of the further development. I am deeply convinced that such practice should be continued. This will impact both the quality of training process and European status of the education development at the Lviv University. We shall strive to continue our cooperation with the Project given its enormous positive experience."*

Volodymyr Melnyk

Rector of the Lviv National University named after Ivan Franko,
Doctor of Philosophy

From his speech at the presentation of the results of the first ever in Ukraine
pilot project in external independent assessment of the quality of legal
education at the University Law School (Lviv, July 3, 2014)

USAID FAIR JUSTICE PROJECT

36, Ivana Franka St., 3rd floor, Kyiv, 01030, Ukraine

Tel./fax: +380 44 581 3303

office@fair.org.ua

www.fair.org.ua