

September 22 to October 7, 2015**Biweekly Newsletter****Legislative and Other Rule of Law News*****The Constitutional Commission Continues Public Discussions of the Amendments to the Constitution in the Justice Sector***

On October 5, 2015, the Constitutional Commission in cooperation with the USAID FAIR Justice Project (FAIR) conducted [a public discussion of the approved by the Constitutional Commission on September 4, 2015 draft amendments to the Constitution in the justice sector](#) in Kharkiv. Among the participants of the event were students, legal scholars, and members of the judiciary working group of the Constitutional Commission, judges, experts and civil society activists. During the event, the members of the judiciary working group presented the summary of amendments regarding the increase of the judicial independence by cancelling the initial five-year appointment and introducing the life time appointment for judges, limiting the judicial immunity to the functional one, reconsidering the new scope of authority for High Council of Justice, etc. The presentation was followed by discussion on the most controversial issues of the amendments, i.e. the scope of the judicial immunity, propositions of the renewal of the judicial corps, role of the President in the judicial career. The series of public discussions will also include similar events in Odesa on October 7 and Lviv on October 12.

The 13th Congress of Judges of Ukraine to Take Place in November

On November 12 and 13, 2015, based on the [decision of the Council of Judges of Ukraine \(COJ\)](#), will take place the 13th Congress of Judges of Ukraine. It is expected, that the Congress will appoint new members of the COJ, as well as consider a number of issues related to judicial independence and self-governance. Venue: Zhovtnevyi Palace, 1 Instytutska Str., Kyiv.

FAIR Updates***State Judicial Administration, Council of Judges of Ukraine and FAIR Presented New Electronic Services for Court Users in Odesa***

On September 22, 2015, FAIR, in partnership with the State Judicial Administration (SJA) and the Council of Judges (COJ) presented the E-court and electronic kiosks with pay terminals pilot projects aimed at improving judicial services for citizens. SJA Chair Zenovii Kholodniuk, Deputy Minister of Justice Gia Getsadze and FAIR Chief of Party David Vaughn participated in this presentation. Creating fully electronic (paperless) courts under the E-court project will allow courts to convert any documents into electronic format, attach them to electronic case files, and later use only these electronic versions for all internal document processes. This will ensure prompt exchange of the documents between courts and parties, expedite case proceedings and information exchange. To pilot this initiative, FAIR purchased computer equipment for the Kyivskiy District Court of Odesa City and Ovidiopol Raion Court of Odesa Oblast that will allow for the conversion of court documents into digital format, reducing workload and costs. Electronic kiosks with pay terminals were purchased by FAIR and installed in 42 courts of Kiev, Odesa, Lviv, Dnipropetrovsk and Kharkiv oblasts. They will make it easier for court users to pay court fees and access court information as well as enhance the ability of the SJA and courts to monitor payment of court fees ensuring better administration of court funds. The SJA will use information from this pilot program to determine the feasibility of installing similar hardware in all courts in Ukraine. FAIR also provided various public education and outreach materials to be placed on the terminal for public information purposes.



Demonstration of the electronic kiosk with pay terminal in the Kyivskiy District Court of Odesa City on September 22, 2015.

Ministry of Justice Leaders are Developing Modern Management Skills

From September 24 to 26, 2015, 72 newly-appointed heads and deputy heads of Ministry of Justice (MOJ) regional departments and managers at the MOJ's State Enforcement Agency participated in the first phase of the skills-based professional development training program conducted in Odesa. The program was designed and implemented with FAIR support by the Ernst and Young Academy of Business competitively selected by the MOJ and FAIR to train modern human resource and effective management skills. Minister of Justice of Ukraine Pavlo Petrenko, Deputy Minister of Justice Gia Getsadze and FAIR Chief of Party David Vaughn opened the event. During the first phase, new MOJ leaders learned modern approaches to effective teamwork and human resource management. The second phase of the training will be conducted in Kyiv in October and will be focused on effective communications and strategic management. More information can be found at: <https://minjust.gov.ua/ua/news/47644>.



New MOJ leaders – participants of the skills-based professional development training program conducted on September 24-26, 2015 in Odesa.

Judicial Administration Certificate Program for Chief Judges Piloted in Ukraine



Participants of the Judicial Administration Certificate Program during the session “Leading through Technology: Managing Electronic Information and Social Media” on October 1, 2015.

From September 29 to October 1, 2015, FAIR in cooperation with Michigan State University (MSU), State Judicial Administration and National School of Judges conducted a Judicial Administration Certificate Program for 40 chief judges from throughout Ukraine entitled “Thinking Anew: Chief Judges Creating the Future of the Ukrainian Judiciary”. The program focused on issues related to court leadership, management and communications, including developing the court executive team, managing people for outstanding performance, managing electronic information and social media, and action planning. Faculty included MSU instructors together with chief judges from the US and Canada who shared their practical experience with their Ukrainian counterparts.

FAIR Experts Participated in Lviv Mediation Forum

On October 1 and 2, 2015, FAIR supported conduction of the [Lviv Mediation Forum](#), co-organized by the FAIR grantee National Association of Mediators of Ukraine. This event gathered about 100 mediators and experts from all over Ukraine to discuss the current status of the mediation and the prospects of its implementation in Ukraine. During the forum, FAIR expert, Presidents of the European Centre For Dispute Resolution (ECDR), Ales Zalar (Slovenia) presented to the participants his experience in court-related mediation implementation in the European Union countries and contributed to the discussion of the controversial provisions of the draft laws on mediation.



FAIR experts Ales Zalar and Iryna Zaretska at the Lviv Mediation Forum on October 1 and 2, 2015.

High Administrative Court Conducted an International Conference on Human Rights and Administrative Justice in Ukraine

On October 1-2, 2015, FAIR jointly with the Organization for Security and Co-operation in Europe (OSCE) and German Fund for International Legal Co-operation supported the High Administrative Court (HAC) in conducting an [international conference on human rights and administrative justice in Ukraine](#), covering fair trial standards, access to public information, peaceful assembly and related case-law of the European Court of Human Rights. The conference included administrative court judges, academics and representatives of civil society, who identified ways to improve administrative justice in Ukraine in line with European standards.

Public Awareness Campaign on Ministry of Justice Online Services Launched



On October 6, 2015, the Ministry of Justice (MOJ), FAIR and Center for Ukrainian Reform Education (CURE) announced the launch of the nationwide public awareness campaign [“Electronic Governance Simplifies Communication”](#) on administrative services provided by the MOJ and conducted [a press conference](#). Speakers at the event were Deputy Minister of Justice Gia Getsadze, USAID Deputy Mission Director John Pennell, FAIR Chief of Party David Vaughn and President of

the CURE Iryna Movchan. Aim of the campaign is to help citizens effectively use [the new MOJ online services](#). This activity will bolster public awareness about government efforts to respond to public demand for improved administrative services, including electronic registries that provide online access to services limiting opportunities for corruption. “Many Ukrainians remain discouraged about the reform process at least in part because they have not heard or do not understand what reforms have gone forward or what their effect will be. Others simply have not felt the benefits of the reforms. It is in the interest of the Government of Ukraine to more effectively communicate the reform successes it has achieved, - emphasized USAID Deputy Mission Director John Pennell. - I would like to thank the Ministry of Justice and the Center for Ukrainian Reform Education for their partnership in this innovative initiative.”

FAIR Conducted the Rule of Law Donors and Implementers Meeting

On October 7, 2015, FAIR conducted a monthly Rule of Law Donors and Implementers Meeting. The agenda of the meeting included the presentations of Frank Van Luijk, Director of the Consulting Company “LTP Business Psychologists” (the Netherlands), who shared experience of the Netherlands in standardizing procedures for judicial selection including psychological testing of judicial candidates; and Ondrej Vosatka, Coordination and Cooperation Officer of the European Union Advisory Mission (EUAM) and Ketevan Tskhomelidze, Project Manager, the Council of Europe Project “Continued support to criminal justice reform in Ukraine”, who introduced the participants to the Thematic Working Group Law Enforcement (EUAM-led) and the Sub Group Prosecution (COE-led). Such meetings provide an opportunity to coordinate efforts, exchange information about upcoming and planned donor activities to avoid duplication of effort and leverage resources.

Upcoming Events

The High Council of Justice will conduct a workshop “The High Council of Justice of Ukraine: Results, Experience, Challenges and Solutions for Ukraine”

On October 8 and 9, 2015, the High Council of Justice (HCJ) with support of FAIR, Council of Europe (COE) Project “Strengthening the System of Judicial Accountability in Ukraine”, European Union (EU) Project “Support to Justice Sector Reforms in Ukraine” and Joint EU and COE Project “Consolidation of Justice Sector Policy Development in Ukraine” will conduct a workshop “The High Council of Justice of Ukraine: Results, Experience, Challenges and Solutions for Ukraine.” The workshop aims at discussing the status and authorities of the HCJ with respect to the ongoing judicial and constitutional reform process, introducing newly-appointed members of the HCJ to international and European standards for judicial selection and discipline, identifying the ways to optimize the operations of the HCJ, and preparing recommendations for the further HCJ’s institutional development.

Regional Trainings on “Court and Community Communications” in Lviv, Kharkiv and Odesa

In October, FAIR will conduct a series of one-day regional trainings for judges-speakers and public information officers (PIOs) in courts on “Court and Community Communications” in Lviv (on October 12), Kharkiv (on October 14) and Odesa (on October 16). The purpose of these trainings is to share the United States and Ukraine best practices and lessons learned in building effective court communication with the public, enhance the communications skills of judges and of PIOs. Along with national specialists on court

communication the training will be conducted by international experts David Remondini, Chief Deputy Executive Director, Division of State Court Administration, Indiana Supreme Court, USA, and Leah Guowitz, Director of Governmental & Public Relations, D.C. Courts, USA. All the trainings will be preceded by discussions with representatives of local media on the ways of establishing a dialog and constructive cooperation between courts and the media.

Delegation from the Supreme Court of Ukraine will Participate in the Conference of Chief Justices of Central & Eastern Europe in Croatia

From October 11 to 14, 2015, FAIR will support a delegation from the Supreme Court of Ukraine to attend the Conference of Chief Justices of Central & Eastern Europe in Brijuni, Croatia. The conference will bring together chief justices and leading jurists from Central and Eastern Europe to discuss the challenges they face in building effective judiciaries consistent with the rule of law. The Conference offers a unique opportunity for justices from seventeen countries across the region to conduct candid, off-the-record discussions on a range of topics , including recent developments in judicial reform, aspects of court delay and the role of chief justices in delay reduction, enhancing court efficiency, alternative dispute resolution, and courts and the media. While participating at the Conference, the Supreme Court delegation will share the Ukrainian experience in building an independent, accountable, and fair judiciary, including FAIR's experience in designing and implementing judicial reforms in the country.

Seminar for Administrative and Local Courts Judges on Implementing the New Law on Local Elections

On October 13, 2015, FAIR in cooperation with the European Union (EU) and Council of Europe (COE) Project "Consolidation of Justice Sector Policy Development in Ukraine" and COE Project "Reform of the Electoral Practice in Ukraine" will support the High Administrative Court of Ukraine and the National School of Judges of Ukraine in conducting in Kyiv a seminar for administrative and local courts judges from Kyiv, Chernigiv and Cherkasy regions on implementing the new Law of Ukraine on Local Elections.

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