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April – June 2017

## USAID New Justice Program Newsletter

### Legislative and Other Rule of Law News

#### ***High Qualifications Commission of Judges Continues Selection of Supreme Court Judicial Candidates***

The High Qualifications Commission of Judges (HQC) continues to conduct the second stage of the selection of Supreme Court judicial candidates. In April and May 2017, the HQC conducted psychological testing and interviews on the results of the study of candidates' dossiers with 381 judicial candidates including 108 candidates to the Criminal Cassation Court, 111 to the Civil Cassation Court, 88 to the Commercial Cassation Court, and 74 to the Administrative Cassation Court. The Public Integrity Council (PIC) developed and submitted for HQC's consideration [negative opinions](#) on 141 candidates. This information was considered by the HQC while interviewing the candidates. Before conducting the interviews, the HQC members were trained in interviewing technics in the process of judicial selection with support of the USAID New Justice Program. As a result of interview process, which included also the HQC's plenary meetings conducted in June and July, 2017, 62 candidates were removed by the HQC from further participation in the competition. The HQC did not confirm the ability of 53 candidates to administer justice in relevant courts (51 out of 53 candidates received PIC's negative opinions) and 9 candidates withdrew from the competition (8 with PIC's negative opinions). By August 1, 2017, the HQC is going to publicize the rating list of the candidates for further High Council of Justice consideration. The interviews and plenary meetings were also broadcast live on [the official HQC's YouTube channel](#).

#### ***Selection of Local Courts Judicial Candidates Started***

On April 3, 2017, the High Qualifications Commission of Judges (HQC) announced [a competition to fill 600 vacant positions of local courts judges](#). By April 16, 2017, 8,970 interested persons notified the HQC of their intention to participate in the competition by filling in a special e-form on the HQC's website, and only 5,336 lawyers submitted relevant applications and documents. By September 15, 2017, the HQC will review the documents to decide on their admissibility (whether the person meets requirements set by the law to the candidates of local courts judges). According to the preliminary HQC timetable the admission exam will start on September 27, 2017. Upon passing the admission exam the candidates will complete the initial training in the four regional branches of the National School of Judges (NSJ) in Kyiv, Kharkiv, Lviv, and Odesa. As part of the NSJ's initial training program, the candidates will complete Judicial Opinion Writing Courses, which were developed, piloted and on which the training of trainers was conducted with the support of the USAID New Justice Program jointly with the OSCE Project Coordinator in Ukraine.

#### ***Amendments on Judges' Mandatory Specialization in Corruption and Other Related Offences Registered in Verkhovna Rada***

On May 31, 2017, [the draft Law on Amending the Law on the Judiciary and Status of Judges](#) (regarding the introduction of the mandatory specialization of judges in corruption and other related offences) was registered in the Verkhovna Rada (No. 6529). The author of the draft is Serhii Alieksiev (Petro Poroshenko Block), who is a member of the Constitutional Commission and Judicial Reform Council. The draft proposes to amend the Law on the Judiciary and Status of Judges to introduce judges' mandatory specialization in corruption and other related offences. The specialization should be introduced in local and appellate courts. As far as the Supreme Court is concerned, the draft law proposes to create a specialized chamber within the Cassation Criminal Court. Accordingly, the draft law proposes to exclude

all provisions regarding the High Anti-Corruption Court from the Law on the Judiciary and Status of Judges. On June 6, 2017, the Verkhovna Rada failed to include the draft into the agenda.

### ***Amendments to Procedural Codes Adopted in the First Reading in Parliament***

On June 20, 2017, [the draft Law on Amending Commercial Procedural Code, Civil Procedural Code, Code on Administrative Adjudication and other legislative acts](#) (No. 6232) was adopted at its first reading. The draft law was elaborated by the Judicial Reform Council and submitted to the Parliament by President Petro Poroshenko on March 23, 2017. It proposes to amend the current procedural framework in order to ensure the proper functioning of the new Supreme Court and improve an access to justice for citizens. Now the draft is being prepared for the adopting at its second reading.

## **New Justice Program Updates**

### ***Representatives of Ukrainian Judiciary Studied Using Hybrid Approaches in Justice Sector of Bosnia and Herzegovina***

On April 2-9, 2017, the USAID New Justice Program, jointly with the USAID Participant Training Program, supported “Using Hybrid Approaches to Promote Accountability and Access to Justice” study visit to Sarajevo (Bosnia and Herzegovina). The Ukrainian delegation, which included judges, representatives of the Parliament, Prosecutor General Office, NGOs and defense lawyers, met with local experts and officials to explore lessons learned and best practices regarding the establishment and functioning of the hybrid courts and their legacy in the national justice system that can be applied in Ukraine. The delegation visited the Court of Bosnia and Herzegovina, Prosecutor’s Office, High Judicial and Prosecutorial Council, Constitutional Court, Office of High Representative, the International Criminal Tribunal for the Former Yugoslavia Sarajevo Field Office, and Ministry of Justice.

### ***USAID New Justice Program Conducted Study Visit to Learn Experience of Implementing E-Justice Tools in Judicial System of Moldova***

On April 3-7, 2017, the USAID New Justice Program supported participation of the High Council of Justice (HCJ) members and State Judicial Administration technical staff in “Experience of Implementing e-Justice Tools in the Judicial System of Moldova” study visit. The Ukrainian delegation visited the Supreme Council of Magistracy of Moldova (SCM), several courts of trial and appellate level, the Office of the Prosecutor General, the Ministry of Justice, and the state enterprise responsible for providing IT



HCJ Chair Ihor Benedysiuk signing Cooperation Agreement with Victor Micu, SCM President, on April 6, 2017 in Chisinau, Moldova. PHOTO: USAID New Justice Program

services to the judiciary. The participants learned the experience of Moldova in implementing e-solutions in the work of its judiciary including electronic case management, performance management, statistical reporting, remote access to case files and communications as well as the integration of these systems with the registries of the prosecution and the Ministry of Justice. In addition, they discussed issues related to the establishment and functioning of the Supreme Council of Magistracy of Moldova, the equivalent of the HCJ. In addition, the HCJ Chair Ihor Benedysiuk and Victor Micu, Supreme Council of Magistracy (SCM) President signed the international Cooperation Agreement in order to deepen cooperation between these two institutions.

### ***Training of Trainers in Criminal Proceedings Regarding Juveniles Conducted***

On April 5-7, 2017, the USAID New Justice Program supported the National School of Judges (NSJ) with conducting a training of trainers in the new training course, “Criminal Proceedings Regarding Juveniles”.

It is expected that the NSJ will implement it nationwide starting September 2017. The program of the training was based on a curriculum developed by the Canadian funded Ukraine Juvenile Justice Reform Project.

### **USAID New Justice Program Supports Ukrainian Catholic University Rule of Law Center with Conducting Rule of Law Public Lectures**

The USAID New Justice Program continued to support the Ukrainian Catholic University (UCU) Rule of Law Center in conducting the rule of law lectures in Lviv and Kyiv. On April 13, 2017, Ms. Cindy Wittke, Senior research fellow and lecturer at the Department of Politics and Public Administration of the University of Konstanz (Germany), delivered her presentation titled ["The Role of the Legal Profession's](#)

#### [Institutions, Standards and Honor Codes in Strengthening Rule of Law: An international perspective"](#).

Using global law firms' practices of pro bono representations for clients in peace and constitution building settings, Ms. Wittke discussed the effectiveness of legal profession's domestic honor codes in providing services in post-conflict settings with weak local legal profession institutions and demand of creation transnational code of conduct for



lawyers for providing legal services in such fragile settings. On April 28, 2017, Prof. Charles Szymanski, Vice-Dean for International Relations at the Vytautas Magnus University School of Law (Lithuania), delivered his presentation titled ["Privatizing the Rule of Law: Role of Arbitration and Mediation in Increasing Access to Justice"](#). Based on his international expertise, Prof. Szymanski discussed the effectiveness and ethical aspects of the alternative dispute resolution in enhancing the rule of law from perspective of the US and European Union comparison. On May 26, 2017, Ms. Reiko Callner, Executive Director of the Washington State Commission on Judicial Conduct (the United States), delivered her presentation titled ["Preservation of Integrity and Independence in Judiciary"](#) in UCU Kyiv Center. Drawing on the Bangalore Principles as well as regulations and practices of the Washington State Commission on Judicial Conduct, Ms. Callner elaborated on the principles and methods of preserving integrity and independence of the judiciary. These events were intended to contribute to improving legal education quality, displaying modern methods of teaching, and raising public awareness of crosscutting rule of law and integrity issues.

### **USAID New Justice Program Conducted Workshop on International Standards for Combatting Corruption**

On April 13-14, 2017, the USAID New Justice Program conducted a workshop on international standards of combatting corruption for law professors and students from leading Ukrainian and American law schools, representatives of Ukrainian anti-corruption authorities and civil society organizations. This workshop built on the international online course on anti-corruption piloted at two Ukrainian law schools in 2016 and four law schools in 2017 jointly with the Washington & Lee School of Law (Lexington, Virginia, the United States). The Yuri Fedkovych Chernivtsi Law School, the Yaroslav Mudryi Law University, the National University Odesa Law Academy, and the Ukrainian Catholic University School of Law cooperate on the international anti-corruption online course with Prof. Thomas Speedy Rice, Washington and Lee University School of Law. During the workshop, the participants discussed current issues and trends in the field of anti-corruption activities in Ukraine and the United States; developed and presented the concepts of community anti-corruption service projects to be implemented as part of students' course work. This event served also as a forum for identifying opportunities for law schools, government, civil society, and business organizations to work together in combating corruption.

### ***High Council of Justice Members Learned Experience of Italian High Council for Judiciary***

On April 18-23, 2017, the USAID New Justice Program supported participation of the High Council of Justice (HCJ) members and staff in a study visit to the High Council for the Judiciary in Italy – Consiglio Superiore della Magistratura (CSM). During the visit, the participants of the Ukrainian delegation learned the CSM status and activities with a particular focus on strategic planning, organizational structure, internal procedures, organization of case-management, procedures of judicial selection and discipline, as well as the CSM's role in protecting judicial independence and providing opinions regarding the draft laws affecting the judiciary. As a result, the participants identified best practices, lessons learned, and experience of the CSM that might be applicable in Ukraine. In particular, the HCJ is going to organize its internal structure through functioning of the commissions or committees with the competencies related to the HCJ powers, and to cooperate with the Council of Judges to consider the possibility of setting up regional councils of judges and ensuring their effective cooperation and communication with the HCJ.

### ***USAID New Justice Program Conducted First Meeting of Stakeholder Advisory Group***

On April 21, 2017, the USAID New Justice Program (New Justice) conducted the first meeting of its Stakeholder Advisory Group (SAG). The SAG's role is to define and review the high-level outcome indicators based on the application of international tools for justice sector development and to suggest ways for further programming through review of the New Justice monitoring and evaluation data to develop roadmaps for New Justice and its Ukrainian beneficiaries. New Justice will conduct SAG meetings every sixth month. At its first meeting, New Justice presented the European Network of Councils for Judiciary (ENCJ) indicators for judicial independence and accountability and European Commission for the Efficiency of Justice Check-List for Promoting the Quality of Justice and the Courts to the SAG members. The SAG included more than fifty representatives of the Ministry of Justice, State Judicial Administration, Council of Judges (COJ), National School of Judges, High Council of Justice (HCJ), judges, international donor programs and projects as well as civil society organizations that actively participate in justice sector reform. As a result, New Justice collected the baseline data for indicators related to ENCJ judicial independence and accountability indicators and started the process of collecting data on European Commission for the Efficiency of Justice Check-List for Promoting the Quality of Justice. The HCJ and COJ confirmed their full support and active participation in the ENCJ judicial independence and accountability indicators implementation process in Ukraine and judicial development plan taking into consideration the actual status of these indicators. Besides, the SAG members provided their recommendations for the implementation of comprehensive national surveys of Ukrainian citizens, judges, court staff and advocates on justice sector reform implementation progress, trust in the judiciary and other branches of government, judicial independence and accountability, perception of corruption and readiness to combat it.

### ***Association of Legal Clinics of Ukraine Updated Strategic Plan for Legal Clinics***

On May 11-13, 2017, the USAID New Justice Program (New Justice), jointly with the Ukrainian Legal Aid Foundation and the OSCE Project Coordinator in Ukraine, supported the Association of Legal Clinics of Ukraine (ALCU) and Oles Honchar Dnipro National University with conducting a session on “Developing a Strategic Plan and System for Monitoring Legal Clinics” in the framework of “Legal Awareness Activities of Legal Clinics” all-Ukrainian conference. During the session, the New Justice legal clinical education expert Leah Wortham (the United States) presented the results of the assessment of the draft Strategic Plan for Legal Clinics and Standards for Monitoring Legal Clinics in Ukraine. Members of the ALCU's board, legal clinics supervisors from all over Ukraine, and law professors discussed the draft strategic plan developed in 2016 and amended it based on the



Participants working on developing indicators for legal clinics monitoring during the workshop on May 12, 2017 in Dnipro. PHOTO: USAID New Justice Program

new challenges the legal clinical movement is facing. In addition, participants to the session were familiarized with the [Methodology for Independent On-site Legal Education Quality Assessment](#) developed by the USAID FAIR Justice Project and New Justice and, based on that methodology, drafted a document on legal clinics monitoring. As a result of the event, the ALCU updated its strategic plan and developed a draft methodology on legal clinics monitoring. ALCU will use it jointly with the Ministry of Education and Science to ensure adherence to the Standards of Legal Clinics Operation.

### ***High Council of Justice Members Visited Portuguese High Council of Judiciary***



Ukrainian delegation is learning about the electronic court in the District Court of Sintra during the study visit to Portugal on May 18, 2017 in Sintra, Portugal. PHOTO: USAID New Justice Program

On May 16-20, 2017, the USAID New Justice Program conducted a study visit to Portuguese High Council of the Judiciary (Conselho Superior da Magistratura – CSM) in Lisbon (Portugal) for the High Council of Justice (HCJ) members and a HCJ Secretariat representative. The study visit focused on learning the experience and activities of the CSM including CSM's status and activities with specific focus on strategic planning, organizational structure, internal procedures, organization of case management, judicial disciplinary procedure, and the CSM's role in protecting judicial independence and providing opinions regarding laws affecting the judiciary. The participants visited also the Sintra Circuit Court where the Head of the Court and its

judges shared their experience and benefits gained from Electronic Filing of Court Documents Project implemented in the Sintra Circuit Court. In addition, the Ukrainian delegation held a meeting with the leadership and judges of the Supreme Court of Justice to learn about the organization structure of the Court, Court, and panels, internal procedures on court operations. As a result of the study visit, the Ukrainian delegation learned the Portuguese experience in organizing the work of CSM including its strategic planning as well the electronic court model that could be applied in Ukraine. Based on the results of the study visit, the HCJ members developed an action plan for further implementation in Ukraine.

### ***Disciplinary Liability of Judges Workshop Conducted***

On May 25, 2017, the USAID New Justice Program (New Justice) organized “Disciplinary Liability of Judges in Ukraine” workshop for members of the High Council of Justice (HCJ) and representatives of the HCJ Secretariat. The New Justice international experts Reiko Callner (the United States), Judge Jose Manuel Cardoso (Portugal), Richard Hyde (the United States), and Tilman Hoppe (Germany) familiarized the audience with the international and European standards and good practices of judicial discipline and managing the conflicts of interest arising in judicial area. During the workshop, the participants discussed current challenges and problematic aspects of conducting preliminary screening of disciplinary complaints, preparation for consideration and adjudication of the disciplinary cases against judges. As a result, the participants will develop the recommendations on improving the HCJ disciplinary practice with allowance for international and European experience.

### ***USAID New Justice Program Conducted Roundtable Discussion on Managing Conflict of Interest in Justice Sector***

On May 26, 2017, the USAID New Justice program (New Justice) conducted a roundtable discussion “Managing Conflict of Interest in the Justice Sector”. Dr. Tilman Hoppe, the New Justice anti-corruption expert (Germany), presented the Draft Report “Managing Conflict of Interest in the Ukrainian Judiciary” which was based on the comprehensive analysis of the Ukrainian subject related legislation.

During the event, the leadership and members of the Council of Judges, authorized personnel of the State Judicial Administration, members and authorized personnel of the High Qualifications Commission of Judges, representatives of the National School of Judges, and judges discussed existing gaps and problem zones in Ukrainian legislation governing conflict of interest in judiciary. The invited New Justice experts from the United States and Portugal shared international experience, best practices, and lessons learned in managing conflict of interest within judiciary, between judiciary and other branches of power. As a result, the participants identified further common steps and developed recommendations on improving the legal framework governing the topic and authored institutions capacity to monitor conflict of interest, provide timely guidelines on conflict of interest and sanctioning on it.



New Justice experts Reiko Callner (the United States) and Dr. Tilman Hoppe (Germany) during the roundtable discussion on managing conflict of interest in justice sector on May 26, 2017 in Kyiv. PHOTO: USAID New Justice Program

### ***Assessment Report on Legal Education Quality in Odesa Law Academy School of Advocacy Presented***

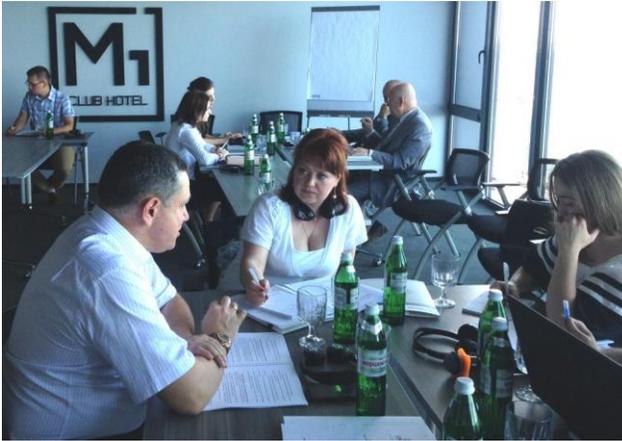
On May 29, 2017, the USAID New Justice Program (New Justice) presented the Assessment Report with recommendations following the independent, external, on-site assessment of legal education quality in Odesa Law Academy School of Advocacy. During the event, New Justice's team of international and local experts as well as leadership of the Ministry of Education and Science, Ministry of Justice, State Inspection of Educational Institutions, National Agency for Higher Education Quality Assurance, and School of Advocacy's stakeholders, including administrators and leadership, faculty, students, alumni, and legal employers, discussed the assessment findings and specific recommendations for improving legal education quality in the School of Advocacy, in Odesa Law Academy, and in Ukraine in general.

### ***USAID New Justice Program Assesses E-Justice Tools Implementation in Pilot Courts in Odesa Region***

On May 29-31, 2017, the USAID New Justice Program (New Justice) conducted an expert evaluation of three pilot courts in Odesa region, namely Odesa Oblast Court of Appeals, Kyivskyi District Court of the City of Odesa and Ovidiopolskyi Raion Court of Odesa Oblast, regarding the implementation of the e-justice tools, that is supported by New Justice. The expert evaluation focused on e-justice systems' accessibility to citizens, including vulnerable groups; their efficiency and effectiveness in administration of justice and their usefulness to court users. During the meetings, the leadership of the pilot courts shared the results of their pilot activities, including the associated cost, resources, time efficiency, and improvements in delivering justice to the citizens. Another outcome of the assessment also is recommendations to improve the e-court software, update the case management regulations and raise public awareness on opportunities of e-justice usage.

### ***Training in Methodology for Independent, External Assessment of Legal Education Quality Conducted***

On May 30-31, 2017, the USAID New Justice Program conducted training in the nature, scope, and application of the European Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) and the ESG-based [Methodology for Independent, External, On-Site Assessment of Legal Education Quality](#) (Methodology).



Training participants during breakout sessions on using the Methodology for the purposes of internal assessments of legal education quality on May 31, 2017 in Odesa. PHOTO: USAID New Justice Program

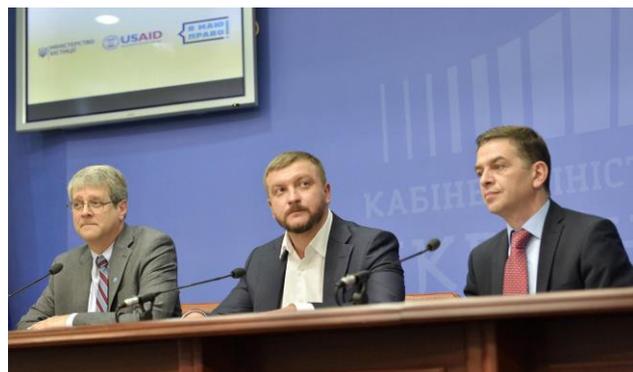
Eighteen representatives of the Ministry of Education and Science, State Inspection of Educational Institutions, National Agency for Higher Education Quality Assurance as well as administrators and faculty representing nine leading Ukrainian law schools participated in the training. The participants discussed the concept and methodologies of education quality assessments as well as relevant international best practices of law school assessments. As a result, the participants learned how to use the Methodology for designing and implementing both external and internal assessments as a basis for developing internal systems of legal education assurance.

***Chief Justice Romaniuk Participated in the VII Conference of Chief Justices of Central and Eastern Europe***

On June 4-7, 2017, the USAID New Justice Program supported the participation of the Chief Justice of the Supreme Court of Ukraine Yaroslav Romaniuk in the VII Conference of Chief Justices of Central and Eastern Europe, organized by CEELI Institute this year in Budapest (Hungary). The Conference brought together chief justices and leading experts from Central and Eastern Europe states to discuss the challenges they face in building effective judiciary. The conference agenda addressed the issue of the chief justices' role and responsibility in improving the trial lawyers effectiveness as well as legal profession in general in order to make an effective court system to protect the rule of law. With better training in how lawyers should perform in court, the court system functions better, clients are served better, and judge's work is made easier. While in Budapest, participants discussed judicial decisional, institutional and individual independence; funding of the judiciary; access to justice, innovations in court reforms, case flow management, and strategic planning for courts. The Ukrainian delegation learned also international experience on the new approach to case load distribution among judges of the appeal instance courts based on the complexity of the cases and the fact of litigants legal or self-representation.

***Minister of Justice Pavlo Petrenko and USAID Acting Administrator Wade Warren Launched MOJ's National Information Campaign I HAVE A RIGHT!***

On June 7, 2017, Minister of Justice Pavlo Petrenko announced a launch of the national information campaign I HAVE A RIGHT! being implemented by the Ministry of Justice (MOJ) with the USAID New Justice Program support "Our aim is to create a new legal culture in society that will ensure the sustainable development of Ukraine as a modern legal democratic state. The strategic goal of the long-term national program I HAVE A RIGHT! is to raise Ukrainians' awareness of human rights and to develop their ability to protect their rights in various spheres of life," stated Minister Petrenko. USAID Acting Administrator Wade Warren said that when people are informed about reforms, when they understand the benefits of reforms, and when they see the Government fulfilling its obligation to protect human rights, then citizens' confidence in the government and the justice system writ large is restored. "In that regard, I hope the I HAVE A RIGHT! campaign serves as a model for how to best communicate reforms and empower citizens to hold government accountable." Individual rights for in the sphere of access to justice, protection of ownership rights, development of skills needed to counteract corruption at



USAID Acting Administrator Wade Warren, Minister of Justice Pavlo Petrenko and Deputy Minister of Justice Gia Getsadze during the press briefing on the national information campaign I HAVE A RIGHT! launch on June 7, 2017 in Kyiv. PHOTO: Ministry of Justice

higher education institutions are identified as priority subjects of the information campaign for the year of 2017.

### ***High Council of Justice Leadership Participated in the 2017 General Assembly of the European Network of Councils for the Judiciary***

On June 7-9, 2017, the USAID New Justice Program supported the High Council of Justice (HCJ) leadership participation in the 2017 General Assembly of the European Network of Councils for the Judiciary (ENCJ) and in the meeting between ENCJ and leaders of judicial councils from candidate European Union (EU) Member States and Ukraine. During the visit, Igor Benedysiuk, Chair of the HCJ, strengthened ties between the ENCJ and HCJ; learned experience of councils for the judiciary from EU member and candidate states in increasing public confidence in the judiciary and improving image of the judiciary; and studied [ENCJ assessment of independence and accountability of the judiciary and quality of justice in EU Member States and candidates](#). During the Assembly, Igor Benedysiuk met with the ENCJ President Nuria Diaz Abad and ENCJ Executive Board. Parties agreed on cooperation between the HCJ and ENCJ and agreed to start preparation for signing a Memorandum for Cooperation between HCJ and ENCJ which is planned for September 2017. The Memorandum will underline the HCJ participation in the ENCJ initiatives including participation in working groups on Quality of Justice in Europe and Communication. The preparation includes collection of data on judicial independence and accountability in Ukraine using the ENCJ indicators which the HCJ is implementing with the USAID New Justice Program support in July 2017. Upon reviewing the collected data, the ENCJ will provide a list of recommendation to the HCJ on strengthening judicial independence and accountability.

### ***USAID New Justice Program Conducted “Alternative Dispute Resolution and Courts” Study Visit to the United States***

On June 10-18, 2017, the USAID New Justice Program conducted an “Alternative Dispute Resolution and Courts” study visit to Washington D.C. and New York, NY (the United States). The Ukrainian delegation included representatives of key stakeholders in the process of promoting alternative dispute resolution (ADR) in Ukraine including the High Council of Justice, Council of Judges, State Judiciary Administration, National Association of Mediators of Ukraine, and Legal Development Network as well as judges who have a strong interest in implementing ADR programs in their courts. The delegation visited the Federal Judicial Center (FJC) where the participants were introduced into the U.S. judicial system, mission and activities of the FJC, and legal and regulatory framework of ADR in the U.S. While visiting the Multi-Door Dispute Resolution Division of the D.C.

Superior Court, the participants learned the history of the development of ADR in the United States courts, including the design, implementation, and evaluation of mediation programs; and effective ways of raising public awareness on ADR programs. The delegation had also an opportunity to visit the Community Justice Centers where the participants learned the structure, governance, and scope of justice-related services provided by community centers. Besides, they were introduced into the center activities including mediation, youth court, approaches to cope with a gap between community and government, increase public trust in government including the judiciary, and support access to justice especially for vulnerable groups. The participants identified best practices and lessons learned during the study visit, including promotion of ADR and mediation in courts that can be applied in Ukraine. In addition, the U.S. experience can be used also to strengthen ADR capacity and creating community justice centers in Ukraine.



Members of the Ukrainian delegation after the meeting with the Director, members of staff and volunteers of the Crown Heights Community Mediation Center on June 16, 2017 in New York, NY, U.S. PHOTO: USAID New Justice Program

## ***Experts Discussed Prospects for Establishing Anti-Corruption Court***

On June 16, 2017, the USAID New Justice Program (New Justice), jointly with the OSCE Project Coordinator in Ukraine, European Union Advisory Mission and European Union Anti-Corruption Initiative, hosted an expert discussion “Specialized Anti-Corruption Court: Best Practices and Prospects for Ukraine” that is the last in a series of events, including those in Lviv, Kharkiv and Odesa, which were conducted in April and May by New Justice and the OSCE Project Coordinator in Ukraine. During this event judges, local experts, academics, donors and media representatives discussed international experience of specialized anti-corruption courts and judges in these courts, reasons for creating a specialized anti-corruption court and related institutional design choices, and the status of the initiatives for the establishment of the High Anti-Corruption Court in Ukraine.



Participants of the expert discussion on High Anti-Corruption Court establishment on June 16, 2017 in Kyiv. PHOTO: USAID New Justice Program

## ***National Presentation of Council of Europe Venice Commission Rule of Law Checklist Conducted***



Serhiy Holovaty, Member of the Venice Commission on behalf of Ukraine, presenting the Ukrainian translation of the Rule of Law Checklist on June 26, 2017 in Kyiv. PHOTO: USAID New Justice Program

On June 26, 2017, the USAID New Justice Program, jointly with the Judicial Reform Council and Council of Europe Office in Ukraine, made a presentation of the Council of Europe Venice Commission [Rule of Law Checklist](#). This document serves as a tool for assessing the state of the rule of law in each Council of Europe member country through evaluating its constitution, legal and regulatory framework and case law. USAID supported the translation of the Rule of Law Checklist into Ukrainian to promote its application in Ukraine. The translation, along with the commentary and a comprehensive glossary, was compiled by Serhiy Holovaty, a Member of the Venice Commission on behalf of Ukraine. Deputy Head of the Presidential Administration Oleksii Filatov, Acting Chairman of the Constitutional Court of Ukraine Viktor Kryvenko, Chief Justice of the Supreme Court of Ukraine Yaroslav Romaniuk, Ambassador of the United States to Ukraine Marie

L. Yovanovitch, President of the European Commission for Democracy through Law (Venice Commission) Gianni Buquicchio and Head of the Council of Europe Office in Ukraine Marten Ehnberg participated in the event. During the presentation, the participants discussed the theoretical and practical value of the document as well as prospects for its use in Ukraine, in particular, for establishing a fair, independent, accountable and transparent judiciary that is trusted by Ukrainians. This document may become a road sign on way toward the judicial reform which involves reforming legal education, optimizing the judicial system structure and judges selection process, improving the quality of judicial administration and access to justice, and securing protection of human rights. The Ukrainian publication was distributed to judicial and governmental institutions, law schools, public libraries, and NGOs.

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