



Dear friends,  
For your attention, please see the newsletter about our support to the justice sector reform prepared by the EU-funded Project Pravo-Justice.

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## Steering Modern Vision of Justice

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### *Review of Law and Practice in Administrative Justice*

The Project's team of **Austrian**, **Lithuanian** and **Polish** experts, together with the Ministry of Justice, have introduced the [Administrative Justice Monitoring Mechanism](#), which promotes the evidence-based approach in improving the relevant law and practice in public-law disputes. The process involved more than 500 questionnaires and interviews with the representatives of legal professions. The results of the monitoring were presented by experts during events in Kyiv, Lviv, Chernivtsi, Odesa, and Kharkiv. The key findings and recommendations lay a path for better service of the administrative courts to the public by way of more **accessible, fair and efficient** judicial proceedings, better delineation of powers and **discretion** of the **executive** and administrative authorities, more effective **enforcement** and practical impact of disputes with the State. The results of

the Monitoring will bring forward a complex set of new regulatory initiatives to improve both **legislation and practice**.

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#### *Accountability of Prosecution and Criminal Justice Chain*

With the participation of experts from **Georgia** and **Lithuania**, the Project led the development of the first ever **Priorities of the Prosecution and Law-Enforcement System**, eventually adopted by order of the Prosecutor General in February 2020. This new approach to regulation involved the setting of institutional performance indicators (**KPIs**) for the whole **crime prevention and detection chain**, putting emphasis on the achievement of higher levels of **anti-corruption, asset recovery, cost efficiency** and greater use of **IT and innovation**, mirroring best European practices. The approach effectively shows that the criminal justice and law enforcement institutions are increasing seeing themselves as a **chain coordinated** and led by the Office of the Prosecutor General (OPG), and as **service providers** accountable to the public by way of **clear and practical results** needed for a more secure society.

In cooperation with other international partners, the Project was also involved in the (“vetting (“**attestation) within the regional limb of the prosecution** system. In particular, the Project provided hardware, software solutions, exam question databases and other instruments for **testing of qualifications and skills** of a **few thousand prosecutors**. The Project also supported the **Working Groups** that are assisting the **Human Resources (Attestation) Commissions** in assessing the level of professionalism and integrity of regional prosecutors

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## Better Governance of Courts

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#### *Improved Service to Court Clients*

The Model Court Initiative (MCI), led by dedicated group of experts from **Armenia, Finland, France, Lithuania, Poland, Sweden, the Netherlands and U.K.**, is aiming at three pillars of a modern court: **customer service, security and effective organisation of business processes**. While implementing the **Model Court Handbook**, which standardising the various relevant rules and management approaches, the specific MCI solutions are being implemented in **selected courts** of Ukraine, including way of trainings, conferences, webinars and surveys, including an online survey on personal security of judges and court staff with a total of **3,008 respondents**. The main purpose of such a survey was to examine the current state of security of court premises and beyond, and to

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identify relevant risk and threat factors that influence behavior of judges and court staff in their professional activities.

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### *More Capable Judiciary Training System*

The Project's **Bulgarian and Romanian** experts assisted the National School of Judges (NSJ) in the implementation of a new form of [practical trainings – mentorship of judicial candidates](#). Mentorship trainings are aimed, on the one hand, at supporting judicial candidates during their internships at courts, and, on the other hand, at strengthening professionalism of judges-mentors. Following the Project's advice, NSJ gradually **updates the methodology and curricula**, in particular with emphasis on administrative and criminal jurisdictions.

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## More Secure Society at Lower Cost

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### *Probation: No Longer a Missing Link in Criminal Justice*

Experts from **Croatia** and **U.K.** have been helping Ukraine in developing the **probation service**, which celebrated **5 years** in February 2020 by way [the Forum "Probation - A Safer Society"](#). The most recent interventions by the Project involve the development of the **Unified Register of Convicts**, and the engagement of volunteers for probation services in **Ivano-Frankivsk and Dnipro**. Currently around **850 volunteers** are conducting social and educational activities with convicts, providing psychological support, assisting with employment and counselling. More than **300,000 convicts** have been under the supervision of the Probation Service since the inception. **96%** of probation clients **do not reoffend** during the probation

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## Protecting Property Rights

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### *Improved Registration Process of Property and Business*

The Project is leading the donor efforts in contributing 6 national experts to the [Registration Task Force](#), which together with international experts

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from **Estonia** and **Lithuania**, help MOJ carry out various systemic solutions to **prevent faulty or fraudulent registration**, improving the actual registration processes instead of dealing merely with symptoms of the “raider” phenomena. Regular awareness raising is part of these efforts, such as [a Conference on the Reform of Registration System](#) with the involvement of more than 600 notaries and registrars at one single event. The Project is complementing these efforts by its support for better **access** to the profession for **notary** and registrar candidates with the **best skills and qualifications**, which has necessitated correcting various gaps in the **admission criteria and process**, examination and testing methodologies, and the **quality of test items**.

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### *Justice Needs of Small and Medium Business*

In March 2020 the Project has finished the **first stage** of a comprehensive study on **Justice Needs of Small and Medium Business**, aimed at identifying [key justice problems met by SMEs](#). Today SMEs represent **more than 95% of all enterprises** in Ukraine. However, **less than half survive** after the **first five years** of activity. Often SMEs are suffocated by the loss of guidance and orientation on how to navigate **complex bureaucratic obstacles**, regulatory and financial risks. The research, conducted by the Project CSO and international partners, for the first time in the history of Ukraine shows a direct link between the flaws in the functioning of the **justice sector** and the **economic performance** of the society. The next stages of the exercise will result in comprehensive policy, regulatory and institutional solutions to promote the life of SMEs as the main bloodline of the Ukrainian society.

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### *Free and Responsible Business*

A team of the Project’s international experts from **Bulgaria, Germany, France** and **Lithuania** played a key role in the comprehensive regulatory and institutional capacity [gap analysis of the new Bankruptcy Code](#), setting groundwork for further improvements in law and practice. The research establishes a strategic and operational list of steps to promote transparency in corporate bankruptcy, **accountability** of business **owners** and top managers to **creditors**, quicker and less formalistic court proceedings, adequate and realistic **asset sales**, automated and efficient **case management**, less zealous MOJ **oversight** and regulation of the profession of Bankruptcy Trustees. The Project’s expert guidance and cooperation with the newly created **Association of Bankruptcy Trustees** resulted in the launch for the first time in recent Ukrainian history of a **restructuring in** bankruptcy of a major State-owned company, **Ukroboronprom**.

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E-justice

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### *Automation within MOJ and its Regulated Professions*

Under the guidance of the Project's **Estonian** experts, we are currently conducting the development of an **MOJ Electronic Document and Data Management system** (EDDMS), which will ensure a linkage between **regional** MOJ department in **Sumy** and the **central** Ministry level, improving the **data flow management** at all the levels, and foreseeing an open-ended solution for the eventual integration of the MOJ EDDMS into other relevant justice and Government e-services. The **scaling up** of the Sumy pilot to the all of MOJ and its regional departments is foreseen later this year.

The Project is also working very actively with MOJ and other counterparts on the development of an-**Notary** platform with the **upgrade of Property and Business Registers**, and an **automated case management systems** for **Bankruptcy Trustees**.

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### **Tackling Covid-19**

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In view of the current challenges related to **COVID-19**, the Project is providing targeted assistance to the Ukrainian authorities in tackling the crisis challenges, redirecting some of its previously planned resources to help apply best European practices in:

- distance / **video-conferencing** solutions in courts and other legal proceedings;
- review of the **debt collection and moratoria** policies in enforcement and bankruptcy proceedings;
- provision of legal aid and CSOs refocusing on **vulnerable groups**;
- preventing and tackling the spread of COVID-19 in **prisons**.

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