

Support to the criminal justice reform in Ukraine

Project summary

Project title	Support to the criminal justice reform in Ukraine
Country	Ukraine
Budget	1 800 000 €
Funding	Voluntary contribution - Government of Denmark
Duration	30 months (1 January 2013 – 30 June 2015)
Partners and beneficiaries	Presidential Administration, Ministry of Justice, Office of the Prosecutor General, National Academy of Prosecution, High Specialised Court for Civil and Criminal Cases, National School of Judges, Parliament, Ministry of Interior, Bar and lawyers' organisations, Ombudsperson institution, human rights NGOs.
Main objective	<p>to improve the effectiveness of criminal justice in Ukraine in line with European standards, through:</p> <ul style="list-style-type: none"> • a better application of the new Code of Criminal Procedure and the development of the new institutional role and operational capacity of the public prosecution; • legal advice and support to the drafting of the Law on the Office of the Public Prosecutor in line with the new Code, as well as of any other relevant legislation, sub-legislation and internal regulatory instruments of the public prosecution; • enhanced capacity of legal professionals to apply European standards in their daily work on the basis of the new Code.
Outputs and results	<p>1. The Project has significantly contributed to a more consistent and streamlined implementation of the new Criminal Procedure Code of Ukraine, resulting in a better protection of human rights in the criminal procedure, through:</p> <ul style="list-style-type: none"> – the establishment of the adversarial principle in criminal proceedings; – a substantial enhancement of the guarantees for the accused and the specific requirement for judges to ensure their observance; – a strengthened access to justice through institutionalised and operational secondary free legal aid system;

- a reduction in the number of restrictive measures being imposed on accused or suspected persons;
- the enhancement of efforts in the fight against ill-treatment with fostered safeguards and strengthened monitoring mechanisms.

2. The advocacy efforts and extensive expertise provided in the framework of the Project brought about significant changes in the policy and regulatory framework enabling the **reform of the Public Prosecutor’s Office and establishment of a State Bureau of Investigations, in particular:**

- solid legal foundation for launching a public prosecutor’s office reform and transforming this institution into a modern public prosecution service was put in place through the adoption and enactment of the new Law of Ukraine on the Public Prosecutor’s Office, commended by the CoE;
- a new institutional mechanism for investigating serious human rights violations committed by law enforcement officials was set up at the legislative level by means of the adoption of the Law of Ukraine on the State Bureau of Investigations;
- draft constitutional amendments regarding the public prosecution service adopted by the Verkhovna Rada of Ukraine in the 1st reading, incorporate the CoE recommendations and have been positively assessed by the Venice Commission;
- important strategic and policy documents mentioned above have been adopted providing for a roadmap for the implementation of the reforms compliant with CoE standards and best practices.

3. The Project enhanced the capacities of **Ukrainian legal professionals, more concretely :**

- increased ability of judges, prosecutors, lawyers and investigators to apply European standards related in criminal procedure in their daily work;
- increased awareness among key stakeholders on the main direction of the reforms and the need for their consistency with Council of Europe’s standards and best practices;
- increased abilities of the national human rights institution and the civil society to monitor the compliance of the implementation practices of the criminal justice reform and legislation with Council of Europe’s standards.

Follow-up	A follow-up project "Continued Support to the Criminal Justice Reform in Ukraine" was developed by the Council of Europe and is funded by the Danish government funding, covering the period September, 2015 - February, 2019.