

## Council of Europe Action Plan for Ukraine 2015-2017

Draft final report (1 January 2015 – 15 October 2017)

Document prepared by the Office of the Directorate General for Programmes

*Item to be considered by the GR-DEM at its meeting on 12 December 2017*

### EXECUTIVE SUMMARY

The Council of Europe Action Plan for Ukraine 2015-2017 was approved by the Committee of Ministers in January 2015 and launched by the Secretary General in March 2015 in Kyiv.

A progress review report from January 2015 till June 2016 was considered by the Rapporteur Group on Democracy of the Committee of Ministers (GR-DEM) between September 2016 and January 2017.

This final report covers the period from 1 January 2015 to 15 October 2017 and presents an overview of co-operation, main results and outstanding issues to date in the context of clearly defined objectives in each of the priority areas: constitutional reform, reform of judiciary, democratic governance at all levels, territorial reform including amalgamation of communities, countering economic crime, and promoting and protecting human rights. The report neither aims at providing reflection on the general political, social and economic situation in the country nor detailed information on individual projects.

Since the Maidan events in 2013-2014, the situation in Ukraine continues to be marked by important security, economic and political constraints, relating also to the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol<sup>2</sup> as well as the conflict in eastern Ukraine. It is understood that such challenges have had an impact on the pace of reforms. Other challenges are related to the widespread corruption, the persistent lack of public trust in the justice system, lack of efficiency of public administration at central and local levels as well as the lack of institutional capacity to conduct reforms. Despite these challenges Ukraine made considerable efforts towards fulfilling its commitments to the Council of Europe in the reporting period. Major developments include the adoption in June 2016 of constitutional amendments bringing the institutional structure and functions of the judiciary closer to European standards; municipal amalgamation which led to the creation of 600 new communities; removal of the general oversight function of the Public Prosecutor Office (PPO); transformation of the state broadcaster in the public service following development of the relevant regulatory framework; creation of preventive and investigatory institutions to combat corruption and the fact that the National Anti-Corruption Bureau of Ukraine (NABU) and the National Agency on Corruption Prevention (NACP) became fully operational. The legal and institutional frameworks to protect the rights of Internally Displaced Persons (IDPs) were strengthened. The capacity of police to address human rights violations within its ranks was increased.

Although the above-mentioned aspects of reforms have progressed, there is still scope to improve governance, ensure independence of the judiciary, fight corruption and bring constitutional reform to its successful completion, with the participation of the Ukrainian civil society and with the support of the international community.

<sup>1</sup> This document has been classified restricted until examination by the Committee of Ministers.

<sup>2</sup> See CM/Del/Dec(2016)1254/1.6.

The Council of Europe Action Plan for Ukraine 2015-2017 received a total of €26.6 million (almost 60% of the total budget of €45 million). The contributors (in order of volume) are the European Union, Sweden, Norway, Denmark, Switzerland, the United Kingdom, Finland, Germany, the Human Rights Trust Fund, the Netherlands, Poland, Luxembourg, Canada, Liechtenstein, Turkey, Estonia, Hungary, Lithuania, Ireland, the Czech Republic, France, Latvia, Japan and Romania.

In 2018-2021 the Council of Europe and Ukraine will continue co-operation to ensure the alignment of national legal and institutional frameworks with European standards and practices in order to promote human rights, strengthen the rule of law and democratic governance.

## TABLE OF CONTENTS

EXECUTIVE SUMMARY .....	1
LIST OF ACRONYMS AND ABBREVIATIONS.....	4
1. INTRODUCTION .....	5
1.1 GENERAL OVERVIEW.....	5
1.2 OVERALL ASSESSMENT AND MAIN ACHIEVEMENTS.....	5
2. SECTOR REVIEW .....	7
1. CONSTITUTIONAL REFORM AND FUNCTIONING OF DEMOCRATIC INSTITUTIONS .....	7
1.1 REVIEW OF THE CONSTITUTION.....	7
1.2 ELECTIONS AND ELECTORAL LAW .....	8
1.3 EFFECTIVE FUNCTIONING OF THE UKRAINIAN PARLIAMENT (VERKHOVNA RADA) ....	9
2. REFORM OF THE JUDICIARY .....	9
2.1 EFFECTIVE FUNCTIONING AND ORGANISATION OF THE JUDICIARY .....	9
2.2 CRIMINAL JUSTICE REFORM .....	10
3. DEMOCRATIC GOVERNANCE .....	11
3.1 DE-CENTRALISATION AND LOCAL GOVERNMENT REFORM.....	11
3.2 CIVIL SOCIETY.....	12
3.3 EDUCATION FOR HUMAN RIGHTS AND DEMOCRATIC CITIZENSHIP.....	13
4. ECONOMIC CRIME .....	13
4.1 FIGHT AGAINST CORRUPTION .....	13
4.2 FIGHT AGAINST CYBERCRIME .....	14
5. HUMAN RIGHTS.....	14
5.1 PREVENTION OF TORTURE, ILL-TREATMENT AND IMPUNITY, POLICE AND PENITENTIARY REFORM .....	14
5.2 OMBUDSPERSON .....	15
5.3 FREEDOM OF THE MEDIA.....	16
5.4 SOCIAL RIGHTS.....	17
5.5 INTERNALLY DISPLACED PERSONS.....	17
5.6 DOMESTIC VIOLENCE .....	18
5.7 CHILDRENS' RIGHTS AND YOUTH.....	19
3. IMPLEMENTATION AND CO-ORDINATION .....	19
3.1 TRANSVERSAL ISSUES .....	20
3.2 RISK MANAGEMENT AND SUSTAINABILITY .....	21
3.3 LESSONS LEARNED.....	22
4. FUNDING AND PARTNERS .....	22
5. APPENDICES .....	25
APPENDIX I: LIST OF PROJECTS.....	25
APPENDIX II: FINANCIAL REPORT, AS OF 15 OCTOBER 2017, ALL AMOUNTS IN EUROS...	28

**LIST OF ACRONYMS AND ABBREVIATIONS**

Action Plan	Council of Europe Action Plan for Ukraine
ARMA	Asset Recovery and Management Agency
CM	Committee of Ministers of the Council of Europe
COMUS	Community-led Urban Strategies in Historic Towns
Congress	Council of Europe Congress of Local and Regional Authorities
CJE	Commission on Journalism Ethics
CPT	Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EDC/HRE	Charter on Education for Democratic Citizenship and Human Rights Education
ESC	European Social Charter
EU	European Union
FLA	Free Legal Aid
GR-DEM	Rapporteur Group on Democracy of the Council of Europe's Committee of Ministers
GRECO	Group of States against Corruption
IDP	Internally Displaced Person
HCJ	High Council of Justice
HELP	European Programme for Human Rights Education for Legal Professionals
HQCJ	High Qualification Commission of Judges
MP	Member of Parliament
NABU	National Anti-Corruption Bureau of Ukraine
NACP	National Agency on Corruption Prevention
NAPA	National Academy of Public Administration
NAPU	National Academy of Prosecutors of Ukraine
NGO	Non-governmental organisation
NHRS	National Human Rights Strategy
NPU	National Police of Ukraine
ODIHR	Office for Democratic Institutions and Human Rights
Ombudsperson	The Ukrainian Parliament Commissioner for Human Rights
OSCE	Organisation for Security and Co-operation in Europe
PACE	Parliamentary Assembly of the Council of Europe
PIC	Public Integrity Council
PGG <sup>3</sup>	Joint European Union-Council of Europe Partnership for Good Governance
PPO <sup>4</sup>	Public Prosecutor's Office
PRR	Progress Review report
SASG	Special Advisor of the Secretary General of the Council of Europe for Ukraine
SBI	State Bureau of Investigation
The Commissioner	Council of Europe Commissioner for Human Rights
TWGs	Thematic Working Groups
VC	Voluntary contribution
Venice Commission	European Commission for Democracy through Law
Verkhovna Rada	The Parliament
UN	United Nations
UNDP	United Nations Development Programme

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<sup>3</sup> Former Programmatic Cooperation Framework (PCF).

<sup>4</sup> Former Programmatic Cooperation Framework (PCF).

## 1. INTRODUCTION

### 1.1 GENERAL OVERVIEW

The Council of Europe Action Plan for Ukraine 2015-2017 (Action Plan) was adopted by the Committee of Ministers (CM) at its 1217th meeting on 21 January 2015 and the Secretary General launched it in Kyiv on 17 March 2015.

This report describes the results of the implementation of the Council of Europe Action Plan for Ukraine 2015-2017 and covers the period from 1 January 2015 to 15 October 2017. It describes outcomes at the strategic level and therefore does not provide detailed information regarding the individual projects implemented within the Action Plan.

The Action Plan was developed taking in account decisions, resolutions, recommendations, conclusions of reports and opinions provided by the Council of Europe's monitoring bodies, the CM, Parliamentary Assembly (PACE) and the Congress of Local and Regional Authorities (Congress), the Commissioner for Human Rights and judgments of the European Court of Human Rights (ECtHR). It also draws on Ukraine's reform priorities in the areas of expertise of the Council of Europe. In addition, it builds on the results of the Action Plan for Ukraine 2011-2014 as well as those of the programmes implemented within the framework of the Co-operation with Ukraine – Immediate Measures Package.

The Action Plan aims to contribute to the overall stability and democracy in Ukraine. It assists the country in fulfilling its obligations as a Council of Europe member State by bringing legislation, institutions and practice further in line with Council of Europe standards in the areas of human rights, the rule of law and democracy. The Action Plan includes the following sectors for co-operation:

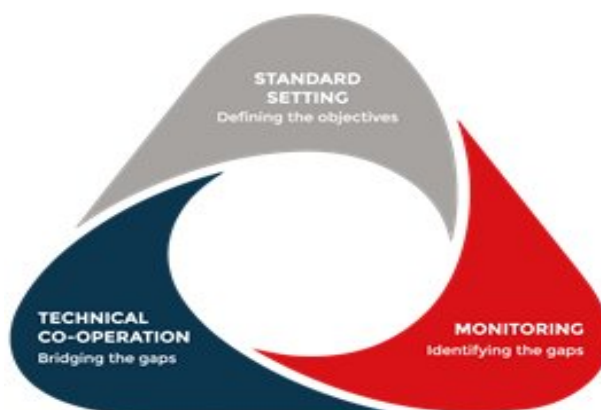
- constitutional reform and functioning of democratic institutions;
- reform of the judiciary;
- democratic governance;
- economic crime;
- human rights.

During the “Day of Ukrainian Reforms” meeting held at the initiative of Ukraine on 3 October 2016 in Strasbourg, a high-level delegation led by the Minister of Foreign Affairs Pavlo Klimkin provided first-hand updates on the reforms taking place in Ukraine as regards the implementation of the National Human Rights Strategy and Action Plan, police and penitentiary reforms, fight against corruption and judiciary reforms. In the course of a second meeting on 2 February 2017 in Strasbourg, the Ukrainian delegation led by Deputy Prime Minister Hennadii Zubko presented the achievements and perspectives of the decentralisation reform in the country. At a third meeting in Strasbourg on 11 September 2017, results of the judiciary reform were presented by a delegation led by Minister of Justice Pavlo Petrenko.

Since the adoption of the Action Plan, two Steering Committee meetings took place in Kyiv on 2 June 2016 and 12 June 2017 to assess the implementation of the Action Plan. A delegation of the Rapporteur Group on Democracy (GR-DEM), composed of five Ambassadors, gathered first-hand information on the state of implementation of the Action Plan at the meeting of 12 June 2017. The Council of Europe and the Ukrainian authorities positively assessed the results of the Action Plan at both meetings and the Ukrainian authorities reiterated their commitment to continue close co-operation with the Organisation within the framework of the new Action Plan.

### 1.2 OVERALL ASSESSMENT AND MAIN ACHIEVEMENTS

Council of Europe technical assistance programmes form an integral part of the unique strategic triangle of standard-setting, monitoring and co-operation: the development of legally binding standards is linked with their monitoring by independent mechanisms and supplemented by technical co-operation to facilitate their implementation. The Council of Europe actions are developed and implemented in areas where the Organisation has strong expertise and added value.



**Figure 1: Council of Europe strategic triangle**

This report was prepared using project reports, including from the Joint European Union-Council of Europe Partnership for Good Governance (PGG), and available evaluation reports.

Internal political situation, lack of sufficient capacity of national partners to implement reforms as well as inadequate resources continue to hinder the implementation of legislation and functioning of newly established institutions. This situation is compounded by challenges relating to the armed conflict in eastern Ukraine as well as the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol. While reform goals remain ambitious, the process of achieving consensus among political forces is marked by difficulties. Despite these challenges, the implementation of the Action Plan brought concrete results, including a significant contribution to the revision of legislation in line with European standards, to the establishment of new institutions, and to the functioning of existing ones in such fields as the judiciary, fight against corruption, decentralisation reform,<sup>5</sup> protection of the rights of vulnerable groups (notably IDPs), and establishment of independent public media. The following are the main results of the implementation of the Action Plan:

- adoption of the constitutional amendments regarding the judiciary, the Law on the Judiciary and the Status of Judges in June 2016;
- adoption of the Law on the High Council of Justice in December 2016 and the Rules of Procedure of the High Council of Justice (HCJ) in January 2017;
- integration of several Council of Europe's standards on the evaluation and independence of judges into procedures of the Public Council of Integrity involved in the qualification assessment of judges;
- improvement of legislation on the criminal justice, notably: abolition of the general oversight function of the PPO, entry into force of the new Law on the Public Prosecution Service and creation of the prosecutorial self-governance and support bodies (Council of Public Prosecutors and Qualification and Disciplinary Commission of Prosecutors), adoption of the Law on the State Bureau of Investigation (SBI) and the amendments to the Criminal Procedure Code, largely in line with the European standards;
- introduction of the new methods of analysis and application of the European Convention on Human Rights (ECHR) within the prosecutorial training system; strengthened capacity of legal professionals to implement the ECHR at national level;
- creation of around 600 new communities as a result of the amalgamation of over 1 700 municipalities;
- adoption of new legislation on anti-corruption in line with the majority of recommendations of the Group of States against Corruption (GRECO) in respect of Ukraine and recommendations of the joint European Commission for Democracy through Law (Venice Commission) and the Organisation for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) expert opinion on preventing and countering political corruption;
- establishment of the NABU and the NACP to which the Council of Europe contributed along with other international partners;
- approval of the General Rules of Ethical Conduct for Civil Servants and Local Government Officials;
- establishment of a genuine public broadcaster;
- increased quality of and access to the Free Legal Aid (FLA) system and enhancement of its capacities through creation of a network of trainers and cascade training for lawyers throughout the country;

<sup>5</sup> The adoption of constitutional amendments in the area of decentralisation is still pending.

- support in addressing the consequences of the armed conflict in eastern Ukraine, specifically by defining legislation, policies and working methods to protect IDPs' rights, enhanced legal aid to IDPs and improved court practices on IDP protection;
- reinforced monitoring capacity of the Ukrainian Parliament Commissioner for Human Rights (Ombudsperson);
- strengthened capacities of professionals in contact with children and/or dealing with child abuse cases through the development and implementation of training programmes;
- strengthened knowledge of over 2 700 police investigators, staff of the Human Rights Directorate of the NPU and over 1 000 prosecutors about European human rights standards and practices;
- adoption of a package of draft laws aiming at more humane treatment of prisoners, introduction of the new Code of Ethics for prison staff, establishment of Internal Inspection on Human Rights Observations in Prisons under the Ministry of Justice, capacity building on suicide prevention and dynamic security for prison staff across the country as well as piloting of the social and life skills courses for resocialisation of prisoners;
- strengthened capacity of more than 800 law-enforcement officials in protection of safety of journalists, expert opinion on articles of the Criminal Code of Ukraine on protection of the rights of journalists.

In addition, the Council of Europe assisted in the preparation of the ratification package of laws for the Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).

In the framework of the European Union-Council of Europe [Programme for Good Governance](#) (PGG)<sup>6</sup> Ukraine participated in regional activities, with the following main results:

- development of model laws in the area of anti-corruption and anti-money laundering which should be incorporated into national standards;
- revision of standards in the area of cybercrime on the basis of Council of Europe recommendations with a view to the harmonisation of the legislative framework with the Budapest Convention.

During the Steering Committee meeting in Kyiv on 12 June 2017 the Ukrainian authorities confirmed that the Action Plan implementation was one of the contributing factors to the fulfillment of [visa-free travel agreement](#) requirements for Ukrainians to most EU countries, which became effective in June 2017. The work carried out in the areas of anti-corruption and data protection was specifically highlighted in this context.

## 2. SECTOR REVIEW

### 1. CONSTITUTIONAL REFORM AND FUNCTIONING OF DEMOCRATIC INSTITUTIONS

#### 1.1 REVIEW OF THE CONSTITUTION

The Constitutional amendments regarding the justice sector adopted in 2016 provided for fundamental changes transforming the institutional structure and functions of judicial authorities and for significant increase of judiciary independence. The abolition of the general oversight function of the public prosecution service through the recent Constitutional changes is a major step towards the honouring of Ukraine's accession commitments to the Council of Europe.<sup>7</sup>

The Council of Europe, in particular through the Venice Commission, has contributed to constitutional reform in Ukraine, by assisting with the drafting of legislative amendments in line with European standards. Concrete results were achieved in the constitutional reform of the judiciary through amendments adopted by the Verkhovna Rada on 2 June 2016, whereas the amendments related to decentralisation are yet to be adopted.

<sup>6</sup> This joint European Union-Council of Europe programme, amounting to €33.8 million, funds actions in Eastern Partnership (EaP) beneficiary countries (Armenia, Azerbaijan, Republic of Moldova, Georgia, Belarus and Ukraine). The programme is focused to support the modernisation efforts through legal reforms and to speed up their political association and economic integration in order to bring them closer to European standards.

<sup>7</sup> At its 1288<sup>th</sup> meeting (6-7 June 2017) the Committee of Ministers noted with interest the efforts made by the authorities to accelerate the legislative process and the examination of two draft laws by a parliamentary committee in May 2017 and urged the authorities to ensure that the legislative process is concluded without further delay (see CM/Del/Dec(2017)1288/H46-37).

At its 109<sup>th</sup> plenary session (Venice, 9-10 December 2016), the Venice Commission adopted the opinion ([CDL-AD\(2016\)034](#)) on the draft Law (N° 5336-1) on the Constitutional Court, prepared at the request of the President of Ukraine. The competitive selection of the judges and their dismissal only by the Court itself, introduced in the draft law, will be essential to guarantee the independence of the Court. In April 2017, the draft law was rejected by the Verkhovna Rada. The amended very similar draft (N° 6427-d) was adopted by the Verkhovna Rada on 13 July 2017.

The Venice Commission adopted the Joint Opinion ([CDL-AD\(2016\)030](#)) on compatibility with international standards of two draft laws on Guarantees for Freedom of Peaceful Assembly at its 108<sup>th</sup> plenary session (Venice, 14-15 October 2016) and made recommendations regarding the definition of the right of assembly.

## 1.2 ELECTIONS AND ELECTORAL LAW

The Council of Europe and the Ukrainian authorities co-operated to ensure the alignment of electoral legislation and electoral process with European and international standards. The Venice Commission, along with the OSCE/ODIHR, provided recommendations addressing the transparency in political party financing and possible deprivation of political parties' right to participate in elections as a result of their prohibition by law.<sup>8</sup> Another area of co-operation between the Venice Commission and the Ukrainian authorities concerned the participation of political parties in the electoral process<sup>9</sup>.

Following the invitation by the Minister of Foreign Affairs of Ukraine, the Congress observed the local elections organised on 25 October 2015 with a delegation of 57 observers from 25 countries, including several PACE members. The election observation mission concluded that the electoral environment was competitive, involving many parties and candidates, but reaffirmed that additional efforts are needed to further enhance the integrity of and public confidence in the electoral process.

It should be noted that the reports on PACE observation of the [early presidential elections of May 2014](#), the [early parliamentary elections of October 2014](#) and the Congress' observation of [the local elections](#) recommended revision of the electoral legislation. However, the Verkhovna Rada remains divided on the scope of the electoral reform and the choice of the electoral system<sup>10</sup>. Moreover, the Verkhovna Rada has not yet appointed new members of the Central Electoral Commission, which could further delay the reform.

GRECO referred to the legislation on political parties and shortcomings in the political party financing system of Ukraine [in its report in 2015](#). The Council of Europe developed a methodology for monitoring the implementation of legislation on the prevention and countering of political corruption, which is used by several NGOs. On 8 October 2015, the Verkhovna Rada of Ukraine adopted the Law on Amendments to certain Legislative Acts of Ukraine on Prevention and Counteraction of Political Corruption.

Although the Council of Europe facilitated open discussion among national stakeholders and helped to form a common understanding of existing challenges related to free and fair media coverage of elections, necessary changes to legislation and practices are yet to be completed.

Even though the Law on Local Elections included a 30% minimum representation of each gender on a party list, the absence of an enforcement mechanism of the law through sanctions for political parties that failed to comply with this rule affected the implementation of the gender quota rule. Today women make up 12% of members of Parliament (MP) in Ukraine, compared to the worldwide average of 23%, according to [data](#) provided by the World Bank. The vast majority of Ukraine's women MPs were elected via the party-list vote.

The discussion between the authorities and civil society in the context of elections facilitated by the Council of Europe resulted in a roadmap for improving the current system of investigation and reporting on violations during the electoral process. The roadmap was developed by the Conference on electoral violations in December 2016 and is under consideration of the Ministry of Interior and the PPO. It additionally recommends a number of improvements to the Criminal and Criminal Procedure Codes of Ukraine related to electoral violations.

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<sup>8</sup> On issues related to financing of political parties see the Joint opinion of the Venice Commission and OSCE/ODIHR on the draft amendments to some legislative acts concerning prevention and fight against political corruption of Ukraine (CDL-AD (2015)025).

<sup>9</sup> In 2016, the Venice Commission adopted an Opinion on the Amendments to the Law on Elections regarding the exclusion of candidates from party lists (CDL-AD(2016)018) at its 107<sup>th</sup> Plenary session (Venice, 10-11 June 2016).

<sup>10</sup> On 7 November 2017, the project of the Electoral Code of Ukraine No. 3112-1 was adopted at first reading by the Verkhovna Rada.



The Organisation continued to facilitate discussions between national authorities, Verkhovna Rada representatives of political parties, NGOs, and national and international experts to build consensus around the draft electoral law in line with the recommendations of the Venice Commission and the OSCE/ODIHR.

### **1.3 EFFECTIVE FUNCTIONING OF THE UKRAINIAN PARLIAMENT (VERKHOVNA RADA)**

Since May 2017 the Venice Commission is working with interested parties on a draft Law on Amendments to the Rules of Procedure of the Verkhovna Rada of Ukraine (No. 5522 of December 9, 2016). The final conclusions of the Venice Commission on this draft Law have been approved by the plenary session of 6-7 October 2017.<sup>11</sup>

## **2. REFORM OF THE JUDICIARY**

### **2.1 EFFECTIVE FUNCTIONING AND ORGANISATION OF THE JUDICIARY**

In the reporting period, the Council of Europe provided expert and analytical support to the ongoing reform of the judiciary. The constitutional amendments and the Law on the Judiciary and the Status of Judges were adopted in June 2016. Both pieces of legislation came into force on 30 September 2016 and introduced significant changes to the system of courts and judicial institutions in Ukraine. The Supreme Court of Ukraine and the three high specialised courts have been liquidated and a new Supreme Court has been established. According to the Law on Judiciary two new courts – the High Anti-corruption Court<sup>12</sup> and the High Court on Intellectual Property – will be established as the first-instance courts. A further re-organisation of all appeal courts is to take place before 2019 and a re-organisation of all first-instance courts is foreseen in the law without a specific deadline. The constitutional amendments and the new legislation also significantly increased the independence of judges by making their appointment and dismissal independent from the political influence of the Verkhovna Rada. This function has now been fully transferred to the HCJ. All disciplinary proceedings are now within the competence of the HCJ and at least half of its members are judges elected by their peers. The powers of the judicial bodies – the HCJ and the High Qualification Commission of Judges (HQCJ) are redistributed, in line with the Venice Commission Opinion. A new body, the Public Integrity Council (PIC), consisting of representatives of NGOs, has been created to provide advice to the HQCJ in the process of the qualification assessment of serving and candidate judges. The e-declaration system was introduced which allows monitoring of judges with regard to their incomes and assets has been established.

All abovementioned amendments were found to be generally in line with the Council of Europe standards, recommendations of the CM, PACE and the Commissioner for Human Rights, opinions of the Venice Commission and the Consultative Council of European Judges (CCJE) as well as with judgements of the European Court of the Human Rights (ECtHR).

In December 2016, the Law on the HCJ has been adopted, extending the powers of the HCJ. The draft of this law was reviewed by the Council of Europe and the opinion was generally positive. The Organisation has also conducted a post-adoption review of the law, transmitted to the Judicial Reform Council in June 2017.

During this transformation process of the judiciary, the Council of Europe provided support on:

- development of legislation on the judicial accountability, alternative dispute resolution, and the execution of judgments of the ECtHR related to the violations of Article 6 of the ECHR;
- questions concerning judicial protection in conflict-affected areas of Ukraine;
- functional immunity of judges and lifting procedure;
- qualification assessment of judges;
- integrity checks on judges and judicial candidates;
- selection of judges of the new Supreme Court;
- judicial accountability for the decisions delivered;
- implementation of mediation and improvement of functioning of arbitration courts;
- introduction of remedies for excessive length of judicial proceedings;
- improvement of mechanisms for execution of ECtHR judgments;
- development of legislation which provides ground for the judicial case management;
- reopening of judicial proceedings following ECtHR judgments.

<sup>11</sup> [http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2017\)026-e](http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2017)026-e)

<sup>12</sup> On 6 October 2017, the Venice Commission adopted its Opinion on the draft Law on the Anti-corruption Court of Ukraine: [http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2017\)020-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2017)020-e)

The Council of Europe is involved in the optimisation of the functioning of the State Judicial Administration with regard to the institutional, managerial and procedural issues. The Organisation is working on the assessment of the draft Law on the Bar as well as on the assessment of the legislation related to the execution of judgments of the ECtHR.

The removal of the general oversight function of the PPO marked a major step towards the honouring of Ukraine's accession commitments to the Council of Europe in line with PACE [Resolution 1466 \(2005\)](#).

The Law on the Bodies and Persons Authorised to Enforce Court Decisions and Decisions of Other Bodies and the Law on Enforcement Proceedings modified key provisions regulating the role of the Bar as well as the PPO.

Following activities for members of the Verkhovna Rada conducted by PACE, the Parliamentary Committee on Legal Policy and Justice adopted a decision under which a sub-committee responsible for the effective oversight of the execution of the ECtHR judgments was established in April 2017.

With support from the Council of Europe, the Progress Review Methodology of the Justice Sector Reforms was developed, strengthening Ukrainian stakeholders' capacity to design a sector-wide review of the implementation of the reform.

In addition to assisting with legislative reforms, the Council of Europe provided capacity-building to a wide range of Ukrainian justice and legislative sector players in order to enhance their capacity to apply human rights standards and law-making at the national level.

Targeted training was provided to:

- more than 300 judges on various aspects of human rights protection for individuals whose rights are affected as a consequence of conflict (including IDPs);
- 30 trainers of the National School of Judges to ensure appropriate cascade training;
- around 100 lawyers to deepen knowledge on the ECHR and
- 40 staff members of the secretariat of the Verkhovna Rada to assess human rights implications of new legislation, including capacity-building in law-making in conformity with the Council of Europe standards.

While there are indications that that these capacity building activities have led to improvements in the application of the ECHR in the practice of legal professionals, more data would be needed to assess the overall impact of these interventions.

The reopening of judicial proceedings following ECtHR judgments was addressed through the assessment of the relevant Supreme Court judgments. These efforts were followed by the publication of standard-setting documents related to the review proceedings and specific training of the new judges of the Supreme Court.

## **2.2 CRIMINAL JUSTICE REFORM**

Council of Europe work in the criminal justice field focused on the development and revision of legislation, implementation of the reform of the PPO (including the development of its independence, procedural autonomy, self-governance bodies and capacity building) and strengthening of the FLA system. Support included the development of the legal framework for the establishment of the SBI which takes up certain investigative functions previously within the scope of the jurisdiction of PPO.

The Ukrainian authorities benefitted from extensive expertise on the legal framework. Currently the draft law amending the laws concerned with the functioning of prosecution in view of the Constitutional amendments is being revised by the Verkhovna Rada profile Committee with the aim to bring the suggested amendments in compliance with the Council of Europe recommendations. Upon the provision of the comprehensive legal opinion relating to the criminal misdemeanours legislation, the Ukrainian authorities committed to further improving the legislation to ensure its compliance with European standards. The draft legislation is currently under discussion in the Verkhovna Rada. The Council of Europe intervention was also decisive when amendments to the Criminal Procedure Code were revoked by the Verkhovna Rada, following the Council of Europe conclusions on their incompatibility with the European standards.

An important milestone in securing prosecutorial independence and effectiveness was establishment of the prosecutorial self-governance and support (disciplinary) bodies (the Council of Public Prosecutors and the Qualification Disciplinary Commission of Public Prosecutors) in spring-summer 2017.

1 360 prosecutors (including 600 heads and deputy heads of the newly established 155 local prosecution offices) improved their knowledge of the European standards in implementing prosecutorial functions as result of the capacity building organised in co-operation with the National Academy of Prosecutors (NAPU). A new unit of research on the problems of ECtHR case-law and its Implementation within the NAPU was established contributing to the sustainability of the Council of Europe capacity building activities for the prosecution service.

427 legal aid bureaus were established throughout the country tasked with providing primary legal aid to vulnerable groups and other relevant services.<sup>13</sup> The CoE carried out a comprehensive assessment of the system in the light of CoE standards and best practices in 2016,<sup>14</sup> noting the progress achieved. Recommendations of the Council of Europe were also pivotal in expanding secondary legal aid to IDPs in January 2017.<sup>15</sup>

Nonetheless, the establishment of the independent prosecutorial self-governance bodies was not completed. The enactment of the part of the Law on the PPO, which provided for the operation of the prosecutorial self-governance and disciplinary bodies, was postponed.

The Organisation also assisted with the selection procedure of candidates for the post of the director and other administrative positions of the SBI and its regional branches to ensure transparency of the process.

### **3. DEMOCRATIC GOVERNANCE**

#### **3.1 DE-CENTRALISATION AND LOCAL GOVERNMENT REFORM**

Local self-government and decentralisation reforms have been on the top of the political agenda in Ukraine since 2014.<sup>16</sup> The political commitment to the reform of local self-government and the territorial reorganisation at the national level has been reiterated in strategic documents<sup>17</sup>. Local associations have been involved in the reform processes.

The full implementation of the reform is subject to the adoption of the constitutional amendments on decentralisation (approved by the Verkhovna Rada at first reading in August 2015, but pending submission for final voting). The transfer of executive powers to the elected head of the district (rayon) or regional (oblast) councils cannot be performed without constitutional amendments and no institution is in charge of overseeing the legality of local authorities' acts. The reform faces a number of further challenges such as: lack of political consensus, risk of corruption, bureaucracy, low administrative capacity to implement reforms and lack of co-ordination within and between levels of government, as well as a lack of control over local self-government actions and decisions.

The Council of Europe provided legal and policy advice and expertise (20 opinions and reports) relevant to territorial consolidation, decentralisation and sustainable local government throughout the country, which resulted in:

- amendments to the Constitution (adopted at first reading) and legal initiatives in line with the European Charter of Local Self-Government and other European standards as regards, *inter alia*, the Laws on Local Self-government Service (pending adoption), on Amendments to Certain Legal Acts of Ukraine (as to Voluntary Accession of Territorial Communities), on Amendments to Some Legal Acts of Ukraine as to Specificities of Voluntary Amalgamation of Territorial Communities Located on the Territories of Adjacent Rayons (Change of Rayon Boundaries);
- implementation of Peer Review Reports on Sectorial decentralisation and on Reforming the training system for local authorities in Ukraine;

<sup>13</sup> Information on mission, structure, legal basis and functioning of the FLA in Ukraine available here.

<sup>14</sup> See <http://rm.coe.int/doc/09000016806ff4a8>.

<sup>15</sup> Statistics on provision of the free secondary legal aid to vulnerable groups available here.

<sup>16</sup> The reform goals and priorities are framed by the Concept "On the Reform of Local Self-government and Territorial Organisation of Power" adopted by the Government on 1 April 2014 and its Action Plans for 2014, 2015 and 2016; the Strategy of Sustainable Development "Ukraine – 2020" approved by the President on 12 January 2015; the Parliamentary Coalition Agreement; and the Government Action Plan of 11 December 2014.

<sup>17</sup> On Priority Actions Concerning Local Self-government Development in Ukraine for 2017, and the Government draft Medium-term Action Plan of the Governmental Priorities till 2020.

- drafting of Concept of Reforming of the Professional Training System of Civil Servants and Members of Local Councils, in co-operation with the National Agency of Ukraine on Civil Service, providing for a complete restructuring of the institutional architecture of civil servants training (approved by all governmental agencies and pending approval by the Cabinet of Ministers);
- provision of expert support to the Ministry of Regional Development to design and manage the grant system for amalgamated communities;
- policies introduced by the Kyiv City Council to enhance transparency and public ethics.

The two waves of municipal amalgamations led to the creation of over 600 new territorial communities by May 2016. Financial sustainability of local self-governments is increasing due to financial decentralisation mechanisms first introduced in 2015 and expanded over 2016.<sup>18</sup>

Despite the challenges still ahead, a survey has found that the population of Ukraine is in favour of these reforms. The findings of the second annual National Opinion Poll<sup>19</sup> carried out by the Council of Europe in 2016 show that 64% of the population considers the reform necessary (with 61% finding it too slow), 46% noticed improvements as a result of decentralisation (compared with only 19% in 2015), and 51% believe that decentralisation will promote community development.

The central authorities' knowledge and understanding of European standards, practice and methodologies related to decentralisation has improved through the setting-up of expert teams with the Ministry of Regional Development and the Secretariat of the Cabinet of Ministers and through the organisation of high-level study visits for the specialised Verkhovna Rada Committee and the Ministry of Regional Development.

In addition to supporting the revision of legislation and policies as well as capacity building at central level, the Congress and the Centre of Expertise for Local Government Reform (training programme "[Leadership Academy](#)") addressed the needs of locally elected officials (already 200 mayors attended the programme) following the elections of October 2015, including mayors of newly amalgamated communities and mayors from Donetsk and Luhansk regions. Moreover, seven heads of local councils, 128 local councilors and 95 young local leaders strengthened their institutional and leadership capacities through relevant training. The National Academy for Public Administration (NAPA) introduced in its curriculum for training of public servants a new module on Leadership in Local Self-Government based on the Council of Europe toolkit in this area.

Public and local authorities' awareness about the reforms' achievements continued to be raised by organising:

- competition for journalists and media on coverage of local self-government; and
- competition on best practice in local government.

The Council of Europe closely co-ordinated with other initiatives in support of local democracy, notably with Switzerland (DESPRO), the EU (e.g. U-LEAD and others), USAID (PULSE and DOBRE<sup>20</sup>), Sweden, Germany and Canada (EDGE). In addition, the Organisation participated in the meetings of the Donor Thematic Working Group on Decentralisation/Local Governance, Regional Development and Municipal Services on a regular basis.

### 3.2 CIVIL SOCIETY

Since August 2017, the Council of Europe activities aimed at laying the foundations of a sustainable dialogue between civil society organisations and the Kyiv City Council. The organisation helps to develop a concept for a public participation academy to train relevant representatives of civil society and of the Kyiv authorities to facilitate contribution by the civil society to decision-making in Kyiv. The concepts will be tested in practice and can be adapted and applied at the central and at the local levels.

<sup>18</sup> The municipalities' own revenues increased by more than 3 times (compared to 2015), including personal income tax (24.9%, UAH 1745 million), land fee (8%, UAH 558 million), single tax (6.4%, UAH 447 million).

<sup>19</sup> Decentralisation and the reform of local self-governance: results of the second wave of sociological research, available at [http://www.slg-coe.org.ua/wp-content/uploads/2016/12/Analitical-Report\\_Decentralization\\_Wave\\_2\\_ENG.pdf](http://www.slg-coe.org.ua/wp-content/uploads/2016/12/Analitical-Report_Decentralization_Wave_2_ENG.pdf)

<sup>20</sup> The USAID-funded project DOBRE obtained authorization to carry out seven Academies in seven oblasts, using the Council of Europe methodology, materials and experts.

### 3.3 EDUCATION FOR HUMAN RIGHTS AND DEMOCRATIC CITIZENSHIP

The Council of Europe continued to support the integration and further development of Education for democratic citizenship/Human rights education (EDC/HRE) in the national education system.

Within the framework of the European Union-Council of Europe PGG regional programme the Council of Europe supported the efforts of the Ukrainian authorities in the implementation of the educational reform within the [New Ukrainian School](#) policy concept. The Organisation contributed to the revision of school curricula, the development of the capacity of educational professionals to integrate EDC/HRE curricula in schools. The EDC/HRE elements were introduced in 25 regional centres for the vocational training of educators. A working group was created to co-ordinate efforts and to exchange experience in the field of EDC/HRE. The school curricula and lessons plans on EDC/HRE developed by teams of teachers and school heads have already started to be implemented in schools in four regions.

On 29 September 2017, the Minister for Foreign Affairs of Ukraine Pavlo Klimkin has requested the opinion of the Venice Commission on the Law on Education of 25 September 2017.

## 4. ECONOMIC CRIME

### 4.1 FIGHT AGAINST CORRUPTION

Ukraine has adopted a number of normative and legislative acts with a view to bringing its legislation fully in conformity with international standards and practices, *inter alia* in respect of transparency and accountability in political party financing and election campaigns, as well as asset declarations (section VII of the Law on prevention of corruption) and functioning of prosecution. In addition, the Council of Europe provided the authorities with an expert opinion on the draft Law on Amendments to Certain Legislative Acts regarding the Ensuring of Unjustified Assets Recovery into the Revenue of the State. The revised draft is a fourth attempt by the Ukrainian authorities since the beginning of 2016 to introduce asset recovery tools that could be used in cases where the defendants are unavailable to authorities.

Furthermore, the Council of Europe provided recommendations on the draft laws concerning critical issues relating to the independence and operation of the NACP. Following the introduction of asset declaration requirements to civil society in March 2017, the Ukrainian authorities were provided opinions regarding the proposed draft legislation on financial reporting requirements to non-governmental organisations in lieu of asset declarations.

The National Agency for Public Service and the Presidential Administration elaborated General Rules of Ethical Conduct for Civil Servants and Local Government Officials of Ukraine with the Council of Europe assistance.

The Organisation contributed further to enhancing the institutional capacity of NABU and the NACP. The Council of Europe organised management and operational training for NABU senior and middle management, focusing on investigative strategy development, use of available resources, case management, delegation of authorities, and co-ordination with other bodies. The Action Plan provided an opportunity for the NABU investigators to familiarise themselves with good practices in corruption prevention and investigation in the United Kingdom. It assisted in developing the NACP corruption risk assessment methodology, performance indicators and progress benchmarks. It is worth noting that the process that the NACP has undertaken with Council of Europe support is innovative, as there are very limited similar comparative models. The institutional capacities for asset recovery were supported through training for Ukraine's recently established Asset Recovery and Management Agency (ARMA).

The Council of Europe identified corruption risks and vulnerabilities in the country's health sector and recommended actions to improve control of these risks through the corruption risk assessment in the health sector.

GRECO adopted in March 2017 and published in July 2017 the [Addendum](#) to the second compliance report on incrimination and transparency of party funding. GRECO also adopted its fourth round evaluation [report](#) on Ukraine concerning corruption prevention in respect of members of Parliament, judges and prosecutors in June 2017 and published it in August 2017. The full implementation of GRECO recommendations will be a key to the success of anti-corruption reforms in Ukraine.

The Venice Commission's [opinion](#) on the draft Law on Anti-corruption Courts was adopted on 6 October 2017. The provisions of the draft law provide a good basis for the establishment of a high specialised anti-corruption court. In order to dispel any doubts about the constitutionality of the legislative procedure, the Venice Commission invited the President of Ukraine to promptly submit his own draft Law on Anti-corruption Courts – which should be based on the Venice Commission's recommendations. The current draft law (Draft Law No. 6011) thus needs to be withdrawn.

## 4.2 FIGHT AGAINST CYBERCRIME

While Ukraine is a Contracting Party to the Convention on Cybercrime (Budapest Convention), the procedural powers of this treaty have not yet been fully transposed in the criminal procedure laws of the country. This creates risks to the rule of law and is adversely affecting co-operation between law enforcement and service providers.

The Council of Europe helped to review the current legislative framework for procedural powers and supported the drafting of cybercrime-related legislative acts. Furthermore, it agreed with criminal justice officials on how to best organise co-operation with the EU member States, with a view to effectively handling mutual requests for co-operation in the field of cybercrime and electronic evidence.

## 5. HUMAN RIGHTS

Together with other international partners present in Ukraine, the Council of Europe participated in monitoring the implementation of the National Human Rights Strategy (NHRS). The Organisation focused on enhancing legislative frameworks and increasing the capacity of relevant institutions to conduct reforms in such areas as combating torture and ill-treatment, ensuring the right to a fair trial, preventing and combating discrimination, combating gender-based violence, protecting IDPs' rights, and data protection. In discussions with national partners during meetings on the implementation of the NHRS, a number of encouraging developments were observed, including a higher level of participation of state authorities in the meetings and their increased openness towards NGOs (who were invited not only to discuss the NHRS implementation, but also to contribute to its monitoring jointly with the Ombudsperson Office).

### 5.1 PREVENTION OF TORTURE, ILL-TREATMENT AND IMPUNITY, POLICE AND PENITENTIARY REFORM

The regulatory framework and reform strategy of law enforcement agencies for 2017-2020 to ensure the effective functioning of the police is under revision. According to the law the SBI, once established, will have a power to investigate allegations of ill-treatment committed by law enforcement officials. Assessments of the draft Laws on Disciplinary Statute of the National Police, On Private Detective (investigation) and on Operative Search Activities were prepared.

Over 2 700 police investigators have increased their knowledge on European standards as regards effective investigation of ill-treatment cases within the law enforcement agencies. Special human rights focused training for staff of the newly established Human Rights Directorate of the NPU was supported by the Council of Europe. The impact of these training activities on the effectiveness of ill-treatment investigation is still to be observed.

Courses<sup>21</sup> on "Introduction to the ECHR", Pre-trial investigation in light of the ECHR" and "Evidence and proof" were not fully integrated<sup>22</sup> into the training curriculum of the national professional training institutions for two reasons. First, due to the lack of staff and technical capabilities at the National Prosecutor Academy and the School of Judges, and second, because priority was given to developing a training programme for the new Supreme Court by the latter institutions. A training session on the application of the ECHR and case-law of the ECtHR was held for the staff of the Ukrainian Verkhovna Rada Apparatus with the aim to influence the quality of the legislation. The results of the training are yet to be observed.

<sup>21</sup> Within the framework of the European Programme for Human Rights Education for Legal Professionals (HELP): <http://help.elearning.ext.coe.int/>

<sup>22</sup> Currently, at the initiative of the National Prosecutor Academy the inclusion of the above mentioned courses in the training curriculum is under consideration by the PPO.

In the report on its November 2016 visit to Ukraine the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) acknowledged the Ukrainian authorities' ongoing legislative and organisational reforms of the prison system and the efforts to reduce the prison population. However, it expressed serious concern about the frequency of allegations of ill-treatment by police officers and dismay at the conditions of detention in the pre-trial establishments.<sup>23</sup> The CPT noted that the situation of prison staff (e.g. low wages, the perceived lack of information about the reforms) continues to be very problematic in the entire prison system.

A larger scale prison reform programme was announced by the authorities in 2016. Among its first measures was restructuring of the State Penitentiary Service which brought it under the Ministry of Justice and established the Probation Service. The Council of Europe helped to bring the legal penitentiary system framework closer to European standards.

A package of draft laws aiming at more humane treatment of prisoners was adopted by the Verkhovna Rada in September 2016, as well as the new Internal Prison Rules. The New Code of Ethics for Prison Staff drafted with the help of the Council of Europe was adopted in 2016. The renewed suicide prevention policy and policy for introduction of dynamic security elements as well as a catalogue of 12 social and life skill courses were developed. In parallel, the Council of Europe helped in testing new rehabilitation practices on the ground (including in women and juvenile facilities). As a result, focus on treatment of prisoners and a rehabilitative approach already features in latest legal amendments and policy documents and have been embedded in various in-service training programmes for prison staff. However, further assistance is required to expand and cascade results throughout the system and change the still prevailing punitive approach in prisons.

Further modernisation of the training system for law enforcement professionals, extension of human rights training to the whole system of the Ministry of Interior and not only to the National Police, and enhancement of the human rights curriculum in the higher education system for legal professionals are necessary.

## 5.2 OMBUDSPERSON

The Council of Europe helped to enhance the capacity of the Commissioner of the Verkhovna Rada on Human Rights (Ombudsperson) and the National Preventive Mechanism (NPM) to carry out monitoring visits to places of deprivation of liberty, based on the methodology developed by the Organisation.

The quality of internal guidance in the Ombudsperson Office and the awareness of the NPM among authorities, professional groups and civil society have been significantly enhanced. The capacity of Ombudsperson staff to monitor human rights violations, advocate discrimination and data-protection cases is improving, as attested by an increased number of assessment visits to the places of deprivation of liberty, doubled number of applications from state authorities and individual complaints regarding data protection.

Support was provided to the Ombudsperson Office for the development of effective communication, for example through a campaign of thematic posters and the First All-Ukrainian Student Forum on anti-discrimination issues that gathered more than 350 students. The Council of Europe also supported the Ombudsperson in enhancing monitoring of the situation of IDPs (for details see chapter 5.5 Internally Displaced Persons).

The five-year term of office for the current Ombudsperson of Ukraine expired on 28 April 2017. The appointment of the new Ombudsperson has been postponed and the Verkhovna Rada has not yet considered this question at the time of the presentation of this report.<sup>24</sup>

<sup>23</sup> Report to the Ukrainian Government on the visit to Ukraine carried out by the CPT from 21 to 30 November 2016, available at <https://rm.coe.int/pdf/1680727930>

<sup>24</sup> At the time of writing of the present report, there are two legal acts with equal force, one of which provides for a secret ballot vote for the appointment process of the Ombudsperson and another one - which provides for an open voting. This situation makes it impossible for the Verkhovna Rada to proceed with the election of the Ombudsperson. Therefore a clarification of the legislation is a prerequisite.



### 5.3 FREEDOM OF THE MEDIA

The Council of Europe has substantially contributed to the creation of legal frameworks<sup>25</sup> on public broadcasting, transparency of media ownership and reform of print media, as required by the Council of Europe [PACE Resolution 1466](#) on honouring the obligations and commitments of Ukraine (2005). The Organisation has substantially contributed to building capacities to implement these reforms. Nevertheless, further efforts to harmonise legislation and develop capacity to ensure implementation of the laws is necessary.

A strategy for the development of Ukraine's legislation on freedom of expression and mass media was approved by the members of the Parliamentary Committee on Freedom of Speech and Information Policy. Although the process of the transition from state to public broadcasting was delayed, the registration of a legal entity of the public broadcaster was achieved on 19 January 2017. The Statute of the Public Broadcaster (adopted on 28 December 2016) and the Regulations on Supervisory Board and Management Board (approved in the beginning of 2017) have been developed with the support of the Council of Europe. The Director General of the Public Broadcaster was elected in April 2017.

In 2016, the work of the Commission on Journalism Ethics (CJE), which had not functioned properly for several years, started to operate again. At the Congress of CJE founders, 15 new members were elected, and important amendments to the charter of the CJE were adopted.

The Council of Europe Institutional Mapping Analysis in the Sphere of Information Policy and Media in Ukraine was presented in September 2016. The report contains detailed conclusions and specific recommendations on how to eliminate the outdated, dysfunctional and conflicting remits of the institutions operating in the media sphere. One of the main conclusions of the report is the need for the Law on Audiovisual Services, which was supposed to be adopted in 2016. However, it has not yet been adopted at the time of the preparation of the present report. While a single comprehensive law is under development, an important law enabling the media regulator to apply sanctions was adopted, introducing a gradual system of sanctions depending on the severity of a violation.

The situation regarding the safety of journalists did not substantially improve during 2016 in [comparison](#) to previous years in practice.<sup>26</sup> In 2016, the Institute of Mass Information registered 264 cases of freedom of speech violations, while the Council of Europe online Platform on Protection of Journalists, which works as an early-warning and rapid-response mechanism for attacks on media freedom and journalists' safety, received 10 alerts from Ukraine in 2016.<sup>27</sup> The international conference "Safety of journalists: an imperative for free media" was organised in Kyiv in February 2017 jointly by the Ukrainian Ministry of Foreign Affairs, OSCE, UNESCO, Ukrainian Institute of Mass Information and Council of Europe. The conference speakers provided a number of [recommendations](#) on such issues as raising awareness of the problem among key stakeholders; bridging state authorities, law enforcement, media community and civil society; changing legislation and practice related to enhanced safety of journalists and effective prevention and investigation of safety violation cases. More than 800 law enforcement officials improved their knowledge on safety of journalists through a series of seminars organised in the regions of Ukraine as a follow up to the conference. Recommendations on the articles of the Criminal Code of Ukraine regarding protection of the rights of journalists were provided to the Committee on Freedom of Speech and Information Policy of the Verkhovna Rada.

As far as access to public information is concerned, the Ombudsperson Office prepared the Draft Law on Amendments to the Constitution of Ukraine on establishing the Information Commissioner in Ukraine at the end of 2016. According to the latest [Global Right to Information rating](#), Ukraine is in 23rd place, while three years ago it was among the top ten. The process of ratification of the Council of Europe Convention on Access to Official Documents was re-launched after the international conference in September 2016. The Resolution of the Plenum of the Higher Administrative Court of Ukraine on practical application of the legislation in the sphere of access to public information by the administrative courts was approved by the

<sup>25</sup> The Law on Transparency of Media Ownership and the Law on Reforming State and Municipal Print Mass Media were adopted in September and December 2015 respectively. The registration of a legal entity of the public broadcaster was achieved in January 2017.

<sup>26</sup> At its 1294th meeting (19-21 September 2017) the Committee of Ministers, *inter alia*, welcomed the strengthening of the legislative and institutional framework to enhance the safety of journalists, as well as measures to improve the independence and effectiveness of investigations into crimes against journalists, notably by specific guidelines to the police and prosecutors, training and dissemination activities and invited the authorities to provide information as to the practical effect of these measures (see CM/Del/Dec(2017)1294/H46-37).

<sup>27</sup> Platform to promote the protection of journalism and safety of journalists, statistics on Ukraine, available at <http://www.coe.int/en/web/media-freedom/ukraine>



Plenum of the Higher Administrative Court. This Resolution provides information on methods and techniques that each judge and information administrator must apply when deciding on access to public information.

The Council of Europe has prepared comprehensive analysis of the Ukrainian Ombudsperson's competencies and legislation in the sphere of Access to Public Information. Also, upon the initiative of the Ombudsperson's Office, an open online course on access to public information for the general public and public officials was launched in February 2017. To date, it has attracted more than 2 000 users.

In 2015 Ukraine has adopted the Law on Reforming of the State and Communal Print Mass Media. During the reporting period, 244 of 690 editorial offices of the state and communal printed media outlets are involved in the reform process to gain economic and political independence of the local authorities. 93 have been fully reformed. The Council of Europe contributed to strengthening the capacities of the regional media outlets undergoing reform through capacity building in legal and marketing matters.

## **5.4 SOCIAL RIGHTS**

Ukraine ratified the European Social Charter (ESC) in 2006. In December 2016 a meeting was organised with the Ministry of Social Affairs in Kyiv on the acceptance of additional provisions of the Charter. As a result, the Verkhovna Rada has adopted the Law of Ukraine on the Amendments to paragraph 2 of the Law on the Ratification of the European Social Charter (Revised) No. 163. Ukraine has now accepted 76 of the 98 provisions of the Charter.

## **5.5 INTERNALLY DISPLACED PERSONS**

The focus of international support to IDPs in Ukraine has overwhelmingly been on immediate humanitarian needs, whereas the Council of Europe has focused on assisting with the development of the mid- and long-term legislative and institutional framework based on its standards and experiences in the field.

Court practice on the human rights of IDPs has been improved. Pilot research shows a significant increase in the application of the case law of the ECtHR and the Council of Europe standards on issues concerning internal displacement by domestic courts, strengthening the human rights protection of IDPs.

The Ministry of Temporarily Occupied Territories and Internally Displaced Persons in Ukraine (MTOT and IDPs) was created in April 2016, following consistent advocacy by international organisations, including the Council of Europe and relevant national stakeholders.

The Council of Europe developed and disseminated the Handbook Protecting Internally Displaced Persons under the European Convention of Human Rights and other Council of Europe Standards and the Baseline Analysis on Enhancing the National Legal Framework in Ukraine for Protecting the Human Rights of Internally Displaced Persons. The Baseline Analysis evaluates the Ukrainian legislative framework in the light of international standards and provides recommendations and concrete guidance. Some of these recommendations are already incorporated into national legislation and practice:

- Court procedure for the recognition of births and deaths of people in the territories not controlled by the Ukrainian government was introduced to the Civil Procedural Code of Ukraine in 2016. IDPs became beneficiaries of secondary Free Legal Aid (FLA), and the Council of Europe provided cascade training for 200 lawyers, thus establishing capacity to deliver FLA to the IDPs;<sup>28</sup>
- Law no. 1954-VIII and amendments to Cabinet of Ministers Regulation No. 140 help to enhance durable housing solutions along with adopted local housing programs for IDPs in Donetsk region;
- legislative amendments help to improve access to education for IDP students;
- the framework for access to social support for IDPs was improved through amendments to Cabinet of Minister Regulations.

Other draft amendments have been registered in the Verkhovna Rada, such as Draft Law No. 6240 on the voting rights of IDPs and Draft Law No. 6692 on ensuring access to pensions.

<sup>28</sup> As of November 2017, more than 5 000 IDPs applied for free legal aid.

More than 400 legal professionals have been trained and legal aid offices have increased their capacities in providing consultations to IDPs. Ambulatory consultations for IDPs in distant regions and places of compact living have been provided by mobile groups of the local FLA centres, and extensive awareness materials for IDPs have been widely disseminated.

Working Group was established with the technical and expert support of the Council of Europe in order to harmonise national legislation related to IDPs.

The Council of Europe was the first international organisation to organise seminars for displaced courts and judges on the case law of the ECtHR and issues of internal displacement. Other international organisations have followed suit and turned their attention to the displaced judiciary at present.

The capacity of the Ombudsperson Office to monitor the IDP situation was enhanced through the provision of support in over 50 monitoring field visits and follow-up roundtables. The draft guidelines for monitoring and evaluating activities of the Ombudsperson Office related to IDPs' rights were developed and tested jointly by the Council of Europe, the Ombudsperson office and the United Nations Development Programme (UNDP).

- The Council of Europe's programme for the protection of IDP rights ensures that good practices are being adjusted to the context of Ukraine: capacity-building activities for psychologists and social workers who work directly with IDPs have supported effective psycho-social services with specific focus on post-traumatic stress disorder and related substance use disorders;
- capacity-building activities for more than 150 representatives of local and regional authorities, heads and deputy heads of social protection departments helped to enhance social protection of IDPs in the regions;
- an array of interactive, educational and cultural community-based initiatives in the regions facilitated better communication and awareness, constructive dialogue and fellowship within communities. In total, events engaged more than 3 500 IDPs and people from local host communities of different age and gender;
- videos on IDP integration and access to education, housing and free legal aid have been supported and widely broadcasted, drawing public attention to the issue.

## 5.6 DOMESTIC VIOLENCE

The Council of Europe assisted Ukraine in preparing for accession to the Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention, signed by Ukraine on 7 November 2011). CM Recommendation Rec (2002)5 on the protection of women against violence in Council of Europe member states, as well as PACE [resolutions and recommendations](#) on violence against women were used as a basis for the legal and technical expertise provided by the Organisation to the authorities. In 2016, the Council of Europe organised a series of activities to create a collective momentum in favour of ratification, including advocacy activities with the Verkhovna Rada and an awareness-raising campaign in the media. In the same vein, PACE organised a consultative meeting between relevant Committees of the Verkhovna Rada, local civil society and international experts in view of ratification of the Istanbul Convention. A national research study was developed, and obstacles to equal access to justice for women in Ukraine were identified and discussed with representatives of the Ministries of Justice, the National School of Judges of Ukraine and the National Prosecution Academy of Ukraine, as well as other government and civil society stakeholders, resulting in the improved quality and availability of information and analysis. The capacity of judges, prosecutors and other legal professionals to incorporate a gender-sensitive approach in their work has improved as a result of pilot trainings carried out in Ukraine and a training programme developed with the experts of the National School of Judges of Ukraine and the National Prosecution Academy of Ukraine.

In June 2017, the Cabinet of Ministers of Ukraine adopted a decree on the establishment of a position of the Government Commissioner for gender equality policy and approved Regulations of the said Commissioner. The implementation of this decree will contribute to the introduction of an effective mechanism for ensuring equal rights and opportunities for women and men, to increase the efficiency of actions on establishing gender equality policy in the society and will contribute to developing a culture of gender equality.

## 5.7 CHILDRENS' RIGHTS AND YOUTH

A comprehensive and representative opinion poll surveying 1800 children from 120 schools across the regions was completed in 2015 contributing towards an improved understanding of incidence of violence against children in Ukraine.

Capacities of professionals in contact with children and/or dealing with child abuse cases have been strengthened through the development and implementation of training programmes for social workers, police officers, educators and regional Ombudsperson's representatives on interviewing child victims and witnesses of violence. The HELP course on child-friendly justice is currently being adapted to the Ukrainian legal order in collaboration with the National School of Judges of Ukraine, the National Academy of Prosecutors of Ukraine and with participation of the civil society.

In line with the priorities of the Council of Europe Strategy for the Rights of the Child (2016-2021) and through targeted co-operation support to prevent and combat child sexual exploitation and abuse, the feasibility study of introducing a child-friendly interdisciplinary and multiagency response model in three pilot regions (Donetsk, Lviv, Odessa) was initiated in July 2017.

Capacity-building of civil society organisations is being undertaken to enable their active engagement in the monitoring processes of the Committee of the Parties to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Violence (CETS 201). The Ministry of Youth and Sport is currently implementing the Roadmap for Reform: Youth Policy in Ukraine and, in the Ukrainian regions, holding open hearings on a new Law on Youth that will be a basis for youth policy. A new five-year Framework Programme on Co-operation in the field of youth policy between the Ministry of Youth and Sport and the Council of Europe (2016-2020) was adopted by all stakeholders and signed in Kyiv by the Minister of Youth and Sport of Ukraine and the Council of Europe on 3 March 2016. The Framework Programme covers three main priorities: education for human rights and democratic citizenship, support to youth work development and the recognition of non-formal education, and intercultural dialogue.

In 2017, the Organisation provided advice and examples of good practice to facilitate the development of the youth policy in line with Council of Europe standards. In addition, the Council of Europe conducted training on democratic citizenship and youth participation for specialists from authorities at national, regional and local levels working with young people and for representatives of youth NGOs. A national seminar on Roma youth participation was organised with assistance of the Council of Europe. [The training activities resulted in a number of follow up initiatives and projects](#) aimed at empowering young people for participation in their communities.

## 3. IMPLEMENTATION AND CO-ORDINATION

The CM assesses overall Action Plan implementation through its Group of Rapporteurs on Democracy (GR-DEM). In addition, reports are prepared for donors having contributed at the Action Plan level.

The Action Plan Steering Committee, comprising representatives of the Ministry of Foreign Affairs, other national stakeholders and Council of Europe representatives, also assesses the progress of Action Plan implementation. This committee considers implementation of approved projects, discusses challenges and relevant proposals for future co-operation, and recommends measures to improve effectiveness. The Steering Committee met twice in Kyiv on 2 June 2016 and on 12 June 2017.

The overall co-ordination of technical co-operation implemented by the Council of Europe falls within the remit of the Office of the Directorate General of Programmes (ODGP), which steers the programming of and fund-raising for co-operation actions, and ensures the efficiency of Council of Europe Offices in the field. Projects are implemented by the Council of Europe's Major Administrative Entity responsible for the relevant area of expertise (PACE, the Congress, the Directorate General of Human Rights and Rule of Law and the Directorate General of Democracy). The Council of Europe Kyiv Office plays a key role in co-ordinating and supporting project implementation in accordance with the co-operation decentralisation policy. As of 15 October 2017, 50 staff members in total (including nine core staff and 41 project staff) worked at the Kyiv Office.

To facilitate contacts with the Ukrainian authorities and other interlocutors the Secretary General appointed a Special Advisor for Ukraine. During the reporting period this function was carried out by Christos Giakoumopoulos, at the time Director of Human Rights, from July 2014 until May 2016 and by Régis Brillat, Head of Department of the European Social Charter of the Directorate General Human Rights and Rule of Law, since 1 June 2016.

The Secretary General appointed Daniel Popescu as Special Adviser to the Government of Ukraine on Decentralisation from April 2016 to December 2017.

Action Plan implementation can involve, as necessary, needs assessments, legislative expertise, capacity-building, awareness-raising and peer-to-peer reviews. The methodology aims to reinforce the ownership of national stakeholders and to ensure the sustainability of the outcomes.

The Council of Europe implements projects in close co-operation with the authorities in Ukraine, targeting governmental stakeholders, Verkhovna Rada, civil society and independent governance institutions, such as the Ombudsperson and local and regional authorities. This creates a unique leverage for comprehensive, inclusive, successful and sustainable reforms.

Co-ordination to ensure an efficient use of resources and relevance of the Council of Europe actions is performed at different levels and in different bodies, including the CM.

The Council of Europe closely co-ordinates with relevant international partners, notably the EU (in particular the EU Delegation in Ukraine). The EU Support Group for Ukraine and the team of the Organisation for Security and Co-operation in Europe (OSCE) Project Co-ordinator in Ukraine visited Strasbourg in November 2016 and February 2017 respectively to exchange views with the Council of Europe on the programming outlook for Ukraine for 2017. Co-ordination is also ensured with the United Nations (UN). The Council of Europe Kyiv Office is instrumental in co-ordinating this Action Plan implementation with international partners present in Ukraine.

To ensure efficiency and avoid overlapping of activities, the Council of Europe also co-ordinates with member State development agencies. At the end of 2015, there was no single commonly agreed framework for government-donor co-ordination of reform support. Sector-by-sector co-ordination nevertheless continued to improve. The registration of individual projects at the Ministry of Economy of Ukraine has been a requirement for the international technical assistance programmes since 2002 and this process became more efficient in the reporting period. However, government-donor dialogue that takes stock of the overall picture and considers key sectorial issues concurrently in all sectors still does not take place. The efficiency of co-ordination between international organisations and donors needs further improvement. Specifically, it is important to co-ordinate the timeline of assistance delivery taking into account the national partners' capacity to absorb assistance and in order to avoid any overlap.

### 3.1 TRANSVERSAL ISSUES

The Council of Europe prioritises a human rights approach at all levels and stages of its activities. Its *acquis*, including Council of Europe legal instruments, information and institutions, combined with the principles of equality, non-discrimination and balanced participation, brings further added value to Council of Europe activities.

As a component of this human rights approach, the Council of Europe emphasises gender mainstreaming throughout its project activities. For more information, see the Council of Europe [web page](#) on gender mainstreaming. The Organisation also promotes civil society participation, as outlined in the [Guidelines on civil society organisations' participation in Council of Europe co-operation activities](#).

Results of gender mainstreaming include:

- the "Gender and Election Systems Workshop", organised by the Venice Commission for parliamentarians and civil society, facilitated discussion among stakeholders on the participation of women in political life and mechanisms to enhance the balanced representation of sexes in elected office through changes in the electoral systems;
- a distance learning course on anti-discrimination including on grounds of gender identity within the HELP programme was introduced;

- Council of Europe provided support to the authorities in strengthening judicial capacity to improve women's access to justice. One of the goals of the Council of Europe programme for the protection of IDP rights is to strengthen response mechanisms to violations disproportionately affecting women who are internally displaced. A work plan of joint activities with the UN and a campaign to raise awareness on gender-based violence was implemented in 2017;
- Council of Europe regional [study](#) on Women's political representation in the Eastern Partnership Countries was published in 2016;
- recommendations on gender and self-regulation in advertising to ensure non-discrimination were produced at the international conference on Strengthening Non-Discrimination Through Self-Regulation and Social Responsibility in Kyiv, in March 2016. The Handbook on the implementation of Recommendation CM/Rec(2013)1 of the Committee of Ministers of the Council of Europe on gender equality and media was published and disseminated.

In order to facilitate gender mainstreaming in the activities of the Council of Europe in Ukraine, the Kyiv Office was reinforced with a gender advisor. Katja Tilikajnen has been seconded by Finland to this position since April 2017.

Furthermore, the Organisation pays considerable attention to fostering dialogue between authorities and civil society, thus contributing to the transparency of the reforms and supporting its independent monitoring:

- new grant mechanisms and procedures provide for broader opportunities to strengthen the mechanisms for supporting civil society;
- Council of Europe supported the "All-Ukrainian Civil Society Development Forum", which initiated a platform for raising awareness of international organisations, national authorities and civil society representatives about the needs and rights of IDPs;
- capacity building and training of local child rights organisations is key for strengthening action to prevent and protect children from sexual exploitation and abuse;
- participation of community groups, women, children and youth in the reform process in certain areas (e.g. local self-governance, child protection) is a particular focus of the Council of Europe's attention.

### **3.2 RISK MANAGEMENT AND SUSTAINABILITY**

Due to the nature of its mandate, the Council of Europe sometimes operates in complex and unstable environments that expose it to risks. The risk analysis of the Action Plan and possible mitigation strategies are carried out on the basis of the Council of Europe [risk management guidelines](#).

Throughout the implementation of the Action Plan, the following main risks have been considered. Progress of the Action Plan depends on political stability and consensus among political forces to complete reforms. In this context, the judiciary reform is a positive example, showing how such risk can be mitigated through permanent dialogue with the authorities at all levels, including the CM and by strengthened co-ordination with other international organisations, notably the EU, the UN and its relevant agencies, and the OSCE.

To avoid certain risks associated with the conflict, no activities were implemented outside government-controlled regions. Projects aimed to reach out to partners and target groups in the territories under government control in the East of the country, whenever possible. For example, the judiciary and IDP projects involved a number of partners across the country.

The ambitious nature of the Action Plan, which – with an estimated budget of 45 million Euros – is the largest undertaking of this nature by the Council of Europe, created risks of its own. The risks associated with occasional insufficient funding for the implementation of the Action Plan were mitigated by broadening the donor base (which allowed unearmarked contributions of various amounts from different donors to be pooled together to fund individual projects). In addition, constant dialogue with both the national authorities and the donor community (including through the organisation of high-level events for donors both in Kyiv and in Strasbourg) allowed for a clear sequencing in the funding of projects, thus ensuring that urgent needs were funded first and leading to increased predictability in the work to be carried out. The increased scope of the Council of Europe activities in Ukraine also meant that there was a higher potential for overlap with programmes of international partners, notably the EU. Transparency, improved on-the-spot co-ordination (both bilaterally and through sectorial co-ordination groups) and timely communication of the

Council of Europe plans contributed to addressing this risk (even if, as noted above, there is still room to improve the efficiency of this co-ordination). Finally, the implementation of the Action Plan in a number of key areas of the reform in Ukraine increased visibility of the Organisation among the general public, which however also brought certain risks, including security concerns for Council of Europe staff working in Ukraine. The security arrangements for the Kyiv Office have therefore been enhanced.

The full and continuous support of the Ukrainian Government and of other stakeholders (such as the Verkhovna Rada and the Presidential Administration) in implementing the Action Plan helped ensure sustainability of the Council of Europe interventions.

### 3.3 LESSONS LEARNED

The Council of Europe results-based management methodology involves looking at lessons learned.

- A human rights approach to co-operation – using the Council of Europe standards as both means and goals of technical assistance – can significantly contribute to securing those rights;
- Action Plan-level funding, unearmarked contributions in particular, allows flexibility for allocating funds where they are most needed, including through the pulling together of unearmarked contributions of various sizes to provide necessary funding of individual projects to address the most urgent issues first;
- Large-scale Action Plans require additional resources to cover costs associated with general management and co-ordination of activities, which cannot be directly charged to the budgets of the individual projects. Inclusion of general management costs in the budget of the Action Plan allows for an increase in the scope and frequency of reporting to the Committee of Ministers, as well as organisation of needs assessment and awareness raising activities;
- The pace of reforms in Ukraine and sometimes high turnover of officials requires constant response to the needs to increase and maintain national capacity to implement reforms;
- With a large-scale programme running across multiple sectors in the country, which receives substantial international assistance, it is important to develop lasting bi-lateral co-operation modalities, to build synergies which help to respond to emerging needs in a rapidly changing and complex environment, notably in such fields as judiciary reform and decentralisation;
- Co-ordination of international support is most effective when led by national authorities, demonstrating clear ownership of the process, as is evident in the field of judicial reform;
- In addressing massive and sudden internal displacement, acute humanitarian assistance (as provided by other international partners) needs to be complemented straightaway by more long-term and multi-dimensional support to the national authorities. The situation in Ukraine has demonstrated the added value of the Council of Europe's involvement in this area, due to its - sometimes unique - know-how on a wide range of issues (i.e. legislative and institutional assistance on IDP issues, piloting of good practices ranging from integration within host communities to dealing with post-traumatic stress disorder etc.);
- To reinforce efforts in the promotion of gender equality, there is a need to set clear goals, strengthen leadership, improve training, allocate more resources and ensure systemic reporting on gender issues. The appointment of a gender advisor in the Kyiv Office, made possible by the support of Finland, is a good practice in this respect;
- A proactive approach to informing and involving the Verkhovna Rada has been perceived by national and international partners as a unique and very positive feature of Council of Europe technical assistance, as it has ensured early ownership of the legal changes to be proposed and introduced.

### 4. FUNDING AND PARTNERS

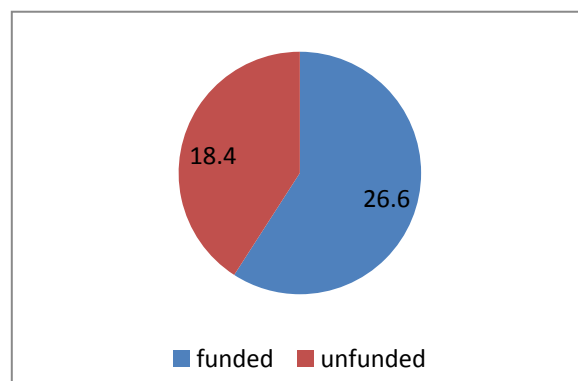
Continued financial support of this Action Plan allows the Council of Europe to build on and create activities that support European standards and the principles of the ECHR and other legal instruments. The Council of Europe increasingly seeks to deliver on agreed priorities rather than on individual projects and activities.

Country action plans and co-operation documents describe strategic priorities of co-operation and the resources needed to achieve them. This valuable tool serves to pool voluntary contributions that are not earmarked or that are broadly earmarked.

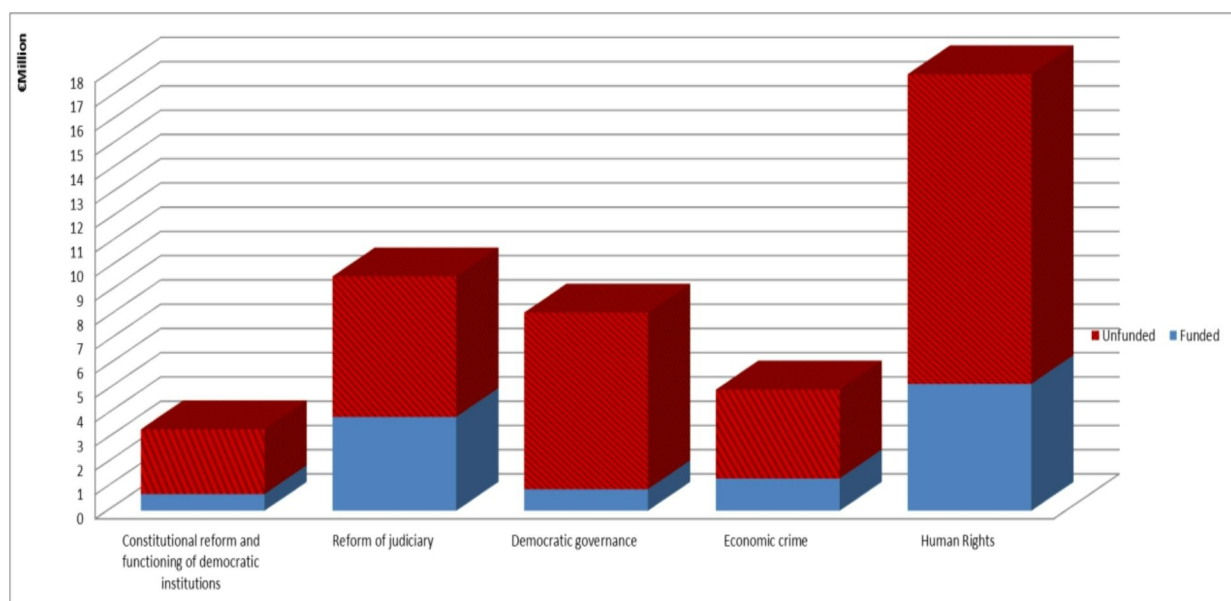


The Council of Europe Action Plan for Ukraine 2015-2017 received a total of €26.6 million (almost 60% of the total budget of €45 million). The EU provided €7.8 million, representing 29.3% of total extra-budgetary funding secured for Ukraine. Voluntary contributions provided the bulk of financing. Council of Europe member and observer states and the Human Rights Trust Fund contributed €17.3 million, representing 65.3% of total extra-budgetary funding. The Council of Europe contribution from the ordinary budget represented 5.4% of the total. The contributors under this category (in order of volume) are Sweden, Norway, Denmark, Switzerland, the United Kingdom, Finland, Germany, the Human Rights Trust Fund, the Netherlands, Poland, Luxembourg, Canada, Liechtenstein, Turkey, Estonia, Hungary, Lithuania, Ireland, the Czech Republic, France, Latvia, Japan and Romania.

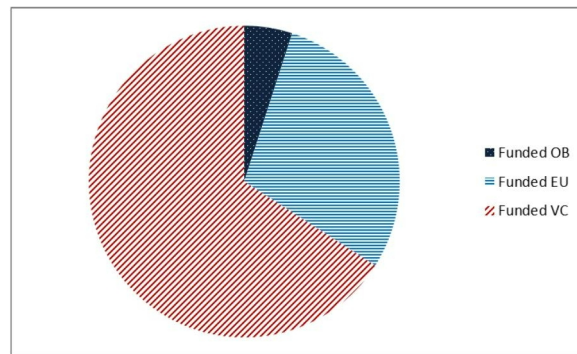
The figures below provide an illustration of the funding situation. As Figure 3 shows, human rights remain largely unfunded. This could partly be attributed to the fact that the EU earmarked contributions within the PGG mainly targeted Rule of law.



**Figure 2: Funding situation of the Council of Europe Action Plan for Ukraine 2015-2017 in millions of Euros, as of 15 October 2017**



**Figure 3: Funding situation per sector of the Council of Europe Action Plan for Ukraine 2015-2017 in millions of Euros, as of 15 October 2017**



***Figure 4: Funding sources for the Council of Europe Action Plan for Ukraine 2015-2017 as of 15 October 2017***



## 5. APPENDICES

### APPENDIX I: LIST OF PROJECTS

#### LIST OF COUNTRY SPECIFIC PROJECTS:

Title	Duration
Review of the Constitution	1/07/2015-31/12/2017 (36 months)
Supporting free and fair elections in Ukraine	1/01/2015 – 31/12/2017 (36 months)
Reform of the electoral legislation and practice in Ukraine	1/07/2015-31/12/2017 (36 months)
Reform of the Electoral Practice in Ukraine	1/07/2015-31/12/2017 (30 months)
Consolidation of justice sector policy development in Ukraine	23/12/2014-22/12/2016 (24 months)
Consolidating Ukraine's Justice Sector Reform	1/04/2017 – 31/7/2018 (16 months)
Support to the implementation of the judicial reform in Ukraine in line with the Council of Europe standards	1/02/2016 - 31/12/2018 (35 months)
Continued support to criminal justice reform in Ukraine	1/09/2015-28/02/2019 (42 months)
Decentralisation and Territorial Consolidation in Ukraine	1/07/2015-31/12/2017 (30 months)
Strengthening capacity of local elected authorities to implement effective and efficient decentralisation reforms	1/07/2015-31/12/2017 (30 months)
Ukraine: Fight against corruption	1/01/2015-31/12/2017 (36 months)
Strengthening the implementation of European Human Rights standards in Ukraine	1/01/2015-31/12/2016 (24 months)
Further support to penitentiary reform in Ukraine	1/01/2015-31/12/2017 (36 months)
Strengthening freedom of the media and establishing a public broadcasting system in Ukraine	1/01/2016 - 31/12/2018 (36 months)
Integration of European standards in the Ukrainian media environment	1/1/2013 – 30/4/2015 (28 months)
Strengthening the information society in Ukraine	21/1/2014 – 20/12/2015 (23 months)
Improve freedom, independence, pluralism and diversity of media	1/01/2016-31/12/2017 (24 months)
Preventing and combatting violence against women and domestic violence in Ukraine	1/01/2013-31/12/2016 (36 months)
Combating violence against vulnerable groups	1/3/2017-28/2/2018 (12 months)
Strengthening the Human Rights Protection of Internally Displaced Persons in Ukraine	1/07/2015-31/12/2017 (30 months)

Strengthening the implementation of European Human rights standards in Ukraine Component 1: Strengthening the Ombudsperson Office operational capacities in Ukraine (ill-treatment in places of deprivation of liberty, non-discrimination, data protection)	1/01/2015 – 31/12/2016 (24 months)
Strengthening the implementation of European Human rights standards in Ukraine Component 3: Implementation of ECHR	1/01/2015 – 31/12/2016 (24 months)
Supporting free and fair elections	1/01/2015 – 31/12/2017 (36 months)
Strengthening Parliamentary capacity to implement CoE standards and policies	1/01/2017 – 31/12/2017 (12 months)
Promoting civil participation in democratic decision-making	01/08/2017 - 28/02/2018 (7 months)

#### LIST OF REGIONAL PROJECTS:

Title	Duration
Electoral assistance: reforming electoral legislation and practice	1/01/2015 – 31/12/2017 (36 months)
Electoral assistance: reforming electoral legislation and practice - Venice Commission	1/01/2015 – 31/12/2017 (36 months)
Develop regional co-operation in electoral matters, including its Parliamentary dimension	1/01/2015 – 31/12/2017 (36 months)
Strengthen capacities to prevent corruption in Parliament	1/01/2015 – 31/12/2017 (36 months)
Support the full execution of the ECtHR judgments and build the capacity of EaP national parliaments towards greater conformity of national legislation with the European Social Charter	1/01/2015 – 31/12/2017 (36 months)
Strengthening the independence and efficiency of justice	1/01/2015 – 31/12/2016 (24 months)
Strengthening constitutional justice	1/01/2015 – 31/12/2017 (36 months)
Criminal Justice Responses for drug dependent inmates	1/05/2015 – 25/05/2015 (duration 36 months)
Promoting penitentiary reforms (from a punitive to a rehabilitative approach)	1/01/2015 – 31/12/2017 (36 months)
Strengthening institutional frameworks for local governance	1/01/2015 – 31/12/2017 (36 months)
Promoting Education for Democratic Citizenship and Human Rights Education in the Eastern Partnership Countries	1/01/2015 – 31/12/2017 (36 months)
Community-led Urban Strategies in Historic Towns (COMUS)	1/01/2015 – 30/06/2017 (30 months)
Fight against corruption and fostering good governance; Fight against money-laundering	1/01/2015 – 31/12/2017 (36 months)

Criminal Justice action on Cybercrime	1/03/2015 – 31/08/2017 (30 months)
Project Cybercrime@EAP III - promoting public/private co-operation	starting from 1 January 2016 duration 30 months
Enhancing respect for the protection of human rights online through capacity building, regional co-operation and participation to global Internet governance policies shaping	1/01/2015 – 30/06/2016 (18 months)
Promote professional and responsible journalism by supporting regional network of self-regulatory bodies	1/01/2015 – 31/12/2017 (36 months)
The role of national parliaments in protecting media freedom	1/01/2015 – 31/12/2017 (36 months)
To develop and strengthen national data protection systems	1/01/2015 – 31/12/2017 (36 months)
Improving women's access to justice in 5 EaP countries	1/01/2015 – 31/12/2016 (24 months)
Civil participation in decision making in the region	1/09/2015 – 31/12/2016 (16 months)

**APPENDIX II: FINANCIAL REPORT, AS OF 15 OCTOBER 2017, ALL AMOUNTS IN EUROS**

<b>Sectors</b>		<b>Total budget in Action Plan</b>	<b>Funded OB</b>	<b>Funded EU</b>	<b>Funded VC</b>	<b>Total funds secured</b>	<b>Unfunded</b>
1.	Constitutional Reform and Functioning of Democratic institutions	3 361 381	36 330	326 959	1 765 925	2 129 214	1 232 167
2.	Reform of Judiciary	9 415 893	293 456	1 741 100	5 310 684	7 345 240	2 070 653
3.	Democratic Governance	8 173 212	150 166	571 499	5 023 900	5 745 565	2 427 647
4.	Economic Crime	4 998 690	144 999	1 305 000	120 526	1 570 525	3 428 165
5.	Human Rights	19 050 824	814 673	3 854 064	5 152 909	9 821 646	9 229 178
	<b>TOTAL</b>	<b>45 000 000</b>	<b>1 439 624</b>	<b>7 798 622</b>	<b>17 373 944</b>	<b>26 612 190</b>	<b>18 387 810</b>