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PROJECT DIGEST

2020 brought a lot of new challenges and lessons learned. We adapted our working methods and lifestyle to the new reality. We learned how to organize events and build partnerships in a new way as well as discovered new management tools and approaches. But some things never change, primarily our values: **Human rights, Democracy, Rule of Law**

October - December 2020

HUMAN RIGHTS COMPLIANT CRIMINAL JUSTICE SYSTEM IN UKRAINE

Project is implemented
by the Council of Europe
within the Council of Europe
Action Plan for Ukraine
2018-2022

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The Project “Human Rights Compliant Criminal Justice System in Ukraine” has fully adapted its work to the quarantine restrictions in Ukraine to be able to continue implementation of activities in furtherance of the Council of Europe standards and best practices in the criminal justice sphere.

CRIMINAL JUSTICE LEGISLATION & PRACTICE

For the given period, the Project has continued to undertake various activities aimed at supporting compliance of the Ukrainian criminal justice legislation and its implementation to CoE standards and best practices as well as supporting professional and operational capacities of criminal justice actors:

■ **Expert assessment of the Draft Law No. 3009a** “On amendments to the Criminal procedural code of Ukraine to the part on securing the implementation of the functions of the prosecutor's office” provided

■ **Expert assessment of the draft law 4049** provided

■ **Expert assessment of Article 7 of the draft law 4000 on the state budget concerning prosecutors' salaries** provided

■ **First phase of the research on the application of pre-trial detention and house arrest in Ukraine** through the prism of the right to liberty and security of the person enshrined in Article 5 of the ECHR was completed

Abbreviations:

Council of Europe – **CoE**

National School of Judges of Ukraine -**NSJ**

Office of Prosecutor General - **OPG**

Prosecutors' Training Centre - **PTC**

European Convention on Human Rights – **ECHR**

European Programme for Human Rights Education for Legal Professionals - **HELP**

■ **Research on the application of the criminal misdemeanours** completed

■ **Expert support** to the on-going process of **resolving problematic issues of the criminal responsibility of judges for deliberately unjust judgments** was provided. The Project contributed to a thematic research comprising of two reports by CoE consultants which were shared with the Law Enforcement Committee of the Verkhovna Rada: Review of the Council of Europe standards related to the liability of judges regarding unlawful judicial decisions and Comparative paper on criminal responsibility of judges for unjust decisions covering six CoE member states. Project co-organised expert consultations with the participation of all key national actors to discuss the issue of criminal responsibility of judges for unjust decisions

■ On 5 November the Project supported **the launch of the Ukrainian user interface of the ECtHR case-law database HUDOC**, developed by the ECtHR in co-operation with the Ministry of Justice of Ukraine, and specifically with the Office of the Agent of Ukraine before the ECtHR.

■ Nine trainings for newly recruited lawyers of the free legal aid system (FLA) were conducted through allocation of the grant to the NGO.

■ On 12 October the **HELP course on Right to Liberty and Security** in cooperation with the National School of Judges of Ukraine (NSJ) was launched.



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PUBLIC PROSECUTION SERVICE REFORM

The cooperation has continued in the field of public prosecution service reform. In particular, to support institutional independence, operational efficiency, and professionalism of the public prosecution service (PPS) as well as to raise the awareness of prosecutorial community and public on the developments in the PPS reforms, the Project, inter alia, delivered the following:

- On 4 and 9 November the Project supported the Prosecutors' Training Centre (PTC) with organisation of a two-day session on strategic planning.
- On 27 November the Project in cooperation with the OPG, PTC and PricewaterhouseCoopers Advisory organised a brainstorming session to discuss the future of local public prosecutor's offices. The brainstorming session was focused on functions, organisational structure and territorial distribution of local prosecutor's offices after their transformation into district prosecutor's offices upon the completion of the ongoing attestation process in the public prosecution service.
- On 7 and 14 December two trainings on social media management were conducted for the communication officers of the OPG, regional and local prosecution offices
- Brand book and a new logo were developed for the OPG
- External communication strategy for the OPG was elaborated
- On 23-26 November a four-day online ToT on improvement of training skills of trainers of the Prosecutors' Training Centre was conducted. Participants of the training could develop skills which are necessary for organisation of successful online events.
- Expert assessment of the draft regulation of the OPG on disciplinary matters provided
- Expert comments to the OPG Strategy for the PPS development for 2021-2023 provided

HIGHLIGHT

On 15 December the Project organised final conference to mark the completion of its Phase I. The event was focused on the state of affairs in the PPS and ways forward with respect to the ongoing reform. Particular focus was made on strengthening the independence of PPS in line with European standards.

The conference was opened by Christophe Poirel, Director of Human Rights of the Council of Europe and Iryna Venediktova, the Prosecutor General of Ukraine who underlined the importance of cooperation and achievements of the Project.