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EVALUATION OF
GRANT NO CCS-0007-G-00-2018-00
WITH THE
AMERICAN BAR ASSOCIATION
FOR THE
CENTRAL AND EAST EUROPEAN LAW INITIATIVE
FOR
DEMOCRATIC PLURALISM INITIATIVES
IN THE NEW INDEPENDENT STATES
OF THE FORMER SOVIET UNION
(PROJECT 110-0007)

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ACRONYMS

ABA	American Bar Association
AID	Agency for International Development
CEELI	Central and East European Law Initiative
GPU	State Legal Administration of the President of the Russian Federation
MOJ	Ministry of Justice
NIS	New Independent States of the Former Soviet Union
NGO	Non-Governmental Organization
USAID	U S Agency for International Development
USIS	U S Information Service

EXECUTIVE SUMMARY

The American Bar Association's Central and East European Law Initiative (CEELI) received \$3,164,906 for a program that was incrementally funded by USAID over a 2-year period from May 1992 to April 1994. The purpose of the grant is to "provide support in developing an overall legal framework that will be the basis for adhering to the 'rule of law' principle and the development of a market oriented economy in the NIS. The CEELI program has provided legal technical assistance and training through the use of in-country liaisons, legal specialists and U.S.-based experts. In addition, a special project was developed in Russia to support the reintroduction of jury trials in that country.

Program Summary

CEELI got its program off to a quick start in six countries--Russia, Ukraine, Belarus, Moldova, Kazakhstan and Kyrgyzstan--one less than anticipated by the grant. Political factors in the U.S. and NIS hindered expansion of the program to the Transcaucasus. Initial activities were started and liaisons were in the field within 6 months of start-up in the three countries visited by the evaluation team.

Since June 1992, CEELI has sponsored or co-sponsored 14 legal assistance workshops and participated in two judicial training seminars at the Federal Judicial Center with the participation of 431 government officials, judges, prosecutors and attorneys from the NIS. In addition, CEELI liaisons and legal specialists have conducted guest lectures and other classroom seminars to thousands of others.

CEELI completed 39 assessments of draft laws in Russia, Ukraine, and Kazakhstan, and was able to provide input to critical changes in draft laws in Russia and Kazakhstan. It was less successful in Ukraine. Assessments provided CEELI with a means to engage officials and legal reformers and learn about their issues. However, due to the volatility of the political structure in each country, the ambiguous role of the Parliaments and the lack of clout of reformers, very few of the laws assessed have been enacted into law.

Findings

Constitutional assessments and workshops provided an early and public role for CEELI to identify reformers and to assist in changes in the basic rules of how the new governments would operate. However, this assistance focused on developing relationships and establishing contacts. Some of the constitutions were not passed or passed in forms where CEELI input was minor. Over time, there may be some long-term influence not currently apparent.

CEELI's assistance to Russia's jury trial initiative has had mixed success in its first 6 months. Due to in-fighting between the Judicial Reform Unit of the President's office (GPU) and the Ministry of Justice (MOJ), the delivery of much of the equipment to regional courts has been stalled. The draft bench book prepared substantially with only American input requires

significant Russian revision before it can be fully used by judges. Training has proceeded for 87 judges, defense lawyers, and prosecutors in several *oblasts* to date.

Until recently, CEELI had not developed a focused strategy for its programs in each country. While this broad scope allowed CEELI to explore a number of different possibilities, it did not allow it to document its impact well. This lack of documentation has caused concern in AID over CEELI's ability to achieve its grant objectives. Recent changes in developing a more focused strategy and reporting format have started to guide CEELI's program.

CEELI's Washington-based management approach with volunteers in the field initially left the field without the resources that it needed to operate effectively. Over time, the field has gained more resources, however, with the locus of control in Washington, the field is not able to deal with day-to-day management as quickly or flexibly as it should, causing liaisons to spend more time than necessary on logistical tasks. The use of volunteer liaisons has limited their effectiveness and the institutional memory of the program.

Impact

There appears to have been some unrealistic expectations for the CEELI program. With the inputs available, CEELI cannot be expected to change constitutions and assure that laws are passed. When the grant was awarded and for the first year of operation, AID did not have a rule of law strategy in place to judge CEELI's accomplishments. CEELI, however, has not provided AID with sufficiently clear cut and measurable goals and objectives for its program that might temper AID's expectations.

Recommendations for the CEELI program include the formal development of field offices in each country with paid staff augmented by short-term volunteers, a re-focusing of the program on more limited objectives, and the inclusion of more concrete and measurable objectives for country strategic plans.

1 PURPOSE AND METHOD OF THE EVALUATION

A Background and Purpose of the Evaluation

This evaluation was conducted by Management Systems International (MSI) under IQC No AEP-0085-I-10-3001-00, Delivery Order No 10. It is the first evaluation of a major sectoral component of assistance from the Agency for International Development (AID) to the New Independent States (NIS) of the former Soviet Union. It pertains to a portion of AID's Democratic Pluralism Initiatives (DPI) Project, No 110-0007 which was authorized on 10 April 1992 with a life of project funding level of \$25 million and a project assistance completion date of April 1996. Funding for the DPI Project has been increased twice: in February 1993 to \$85 million and in September 1993 to \$160 million. The second amendment also extended the project to 31 December 1996.

The DPI Project was designed to help build political, legal and social institutions critical to the success of democratic and economic reform in the NIS in the wake of the collapse of communism and the Soviet economic system. In its early phase, the Project funded Grants and Cooperative Agreements for U.S.-based nongovernmental organizations (NGOs) to provide technical assistance, training, and some equipment. Grants and Cooperative Agreements are both instruments to transfer funds to provide assistance to the recipient in carrying out a program. A Cooperative Agreement is a relationship in which substantial involvement is anticipated between AID and the recipient during the performance of the proposed activity. This report refers to the recipient organizations generically as "grantees."

The Project has five components: rule of law, independent media, governance and public administration, political process, and civil society. The civil society component is intended to enable citizens to participate actively and effectively in the political and economic life of their countries, to check governmental powers and encourage responsiveness, and to provide services not provided by the government. The cooperative agreement with the CEELI, which is evaluated in this report, is an element of the rule of law component of the DPI Project.

The purpose of the evaluation is to assess the extent to which the grants are meeting the objectives of their agreements, fitting with the general guiding principles of democratic reform and able to adjust to the new strategic priorities being implemented in an effective and efficient manner and having an impact on the people, organizations and countries of the NIS.

B Method

In December 1993, AID contracted with Management Systems International (MSI) to conduct field evaluations of the activities of seven DPI Project grantees and desk studies of the activities of two grantees.

The evaluations were conducted by a team of six management consultants: David Read Barker (Team Leader), Cynthia Clapp-Wincek, David Hirschmann, James S. Holtaway, Sally J. Patterson, and Alan Lessik. Four members of the team (Barker, Holtaway, Patterson, and Lessik) divided responsibility for the seven field studies, with three evaluators each taking lead

responsibility for two studies and one evaluator taking responsibility for one field study and the synthesis report. The other two members of the team (Hirschmann and Clapp-Wincek) were each assigned lead responsibility for one desk study.

The professional backgrounds of the evaluators are development management, cultural anthropology, political science and political organizing and opinion research. All four of the field evaluators had previous professional experience in Russia; three of them had worked in Russia within the previous 6 months.

A team planning meeting of the AID project managers, the evaluators, and representatives of the grantees was held on 4 January 1994. The participants agreed to support the evaluation as a collaborative, candid, constructive, and creative process. The evaluators then interviewed AID and CEELI officials in their offices in the Washington, DC. Extensive documentation was gathered and reviewed by the team.

The field evaluators visited the Russian Federation from 20-29 January, at which time the team broke into two sub-teams, one of which visited Ukraine from 29 January to 5 February and one of which visited Kazakhstan and Kyrgyzstan from 29 January to 5 February. Due to overall time constraints and the urgency of this report, CEELI activities in other countries among the NIS could not be evaluated. The method of the field visits was derived from rapid appraisal techniques which stress creation of a team, multi-disciplinary treatment of data, selective sampling, gathering information through interviews, and conscious efforts to identify biases.

With the full cooperation of CEELI, the evaluators structured their itinerary to maximize opportunities to observe significant project activities. Similarly, CEELI provided names of key beneficiaries, who became priority targets for interviewing. Interviews with Russian-speaking informants were conducted in English using professional interpreters. To the extent that logistics permitted, at least two team members participated in interviews with beneficiaries. However, intense time constraints required modifications of the optimal itinerary and interview schedule.

The team interviewed 54 people, who are listed in Appendix A, and reviewed a large number of documents, which are listed in Appendix B.

Following the field visits, the team met several times in Washington, DC to review findings. Team members met with AID officials and by phone with CEELI staff to present key findings and conclusions informally and to review critical issues.

The team expresses its sincere appreciation for the excellent cooperation and support received from AID officials in Washington, from USAID and U.S. Embassy staffs in Moscow, Almaty, and Kiev, from the staffs of the grantees in their headquarters and field offices, and from the numerous beneficiaries of these programs.

C Description of the Report

This report is divided into four parts. Chapter 2 provides a background to the project, its setting, and financial information. Chapter 3 presents evaluation findings from the interviews in

Washington DC and the field and an examination of relevant project documents Chapter 4 discusses the management of the project Chapter 5 presents the conclusions drawn from the findings and the final chapter makes recommendations based on the findings and conclusions Appendices 1 and 2 list the persons interviewed and the documents consulted for the findings

2 THE GRANT

A Purpose and Description of the Program

The American Bar Association's Central and East European Law Initiative (CEELI) received its first AID funding in May 1992. The purpose of the grant is to provide support in developing an overall legal framework that will be the basis for adhering to the rule of law principle and the development of a market oriented economy in the new independent states (NIS) of the former Soviet Union.

At the time the grant was awarded, AID had not developed a policy statement or firm set of objectives to guide rule of law work under its Democratic Pluralism Initiatives Project (DPI) in the NIS. During the first year of the grant, a major shared objective of CEELI and AID was to have CEELI representatives develop good working relationships with legal reformers in the NIS and identify important law reform projects worthy of long-term support. AID did not, however, ask CEELI or any other grantee to conduct a legal reform needs assessment in any of the countries in which CEELI sought to deliver assistance.

Paralleling CEELI's work in Central and Eastern Europe where it had been working since 1991, CEELI's NIS grant was designed to be responsive to specific requests from host country institutions and officials and to target short-term projects and objectives based on close consultation with these parties. In its grant, CEELI proposed to work in five areas that matched those in which CEELI had been active in Central and Eastern Europe:

- Constitutional Reform
- Judicial Restructuring
- Criminal Law and Procedure Reform
- Administrative Law
- Local Government Restructuring

Over the course of the grant, the last two priority areas were replaced with legal profession reform and commercial law reform (given the urgency of the need, AID approved and encouraged CEELI's involvement in commercial law reform on a case-by-case basis). The time for work on administrative law was deemed not ripe, while local government law reform was viewed as overlapping substantially with other AID grant-funded projects involving public administration and finance.

CEELI's program was originally designed to extend to seven countries of the NIS, including the Russian Federation, Kazakhstan, Ukraine, Belarus, Azerbaijan, Armenia, and Georgia. In each of these countries, CEELI was to recruit and support long-term liaisons, whose role it was to coordinate the provision of assistance in that country. Liaisons are U.S. lawyers with at least five years of legal experience and appropriate language skills. They receive transportation, housing, and living expenses in the field but no salary for the one-year period that they volunteer as liaisons.

Liaisons are intended to anchor CEELI's program. They are CEELI's full-time in-country representatives who network with and prioritize requests for assistance from, government ministries, the judiciary, the Parliament, lawyers' associations, university law faculties, the U.S. Embassy, AID, U.S. Information Service, and many other organizations. They perform several roles. The first is to set up and maintain a CEELI presence in the country and identify potential contacts for assistance. The second role is to provide logistical and other support for short- and long-term legal experts who work in the field with host-country counterparts on particular issues. Frequently, however, liaisons themselves provide legal assistance based on their own training and experience. They may consult with government officials, NGOs, and legislative drafting groups and provide written and oral commentary; they may also lecture and even teach courses at local law schools. The liaison's final role is to be the CEELI contact point for requests from, and reporting to USAID, the U.S. Embassy, and local governmental and non-governmental entities.

In this grant, CEELI proposed to provide technical assistance through four program components:

- Technical Legal Assistance Workshops--to explore issues and experiences around particular areas of legal or constitutional issues that are being considered in a country,
- Emergency Response Legal Assistance--to provide critical commentary on draft legislation by ABA members identified by CEELI
- Long Term Consultations--to provide day-to-day assistance on legislative drafting or legal implementation projects by the liaisons and legal specialists (described below),
- Long-Term Training--to provide on-site 2-week training courses to the legal profession in each country

Legal specialists are legal experts who provide in-country technical assistance typically for periods of 2 weeks to 4 months. Like the liaisons, the specialists serve pro bono, receiving per diem and travel expenses. Legal specialists are recruited for their technical expertise in a specific legal area and may or may not have language fluency. Specialists usually work with particular government agencies, departments, or ministries and provide day-to-day advice on carrying out particular programmatic objectives, which may include the drafting of legislation and/or regulations, or the development of new ministerial or program procedures. Specialists also work on assessments of pending legislation, providing critiques and offering suggestions for improving the quality of proposed legislation. As part of the range of possible assistance provided, specialists often work with CEELI to develop workshops on the particular issue at hand and include additional U.S. experts as well as local officials and interested parties.

In addition to these components of the program, CEELI has sponsored workshops and study tours in the U.S. for judges, lawyers, and ministry officials. These workshops and study tours are often part of a broader program of assistance which includes the legal assessments, specialist and liaison consultations, and other in-country technical assistance.

In August 1993, CEELI received a grant amendment to expand its assistance to the Russian Federation pursuant to that country's reintroduction of jury trials. CEELI was asked to provide

legal assistance and equipment to help Russian officials carry out the first jury trials in nine regions. Unlike the other forms of assistance described above, the jury trial initiative was treated like a distinct project with specific resources attached to its implementation.

B Country Context and Issues

In each country, CEELI expected to work within the five priority areas and to develop niches where its expertise would focus. It was assumed that each country would provide a unique working environment in which the CEELI program would adapt.

Each of the NIS countries is undergoing changes relating to the simultaneous pressures of new state sovereignty, free market forces and greater democratic participation in decision-making. The way in which these pressures are experienced and dealt with in a particular country reflect important historical, political, economic and other conditions. Each country is attempting to define the powers of the executive, legislative and judicial branches of government through the adoption of new constitutions and through the day-to-day politics of testing limits of power. In addition, each country is faced with developing laws and regulations that reflect the traditions and the present day concerns of its decision makers. Finally, each country is redefining and developing institutions--agencies, governmental entities, non-governmental organizations, local and regional institutions and educational bodies--that will affect the implementation of the rule of law.

Due to interest and contacts made in the Russian Federation, CEELI began the Jury Trial Initiative, a separate project that covered nine regions in Russia. There are no other similarly funded projects in the other republics.

C Program Budget and Financial Management

The amended budget for the CEELI grant is \$3,164,906. The original grant of \$999,300 was for the period of 1 May 1992 to 30 April 1993. Amendment 2 extended the grant to 28 February 1994 and increased funding by \$1,388,300. Amendment 3 increased the budget by \$777,306 for work on the Jury Trial Initiative in Russia. Finally, a no-cost amendment extended the grant through April 1994.

3 FINDINGS

A Inputs, Activities, and Delivery Mechanisms

The most important input for CEELI was the deployment of the liaison to each of the identified countries. Within the first year CEELI was able to recruit and place seven liaisons in six countries (Russia has two liaisons). Due to political and civil unrest in Azerbaijan and a Congressional embargo on assistance, a liaison was not placed there. In addition, liaisons were recruited but not placed in Armenia or Georgia because of AID's decision in February, 1993 that it could not for the time being, provide appropriate administrative support to democratization initiatives in those countries. The final list of countries chosen through consultation with AID and the State Department were Russia, Ukraine, Belarus, Moldova, Kazakhstan, and Kyrgyzstan.

In the three countries visited CEELI was able to place liaisons quickly. In Russia, the first liaison was in place by June 1992, 1 month after the Grant Agreement was signed. The initial liaisons were in place by October 1992 in Ukraine and by November 1992 in Kazakhstan and Belarus. Liaisons were in place by April 1993 for the remaining countries.

CEELI provided minimal funding to the liaisons to begin work in each country. However, unlike Eastern Europe where the liaisons' offices were generally housed in a governmental or non-governmental institution, in the NIS political and logistical considerations often made this infeasible. In particular, political rivalry and infighting among governmental bodies and the weakness of the NGO sector necessitated CEELI's securing a neutral location for its offices in ordinary commercial space. Although initial arrangements de-emphasized a formal office set-up, after January 1993, CEELI opened offices with encouragement from AID, in Moscow, Almaty, Minsk, Chisinau and Bishkek. In Ukraine, the liaison continues to function out of his apartment.

Due to prior contacts CEELI was also able to begin legal and constitutional assessments quickly, with the first assessments starting in Russia in May, in Ukraine in July, and in Kazakhstan in October 1992. In addition, another key input--legal specialists--began work in Russia and Ukraine in October 1992. Throughout 1992 and 1993, at the request of local officials, legal specialists were deployed to work in-country in the six countries on projects in key priority areas, including criminal law, constitutional law, judicial restructuring, commercial law, and legal profession development.

Table 1 shows the number of person-months committed by liaisons and short-term legal specialists to the three countries visited.

Table 1 Person Months of CEELI Liaisons and Specialists

	Legal Specialists (person-months)	Liaisons (person-months)
Russia	30	37
Ukraine	18	17
Kazakhstan	14	19
TOTAL	62	73

One of the first areas of concentration for CEELI was constitutional reform. In late 1992 and early 1993, every country in the NIS was undergoing some form of constitutional review and drafting. At the request of local officials and U.S. embassies, CEELI responded by sending constitutional law specialists to the NIS and sponsoring workshops in constitutional reform.

Another major input is comparative legal materials, both in English and in translation, which are donated by groups like the Asia Foundation and U.S. and European bar associations and ultimately delivered to key legal organizations in the NIS.

Finally, the CEELI Washington staff should be mentioned as an input. The staff directly responsible for coordinating the liaisons and legal specialists numbers six people. There is one director and two associate directors with geographic country responsibilities. All have prior NIS regional experience and Russian language ability. There are three support staff with international experience. Other CEELI staff, shared with CEELI's Eastern Europe programs, handle liaison and specialist recruitment and material support, assessments, and financial/grant administration.

Jury Trial Initiative

A special project was developed in Russia to support the reintroduction of jury trials. An important input to this project, as seen by the Russian officials interviewed, was the procurement of equipment for the courts in the nine jury trial pilots. The goal was to help develop model court rooms that would demonstrate to the public the changes in the legal system from the communist days. The equipment included computers, printers, video equipment, and other items for use during court proceedings. In addition, CEELI was to provide an automated jury support software system to the courts for use in picking names of potential jurors.

In addition to the equipment, CEELI was to prepare a comprehensive bench book or judges' manual that would provide information and guidance to judges and lawyers on various aspects of trial by jury under an adversarial system. This book was to be collaboratively drafted by a team of American judges, lawyers and judicial educators working closely with Russian judges and legal experts. This effort was to be coordinated by the CEELI liaison in cooperation with officials at the State Legal Administration (GPU) in Moscow.

Finally CEELI was to provide training programs for judges, prosecutors, and defense attorneys participating in the jury trials. These programs are to focus on teaching practical trial advocacy skills as well as training skills in order to promote indigenous training capacity.

B Outputs

The outputs for the CEELI program include workshops and training programs, legal education and outreach, delivery of comparative legal materials, assessments and concept papers, and the specialized jury trial activities (which include all of the foregoing).

Workshops and Training Programs

Since June 1992 CEELI has sponsored or co-sponsored 14 legal assistance workshops and participated in two judicial training seminars conducted at the U.S. Federal Judicial Center. Over 431 government officials, judges, prosecutors, and attorneys have participated in these programs. The workshops are generally intensive roundtable discussions with small numbers of participants focused on specific legal texts but often include a training component. The training programs often include more participants and feature interactive exercises and demonstrations as well as discussions. Table 2 shows the workshops and seminars offered by CEELI.

**Table 2 CEELI Sponsored or Co-Sponsored Workshops and Training Programs
(as of 1/31/94)**

Workshop or Training Program and Topic	Location	Number of Participants
Kazakstani Criminal Code Revision	Almaty	25
Kazakstani Criminal Code Revision	Washington DC	13
Russian Judicial Reform	Moscow	15
Russian Constitutional Development	Washington, DC	4
Russian Advocacy Training Workshop	Moscow	8
Russian Defense Attorney Training for Jury Trials	Moscow	27
Comparative Law Workshop on Trial by Jury	St. Petersburg *	50
Russian Bankruptcy Reform/Use of Promissory Notes to Discharge Indebtedness	Moscow	86
Ukrainian Judicial Reform	Kiev	15
Ukrainian Local Government Constitutional Issues	Kiev	11
Ukrainian Election Law Workshop	Kiev	50
Armenian Constitutional Revision	Yerevan	22
Moldovan Constitutional Law Seminar	Chisinau	50
Belarusian Constitutional Drafting and Judicial Restructuring	Minsk	8
Federal Judicial Center Training Seminar 1 (Session on Jury Trial Assistance)	Washington, DC	20
Federal Judicial Center Training Seminar 2 (Session on Jury Trial Assistance)	Washington, DC	20
TOTAL		431

Legal Education/Outreach

In addition to official workshops CEELI liaisons and legal specialists often conduct guest lectures and other classroom seminars for law students, judges attorneys, and legal administrators. Although no precise numbers are available the audience for these lectures is likely to have numbered in the thousands.

Delivery of Legal Materials

Comparative legal materials collected in the U.S. through book drives and donations, have been delivered by liaisons and specialists not only on an ongoing basis to government officials and practicing attorneys (where they are often used to accompany a lecture or seminar conducted by the liaison or specialist) but also in response to specific requests. To date, CEELI has provided well over 3000 discrete items to officials and attorneys in-country. Also, CEELI liaisons in Kazakhstan and Belarus have overseen the delivery of books to Kazakhstani and Belarusian jurists as part of discrete library collections.

Assessments and Concept Papers

A major component of CEELI's work has been assessments of draft laws and codes. A legal assessment is generated by a request usually from the drafters, for an analysis of a draft law. Prior to agreeing to conduct the assessment, the liaison ensures that the law is on the legislative agenda of the Parliament and that the particular draft is the leading draft version of the law. The liaison also considers the potential for continued assistance in this area and what other forms of assistance have already been provided. The liaison researches the background of the draft law, including other laws with which it may intersect or overlap.

Upon completion of the report the liaison distributes the assessment initially to the requester but then to whomever wants a copy to increase distribution of the analysis within the country and to establish the assessment as a long-term educational reference source.

Assessments are not intended to be the final analysis of a law; each assessment represents a summary of the critiques offered by the participating commentators. Assessments are not intended to be attempts to redraft legislation--assessments take thematic approaches to the issues and rarely recommend specific changes in language.

As shown in Table 3, CEELI has completed 39 assessments to date in Russia, Ukraine, and Kazakhstan. Thirty-five other assessments have been conducted in six other NIS countries. These include assessments of draft laws on the judiciary, bankruptcy, foreign investment, business organization, foreign concessions, freedom of conscience, mass media, elections, the Procuracy, the legal profession, and criminal law and procedure. Assessments have also been completed of draft constitutions or key provisions of constitutions in most of the NIS countries in which CEELI is working.

Table 3 Legal Assessments Completed as of 1/31/94

Country	Assessments
Russia	15
Ukraine	10
Kazakhstan	14
SUBTOTAL	39
Armenia	3
Azerbaijan	7
Belarus	10
Kyrgyzstan	5
Moldova	7
Uzbekistan	3
TOTAL	74

At the request of local officials CEELI has also developed two concept papers in the NIS Regulation of Mass Demonstrations (for Belarus) and Election Laws (for all of the NIS) Concept papers outline the primary issues which a law ought to cover, often presenting a menu of options for approaching those issues They are usually provided to drafters before they begin the drafting process

Jury Trial Activities

As described earlier the Jury Trial Initiative has three major components (1) provision of court equipment, (2) development of a bench book or judges' manual, and (3) training of judges, prosecutors, and defense lawyers in trial advocacy skills and training techniques

As noted in Table 2, 85 judges, prosecutors and defense attorneys attended CEELI workshops and seminars or were sponsored by CEELI to participate in workshops conducted by Russian entities In addition, at least three CEELI legal specialists attended trials, and met with participating judges and lawyers to discuss the progress of the initiative and to give feedback to the participants Additional training is planned for Spring 1994

The procurement of equipment for the project has been mired in controversy and in-fighting, primarily between the two government entities with jurisdiction over the courts--the GPU and the Ministry of Justice (MOJ) While the initial equipment, including computers, printers, video recorders and cameras, was procured and delivered to the GPU, much of it has not been delivered by Russian officials to the courts Questions remain over what types of additional equipment is necessary and which entity should be in charge of its distribution

The draft of the bench book was not able to be prepared in the collaborative manner that CEELI anticipated. Due to outside events such as the October parliamentary crisis as well as an apparent lack of buy-in by key Russian legal officials over the importance of the manual (leading to GPU's failure to recommend appropriate Russian collaborators), the bench book was essentially drafted by CEELI experts in the U S and forwarded to Russia to be translated and distributed in draft form in December 1993. As discussed in the next section, due to the lack of collaboration the bench book faces some significant revisions before it can be readily used by Russian trial judges in its full capacity.

C Impact

The evaluation has identified impacts in four areas: changes in laws, changes in constitutional provisions, jury trial activities and training, and the provision of legal materials.

Changes in Laws

Legal assessments have been the most cost-effective of CEELI activities. Since most assessments are done in the U S and involve no travel, they average an estimated \$1800-2100 per assessment for supplies, translations, management staff time, overhead and liaison per diem, with the legal time donated. Those assessments that involve specialists travel and per diem would cost significantly more, in the range of \$12,000 for a 30 day assignment.

Assessments are often the first step in a process of engagement with key government officials over legal and judicial issues facing reformers. They offer CEELI a tool with which they can engage officials and legal reformers and learn about the players and their issues. In the best of cases, assessments can also lead to other interventions of CEELI specialists. However, due to the volatility of the present political structure in each country, the ambiguous role of the Parliaments, and the lack of clout of reformers, the value of the assessments as discrete activities by themselves to produce legal change is not very high in most cases.

In some cases, assessments can produce several different types of impact. First, the assessments raise issues the laws' authors may not have considered in the initial drafting process. Second, they promote discussion, among drafters and the broader legal community, of issues critical to implementing the law. Third, because draft laws often go through multiple versions, the assessments educate and inform the entire drafting process in the hope that Western experience in the subject area may be helpful to the drafters.

Concepts or language introduced by CEELI have found their way into final draft legislation. Such has been the case with the Kazakhstani draft criminal code and oil and gas law, the Belarusian draft labor code, and the Ukrainian draft law on the status of judges. However, due to the volatility of the present political structure in each country, the ambiguous role of national parliaments, and the lack of clout of reformers, there simply cannot be any direct correspondence between CEELI commentary and legislative action. CEELI is not working in policy reform implementation, this requires a separate set of programs that is not currently being undertaken under DPI.

CEELI liaisons in Moscow and Kiev provided their own evaluation of how effective CEELI was in directly influencing the outcome of the laws that were being assessed in those two countries. The values in Table 4 indicate that 50 percent of the assessments in Russia and 10 percent of the assessments conducted in Ukraine were rated as being effective, meaning that CEELI had significant impact in modifying or strengthening the laws. About 8 percent of the cases in Russia and 20 percent in Ukraine were rated as partially effective meaning that some modifications were made, but not enough to feel that a major improvement occurred. Finally, 17 percent of the Russian cases and 60 percent of Ukraine cases were seen as not effective. In this case, virtually no ideas raised by the assessments were taken into consideration. For the rest of the cases in the chart, the staff had no data on outcomes, meaning that the law is no longer under active consideration or, at least in one case, that the entity that was provided the information no longer existed.

Table 4 CEELI Liaison Ratings of Effectiveness of CEELI Assessments

	Number	Effective	Partially Effective	Not Effective	Unknown Outcome
Russia	12	50%	8%	17%	25%
Ukraine	10	10%	20%	60%	10%

An obvious question is whether or not the laws that were assessed were passed in any form by the Parliament. However obvious this question is, the answer has little to do with CEELI's input through assessments. In the three countries studied reformers have not been in control of Parliament. This means that laws with a reformist bent are unlikely to get passed. In addition, the Parliaments have gone in and out of session as political (and literal) battles have raged over the division of power with the executive leaders and government bodies.

Given the context the findings in Table 5 are not surprising. As of the end of January 1994 only three laws were passed that had been assessed by CEELI. Another three laws were considered by parliaments but ultimately were not passed. Most of the laws are still under consideration by the Parliament or are still in the stage of being developed. There were however, also examples in both countries of assessments that were completed after the law was considered and passed by the Parliament. In one case in Ukraine a law was subsequently amended and the late assessment provided some changes for the amendment.

Table 5 Status of Draft Laws Assessed by CEELI

	Number	Passed	Considered but Not Passed	Under Development or Consideration	Outcome Unknown	Passed Before Assessment Completed
Russia	12	2*	2	5	2	1
Ukraine	10	1	1	3	3	2
Kazakhstan	10	1	0	9	0	0

* includes one bill passed but vetoed by the President

Of the three countries visited the CEELI assessments in Kazakhstan seem to have produced the most potential impact, while Ukraine has seen the least. Again however, this has had more to do with the national political situation in each country than the quality of CEELI's work or of their expertise.

Several of the assessments have proven to be quite valuable to the participants. The work with the Moscow City Council on zoning and development helped to guide the city's efforts in an area that was quite important to them. An immediate impact of that work has been the first private housing development in the city, one that is expected to produce 500 units of housing this year and is projected to produce 120,000 units over the next 10 years.

In Kazakhstan, the potential stakes for impact are even higher. A CEELI legal specialist is currently the only foreigner that has been permitted to have continuous participation in the committee that is developing new oil and gas legislation, legislation that is expected to be the backbone of Kazakhstan's economic development. According to one Kazakhstani official, the specialist "is the only one working for the national interest." Other outside experts were reported to represent the corporate interests of the Western oil and gas industry at heart.

In another important area, criminal law, CEELI conducted two workshops with the participation of about 20 American experts. The resulting draft Kazakhstani law, which is close to final consideration and passage by the Parliament, was greatly influenced by CEELI's legal specialists and workshops.

Finally, another CEELI specialist in Kazakhstan worked on an assessment of juvenile justice as part of CEELI's assistance to criminal law reform. Her recommendations were presented in a report to the Parliament and these recommendations were incorporated as part of the draft law which is still before the Parliament.

Changes in Constitutional Provisions

In each of the three countries, CEELI has spent a considerable effort in working with reformers and Constitutional Commissions on developing new constitutions. In each case, it can point to provisions or changes where American expertise has provided some influence. However, it is clear to all observers that the drafting and approval of constitutions is a matter largely beyond the manageable interest and control of any technical assistance provider. According to CEELI, its influence was smaller than might otherwise have been the case due to the timing of its entry on the scene. In much of the NIS, draft constitutions were well underway and had benefitted from substantial European expert input prior to the delivery of CEELI assistance in late 1992 and early 1993. Nevertheless, CEELI had a very modest, but positive impact on the Kazakhstani Constitution passed in 1992.

Events in Russia, Ukraine, and Belarus have shown that constitutional issues are played out by the major political powers in each country, often to the exclusion of Constitutional Drafting Commissions. With a constitution still not yet approved in Ukraine and the presidentially drafted constitution recently approved in Russia, what appeared to be a substantial area of CEELI work has generally resulted in a much more modest level of assistance as larger events overtook the

process. In some cases, however, the work on constitutions has gained CEELI access to other important players and has built relationships for other projects.

Jury Trial Initiative Activities

The reintroduction of jury trials in Russia is a monumental event, hailed by Russian judicial reformers as a practical and symbolic effort to institutionalize judicial autonomy. By promoting the independence and impartiality of the courts, jury trials are expected to serve as a catalyst for further reforms in the judiciary and as a meaningful symbol of human rights protection in the new Russia.

Encouraged by AID and the U.S. Embassy in Moscow, CEELI has played a supportive role in the reintroduction of jury trials in nine regions. Its three main components have been the provision of court equipment, development of a bench book to be used by judges, and the training of judges, prosecutors, and defense lawyers in jury procedures.

The provision of equipment was the first priority of the government officials that were interviewed. However, this was neither CEELI's first priority nor was it to their comparative advantage to procure equipment. Due to infighting between the GPU and the MOJ, the provision of equipment to the courts has been stalled. The exact list of equipment needed has not been finalized, and there are still disputes about what is needed in the courts. While much of the equipment has been delivered to the GPU, distribution has not yet been completed by the Russian government. The goal of the government to demonstrate a new, different court system has not been fully realized.

The in-fighting over the equipment, however, has obscured a different issue--the role of CEELI in the reintroduction of jury trials. According to highly placed individuals at the GPU, MOJ, and the two judicial interviews, the government's interest was only in equipment, not technical legal assistance. When the provision of assistance became tied to the equipment, they reluctantly accepted. This reluctance appears to be manifested in lukewarm support for the development of the bench book.

The bench book was conceived as a joint project involving close collaboration between US and Russian legal experts. As discussed earlier, this did not happen as planned. CEELI has reported (and this was confirmed by interviews) that the bench book was used during several trials. The judges' opening remarks and instructions to the jury were often read directly from the bench book. However, in its current draft form, many parts of the book are not as useful. One commentator said that in his opinion only 30 percent of the book as now constituted was useful. The principal problem was that it reflected U.S. law and practice and not Russian law. The judges interviewed agreed with the assessment that it was not adapted to the Russian legal context yet. They thought it was a good book on the American system and that a good judge could pick and choose from the American example and adapt procedures to the Russian context. And while the intent may have been that this was a draft, the judges interviewed assumed that this was a sample of a finished product.

CEELI's latest quarterly report states that by December 1993 the Russian language draft of the bench book was substantially completed. Ministry officials and judges familiar with the book would disagree that it was substantially completed. The bench book is now being reviewed by several Russian specialists to incorporate Russian legal background. Due to continued lack of consensus on the manual, it is not likely that it will be completed as expected during this quarter.

As noted earlier, CEELI has conducted or sponsored training sessions for about 87 judges, lawyers, and prosecutors in several *oblasts*. Several more sessions are planned. The evaluation team was not able to interview anyone who had participated in these sessions, thus, no assessment can be made of the effectiveness of this type of training.

Training and Provision of Legal Materials

This is the area in which CEELI received only high commendation for their work. Training, guest lectures at law and police academies, and provision of materials have been important in each country. In Ukraine, the liaison translated the ABA pamphlet on starting a private legal practice and the U.S. Information Service (USIS) has agreed to print and distribute this booklet. In addition, the liaison has worked with the English faculty at Kiev University Faculty of Law to provide translations, assist in the development of a Ukrainian-English legal glossary, and provide other materials for students use. With over 350 students in these classes, and virtually no existing classroom materials, CEELI has reached large numbers of future members of the legal profession in Ukraine.

Since Ukrainian classrooms have few materials at present, the provision of U.S.-based legal materials means that, for the first time, students are directly exposed to Western concepts of law and legal thinking. This initial step in curriculum development, in a yet to be defined legal system under the new government, will provide students access to materials which will influence their thinking and behavior toward the new system.

In Kazakhstan, the CEELI office will house the most important English language legal library in the country, with many books and articles translated into Russian. The office is already receiving several requests every week for information. In Russia, a smaller version of this type of facility is planned. In addition, the Moscow office is developing an index of the location of other libraries and materials within Moscow to develop a centralized source for lawyers and researchers.

CEELI and CEELI specialists have donated books and materials to their counterparts on specific aspects of the law. Materials provided in Russian are readily used while English language materials often sit on bookshelves due to the language barrier.

In addition, the completed assessments and concept papers have also been used by law schools and in practical legal training seminars to demonstrate democratic principles based on American law or Western legal tradition and to demonstrate how to critique or construct a law.

D Grantee Future Directions

CEELI looks at their first years of operation in the NIS as a pilot phase to identify people and institutions with which they can work in the future. CEELI believes that two important lessons have emerged. The first lesson is the importance of training for existing and future members of the legal profession. The second lesson learned is the difficulty with working with governmental entities, especially in volatile political environments. There is great demand for training and for travel to the U.S. where participants can actually see courts and lawyers in action.

To this end, CEELI has been gradually reshaping its program around three themes: judicial education, assistance to lawyers associations, and legal education reform. In addition to these, CEELI would like to continue involvement in other specific areas where it has laid a foundation such as the jury trial initiative (Russia), oil and gas regulatory reform (Kazakhstan), and criminal code reform (Ukraine), among others.

4 MANAGEMENT

A Management by the Grantee

CEELI is an example of a grantee that maintains strong central control of project management from its Washington DC office. Since liaisons and legal specialists in the field are not CEELI employees, they do not have the type of management and financial authority normally delegated to the field. The only CEELI permanent staff are in Washington, DC where all budgetary decisions, personnel, and most management decisions are made.

This structure with management in Washington, DC and volunteers in the field has created some problems in the field. Initially, individual CEELI liaisons had to confer with the central office to spend money for supplies or equipment. This caused some start-up problems in the field, resulting in delays in the provision of fax and answering machines and other equipment necessary for the liaison to function effectively. In Ukraine the liaison reported that 4 months lapsed before he got a fax/answering machine for his apartment/office leaving him unable to effectively communicate with Washington and his counterparts in Kiev. Since April 1993, each CEELI liaison has received a \$5,000 advance for business expenses, which is drawn down and replenished as receipts are submitted to the Washington office.

In Eastern Europe, CEELI has generally managed to find free locations for its offices. This has not occurred in the NIS. One CEELI liaison continues to work out of his apartment, making it impossible to have formal meetings with counterparts at the CEELI office. Delays in obtaining formal workspace and equipment, and the lack of budgetary support for some liaisons and specialists caused CEELI to have a lower profile than other locally active NGOs. The main headquarters has responded by providing resources for Moscow and Almaty offices and in allowing liaisons to hire a Russian staff attorney, interpreter/translator, office manager and secretary in Moscow and general support staff in Almaty and Kiev.

Central office management is responsible for the negotiation of grant agreements. In addition, the office filters a number of requests for assistance through its office as visitors come through from the NIS. Particularly for the Russia and Ukraine program, the central office appears to be involved in determining what assessments or projects are conducted. This has caused problems in several cases for the field when a specialist appeared on the scene on the basis of such a request and the requesting entity was not ready or interested in working with the specialist. When this has happened the specialist and liaison spend several weeks of valuable time just trying to make contact and get started with the work that he or she was prepared to do.

Despite CEELI's early program in Eastern Europe, most of CEELI's NIS staff is relatively unfamiliar with the operations of its only funder--AID. This lack of familiarity with AID procedures and processes, its bureaucratic structure, and its changing demands for accountability has caused CEELI to appear to be less than responsive to working with AID.

In addition, CEELI seemed to expect that the embassy or that AID personnel would help or support the staff in the field. While this is clearly not a role that either government organization

plays in the field, several liaisons seemed surprised that they did not receive any assistance from the Embassy or AID to the degree anticipated

CEELI has little experience in procurement of equipment. This became an issue in the jury trial project where \$150,000 of equipment was to be procured. Their lack of experience caused some delays as well as interjected confusion to an already volatile relationship with the Russian government.

B Management by AID

AID has generally taken a hands-off management style in relation to the Grant. Unlike a contract or even a cooperative agreement, a grant is given to an independent organization to carry out a program in the field. It is the form of AID assistance that carries with it the fewest management and oversight responsibilities for AID staff. However, it is not clear that the roles for grantee or AID are completely understood and agreed to by both parties. There is a significant amount of miscommunication and misunderstanding between both parties which could be remedied.

CEELI was in the field generally before AID established its own field presence. The principal relationships seem to be between CEELI-Washington and AID/Washington. Even in simple matters such as quarterly reports, the USAID missions cannot rely on Washington to routinely send copies to them. In most cases CEELI staff give copies to the USAID missions once their reports are approved by CEELI Washington.

AID has changed expectations about the role of the democratic initiative grantees over time and believes that it has communicated this change to CEELI. In the beginning, there were no specific guidelines for CEELI except to get their proposed program started quickly, but over a period of time, AID began to ask CEELI to focus their efforts more and provide a more strategic framework for their efforts. In addition, AID has asked for more information on the impact of CEELI's work. Frustrations on AID's part grew as they perceived a lack of collaborative response from CEELI for changes in its program.

USAID Missions in Russia, Ukraine, and Kazakhstan have not played a clear role in the CEELI program. Virtually no requests for assistance go through the Mission, although in Russia and Kazakhstan, the Embassy has been very active in channeling requests to CEELI.

5. CONCLUSIONS

1 CEELI was able to get its program off to a quick start in six NIS countries, one less than anticipated by the grant. Initial activities were started in a number of those countries within a few months. Liaisons were recruited and placed in the field within 5 months of start-up in the three countries visited. However, delays in setting up offices and procuring equipment and hiring support staff caused CEELI to have a lower profile in the field.

2 CEELI was able to provide significant input to critical changes in draft laws in Russia and Kazakhstan. It was less successful in Ukraine. However, while several assessments of proposed laws and procedures were completed in each country, these proposed laws were rarely adopted by national Parliaments. In most cases, delay or lack of passage had to do with the weak state of reformers within the Parliament or extra-Parliamentary forces which significantly impeded the consideration of any new laws. Where CEELI has been successful, it has been because it matched up the right specialist to a person or group that wanted their advice and had the means to carry it out.

3 Constitutional assessments and workshops provided an early and public role for CEELI to identify reformers and to assist in changes in the basic rules of how the new governments would operate. CEELI was able to provide timely technical assistance to this process. However, with the exception of Kazakhstan, the value of this technical assistance was more in developing relationships and establishing contacts and perhaps influencing long-term approaches to these issues, as most of the constitutions were either not passed or passed in very different forms not connected to CEELI assistance.

4 The legal, on-site technical assistance varied greatly in quality and effectiveness in each country. When the specialist or liaison was working directly with local partners who desired the collaboration to solve a particular problem, such as the City of Moscow development process or the Kazakhstan oil and gas law, the immediate effectiveness of the work was apparent. However, in cases where the objective was not as clear or when the counterpart was not very interested in the assistance, the outcome was less useful.

5 Until recently, CEELI had not developed a focused strategy for its programs in each country. While this broad scope allowed CEELI to explore a number of different possibilities, it did not allow it to document its impact well. This lack of documentation caused concern in AID over CEELI's ability to achieve its grant objectives. Recent changes in developing a more focused strategy and an improved reporting format have started to guide CEELI's program more effectively.

6 CEELI's Washington-based management approach with volunteers in the field initially left the field without the resources that it needed to operate effectively. Over time, the field has gained more resources, including office space for some offices, office personnel, translators, and other assistants. However, with the locus of control in Washington, the field is not able to deal with day-to-day management quickly or flexibly, causing liaisons to spend more time than necessary on logistical tasks.

7 CEELI is filling a gap by providing legal materials in Russian and Ukrainian to local organizations, governmental bodies, and law schools

8 Several outside commentators and liaisons questioned the practice of requiring liaisons to serve without pay for their term. The impact on the daily life of the liaison is significant, when he or she must spend his or her own savings to be in the country, to deal with emergencies, or deal with outside family obligations. In addition, the lack of pay virtually requires that liaisons can only serve 1 year or less in a country. In a situation where the liaison must spend up to 6 months getting acquainted with the local environment, half of the time is used up before the person can really start to be effective. Since there is little or no local staff in most CEELI locations, there is insufficient institutional memory.

9 The lack of local management and project authority and full consensus among interested parties has caused some problems in implementation for the Jury Trial Initiative. First, the original request for procurement assistance developed into a larger technical assistance and training project without the concurrence of all parties. The GPU, Ministry of Justice, local judges, lawyers and prosecutors, the Embassy, AID, and CEELI all have different and overlapping expectations of the project. Without a common set of expectations, the parties involved do not believe that CEELI is carrying out the project properly. Since the project was negotiated in Washington, the CEELI liaison in Moscow had insufficient authority to sort out these roles before expectations were raised.

Second, the preparation of the bench book primarily took place in the U.S. without fruitfully using Russian partners in its development. The bench book was then distributed to the Russian courts without local review or revisions. While recognized as of some use, the bench book needs significant revisions to meet the courts' needs. All parties agree that a locally-produced product with the guidance and assistance of U.S. experts would have been the best way to carry out this project. However, due to lack of concurrence by the parties involved in the project, CEELI decided to push ahead with the project, rather than continuing to gain consensus in the field and develop a working relationship.

Third, the lack of concurrence among the parties, and the differing objectives of Russian entities, the Embassy, AID and CEELI, caused confusion and dissatisfaction over the procurement of equipment. As issues emerged over the types of equipment to be purchased, too many parties became involved in the decision making. The amount and types of equipment--computers and video cameras--are fairly ordinary and should have easily been accomplished without the involvement of outside parties.

Finally, CEELI states that it is acting in the interest of local prosecutors, defense attorneys, and judges in developing its technical assistance program for jury trials. While this may be true, no evidence was found in conducting the evaluation that these entities have had a voice in development of the technical assistance and training program and that such a program will meet their needs. No formal needs assessment has been done, although the CEELI liaison in Moscow has spoken with a number of judges and lawyers individually regarding their interests and needs.

10 The relationship between AID/Washington and CEELI is strained. AID feels that CEELI has not been collaborative enough, resisted attempts to focus its program, and questions whether the CEELI program has accomplished its objectives. CEELI feels that AID does not completely understand its program and overlooks what CEELI has accomplished in the field.

Some at AID have had unrealistic expectations for the CEELI program. With the inputs available, CEELI cannot be expected to change constitutions and assure that laws are passed. When the grant was awarded and for the first year of operation, AID did not have a rule of law strategy in place to judge CEELI's accomplishments or lack thereof. CEELI, however, has not provided AID with clear cut and measurable goals and objectives for its program that could temper AID's expectations and guide the formation of appropriate expectations.

6 RECOMMENDATIONS

1 CEELI should formally develop field offices in its key countries. These offices should have a program director who has management and budgetary authority for that country's program. The Washington office should provide support to the field, particularly in securing specialists, arranging U S travel and visits and securing requested legal materials. In these offices, the program director should be a salaried position, with a minimum 2-year contract. This would permit greater continuity in the field program and create a long-term presence in the field that would be able to build relationships and contacts for CEELI.

2 The strategic plans that CEELI has developed for each country should develop more concrete goals and objectives with measurable impact. The final goals, objectives and indicators should be developed with AID participation to assure their buy-in to the program. Particularly, if CEELI moves into the area of training and development of practicing lawyers and legal associations, the judiciary and law schools, more strategic thinking must take place on how to accomplish this in each country. A needs assessment should be conducted to determine the training needs and the best way to carry out a training program. The development of a coordinated and well thought-out training program requires different expertise than the current liaisons possess. Based on its strategy and measurable indicators, CEELI should develop a monitoring and reporting system that can capture the impact of the project in the field and provide management data to decision makers in and out of CEELI.

3 All future assessments must be developed in accordance with the country strategic plans. CEELI must use what it has learned about identifying players and situations that are likely to be carried through. CEELI's program can no longer be based on providing all services to large numbers of diverse legal and political institutions. A means for evaluating responses must be developed. This will also allow CEELI to better prepare legal specialists for their work and assure that they are appropriately used while in the field.

4 With input from the field the Washington office could identify additional materials that could be translated in the field. American publications are greatly valued in the field, but they must be translated to be of widespread usage.

5 AID's expectations in the rule of law arena require reexamination. Its experience around the world in policy reform efforts have shown how difficult it is to change and implement new laws, regulations, and policies. In its rule of law strategy, AID could identify what can be accomplished within its manageable interest with the resources that has available. It is likely to have the same problems with the new rule of law consortium as it did with CEELI around this issue, if this strategy is not developed.

If funding for CEELI is continued, the role of its program in particular NIS countries will have to be integrated into the work of the consortium. CEELI's new emphasis on training and legal education might provide such a role, if it can develop a strategy with objectives as discussed above and show that it has the strong institutional links to carry out such a program.

APPENDIX A. LIST OF PEOPLE INTERVIEWED

CEELI

Lisa Batey, former liaison, Kyrgyzstan
Matt Bristol, legal specialist
Kyra Buchko
Marian Dent, Liaison, Moscow
Thomas Didato
Michael Gray, Interim Liaison, Kazakhstan
Charles Lipton, Legal Specialist, Kazakhstan
Taras Naum, Liaison, Ukraine
Malcolm Russell-Einhorn, Project Director
Stephen Thaman, Liaison, Moscow
Karen Widess, former liaison, Kazakhstan

Russia

Mikhail Mikhailovich Bobrov, Presiding Judge of the Moscow Oblast Court
Yuri P Kourmosov, Deputy Prosecutor of Ivanovo Oblast
Vassily I Krasin, Deputy Head, Ivanovo Department of Justice
Lev V Loginov, Deputy Chairman of the Ivanovo Federal Court
Larisa E Marshalko, Vice Head of Computerization Board, Ministry of Justice
Andrei V Morozov, Chief of Division of Computerization, Ministry of Justice
Kemmer Borisovich Norkin, General Director of the Moscow Mayor's Department
Gennady M Panin, Head Ivanovo Oblast Department of Home Affairs
Sergei Anatolevich Pashin, Head of Judicial Reform Department of the State Law Department of the President
Yevgenny Nicolaevich Siderenko, Vice Minister of Justice
Yuri V Smirnov, Chairman of the Ivanovo Federal Court
Vitaly I Smourov, Head of Ivanovo Department of Justice
Sergei Anatolevish Tropin, Deputy Head of Judicial Reform Department

Ukraine

Fedir Burchak, Head, Parliament Secretariat Legal Department
Halyna Freeland, Ukrainian Legal Foundation
Jennifer Labach, Ukrainian Legal Foundation
Christen Maciw, Council of Advisors to Parliament
Lidia Saenko, Professor, Kyiv University
Petro Tsuprenko, Supreme Court Justice
Alexander L Zavada, Chairman, Anti-Monopoly Committee of Ukraine

Kazakhstan

Serik G Temrbulatov, Deputy Minister of Justice

Aıgul M Uchempirova, Consultant to the Supreme Council of the Republic of Kazakhstan

USAID

James Norris, Mission Director, Russia

Terry McMahon, Mission Director, Ukraine

Craig Buck, Mission Director, Kazakhstan

Jonathan Addleton, Program Officer, Kazakhstan

Jeanne Bourgault, Project Officer, Russia

Patricia Buckles, Deputy Director, Kazakhstan

Paula Feeney, General Development Officer, Kazakhstan

Anne Nesterczuk, Project Officer, Russia

Embassy

William Courtney, Ambassador, Kazakhstan

John Brown, Director, USIS, Ukraine

Jackson McDonald, Deputy Chief of Mission, Kazakhstan

Thomass Niblock, Jr, First Secretary, Political section, Russia

Wolodymyr Sulzynsky, First Secretary, Ukraine

AID/Washington

Keith Henderson

Geraldine Donnelly, Director, DIHHR

Paul Ashin, Social Scientist

Jeffrey Evans, Evaluation Officer

Carlos Pascual

Mary Ann Riegelman

Julie Allaire-McDonald

Paul Holmes

APPENDIX B REFERENCES

A Background

- Carruthers, Ian, and Robert Chambers, "Rapid Appraisal for Rural Development, *Agricultural Administration* 5 (1981) 407-422
- Dahl, Robert A , *Democracy and Its Critics* (New Haven Yale University Press, 1989)
- Diamond, Larry, Juan J Linz and Seymour Martin Lipset, eds , *Politics in Developing Countries Comparing Experiences with Democracy* (Boulder, CO Lynne Rienner Publishers)
- Farer, Tom J , "Elections, Democracy, and Human Rights Towards Union," *Human Rights Quarterly* 11 (1989) 504-521
- Huber, Evelyne, Dietrich Rueschmeyer, and John D Stephens, "The Impact of Economic Growth on Democracy," *Journal of Economic Perspectives* 7, no 3 (1993) 71-85
- Kusterer, Ken, "On Democratization What is it, how is it encouraged, and how is its progress measured?" The American Univ , Department of Sociology, August 1992
- Ponomarev, Lev, "The Democratic Russia Movement Myths and Reality," *Demokratizatsiya* 1, no 4 (1993) 15-20
- Roberts, Brad, ed , *The New Democracies Global Change and US Policy* A Washington Quarterly Reader (Cambridge, MA The MIT Press, 1990)
- Sirowy, Larry, and Alex Inkeles, "The Effects of Democracy on Economic Growth and Inequality A Review," *Studies in Comparative International Development* 25, no 1 (1990) 126-157
- Sorensen, Georg, *Democracy and Democratization* (Boulder, CO Westview Press)
- Yergin, Daniel, and Thane Gustafson, *Russia 2010* (New York Random House, 1993)
- Zlobin, Vasily I, "Is There any Hope for Russian Political Parties?," *Demokratizatsiya* 1, no 4 (1993) 22-30

B Agency for International Development

"Building Democracy USAID's Strategy "

Haggard, Stephen, "Democracy and Economic Growth," Paper prepared for the Democratic Pluralism Initiative, 15 June 1990

Hansen, Gary, "Designing and Evaluating Democracy Programs State of the Art," *AID Evaluation News* 1992, No 3 9-10

Hansen, Gary, "AID Support for Democracy A Review of Experience, Interim Report," Center for Development Information and Evaluation, June 1991

Project Memorandum, New Independent States Democratic Pluralism Initiatives (110-0007), Authorized April 10, 1992, and Amendment No 1 to the Project Memorandum, Approved February 3, 1993 "Ukraine U S Technical Assistance Strategy," Discussion Draft 11/9/93

"U S Technical Assistance to Russia," Edition 11/13/93

C CEELI

Quarterly reports

CEELI Proposal

Grant Amendments 1-3

Selected CEELI files Liaison reports