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FINAL REPORT ON THE ARD/CHECCHI CONSORTIUM RULE OF LAW PROGRAM IN UKRAINE

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EXECUTIVE SUMMARY

The contract with USAID gave the ARD/Checchi Rule of Law Consortium ("RoLC" and "ARD/ Checchi") three broad directives

1 Strengthen Core Legal Institutions

2 Frame Legal Substance

3 Help Build Civic Society

Strengthen Core Legal Institutions
RoLC had singular success in Ukraine[1] in strengthening the most important of the core legal institutions we worked with -- the judiciary When our work began, the judiciary was a subordinate organ of government, dominated by the executive and the legislature As we left, it had become a co-equal, largely independent branch of government[2] asserting its rightful place in a constitutional scheme that embodies separation of powers This transformation was due in part to our effort as the only Western organization devoting substantial resources to the judiciary and in part because of the desire and drive of the leadership of the judiciary to establish independence

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[1]Our contract covered Ukraine, Moldova and Belarus Because of the political situation in Belarus, we undertook no programs there other than to solicit small grant proposals in 1995 We received no proposals worth funding In Moldova, in 1995 we gave one grant to build a library for the Moldovan Bar Association and another grant to promote electoral reform In late 1995 and early 1996 we traveled to Moldova to design a judicial education program, but the Mission decided for financial reasons not to proceed Our work, therefore, was concentrated in Ukraine

[2]General Court and Arbitration Court judges are appointed for life following a relatively short 5-year probationary period Constitutional Court judges are appointed for a non-renewable nine-year term These tenure provisions minimize the risk of extraneous influence However judges are dependent upon the local government to provide housing and vacation travel Many have commented that the local government can withhold housing for new judges or vacation travel vouchers if displeased with a court's decisions

We had lesser, though still noticeable, success with other core legal institutions such as the law schools and the Ministry of Justice ("MoJ") Key law schools undertook to reform curricula and produce new course materials, although the extent of reform was hampered by bureaucratic rules and procedures as well as the clash between the traditional Continental approach to law as an academic subject and the American approach of law as a pragmatic exercise in resolving problems The law schools formed an association to promote reform and to work for improvement of legal education, although only time will tell whether that association will take hold or fade away With our technical and equipment assistance, the Ministry of Justice was transformed from an agency that existed largely to control administration of the lower courts to an agency that was becoming a respected drafting and consultative ministry for the government The Ministry supported legal reform in key areas to curb the abuse of executive authority, but the extent of support depended upon the person in charge The ultimate outcome of reform efforts lay in the hands of the cabinet as a whole

We achieved little with the Office of the Ombudsman for reasons beyond our control The office was created late in the contract term and was beset by leadership, staffing and space problems that led to virtual paralysis in the Office

While we engaged the Procuracy in reform efforts early in our contract, U S Government agency jurisdictional disputes precluded our working with the Procuracy

Frame Legal Substance

When our program started in 1993, Ukraine still lived under the Soviet era Constitution, with Soviet laws that promoted a command economy and let administrative agencies have almost unfettered control over citizens and the economy Now, Ukraine has a new, democratic Constitution that RoLC helped write, drafts of entirely new criminal, civil and procedural codes nearing completion that we supported in significant part, drafts of comprehensive reform of administrative law and civil service ethics for which RoLC was the principal sponsor, and a variety of draft laws on individual topics of importance, such as information sovereignty Framing legal substance is still a work in progress, much of which depends upon the political will of Ukrainians, over which foreign donors have no control RoLC gave them the drafting skills and the knowledge with which they can write their own story

Promote Civic Society

When we began in 1994 actively to promote the building of civic society, Ukraine still felt the effects of the Communist Party's prohibition of all independent citizens' organizations Since civic society was forbidden in Soviet times, people had no habit of organizing themselves to achieve their own goals and also despaired that a court system traditionally subordinate and obedient to the executive since Czarist times would listen to them When we first advertised a grants program in 1994, we had very few applicants When we solicited grant proposals in 1998, we received more than 140 applications from Ukrainian organizations devoted to informing citizens of their rights and protecting their interests through courts This phenomenal growth can be attributed to a growing awareness that the shackles of the Communist past have truly fallen away, to the influx of a large number of American civic organizations to assist Ukrainians to organize, and to a growing

understanding that the judiciary is independent and will protect citizens' lawful interests To further promote the growth of civic society, we gave key NGOs training in how to operate more effectively not only within the court system but also how to better organize public support We also undertook a special media campaign to publicize the ability and success of NGOs to defend their members' rights and interests, which publicity in turn generated even greater interest in civil society

Summary of Important Lessons Learned

Many Ukrainians are devoted to reform efforts RoLC had its greatest success when its aims meshed with the goal of our Ukrainian partners Our work to strengthen the judiciary succeeded because the leadership of the courts strongly desired to build an independent judiciary as a co-equal branch of government We were able to give the technical material and moral support the courts needed, and which they welcomed, to enable them to achieve their own goals Similarly, our efforts to build civic society, especially our program that tied media and grants together, succeeded because our aims exactly matched those of the Ukrainian NGOs to give greater voice to civic organizations in their efforts to promote private citizens' rights and interests

RoLC had its least success either when the Ukrainian partner was ineffectively lead or when RoLC's aims did not elicit full support For example, the effort at law school reform was not totally successful in part because some officials at some law schools resisted change that would move them away from their traditional approach of law as a purely academic subject The effort to build a unified bar association of attorneys failed because the Ukrainian lawyers did not desire to unify what they saw as diverse professions of judges, defense lawyers, private lawyers and corporate lawyers

For foreign technical assistance in legal reform to be effective, there must be strong consensus between Ukraine and the U S as to the value and practicability of such assistance

I. STRENGTHEN CORE LEGAL INSTITUTIONS

A THE JUDICIARY

Until the adoption of the new Constitution in June, 1996, Ukraine had two separate and free-standing court systems Arbitration Courts and General Courts The Ukrainian Constitution requires merger of the two courts into one by 2001, and creates a free-standing Constitutional Court as a separate body having no administrative authority over other judicial bodies

The Arbitration Court, which consists of oblast level courts and the Higher Arbitration Court (HAC), is the direct descendant of GosArbitrazh, an arm of the old Gosplan, which was responsible for resolving disputes between state-owned commercial enterprises in the Soviet planned economy With a few exceptions, the Arbitration Court's current jurisdiction is limited to business disputes between commercial entities and regulatory disputes between the state and a commercial entity The General Courts, which are organized in three levels -- rayon, oblast and Supreme Court, hear all other cases, including all criminal matters, military matters and all civil cases not involving solely commercial entities The Arbitration Court has approximately 450 judges, the General Court approximately 5,500

The Constitutional Court's jurisdiction is limited to deciding issues of constitutional law and to interpreting Ukrainian statutes It is not an appellate body, it makes the first and only determination of constitutionality and of statutory interpretation

B ARBITRATION AND GENERAL COURT SYSTEMS

ARD/Checchi's work with the Arbitration Court and the General Court systems focused on judicial education, stressing the building of judicial education capacity, on creating court management and judicial administration expertise, on creating information systems to give judges access to Ukrainian legislation, on publication of decisions by the appellate bodies, and on strengthening libraries Our goal was to increase the competence, prestige and importance of the judiciary and lessen the hold that the executive branch had over the courts in the Czarist and Communist period [3]

1 Judicial Education and Judicial Education Capacity

At the outset, ARD/Checchi provided judicial education by cooperating with the Ohio Supreme Court to bring in American judges and law professors to teach in areas new to Ukraine and important to its economic development (such as bankruptcy, international transactions, intellectual property),

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[3]A complete list of all equipment given to the Supreme Court and the Higher Arbitration Court is set forth in Appendix I of this Final Report

to the development of a democratic legal system (such as civil rights and fair criminal procedure) or to the development of the judiciary as a system (such as judicial ethics, judicial independence, court management) A complete list of judicial education programs is attached as Appendix A After about a year, we realized that the American portion of the educational programs was not particularly effective Teaching American law to Ukrainian judges had little practical effect in a Continental System that -- unlike the Anglo-American Common Law approach -- gives the courts no law making ability through case law We therefore switched emphasis from organizing specific judicial education programs to building the capacity of the courts to provide judicial education for their judges

Using the Ohio Supreme Court as our working partner, we showed the Courts how to run a judicial college to teach their own judges and gave them instruction on effective teaching techniques While both the HAC and the Supreme Court created Judicial Education Centers ("JEC" or "Centers"), the Supreme Court was particularly zealous It allotted several rooms in a newly-acquired building to house the Center It hired four full time staff to run the Center It created a Judicial Advisory Board patterned on the Ohio model to oversee and direct the Center's operations We gave the Supreme Court and the HAC the technical capability to print and distribute educational materials [4] Both Centers were fully functional as our contract ended The Supreme Court's JEC is projected to form the nucleus of further judicial education efforts in Ukraine, including the proposed creation of a Judicial Academy with funding from the European Union

We had planned to equip the Supreme Court and HAC education centers with video cameras and tape duplicating equipment and give the 27 oblast level courts of the General Court system, as well as some of the more important oblasts of the Arbitration Court system, videotape players and monitors to show educational videotapes We felt that this approach, while not ideal from a teaching standpoint, would allow the courts to better cope with their slender financial resources Neither court has the funds to bring judges on a regular, continuing basis from the oblasts to Kyiv for 2 - 5 days of judicial education With videotape equipment, however, they could produce educational materials to be used at the oblast level during regular, monthly legal education meetings Unfortunately, we lacked sufficient funds to provide the needed equipment

The emphasis on judicial education had three effects First, it increased the competence of the judges Oblast chairmen frequently commented how much better their judges performed after attending a seminar Second, it increased the esprit de corps of the judges by giving them a chance to meet their colleagues from around the country and by giving the leadership a chance to instill in the lower level judges a sense of their importance in a democratic government Third, it demonstrated to the parliament that the judiciary could be responsible for its own management and

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[4]The Supreme Court JEC received a risograph-type printer, collating and binding equipment, a photocopier, a fax and an overhead projector See Appendix I to this Final Report The HAC JEC received a fax, photocopier, overhead projector and screen from RoLC App I It also received a risograph-type printer as part of a NET training program that RoLC arranged

administration Officials at the Supreme Court reported that the Court's demonstrated capacity and management ability in judicial education played an important role in the decision to remove the Ministry of Justice from overseeing the judicial system [5]

2 Court Administration and Management Expertise

Early on RoLC stressed the importance of court administration and management We arranged for a special week-long course for the managers and administrators of the two court systems We brought in the Chief Justice of the Ohio Supreme Court to emphasize the importance of the topic We arranged a special, two-week NET seminar on court administration and management The Supreme Court was especially interested in the area of administrative reform

With the proposed new Law on the Judiciary set to give the courts full responsibility for management and administration issues, it would be desirable to continue with advice and assistance in this area, especially as the court system is being restructured

3 Computer Information Systems

ARD/Checchi provided approximately $215,000 of computer equipment to the Arbitration Court and $290,000 to the General Court [6] While the details differ for the two court systems, the computerization projects were designed to permit judges for the first time to have ready access to the normative acts of Ukraine With the breakup of the Soviet Union, Ukraine had no publisher to supply loose leaf services to keep courts abreast of changes in the law Judges literally had to cut and paste with their own hands newspaper reports of changes to laws The computer systems given to the courts enable virtually all judges in the Arbitration Court system, the 85 Supreme Court judges and a substantial percentage of the judges at the oblast level of the General Court system to have access to all Ukrainian normative acts

In addition to providing virtually all the highest level appellate judges with access to legislation, executive decrees and administrative regulations, the computerization projects allowed information to flow up and down the court system far more easily and thereby foster better court management Perhaps most importantly, they allow the judges to draft and revise opinions more quickly and efficiently Computers therefore speed the work of the judges From the point of view of improving judges working conditions, training and providing computers were our most important contributions

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[5] As our contract ended, a draft Law on the Judiciary was before the parliament While there were disputes about certain features of the bill, all sides had agreed that the Ministry of Justice would have no role in the future in administering the courts or conducting judicial education courses

[6] A detailed list of the computer equipment given to each court can be found in Appendix I to this Final Report

Obviously, however, we could not provide all judges and courts in Ukraine with sufficient computers The greatest effect was felt in the HAC and the Supreme Court We also gave each oblast level court of each system one modern computer and printer to allow oblast-level judges to have access to legislative data bases But we could do nothing for the 742 rayon level courts, where pencils, pens, an occasional banged up typewriter and razor blades (for cutting and pasting) are still the tools of daily work

4 Publication of Appellate Decisions

ARD/Checchi provided $60,000 for publication of the opinions and Guiding Explanations of the final appellate bodies of the Arbitration and General Court systems for 1995 and 1996 However, after review of the cost versus the benefits, we decided that the publication project was too expensive for too few copies of the decisions Moreover, installation of the computer networks would allow dissemination of the decisions of the higher bodies to the oblast level courts We therefore discontinued sponsoring publication after 1996 Fortunately, the commercial press took up the publication of the decisions of the HAC and the Supreme Court However, the court systems lack funds to purchase sufficient quantities for the lower courts

5 Library Resources

A library is the intellectual core of any court system When we began, neither the HAC nor the Supreme Court had a usable law library Almost all the very limited amount of materials consisted of old Soviet law books and legal polemics of Marxism-Leninism [7] We assisted both courts to furnish libraries, acquire a few computers for legal research and writing, and a few photocopiers to distribute pertinent parts of materials [8] Most importantly, we acquired for them a core collection of modern legal literature, including much Western law translated by Moscow-based publishers into Russian [9] In addition to helping the libraries of the HAC and Supreme Court, we also acquired small, core collections for each oblast of the Arbitration Court and the General Court

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[7]In the Soviet Union all things important, including the most important courts, were based in Moscow Moscow -- not Kyiv -- had law libraries of size, although even then the holdings were restricted by the Soviet practice of censorship

[8]For a list of equipment provided to the libraries, see Appendix I to this Final Report

[9]Unfortunately, we did not have a chance to purchase as much legal materials for the Supreme Court library as we had planned The library premises were not completed until early 1999 Just as we were to begin large purchases of materials, we discovered a lack of sufficient funds to complete our efforts

C. THE CONSTITUTIONAL COURT

The Constitutional Court became operational only in January, 1997 Its existence and function are unprecedented in Ukraine a court with authority to declare laws unconstitutional Because of its importance to the development of limited, constitutional government in Ukraine, we paid special attention to the Court Even before it began to function, we persuaded USIS to send all the appointed judges to the U S to observe first hand the American judiciary and meet with appellate judges

We assisted the Court in four areas substantive legal expertise, court management expertise, creating a computerized information system, and library building [10]

1 Substantive Expertise

We gave the Court information both on how a Court functions as an institution and in substantive areas of law, with a focus on free speech We organized a seminar on the functioning of a constitutional court in general, brought in the Chief Justice of Ohio to meet with the judges here and brought in a noted American constitutional law professor to be a resident scholar on issues of free speech and on the functioning of the U S Supreme Court At our initiative, we organized three seminars on topics of special interest to the Court with the Council of Europe [11]

2 Court Management and Administration

At our request, USIS sent all 18 judges and five senior support staff of the Constitutional Court to the U S to observe first hand how a court with constitutional authority functions and how U S appellate courts are organized and operate In addition to arranging for the USIS trips, we sent five senior administrators of the Constitutional Court to spend a week studying the operations of the Ohio Supreme Court, and brought senior staffers of the Ohio judicial system to Kyiv twice to visit the Constitutional Court and provide advice and guidance on management issues

3 Computerized Information System

The Constitutional Court began operating with virtually nothing When ARD/Checchi staff first visited the Court, there were only two telephones and one computer We installed a computer network of some 40 workstations, including terminals in the library for research and drafting This system allowed the judges and their staff to have ready access to electronic data bases of Ukrainian legislation It enabled them to cope with the drafting and revising of opinions and the processing

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[10]For a complete list of equipment provided to the Constitutional Court, see Appendix I to this Report

[11]The seminars are listed at the end of Appendix A

of literally thousands of citizen petitions Without our assistance, the Court would not have been able to cope with the burden

4 Library Assistance

The Constitutional Court started with one item in its library the Ukrainian Constitution We financed the acquisition of thousands of books, journals and reference works We acquired computer workstations, library management software and a photocopier to enable the library to function properly

SUMMARY

We were the only Western organization to pay significant attention to the judiciary Whenever possible we promoted its independence from the Ministry of Justice Whenever possible we spoke to the judges about the importance of their role in a democracy We were very fortunate to find in the judiciary talented leaders dedicated to creating an independent judiciary as a co-equal branch of government They understood that the prestige and status of judges would be greater in a democratic government than they had been under the Soviet system They actively worked for change During the course of our work, the psychology of the General Court and Arbitration Court judges noticeably changed for the better, in no small part because of what they saw on trips to the United States These trips, some of which we directly organized and others which we arranged through USIS, opened the eyes of the leadership to the power and prestige of American judges and they decided to try to create that same kind of judiciary here[12] The courts began ruling consistently against the executive in a substantial percentage of cases Indeed, the courts became so "troublesome" to the executive that the prime minister once threatened to cut off financing to the Arbitration Court System and the president accused the Supreme Court of not sufficiently following the needs of the Administration Perhaps nothing was more heartening than that after each attack the press and public opinion strongly rallied to the courts and the executive officials were forced to back down

D. LAW SCHOOLS

ARD/Checchi worked with the five leading law schools in Ukraine Kyiv National, Lvyv National, Odesa State, Donetsk State and the Kharkiv Judicial Academy These schools account for 80% of the law school graduates, with Kharkiv accounting for approximately half In addition to working with the individual law schools, we mid-wived the birth of the Ukrainian Law School Association to bring under its umbrella all the accredited law faculties and law schools Our efforts met with mixed success

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[12]A complete list of trips that RoLC either organized or arranged through USIS is attached as Appendix B

Curricular Reform

Soviet legal education had no courses on commercial law -- commercial law simply did not exist -- nor did it stress the importance of the individual It turned out lawyers to serve the interests of the State We sought to help the law schools revise and reform their curricula

1 We gave the five leading law schools inexpensive printing presses so they could produce new teaching materials For the four schools that made the best use of the printing presses and showed the most reform orientation -- Donetsk, Lvyv, Odesa and Kyiv — we also gave collating and binding equipment to speed production [13]

2 We brought in American law professors on short term visits to the various law schools These visits by and large proved to have little impact because of the great difference in philosophies of legal education and the differences between the Continental code system and the Anglo-American common law system To Ukrainians, law is an intellectual subject to be studied for grand theories while Americans consider law to be a pragmatic subject heavily dependent upon the facts of each case We discovered that to overcome this clash would require far more intensive involvement of American professors with Ukrainian counterparts than we could support with our resources [14]

3 We organized a conference attended by virtually all Ukrainian law schools (and not just our five target schools) specifically devoted to the issue of curricular reform, and commissioned studies showing how Ukrainian curricula differed not only from the American common law tradition but also from that of Western Europe This conference caused all present to support revising Ukrainian legal education

4 We sent 11 Ukrainians -- nine from law schools and two from government accrediting agencies -- to the U S for a week to study the operations and curricula of two American law schools For this trip we translated course syllabi as well as the entire curriculum description of an American law school This trip came near the end of our program and therefore we do not know its ultimate impact, however, the law school officials were visibly impressed by what they learned and spoke particularly of creating more law school clinics to give practical experience to law students and assistance to those in need All also sought to promote continuing contacts with the host American schools

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[13]For a complete list of equipment given to the various schools, see Appendix I to this Report

[14]We had approximately $450,000 for direct support to the law schools, by way of comparison, the proposed World Bank Legal Reform Loan that was ultimately rejected by the parliament called for about $15 Million for legal education reform over three to five years

5 In Ukraine, the Ministry of Education has been responsible for approving the law schools' curricula To try to move to a less government-controlled approach, we mid-wifed the birth of a Ukrainian Law School Association We sent the leadership of the five target schools to the U S to meetings of the American Association of Law Schools (AALS) and brought AALS officials here to discuss the functioning and role of a law school association in curriculum development and legal education The Ukrainian law schools, led by our five target schools, formed the ULSA, with one of its goals being the promotion of curriculum reform [15]

6 We gave a grant of $72,000 to sponsor a special year-long course for young law faculty in Western law subjects such as commercial law, constitutional law and rights, international law and law of the European Union The 35 young teachers who attended the course for the year received instruction from the best and most Western oriented Ukrainian academics and lawyers, and will be able to create and teach new courses at their institutions

Library Strengthening

All law schools are starved for financing Even the largest and most powerful, the Kharkiv Judicial Academy, has trouble because the government requires that it provide a "free" education to most students, but the government has not provided stipends or support money Law schools that are part of a larger university, such as at Kyiv National, find that the larger university takes all the tuition money students pay to cover alleged overhead expenses and utilities costs To help the law schools -- more importantly, the law students, we acquired a substantial collection of modern works for each of the five target law schools, including on cd-rom a collection of treatises on virtually every American legal topic of relevance The law students hold the key to the long-term future of Ukraine Even if their professors do not or cannot teach modern subjects, they know that their future depends upon their knowledge of Western legal principles and concepts Thus, the strengthening of the library holdings will help the students learn Western law

Results

During the term of the RoLC contract, there was no wholesale curriculum reform in Ukraine, except that all the schools dropped courses in Marxist-Leninist legal thought and philosophy Bureaucracies

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[15]The ULSA was slow to get underway because Ukrainian bureaucratic requirements consumed almost two full years to accomplish registration Without registration, the Association could not open a bank account, maintain an office or hire any employees Registration was finally completed in June, 1999 Whether the ULSA will function or simply be a hollow entity will depend upon the Ukrainian law schools that form its membership We gave Ukrainian law school officials the technical assistance they need to run an association, now it is up to them to use it

move slowly and academic bureaucracies perhaps most slowly of all But individual schools have made changes within the discretion permitted by the Ministry of Education Donetsk, in particular, has actively sought to modernize by adding clinical legal education and commercial and private international law courses All the schools are adding courses in Western subjects, but all are also hampered by the current Ministry requirement that a relatively large percentage of instruction hours be devoted to criminal law topics (In the U S , most students take no more than two courses on criminal law and procedure, in Ukraine, even those with no interest in pursuing a criminal law career must take 500 hours of instruction) Schools also face resistance from some of the older faculty, schooled in Soviet doctrine and unable or unwilling to change Some, such as Kyiv and Donetsk, have tackled the problem of having a faculty of Soviet-era professors by forcing retirements, by not renewing teaching contracts and by consciously hiring recent graduates who lack the baggage and limitations of Marxist-Leninist legal indoctrination and who are fluent in a Western language and can use Western legal materials Lvyv and Odesa are also very reform oriented

Our experience indicates that short-term visits by American law professors are by and large ineffective [16] A more promising approach is offered by USIS, which awards grants of $140,000 over three years to American law schools paired with Eastern European partners We therefore solicited and found American law schools willing to apply for USIS grants to work with Kyiv, Lvyv, Odesa and Donetsk

E. THE PROCURACY

The Procuracy was the dominant legal institution of the Soviet era, the eyes and ears of the Party In a democratic society, it must function differently, more akin to the U S Attorney's Office, which is merely one party in a criminal court proceeding We wanted to approach the re-education of the Procuracy through the Procuracy Training Institute, which is the research and education center We sent two groups from the Procuracy Training Institute, along with two Deputy Procurator Generals, to the American Prosecutors Research Institute ("APRI") in the United States to study the role of a prosecutor in a democratic society We also brought APRI instructors to the Procuracy Training Institute to teach about criminal prosecutions in a democratic government and also demonstrate modern teaching techniques Both APRI and the Procuracy Training Institute were pleased with the results of these initial efforts The PTI adopted quickly the teaching methodology it learned from APRI and started to develop course materials However, in 1997 we were instructed to take no further activities with the Procuracy without DOJ/OPDAT approval After many, many months of discussions, we were ultimately told not to work with the Procuracy but to leave the field to DOJ/OPDAT

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[16]One notable exception occurred at Odesa law school, which utilized the visit of an American expert to create an admiralty law department

F. THE MINISTRY OF JUSTICE

The Ministry of Justice was an agency without a clear purpose in Ukraine It's three primary missions were (1) to oversee the Notariat, the system of notary publics that help enforce legality by making certain that contracts comply with Ukrainian legislation, (2) serve as the legislative drafting arm of the executive branch, and (3) administer the oblast and rayon levels of the General Court, including providing continuing legal education for lower court judges The importance of the Notary will decline with legal reform and less command control of the economy The most important and powerful ministries did their own drafting, refusing to work with the Ministry of Justice Legal education, to the extent it was being done at all, was taught by Supreme Court justices Moreover, we wanted to wean the courts away from the Ministry to strengthen the independence of the judiciary, which had been subordinated to executive authority for centuries

Our work with the Ministry vividly illustrates the importance of having a Ukrainian partner committed to reform From 1994 to 1995 we found it impossible to work with the Ministry The Ministry objected to minor points in the language of a draft agreement signed by all our other partners without problems, long delays occurred before the Ministry would even respond to proposed revisions to accommodate its concerns But in late 1995, a new Minister was appointed who was dynamically oriented to reform Within days we reached agreement on a Memorandum of Understanding and an assistance plan The Ministry took a very active role in legislative drafting and sought help from us and the Canadians to improve the competence and efficiency of its staff The Minister lent his personal prestige and weight to a drafting group formed to work out a comprehensive plan for administrative law reform But then he was dismissed The new minister was not as dynamic Although voicing support for administrative law reform, she did not give it the same emphasis or personal attention, with the result that the final draft has languished

In our efforts with the Ministry, we provided a computer network to improve the efficiency of its work, especially the legislative drafting department[17] As described more fully below in Section II of this report, we promoted a major effort at comprehensive administrative law reform and the adoption of a Code of Ethics for Civil Servants The lessons learned by the Ministry's drafting department in those efforts spilled over to increase the status of the Ministry's drafting function within the executive branch The Ministry was called on to organize drafting seminars for other ministries

In some ways our most significant achievement was in disassociating the Ministry from continuing legal education for judges Instead of supporting the Ministry's efforts, which would have strengthened the Ministry's claim of administrative authority over the court system, we by-passed

[17]For a detailed listing of equipment provided, see Appendix I

the Ministry to work directly with the Supreme Court As a result, the prestige of the Court grew and contributed to the decision to remove the Ministry from any role with respect to the courts [18]

G OFFICE OF THE OMBUDSMAN FOR HUMAN RIGHTS

The Verkhovna Rada appointed the first Ombudsman in 1998 Under Ukrainian law, citizens have no right to appeal directly to the Constitutional Court for protection of their rights, they must go through the Ombudsman, who must bring a petition to the Constitutional Court on their behalf if the dispute cannot be otherwise resolved

Because of the importance of the Ombudsman to individual rights, we made efforts from the very beginning of the Ombudsman's appointment to provide assistance We contacted the Ombudsman and offered our help We retained a consultant to design an office computer network and determine what other equipment might be needed But we ultimately had little success in working with the Office of the Ombudsman Our consultant had great difficulty in setting up meetings, oftentimes meetings were canceled by the Ombudsman's office at the last minute When he finally succeeded in designing an assistance scheme, the Ombudsman asked us not to proceed, as she wanted to get different office space from the parliament We organized a separate round table for NGOs on issues of sex discrimination, a topic the Ombudsman said was of particular interest to her office Although invited, no one from the Ombudsman's office appeared

We accomplished one program with the Ombudsman We organized a seminar on the roles of the Constitutional Court and the Ombudsman in protecting individuals' rights, in which the Ombudsman participated However, all the organizational work was done by RoLC and the Constitutional Court Other than attending, her office provided no contribution [19]

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[18]See pp 4-5 for a fuller explanation

[19]It is interesting to contrast the Ombudsman with the Constitutional Court More than a year after appointment, the Ombudsman had not filed any petitions with the Court on behalf of citizens The Court, on the other hand, stretched the language of the Constitution to allow citizens to file complaints directly with it because the Ombudsman's office was not functioning, the court did not want individuals deprived of the ability to assert their rights

II. FRAME LEGAL SUBSTANCE

ARD/Checchi provided assistance in the drafting of more than thirty different bills by the executive and legislative branches A complete list is set out in Appendix C The most important bills included

The section of the Constitution on the Executive Branch

The section of the Constitution on the Legislative Branch

The Law on the Constitutional Court and its Internal Rules

A Draft Code of Civil Procedure

A Concept of Administrative Law Reform

A Draft Code of Ethics for Civil Servants

Various Draft Laws on Mass Media and Information

A STANDARD APPROACH

In providing assistance to the Presidential Administration, the Ministry of Justice and to two committees of Parliament, we devised an approach that resulted in improved drafting from both a technical and substantive point of view, while protecting ourselves from being used to promote bills antithetical to a democratic society

We recognized that Ukraine had many talented academics and judges who were not participating in the drafting of legislation for financial reasons Most academics had (and continue to have) very low pay and moonlighted as consultants to private firms to support themselves Because the Ukrainian government was unable to pay them, they would not participate in the working groups drafting new legislation Judges also had (and continue to have) low pay They did not want to add to their heavy daily workloads unless they could receive extra pay, because taking on the extra work of drafting groups meant that they would have no time for any other outside activity permitted to them by Ukrainian law to supplement their meager official salaries To attract more qualified people to the drafting work, we agreed to pay modest amounts to the working groups -- excluding members of the parliament or their staffs -- which allowed them to retain qualified academics and judges as

drafters and reviewing consultants [20] The participation of academics and judges resulted in more knowledgeable drafting groups, operating at a more professional level

We provided each of our Ukrainian partners with a pair of computers and printers so they could more efficiently do the work Previously, drafters worked on typewriters and every change meant laborious re-typing The use of computers greatly speeded the drafting process and allowed the groups to produce drafts clearly indicating changes, making it far easier for everyone to track the progress of drafting

We funded the translation into Ukrainian of pertinent materials from America, Western Europe and some East European countries further on the path to reform than Ukraine Because of decades of Soviet censorship, a vast information void existed on how law works in the West Translation of Western materials and some East European laws based on Western models allowed the members of the drafting groups better to understand what they were trying to accomplish and gave them a model to work from

We found Western experts to critique the efforts of the working groups and give them advice and direction To accommodate Ukrainian sensibilities, we never made acceptance of Western expert opinion a condition of continuing with a project, but did require that any time a working group rejected the advice or comments of an expert it had to give a written explanation of its decision In finding experts, we utilized a variety of sources, including the Ohio Supreme Court, which was a valued working partner in rule of law activities The Ohio Supreme Court found judges or law professors in Ohio to review draft legislation pertaining to the judiciary or to procedural codes Some experts came from personal contacts of our RoL staff among American law professors Some experts were provided by the Dutch and Germans The American experts acted on a pro bono basis We occasionally paid for a Dutch law professor or judge to review legislation The German Technical Assistance Program retained German consultants Given that the Ukrainian legal system even in Soviet times was largely patterned on the Continental System, providing Dutch and German commentary sometimes proved more valuable than providing the advice of an American working in the Anglo-Saxon Common Law System

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[20]In working in such politically sensitive areas as the mass media and flow of information, we included a special proviso in our agreement with the parliamentary committee that we could withhold payment following any completed stage if we felt that the draft violated standards of the Ukrainian Constitution or international law We had to exercise this clause only once, when a Communist led committee drafted a bill on information sovereignty that, in the opinion of two outside experts, contained significant restrictions on the flow of information in violation of the Ukrainian Constitution and international standards We gave warning of our intent not to pay after reviewing an early draft of the bill, we refused to pay that particular working group when it declined to make sufficient changes for the final version Although the working group protested, the Committee nonetheless asked us to extend our working agreement for a second year

B SPECIAL ASSISTANCE

For a few especially important projects we adopted an approach that required more intensive support and involvement of Western experts

1 Draft Civil Code

Ukraine's current Civil Code is in essence unreformed from Soviet times The Ministry of Justice, acting through a Ukrainian NGO and the Dutch, undertook to draft a modern Civil Code patterned on a market economy Through our sister program, the Regional Contract for the NIS, we included the Ukrainian drafting group in the Model Civil Code Drafting Project This project periodically brought together drafters from all the non-Baltic countries of the former USSR, including Ukraine, to meet with leading Western experts to work on various sections of a new draft civil code Thus, the Ukrainian drafters met with experts on intellectual property, on commercial law and on a wide variety of topics These meetings enabled them to compare their own work with that being drafted in other NIS countries and also to have the advantage of expert Western advice

After the draft Civil Code was submitted to the Parliament, we provided further assistance by financing special retreats for the drafting group to collate and comment upon proposed amendments and to improve the draft initially submitted to the Verkhovna Rada We also sponsored seminars and round tables to publicize the draft Civil Code and the changes it would make in Ukrainian law

2 Draft Code of Civil Procedure

A nucleus of judges at the Supreme Court undertook on their own initiative to draft a new code of civil procedure We translated their work and had it reviewed and critiqued by American appellate judges and law professors We organized a seminar on American trial and appellate procedure conducted by two American judges, and we translated all the pertinent federal procedural rules into Ukrainian We also sent a delegation of the principal drafters of the Ukrainian legislation for a week for a specially organized course on appellate procedure, at which their draft was thoroughly critiqued by senior appellate judges of Ohio

3 Draft Law on the Judiciary

We initially provided support to a parliamentary committee in the fashion outlined above Expert advice was provided by the Ohio Supreme Court and several American law professors, as well as by Dutch and German experts The structure of the judiciary became a hotly disputed topic, with several organizations submitting their own drafts, which were largely patterned on the bill we initially sponsored but which emphasized their own role in the judiciary For example, the Arbitration Court drafted a bill that would give the Arbitration Court maximum autonomy within a unified court system The Ministry of Justice submitted a draft that stressed the role of the Ministry in administering the courts The Supreme Court's version stressed the independence of the courts and eliminated the role of the Ministry

We sent a cross section of Ukrainians to the U S to study court administration and management, with a strong focus on the ability and desirability of the courts to manage themselves, as they do in the U S The delegation included the head of the parliamentary committee in charge of legal policy and judicial reform issues We organized round tables for Ukrainians in the major cities to become familiar with the competing drafts and their implications As of the writing of this report, consensus has been reached that the courts will be independent of the Ministry of Justice The Supreme Court credits our assistance with its obtaining the desired goal of maximum judicial independence The compromise bill incorporated many points the Ukrainians learned on the study trip to the United States

4 Administrative Law Reform

For the rule of law to take hold in Ukraine, the unbridled discretion and authority of the executive agencies must be curbed We therefore undertook an Administrative Law Reform Project to restructure the relationship of the administrative agencies to Ukrainian citizens This project entails a complete overhaul of administrative law to require agencies to respect such elemental notions of due process as notice and an opportunity to be heard Perhaps more importantly, the needed reform would give courts the authority to review and overturn agency rule making and agency decision making Because of the importance of the topic and its newness to Ukraine, we devoted special efforts to supporting administrative law reform We retained an American law professor, Howard Fenton, who specialized in administrative law and had earlier worked as an administrative law judge, to be a continuing consultant to the drafting group His combination of academic knowledge and practical experience proved invaluable in gaining the trust and respect of the Ukrainian drafting group We sent 15 Ukrainians, including all the most active members of the drafting group, to the U S for a special two week course on administrative law, during which they received not only academic instruction but also had a chance to talk to administrative agencies, to judges and to various law professors This trip gave them an understanding of how a democracy controls administrative agencies

Because the American model does not exactly fit within a Continental legal system, we also cooperated with the Dutch to send the delegation to Holland for a week to study administrative law (We also included the German Technical Assistance Program in all our efforts, so that the Ukrainians had permanent access to a European perspective on administrative law) And we sent a smaller, core group of drafters to Poland to study first hand the Polish experience with administrative law reform following the fall of the Soviet-style system that had been in place

The drafting group produced a comprehensive plan for administrative law reform To help promote the political will to adopt reform, we organized a series of seminars around the country to publicize the work of the drafting group and to generate support The group's plan was submitted to the Cabinet for review and comment, the Cabinet of Ministers had not acted by the contract's expiration date

5 Code of Ethics for Civil Servants

Using the pattern developed for the Administrative Law Reform Project, we also undertook an effort to draft a Code of Ethics for Civil Servants We retained an American expert, Llewellyn Fischer, from the Office of Government Ethics, to be a consultant to the drafting group, which was the same group that worked on Administrative Law Reform Mr Fischer was instrumental in getting the group to understand how to create an enforceable code of ethics The group drafted a proposed Code, which was before the Cabinet of Ministers for review as our contract ended

C. LESSONS LEARNED

For relatively simple laws, a Western expert can assist Ukrainians draft acceptable legislation without having to travel to Ukraine Correspondence and critiques can be handled through email or fax Usually an American law professor or judge can be found to do this kind of work on a pro bono basis because it requires limited commitment of time But for more complex work, retention of a continuing consultant is essential The consultant becomes the linchpin around which the drafting group will operate Trips to the United States, Western Europe and/or Eastern European countries already on the reform path are important to give the Ukrainians the context of the law and the "flavor" of how the law operates The information void created by decades of Soviet censorship will take at least another half decade to overcome, or perhaps even longer

But legislative drafting is only part of the process The other parts lie in passage and implementation of the laws Here is where American assistance meets its limits We can and did provide Ukraine with high-quality, needed legislation We cannot assure that it will be passed or, if passed, implemented properly Passage is a question of political will, largely beyond our control, implementation involves issues of competence, allocation of adequate resources, and integrity Only the former two can be affected at all by outside assistance and then only in limited fashion [21]

SUMMARY

We carried out our charge to help frame key areas of legal substance Drafting groups that we supported wrote large sections of key provisions of the Constitution, the law on the Constitutional Court and its Internal Procedures, and the new draft civil and civil procedure codes These groups devised a new court structure, planned to curb the unbridled authority of administrative agencies, and drafted a code of ethics to promote integrity among government servants Some of these measures

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[21]Even if neither the code of ethics nor the administrative law reform plan is adopted in the near future, the effort will not have been in vain We created an enthusiastic group of supporters of reform in these areas who will continue to work for passage Moreover, many in the group are academics and will pass on what they have learned to their students, thus building a support base over time

became law, others were under consideration as our contract ended Ultimately, however, no foreign entity can -- or should -- control legislative decisions of a sovereign nation, all we could do was provide technical assistance to draft sound legislation

III. BUILDING CIVIC SOCIETY

ARD/Checchi's efforts to build civic society came in two stages In the first, start-up phase, we gave grants of up to $100,000 to Ukrainian NGOs paired with American NGOs [22] These grants were largely to well-established American organizations with Ukrainian partners working generally in the field of law reform The second stage, starting in 1998, involved a program that had two inter-related parts It gave grants and technical assistance directly to Ukrainian organizations working to disseminate legal information or provide legal advocacy, and it publicized successful NGO efforts to protect members' interests Stage Two was far more focused than Stage One

A STAGE ONE

In 1995, competitive grants were awarded to ten American organizations with Ukrainian or Moldovan partners These grants, which are listed in Appendix D, had no overall unifying theme except for the broad topic of promoting legal reform or the rule of law Grants were given to ABA-CEELI and its partner organizations to form a unified bar association in Ukraine, to form a law student association in Ukraine, and to build a law library for the College of Advocates in Moldova We gave a grant to IFES to work for election reform in Moldova, to the Global Jewish Alliance Network and to the U S Ukraine Foundation to promote development of NGO laws, to the Ukraine Congress Committee to work on commercial law reform, to the Environmental Law Institute to do several projects in environmental law, and to Association of Former Members of Congress to start an intern program at the parliament

Because these grants went to experienced American NGOs, no technical assistance was contemplated In essence, we simply selected a number of proposals to finance Some grants proved quite successful because the goal corresponded with Ukrainian partner aspirations For example, the grant for the law student association resulted in creating very active student associations in all the significant law schools in Ukraine The students, themselves, wanted to take a more active role in legal education The grant for environmental law led to several successful environmental law suits, because the Ukrainian side was vitally interested in protecting Ukraine's environment The grant for the intern program led to the establishment of a permanent intern program because the parliament quickly grasped how helpful interns can be On the other hand, some projects were not successful because they were designed by the American partner for the Ukrainian side rather than with it For example, the grant for building a unified bar association was less successful in our view because, unlike in the U S , Ukrainian lawyers (like European lawyers in general) do not consider themselves as members of one unified profession but as defense lawyers or prosecutors or judges or corporate

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[22]The contract with USAID required paired grants At the time, it was thought that Ukrainian NGOs, having no experience with Western commercial demands, would not be able by themselves to comply with complex USAID reporting and accounting requirements

counsel The various Ukrainian associations of lawyers and judges had no desire to unite in one unified body The grant for commercial law reform did not realize its goals because the political climate in Ukraine simply would not accept wholesale economic reform no matter how much Americans might wish it otherwise

Stage One largely ended by the middle of 1996 except for the submission of some final reports [23]

B STAGE TWO

At ARD/Checchi's urging, the Mission in 1997 gave us permission to start a modified small grants program that would give smaller grants directly to Ukrainian NGOs without American partners and simultaneously publicize efforts to curb government official abuse, fight corruption and promote the rule of law ARD/Checchi designed the Outreach and Advocacy Campaign Against Corruption ("OAC") This program introduced to the USAID portfolio a grass-roots, demand-driven approach to rule of law programming, based on the conviction that a citizenry aware of its legal rights and its critical role in the fight against corruption is necessary for the rule of law to take firm root in Ukraine

ARD/Checchi utilized a number of tools to provide support for local initiatives designed to stimulate and encourage greater citizen involvement in the struggle for the establishment of rule of law in Ukraine A well-balanced and well-managed mix of financial, programmatic, and technical support was provided to a wide range of local organizations Resources included targeted distribution of discretionary funding for diverse projects, targeted provision of training and technical assistance to local groups, and concrete facilitation of linkages between and among local organizations, donor supported projects and international groups

We targeted grants and training to build capacity in NGOs that work in outreach (i e , disseminating information on legal rights) and advocacy (i e , providing lawyers to prosecute court actions to protect one's rights) We provided support for media programming that buttressed this theme with successful examples of grass roots challenges within the judicial and legislative establishments The media programming helped encourage greater activism and engagement by reaching a wide audience with local stories that demonstrated not just what could be done but how to do it

ARD/Checchi directly supported linkages among the emerging groups in civil society and between NGOs and the media by hosting seminars and conferences, providing information and travel grants for cross-fertilization between local groups, and by funding joint projects

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[23]We gave a series of grants in 1997 worth some $875,000 to the Ukrainian Legal Foundation (ULF), a Ukrainian NGO, to conduct a constitutional education campaign ROLC had no role in designing or supervising the educational campaign

The implementation strategy of focus, flexibility and responsiveness proved to be effective The dedication and professionalism of the ARD/Checchi staff was critical to the program's success

C. NGO SUPPORT

ARD/Checchi provided two main types of assistance to Ukrainian legal-reform NGOs 1) use of innovation funds to directly support their activities, and 2) targeted training and technical assistance to give the NGOs the best chance to achieve their goals

1 Innovation Funds

Through the use of "innovation funds," ARD/Checchi provided direct support to a wide-array of legal reform NGOs using two main mechanisms 1) competitive grants via a Eurasia Foundation Partnership, 2) and ad-hoc unsolicited grants awarded directly from the ARD/Checchi office

Eurasia Foundation Partnership Together with the Eurasia Foundation, ARD/Checchi sponsored two grant competitions, one for legal advocacy projects of up to $25,000 and one for legal information campaigns of up to $10,000 Over 230 proposals were submitted from across the country, resulting in awards of 28 grants totaling $370,000 The various projects, ranging from support for children's rights in Odesa to teaching small farmers about their property rights in Mykolaiv to development of better consumer protection in Crimea to women's rights in Kharkiv and Kiev, produced impressive results For example, law student clinics have proved so successful that the law student clinic in Donetsk organized a special seminar to teach other NGOs how to run legal clinics A summary of the grant programs sponsored by ROLC and Eurasia is attached as Appendix E

Direct grants ARD/Checchi supplemented the Eurasia grants program by giving its own direct grants to worthy unsolicited proposals ranging in size from $1,000 - $25,000 Appendix F lists the OAC grantees to which ARD/Checchi made direct grants Recipients of these direct grants became project partners on the same basis as the Eurasia grantees, receiving supplemental training, participating in conferences and receiving regular information about OAC activities One of the most successful direct grants included a $3000 award to support a series of round tables in Donetsk bringing together NGOs and local government to discuss issues of corruption and transparency As a result, the Civic Anti-Corruption Coalition was formed and now meets regularly to continue a dialogue on these issues A $25,000 grant to a Kyiv NGO resulted in the creation of a Ukrainian business association to run an advocacy campaign stressing the legal concerns of small businesses

2 Training and Technical Assistance

Training and technical assistance emerged as perhaps the most important element of the NGO component of the OAC project This element included a mix of basic training by an indigenous NGO support group, Counterpart Creative Centers, in-depth training by the US-based Advocacy Institute, regular conferences sponsored by ARD/Checchi to provide support for networking

opportunities between and among grantees, and finally coordinating interactions between NGO partners and Ukrainian government officials

Counterpart Creative Centers (CCC) CCC was an important implementing partner With funding from ARD/Checchi, CCC developed a curriculum for Ukrainian NGOs which included advocacy, lobbying/coalition building and public relations CCC held 19 training seminars in 17 Oblasts, introducing new concepts and techniques to 116 organizations and more than 293 individuals It created an impressive pilot program that instructs NGOs on how to work with local government

The Advocacy Institute ARD/Checchi awarded a grant to the Advocacy Institute in Washington, DC, to work as a partner in developing capacity for professional advocacy in Ukraine The Advocacy Institute (AI) is the premier organization in the US dedicated to strengthening the capacity of public interest advocates, both for US groups and for NGOs around the world The first stage of the AI program involved technical assistance, consultation and an assessment visit by AI to Ukraine in January, 1999 In the second stage, AI provided technical assistance to a core group of 12 Ukrainian organization leaders in a three-week program conducted in Washington This assistance included workshops on the fundamentals of an advocacy campaign, opportunities to observe US campaigns, meetings with US community leaders, and the development of a joint strategy for advocacy in the Ukrainian context

OAC Project-Wide Conferences ARD/Checchi directly sponsored two conferences which brought together grant recipients from across Ukraine Participants included organizational leaders and project directors from the 28 Eurasia grantees and 6 additional ARD/Checchi grantees The first conference introduced the grantees to each other, to the OAC program, and the larger donor community supporting the establishment of the rule of law in Ukraine The second conference focused on the issue of the relationship of NGOs to the government, both local and national The conference featured a round table of representatives of the Ministry of Justice's Working Group on Legal Education and hands-on training in advocacy by the Advocacy Institute (AI) in Washington

Grantee Networking and Self-Support ARD/Checchi sponsored a series of conferences for the grantees to meet, share experiences and learn from each other The grantees had a wealth of experience and knowledge, the conferences led to the NGOs helping each other and building coalitions to achieve common ends

Government Roundtables ARD/Checchi sponsored two round tables at which NGOs communicated directly with government officials At one, the NGOs were able to pose questions to Supreme Court judges about recurring legal issues while the Court was able to stress to the NGOs its efforts to obtain independence and the problems it faced At another roundtable, 20 NGOs discussed with Ministry of Justice officials a plan for mass legal education, with the Ministry promising to take their proposals into consideration in the final plan

D. LESSONS LEARNED FROM NGO SUPPORT ACTIVITIES

Ukrainian NGOs Have a Wealth of Expertise During the course of the OAC effort, it quickly became clear that much of the expertise needed by groups could be found within the community of our partners and that outside expertise would be needed for only very advanced topics

Use of International Partner Organizations Must be Carefully Planned Ukrainians responded very enthusiastically to the technical assistance provided by the Advocacy Institute On the other hand, a large grant to Internews for production of a local TV talk show and a similar grant to IREX for protecting journalists from libel actions proved problematic Planned activities with Internews and IREX did go forward, but often with less focus and always at far greater expense than similar projects supported directly with Ukrainian organizations

Working with a Grant-Making Partner Made Sense ARD/Checchi decided at the outset that it did not want to become simply another NGO grant-making organization in Ukraine Therefore, we partnered with Eurasia Foundation, an experienced grant-maker The partnership allowed ARD/Checchi staff to focus on the substance of the programs rather than worrying about the administrative and reporting details, and it built in a system of checks for both ARD/Checchi and the Eurasia Foundation to improve management When Eurasia could not give the program the level of attention and support originally planned, ARD/Checchi staff became more involved and did most of the legwork

E. MEDIA ACTIVITIES

ARD/Checchi work with Ukrainian media organizations came in two forms hands-on projects that were designed or implemented directly by our staff, or activities funded in response to unsolicited ideas from Ukrainian groups that directly meshed with project goals

ARD/Checchi Developed Media Programs The media programs directly developed by ARD/Checchi fell into three main categories 1) documentaries, short-clips or radio programming, 2) public-service announcements, and 3) direct distribution of media products to project partners

ARD/Checchi Directed Documentaries, Short-Clips and Radio Programming When ARD/Checchi would hear of an important story, such as a successful action undertaken by a Ukrainian group, it would contract directly with a local television or radio production company to produce a piece describing the success story and placing it in the context of civic activism

Public Service Announcements ARD/Checchi worked with STB TV and NGOs to develop three general issue Public Service Announcements ("PSAs") that could be customized with contact numbers for local organizations For example, one set of PSAs about the right to a clean environment urged citizens to get involved in their community and gave the name and address of a local environmental rights group Another about consumer rights was modified in each region to give the phone number of a local consumer organization

ARD/Checchi also supported PSA projects that were local initiatives, such as radio and TV PSAs on corruption and transparency in Donetsk

Direct Distribution ARD/Checchi found that with a small amount of staff time and money it could package and distribute throughout Ukraine the various television and radio programs it had produced By packaging and distributing its media efforts, ARD/Checchi achieved broad dissemination of information on legal rights and promoted the message nation-wide that legal advocacy could be effective

Ukrainian Directed Initiatives

ARD/Checchi financed many unsolicited proposals from Ukrainian media for programming on legal information and rights, provided the project was discrete, relatively small, had a quick turn around time and had measurable impact Appendix G summarizes the media programs generated under OAC

Television ARD/Checchi supported the production of more than 100 TV programs and segments on legal issues by more than 10 private Ukrainian companies Both TV companies and NGOs generated programming ideas Many of the programs aired as segments of national TV "news magazines" and gave NGOs the opportunity to air their concerns

Radio ARD/Checchi supported radio broadcasts by NGOs Radio broadcasts were relatively inexpensive, but the programs and PSAs had to be tailored for the young audiences of most radio stations

Print ARD/Checchi sponsored the production of "Corruption Watch," a digest of anti-corruption articles gathered from throughout Ukraine This publication helped spotlight corruption issues throughout Ukraine and became required reading for those interested in Ukraine's reform

F LESSONS LEARNED FROM MEDIA PROGRAMMING

Short Contracts are Best When Dealing with a Volatile Media Market TV production companies can lose their air time at any moment Thus, we found it more efficacious to deal with short term projects with a quick turn around time rather than with lengthy, more elaborate programming

NGOs and the Media Need Each Other The NGOs obviously need the media to publicize their stories, their activities The media came to realize that it also needs the NGOs to provide expertise and background in important fields, such as environmental issues This proved to be a highly successful and effective marriage Appendix H provides summaries of some of the more significant media activities and partners

SUMMARY

ARD/Checchi did much to promote the growth of civic society in Ukraine The initial grants given in Stage One to partnered organizations led to the flourishing of important organizations and institutions active still today, including, *inter alia*, environmental rights groups, law student associations and parliamentary interns Stage Two -- the Outreach and Advocacy Campaign -- built upon that earlier success and generated even more interest among Ukrainians in building civic society The effective use of grants and publicity, combined with a reformed and independent judiciary that supports citizens' rights, has led to hope that the rule of law will take root and flourish in Ukraine

APPENDICES

Appendix A

DESCRIPTION OF JUDICIAL EDUCATION EFFORTS

APPENDIX A

DESCRIPTION OF JUDICIAL EDUCATION EFFORTS

For the General and Arbitration Courts
In the description below, a "course" refers to a 7 - 10 day long session at which Americans presented lectures for a part of the endeavor The remainder of the endeavor consisted of Ukrainian lecturers presenting on Ukrainian law Early in our program we used Americans to present on topics we felt of interest and importance and not widely known here and we let the Ukrainian courts teach their people what they felt they needed to know about Ukrainian law We later moved to a more Ukrainian-based approach

Judicial Education programming with the Arbitration Court
1 Two week course, beginning Jan 30, 1995 Approximately 50 judges present Four Americans, speaking on general U S legal system, ethics, appellate review, ADR, Case Flow Management, torts, damages, bankruptcy and commercial law

2 Course, April 17 - 27, 1995 Approximately 25 judges

3 Course, June 5 - 15, 1995 Approximately 25 judges

4 Course, Sep 5 - Oct 5, 1995 Approximately 25 judges

5 Ten-day seminar in the United States in Oct , 1995, on adult teaching methodology and on American judicial system Twelve judges

6 Seminar on computerization, Nov 29 - Dec 2, 1995 30 participants

7 Course, Nov 27 - Dec 7, 1995 Approximately 25 judges Two Americans, on international commercial law and on environmental law

8 Seminar on court administration and management (jointly with Sup Ct), Dec 4 - 6, 1995 Approx 8 Arb Ct and 12 Sup Ct judges/administrators Two Americans presented entire seminar

9 Course, Feb 20 - March 1, 1996 Approximately 25 judges Two Americans, (Intellectual Property and Copyright)

10 Seminar on admiralty law and maritime transportation, May 14 - 17, 1996 No Americans 30 judges

11 Seminar on draft civil code, May 29 - 31, 1996 125 judges (Lecturers were all drafters of the code)

12 Course, June 18 - 28, 1996 25 judges Chief Justice Moyer spoke on judicial independence and relation between press and judiciary

13 - 18 One-week courses in January, Oct and Dec 1997, Jan and March 1998 for recently appointed judges On average 25 judges in each course

19 Seminar on computerization of Arbitration Court, May 2 - 5, 1998 27 Court specialists

20 Seminar, May 26 - 28, 1998, breaking into working groups of 30 each on six topics of particular interest to the Arbitration Court (i e , tax, bankruptcy, arbitration procedure, land law, privatization and leasing), 170 judges attended (approximately 40% of the entire complement)

21 Trip to National Judicial College in Reno, Nevada for 8 General Court and 6 Arb Ct judges to learn adult teaching methodology Oct 24 - Nov 4, 1998

22 Seminar on adult teaching techniques, Jan 29-31, 1999, for 25 judges, conducted by speakers from National Judicial College Ukrainian judges oversaw production of videotape on judicial ethics

In all, ARD/Checchi reached all the judges of the Arbitration Court at least once, although with only a handful of exceptions no judge attended more than one course

Judicial Education programming with the General Court

1 Ten-day seminar in the United States on adult teaching methodology and the American judicial system Fifteen judges from the oblast and Supreme Court levels

2 Course, Nov 13 - 17, 1995 30 judges Two Americans, on US criminal law and procedure and on court administration and management

3 Seminar on court administration and management, Dec 4-6, 1995 (Jointly with Arb Ct , see item #8 under "CJE with Arbitration Court")

4 Course, Dec 11 - 14, 1995 15 judges Two Americans, on Judges' role in protecting civil rights and liberties and on judicial ethics

5 Seminar, March 11 - 14, 1996, on U S Administrative Law and Procedure, with a focus on judiciary's role 55 judges (mostly deputy chairs) from all oblasts of Ukraine and the Supreme Court (plus various academics and legislators involved in

administrative law reform) Two American law professors conducted the seminar

6 Seminar, April 16 - 18, 1996, on U S Civil and Appellate Procedure 60 judges from all oblasts (largely deputy chairmen) and the Supreme Court, plus rayon judges from Kyiv oblast Two Americans judges conducted the seminar

7 Seminar, Nov 13 - 15, 1996, on draft Civil Code 125 judges Conducted by Ukrainian drafters of proposed new code

8 Seminar, Nov 17 - 20, 1997, on teaching methodology 25 judges from various oblasts Taught by American expert

9 Seminar on Land Law Issues, March 23 - 26, 1998 55 judges from all oblasts [Subsequently repeated in several one-day seminars at various oblasts]

10 Seminar on Abuse of Administrative Authority, April 21 - 24, 1998 55 judges from all oblasts [Subsequently repeated in several one-day seminars]

11 Seminar on New Issues in Family Law, May 20 - 23, 1998 50 judges from all oblasts

12 Seminar on Review of Civil Cases, Sep 29 - Oct 1, 1998 30 oblast court chairmen or deputies

13 Trip to National Judicial College in Reno, Nevada for 8 General Court and 6 Arb Ct judges to learn adult teaching methodology Oct 24 - Nov 4, 1998

14 Seminar on Role of the Judicial Branch in Enforcing the Right to Receive Payment of Wages, Dec 16 - 19, 1998 50 judges from oblasts

15 Seminar on Role of Court in Protecting Rights under European Convention, Review of Continuing Judicial Education Courses and Plans, Jan 19 - 22, 1999, for chairmen of oblasts and heads of Judges' Conference

16 Seminar on adult teaching techniques , Feb 1 - 3, 1999, for 60 judges of General Court, conducted by speakers from National Judicial College

17 Seminar on Indirect Methods of Proving Tax Evasion (Feb 9 - 12), for 20 judges of General Court, 20 judges of Arbitration Court, 15 members of Tax Inspectorate

18 A continuing series of two-week workshops, each for 10 newly selected oblast level judges Six sessions for civil law judges and 10 for criminal

CJE with the Constitutional Court

1 We sent five judges and the press officer to a 3-day seminar in Budapest in December, 1996, for judges of newly created constitutional courts of the CIS republics Topics included, inter alia, judicial independence, freedom of the press, relations with the press and constitutional review of economic legislation

2 We brought in an American Constitutional Law expert for two weeks in May, 1997 to meet with judges and staff to discuss free press/ speech issues in particular and constitutional law in general

3 Seminar on Press Freedom and on Press-Court Relations, May 18-19, 1998, for press officers of all courts, and reporters

4 Seminar on Constitutional and Statutory Interpretation, June 5 - 6, 1998 For five judges plus research assistants and staff lawyers Conducted jointly with the Council of Europe

5 Seminar on the Inter-relationship of International and Domestic Law, Oct 7-8, 1998, for five judges plus another 15 research staff plus representatives of General Court, Arbitration Court, Presidential Administration, MoJ and Verkhovna Rada Conducted jointly with the Council of Europe

6 Seminar on the respective roles of the Ombudsman and the Constitutional Court in protecting individual rights, including gender equality, July 1-2, 1999, for five judges plus research staff and representatives of academia Conducted jointly with the Council of Europe and the German Technical Assistance Program

Appendix B

TRIPS TO THE UNITED STATES BY UKRAINIAN JUDGES

APPENDIX B

TRIPS TO THE UNITED STATES BY UKRAINIAN JUDGES

ARBITRATION COURT

1 In November, 1994, we sent 20 judges of the Arbitration Court system, including the chairman of the Higher Arbitration Court and the chairmen of several oblasts, to the United States for an almost four-week long AED program The first two weeks were spent at the National Center for State Courts in a structured teaching environment The subject was, essentially, the U S legal system and the role of the independent judiciary The group then went to the Ohio Supreme Court for more instruction and for more opportunity to meet and talk with the judges of the Ohio Supreme Court and to see American courts in operation

2 We sent the director of the HAC judicial education center to Ohio in July, 1995 for a week's instruction on running a judicial college and adult judicial education techniques In October, 1995, we sent 12 Arbitration Court judges to Ohio for training in teaching methodology and to meet with American judges and lawyers

3 We sent a Higher Arbitration Court judge to the U S in April, 1997, for a one-week course on administrative law run by the Federal Judicial Center

4 We sent six judges to Reno, Nevada, in October, 1998, for a 10-day course at the National Judicial College to become familiar with adult teaching methodology

5 We sent two judges, including the chairman of the HAC, to Washington, D C , in October, 1998, for a 10-day course at the International Law Institute on court administration and management

GENERAL COURT JUDGES

1 We sent 15 judges (half from the Supreme Court) to the Ohio Judicial College in 1995 for a week's training in methodology and four days' meetings with American judges and legal professionals

2 We sent Supreme Court First Dep Chairman Stefaniuk to the U S in November, 1995 to a Center for Democracy Conference on the role of supreme courts

3 We arranged for 20 judges, including the chairman of the Supreme Court, to go on USIS Freedom Support Grant trips that took place in 1995 and 1996

4 We sent two judges from the Supreme Court to Washington D C as part of a delegation studying administrative law reform in 1997

5 We sent seven judges (two from the Supreme Court) and one administrator to the National Judicial College in Reno, Nevada, for a special course on adult teaching methodology

6 We sent seven judges and administrators from the General Court, including the Head of Administration and the First Dep Ch of the Supreme Court, to Washington in the fall of 1998 on a special two-week seminar to study court administration and management

7 We sent four judges of the Supreme Court, including the leadership of the civil law collegium, to the Ohio Supreme Court in November, 1998, to study American appellate procedure

CONSTITUTIONAL COURT

1 We persuaded USIS to send all 18 judges of the Constitutional Court plus five administrators to the United States on FSG trips in 1997 and early 1998 We arranged itineraries and agendas

2 We sent five administrators to the Ohio Supreme Court in July, 1998, for a special one week seminar on court administration and management

JUDICIARY AND JUDICIAL EDUCATION CONTACTS

GENERAL COURT SYSTEM

SUPREME COURT OF UKRAINE

Leadership

Boyko, Vitaly Fedorovych	Chairman	226-2304
Stefaniuk, Volodymyr Sirhyovych	First Dep Chairman	226-2584
Shevchuk,	Dep Chair	226 2002

Petro Ivanovych	Head of Civil Law Collegium	
Maliarenko, Vasyl Timofiovych	Dep Chair Head of Criminal Law Collegium	293 3502

Judicial Education Center

Abakumov, Oleh Borisovych	Administrative Head of Judicial Education Center	293 1141
Moisyk, Volodymyr Romanovych	Judge of Sup Ct and Head of Judicial Advisory Bd	253 0035
Humeniuk, Vasyl Ivanovych	Judge of Sup Ct and Secretary of Advisory Bd Judge	293-9806
Kryvenko, Victor Vasylovych	Dep Ch of Civil Law Collegium	293-0311

International Relations Dept

Potapenko, Victor Petrovych	Head	fax 253-2507 tel 293-0016
Nataliya, Irina & Tatyana	Assistants	293-6308

Computer Department

Klimeshevskaya, Yulia Anatolievna	Head	293 5668
Soldatskin, Sergei Viktorovych	Assistant Head	291 4034

Press Relations Dept

Shlyaposhnikova, Liana Yurievna	Head	293 4218

Key Oblast General Court Chairmen

Bryntsev,	Kharkiv	(57) 221-8565

Vasyl Dmytrovych		221-9197
Hosudarskiy, Valentyn Frantsevych	Lvyv	(32) 275-4024 276-0824
Kondaratiev, Olexsandr Vasylovych	Donetsk	(62) 293-1821
Lunyachenko, Anatoly Vasylovych	Odessa	(48) 222-2970

ARBITRATION COURT

Higher Arbitration Court		fax 228-5042

Leadership

Prytyka, Dmytro Mykytovych	Chairman	228-1890
Hryshkivsky, Pavel Mykolaevych	1st Dep Ch	226-2952
Osetynsky, Anatoliy Iosopovych	Deputy Ch	228-0973
Karaban, Volodymyr Yakovlich	Head of Administration	228 8220

International Relations Dept

Pluishko, Igor	Head of Dept	228-1864

Computer Dept

Slonitsky, Volodymyr	Head of Dept	228-5017

Judicial Education Center

Drahan, Volodymyr Grigorovych	Head of Dept	228 1703

Library

Agrinova, Aleksandra Volodymyrovna	Head Librarian	228 2657

Key Oblast Arbitration Court Chairmen

Titov, Mykola Illich	Kharkiv	(057) 243-3949
Mazovita, Bohdan Stepanovych	Lvyv	(032) 279-4950
Dguruk, Volodymyr Fedorovych	Donetsk	(062) 290-7355
Vacant Currently	Odessa	(048) 222-0916 228-0305

CONSTITUTIONAL COURT

Leadership

Tymchenko, Ivan Artemovych	Chairman	291-6500 293-8488 291-6516
Nimchenko, Vasil Ivanovych	Dep Ch	291-4070
Dubrovsky, Volodymyr Evgenovych	Head of Administration	291-4080 293 1039

Judges

We worked with or have met all the judges on the Constitutional Court, they are all best reached through the International Relations Dept

International Relations Dept		tel/fax 253-9377
Shevlyak,	Head of Dept	253-8533

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Ilya Nikolaevych		253-6524
Irina Sotnikova & Mashka	Assistants	253-6524

Library

Mastrienko, Ludmilla	Head Librarian	254 0574

Press Office

Shlyaposhnikov, Vladimir Iosopovych	Head of Dept	293-2202

Computer Dept

Ivanchenko, Volodymyr Oleksandrovych	Head of Dept	291-4047

Appendix C

LEGISLATIVE DRAFTING PROJECTS

APPENDIX C

LEGISLATIVE DRAFTING PROJECTS

GENERAL

1 New draft Civil Code (While the primary assistance was provided by the Dutch, we also gave financial and technical assistance to the drafting group)

2 New draft Civil Procedure Code

VERKHOVNA RADA

With the Legal Policy and Judicial Reform Committee

1 Administrative Law Reform, later merged into administrative law reform project under the auspices of the Ministry of Justice

2 Judicial Structure Reform, creation of new judicial structure and agency to manage court system

3 Draft Law on Ethnic Languages

4 Draft Law on Local Branches of the Executive

5 Draft Revision of Law on Civil Service

6 Draft Law on Local Self-Government

7 Concept Paper on the National Policy of Ukraine on Indigenous Peoples

8 Draft Law on the Cabinet of Ministers

9 Draft Law on the Status of the Crimean Tatar People

10 Draft Law on the State Symbols of Ukraine

11 Draft Law on the Capital of Ukraine

12 Draft Law on the Administrative Court of Ukraine

13 Draft Law on the Cabinet of Ministers of the Autonomous Republic of Crimea

14 Draft Law on the Verkhovna Rada of the Autonomous Republic of Crimea

15 Draft Law on the President of Ukraine

16 Draft Law on Normative and Legal Acts

17 Draft Law on Committees and Commissions of the Verkhovna Rada

With the Committee on Freedom of Speech and Mass Media

1 Draft Law on Information Sovereignty

2 Draft Law on Cable TV

3 Concept of Denationalization of Mass Media

4 Concept Paper on State Regulation of Electronic Mass Media

PRESIDENTIAL ADMINISTRATION

1 Section of Constitution on Executive Branch

2 Section of Constitution on Legislative Branch

3 Draft Law on Sovereign Immunity

4 Draft Law on Local Legislatures

5 Draft Law on Land Ownership

6 Draft Law on Nonprofit Organizations
This group did not perform

7 Draft Corporate Law (Gospod'ska tovarishchestva)

8 Draft Law on Eliminating Ministries and Other Organs of Central Power

9 Law on Constitutional Court and Reglament of Internal Workings

10 Draft Criminal Law Protection of Entrepreneurial Activity

THE MINISTRY OF JUSTICE

1 Administrative Law Reform Project (successor to effort begun with Verkhovna Rada)
2 Draft Code of Ethics for Civil Servants

THE COMMERCIAL LAW PROJECT

In addition to ARD/Checchi's own programs, we provided a grant to the Ukrainian Congress Committee of America, Inc (UCCA), to undertake what it called the Commercial Law Project, involving the drafting or reform of broad areas of commercial law While we provided some general oversight, the grantee ran its own program There was some problem in overlap or duplication with USAID's privatization program, but the grantee and USAID worked them out The grantee used American experts to provide assistance and expertise

The grantee set up 12 working groups, with each group slated to provide not a draft law but a blueprint of what needs to be done to reform the law in that particular area USAID awarded a follow-up grant to the Ukrainian Congress Committee to be used to turn blueprints into draft legislation, however, the grantee did not succeed in that effort but instead worked towards establishing a "clearinghouse" to coordinate the efforts of a multitude of donors in drafting, revising or reforming fields of commercial law

The UCCA initially worked in the following fields

1 Bankruptcy
(Because of overlap with USAID's privatization efforts, UCCA ultimately abandoned this area)

2 Constitutional Law Principles of Business Activity
(With the adoption of the Constitution, this effort became moot)

3 Corporations and Business Entities

4 Anti-Monopoly

5 Real Property

6 Environmental Law and Natural Resources
(The effort focused on concessions law and environmental protection)

7 Intellectual Property

8 Securities

9 Contract Law

10 Commercial Dispute Resolution

11 Insurance

12 Banking
(Because of extensive overlap with USAID in-house efforts, this field was abandoned)

LEGISLATIVE DRAFTING CONTACTS

MINISTRY OF JUSTICE OF UKRAINE

Stanik, Suzanna Romanivna	Minister of Justice	226-2855
Stychynskiy, Bronislav Stanislavovych	Deputy Minister	229-5451
Pasenuik, Olexsandr Mykhaylovych	Deputy Minister	226-2416
Zabigaylo, Volodymyr Konstantynovych	Deputy Minister	229-4657
Yaschenko, Nina Victorivna	Chief of the Constitutional & Administrative Law Dpt	229-5461
Marchenko, Luydmula Ivanivna	Chief of Int Relations Dpt	229-5501

MINISTRY OF JUSTICE CENTER FOR LAW REFORMS

Bohachova, Olena Victorivna	Director	246-8094
Musich, Victor Yukhymovych	Deputy Director	224-6173

VERHOVNA RADA COMMITTEE FOR LAW REFORMS

Sirenko, Vasyl Fedorovych	Chief of the Committee	226-2367
Shyshkin, Olexsiy Ivanovych		291-7200
Lavrinovych, Olexsandr Volodymyrovych		291-7720

COMMITTEE FOR MASS MEDIA & FREEDOM OF SPEECH (EX-PONEDILKO)

Chizh, Ivan Sergiyovych	Chief	296-5933

Ivanina, Vasyl Mykolayovych		296-8602
Lukyanenko, Evgen Ivanovych		296-8040
Giryk, Yuriy Mykolayovych		291-7698
Sharikova, Zoya Kirilovna		296-8494
Ponedilko, Victor Ivanovych	Ex-Chief	

ADMINISTRATIVE LAW REFORM & CIVIL SERVICE ETHICS CODE WORKING GROUP

Averyanov, Vadim Borisovych	Leader of the Group Law & State Institute	228-5853
Andryko, Olga Fedirivna	Law & State Institute	228-5853
Bogachova, Olena Victorivna	Law Reforms Center	246-4065
Belmak, Tetyana Mykolayvna	Law Reforms Center	
Bytyak, Yuriy Prokopovych	National Law Academy in Kharkiv	(0572)47-3692
Vinigradova, Oksana Ivanivna	Ministry of Justice	229-7402
Gryn, Natalia Stepanivna	Verhovna Reda	293-2935
Golosnichenko, Ivan	Academy of Sciences	
Derkach, Igor Stepanovych	PBN	229-3293
Dubenko, Svitlana Dmytrovna	Academy for State Government	441-7666
Kampo, Volodymyr Mykhaylovych	UEPLAC	269-5288
Kivalov, Sergiy vasylovych	Odessa Law Acadamy	(0482) 63- 3404
Kovalenko, Volodymyr	Law & State Institute	228-5853

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Koliushko, Igor Borysovych	MP	293-0470
Krupchan, Olexsandr Dmytrovych	Kyiv Regional Center of the National Academy of Science	293-3419
Kurbanova, Fatima Khasoltivna	Cabinet of Ministers Law Dpt	293-4823
Lukashova, Nadia Pavlivna	Supreme Court, Legal Reform Dpt	293-4585
Nedbaylo, Olena Petrivna		291-7507
Pasenyuk, Oleksand Mykhaylovycn	Ministry of Justice	226-2416
Puzanova, Galyna	Law & State Institute	
Stanik, Suzanna Romanivna	Minister of Justice	226-2855
Stychynskiy, Bronislav Stanislavovych	Deputy Minister	229-5451
Yaschenko, Nina Victorivna	Chief of the Constitutional & Administrative Law Dpt	229-5461

LEGISLATIVE DRAFTING CO-ORDINATION CONTACTS WITH EUROPEAN DONOR ORGANIZATIONS

Voss, Jurgen	German Technical Assistance ul Novanavodniskaya 6, kv 82 (18th flr)	294-7567
Van Olden, Jan	Director Centre for International Legal Cooperation Leiden, Holland	Tel 071-121-888 and 277-254 Fax 071-130 160

Appendix D

ROLC GRANTS TO U S AND MOLDOVAN/UKRAINIAN PARTNER ORGANIZATIONS

APPENDIX D

ROLC GRANTS TO U S. AND MOLDOVAN/UKRAINIAN PARTNER ORGANIZATIONS

101U Kharkiv NGO Project
Global Jewish Assistance and Relief Network (GJARN) & Kharkiv Oblast Association of NGOs
Rabbi Eliezer Avtzon / USA/ (718) 774-6497 or (212) 868-3636
Krnovich Hhrigoriy / Kharkiv

104U The Program to Assist the Creation of the Ukrainian Bar Association
ABA & ULF
Glenda MacMullin / USA
Halyna Freeland / ULF tel 227-2207

107U Commercial Law Project for Ukraine
Ukrainian Congress Committee of America & Legal Reform Task Force
Askold S Lozynskyj /USA/ (212) 254-2260
Patience Hantwork / USA
Igor Vergun/ Kiev tel 490-14-00

109U Advancing the Role of NGOs in a Rule of Law Society
U S Ukraine Foundation & Pylyp Orlyk Institute for Democracy
Nadia McConnell / USA/ tel (202) 347-4264, fax (202) 347-42 67
Markian Bilynsky - Kiev tel 290-65-63, fax 290-6464
Svetlana Drobysheva / Kiev tel 290-3743

111U Rule of Environmental Law
Environmental Law Instituute & Ecopravo –Kiev
Jay Austin /USA/ tel (202) 328-5150, fax 328-5002
Boris Vasilkovsky – Kiev tel 269-2666

218U Intern Project
US Association of Former Members of Congress & Verkhovna Rada
Cliff Dowmen
Vasyl Stefyrak /Kiev/ 290-6563

219U Sabre Foundation & ULF
Legal Library Development Project
Tania Vitvitsky /USA/ tel (617) 868-3510, fax (617) 868-7916
Halyna Freeland /Kiev/ tel 227-2207

220U Empowering Grassroots Environmental Advocates in Ukraine
Environmental Law Alliance World – Wide (E-Law) & Ecopravo-Lviv
Bern Johnson
Svitlana Kravchenko / Lviv tel/fax (380 3220 27-1446, 72-2746

352M Building Electorial Democracy
IFES-Moldova & Pro-Democracy

354U Ukrainian Law Student Associaton
ABA/CEELI & ULF
Halyna Freeland /Kiev/ tel 227-2207

356M Promoting the Moldovan Bar Association
ABA/CEELI -Moldova

Appendix E

SUMMARY OF GRANTS AWARDED IN THE FRAMEWORK OF THE COMPETITIONS ON LEGAL ADVOCACY AND DISSEMINATION OF LEGAL INFORMATION ON CITIZENS' RIGHTS IN UKRAINE IN 1998

APPENDIX E

SUMMARY OF GRANTS AWARDED IN THE FRAMEWORK OF THE COMPETITIONS ON LEGAL ADVOCACY AND DISSEMINATION OF LEGAL INFORMATION ON CITIZENS' RIGHTS IN UKRAINE IN 1998

Grants were awarded within the framework of the joint Eurasia Foundation - ARD/Checchi Rule of Law Consortium legal advocacy grant competition

Odesa Youth Parliament
Ukraine, Odesa
To ensure that Ukraine's youth are well informed about protecting their citizens' rights Planned activities include organization of a "hot line", preparation and distribution of relevant printed materials (in booklet form), holding conferences and round table discussions on citizens' rights as they affect youth, organizing lectures and workshops for secondary school and university students

Transcarpathian Association of Student Lawyers
Ukraine, Uzhhorod
To ensure availability of basic legal information and assistance to economically disadvantaged persons in the city of Uzhhorod and surrounding areas The grant anticipates provision of legal assistance, issuance of an information bulletin, distribution of brochures dealing with basic civil rights, and legal education classes in local schools

Youth Center for Legal Studies
Ukraine, Donetsk
To support the provision of free legal services by law student volunteers Aspect of the grant include free legal assistance, preparation and distribution of a Pro Bono Organization Manual, a seminar in which law students will exchange views and share their experience in the organization and conduct of Pro Bono programs, and the creation of a legal services course for law school students

Association for the Promotion of Private Entrepreneurship
"YEDNANNYA" — 4
Ukraine, Kyiv
To prevent and remedy violations of small and micro entrepreneurs' rights Activities include provision of legal education as well as on-site legal consultations for entrepreneurs, the organization of a legal advice "hot line," and the publication and distribution, every three weeks, of a legal information bulletin intended to promote formation of a legal culture amongst entrepreneurs The bulletin's planned circulation is 10,000 copies per issue

Ukrainian Consumers' Association
Ukraine, Kyiv
To inform the general populace of their consumer rights and to thoroughly instruct 300 Kyiv residents in effective application and defense of consumer rights The grant envisages targeted legal assistance on consumers' rights issues to no fewer than 2,000 clients, the selection and training of 300 persons as public paralegals, who will in turn train five additional individuals, creating a network of 1,500 public paralegals qualified to advise and assist the populace on consumer protection issues

EcoPravo
Ukraine, Kharkiv
To maintain a comprehensive legal "hot line" serving the Kharkiv metropolitan area and region and providing timely and accurate advice for both individuals and NGOs, thus furthering the efficient resolution of both commonplace and unusual legal problems in a substantial geographical area

ARC Association on Support of Civil Initiatives
Ukraine, Odesa
To provide support to the legal service of the ARCH Association on Support of Civil Initiatives in practical application of the International Convention on the Rights of Children The grantees will provide legal services to local clients, with an emphasis on children They will also prepare legal claims and represent clients in judicial proceedings, educate local NGO representatives on legal aspects of children's and disadvantaged persons' rights issues, and publish a quarterly children's rights bulletin Finally, the grantees will conduct a series of 11 legal lectures in orphanages and for private and state-employed educators

Interregional Academy of Economics and Law
Ukraine, Lviv
To inform residents of Lviv and the Lviv region of their rights and provide legal services to the populace Slated activities include provision of legal assistance free of charge, workshops, conferences and roundtables on citizens' rights, preparation and distribution of an information bulletin, legal education through mass media, expert evaluation of rights legislation, creation of a related Web-page or other Internet site, elaboration of secondary school human rights curricula and competitions for young lawyers

Association for Democratic Development and Self-Government
Ukraine, Kharkiv
To ensure that the rights of collective municipal self-governing units are not infringed The grantees will provide timely and accurate information to municipal self-governing units on laws and directives regulating their activities through issuance of an informational bulletin, the conduct of seminars on self-government issues, and the provision of free legal consulations and other services

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Crimean Independent Association of Consumers — 2
Ukraine, Simferopol
To support the activities of the Crimean Regional Center of Legal Proteciton, with branches in Alushta, Bakhchysarai and Bilohirsk Plans include provision of legal assistance to local residents, issuance of an information bulletin devoted to consumer rights issues, the conduct of seminars by specialists, the holding of a conference "On Consumers Rights Issues", the establishment of a legal library, organizing a Consumers Club, the creation of a Web-page devoted entirely to consumer protection issues, and the preparation of a course on consumer rights with its subsequent integration into local legal curricula

Rivne Oblast Foundation of Social Guarantees for Military Personnel and Veterans
Ukraine, Rivne
To support legal education of demobilized military personnel and their families Planned activities include providing legal consultations to current and ex-military personnel, organizing a legal hotline, holding a legal education conference, conducting a series of 12 seminars devoted to important legal issues and publication of a quarterly information bulletin

Kherson Oblash Charity and Health Foundation
Ukraine, Kherson
To further the general public's understanding of juvenile/children's rights and provide free legal consultations in these areas Planned activities include legal consultations, roundtables dealing with typical children's rights violations, juvenile rights seminars for children's/youth organizations, distribution of brochures, increasing press and television attention to the protection of children's/juvenile rights

Berehynia - Kharkiv Women's Association
Ukraine, Kharkiv
To develop mechanisms for effective defense of citizens' rights for Kharkiv region residents, with an emphasis on women's issues Planned activities include provision of pro bono legal services for disadvantaged persons, creation of "legal Brainstorming" (a weekly legal TV program), monthly lectures, as well as legal workshops for women, students and pupils

Mykolaiv Oblast Ecological Association "Green World"
Ukraine, Mykolaiv
To support creation of a mobile legal clinic which will pro bono provide legal assistance to the region's residents on issues touching and concerning their citizens' rights The clinic will create and employ informative videos, issue and distribute a legal bulletin, and prepare "Court TV"-like programs commenting on pending cases

Civil Society Institute —3
Ukraine, Kyiv
To initiate activities aimed at information of population on citizens rights and thus protecting and defending in a court of law citizens' constitutional rights and freedoms Informational materials on human rights will be prepared and distributed to citizens and non-governmental human rights organizations

Women Rights Protection Organization "Spivdruzhnist-97"
Ukraine, Simferopol
To increase the legal literacy of Crimeans and to further defense of women's rights Planned activities include providing legal consultations, defending women's rights in judicial proceedings, producing and airing 4 "Meetings with the Law" on local television

"Dzherelo" Association of Assistance to Invalids and Mentally Challenged Persons
Ukraine, Kyiv
To inform and educate mentally challenged persons and members of their families about their rights Planned activities include conducting "Mental Disability Law Days", establishing a hotline for consultations, publishing a "Manual for Mothers of Special Children", creation of mental disability law information center

Luhansk Oblast Organization "Public Legal Assistance Service"
Ukraine, Luhansk
To distribute free citizen's rights information and provide pro bono legal consultations to Luhansk Region residents Planned activities include publishing leaflets, booklets and brochures on legal issues of urgent import, issuing manuals for law students, conducting three seminars attended by legal scholars of the Kyiv, Lviv and Eastern Ukrainian State Universities and the Kharkiv National Legal Academy on labor and civil law issues

Mykolaiv Regional Doctors' Association
Ukraine, Mykolaiv
To support legal education of residents of southern Ukraine in the field of health protection Planned activities include patients' rights legal assistance, a health rights hotline, lectures, round tables and workshops on legal aspects of health protection, publication of an information bulletin and production of a television program on patients' rights

Chernihiv Media Club
Ukraine, Chernihiv
To support legal education of journalists with the aim of increasing coverage of legal issues in the Chernihiv region mass media Planned activities include conducting seminars for journalists, publishing information bulletins based on seminar proceedings and materials, and distributing legal information and providing legal consultations to regional periodicals and their employees

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All-Ukrainian Public Organization "Women Voters League 50/50"
Ukraine, Kyiv
To support an information campaign on women's rights and prevention of violence against women Planned activities include publishing two booklets describing Ukrainian and international legislation on prevention of violence against women, organization of two round tables and two workshops on "Preventing violence against women practical aspects "

Human Rights Defense Committee of Mykolaiv Oblast
Ukraine, Mykolaiv
To support legal education and information of population of Mykolaiv region on civic rights It is planned to prepare and distribute booklets, analyze the feedback of the readers on these informational materials and compile detailed bulletins on civic rights

International Society of Human Rights, Ukrainian Branch
Ukraine, Kyiv
To support legal education of the workers of privatized enterprises of their civic rights It is planned to teach the rights deriving from the process of privatization to 25 leaders of trade unions of privatized enterprises on which they work and to provide professional legal consultations on civil and labor legislation

Yalta Students' Scientific Association
Ukraine, Yalta
To support legal education of citizens of Crimea in the sphere of civic rights' defense It is planned to prepare and distribute brochures "Your civic rights", conduct monthly legal consultations, produce 20 radio programs on civic rights' defense, publish materials on civic rights in mass media

"For Professional Help"
Ukraine, Komsomolsk
To support informational and educational campaign on legal education and dissemination of information on civic rights in Poltava oblast It is planned to conduct seminars, round tables and trainings, produce TV and radio programs on civic rights, publish articles in the local press, prepare manuals on information of population on civic rights and informational brochures, conduct competition between the teachers of secondary schools on teaching of information about civic rights

Kharkiv Oblast Foundation on Support of Rural Social Development
Ukraine, Kharkiv
To support legal education of citizens of Kharkiv oblast on civic rights of village inhabitants It is planned to organize roundtables, conduct conference, issue and distribute brochures, publish in mass media materials on civic rights of village inhabitants

Association of Realtors of Odesa and Oblast
Ukraine, Odesa
To support legal defense and education of inhabitants of Odesa on the issues of privatization and real estate deals It is planned to organize the work of legal consulting center, "hot line", publish 6 articles in mass media, conduct seminars on legal issues of privatization and real estate deals

Law Students League of Lviv Commercial Academy
Ukraine, Lviv
To support distribution of citizens' rights information to the residents of Lviv The grant envisions utilizing law students in pro bono consultations to Lviv residents

Appendix F

OAC GRANTS

APPENDIX F

OAC GRANTEES

1 Counterpart Creative Center (CCC), Advocacy Training and Technical Assistance

2 Counterpart Creative Centers "Organization of an Information Exchange Among NGOs of the Protection of Rights"

3 Innovation and Development Center "Who Protect Your Rights?" Legal NGO directory

4 Odesa Mediation Group Mediation in Courts

5 Youth Creative Center "Hughston" Three round tables with the representatives of the NGOs, youth unions, mass media, local government on the problems of corruption in Donetsk region

6 IREX/ProMedia Journalist support grant

7 Ukrainian Center for Independent Political Research "Corruption Watch" Newsletter

8 EcoPravo — Kharkov Database program for grant recipients

9 EcoPravo — Kharkov Tax law seminar for grantees

10 "Private Initiative" Foundation Legal and methodological support of SME's Development

11 "Private Initiative" Foundation Donetsk workshop on SME's development

12 Lv'iv Economic Foundation "Partnership for Defense of Children's Rights"

13 Podillya Human Rights Center "Legal Education in the Vinnitsa Region"

Appendix G

OAC MEDIA PROJECTS

APPENDIX G

OAC MEDIA PROJECTS

1 **"Discussion with a Lawyer"** This OAC sponsored weekly program is a joint production of Chernomorka TV and the NGO The Center for Economics and Rights, both in Simferopol

2 **"Pravochin"** This bi-weekly legal rights program is produced by Pravochin

3 **"Reports From Inside the Courtroom"** These broadcasts are part of the grant activity of Zelyony Zvit Mykolaiv

4 **"Right to Health"** This OAC sponsored weekly segment is shown as part of the TV program "Lyudi"

5 **"Student Debates"** This program is sponsored by both OAC and Soros It uses the debate format and students from the nationwide network of debate clubs to discuss a variety of topics such as press censorship and children's rights

6 **"Telekanal Pravo"** This weekly legal rights program is produced by Alternativa and airs UT-1

7 **"We Have Rights"** This weekly legal program is produced and aired by ATN Kharkiv

8 **"Zakon Est' Zakon"** Produced by Alternativa, these 5 minute programs are shorter versions of the OAC sponsored mini-documentaries aired on "Telekanal Pravo"

9 **"PravoBerezhie"** A weekly TV Program on rights for the Kherson region produced by Kherson charity and health Foundation

10 **"Your Rights"** This bi-weekly SME rights segment within the daily business program produced by "Studio Plus" and aired on UT-1

11 **"Consumers Rights"** Kievskie Vedomosti Radio and Ukrainian Consumers Association produced a joint, weekly half hour radio program on consumer's rights

12 **"Consumers' rights Radio Call and Show"** Radio "class" in Donetsk and the Donetsk Consumer's Association produced a series of 10 weekly, half-hour, live consumer's rights radio program

13 **"Femina"** Two documentary film on women's rights

14 **"Hughston" Donetsk** TV and Radio 1-2 minutes PASs dealing with citizen's rights and anti corruption activity

15 **"Who? What?"** 14 talk-shows on legal issues produced by "Internews"

16 **"Women in Media"** Documentary film "Illusions and Reality" on women's rights

Appendix H

OAC MEDIA OUTREACH
SUMMARY OF PRIMARY TV, PRINT AND RADIO PROGRAMMING PARTNERS

APPENDIX H

OAC MEDIA OUTREACH SUMMARY OF PRIMARY TV, PRINT AND RADIO PROGRAMMING PARTNERS

"Corruption Watch" This bi-weekly newsletter, sponsored by OAC, is available in both Ukrainian and English It offers a digest of coverage of corruption by Ukrainian print media as well as coverage by the network of Corruption Watch correspondents throughout Ukraine "Corruption Watch" is produced by The Ukrainian Center for Independent Political Research (UCIPR), a nonprofit, nonpartisan, nongovernmental research institute established to monitor and analyze the political process in Ukraine and promote the awareness of democracy among the Ukrainian people The newsletter is distributed to MPs, government ministries, the court systems, Ukrainian and foreign NGOs and think tanks and foreign embassies and donor organizations

"Discussions with a Lawyer" This OAC sponsored weekly program is a joint production of Chernomorka TV and the NGO The Center for Economics and Rights, both in Simferopol Each broadcast focuses on laws dealing with a particular area of rights such as inheritance law, apartment sales, family law or consumer law The program responds to viewers questions which are received by phone or mail an also provides a hotline for further legal advice and assistance This program also includes our Crimean Advocacy and Information grant recipients as experts in their broadcasts Chernomorka is an independent TV station which reaches most of Crimea

"Pravochin" This bi-weekly legal rights program is produced by Pravochin and aired on Inter on Monday afternoons, with reruns the following Monday as well as 2 reruns on Kyiv TRK With OAC sponsorship, this program has produced segments which focus on issues such as car ownership rights, apartment privatization rights, and copyright law OAC has also provided technical assistance to their production and editorial teams Inter is a rebroadcasting network which reaches several regions of Ukraine TRK broadcasts to Kyiv, the Kyiv region and several adjacent regions

"Reports From Inside the Courtroom" These broadcasts are part of the grant activity of Zelyony Zvit Mykolaiv, an environmental rights NGO, under a joint OAC/Eurasia Foundation Information Grant They are designed to illustrate the court process and follow cases through their conclusion They are broadcast on INTER-Mykolaiv at 13 10

"Right to Health" This OAC sponsored weekly segment is shown as part of the TV program "Lyudi" at 9 30pm Sunday night on ICTV It is a joint production of the Ukrainian Legal Foundation and VIKNA and each segment focuses on a specific health issue and the rights involved such as rights in surgery, and rights in reproductive health care The program "Lyudi"

is a magazine style program which focuses on real life stories and the broadcast on ICTV reaches 18 regions of Ukraine reaching an audience of approximately 22 million

"Student Debates" This program is sponsored by both OAC and Soros It uses the debate format and students from the nationwide network of debate clubs to discuss a variety of topics such as press censorship and children's rights The program also includes opinions of experts and NGOs The program is broadcast on Saturday afternoons and Wednesday mornings on TET which reaches an audience of approximately 10 million in Kyiv and several surrounding oblasts

"Telekanal Pravo" This weekly legal rights program is produced by Alternativa and airs UT-1 on Saturday afternoons with a rerun on Tuesdays Working together with Alternativa, OAC has been able to highlight legal successes by NGOs in Ukraine in sponsored segments They have produced and aired segments on court cases by EcoPravo Kharkiv, Kyiv and Lviv, who also received support from ABA-CEELI, as well as a court victory by the Kyiv Fruit and Vegetable Vendors Association, part of the NewBizNet group of associations Alternativa has also rerun these programs several times UT-1 reaches 96% of Ukraine's territory

"We Have Rights" This weekly legal program is produced and aired by ATN Kharkiv, airs on Thursday evenings at 8 30 with a rerun on Friday afternoons, and is sponsored by OAC Each program is dedicated to a topic such as "Government and Citizens" and "The Constitution and Balance of Power" The program includes a mix of studio interviews with legal specialists, taped segments, legal news of the week and response to viewers questions and comments which are received by phone and mail ATN Kharkiv is an independent TV s tation which broadcasts to 6 million viewers in the Kharkiv and Poltava regions

"Zakon Est' Zakon" Produced by Alternativa, these 5 minute programs are shorter versions of the OAC sponsored mini-documentaries aired on "Telekanal Pravo" These programs run throughout the day on UT-2 in 5 minute blocks Some of these shorter versions have been aired 10 or more times each in different time slots on different days, reaching a broad audience UT-2 reaches 96% of Ukraine's territory

Appendix I

INVENTORY OF DONATED EQUIPMENT

APPENDIX I
Inventory of Donated Equipment

Location	#	Type of Equipment	Date of Payment
Various Ukrainian Institution (including libraries of Sup Ct and Const Ct)			
	10	West Publishing -- CD-ROM Hornbook series	January-98
	10	West Publishing - CD ROM Nutshell series	January-98
	2	West Publishing -- Supreme Ct Reporter	January-98
Lviv Law School			
	1	486 DX computer	February-95
	2	486 SX computers	February-95
	3	modems	February-95
	1	CD-ROM	February-95
	2	printers	February-95
	1	RISOGRAPH digital printing system with attachments	February-95
Lviv Law School Publishing Equipment			
	1	Printer FKS C1000	December-98
	1	Table for FKSC C1000	December-98
	1	Brochure maker FKS HF4080B	December-98
	1	Thermal FKS BIC 600	December-98
	1	Binder FKS BIC 600	December-98
	1	Binder Hot-Meld 2150 FKS BIC 600	December-98
	1	Cutter IDEAL 4700	December-98
	1	Cartridges IDEAL 4700	December-98
	1	Knife blade IDEAL 4700	December-98
Odessa Law School			
	1	486 DX computer	February-95
	2	486 SX computers	February-95
	3	modems	February-95
	1	CD-ROM	February-95
	2	printers	February-95
	1	RISOGRAPH digital printing system with attachments	February-95
Odessa Law School Minitypography			
	2	Plockmatic Collator Base	December-98
	1	Plockmatic Bookletmaker 75TC	December-98
	1	Plockmatic Collating Machine 310	December-98
	1	Plockmatic Collating Machine 310B	December-98
Kharkov Law School			
	1	486 DX computer	February-95
	2	486 SX computers	February-95
	3	modems	February-95
	1	CD-ROM	February-95
	2	printers	February-95
	1	RISOGRAPH digital printing system with attachments	February-95
Kiev Law School			
	1	486 DX computer	February-95
	2	486 SX computers	February-95
	3	modems	February-95
	1	CD-ROM	February-95
	2	printers	February-95

APPENDIX I.
Inventory of Donated Equipment

Location	#	Type of Equipment	Date of Payment
	1	RISOGRAPH digital printing system with attachments	February-95
Kyiv Law School Publishing Equipment			
	1	Printer FKS C1000	December-98
	1	Table for FKSC C1000	December-98
	1	Brochure maker FKS HF4080B	December-98
	1	Thermal FKS BIC 600	December-98
	1	Binder FKS BIC 600	December-98
	1	Binder Hot-Meld 2150 FKS BIC 600	December-98
	1	Cutter IDEAL 4700	December-98
	1	Cartridges IDEAL 4700	December-98
	1	Knife blade IDEAL 4700	December-98
Donetsk Law School Publishing Equipment			
	1	DUPLO DC-10A Collator	April-99
	1	Base for DC-10A	April-99
	1	DUPLO DBM-100 Booklet Maker	April-99
	1	Base for DBM-100	April-99
	1	Delivery Unit DC10/DBM-100	April-99
	1	Docking Kit to Connect Bases DC-10&DBM100	April-99
	1	DUPLO DB-200 perfect binder	April-99
Presidential Admininistration			
	2	486DX computers 4mb RAM 320mb HD	December-95
	1	Modem	
	1	CD-ROM	
	1	HP 4L Printer	
Verkhovna Rada (Legislature)			
	1	HP Laserjet 6L Printer 6ppm	November-97
	2	Toner Cartridges	November-97
	2	ACS Pentium 150 16MB RAM 1 2gB HD 6x CD-ROM	November-97
	2	14 Samsung Monitors	November-97
	1	UTAX Photocopier 4ppm	November-97
	2	Toner Cardtridge	November-97
	2	8MB SIMM memory upgrade	November-97
	2	Samsung 2 1 GB hard drive	November-97
	2	CD-ROM 8X Samsung	November-97
	2	14 screen filter	November-97
	3	Cartridge for Epson Stylus 800	November-97
	2	Cartridge for HP 5 printer	November-97
	1	HP Scanjet 5P color scanner	November-97
Constitutional Court			
	3	Xerox Docuprint 4508 Printers	February-99
	1	Dell Poweredge 2200 Server 64mb RAM	February-99
	3	Dell Poweredge 2200 Server 128mb RAM	February-99
	27	Dell Optiplex GL52000 Workstation 200mhz	February-99
	1	Dell Optilex Graphics Workstation 266mhz	February-99
	31	15 UVGA monitor	February-99
	1	21 UVGA monitor	February-99
	3	Xerox Docuprint 4512 Printers 12ppm	February-99
	27	Xerox Docuprint 4508 Printers 8ppm	February-99
	1	Xerox Docuprint XJ4c Color Printer	February-99
	4	TrippLite 1400VA UPS	February-99
	2	TrippLite Omnismart 675VA UPS	February-99

APPENDIX I.
Inventory of Donated Equipment

Location	#	Type of Equipment	Date of Payment
		plus software (Windows NT Office 97) and network equipment	February-99
Supreme Court			
	30	DEC Network Interface Cards	April-97
	1	Alphaserver 4100 Network Server 4x4 3GB	September-96
	30	HP Vectra VE 5/120 series 3 workstations	September-96
	10	HP Laserjet 6P Printers	September-96
		plus network equipment training	September-96
		plus software (Windows NT)	September-96
	4	Dell PowerEdge 2200 Network Servers	February-99
	28	Dell Optiplex GL 5200 Workstations w/modem	February-99
	2	Dell Optiplex GL 5200 Workstations w/o modem	February-99
	28	Xerox Document 4508 Laser Printers 8ppm	February-99
	4	TrippLite 1400VA UPS	February-99
	25	TrippLite Omnismart 675VA UPS	February-99
		plus software (Windows NT Antivirus)	February-99
Supreme Court Minitypography			
	1	Duplo DC 10A Collator	September-98
	1	Duplo DC-10B Collator	September-98
	2	Stand for DC-10A and DC-10-B	September-98
	1	Duplo DBM-100 booklet maker	September-98
	1	Base for DBM-100	September-98
	2	Docking Kit to connect DBM-100 DC-10A & DC-10B	September-98
	1	Trimmer for DBM 100	September-98
	1	Cutter IDEAL 3905	September-98
	1	Stand for IDEAL 3905	September-98
	1	Spare blade for IDEAL 3905	September-98
	1	RISOGRAPH GR3770 digital printing system w/o ADF	February-99
	1	GR Table white GR3770	February-99
		plus supplies (drum ink etc)	February-99
Supreme Court Photocopier			
	1	Copier Canon NP6621	May-99
	1	RDF-F1	May-99
	1	Paper Desk Pedestal K1 for 1500 sheets	May-99
	1	Stapler-Sorter MS-HD3	May-99
	1	Kit for MS HD3	May-99
	2	Toner NPG-9	May-99
	1	Copier Canon NP6330	May-99
	1	RDF-F1	May-99
	1	Kit for MS HD3	May-99
	1	Paper Desk Pedestal K1 for 1500 sheets	May-99
	1	Stapler-Sorter II1 (20bin)	May-99
	1	Sorter II1 Kit	May-99
	24	Toner NPG-7	May-99
	1	Staple Cartridge E1	May-99
	1	Canon Fax L-250	May-99
	1	Cartridge FX-3	May-99
Supreme Court Judicial Education Center			
	1	Thermal FKS BIC 600	February-99
	1	Book Binder FKS BIC 600	February-99
	1	Book Binder Hot-Meld 2150 FKS BIC 600	February-99

APPENDIX I.
Inventory of Donated Equipment

Location	#	Type of Equipment	Date of Payment
Ministry of Justice			
	11	Dell Optiplex 5133 Workstations	June-97
	6	Xerox 4508 Laser Printers 8ppm	June-97
	1	Dell Poweredge 2200 Network Server dual processor	November-98
	1	Dell Poweredge 2200 Network Server single processor	November-98
	14	Dell Optiplex GL5200 Workgroup Server	November-98
	42	Dell Optiplex GL5200 Workstations	November-98
	5	3COM Network Hub 24-port	November-98
	5	3COM Network Hub 12-port	November-98
	1	3COM Network Switch	November-98
	2	TrippLite 1400VA UPS	November-98
	14	TrippLite Omnismart 675VA UPS	November-98
	14	Xerox Document 4512 Laser Printers 12ppm	November-98
	6	Xerox XJ4c Color Printers 6ppm	November-98
	1	HP ScanJet 5100C color scanner	November-98
		Software Licences (Windows NT Russian Office 97)	November-98
Ministry of Justice Network Cabling			
		broad variety of cables jumpers wall racks etc	February-99
Constitutional Court			
	9	Dell Optiplex GnL 5166	March-98
	2	Dell Optiplex GnL 5166 w/CD ROM	March-98
	11	Dell 15 Monitors	March-98
	3	HP LaserJet 6P Printer 8ppm	March-98
	5	HP DeskJet 670C Color Printer 4ppm	March-98
		plus software (MS Office 95 Russian)	March-98
Constitutional Court Photocopier			
	1	Copier Canon NP6621	May-99
	1	RDF-F1	May-99
	1	Paper Desk Pedestal K1 for 1500 sheets	May-99
	1	Stapler-Sorter MS-HD3	May-99
	1	Kit for MS HD3	May-99
	2	Toner NPG-9	May-99
	1	Canon Fax L-250	May-99
	1	Cartridge FX-3	May-99
Higher Arbitration Court Photocopier			
	1	Copier Canon NP6621	May-99
	1	RDF-F1	May-99
	1	Paper Desk Pedestal K1 for 1500 sheets	May-99
	1	Stapler-Sorter MS-HD3	May-99
	1	Kit for MS HD3	May-99
	2	Toner NPG 9	May 99
Higher Arbitration Court Library			
		Equipment plus modifications to Higher Arbitration Court s existing LAN (in contract no 97/U204)	April-98
Higher Arbitration Court			
	2	Dell Poweredge Server (133mhz 32mB)	February-96
	33	Dell Optiplex Workstations (Pentium 100 16mB))	February-96
	5	Dell OptiPlex work station GnL 5166	February-96

APPENDIX I.
Inventory of Donated Equipment

Location	#	Type of Equipment	Date of Payment
	3	3COM Linkbuilder Hubs	February-96
	30	Xerox 4508 Printers (8ppm)	February-96
	5	Xerox XJ5 Printers (5ppm)	February-96
	1	Printer Xerox RX4517	February-96
	31	Tripp Lite INT675 UPS	February-96
	2	Tripp Lite Omnipro INT450 UPS	February-96
	5	OmniSmart Int 280 PNP UPS	February-96
	1	HP Scanjet 4p color scanner	February-96
		plus network installation software etc	February-96
Arbitration Court of Kyiv Region			
	2	Dell OptiPlex office work station	February-96
	2	Dell 15 Monitor UVGA	February-96
	1	Laser Printer Xerox 4508	February-96
	1	UPS Unit Omnipro Int 450	February-96
Arbitration Court of Kirovogradskaya Region			
	1	Dell OptiPlex office work station	February-96
	1	Dell 15 Monitor UVGA	February-96
	1	Laser Printer Xerox 4508	February-96
	1	UPS Unit Omnipro Int 450	February-96
Arbitration Court of Zhaporizhskaya Region			
	1	Dell OptiPlex office work station	February-96
	1	Dell 15 Monitor UVGA	February-96
	1	Laser Printer Xerox 4508	February-96
	1	UPS Unit Omnipro Int 450	February-96
Arbitration Court of Kharkiv Region			
	1	Dell OptiPlex office work station	February-96
	1	Dell 15" Monitor UVGA	February-96
	1	Laser Printer Xerox 4508	February-96
	1	UPS Unit Omnipro Int 450	February-96
Arbitration Court of Zakarpatskaya Region			
	1	Dell OptiPlex office work station	February-96
	1	Dell 15 Monitor UVGA	February-96
	1	Laser Printer Xerox 4508	February-96
	1	UPS Unit Omnipro Int 450	February-96
Arbitration Court of Poltavskaya Region			
	1	Dell OptiPlex office work station	February-96
	1	Dell 15 Monitor UVGA	February-96
	1	Laser Printer, Xerox 4508	February-96
	1	UPS Unit Omnipro Int 450	February-96
Arbitration Court of Sumskoy Region			
	1	Dell OptiPlex office work station	February-96
	1	Dell 15 Monitor UVGA	February-96
	1	Laser Printer Xerox 4508	February-96

APPENDIX I.
Inventory of Donated Equipment

Location	# Type of Equipment	Date of Payment
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Hersonskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15' Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Rivenskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February 96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Volynskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Donetskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Vinitskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Chernigovskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of L vivskaya Region		
	1 Dell OptiPlex office work station	February 96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February 96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Ivano Frankivskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96

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APPENDIX I.
Inventory of Donated Equipment

Location	# Type of Equipment	Date of Payment
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Mykolaivskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Dnipropetrovskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Odesskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Zhytomerskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Crimea Republic		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Ternopolskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of the City of Kiev		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of the City of Sevastopol		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96

APPENDIX I.
Inventory of Donated Equipment

Location	# Type of Equipment	Date of Payment
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Khmelnitskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15' Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Cherkasskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Luganskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February 96
	1 UPS Unit Omnipro Int 450	February-96
Arbitration Court of Chernivetskaya Region		
	1 Dell OptiPlex office work station	February-96
	1 Dell 15 Monitor UVGA	February-96
	1 Laser Printer Xerox 4508	February-96
	1 UPS Unit Omnipro Int 450	February-96