

# USAID UKRAINE COMMERCIAL LAW CENTER PROJECT

Contract No. 121-C-00-00-00823-00

Deloitte Touche Tohmatsu Emerging Markets, Ltd.

QUARTERLY PERFORMANCE MONITORING REPORT № 6

For the Quarter Ending 31 January 2002

## SPECIFIC ACTIVITIES DURING REPORTING PERIOD

### ADMINISTRATIVE & INSTITUTIONAL

- The merger of the Financial Restructuring Project (FRP) with the Commercial Law Center is almost complete. The two Projects have shared office space since January 2, 2002, while the FRP was granted a one month “no-cost extension” that expires January 31, 2002. On the latter date the Projects formally merge. The CLC is in the process of concluding contracts related to the employment of the FRP professional staff and transfer of the FRP’s furniture and equipment. This report already contains a section on financial restructuring activity.
- The Senior Legal Advisor position was filled by Darrell Brown, Attorney at Law. Mr. Brown has significant experience in Ukraine and a strong commercial law background. He has begun in January 2002.
- On November 1, 2001 Andriy Volkov was appointed Director of the Legal Department of the Commercial Law Center. Mr. Volkov had been senior attorney on the USAID Financial Restructuring Project.
- George Korsun, Washington Project Manager, traveled to Kyiv to attend the National Conference on “Commercial Law in Ukraine: Status and Prospects”. He also assisted in preparation of justifications for the topics regarding intellectual property rights, the enforcement of judicial decisions, and e-commerce that the CLC has submitted for AED training programs. In addition, Mr. Korsun provided assistance in anticipation of the merger between the CLC and the USAID Financial Restructuring Project.
- In January 2002, the CLC completed its relocation to a new office. The two story premises at 42-44 Shovkovychna Street provide 400 square meters of office space, which gives the CLC an added 150 square meters for accommodating all former FRP’s employees and improving working conditions for the staff members. A lease agreement between Deloitte Touche Tohmatsu and Eastern Horizon Co. was signed for the period from January 1, 2002 through July 31, 2003.
- The CLC prepared and signed an agreement with the SOKIL Ltd. for security services for the new office. In addition to providing security, the SOKIL Ltd. employee (guard-on-duty) will serve as a receptionist for the CLC.
- Medical insurance for the CLC staff underwritten by Ostra-Kyiv insurance company has been provided for the period from December 24, 2001 to December 23, 2002.

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- The CLC has adopted a simple, distinctive logo graphically representing the professionalism, precision, and excellence of the Commercial Law Center.
- In anticipation of establishing the Commercial Law Center as an independent organization, the Project has started to develop a model that defines the relationship between the Project and the Center as a Ukrainian charitable organization. The development of a national and foreign donors' database (comprised of those donors operating in the commercial law field) continues, which will be useful to the CLC in finding alternative sources of funding. The Finance Department employees attended seminars on self-funding and accounting for non-profit organizations.
- A certificate was obtained from the Ministry of Economy of Ukraine exempting the Commercial Law Center from the VAT in connection with rental payments from August 2000 through December 2001. The CLC also prepared the documents necessary to receive a waiver of VAT for other contracts for goods and services, in accordance with USAID as set out in the memorandum to contractors dated January 16, 2002.
- The CLC determined that cuts in publication costs cannot be made without serious deterioration in the quality of the publications. However, in the future more of the articles for the publications will be provided by staff specialists, which will result in significant savings.

### PROFESSIONAL DEVELOPMENT

#### *Training Workshops*

During the reporting quarter, the CLC conducted its first and second training workshops. The first training workshop "Settlement of Disputes in Business" was held on the 13-15<sup>th</sup> of November 2001. The CLC conducted its second training workshop entitled "Contractual Law" on December 11-14<sup>th</sup>, 2001. Mr. Dmytry Dubohrayev from the International Law Institute participated in the workshop and received the highest evaluation among 8 trainers. The other 7 were Ukrainian experts from leading law schools, Supreme Court of Ukraine, and the Commercial Law Center.

#### *Continuing Legal Education (CLE) Seminars*

In the sixth quarter, the CLC held two legal education short-courses and a seminar on legislative drafting techniques.

The CLC conducted a continuing legal education short-course "Means of Ensuring Performance of Obligations in Business" on December 7<sup>th</sup>, 2001, in Kiev.

The second continuing legal education short-course entitled "Judicial Enforcement" was held on January 15<sup>th</sup>, 2001, in Kiev.

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The CLC's second legislative drafting workshop entitled "Topical Issues of Legislative Drafting in Ukraine" took place on January 29-30<sup>th</sup>, 2002. The lecturers for the workshop were Ukrainian specialists that have been trained in the Parliament of Canada.

### *Commercial Law Curriculum Reform*

The CLC commissioned three reviewers to make independent assessments of its proposed curriculum for a specialty in the law schools called "Commercial Law of Ukraine". Using these independent assessments, the CLC reviewed the proposed curriculum and introduced changes to the topic on court practice to conform with certain recent legislative changes, introducing new terminology, adding certain bankruptcy topics, and adding a section on financing and payment for entrepreneurs.

### *Practical experience for students*

The CLC has continued to work together with the Law Department at the National University Kyiv Mohyla Academy regarding the operation of the Legal Clinic Consulting Center, and has started drafting a manual on creating and operating legal clinics within Law Departments of Universities. Darrell Brown, the CLC Project senior legal adviser, prepared a section on the western experience in operating legal clinics. The students who work for another successful legal clinic at Taras Shevchenko National University in Kyiv will author a substantial part of the manual, while employees of the legal clinic at "Kyiv Mohyla Academy" University will provide additional material, namely the draft statute of the legal clinic, cards for registration of inquiries, etc.

The Project initiated a nation-wide competition for the best paper on "Ways to Reform Commercial Law in Ukraine". A Reviewing Committee consisting of the Project Management and professionals from the Legislative Development Department will be formed to review and evaluate the submissions. This will be completed by the end of March 2002.

### *Publications for professionals*

The CLC has developed specifications and selected authors for a how-to-manual on intellectual property rights (copyright/industrial property). V.Zhukov, the Director of Intellectual Property Institute in Kharkiv will take the lead on this

The CLC continued developing, editing, and arranging a collection of articles on mortgage lending to be published in the second issue of the "Ukrainian Commercial Law" journal.

### *Development of Distance Learning Tools*

On the 8<sup>th</sup> of November 2001 the CLC organized and held a round table on the development of distance learning tools. In addition to CLC personnel, eight experts in distance learning participated in the session. This was the initial discussion toward

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developing distance learning materials and the meeting focused on opportunities to reduce the cost and expand the audience for many kinds of legal training.

Mr. V. Zhukov, Director of the Institute for Intellectual Property, has been independently developing a distance-learning program on intellectual property rights. On January 29, 2002 the CLC hosted a meeting with Mr. V. Zhukov and his team of technical developers. The team showed a demo-version of its educational software on indicative claims for law students and for judges. The CLC is currently assessing opportunities for cooperation with Mr. Zhukov and his Institute respecting the development of distance-learning educational tools.

### LEGISLATIVE DEVELOPMENT

The Verkhovna Rada of Ukraine adopted Books IV ( Intellectual Property) and V (On Obligations/liability) of the Civil Code and the law to implement the entire Civil Code on November 29<sup>th</sup>, 2001. The CLC was engaged almost the entire month of November 2001 in ensuring that the proper text was voted upon. There was a threat that the legal department of the Verkhovna Rada would argue that only the text that had passed the second reading, which is inconsistent with international standards and not supported by the American Embassy, was the only text that could legally be forwarded to the Rada. The Special Commission for the Civil Code, however, elected to submit the text introduced by MP Romovska, who has worked closely with CLC. The text of Book IV, which was finally adopted, was the text that the Commercial Law Center Working Group worked so hard on over the last several months.

The Commercial [Economic] Code and its implementing law also passed on November 29<sup>th</sup>, and together with the Civil Code of Ukraine currently awaits a decision by the President of Ukraine. The CLC has analyzed both codes and identified numerous inconsistencies between the two. While the Civil Code would establish the basis for private relationships, freedom of contract, and rights in private property, the Economic Code of Ukraine would establish a Soviet-style framework for the Government to regulate economic relations. The Economic Code is not market-oriented and covers many of the same issues as the Civil Code. Because of the inconsistencies, enactment of both the Economic Code and the Civil Code will cause great uncertainty and lead to a less predictable and transparent commercial law environment. The CLC, therefore, would support a veto of the Economic Code, but passage of the Civil Code.

On January 31, 2002 the CLC Senior Attorney, Hennady Semenov, participated in a Kyiv Law Club session where he delivered a presentation on the status of arbitration legislation in Ukraine. The session enjoyed substantial mass-media attention. The Kyiv Law Club resolved to request the President of Ukraine to veto the Commercial [Economic] Code of Ukraine.

Responding to an official request from the Verkhovna Rada's Committee on Banking and Finance, the CLC developed substantial amendments to the draft law "On Hypothecation". The Verkhovna Rada of Ukraine voted on the law that incorporated

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the bulk of the CLC's suggestions in the first reading on January 17, 2001. However, the timing for the vote (12:50 p.m. – just before lunch) discouraged quite a few parliamentary members from appearing in the session hall. The vote on the draft fell short of the number of votes necessary for its approval. The CLC has received an official letter of gratitude from the Verkhovna Rada for its assistance with this draft law.

The draft Law “On Incorporating Changes to Some Laws of Ukraine” prepared by the Cabinet of Ministers at the request of the President’s Administration introduces changes to several laws of Ukraine to provide special benefits for enterprises with State-owned shares in the statutory fund, strategic enterprises and others. The CLC has analyzed this draft and is of the opinion that it violates a number of Constitutional principles regarding rights in property and is inconsistent with other legislative norms. In particular, the efficiency of Ukraine’s bankruptcy law (“The Law of Ukraine on Restoring the Solvency of the Debtor or Declaring it Bankrupt”) may suffer. The draft law provides the Cabinet of Ministers’ Insolvency [Restructuring] Commission with special powers, both prior to and in the course of bankruptcy proceedings “to avoid bankruptcy [liquidation] of strategic enterprises”. The bankruptcy law already includes a provision on the state agency for bankruptcy affairs, which is charged with, among other matters, “implementing state policy to avoid bankruptcy [liquidation]”. However, solid support from the executive made many parliamentary members reluctant to oppose the bill on the brink of parliamentary elections. The Verkhovna Rada adopted the draft law in the first reading on January 10, 2002. Crucial CLC recommendations made it into the draft, including the deletion of all provisions related to the Cabinet of Ministers’ Insolvency [Restructuring] Commission. A Verkhovna Rada committee is tasked with the further improvement of the draft law and the CLC will continue its attempts to minimize the number of deleterious provisions.

On July 12, 2001, the Verkhovna Rada of Ukraine passed the Law “On Appraisal of Property, Property Rights and Appraisal Activity in Ukraine”. The law defines the legal basis for the appraisal of property, and government and public control, for the sake of protecting lawful interests of the State and other entities. However, the CLC took the position that the provisions calling for mandatory appraisal of property for any collateral loan increases transaction costs to the point of stifling micro-lending and sales of consumer goods on credit. The CLC, coordinating with the Micro Finance Bank of Ukraine (supported by USAID), prepared a remedial amendment to this law, which will eliminate mandatory appraisal of property serving as collateral in certain types of loan agreements, primarily affecting small loan transactions. These amendments are strongly opposed by the State Property Fund, which desires to maintain bureaucratic control of all financial transactions through its registration procedures for appraisers, permit fees and inspection authority. The present Verkhovna Rada is unlikely to consider the amendment given the Rada’s already over-burdened agenda and limited number of working days before parliamentary elections on March 31, 2002.

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A priority area for the CLC in 2002 is the improvement of the enforcement of judicial decisions. In January 2002, the CLC completed proposals on amendments to the Law of Ukraine "On Executory Proceedings". Its suggested changes call for clearly defined deadlines for enforcement actions, an established procedure for appealing actions or inactions of the state executory officer, and a clear mechanism for controlling the cost of the enforcement process. CLC professionals held a meeting with Mr. Olexandr Kooz, the Deputy Director of Executory Service Department of the Ministry of Justice, on January 31, 2002. Mr. Kooz stated that the Ministry of Justice had prepared its own proposals to the Law "On Executory Process" and planned to submit them to the Verkhovna Rada with a request for priority consideration. Mr. Kooz reviewed the CLC's suggestions and agreed to incorporate a significant number of them into the Ministry of Justice's draft. However, the proposals that introduced strict deadlines for the executory process failed to receive support from Mr. Kooz. The CLC has prepared a number of technical and legal criticisms of the Ministry of Justice draft.

The draft Law "On Incorporating Amendments to the Economic Procedural Code of Ukraine" attempts to alter the Code in such a way that addressing the Court of Cassation will not be possible without first going through the Court of Appeals. This would be a significant limitation of the parties' appellate rights, and may result in unnecessary increased delay and expense during the appeal process. The CLC Legal Development Department has been preparing its proposal to eliminate this limitation on the appellate process from the draft law and also has suggested introducing some minor changes to make the terminology uniform throughout the Code. An alternative recommendation of the CLC is that the draft bill be rejected altogether. In addition, the CLC has developed its own set of amendments to the Economic Procedural Code of Ukraine as a separate draft law. The CLC has identified MP Koliushsko or MP Onopenko as potential sponsors for the bill in the Verkhovna Rada of Ukraine.

The Department for Intellectual Property of the Ministry for Education and Science of Ukraine prepared a draft law "On Incorporating Amendments to Legislative Acts of Ukraine related to Intellectual Property Rights". The draft introduces amendments to the Economic Procedural, Civil Procedural, Customs, and Criminal Codes of Ukraine, to the Laws of Ukraine "On Information" and "On Copyright and Neighboring Rights", and to several other legislative acts. The amendments provide for increased pre-trial protection of intellectual property and an improved procedure for dealing with evidence in intellectual property cases. The CLC legal professionals took part in a round table on this issue held by Commercial Law Development Program of the US Department of Trade. The CLC suggested that the draft law needs substantial improvement, and the CLC will provide recommendations for amending the draft. The draft is scheduled to be submitted to the Parliament in the first quarter, 2002.

Within the intellectual property area, the CLC legal experts also participated in Parliamentary hearings regarding "Ukrainian legislation on intellectual property: the issues related to WTO accession" on December 19, 2001 and prepared a background paper on the history of the TRIPS Agreement and its importance for the enforcement of intellectual property rights.

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In response to a request from USAID, CLC prepared a legal opinion on the recently enacted Law of Ukraine “On Recognition and Execution of Foreign Court Decisions in Ukraine”.

### *Establish the Center’s Policy on Commercial Law Reform Priorities*

The CLC has completed an initial draft of a Concept for Commercial Law Development in Ukraine. The focus is on both private [civil] and public law as a coherent and consistent framework in order to increase and protect freedom of economic and business activity. The legal framework should guarantee private property rights, efficient structures for market entry and exit, and minimum transaction costs. Another priority for Ukraine is the harmonization of its commercial law regime with European Union legislation.

### OUTREACH & INFORMATION

#### *Business seminars*

The Project has completed the first cycle of seminars for businesspersons on “Contractual Law” held in Simferopol, in Dnipropetrovsk, in Cherkasy, and in Chernivtsi.

#### *Publications for non-professionals*

In November 2001 the CLC published Newsletter No 4, containing articles on intellectual property and the Civil Code, the CLC’s new program for continuing legal education, and on the American experience with registration of businesses. This was the first issue for which almost all of the articles were written by CLC professional staff rather than outside specialists.

The Outreach/Information Department has updated the CLC general information brochure to feature the Center’s new logo and include the most recent information about the CLC, its mission, and its main directions for reform of the commercial law framework in Ukraine.

In January 2002 CLC sent its second handbook of the series “Legal ABC for Entrepreneurs” to print. The handbook’s subject-matter is “Licensing of Economic Activities in Ukraine”. The great success of the first how-to manual entitled “How to Register Businesses” prompted the Project to publish the second edition of this handbook. A portion of this edition will go to the Kyiv Employment Center. The Center expressed a great interest in distributing this ABC to persons wishing to start their own business. The third handbook of the ABC series, entitled “Simplified Taxation Systems for Subjects of Entrepreneurship”, is also ready for publication.

#### *National Commercial Law Conference*

On December 12, 2001 the CLC sponsored its first National Conference entitled “Commercial Law in Ukraine: Status and Prospects”. The conference featured

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presentations by David Dod, Deputy Director of the USAID Office of Economic Restructuring, Valentyna Danishevskaya, Director of the CLC, Justin T. Holl, Jr., Chief of Party of the Commercial Law Project, MP Z. Romovska, MP B. Bespaliy, S. Demchenko, Deputy Director of the High Economic Court of Ukraine, S. Shevchuk, Director of the Comparative Law Center of the Ministry of Justice, and V. Zhukov, Director of the Institute of Intellectual Property of Ukraine and afternoon break-out sessions. The three afternoon break-out sessions dealt with Enforcement of Judicial Decisions, the Legislative Framework for Intellectual Property Rights and Accession to the WTO, and Aspects for Reforming the Civil Law of Ukraine (with special emphasis on rights in land and mortgage rights). The conference was covered in depth by journalists from the Judicial Bulletin of Ukraine, Proinform, Intelnews, Juridychna Praktika, Itar-TARS, Power and Politics, and the National Radio Company of Ukraine. The CLC is preparing written materials based upon the transcripts of the proceedings at the National Conference, which will help shape the legislative and regulatory agenda of CLC and Ukraine over the next years.

### *Media Seminars*

At the request of the directors of the UNIAN, one of the most prestigious information agencies in Ukraine, the CLC organized a one-day seminar on commercial law for 25 journalists of this agency. The Director of the CLC and the Head of the Legal Department, along with one outside expert, made presentations regarding the reporting of commercial law.

In November 2001 an article entitled "Protection of Intellectual Property in Ukraine" appeared in the weekly "Yurydychny Visnyk Ukrainy" and covered the CLC efforts regarding Book IV of the Civil Code. The author of this article highly commended the professional quality of the first issue of the CLC Journal "Ukrainian Commercial Law" and featured a picture of this CLC publication.

### *Contractor Coordination Meetings*

Chief of Party, Justin T. Holl, Jr., and Senior Legal Adviser, Darrell Brown, participated in a meeting with the TACIS UEPLAC project on January 24<sup>th</sup>, 2002 to discuss plans regarding EU harmonization. Jean-Luc Poget, Executive Director of UEPLAC, Jean-Paul Blandinieres, Macroeconomist, Petro Morgos, Gleb Krivenko, and Roger Pugh from USAID also attended the meeting. UEPLAC stated that two priorities for Ukraine's EU harmonization should be (1) establishment of procedures for effective implementation of laws; and (2) judicial reform. The number one objective of the harmonization program should be WTO accession.

### *Cross-Cutting Issues*

The Project completed research on gender balance issues in commercial law with representatives of numerous women's groups and is in the process of preparing a final report on the issue.

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### FINANCIAL RESTRUCTURING ACTIVITY

#### *Bankruptcy System Infrastructure Development*

Following a request for assistance from the Ministry of Economy of Ukraine to USAID, the Project drafted recommendations on how to improve the Unified Database of Bankrupt Enterprises and Bankruptcy Cases.

#### *Pilot Projects*

A pending bankruptcy case against Dniproenergo may have significant overtones for the entire energy sector. The Project's restructuring and legal professionals paid a fact-finding visit to the headquarters of the OJSC "Dniproenergo" in Zaporizya on January 15, 2002 to discuss with top management of Dniproenergo possible assistance by the CLC in preparing a sanation plan to submit to its creditors in the context of the bankruptcy case. CLC professionals then participated in a number of meetings on the Dniproenergo case with USAID, the USAID Deloitte Energy Project, and the EBRD. The meetings the participants came to the conclusion that Ukraine's new Bankruptcy Law could provide powerful and flexible tools for restructuring both Dniproenergo's operations and the company's debt and determined that the CLC would assist Dniproenergo in developing the company's sanation [restructuring] plan. The work on collecting the data and populating the Project's Corporate Restructuring Model (the first phase of sanation plan development) has already begun.

The Project has established new relationships with the network of financial restructuring regional centers. The new system provides for continued operations of the network on an increasingly self-sustaining basis with modest financial support from the Project. The centers in Ivano-Frankivsk, Dnipropetrovsk, Kharkiv, Kyiv, Sevastopol, and Donetsk will continue to (1) provide technical assistance and advise enterprises and bankruptcy practitioners working on restructuring cases; (2) organize and hold seminars and workshops to disseminate the experience gained, and the benefits derived, from enterprises which successfully utilized provisions of the Bankruptcy Law; and (3) serve as a forum for regional bankruptcy practitioners and other stakeholders in bankruptcy to develop and exchange ideas. In addition, the centers will facilitate other CLC activities, notably seminars for businesspersons, in respective regions.

Three restructuring cases assisted by bankruptcy/financial restructuring regional centers reached successful conclusion during the month of January 2002. The success of the Dzvynych Timber Plant from Ivano-Frankivsk region deserves special attention. Despite having a good market for its product (hardwood veneer), the plant ended the 20<sup>th</sup> century on the verge of liquidation. The General Director of the Dzvynych Timber Plant and a top manager of the Plant's investor enjoyed an opportunity to present their case to the U.S. Ambassador to Ukraine during his visit to Ivano-Frankivsk in December 2001.

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### ACTIVITIES PLANNED NEXT REPORTING PERIOD

Specific activities during the quarter will include:

- Professional Development
  - The third extended Work Shop will be held in February on “Legal Regulation of Financial Services”
  - The Seminar for Judges of Ukraine’s Economic [Commercial] Courts will be held in February on “Monetary Obligations: Theory and Practice”
  - The third legislative drafting Course will be held in March
  - Development of a manual on intellectual property (copyright) will be commenced
  - Manual on creating and operating legal clinics within Law Departments of Universities will be completed
  - Select CLC attorneys will participate in an AED Legislative Drafting Observational trip in Washington, D.C.
- Legislative Development:
  - The Concept Paper for Commercial Law Development in Ukraine will be finalized
  - The CLC’s proposals to the law on Executory Process will be submitted to the Rada
  - Follow-on activities with the Civil and Economic Codes of Ukraine will be carried out
  - Follow-on activities with the Cabinet of Ministers draft law on Changes and Amendments to Some Laws of Ukraine will be carried out
  - A review of proposed legislation related to the expansion of the “Kievskbud” pilot housing program throughout Ukraine will be conducted
  - Opportunities for expanding technical assistance to the Government of Ukraine will be explored
- Outreach & Information:
  - The third compliance guide will be published entitled “Simplified Taxation Systems for Subjects of Entrepreneurship”
  - The CLC web-site will be updated and modified
- Administrative & Institutional:
  - The merger of the Financial Restructuring Project with the CLC Project will be completed

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- Areas in which the CLC can build on the activities started by the USAID Regulatory Reform Project will be identified. The Regulatory Reform Project is scheduled to end on March 31, 2002.
- A strategy development workshop for the CLC will be held in April to be facilitated and led by Deloitte home office staff.
- Financial Restructuring
  - National conference of Ukrainian bankruptcy judges will be held in March
  - Follow-on activities with the amendments to the Bankruptcy Law of Ukraine will be conducted
  - The Corporate Restructuring Model (CRM) will be upgraded and modified
  - The development of sanation [restructuring] plan for the Dniproenergo company will proceed

### FINANCIAL STATEMENT & MONITORING PLAN UPDATE

Please see attached.

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Justin T. Holl, Jr.  
Chief of Party

**Deloitte Touche Tohmatsu  
USAID Commercial Law Center Project**

DRAFT MONITORING PLAN – YEAR TWO

January 31, 2002

	Milestones	Milestones	Indicators	Year Two Targets	Q5	Q6	Q7	Q8
<b>A. INSTITUTIONAL DEVELOPMENT OF A UKRAINIAN PARTNER</b>								
	New institution formally created to carry out mandate of this Project	<ul style="list-style-type: none"> <li>Legal status determined</li> <li>New institution registered</li> </ul>	<ul style="list-style-type: none"> <li>Certificate of registration obtained</li> </ul>	Yes	-	-		
	Transparent and fiscally responsible governance structure established	<ul style="list-style-type: none"> <li>Functioning Board of Directors created</li> </ul>	<ul style="list-style-type: none"> <li>Board of Directors Meetings</li> <li>Advisory Board Meetings</li> <li>Contract signed between Project and Center</li> <li>Accounting and reporting systems of the Center established</li> <li>Yearly financial statements published and distributed</li> </ul>	2 4 Yes Yes	- 1 - -	- - - -		
	Sustainability of the Center ensured	<ul style="list-style-type: none"> <li>Annual business strategy and business plan developed</li> <li>Marketing materials developed</li> <li>Charging fees for Center events begun</li> <li>Strategy for extramural funding developed</li> <li>Tracking and financial analysis for fee-bearing events and extramural financing ensured</li> </ul>	<ul style="list-style-type: none"> <li>Business plan completed and published</li> <li>Marketing materials published and distributed</li> <li>Non-USAID funding of portion of Center budget</li> </ul>	Yes Yes Yes	90% - -	90% - -		

	Milestones	Milestones	Indicators	Year Two Targets	Q5	Q6	Q7	Q8
<b>B. PUBLIC AND PRIVATE SECTOR COMMERCIAL LAW TRAINING</b>								
	In-depth training on specific topics in commercial law delivered	<ul style="list-style-type: none"> <li>Workshops designed and prepared</li> <li>Faculty identified</li> </ul>	<ul style="list-style-type: none"> <li>No. of workshops conducted</li> <li>% of participants from outside of Kyiv</li> <li>Total attendance of workshops</li> <li>% of attendance by public lawyers</li> </ul>	6 25% 180 70	- - - -	2 25% 70 65%		
	CLE concept implemented, program of short CLE courses implemented	<ul style="list-style-type: none"> <li>Integrated program of CLE courses implemented</li> </ul>	<ul style="list-style-type: none"> <li>No. of CLE events</li> <li>Attendance at CLE events</li> </ul>	16 400	2 88	2 58		
	New technologies for commercial law teaching employed to reach larger and geographically diverse audience	<ul style="list-style-type: none"> <li>Distance learning technology selected and developed</li> <li>Distance learning (DL) program created for two special courses</li> <li>DL web site established on Center's web site</li> </ul>	<ul style="list-style-type: none"> <li>No. of courses available through distance learning</li> </ul>	2	-	-		
<b>C. TECHNICAL ADVISORY SERVICES</b>								
	On-going monitoring implemented and priorities to reform CL defined	<ul style="list-style-type: none"> <li>Highly qualified foreign and local experts involved</li> </ul>	<ul style="list-style-type: none"> <li>No. of experts involved</li> </ul>	25	2	18		
	Center's influence on legislative activity expanded	<ul style="list-style-type: none"> <li>Center's experts addressed in the process of providing technical assistance when drafting legislation, also by subjects of legislative initiative and other representatives of meaningful environment</li> <li>Center's experts involved in drafting legislation</li> <li>Legislative initiative subjects and bodies of state power represented in the Center's legal drafting groups</li> <li>Legislative drafting manual published</li> <li>Legislative drafting seminars conducted</li> </ul>	<ul style="list-style-type: none"> <li>No. of draft laws and topics on commercial law</li> <li>No. of roundtables and other forms of open discussions</li> <li>No. of requests for technical assistance submitted and fulfilled</li> <li>Legislative drafting manual published</li> <li>Legislative drafting seminars held</li> <li>Number of participants at legislative drafting seminars</li> </ul>	5 5 3 4 120	5 - 1 - 1 18	10 1 1 - 1 34		

	Milestones	Milestones	Indicators	Year Two Targets	Q5	Q6	Q7	Q8
<b>D. OUTREACH/INFORMATION NETWORKS</b>								
	Information dissemination on commercial law increased and improved among businesspersons	<ul style="list-style-type: none"> <li>Needs of business community in legal information determined</li> <li>Training plans and handouts for businesspersons developed</li> </ul>	<ul style="list-style-type: none"> <li>No. of 2 day-long seminars for businesspersons</li> <li>Attendance at business seminars</li> <li># of oblasts represented</li> <li>Newsletter issues published</li> <li>Compliance guides published</li> </ul>	12 300 5 4	- - 1 1	4 105 4 2 1		
	A permanent information network among all constituencies on commercial law created	<ul style="list-style-type: none"> <li>National CL Conference on commercial law held</li> </ul>	<ul style="list-style-type: none"> <li>Attendance at law policy reform Conference</li> <li>No. of discussions of recommendations and Conference in the press</li> </ul>	75 3	- -	79 2		
	A well-informed press brought into the debate on commercial law reform	<ul style="list-style-type: none"> <li>Special training programs for the press identified</li> </ul>	<ul style="list-style-type: none"> <li>No. of law and economics workshops held for journalists</li> <li>No. of journalists trained</li> </ul>	2 40	- -	1 25		
<b>E. PROFESSIONAL DEVELOPMENT</b>								
	Commercial Law established as a legal specialty	<ul style="list-style-type: none"> <li>Commercial Law curriculum developed</li> <li>Curriculum certified</li> </ul>	<ul style="list-style-type: none"> <li>Curriculum published</li> <li>Ministry of Education certification obtained</li> </ul>	Yes Yes	- -	- -		
	Students have opportunities to practice in CL	<ul style="list-style-type: none"> <li>Manual on organization of legal clinics developed</li> <li>Commercial law moot court competition established</li> </ul>	<ul style="list-style-type: none"> <li>Law clinic manual published</li> <li>Commercial law moot court competitions held</li> </ul>	Yes Yes	- -	- -		
	Professionals have access to high-quality, peer-reviewed technical publications	<ul style="list-style-type: none"> <li>Law journal developed</li> <li>Practice guides developed</li> </ul>	<ul style="list-style-type: none"> <li>No. of practice guides in commercial law completed</li> <li>No. of law journals published</li> </ul>	3 2	- -	- -		
<b>F. CROSSCUTTING ISSUES</b>								
	Discussions about gender and commercial law are informed by accurate data	<ul style="list-style-type: none"> <li>Conduct gender study</li> </ul>	<ul style="list-style-type: none"> <li>Gender study completed and distributed</li> </ul>	Yes	-	-		
	Commercial Law projects collaborate on common activities and dissemination channels	<ul style="list-style-type: none"> <li>Other CL projects begin using the mailing lists, methodologies, and training materials developed by the Center</li> <li>Host contractor coordination meetings</li> </ul>	<ul style="list-style-type: none"> <li>No. of projects using/contributing to participant mailing list</li> <li>No. of coordination meetings held</li> </ul>	2 9	- -	- -		