



UKRAINIAN LEGAL AID FOUNDATION

**2016 – 2017
Report on Activities**

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List of abbreviations

ATO – antiterrorist operation

ALCU – Association of Legal Clinics of Ukraine

FSLA – free secondary legal aid

FLA – free legal aid

CCLAP – Coordination Center for Legal Aid Provision of the Ministry of Justice of Ukraine

UNBA – Ukrainian National Bar Association

NPU – National Police of Ukraine

Standards – Standards for the provision of free secondary legal aid in civil, administrative and criminal proceedings

HRMU – Human Rights Management Unit of the National Police of Ukraine

ULAF – Ukrainian Legal Aid Foundation

Contact card

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ULAF's Mission and Objectives

In 2015 ULAF has fully fulfilled its mission as a basic platform for research, development, and improvement of a state-guaranteed legal aid system in Ukraine. It was exactly in 2015 when the Law of Ukraine "On Free Legal Aid" began to be implemented in full: legal assistance at the expense of the state was provided not only in criminal cases as it was at the beginning (2013), but also in civil and administrative cases (2015).

From 2011 to 2015, ULAF played a leading role in supporting and promoting the development of a free legal aid system, in particular, in the formation of sub-systems of lawyers-trainers, quality managers, network responsible for interacting with the primary legal aid providers (integrators); in the formation of educational content for lawyers and information materials for the general public. ULAF, together with other human rights and donor organizations, initiated the creation of an Open Civic Platform for the Development of the Ukrainian Legal Aid system, an instrument that further proved its effectiveness in defending the mission and values of the FLA team.

2015 became a decisive for reviewing the mission and objectives of ULAF. Taking into consideration the increasing access of people to legal aid at the expense of the state, ULAF's Board decided to strengthen the expert-analytical function and to stop the direct legal aid provision. A new ULAF's mission is the development of systems, networks and initiatives that work to ensure human rights in Ukraine.

In 2016-2017 ULAF focused on supporting such communities and institutions in the justice system as a network of university legal clinics, advocates that do pro bono, prosecutor's offices, National Police, and also had the opportunity to join the formation of a community of community advisers (paralegals). In addition, ULAF has developed a range of its own analytical products: methodology guidelines for legal aid providers and civic activists, as well as information and explanatory materials for specific target audiences on effective tools for the implementation of their rights.

ULAF always represents interests of the society and our strategy to ensure respect for human rights and equal access to justice through the support of various legal aid providers in 2016-2017 has proved to be successful.

Providing access to timely and qualitative free legal aid

ULAF's Board Recommendations for 2016-2017:

1. Strengthen the ULAF's activities as an expert-analytical organization of national scale, in particular, the development of free legal aid, and to desist activities aimed at fulfilling the role of the legal aid provider.
2. To focus the ULAF on the role of a peculiar «arbiter» in the conflict between the FLA system and Ukrainian National Bar Association (UNBA) by creating platforms for strengthening the capacity of communities of lawyers that support the development of free legal aid.

In pursuance of the Board's recommendations ULAF's team focused on collaboration with lawyers who take an active part in the UNBA administration and, at the same time, are providing free legal aid at the expense of the state. This activity in 2016-2017 proceeded in three directions:

1. protection of the right to access medical care;
2. formation of standards for the provision of free secondary legal aid in civil, administrative processes and representation in the criminal process;
3. protection of the rights of military officers and members of their families.

Protecting the right to access to medical care

Human rights in healthcare are among the most violated in Ukraine. According to the ULAF's practical experience, there is a number of common such violations in the health sector. In particular, it includes extortion from patients, low-quality legal services, illegal commercial circulation of budget medicine, non-release of seriously ill persons from serving sentences, failure to provide timely and quality medical care to detainees, opaque work of medical-expert social commissions, and many other violations.

Starting from 2016, ULAF cooperates with Ukrainian National Bar Association to help lawyers specialize in medical law. The experience of conducting regional lawyers' trainings in 2016 showed extremely low awareness of defenders in protecting human rights in medical care and, at the same time, demonstrated the need and demand for this knowledge.

Till 2017 there was no expert legal community, specialized in the field of medical law, whose members could competently protect human rights in healthcare especially in the context of the high risk of violations of the rights of detained and convicted people in the healthcare sector.

During January-July 2017, ULAF, supported by the International Renaissance Foundation, in cooperation with the Ukrainian Foundation of Medical Law and Bioethics, UNBA, and the Office of the Ombudsman, created the first network of interregional community of lawyers who specialized in the field of medical law.



Results

1. A successful model of the specialization in the Bar was created, which is to serve as a tool for professional securing of human rights in a particular field of medical law.
2. The Committee on Medical and Pharmaceutical Law and Bioethics of the National Association of Advocates of Ukraine (hereinafter referred to as the UNBA's Committee) was created.

3. Established procedures and rules for the functioning of the community (requiring formalization – approval by their newly created UNBA's Committee), and, in addition, a procedure for the formation of a specialized community in the Bar was created.
4. A training program has been developed and a multidisciplinary team of expert trainers has been selected.
5. A successful advocacy campaign was launched on the publication of public procurement of drugs and the providing of free provision for vulnerable groups with these drugs.

Impact assessment

The medical specialization of lawyers is a step towards the creation of a trend when only a competent specialist is engaged with the case. Such an innovative approach to legal affairs for Ukraine will reduce the likelihood of violations of human rights, the rights of detained and convicted persons. The understanding by attorneys not only legal grounds but also medical nuances will provide a more qualitative and just solution in every client's case.

The emergence of a specialized community of lawyers in medical matters at the legal services market can help to solve the problem of inappropriate level of legal culture of medical workers. The lack of a clear awareness of their own professional rights and the methods of their protection often makes doctors vulnerable in the system of subordinate relations with the management of their institution of employment and defenseless to the actions of the medical institution aimed at violating patients' rights.

Intensive, but "half-way" implementation of legislation in the field of public health (in general) and penitentiary medicine in particular, causes a large number of gaps in the health sector. In turn, that leads to a situation of legal vacuum and as a result, due to the lack of a clear legal framework, the competitive principle of the competitive process in medical matters is violated, since in such situations the primacy of state interests over the law is often triggered.

At the same time, these difficulties have the opposite positive effect: for the first time in Ukraine, a pool of lawyers-specialists in medical law is trained to work under a law reform and has the ability to eliminate the consequences of the potential crisis of law in the healthcare sector.

The activities were carried out in close cooperation with the Foundation for Medical Law and Bioethics of Ukraine, the Office of the Ombudsman, with the support of the Public Health Initiative of the International Renaissance Foundation.

Formation of free legal aid quality standards

In collaboration of ULAF with the leadership of the Ukrainian National Bar Association and the Coordination Center for Legal Aid Provision in the area of specialization the Bar in the field of medical law, it was possible to find an understanding on a number of issues, in particular, a common vision of the typical problems of ensuring people's right to free legal aid. Thus, the question about the formalization of best practices for the provision of legal assistance by lawyers arose.

Previous work on the establishment of Standards was carried out by the CCLAP in 2016-2017, however, due to the long absence of a dialogue between CCLAP and UNBA, the process of adoption the document into power became more complicated.

Only in the end of 2017, after working with ULAF a compromise was reached between UNBA and CCLAP on the model for assessing the quality of free secondary legal aid in civil, administrative cases and representation in the criminal cases. This allowed us to organize work on the formation of new Standards, which were adopted by the Council of Advocates of Ukraine

(Decree of 21.09.2017 № 219)

and approved by the Ministry of Justice

(Order dated December 21, 2014 No. 4125/5).



Results

1. Interaction at the personal and institutional level was established between the Ukrainian National Bar Association and the Coordination Center for Legal Aid Provision of the Ministry of Justice.
2. Together with UNBA and CCLAP, a Regulation on the commission for assessing the quality, completeness and timeliness of the free legal aid was developed.
3. New Standards for legal aid were developed and adopted in civil, administrative and criminal proceedings.
4. The training for the representatives of the UNBA's Committees on the assessment of the quality, completeness and timeliness of the implementation of the free legal aid established by the regional advocacy councils was conducted (it is important that these lawyers are registered in the state free legal aid register and are authorized by the UNBA for quality assessment).
5. The model of conducting instructive workshops with lawyers in the regions concerning the application of new Quality Standards was worked out.

Impact assessment

In addition to restoring the dialogue in the Bar, this activity has created the basis for a broader work on the development of a model for the assessment of the free legal aid quality. The new Standards established in conjunction with the UNBA enable lawyers to work to improve the methods of interaction with the FSLA centers, the commissions on the quality of regional councils of advocates and the qualification and disciplinary commissions of the Bar.

The new Regulation on the commission for assessing the quality, completeness and timeliness of advocates of the FSLA regulates the work of conducting such an assessment and relieves the established tension, in particular, with regard to the issues of advocate's secrets, the grounds for payment for services rendered. Standards allow to use a unified approach in assessing the quality of providing FSLA, determine the list of documents that the lawyer provides in reporting. This will, if necessary, enable the lawyer to protect himself or herself from any unwarranted allegations, and to obtain high-quality legal assistance for his clients.

One of the duties of a lawyer, due to the Standards, is the filling of a lawyer's dossier in accordance with the above indicative list. Such a requirement facilitates the systematization of all circumstances relevant to the case and, if necessary, may serve as a basis for assessing the quality of the legal aid provided, subject to the consent of the client. The regulations on the quality committee clearly formulate the task, the procedure of the commission and the procedure for its interaction with the FLA centers and lawyers.

Activities in this area were carried out in close cooperation with the CCLAP and UNBA with the support of Human Rights and Justice Initiative of the International Renaissance Foundation.

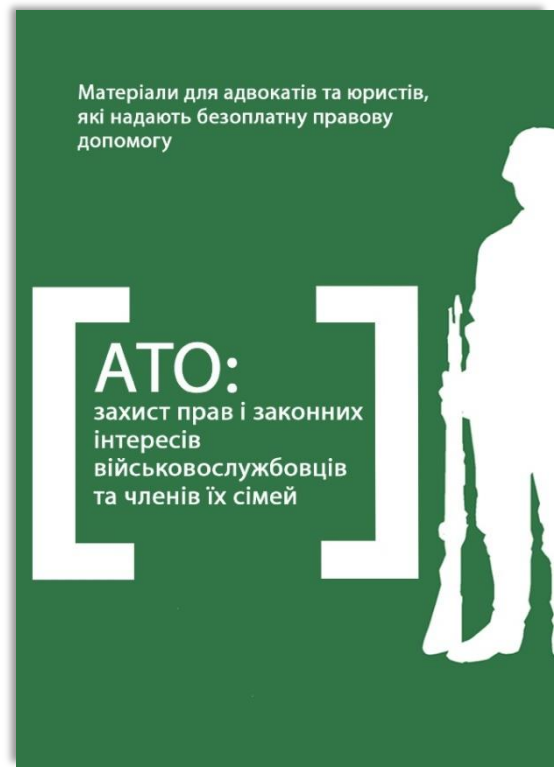
Legal empowerment of soldiers who participate in the ATO

In 2016 ULAF summarized the best practices for providing legal aid to ATO soldiers, which were obtained in cooperation with partner organizations: Union of Veterans of the ATO, the Legal Development Network, the Legal Hundred, the Ukrainian Helsinki Human Rights Union, UNBA, FLA centers, as well as a number of regional NGOs with which ULAF has signed memoranda of cooperation. It is focused on the following issues:

- legal aspects of military affairs during ATO;
- war crimes;
- registration of the status of a participant in hostilities;
- conclusion and termination of military contracts;
- labor and financial rights of the military;
- medical rights;
- land and housing issues of ATO participants;
- other social guarantees.

Results

1. A training program for lawyers has been prepared to explain key issues to ATO participants regarding their rights and opportunities for obtaining free legal aid.
2. The training for the advocates providing free legal aid has been conducted, which has led to the dissemination of best practice in the regions.
3. The materials from regional trainers with specifics of specific issues were collected, and methodology guidelines for lawyers has been created. These materials are available in 4000 copies distributed among FSLA centers and public receptions of partner organizations.



Impact assessment

Legal assistance to ATO participants is a contribution to the struggle for justice and democratic development of Ukraine.

Repeatedly, during the ULAF's thematic events, it was transmitted that public authorities ensure implementation of legislative obligations. Participants of the ATO, in addition to legal issues, in a peaceful life face many other problems of a psychological, medical and social nature. A capable lawyer community and a united network of legal aid providers that have effective skills, special knowledge, are able to work together, prepare information and explanatory materials, are the key to the quality legal aid provision to ATO participants and their family members.

The context of providing legal aid to ATO participants is changing because of objective reasons and indicators. The number of service and human rights organizations that are engaged in support of ATO participants is increasing, the vector of actual requests from ATO participants changes. For example, in 2015 the issues of obtaining the status of a participant in fighting were still relevant, and in 2016-2017 the issues of realization of privileges, psychological assistance and medical rehabilitation of soldiers became urgent. As for 2018 successful practices have been received for almost every type of case.

The overall need for qualified legal assistance, the development of unified approaches, and effective redirect mechanisms between primary and secondary legal aid remain. ULAF best practices for the use of lawyers and advocates have, of course, become useful for the military themselves.

Activities in this area were carried out in close cooperation with the ATO Veterans Association, the Legal Development Network, the Legal Hundred, Ukrainian Helsinki Human Rights Union, UNBA, FLA Centers, as well as a number of regional NGOs with the support of the Human Rights and Justice Initiative of the International Renaissance Foundation.

Providing effective tools for the protection of human rights in the activities of the National Police of Ukraine

With the adoption of the Law of Ukraine "On National Police" in 2015, new challenges related to the observance of human rights and freedoms appeared.

According to the results of the polls and focus groups conducted by ULAF, the majority of respondents perceive the National Police as a body designed to ensure respect for human rights and freedoms. While Ukrainian and international experience (for example, the practice of the European Court of Human Rights) reveals contradictory facts: human rights are most often violated by the police.

Recognizing the need for reform, the National Police's leadership in 2016 establishes a Human Rights Management Unit (HRMU), a new body in the central unit designed to promote the democratization and humanization of the standards of police work in carrying out its tasks. ULAF, as a holder of positive experience and best practices in defense, accumulated in cooperation with lawyers, is involved in the analytical and practical support of the HRMU.

Cooperating with the HRMU ULAF implements the following initiatives in the activities of the National Police:

1. informing people about their rights through the delivery of information leaflets;
2. implementation of the system of electronic information about rights by creating electronic access points (information terminals) for visitors of district departments;
3. introduction of Custody records system in the activities of police temporary detention centers to strengthen the protection of detainees from improper treatment.

Informing people about their rights through the delivery of information leaflets

One of the problems common to the Ukrainian legal reality, which, due to the reform of the National Police, is a chance to solve, is effective informing witnesses, victims and detainees about their rights directly by the police themselves.

If in 2013-2015 ULAF's attempts to place information materials on rights in the police departments were faced with complete rejection by the heads of the Ministry of Internal Affairs, then from 2016 the leadership of the National Police is in charge of the development and implementation of such leaflets.

Changing the practice of enforcement is complex and long-term, because at each stage it needs to be agreed with a number of departments. But such a process should be taken not as a delay, but rather as a check on all levels in order to avoid a variety of problems when the police perform their duties and tasks.

ULAF's purpose is not to complicate the task of the police, but, on the contrary, offer them a convenient tool that will be understood by the person with whom they are in contact. The practice of proper information should be included in the existing algorithms for communicating with the police with people and ensured by all regulations (the order to implement the information procedure should also be adopted by the Ministry of Justice).

Results

1. An expert group for the preparation the content of leaflets has been formed. The group included representatives of the National Police of Ukraine, the Office of the Ombudsman, representatives of the Bar (including FSLA), NGOs and donor organizations.
2. The team of sociologists has been formed, which tested the leaflets on the relevance of target audiences during focus group discussions.
3. A working group of National Police representatives, lawyers, and ULAF members was formed to prepare normative documents for the distribution of police leaflets. The same group has developed tools for monitoring the pilot of the distribution of leaflets.
4. According to the results of the study on target groups, ULAF has organized the translation of the texts of leaflets to 11 foreign languages.
5. A pilot experiment was conducted in which policemen from Kyiv and Kharkiv regions issued leaflets on the rights of detainees, witnesses and victims when contacting these people.

The monitoring of the pilot experiment demonstrated the usefulness of informing people about their rights. On this basis the leadership of the National Police committed to implement the practice of distribution of leaflets throughout the territory of Ukraine. The regulatory base is currently being coordinated with all departments of the National Police.







Impact assessment

Providing police with the right to information, in particular, to knowledge of rights, changes not only the practice of law enforcement, but also increases the trust of people in the law enforcement system, brings us closer to understanding the values of human rights.

Working on the idea of introducing law enforcement rights in the police ULAF had to reconsider the public-sector approaches to disseminating best practices to 'plunge' into a bureaucratic police system that required approvals, visits, reviews at every stage. Such a difficult path, in the first place, means the inability to pass accidental products and, at the same time, the viability and usefulness of successful initiatives.

ULAF managed to rally in the bodies of the National Police a group of like-minded people working on the idea of introducing a procedure for informing about rights. This activity, in addition to endurance, requires concerted action and continuous improvement, work on errors, verification, monitoring and legislative activities.

The final versions of the text of the leaflets have undergone several stages of editing and approval by all responsible police departments. ULAF expects that the police order on disseminating leaflets will be signed in 2018.

<p>PLEASE NOTE:</p> <ul style="list-style-type: none"> ▶ A person is considered as detained not from the moment of compiling the protocol of detention, but from the moment when (s)he, by force or complying with an order, was forced to remain next to an authorized officer (or in the premises determined by the law enforcement officer) ▶ the detained person shall be handled same as a person who is not guilty ▶ your refusal from a lawyer will not help to accelerate your release. Refusal from a lawyer provided at the expense of the state may be possible only in his/her presence ▶ You have the right to consult with your lawyer at any time 	 <p>Name and position of a police officer (check against his identify card)</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>  <p>YOUR FEEDBACK IS IMPORTANT http://ulaf.org.ua/np/</p> <div style="display: flex; justify-content: space-around; align-items: center;">     </div> <p>With support from the U.S. State Department</p> <p>2</p>	<p>WHAT YOU SHOULD KNOW IF YOU HAVE BEEN DETAINED</p> <ul style="list-style-type: none"> • You are entitled to have a lawyer at the state's expense not later than 2 hours after being detained (for the entire term of your detention) • To identify yourself you may inform the police officer about your last name, first name, patronymic and date of birth • You have the right to refuse to talk to a police officer before you talk to a lawyer (not to testify, not to reply to questions), right not to sign any documents • Provide last name, first name, address or phone number of a family member, close relative or another person (upon your choice) who must be immediately informed about you being detained • You have the right to be immediately informed, in the language known to you, of the grounds for being detained (what is the crime in which you are suspected) • You don't have to prove your innocence • You have the right to inform a consular mission about your detention if you are a citizen of another country. Please tell the police a phone number of the consular mission (if known to you)
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Activities on the development and distribution of leaflets for witnesses, victims and detainees are carried out with the support of the Human Rights and Justice Initiative of the International Renaissance Foundation and the US Embassy's Law Enforcement Department.

Creating electronic access points for visitors of police district departments

Printed leaflets are intended for detainees, witnesses and victims only. The holistic system of receiving police feedback from citizens does not function at the moment, which complicates the match of police efforts with the needs and expectations of people.

That is why ULAF at the end of 2017 began preparations for piloting the information system on rights in the activities of the National Police of Ukraine by introducing electronic access points for the visitors of the district departments.

With the new service, visitors of district departments will be able to receive information on the status of their case / appeal, the timing of consideration, the hours of reception of the person responsible for their case / appeal to the investigator, will be able to provide feedback, record their stay in the department, and will be able to receive information about rights in accessible and understandable form.

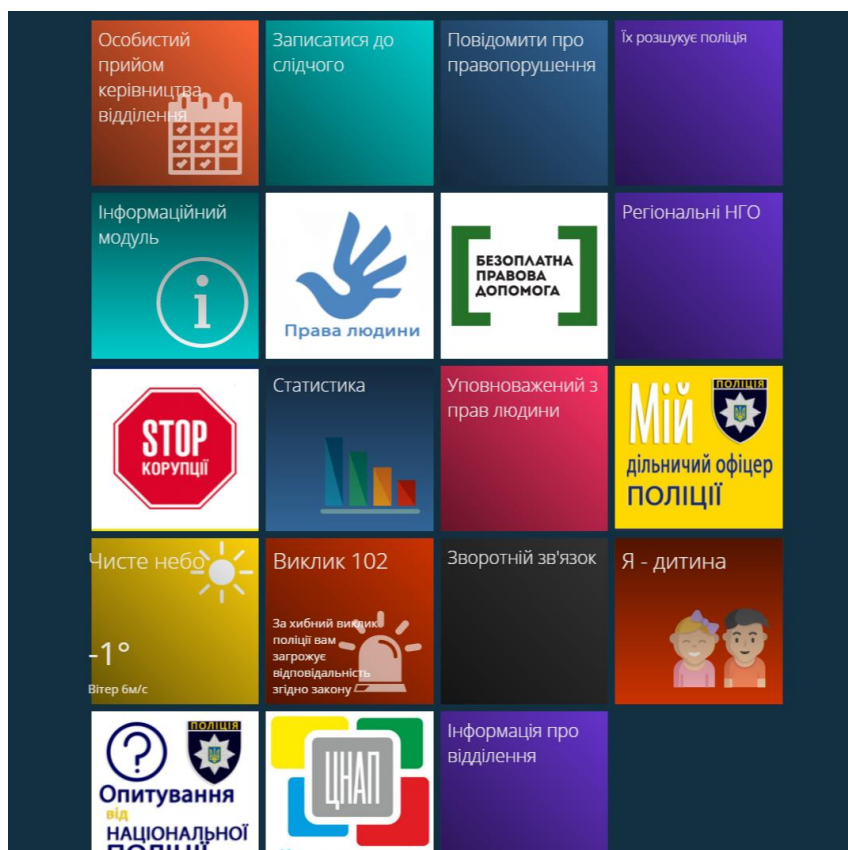
Results

1. An expert group on the preparation of electronic terminals content has been formed. The group included representatives of the National Police of Ukraine and ULAF.
2. A team of sociologists was formed that summarized the expectations of potential target audiences during focus group discussions.
3. National Police and ULAF are preparing regulatory documents for the implementation of the pilot experiment.
4. Software for information terminal was developed.
5. Information terminals was made and the developed software was installed.

Impact assessment

The process of providing information and services at the police station is configured in such a way that part of the work can indeed be automated without loss of quality.

The electronic access point to information allows not only to read information about rights, but also to take advantage of the right (for example, for detainees – to inform



the free legal aid center, for witnesses – to send an appeal to the Human Rights Management Unit of the National Police or to the National Preventive Mechanism of the Ombudsman; for victims – to contact with service psychological services, to give feedback; for the applicant – to provide information on the status of treatment, the timing of consideration, the hours of admission of the investigator and the opportunity to apply for admission to the investigator,

etc.).

Electronic media will allow to quickly update outdated information, introduce a new one, eliminate direct contact with representatives of law enforcement agencies, which in turn is one of the tools of combating corruption.

Activities on the establishment of information terminals in the police departments are carried out with the support of the Human Rights and Justice Initiative of the International Renaissance Foundation and the US Embassy's Law Enforcement Department.

Implementation the Custody records system in the activity of police detention centers

European Committee for the Prevention of Torture (CPT) states in its Standards that the fundamental safeguards granted to persons in police custody would be reinforced (and the work of police officers quite possibly facilitated) if a single and comprehensive custody record were to exist for each person detained, on which would be recorded all aspects of



his custody and action taken regarding them. In order to implement international standards in the activities of law enforcement bodies, ULAF, in close cooperation with the Expert Center for Human Rights, the National Police and International Renaissance Foundation are implementing a system for the electronic recording of all actions against detainees.

Results

1. The electronic Custody records system is developed, which is the result of a thorough analysis of the foreign experience of the operation of a similar system in Britain, adapted to Ukrainian realities.
2. A training program for human rights inspectors, which will work directly in detention centers with the Custody Records system, has been developed and tested.
3. Selected candidates for positions of human rights inspectors.
4. Pilot detention centers equipped.
5. Selected locations for the implementation of the Custody Records system of the cities of Dnipro, Kherson, Kropyvnytsky and Sarny.
6. Preparation for pilot monitoring has begun.

Impact assessment

Ensuring protection of detained persons from possible cases of inappropriate behavior and violation of rights by police officers is a sign of the existence of justice and respect for human rights in the National Police of Ukraine.

The introduction of a Custody Records system means changing the approach of keeping a person in isolation. The installation of Custody Records involves rebuilding detention centers, equipment, selecting and training staff (human rights inspectors), monitoring and responding to human rights violations.

Any action that violates the rights of the detained person is recorded and used to prove the existence or absence of an offense. The lack of necessary evidence of a possible violation of rights created a situation where detained persons and police officers could be accused of violating the rights of detainees.

In the long run, the implementation of an electronic Custody Records system in all, without exception, temporary detention centers of the National Police will lead to a significant increase in guarantees for the protection of detained persons from ill-treatment by government officials.

The Custody Records implementation initiative is being implemented in cooperation with the Expert Center for Human Rights and the Human Rights and Justice Initiative of the International Renaissance Foundation.

Creation of effective practices for the protection of human rights in cooperation with prosecutor's offices

At the end of 2017 ULAF for the first time in its history began to cooperate with the Prosecutor's.

The reason for this was the urgent issues of not ensuring the right of people to quality medical care (somewhere in places of detention, sometimes during conflicts in health care institutions, or in defense of the dignity of deceased relatives before representatives of the authorities), which were collected by lawyers – participants in the first specialized medical law course.

In December 2017, with the support of the International Renaissance Foundation, in cooperation with the partners – the Committee on Medical and Pharmaceutical Law and Bioethics of the Ukrainian National Bar Association, the Foundation for Medical Law and Bioethics of Ukraine, ULAF conducted a training for the prosecutors from all regions of Ukraine. The training was called "Human rights in the field of health protection: problems of law enforcement".

The training was attended by representatives the Office for the supervision of observance of laws in the execution of judicial



decisions in criminal proceedings and other coercive measures in places of detention and the Main Investigation Department of the General Prosecutor's Office.

Based on the results of the training, the prosecutors summed up the problem points they face in the regions, for instance:

1. gaps in the legal regulation of the protection of prisoners' rights to health care and their medical provision;
2. practice of detection and investigation of criminal offenses in the detention centers; the need to develop an algorithm of actions on these issues;
3. judicial practice on the dismissal of persons for illness, the list of diseases for dismissal on these grounds;
4. organization of palliative care, treatment of infectious-ill prisoners (tuberculosis, viral hepatitis, AIDS, etc.), medical care for people with disabilities;
5. humane treatment, treatment of drug addicts, legislative changes in their detection and compulsory medical examination in penitentiary institutions, the procedure for such actions;
6. problems of quality control of medical care both in the institutions of the Ministry of Health, as well as in the departmental hospitals of the State Committee for Internal Affairs;
7. ways to improve the activities of state and law enforcement agencies in the medical sphere with regard to mentally ill persons.

Impact assessment

Since its foundation in 2011, ULAF has been developing a system of the guaranteed by the state legal aid. During the six years of cooperation with lawyers ULAF has collected successful practices in providing legal assistance. ULAF has repeatedly included representatives of the judiciary and the Prosecutor's Office in their activities. Despite the difference in approaches, both parties (lawyers and prosecutors) always declare their impartiality and interest in the administration of justice.

ULAF's appeal to direct cooperation with the Prosecutor's Office through the accumulation of experience of violations of human rights in the field of medical law has opened an interesting fact about the differences in the treatment of facts by lawyers and prosecutors.

According to the results of the survey, it turned out that the majority lacked elementary knowledge in the specialty of medical law, from which specialized training courses, such as proposed by ULAF, are necessary in the modern Ukrainian legal reality. Otherwise, the quality of the process itself is in jeopardy.

During training and in their feedback forms, prosecutors openly point out the need for methodological recommendations on the algorithms for investigating criminal offenses in health care institutions and in medical affairs. Such knowledge can not be obtained during single events, but a systematic approach is needed here.

With the creation of a pool of professional prosecutors in a separate area of law, we might think over time about organizing joint training for lawyers and prosecutors.

Thus, ULAF's task for the next period is to create and test a model of system training for prosecutors in order to ensure the right to timely and quality medical assistance and piloting this model for the dissemination of best practices in the regions.

The activities were carried out in close cooperation with the Foundation for Medical Law and Bioethics of Ukraine, the Office of the Ombudsman, supported by the Public Health Initiative of the International Renaissance Foundation.

Promoting the development of legal aid providers

ULAF's Board Recommendations for 2016-2017:

1. Focus the organization's efforts on the further development (at the community level) of primary legal aid providers, such as university legal clinics, lawyers who do pro bono, paralegals and others with a view to their further integration with the free legal aid system.

In pursuance of the Board's recommendation, ULAF focused on supporting the institutional development of the network of legal clinics and their Association (ULCA), the development of the Street Law program, the dissemination of Pro Bono culture among the Bar and Law Firms, and the development of the community advisers (paralegals).

Facilitating the development of practically oriented legal education

The community of legal clinics for a long time remains to the side of the all-Ukrainian processes of the development of free legal aid (both state and NGO).

The members of the community, represented by the Association of Legal Clinics of Ukraine (ALCU), are aware of the need to intensify their activities as a network (many young people join and even lead them). The problem remains that the university administration do not always contribute to the development of proper conditions for the operation of legal clinics, and, therefore, the work of most clinics is supported exclusively by the enthusiasm of their participants



Legal clinics need support, first of all, normative. Despite the approved Regulation of the Ministry of education "On legal clinics" (from the Order of the Ministry of Education and Science of 3 August 2006 No. 956/12830), a number of normative acts need to be brought into line with it, which, together with different university policies, affects the absence of de facto uniform standards and conditions for the operation of legal clinics.

In 2014, ALCU, with the support of the International Renaissance Foundation, ULAF and the OSCE, adopt their own Standards, which offer legal clinics and universities the best practices of practically oriented legal education.

During 2016-2017 ULAF helped to establish cooperation between ALCU and the Ministry of Education, which was embodied in the draft of a new regulation "On the Law Clinics of a Higher Educational Institution". This document was signed by the Minister of Education at the end of 2017, but then was not passed by the Legal Department of the Ministry of justice on the issue of non-compliance with the Law of Ukraine "On Higher Education".

ULAF continues advocacy support of ALCU and, at the same time, plans to support ALCU in strengthening its role in coordinating the network of clinics and presenting their interests to other actors.

Results

1. Together with the Ministry of Education and Science and ALCU ULAF has developed proposals for amendments to the regulation "On Legal Clinic".
2. The instruments for monitoring the activities of the legal clinic are developed and tested in accordance with the ALCU Standards.
3. Communication has been established with the Ministry of Justice, which sees ALCU as a capable organization for raising the level of practically oriented legal education.
4. Collaboration with the National Police with regard to the Street Law practice.

Impact assessment



The inclusion of ALCU in the agenda for the all-Ukrainian processes of the development of free legal aid is the task to which legal clinics approached in a coordinated work with all partners. In addition to the public products described above, the creation of new legal clinics and the acceptance of 16 new members to ALCU in 2017 is a bright fact of successful activity.

Understanding the internal and external risks of not adopting a new regulations by the Ministry of education ULAF paid particular attention to the internal ALCU's document, which establishes rules of work and institutionalises a network of clinics: provides recommendations on the operational activities of each individual clinic – the ALCU Standards.

In May 2017, tools for monitoring the compliance of the legal clinic with the ALCU Standards were created. Since monitoring and evaluation issues are sensitive to many managers, and in the case of legal clinics, they also relate to the activities of universities, ALCU and ULAF decided to conduct pilot monitoring of the effectiveness of the monitoring tools. On the example of the "Ad Astra Legal Clinic" of the Lutsk National University, the use of monitoring tools was tested and recommendations were given to the university administration to ensure the quality of a practically oriented educational process in the legal clinic. This activity created the basis for the popularization of ALCU among universities, as the Association cares for the activities of its members, as well as pilot monitoring has demonstrated to the legal clinic the space for self-improvement on its own, without attracting additional resources.

Thus, by 2018, a base has been created to monitor the compliance of the legal clinics with the ALCU Standards and to provide guidance to universities on the support of their legal clinics as successful instruments for practically oriented legal education.

Activities in this area are carried out in close cooperation with the Association of Legal Clinics of Ukraine with the support of the International Renaissance Foundation.

Practically oriented law studies - Street Law

Street Law is a form of student training in using their knowledge of jurisprudence in practice. The idea of introducing such a format came from the understanding that the school curriculum involves the study of a dry theory of law, while children can often face situations when they must know and use their rights.

In the Street Law format, children analyze life situations in order to determine whose actions in this case were unlawful, how to deal with a problem in a legal way. Different situations are taken into consideration, for example, detention on the street for committing an administrative offense, refusal of the store to accept low-quality goods, staging a litigation, how to behave if you were invited to the police as a witness. Usually, in the beginning of the lesson the theory is presented, then – practice in the format of the role-playing game.

To implement this initiative ULAF invited to participate National Police and the Association of Legal Clinics of Ukraine.



Results

A series of Street Law classes in Kyiv was held with the participation of law students from the National Academy of Internal Affairs and representatives of National Police.

Impact assessment

Format of Street Law classes is interesting for children because of the involvement of police officers who teach and explain the situation. Such cooperation promotes dialogue between the citizens and the police in the future.

Advocacy of the right to access to free legal aid

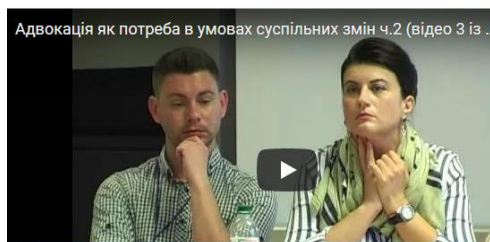
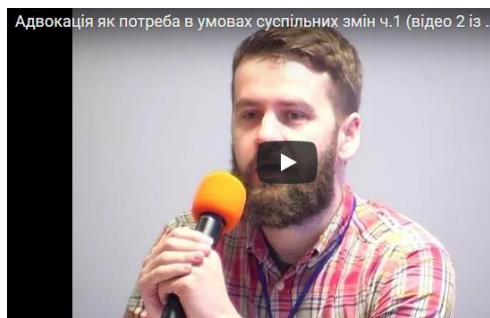
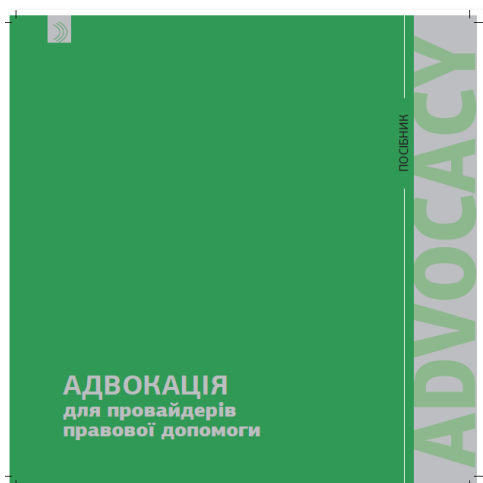
Advocacy campaigns are aimed at systemic change of the reality in the country. When it comes to advocating the right to access free legal aid we are referring to gaps in legislation on the FLA provision to certain groups in society. ULAF has begun activities aimed at creating a platform for the exchange of experience in the field of advocacy for NGOs which provide free legal aid. After all, it is FLA providers who, through repeated requests to them in the regions, can identify systemic problems with the right to access to FLA that occur in communities.

In particular, work on educational materials and the creation of an online platform for networking of FLA providers in advocacy activities was caused by the emergence of a large number of new systemic problems in the legal field that were conditioned by dynamic changes in the socio-political life of the country: the emergence of the so-called "gray zones" (separate territories of Donetsk and Luhansk regions), problems caused by war in the East of Ukraine, the emergence of a large number of internally displaced persons.

It was through advocacy tools that were used by FLA providers in a timely manner, which influenced the adoption of indicative court decisions and the removal of systemic barriers in the legislation, to a large extent a number of problems were transposed into the legal framework.

Results

1. Cooperation between legal aid providers and service organizations in the regions on advocacy issues has been established.
2. A course for legal aid providers is distributed: video course and practical guide



Activities in this area are carried out in close cooperation and with the support of Human Rights and Justice Initiative of the International Renaissance Foundation.

Legal empowerment of local communities

Research on community legal needs and responses to identified systemic issues. Collaboration in the preparation of community-based free legal aid programs

In close cooperation with the state FLA system ULAF was involved in the analysis of developed FLA programs in the regions. Communities have a powerful source of impact on legal issues – targeted programs for providing free legal aid or legal education to the public (hereafter – "program") for community-relevant issues.

Following the results of the analysis of program acceptance statistics in the regions and analysis of the quality of the prepared programs, it became clear several points:

- The presumption that FLA providers can clearly identify the community's legal problems is false in a large number of cases;
- Community initiative groups do not know how to properly use the FLA program tool;
- Key stakeholders of the community do not often cooperate (NGOs and state FLA providers, local government officials).

To strengthen the community's ability to respond to identified legal problems, ULAF joined the idea of the CCLAP and the Human Rights and Justice Initiative of the International Renaissance Foundation on the development of practical guidelines for building coalitions in communities that prepare FLA programs.

Results

1. Methodology guidelines for preparation of the FLA programs, which included a model program, were prepared.
2. A guidelines are now being preparing for community initiative groups on how to research community-based legal needs.

After the release of methodology guidelines for program preparation, which also contained recommendations for establishing cooperation between FLA providers and local authorities in communities, the quality of preparation of FLA programs was substantially strengthened.

At the same time, the initiative group is continuing to expand the practice of studying the legal needs of communities in order to ensure that the programs are directed to address the issues that are most relevant to the community from the perspective of its inhabitants.



We thank the partners from the Coordination Center for Legal Aid Provision and the Human Rights and Justice Initiative of the International Renaissance Foundation for the opportunity to participate in these activities.

Development of the Institute of Community Advisers – Paralegals

The idea of training and networking of community advisers came from an understanding of the limited access to legal aid in small and territorially remote from the regional community centers. The implementation of this idea was initiated by the Human Rights and Justice Initiative of the International Renaissance Foundation, in cooperation with the Legal Development Network, ULAF and the representatives of the FLA system.

Community advisers are local activists who community members can ask for help because they trust them. All these people are united by the fact that they are active in the community and want to change something in it.

Taking into account that the largest number of lawyers, attorneys, and legal institutes are most often concentrated in large cities, the activities of community advisers should bring primary legal and social services closer to residents of remote and small settlements.

The task of the paralegal (community adviser) is to understand what is the problem of a person, how can one help her (provide legal, informational or social assistance), and what to do next. One of their key functions is service brokerage in the community, so community advisers need to be very well navigated both in the range of services offered by the community and in the life of their community – which are the key issues that trouble its inhabitants.

It is too early to assess the impact of this initiative, since at this stage only the formation of a network of community advisers is taking place. However, short-term achievements can not be ignored: selection procedures and experimental training program for community advisers were formed; the first group (22 people) was trained and the next group is expected to be prepared.

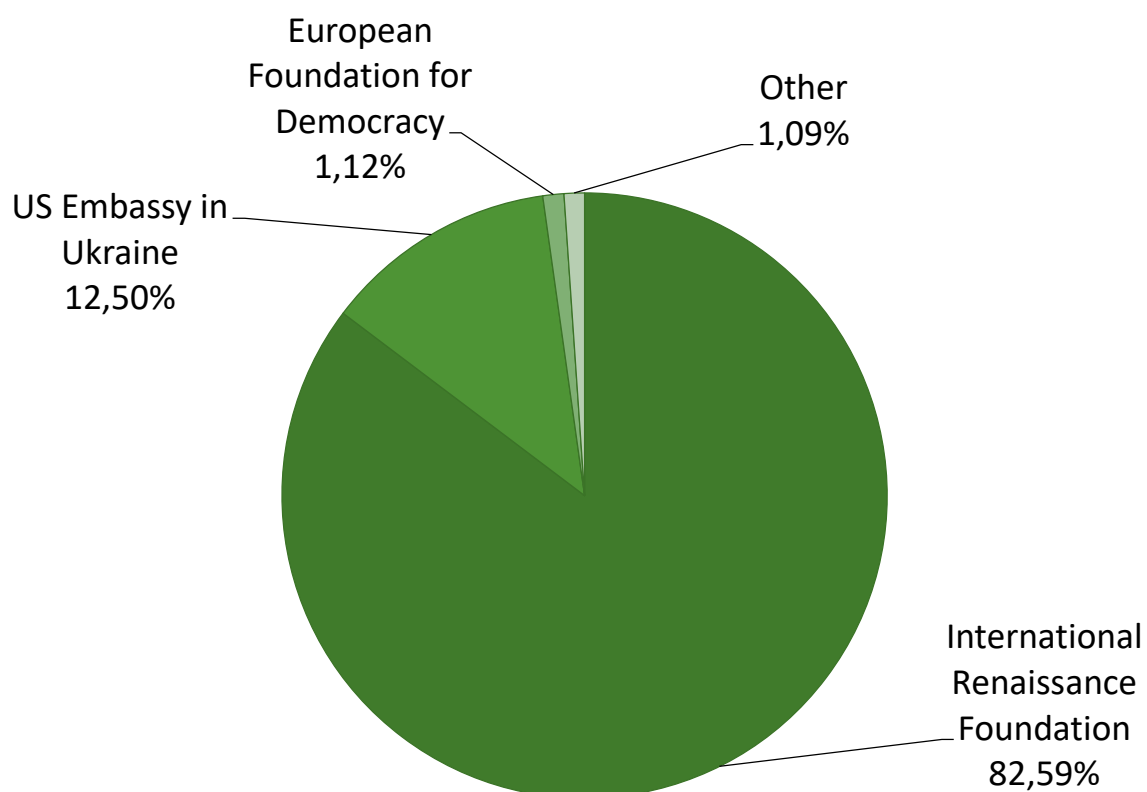
We thank colleagues from the Human Rights and Justice Initiative of the International Renaissance Foundation for the opportunity to participate in these activities and partners from the Legal Development Network and the Coordination Center for Legal Aid Provision for close cooperation within the framework of the development of the Institute of Community Advisers.

Financial report 2016-2017

Income in 2016

No	Source of income	Sum, UAH
1	International Renaissance Foundation	4 312 748,00
2	US Embassy in Ukraine	631 881,34
3	European Foundation for Democracy	56 824,34
4	Passive Income	6 457,25
5	Revolving financial assistance	48 500,00
Total		5 056 410,93

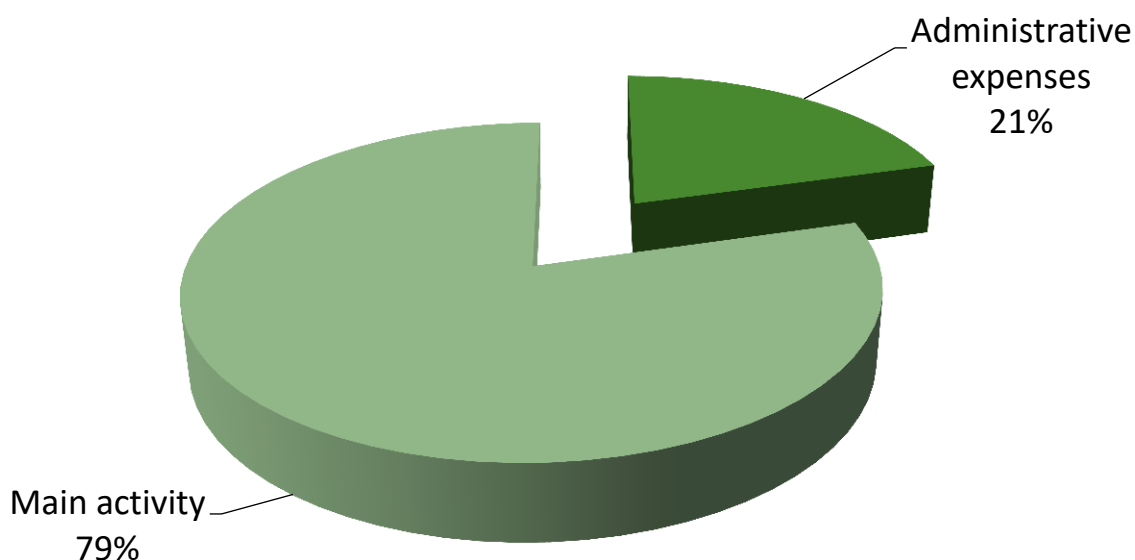
Income structure in 2016



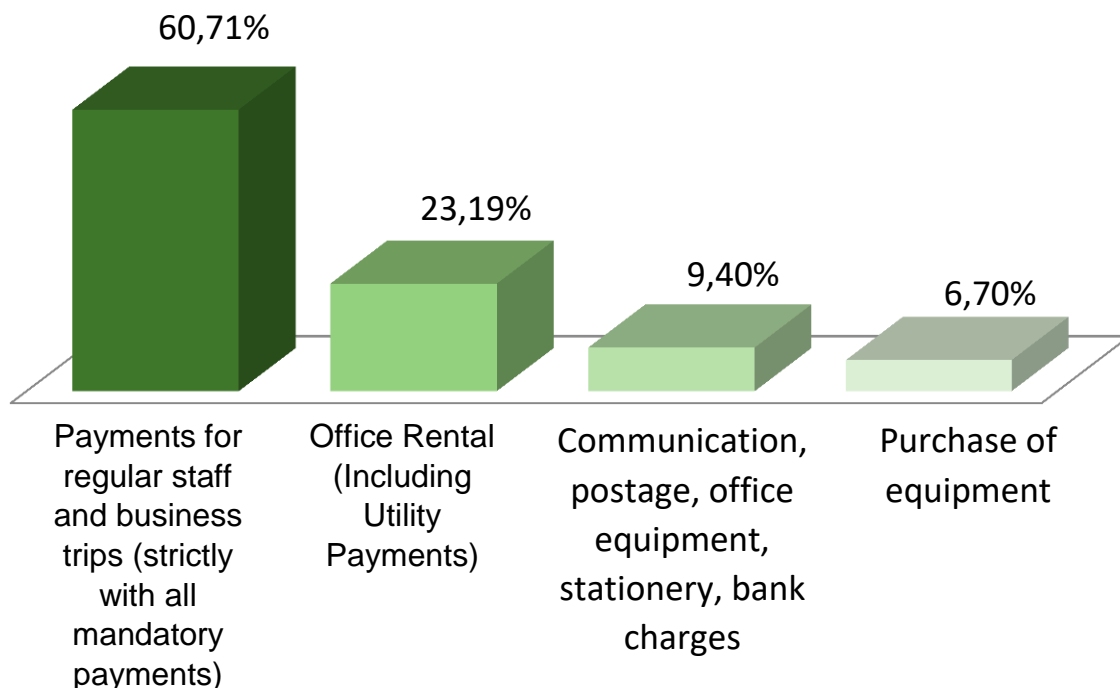
Use of funds in 2016

№	Cost	Sum, UAH
1	Administrative expenses	646 136,53
1.1	Payments for regular staff and business trips (strictly with all mandatory payments)	392 266,20
1.2	Office Rental (Including Utility Payments)	149 839,20
1.3	Communication, postage, office equipment, stationery, bank charges	60 723,13
1.4	Purchase of equipment	43 308,00
2	Main activity	2 488 712,82
2.1	Purchase of equipment and software development for transfer to beneficiaries	45 246,00
2.2	Preparation and publication of publications	379 572,98
2.3	Educational activities	754 141,21
2.4	Communicative measures	279 051,65
2.5	Expert fees and specialist fees	975 500,98
2.6	Support of other organizations	55 200,00
Total		3 134 849,35

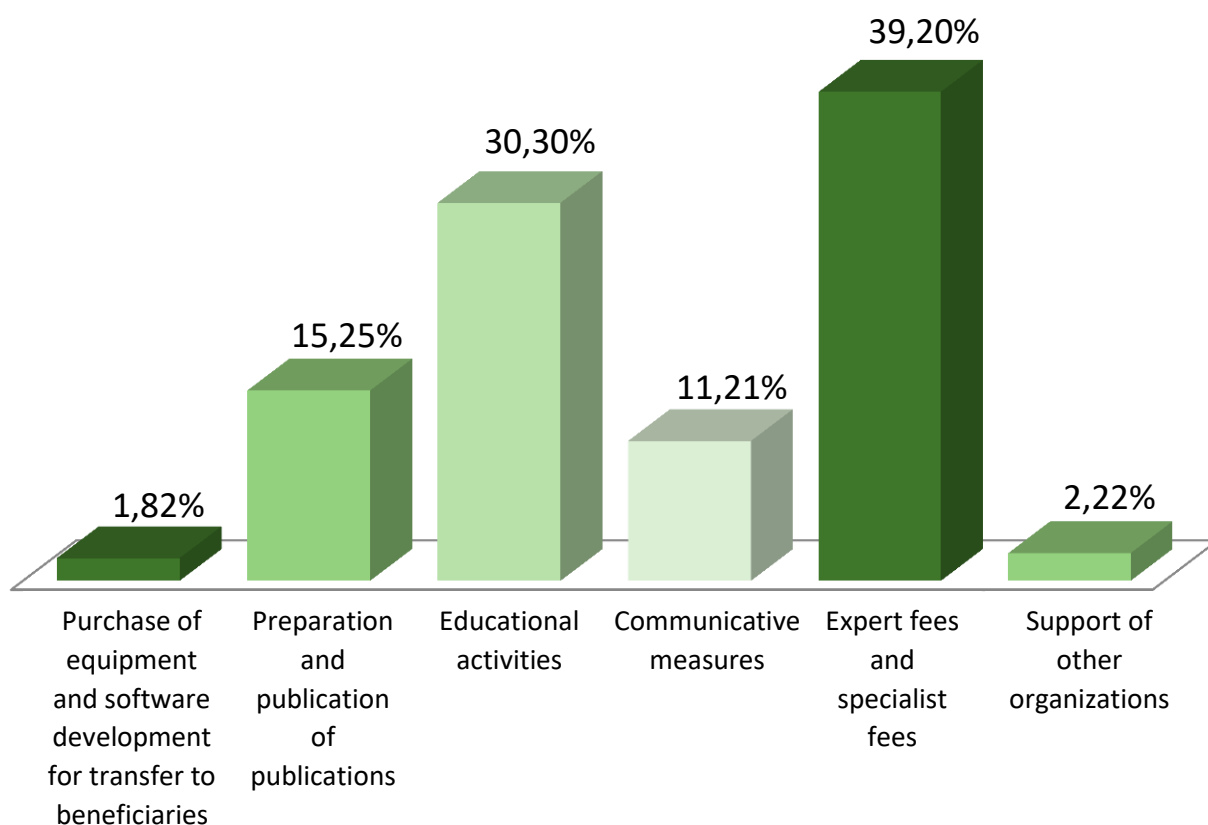
Structure of the expenses in 2016



Structure of the administrative expenses in 2016



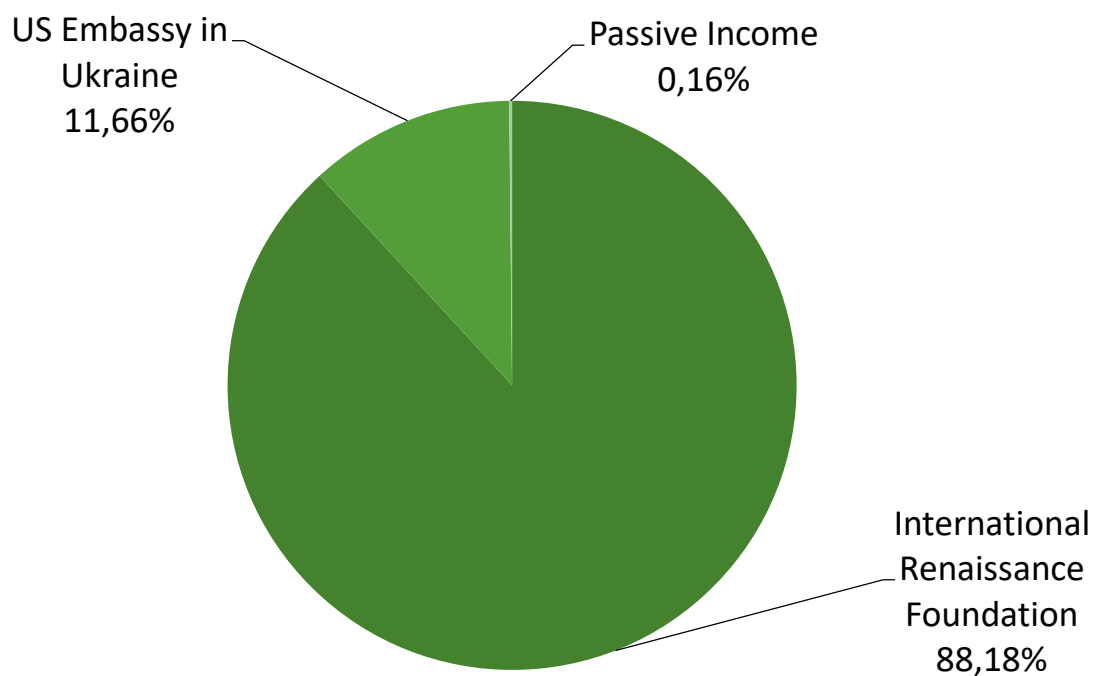
Structure of the main activity expenses in 2016



Income in 2017

No	Source of income	Sum, UAH
1	International Renaissance Foundation	3 849 136,00
2	US Embassy in Ukraine	509 000,00
3	Passive Income	7 098,00
Total		4 365 234,00

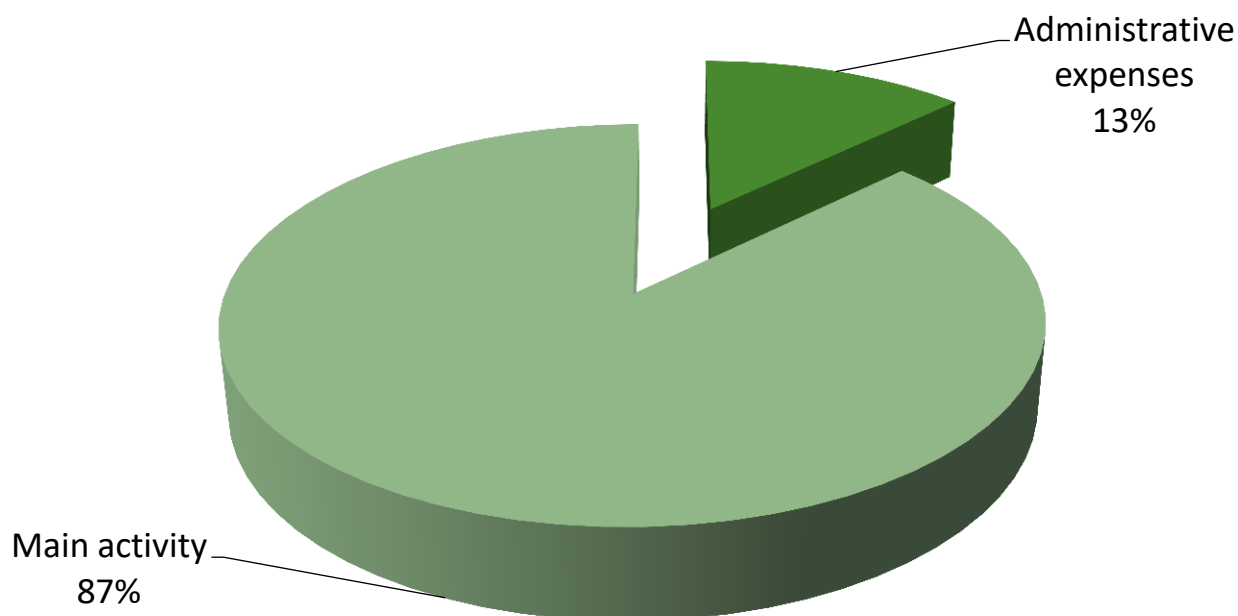
Income structure in 2017



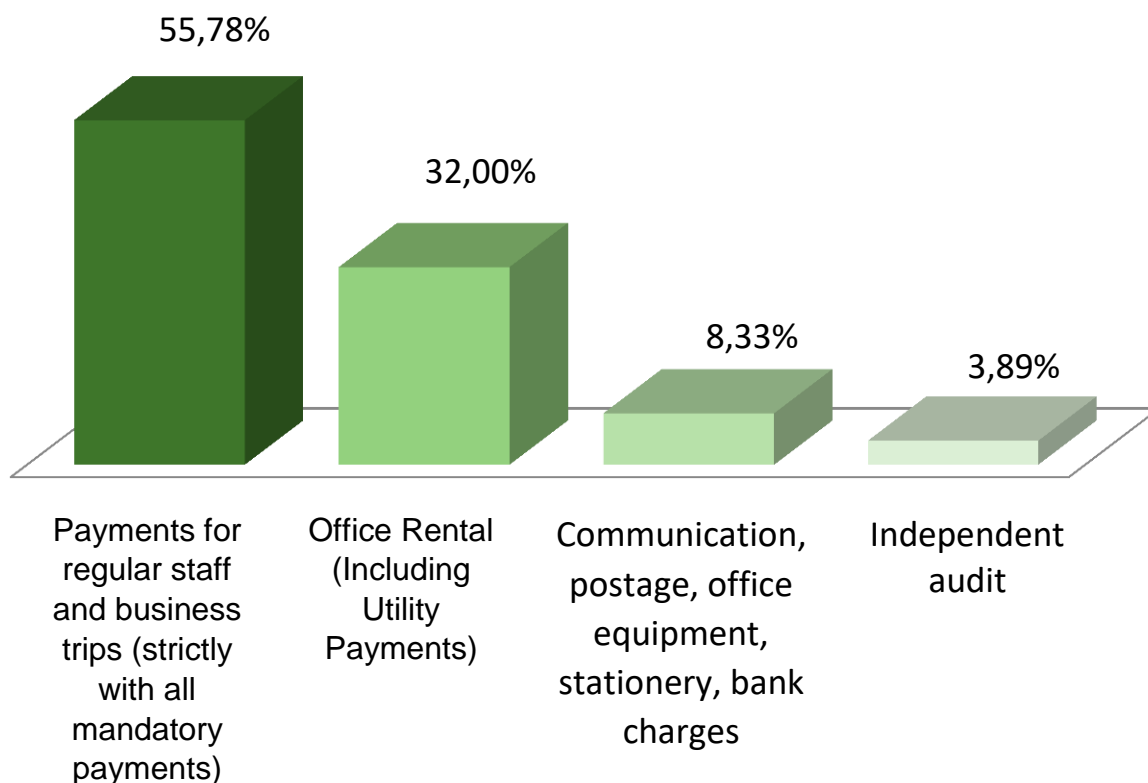
Use of funds in 2017

No	Cost	Sum, UAH
1	Administrative expenses	547 945,58
1.1	Payments for regular staff and business trips (strictly with all mandatory payments)	305 643,57
1.2	Office Rental (Including Utility Payments)	175 334,44
1.3	Communication, postage, office equipment, stationery, bank charges	45 667,57
1.4	Independent audit	21 300,00
2	Main activity	3 738 869,73
2.1	Purchase of equipment and software development for transfer to beneficiaries	887 931,50
2.2	Preparation and publication of publications	654 119,92
2.3	Educational activities	556 206,91
2.4	Communicative measures	518 414,65
2.5	Expert fees and specialist fees	1 122 196,75
Total		4 286 815,31

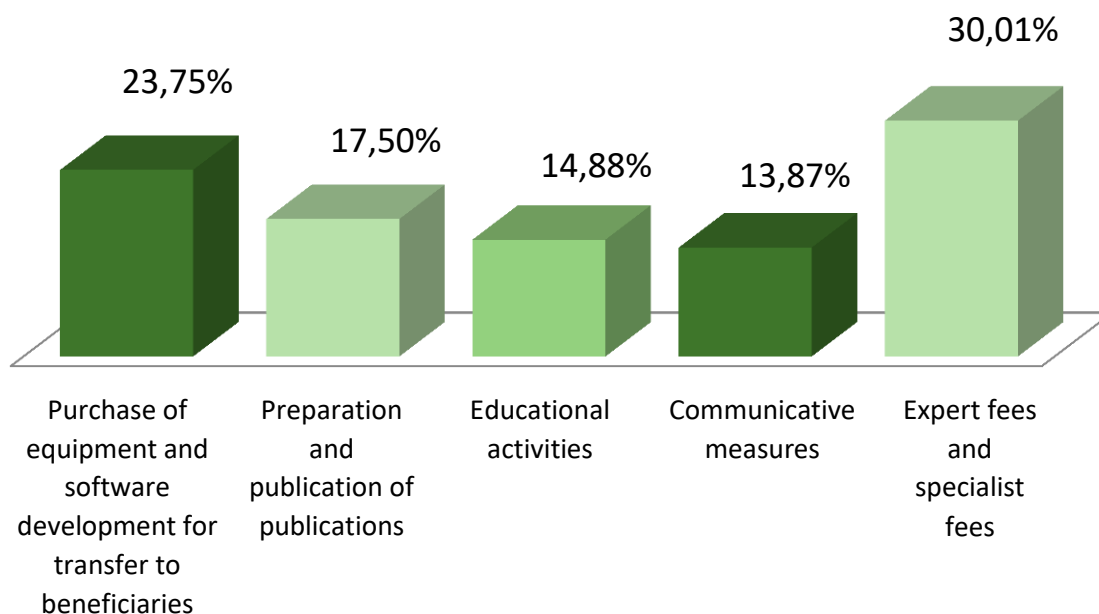
Structure of the expenses in 2017



Structure of the administrative expenses in 2017



Structure of the main activity expenses in 2017



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№ 2614 as of 18.05.01

firm of auditors
Marinchenko & Partners



INDEPENDENT AUDITOR'S REPORT

To members of Supervisory Board
To members of Supervisory Board
To the Director of
Ukrainian Legal Aid Foundation
Mr. Mikola Sioma

We have audited the accompanying statements of cash receipts and disbursements of Ukrainian Legal Aid Foundation for 2016 and 2017 and a summary of significant accounting policies and other explanatory information (together "the financial statement"). The financial statement has been prepared by management using the cash receipts and disbursements basis of accounting described in Note 2.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation of these financial reports in accordance with the cash receipts and disbursements basis of accounting described in Note 2; this includes determining that the cash receipts and disbursements basis of accounting is an acceptable basis for the preparation of the financial statement in the circumstances, and for such internal control as management determines is necessary to enable the preparation of the financial statement that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with International Standards on Auditing issued by IAASB. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

**Opinion**

In our opinion, the financial statement presents fairly, in all material respects, the cash receipts and disbursements of Ukrainian Legal Aid Foundation for 2016 and 2017 in accordance with the cash receipts and disbursements basis of accounting described in Note 2.

Basis of Accounting and Restriction on Distribution and Use

Without modifying our opinion, we draw attention to Note 2 to the financial statement, which describes the basis of accounting. The financial statement is prepared concerning cash receipts and disbursements. As a result, the statement may not be suitable for another purpose.

**Director**

Alexander Marinchenko
Auditor's Certificate 819 dated 29.02.1996

30 of January, 2018

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Асоціація
юридичних клінік
України



УКРАЇНСЬКА ГЕЛЬСІНСЬКА
СПІЛКА З ПРАВ ЛЮДИНИ

Асоціація
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