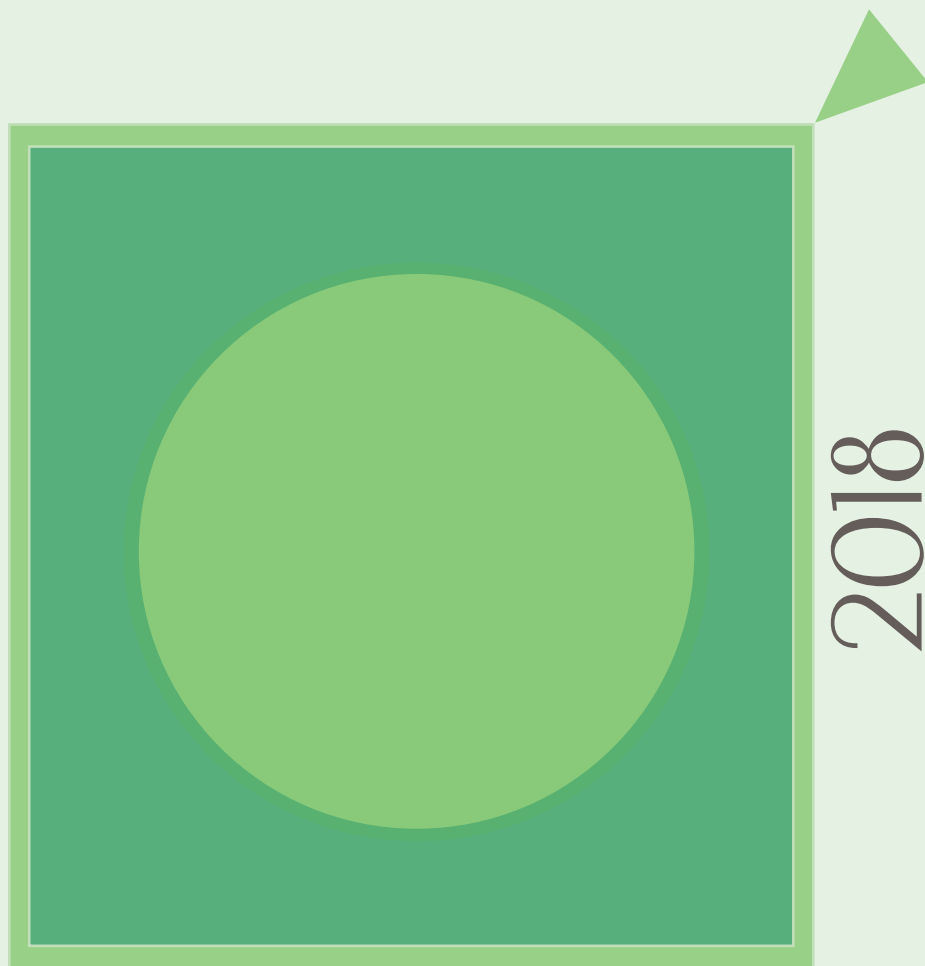


Ukrainian Legal Aid Foundation

Activity report



Team



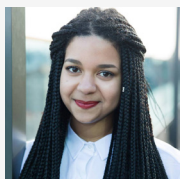
Mykola Sioma
Executive director



Kateryna Yeroshenko
Project manager



Hanna Shevchuk
Accountant



Sheilat Afolabi
Project manager



Olena Nemchenko
Project manager



Sergina Tarnavska
Project manager



Anna Guliyeva
Project manager

Content

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Identification of discrimination and hate crimes in Ukrainian society	15
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Strategic plan

Foundation — a platform for establishing synergies between legal aid providers and developing solutions for building an effective access system for justice.

We unite the efforts of everyone who is working on solving the legal problems of people, and we offer models of solutions.

Values:

Justice

Independence

Social
responsibility

Systemicity

Mutual respect
in the team

Respect to
partners

Honesty

#ULAF

Strategic directions

Tasks

Foundation agent of change

- promotion of the PRO BONO culture;
- creation of an effective model of electronic administration of the system of free legal aid;
- formation of public needs in the light security system;
- change in the practice of legal assessment of hate crimes.

Creating a model of cooperation between actors of access to justice

- creation of opportunities for obtaining legal aid for vulnerable groups (sex workers, drug addicts) and their introduction into the legal field;
- creation of a quality management model for BPM mentors + PR;
- creation of new approaches to the formation of a new generation of lawyers;
- institutional development of the community of community advisers.

Advancement of access to justice standards

- establishing an effective accounting system for detainees from the police;
- creation of effective tools for informing the public about the rights during communication with the police.

Creating an effective quality management model of free legal aid

Talking about access to justice we notify that vulnerable to HIV groups (people who use drugs, sex workers) are the least protected in terms of access to justice. ULAF's experience of work with vulnerable groups shows that violation of their rights is often related to medical rights. Advocates often do not have professional skills to work with such clients.

ULAF's experience in conducting trainings demonstrates low effectiveness in training a large number of advocates at a time. It is because it is not always possible to track participant's motivation (often it is receiving a certificate of advanced training without the desire to further distribute it).

ULAF's team decided to focus on the formation and support of an expert group of advocates in medical law and to establish their systemic interaction with service and patient organizations.





For now group of an advocates who are an experts in medical law has 70 advocates from all regions of Ukraine - all of them graduated specialized training course in medical law for advocates. This course was developed in cooperation with UNBA and Foundation of medical law and bioethics of Ukraine.

ULAF established productive communication between advocates and vulnerable groups by advisory activities with service organizations and their clients.

Evaluation of the system of free secondary legal aid in Ukraine in light of the standards of best practice of the Council of Europe // Council of Europe - September 2016 - P.12, 63 - <https://rm.coe.int/16806ff4a9>

During 2018 ULAF:

1. increased group of advocates - experts in medical law;
2. established communication with service organizations, which directly work with vulnerable groups;
3. acquired advocates with clients of service and patient organizations;
4. developed different formats for the interaction of advocates and service organizations and identified what is convenient and effective for all parties to such communication.

ULAF identified the most acute problems faced by vulnerable groups by the interaction of advocates - experts in medical law with employees and clients of service organizations. ULAF, the Bar, service and patient organizations came to a common understanding that ensuring better access to justice for vulnerable groups is possible only through the cooperation of advocates with these groups.



Pro Bono

Civil initiatives need a qualified legal aid to realize their goals which have a social significance. Organizations that work without a lawyer do not have access to it.

Collaboration of the representatives of a civil society and law-business for system cooperation helps civil organizations and initiatives to work much more effectively and provides an opportunity for lawyers to show their social responsibility in a convenient and understandable form – by providing professional services.





ULAF popularizes the culture of providing pro bono for establishing the interaction of civil society and law-business by development of Pro Bono Space. To partnership with Pro Bono Space we involve representatives of organizations and initiatives (the social importance of their activities is obligatory) that require legal aid as well as socially responsible of lawyers and law firms willing to provide such assistance under the terms of Pro Bono.

During 2018 ULAF continued to agree with the Bar on the criteria for Pro Bono cases. Realization of technical opportunity for advocates who are in the Uniform Register of advocates of Ukraine to notify of the desire to provide legal aid pro bono is result of this. ULAF with advocates who are partners of Pro Bono Space and Ukrainian National Bar Association (further – UNBA) developed recommendations about cooperation of advocates and civil organizations and also criteria of pro bono cases (for example, cases which has not social importance of their activities are not pro bono).

Approximation of professional legal aid to civil society organizations is possible through the improvement of the communication mechanism of providers and recipients of such assistance – Pro Bono Space. Pro Bono Space is to provide the opportunity for civil initiatives to solve problems in a legal way for the public good.



At previous stages in order to develop the culture of Pro Bono in Ukraine, ULAF carried out the following steps:

1. Studying of foreign experience in providing legal aid pro bono.
2. Adaptation of the model of Pro Bono to Ukrainian realities. Definition of concept and
3. characteristics of pro bono in Ukraine.
4. Creating conditions for easy access for lawyers to pro bono legal aid information and opportunities
5. Establishment of constant contact of Pro Bono Space with civil organizations.
6. Involving civil organizations and law-business to cooperation with Pro Bono Space.

Civil organizations and initiatives appeals to Pro Bono Space with cases that are of interest to law firms and lawyers. Advocates and representatives of law firms begin to cooperate more actively with the Pro Bono Space. This testifies to the demand for such a model of interaction both from civil society organizations and from the representatives of law business and the Bar.

#Pro_Bono

Development and institutionalization network of advocates who are an experts in medical law

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#med_lawyers

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Identification of discrimination and hate crimes in Ukrainian society

In Ukraine there is no network of advocates who are specialized in protecting victims of discrimination and hate crimes, and are able to work with evidence in such cases. Clients of governmental free legal aid system are vulnerable people (including vulnerable to discrimination and hate crimes). The nature of offenses relating to discrimination are territorial, so resource of governmental legal aid is not enough.

For identification and overcoming discrimination and hate crimes in Ukraine ULAF in cooperation with Social Action Center and Regional Center of Human Rights began in 2018 an initiative to enhance the ability to represent interests and protect the rights of vulnerable groups by creating interregional network of advocates who have knowledge and skills for representing victims of discrimination cases and hate crimes.

Team of partners has made a decision to concentrate on training advocates and giving them skills for protection victims of discrimination and hate crimes and thus create a network of advocates who are ready to timely and correctly respond to such types of offenses and crimes.



The creation of such network and the strengthening of protection against discrimination and hate crimes were decided to be carried out in several stages:

1. Developing a program of specialized training courses taking into account Ukrainian and European practices.
2. On a competitive basis to select the most motivated advocates from all regions of Ukraine and teach them by developed program.
3. Explore the need for information on discrimination from the most vulnerable groups.
4. Together with the expert group, including advocates, who have undergone specialized training, to develop information materials on actions in cases of discrimination, in accordance with the needs of the target audience.
5. Conducting regional advisory meetings with advocates, service organizations and vulnerable groups Select and in cooperation with experts to build a protection line / representation of victims in three cases of discrimination.
6. Extensive coverage of the problem of discrimination in Ukrainian society.

A group of advocates started developing algorithms for building a client defense in civil and criminal cases as a result of the training course for advocates. These algorithms will be distributed among all course participants and in the future among other lawyers.



#non_discrimination

Increasing institutional capacity of the legal clinics network

For law firms and associations it is difficult to find lawyers with practical knowledge and skills and who are ready to work without additional training. While studying at law clinics, students receive skills and knowledge they need for the profession.

ULAF has long been cooperating with a network of legal clinics in particular with its representative body – the Association of Legal Clinics of Ukraine. Strengthening of institutional capacity of the legal clinics’ network is one of the steps to consolidation and popularization of the legal clinical movement in Ukraine. As a consequence it’s providing future graduates with practically oriented knowledge that is in demand in the legal business.





In order to increase the institutional capacity of the legal clinics` network, in year 2018 ULAF in cooperation with the Association of Legal Clinics of Ukraine (hereinafter - the Association) decided to focus on the following directions:

- organizational
- communicational
- monitoring

Each of these directions was implemented through the establishment of partnerships between the Association and a number of organizations: the Human Rights Department of the National Police of Ukraine, the Coordination Centre for Legal Aid Provision, the Legal Development Network, the Ukrainian Helsinki Human Rights Union and the Directorate of the Ministry of Justice. New partnerships have been also established within the network.

#legal_clinics

- The organizational direction has been envisaged the work of the Association in the format of «Board +». It allowed to take into account the standpoints of the most active legal clinics which are members of the Association in the development of the strategic plan of the organization. During that period, the document's development members of the Board of the Association implemented a division of responsibilities that greatly optimized the activities of organization. In March 2018 the Olympiad for client counseling took place. There were 20 teams-participants of competition from all over the country, and judges of the competition were professional advocates and lawyers.
- To improve the managerial skills of the legal clinics leaders, in July 2018 a Summer School was held. During this period the School participants also revised the strategic plan of the Association.
- By establishing partnership with the Human Rights Department of the National Police of Ukraine made it possible to identify the need of the police to receive methodological assistance for interactive activities in general education institutions. The result of this partnership was the methodological guidelines for police officers and students to conduct «Street Law» lessons in education institutions.
- In November 2018 the Congress of the Association was held. During this Congress, the Board of the Association reported on its activities and made rotation.

- In 2018 the first communication strategy of the Association was developed in the «Board +» format (with the participation of the Board and representatives of the most active legal clinics). During 2018 the main channel of communication of legal clinics` network (the web-site of the Association) was updated. This created an opportunity for students to publish their own articles and comment on the advices of colleagues from other legal clinics. This adds a component of competition and contributes to the quality of legal assistance provided in clinics.
- For testing previously developed tools of monitoring the activities of the legal clinics and their compliance with the Association's Standards it was decided to conduct monitoring of 10 legal clinics during 2018. Representatives of partner organizations in the field of access to justice were selected to conduct monitoring of external observers. After training with the monitoring tools, they became part of the monitoring groups and conducted 10 monitoring visits to legal clinics.

The monitoring of legal clinics has demonstrated the effectiveness of previously developed tools. The model of the monitoring groups organization with the participation of external representatives turned up to be more effective than the monitoring carried out solely by the representatives of the legal clinics movement. This also helps the Association to establish new partnerships. The monitoring showed results that could indicate the overestimated standards defined by the Association.

Providing procedural safeguards for detainees

Detained persons should know their rights at the stage of actual detention. At the same time, in practice these rights are not fully ensured. Particularly, detainees are informed about their rights after they have been brought to the Police Department. This creates the risk of violating their rights from the moment of actual detention until the moment of informing.

In 2016 ULAF in cooperation with the Human Rights Department of the National Police of Ukraine initiated the implementation of the practice of informing the rights of detainees at the de-facto detention stage.

For information, a form of short information leaflets about human rights was written in a language accessible to the target audience. These leaflets had been tested in the course of focus group research. Representatives of the National Police of Ukraine, lawyers of the Coordination Centre for Legal Aid Provision, representatives of the Ukrainian Parliament Commissioner for Human Rights (Ombudsman), psychologists and communication specialists have actively participated in the development of design and texts of information leaflets. After several pilot tests the design of the information leaflets was modified and there were changes in the text.

For three years, despite the general agreement on the need to ensure the standard of informing on the rights during detention, the proposed instrument has not been implemented because of changes in performers at various departments of the National Police, the Office of the Ombudsman, who would agree on the text of the notes. The active stage of negotiations has been lasted until the present time, with ULAF acting as an intermediary and initiator.

Your rights:

- ▶ to have public lawyer;
- ▶ to know the position, name and surname of the person who has made the protocol;
- ▶ to be notified in understandable language about the reasons for detention;
- ▶ to inform immediately the relatives, owner of the enterprise, institution, organization or authorized body on detention (by a law enforcement officer);
- ▶ to make appeals against the actions under administrative detention to court or to the body or person to which the official / authority that used these actions is accountable for (detention, inspection, seizure of driver's license, etc.);
- ▶ to receive compensation, if any actions will be declared to be illegal

You are obliged:

- ▶ be polite, behave with dignity;
- ▶ fulfill legal requirements of a law enforcement officer.

IT IS IMPORTANT:

Consider your health condition!

PLEASE REMEMBER: if you do not feel well or if you have chronic illness, you have the right to medical aid (including from a doctor of your choice).

Please give to the police officer contact details of your doctor if needed.

With support from the U.S. State Department

2

WHAT SHOULD YOU KNOW IF YOU HAVE BEEN DETAINED BY AN ADMINISTRATIVE PROCEDURE

HANDBOOK for the person detained by an administrative procedure

YOUR FEEDBACK IS IMPORTANT
<http://ulaf.org.ua/npi/>

#list_of_rights

The system of ensuring the rights of detained persons (Custody Records)

#CUSTODY_RECORDS

There is still a problem for Ukraine with the safe staying of persons detained by law enforcement agencies. European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) emphasizes in its report to the Government of Ukraine in 2018 that in the system of law-enforcement bodies there is still a practice of not registering detentions and holding an unspecified interrogations. This creates a risk of violation of rights and procedural guarantees of detained persons.

A team of partner organizations (Ukrainian Legal Aid Foundation, Expert Center For Human Rights, Program initiative «Human Rights and Justice» of the International Renaissance Foundation, the Human Rights Department of the National Police of Ukraine) has organized the preparation and implementation of a comprehensive solution to ensure the safe staying of persons detained by law enforcement agencies and the proper recording of all actions against them - the CUSTODY RECORDS system.

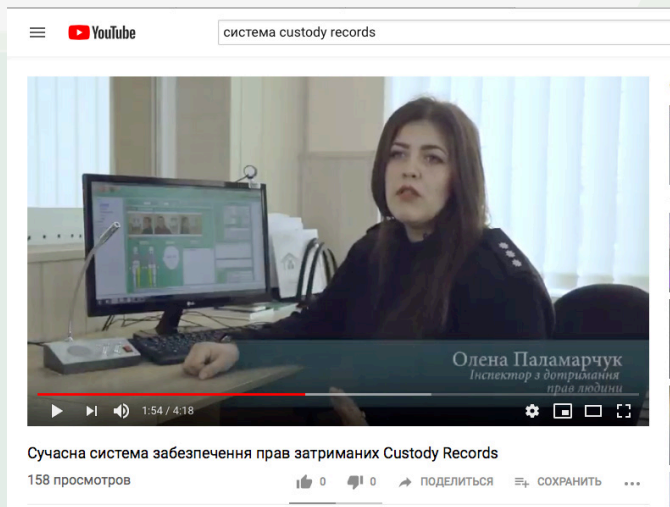
For the beginning of the implementation of innovative approaches to the detention of persons in the National Police of Ukraine, the most favorable structure is the Temporary Hold Insulators. There persons appear after founding the grounds for detention. It was decided to start implementation of CUSTODY RECORDS system at the Temporary Hold Insulators level in the pilot regions (Dnipro, Kherson, Kropivnitsky and Sarny).

Creating a common concept was preceded by the launch of the CUSTODY RECORDS system at the level of pilot Temporary Hold Insulators. The concept of the CUSTODY RECORDS system includes four components:

1. Introduction of the new staff of the National Police - the human rights inspectors who were trained in accordance with a specially created program.
2. Creation of an electronic database of the record of all actions regarding detained persons and the integration of this database into the general electronic base of the National Police of Ukraine – ARMOR.
3. Creation of the possibility of external control over the activity of inspectors and the electronic database by the employees of the Human Rights Department of the National Police of Ukraine.



The first results of the ten-month monitoring of the CUSTODY RECORDS system in the pilot Temporary Hold Insulators shows that the police officers began to register all actions against detained persons in a single electronic system. The practice of such fixing has changed the established approaches of the investigation units to fill in the detention protocol, namely the time and place of de facto detention of the person, as well as the name of the officer who detained the person. In addition, monitoring shows that the CUSTODY RECORDS system enables the advocate or prosecutor to check the conditions of detention at the pre-trial stage.

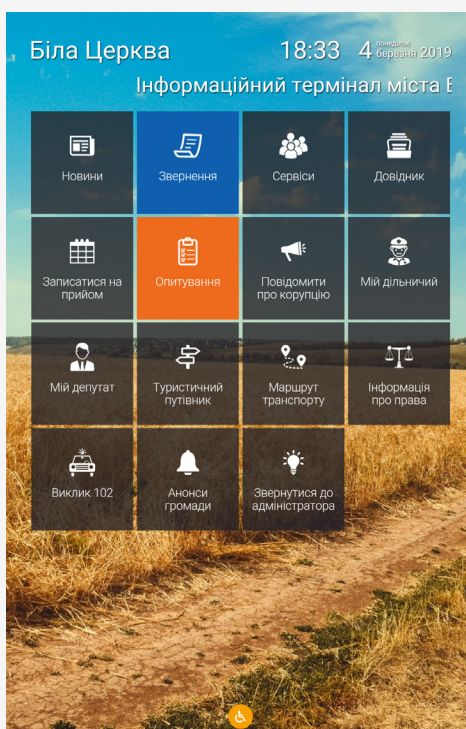


Report to the Ukrainian Government on the visit to Ukraine carried out by the European Committee for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment from December 8 to 21, 2017 // CPT. Strasbourg - 2018 - p. 5 - <https://rm.coe.int/16808d2c2a>

The CPT emphasizes that the basic guarantees provided to police by detainees will be substantially strengthened (and this can greatly ease the work of the police) if a single and complete dossier for each detainee is kept. Similar conclusions were obtained from the results of a nationwide study «Procedural guarantees of detained persons», which was held in Ukraine in 2014-2015.

Communication between residents and local authorities in communities

Residents of Ukraine often face with a number of barriers when addressing local authorities: long queues, incomprehensibility of receiving services, redirection from one institution to another etc. Local government services should be accessible to everyone in community. For this purpose it is necessary to modernize the method of obtaining them.



Implementation of information terminals and mobile apps which are adapted to the needs of a specific community will allow the authorities to be more focused on the needs of society and ensure timely response to them. Community residents will be more informed about all procedures for receiving services in their community.

Біла Церква 18:36 4 4 березня 2019

Звернення

1 2 3 4 5

Крок 5. Перевірте свої дані та підтвердіть відправлення

Ім'я: Іваненко Петро

Email: ivanenko@gmail.com

Телефон: 0000000000

Мета: Подяка

Текст звернення: Дякую працівникам міської ради за впровадження інформаційного терміналу в життя громади

← Назад На головну Вперед →

Information terminals are a convenient way to establish effective feedback between the authorities and residents of local communities.

The software which was developed earlier for the information terminals of the National Police of Ukraine allows us to combine and integrate all the necessary functions.

ULAF decided to adapt already developed software to the specific legal needs of communities and to create information terminals and mobile apps for them.

During 2018 ULAF has held an open competition and selected 5 communities where information terminals will be installed.

After the selection of community-winners it is necessary to implement the following steps:

1. Work meetings with representatives of the winning community to identify legitimate needs.
2. Software developing for the information terminal and making information terminals.
3. Developing and testing a mobile app in accordance with community needs.
4. Testing and installing information terminals and mobile apps in communities.

At the stage of coordinating the software of the information terminal, the representatives of the winning communities demonstrated the established cooperation with representatives of civil society and residents of their communities. This is reflected in the fact that during software development, the views of all stakeholders are taken into account.

In the future the installed terminals and developed mobile apps will improve the communication of the local community with the local authorities, which will enable the authorities to exercise their powers more effectively. ULAF plans to create mobile apps for the communities that participated but did not win the competition.

#Safe_community

Development of community public advisers

Practically in Ukraine there are no examples of effective work of local governments. Local residents do not know the powers of local authorities, and therefore it is impossible to establish cooperation in society, and social and legal services become difficult to access.



The community of public advisers (or paralegals) in Ukraine is intended to improve the communication of community residents with local governments and thereby have a positive impact on community life through brokerage services. The lack of a common strategy, the complicated system of communication within the community of public advisers and the lack of a representative body affect their activity in the regions making it less systematic and not fully effective.

Strengthening of the capacity of the community of public advisers through the promotion of its institutional development will help to systematize the best practices of public advisers and increase the effectiveness of their activities.

ULAF is involved in the work of an expert group on development of public advisers` in the community. This group also includes representatives of the Coordination Centre for Legal Aid Provision, the Legal Development Network, Program initiative «Human Rights and Justice» of the International Renaissance Foundation, the USAID Program “New Justice”.

Representatives of the community of public advisers developed and proposed activities for 2019-2020 for their community. These activities were agreed during the first strategic planning session. The expert group identified the importance of implementing the following steps:

1. Formation of the strategy of activities for community of public advisers for 2019-2020.
2. Developing and distribution of information materials for community representatives.
3. Competition and support of 3 initiatives of public advisers.
4. Organizing open discussions in the regions where public advisers will report systemic problems.

#paralegals



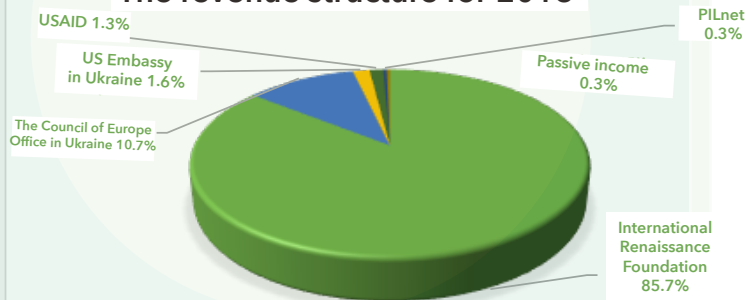
The further systematization of the activities of the community of public advisers will contribute to the formation of an institutionalized network and will strengthen the role of civil society in providing access to justice and social assistance in those settlements where such access is complicated.

Financial report for 2018

Income for 2018

Source	Amount, UAH
International Renaissance Foundation	7,420,088.00
The Council of Europe Office in Ukraine	925,260.00
US Embassy in Ukraine	141,645.60
USAID	115,000.00
PILnet Alapitvány	28,899.00
Passive income	28,321.26
Total	8,659,213.86

The revenue structure for 2018



Use of funds in 2018

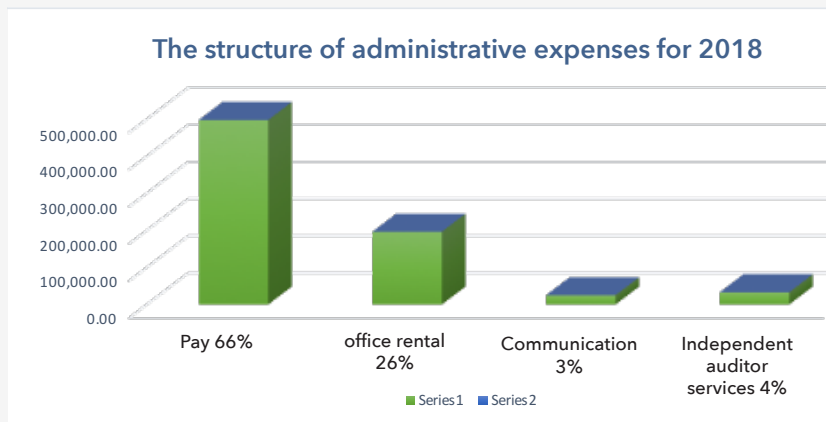
Article	Amount, UAH
Administrative expenses	752,606.05
Salary of regular employees and business trips (including all mandatory payments)	497,958.00
Office Rental (Including Utility Payments)	196,489.23
Communication, postage, office equipment, stationery, banking services	25,158.82
Independent auditor services	33,000.00
Main activity	7,437,469.28
Purchase of equipment and software development for transfer to beneficiaries	1,209,142.34
Preparation and publication of publications	77,671.93
Educational and communicative activities	4,625,767.76
Expert fees and specialist fees	1,524,887.25
Total	8,190,075.33

Structure of the use of funds for 2018

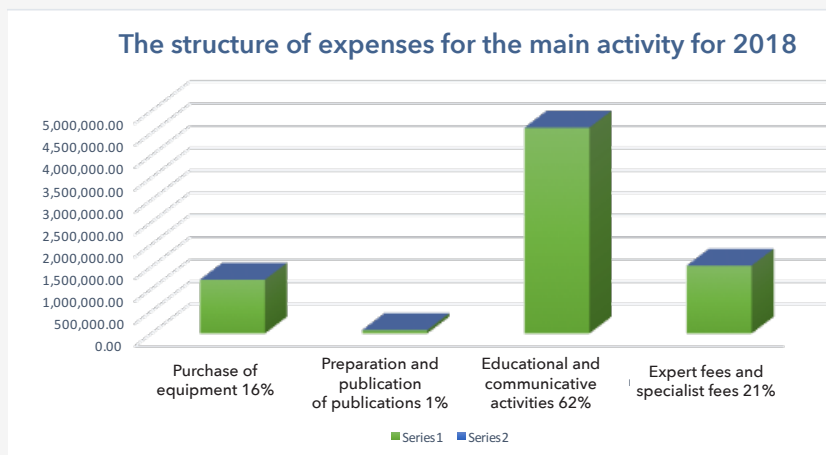


■ Administrative expenses 9.2% ■ Main activity 90.8%

The structure of administrative expenses for 2018



The structure of expenses for the main activity for 2018





INDEPENDENT AUDITOR'S REPORT

To members of Board and Supervisory Board

To the Director of

Ukrainian Legal Aid Foundation

Mr. Mykola Sioma

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of Ukrainian Legal Aid Foundation, which comprise the statement of financial position as at December 31, 2018, and the statement of comprehensive income for the year then ended prepared in accordance with Regulation (standard) of accounting of Ukraine No. 25 "Financial report of the subject of small business".

In our opinion, the accompanying financial statements give a true and fair view of the financial position of Ukrainian Legal Aid Foundation (the Organization) as at December 31, 2018, and of its financial performance for the year then ended in accordance with National Accounting Provisions (Standards) of Ukraine.

Basis for Opinion

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Organization within the meaning of the ethical requirements applicable in Ukraine to our audit of financial statements and have fulfilled our other responsibilities under those requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Key Audit Matters

Key audit matters are those matters that, in our professional judgment, were of most significance in our audit of the financial statements of the current period. These matters were addressed in the context of our audit of the financial statements as a whole, and in forming our opinion thereon, and we do not provide a separate opinion on these matters

1. Recognition of income and expenses related to the execution of projects

Implementation of non-profit projects, including contracts with different donors, is the main activity of the Organization. Auditors believe, the income and expenses associated with the implementation of these projects are the most influential indicators of financial reporting; they give an idea of the Organization's activities for the reporting year. Taking into account the significance of this indicator, the auditors carried out in-depth analysis of the documents that are the basis for recognizing such income and expenses. Documents that verify the balance of payments with donors were also examined, as these documents also confirm the Organization's compliance with its obligations under grant agreements.



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Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of Ukrainian Legal Aid Foundation, which comprise the statement of financial position as at December 31, 2018, and the statement of comprehensive income for the year then ended prepared in accordance with Regulation (standard) of accounting of Ukraine No. 25 "Financial report of the subject of small business".

In our opinion, the accompanying financial statements give a true and fair view of the financial position of Ukrainian Legal Aid Foundation (the Organization) as at December 31, 2018, and of its financial performance for the year then ended in accordance with National Accounting Provisions (Standards) of Ukraine.

Basis for Opinion

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are independent of the Organization within the meaning of the ethical requirements applicable in Ukraine to our audit of financial statements and have fulfilled our other responsibilities under those requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Key Audit Matters

Key audit matters are those matters that, in our professional judgment, were of most significance in our audit of the financial statements of the current period. These matters were addressed in the context of our audit of the financial statements as a whole, and in forming our opinion thereon, and we do not provide a separate opinion on these matters

1. Recognition of income and expenses related to the execution of projects

Implementation of non-profit projects, including contracts with different donors, is the main activity of the Organization. Auditors believe, the income and expenses associated with the implementation of these projects are the most influential indicators of financial reporting; they give an idea of the Organization's activities for the reporting year. Taking into account the significance of this indicator, the auditors carried out in-depth analysis of the documents that are the basis for recognizing such income and expenses. Documents that verify the balance of payments with donors were also examined, as these documents also confirm the Organization's compliance with its obligations under grant agreements.



INDEPENDENT AUDITOR'S REPORT

To members of Board and Supervisory Board

To the Director of

Ukrainian Legal Aid Foundation

Mr. Mykola Sioma

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