

Civil organization "Institute for Applied Humanitarian Research"

Annual report 2017 - 2018 (fragment)

1. Project "Monitoring of court decisions on the application in Ukraine of the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms and the practice of the European Court of Human Rights". Donor: OSCE Project Coordinator in Ukraine / December 2015 - April 2017 / completed

The team of expert teachers conducted 12 seminars in 12 cities of Ukraine (target audience: judges of general judges, heads of court staff, prosecutors, lawyers and representatives of public human rights organizations) based on the results of monitoring compliance with the CPC of Ukraine in the courts of Kyiv. Special Report of the Commissioner for Human Rights of the Verkhovna Rada of Ukraine. The monitoring provided information on typical problems in the application of the new CPC of Ukraine, the discussion of which at the planned events helped to improve the quality of criminal proceedings in Ukraine. A methodology for conducting seminars based on monitoring materials has been developed.

2. Project: "Public support for the analytical activities of judicial self-government bodies: development and pilot testing of the Methodology for assessing confidence in the court." Donor: USAID New Justice Program, / December 2017 - January 2019 / completed

The main task of the project was to determine the optimal methodological models for monitoring trust in the court. Using the standard assessment tool through trust in the court, it is possible to determine the impact of the amendments to the Constitution of Ukraine on justice and the Law of Ukraine "On the Judiciary and the Status of Judges" not only on judicial independence but also on the stability of the judiciary. The project conducted a pilot study at the regional level (Kharkiv Judicial District) - the following techniques were used:

- personal interview or questionnaire;
- telephone survey;
- online survey.

A pilot survey was conducted in 3 regions: Dnipro, Volyn, and Vinnytsia (900 respondents were interviewed)

Based on the results of the work, an Analytical Report was prepared, as well as an online questionnaire was introduced, which functions as a link and is distributed among the population through social networks and messengers.

3. Project: "Monitoring of decisions on bringing judges to disciplinary responsibility". Donor: USAID New Justice Program (April 2018 - April 2019) continues.

The project will conduct an independent peer review of the practice and analysis of decisions of disciplinary bodies of Ukraine, including decisions of (1) GRP Disciplinary Chambers, which are responsible for a preliminary examination of disciplinary complaints, verification of misconduct and disciplinary proceedings against judges; in the presence of decisions (2) of the GRP, which reviews appeals against decisions of the Disciplinary Chambers and decides on the dismissal of judges on the proposal of the Disciplinary Chambers; and (3) decisions of the Supreme Administrative Court and the Administrative Court of Cassation of the Supreme Court, which hears complaints from parties in disciplinary cases against GRP decisions.

Will be prepared:

- 1). recommendations for improving the legal framework governing the disciplinary proceedings against judges, the administration of disciplinary proceedings, and the quality of decisions in disciplinary cases against judges.
- 2). recommendations for the National School of Judges of Ukraine on the content of the programs of judges and candidates for the position of a judge on bringing judges to disciplinary responsibility.
- 3). ways to increase public participation in monitoring the effectiveness of mechanisms for bringing judges to disciplinary responsibility.

4. Project: "Public monitoring of decisions of the High Qualification Commission of Judges of Ukraine, the High Council of Justice and the conclusions of the Public Council of Integrity based on the results of qualification assessment of judges and candidates for the position of a judge." Donor: USAID New Justice Program, / August 2018 - June 2019 / continues

The project will provide assessments of:

- the effectiveness of the tools for identifying the compliance of judges appointed (elected) to amend the Constitution of Ukraine (regarding justice), the position of a judge and verify the ability of candidates for the position of a judge to administer justice;
- the effectiveness of the tools for verifying the integrity of a judge within the procedures for selection and evaluation of judges;

Also, the normative principles and practices of the bodies authorized to select and evaluate judges have been improved.

**5. Project: "Analysis of the practice of the new Supreme Court". Donor: USAID
New Justice Program, / November 2018 - June 2019 / continues**

The project plans to:

- 1) Carry out a quantitative and qualitative analysis of Supreme Court judgments in which the ECHR and the case-law of the ECtHR are applied.
- 2) Adapt the Methodology for monitoring court decisions using the ECHR and the case-law of the ECtHR.
- 3) Conduct an expert analysis of a sample of court decisions according to the developed (adapted) methodology, namely the total number of analyzed decisions of the Supreme Court with the application of the Convention for the Protection of Human Rights