



Council of Europe

Action Plan for Ukraine

2011-2014



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¹ The Action Plan will be revised in line with fund-raising activities.

Introduction

Since Ukraine's accession to the Council of Europe on 9 November 1995, one of the main objectives of co-operation activities has been to support the country in honouring its statutory obligations, and the commitments taken upon accession to the Council of Europe. However, beyond these statutory obligations, Ukraine freely undertook to fulfil a number of specific commitments in order to improve democracy, human rights and the rule of law in the country; these various obligations and commitments are laid out in PACE Opinion No. 190 (1995).

Pursuant to the Memorandum of Understanding between the Government of Ukraine and the Council of Europe concerning setting up in Ukraine the Office of the Council of Europe and its legal status of 6 November 2006 (hereafter - the Memorandum), the Parties resolved to facilitate further democratic development in Ukraine, in particular through full and efficient implementation of the Action Plan.

The present Action Plan takes into account the experience of implementation and the results of the Council of Europe Action Plan for Ukraine 2008-2011 (DSP(2008)15), adopted at the 1032nd Meeting of the Ministers' Deputies on 9-10 July 2008, and aims at supporting Ukraine in meeting its remaining statutory and specific obligations as a Council of Europe member state, by providing a package of priority actions to help bring Ukrainian legislation, institutions and practice into line with European standards in the areas of human rights, the rule of law and democracy.

At the same time the projects presented in the Action Plan are directed at supporting democratic reforms launched by the President and the Government of Ukraine, including ensuring free and fair elections, the reform of the judiciary, the fight against corruption, countering money laundering, freedom of expression and enhancement of social security.

The Action Plan 2011-2014 has been designed in close collaboration with the Ukrainian authorities through bilateral consultations and co-ordination meetings with the Ministry of Foreign Affairs, the specialised ministries and agencies, and other national stakeholders, with the assistance of the Representative of the Secretary General of the Council of Europe on the co-ordination of co-operation programmes.

The Projects are presented under three pillars and their respective sectors, as defined by the Council of Europe Programme of Activities 2012-13. The main data on the specific projects is presented under each sector according to the approved criteria, including the information on the projects parameters.

The projects included in the Action Plan will be funded by the Organisation's Ordinary Budget and Voluntary Contributions. In addition, according to the Memorandum, the Representative of the Secretary General of the Council of Europe shall raise funds for specific projects in co-ordination with the relevant Council of Europe services and the EU delegation in Ukraine.

The Action Plan will be periodically jointly monitored by the Council of Europe and the Ukrainian authorities, with a view to assessing implementation of approved projects, their achievements and results, impacts and outcomes as well as incorporating, when agreed by the sides, other relevant projects, according to clear benchmarks and timelines to be defined further through the bilateral consultations.

As provided in the Memorandum, the Representative of the Secretary General of the Council of Europe on the co-ordination of the Council of Europe co-operation programmes shall provide every six months and on an *ad hoc* basis progress reports on the projects set forth

by the Action Plan to the Secretary General of the Council of Europe. A copy of such reports shall be forwarded to the Ministry of Foreign Affairs of Ukraine for information and analyses of effectiveness of the Action Plan implementation.

Projects included in the Action Plan span the three pillars of the Council of Europe programme, on Human Rights, on the Rule of Law and on Democracy. Specific project outlines are listed under each sector, presented by order of implementation status (ongoing or proposed) and indicating funding status.

The Action Plan shall be evaluated at the end of the implementation period with a view to assessment of the Action Plan results, impact and outcomes.

1. HUMAN RIGHTS

1.1. Ensuring protection of human rights

Project 1.1.1: Improving the protection of human rights in the context of the European Convention on Human Rights, by enhancing the capacity of the Government Agent before the European Court of Human Rights

Duration: 2011-2014

Implementation status: proposed

Total cost: €25 000 (for each visit, the proposed budget is €5000)

Funding status: OB funding available in 2011. More systematic support would require additional funding

Partners: Ministry of Justice of Ukraine (including the Secretariat of the Government Agent before the Court), the Supreme Court of Ukraine

Source of justification:

1. ECtHR judgments with findings of violations in Ukraine (non-execution of domestic court judgments, prolonged and unjustified detention periods, violations of fair trial, property rights and other provisions of the ECHR).
2. Report by the Council of Europe Commissioner for Human Rights on his visit to Ukraine, 10–17 December 2006.
3. Interlaken Declaration.
4. Requests by national authorities and partner institutions for activities and consultations with the European Court of Human Rights (ECtHR) and the Department for the Execution of Judgments of the ECtHR.

Overall objective: The project aims at enhancing co-operation between the Council of Europe and Ukraine in the area of human rights protection.

Specific objectives: Further improvement of convention mechanisms and observance of human rights by enhancing the capacity of Secretariat staff of the Government Agent for the Court in using European human rights standards and norms in their everyday work; enhancing a European culture of human rights in Ukraine, in line with the aspiration to membership or closer ties with the European Union, by enhancing education, training, monitoring and awareness of European human rights standards and by reinforcing the work of international human rights mechanisms, *inter alia* through the observance and implementation of the Convention.

Expected results and main activities

Within the framework of the project, suggested activities include providing expert support and training for the staff of the Secretariat of the Government Agent before the Court on the implementation of the Convention and activities of the Court and, in particular, the provision of additional training concerning the Convention's standards and the Court's case law. Implementation of the project will increase their awareness of European human rights standards and their observance of these rights in professional activities.

1.2. Promoting human rights

Project 1.2.1: Reinforcing the fight against ill-treatment and impunity

Duration: 1 July 2011 – 31 December 2013

Implementation status: Ongoing Joint Programme between the European Union and the Council of Europe. Follow-up programme confirmed

Total cost: €700 000 (approximate budget allocation for Ukraine from a regional programme)

Funding status: Funding secured (CoE/EU Joint Programme)

Partners: Ministry of Justice of Ukraine, Ministry of Internal Affairs of Ukraine, Supreme Court of Ukraine and lower instance courts, National School of Judges of Ukraine, Office of the Prosecutor General of Ukraine, Ukrainian Parliamentary Commissioner for Human Rights, State Penitentiary Service of Ukraine, National Academy of Prosecutors, Bar Associations, Centre for Judicial Studies, Association of Judges

Source of justification:

1. ECtHR judgments with findings of violations in Ukraine as regards ill-treatment and its improper investigation (the most recent judgment is *Nowak v. Ukraine* (Application no. 60846/10)).
2. Reports of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on the periodic visits to Ukraine in 2002 and 2005 (the report on its 2009 periodic visit is not yet available).
3. Report by the Council of Europe Commissioner for Human Rights on his visit to Ukraine, 10–17 December 2006.
4. Interlaken Declaration.
5. Requests by national authorities and partner institutions for activities and consultations with the European Court of Human Rights (ECtHR) and the Department for the Execution of Judgments of the ECtHR.

Overall objective: To reinforce national capacities for combating ill-treatment by law enforcement agencies and penitentiary institutions, including strengthening the effectiveness of investigations of allegations of ill-treatment.

Specific objectives: To further develop the regulatory framework and to support complaint systems that meet international standards, to enable key groups of legal professionals and decision makers to apply these standards in their daily work, and to promote regional synergy and co-operation.

Expected results and main activities

The project will be a follow-up to the currently implemented Joint Programme (JP) between the European Union and the Council of Europe entitled "Combating ill-treatment and impunity". It is designed to maintain the momentum reached and to build on the latter's progress, to develop the productive partnership with national authorities and other stakeholders, to further disseminate the accumulated expertise and to introduce new

important elements, namely combating ill-treatment in pre-trial detention facilities and penitentiary institutions.

The project will result in better conformity to European standards of the regulatory framework and institutional/operational systems for preventing and effectively investigating complaints of ill-treatment, leading to imposition of sanctions, when appropriate. Relevant actors, including judges, prosecutors, lawyers, police and penitentiary officials will be trained and provided with access to relevant materials, and will be able to fulfil their responsibilities in accordance with these standards. Regional co-operation will be reinforced and good practices will be exchanged by Ukraine with four other beneficiary countries, with input from other Council of Europe (CoE) member states with relevant experience.

The activities will include a series of international and national expert meetings with key decision makers and legal professionals; a series of training seminars for relevant stakeholders on European criteria for the effective investigation of ill-treatment; regional conferences for the exchange of best practices; preparation, publication and distribution in national languages of relevant training and capacity-building materials including the Court's case law, legislative expertises, research/studies of operational framework, training handbooks, modules and brochures; production and TV broadcasting of video clips on the rights of detainees and prisoners and obligations of law enforcement and penitentiary officials.

Project 1.2.2: Strengthening professional training on the ECHR – European Programme for Human Rights Education for Legal Professionals (the HELP II Programme)

Duration: 1 February 2010 – 31 January 2013

Implementation status: ongoing

Total cost: €150 000 (OB, approximate budget allocation for Ukraine from a regional programme)

Funding status: Funded by the Council of Europe Human Rights Trust Fund

Partners: National Academy of Prosecutors of Ukraine, National School of Judges of Ukraine, Centre for Judicial Studies of Ukraine, National School of Judges of Ukraine, Higher Qualification Commission of Judges of Ukraine, State Court Administration of Ukraine

Overall objective: To develop national capacities for sustainable ECHR training.

Specific objective: To assist national training institutions of judges and prosecutors in fully incorporating the ECHR into their curricula for initial and continuous training, taking into account the national training system and experience.

Expected results and main activities

The project will result in integrating model ECHR curricula in the national mandatory training for judges and prosecutors, using the HELP methodology and tools, providing access to ECHR materials and tools, including those available on-line. Ukrainian national training institutions will become a part of the European HR Training Network for the exchange of good practices and experience.

The activities include Working Groups' meetings on the methodology of ECHR training and thematic issues; plenary sessions at the Council of Europe in Strasbourg for representatives of national training institutions of judges and prosecutors; study visits to the Council of Europe, including the Court, and to the partner institutions in Europe; preparation of handbooks on the ECHR Articles and transversal themes; course outlines containing all relevant concepts and landmark judgments of the Court; PowerPoint presentations on all substantive Articles of the ECHR; case studies and moot court exercises; a manual on

training of trainers; and interactive E-learning courses based on the Court's Grand Chamber judgments. These materials are available free of charge in English, French, German, Russian and Serbian on the HELP website (www.coe.int/help).

Crosscutting issues

As regards all the above-mentioned projects under the Programme Sector 1.2 Promoting Human Rights, particular attention will be devoted to the impact of the activities. Experience shows that while the training as such is effective, it is far from certain whether the target groups apply the knowledge acquired once they return to their daily function. It would be important to analyse where possible obstacles lie to full application of the ECHR by judges, prosecutors and other legal professionals, and to then formulate recommendations for overcoming them.

Project 1.2.3: Setting up an active network of independent non-judicial human rights structures (multilateral programmes run under Joint EU/Council of Europe projects called Peer-to-Peer Projects I and II)

Duration: March 2010 - February 2012 (Peer-to-Peer II)

Implementation status: ongoing

Budget earmarked to Ukraine: €15 000 participation in multilateral programme + €65 000 for workshop in Kyiv

Funding status: funding secured (OB, any follow-up project beyond 2012 will also include allocations for Ukraine)

Partners: Ukrainian Parliamentary Commissioner for Human Rights (Ombudsman)

Objectives: To enhance the capacity of the Ombudsman institution to effectively address a wide range of human rights violations by non-judicial means; to promote the independence of that institution; to bind it in the active network of national human rights structures in the member states; to promote the ratification of the OPCAT and help identify an adequate set-up for a future National Preventive Mechanism against torture (NPM).

Expected results and main activities

Human rights violations of all types are prevented, put an end to and compensated for by the Ombudsman, by way of screening the human rights compatibility of (draft) laws and regulation and of administrative practices and by providing non-judicial means of redress to individuals, especially from vulnerable groups. An additional system of systematic, independent preventive visits to places of deprivation of liberty is put in place to address specifically the risk of ill-treatment and Article 3 cases being brought before the Court as a consequence.

Specialised staff of the Ombudsman's Office participate regularly and actively in the thematic workshops organised under the P2P II Project by peer institutions throughout Europe, where these staff members are fully informed of the international legal norms that govern their respective areas of competence, and of the range of practical measures that can be taken by their institution and by themselves to address concrete cases.

Co-organisation with the Ukrainian Ombudsman of a P2P workshop in Kyiv, hosted by her on 24-25 May 2011, on "The Role of National Human Rights Structures in the protection and promotion of people with disabilities", bringing together representatives of NHRs from twenty-five member states.

Possible organisation of a consultation meeting in Kyiv, co-organised with and hosted by the Ombudsman, where local politicians and other stakeholders could discuss with the heads of selected NPMs from member states the various options for setting up an NPM in Ukraine,

with the pros and cons of each model; such meeting could be funded under the European NPM Project (a branch of the P2P II Project that is co-funded by the HRTF).

Project 1.2.4: Ensuring the effective national implementation of the European Convention on Human Rights by key groups of legal professionals

Duration: 1 June 2011 – 31 May 2014

Implementation status: proposed

Total cost: €500 000

Funding status: Funding required

Partners: Ministry of Justice of Ukraine, Ministry of Internal Affairs of Ukraine, Supreme Court of Ukraine and lower instance courts, High Administrative Court of Ukraine, Office of the Prosecutor General of Ukraine, National Academy of Prosecutors of Ukraine, National School of Judges, Bar Associations, State Tax Administration of Ukraine, Ukrainian Parliamentary Commissioner for Human Rights, Higher Qualification Commission of Judges of Ukraine

Source of justification:

1. ECtHR judgments with findings of violations in Ukraine (non-execution of domestic court judgments, prolonged and unjustified detention periods, violations of fair trial, property rights and other provisions of the ECHR).
2. Report by the Council of Europe Commissioner for Human Rights on his visit to Ukraine, 10–17 December 2006.
3. Interlaken Declaration.
4. Requests by national authorities and partner institutions for activities and consultations with the European Court of Human Rights (ECtHR) and the Department for the Execution of Judgments of the ECtHR.

Overall objective: To reinforce the effective national implementation of the ECHR.

Specific objective: To strengthen the use of the ECHR by key groups of legal professionals in their daily work and to develop the capacity of national training institutions to provide ECHR training.

Expected results and main activities

Judges, prosecutors, lawyers, law enforcement officials, tax inspectors and other professionals will be able to use European human rights standards in their daily work, their access to the case law of the Court, and to HUDOC, as well as to relevant and targeted human rights materials will be provided, and the capacity of national training institutions to carry out ECHR training on a sustainable basis will be developed.

The activities will include a series of expert meetings and seminars, including thematic and in-depth, conducted by the Council of Europe international consultants, as well as cascade seminars by national ECHR trainers, workshops, round table discussions, conferences and study visits to the Council of Europe, including the Court in Strasbourg, and to the partner institutions in Europe, preparation and distribution of relevant teaching materials.

1.3. Equality, diversity and the rights of the vulnerable

Project 1.3.1: Promotion of gender equality standards and mechanisms, including elimination of all forms of gender discrimination through the creation and reinforcement of monitoring mechanisms both at central and local levels

Duration: 2012-2014

Implementation status: proposed

Total cost: €1 000 000

Funding status: funding required

Partners: Ministry of Social Policy of Ukraine, Ministry of Education and Science, Youth and Sports of Ukraine, Ministry of Justice of Ukraine, Ministry of Foreign Affairs of Ukraine, NGO

Overall objective: To reinforce national capacity in ensuring gender equality standards.

Specific objectives: To increase the population's awareness and gender experts' capacity on the possibilities of countering gender discrimination; to increase awareness of gender equality standards among the governmental agencies and general public.

Expected results and main activities

1. Formal and informal links of co-operation with civil society organisations pursuing gender equality objectives.
2. Establishing a network of national trainers capable of working on the gender equality standards and mechanisms.

Project 1.3.2: Prevention and combating violence against women and domestic violence

Duration: 2011-2014

Implementation status: proposed

Total cost: €1 000 000

Funding status: funding required

Partners: Ministry of Social Policy of Ukraine, Ministry of Justice of Ukraine, Ministry of Internal Affairs of Ukraine, Ministry of Health of Ukraine, Ministry of Foreign Affairs of Ukraine, NGO

Overall objectives: To enhance the capacity of national institutions in preventing and combating violence against women and domestic violence, and to increase awareness of violence against women and domestic violence.

Specific objectives: Preparation for the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (CAHVIO) (CETS 210).

Expected results and main activities

1. Implementation of the provisions of the Council of Europe Convention on preventing and combating violence against women and domestic violence in Ukrainian legislation, including the adoption of the necessary national regulations and measures.
2. Information and awareness-raising campaigns addressed at the general public on the issue of violence against women and domestic violence as a human rights violation.
3. Development of preventive intervention and treatment programmes in order to avoid further acts of domestic violence and sexual violence.
4. Improving the nature and quality of the support provided to victims of violence, including establishment of services and implementation of activities to support and protect victims of violence.
5. Participation of the private sector, the information and communication technology sector and the media in the development of local, regional or national policies, and efforts to prevent violence against women as well as in their implementation.

Project 1.3.3: Formation of a mechanism of prompt reaction to problems of persons in difficult living conditions, including prevention of domestic violence, combating human trafficking and gender discrimination through the creation of an All-Ukrainian smart line of prompt reaction

Duration: 2012-2014

Implementation status: proposed

Total cost: €1 000 000

Funding status: possible financial contribution of the Ukrainian partner: €492 800 (wages for the workers of the smart lines of prompt reaction)

Partners: Ministry of Social Policy of Ukraine; local administrations, social services for families, children and youth, services for children

Overall objectives: To ensure timely intervention and assistance to persons in difficult circumstances; to create a mechanism of prompt reaction to the problems of persons in difficult circumstances; to increase public awareness of the possibilities of solving social problems and possible assistance.

Expected results and main activities

Expected results:

1. National trainers are trained on the algorithms of work of the smart lines of prompt reaction, detailed instructions for smart line staff are available, information and advertising leaflets for advertising campaigns are published, workers are familiar with international experience of existing services.
2. The population is aware of the existence of the smart lines of prompt reaction.

Activities:

1. Studying the international experience on bringing into service the smart lines of prompt reaction, conducting training seminars for national trainers, development of guidelines for the smart lines of prompt reaction staff, taking into account national peculiarities.
2. Publication of information and advertising leaflets, conducting a large-scale publicity campaign on the possibilities of the smart lines of prompt reaction.

Project 1.3.4: Implementation of the Council of Europe Action Plan to promote the rights and full participation of people with disabilities in society: improving the quality of life of people with disabilities in Europe 2006-2015 on the national level

Duration: 2011-2014

Implementation status: proposed (continuation of 2009-2011 activity)

Total cost: €160 000

Funding status: funding partially secured by OB (2011: funding available; 2012-2013/2014: funding tbc)

Partners: Ministry of Social Policy of Ukraine, Ukrainian Parliamentary Commissioner for Human Rights, Verkhovna Rada of Ukraine, National disability NGOs (organisations of and for people with disabilities), Ukrainian public and social association "National Assembly of People with Disabilities"

Component 1: Enhance the capacity and knowledge of governmental and non-governmental stakeholders in the disability field

Objectives: To provide assistance in the implementation of the Council of Europe Disability Action Plan 2006-2015 in priority areas such as education, vocational training, rehabilitation and employment of people with disabilities; Universal Design and accessibility of the built

environment; participation of people with disabilities in political and public life; participation of people with disabilities in cultural life, leisure and sports activities. Enhance the capacity and knowledge of governmental and non-governmental stakeholders in the disability field on current European good practices. Foster co-operation between governmental and non-governmental sectors and enhance the capacity of national disability NGOs to participate in the decision-making process on matters of their concern. Experts from other European countries will be involved in this process.

Component 2: Revision of the legislation, policies and practices

Objectives: To provide assistance in the review of existing legislation, policy and practice against the blueprint of the Council of Europe Disability Action Plan; to identify areas where progress needs to be made and specific action needs to be taken; to develop national strategies or action plans in order to advance the national disability agenda, in line with the Council of Europe Disability Action Plan and the established national priorities.

Expected results and main activities

Increased knowledge and capacity of governmental and non-governmental stakeholders in the disability field. Increased capacity to implement the Council of Europe Disability Action Plan 2006-2015.

Project 1.3.5: Achieving effective social inclusion for Roma: elaboration and adoption of a comprehensive National Plan for Roma in Ukraine and providing tools for its implementation, including a training programme for Roma Mediators (ROMED) and awareness-raising activities (*Dosta!*)

Duration: 2011–2013

Funding status: OB and VC are secured for Component 1 (ROMED training programme) in 2011, 2012-2013 tbc. Component 3 (*Dosta!*) could be partially covered by OB and VC funds in 2012-2013, pending confirmation of VCs allocated to the *Dosta!* campaign. Funding required for the rest of the project, especially Component 2 (drafting a new National Plan for Roma)

Total cost: €400 000 (including funds available for Component 1 in 2011, i.e. €50 000)

MAE responsible: Special Representative of the Secretary General for Roma issues

Partners: Ministry of Culture of Ukraine, Ministry of Social Policy of Ukraine, Ministry of Education, Youth and Sports of Ukraine, Ministry of Health of Ukraine, Ministry of Economic Development and Trade of Ukraine, Ukrainian Parliament Commissioner for Human Rights

The proposed project would have three main components:

Component 1: ROMED Training programme of mediators

Objective: To improve the quality and effectiveness of the work of school/health/employment mediators, with a view to supporting better communication and co-operation between Roma and public institutions (schools/healthcare providers/employment offices).

Expected results and main activities

Improved dialogue between Roma communities and public institutions (through real and effective intercultural mediation provided by mediators); rights-based approach integrated in the programme; new curriculum available in several languages; democratic participation and visible empowerment of Roma communities; increased accountability of public institutions.

Component 2: Elaboration of a new comprehensive National Plan for Roma

Overall objective: To contribute to the effective integration of Roma into the society of the Ukraine through the elaboration of a new pluri-annual comprehensive National Plan for Roma, with specific focus on education to meet Ukrainian priorities.

Sub-objectives: To assess the impact of previous national plans for Roma and draw lessons from previous experience; to give a clear status to Roma mediators within the New Plan for Roma; to create a modern infrastructure in Roma settlements and ensure the exercise of property rights by Roma to the land on which they live; to facilitate the compliance of Ukraine with commitments and obligations toward the Council of Europe with regards to the protection of the Roma minority and the Strasbourg Declaration on Roma; to support the accession process of the Ukraine to the European Union.

Expected results and main activities

Relevant authorities are enabled to develop the comprehensive National Plan; Romani representatives and organisations are empowered to participate in the development and future implementation of the comprehensive National Plan; the Plan developed meets Council of Europe standards on Roma policies; information campaign has led to an improved understanding among the majority population for the need to develop such a comprehensive National Plan.

Component 3: Information and awareness-raising campaign (*Dosta!*)

Overall objective: To raise awareness among the majority population of Roma culture, traditions, language, history, as well as of stereotypes towards Roma

Sub-objectives: To improve the image of Roma and fight against stereotypes and prejudices; to improve the understanding among the majority population for the need to develop a National Plan for Roma and targeted measures; to promote the inclusion of the teaching of Roma history and language in national school curricula.

Expected results and main activities

Teachers, journalists, public officials, police officers are trained on avoiding stereotyping; a better image of Roma is presented through various awareness-raising activities (festivals, talk shows, CDs, testimonials from successful Roma, etc.); Council of Europe Roma history factsheets and Romani language portfolio are translated into Ukrainian and are used in the schooling system by the end of the project.

Project 1.3.6: Project to strengthen and protect children's rights in Ukraine

Duration: 2012-2013

Implementation status: proposed

Total cost: €1 000 000

Funding status: funding required

Partners: Ministry of Justice of Ukraine, Ministry of Social Policy of Ukraine, Ministry of Internal Affairs of Ukraine, Ukrainian Parliament Commissioner for Human Rights, local state administrations, Committee for Family, Youth, Sports and Tourism of the Verkhovna Rada of Ukraine, Centres of social services for children and young people and NGOs

Objective: To contribute to strengthening and protecting human rights through the prevention of violence against children including sexual exploitation and sexual abuse. Promote guidelines on child-friendly justice.

Expected results and main activities

Increased government commitment to accede and effectively implement UN and Council of Europe norms on the rights of the child, in particular the Council of Europe Conventions on the Protection of Children against Sexual Exploitation and Sexual Abuse, on Action against Trafficking in Human Beings and on Cybercrime. Protection of children becomes a political priority. National Action Plan and strategy exists. National legislation is in conformity with the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201). Best interest of children is taken into account in judicial proceeding in line with the Guidelines on child-friendly justice.

Main activities: Awareness-raising/advocacy; provide children, parents and professionals with knowledge and tools to prevent and to respond to sexual violence; legislative expertise; assistance on formulating and implementing a national Action Plan; preparation of reports, comparative analysis, feasibility studies, development of training materials and the provision of training; allow exchange of good practice study visits; advise on setting up child-friendly houses for victims of sexual abuse; elaboration and implementation of programmes of rehabilitation of children affected by domestic violence; development of proposals concerning the standards of services to children affected by domestic violence; creation of databases of children - the victims of sexual exploitation and those inclined to commit such crimes and providing regulation of methods of the above databases functioning.

1.4. Ensuring social rights

Project 1.4.1: Developing a National Patient Safety Action Plan

Duration: 2011-2013

Implementation status: (started in 2010), activities planned in 2011-2012

Total cost: budget to be defined, minimum €100 000

Funding status: funding partially secured by OB

Partners: Ministry of Health of Ukraine, All Ukrainian Council for Patients' Rights and Safety, Ukrainian Parliament Commissioner for Human Rights

Overall objective: To improve the health status of citizens of Ukraine by developing policies which improve patient safety, prevent medical errors and decrease costs of malpractice, through implementation of recommendation Rec(2006)7 on management of patient safety and prevention of adverse events in health care.

Specific objectives: To create a Taskforce to develop a National Patient Safety Action Plan – achieved in 2010; to develop a draft structure and content of the National Patient Safety Action Plan; to identify foreign twinning partners from countries with greater experience in patient safety, who are willing to start long-term partnership and offer support.

Expected results and main activities

1. Draft National Patient Safety Action Plan is prepared and subject to a public debate.
2. Public debate and consultation are organised on a "Green Paper on a National Patient Safety Action Plan".
3. A legislative framework necessary to implement a National Patient Safety Action Plan is elaborated.

Project 1.4.2: Drugs in prisons of Ukraine

Duration: January 2011 – December 2012

Implementation status: ongoing

Total cost: €237 650

Funding status: funding partially secured (€9000 VC and €40 000 OB)

Partners: Ukrainian State Penitentiary Service of Ukraine and its Zaporozhye Regional Office, State Service for Drugs Control of Ukraine, the National School of Judges in co-operation with the Ministry of Justice of the Netherlands, Ministry of Health of Norway, Ljubljana Addiction Treatment Centre [Slovenia], NGO "Innovative projects in prisons" [Moldova]

Objectives: The project aims to help to bring Ukrainian drug policies and practices closer to the European standards. The objectives of the project are: to decrease drug-related recidivism and increase the success rate of drug treatment in prisons; to recommend measures to bring prison conditions in Ukraine in line with the CPT's recommendations and the ECHR case law; to present feasible models of inter-agency co-operation in dealing with drugs related problems to educational, social, medical and law enforcement authorities of Ukraine.

Expected results and main activities

The Council of Europe will assist in establishing a quality centre to tackle drug problems in prisons in the Zaporozhye region of Ukraine. A feasibility study will be conducted and a list of suggested changes in drug policies and practices will be presented to the Government of Ukraine. Through a combination of training seminars, study visits and pilot projects, prison staff, medical and social workers working in the Zaporozhye region's eleven penitentiary institutions will be trained in good practices of drug treatment, psychosocial rehabilitation and harm reduction. Local medical, social, law enforcement and judicial agencies are trained in streamlining human rights in their practices of dealing with drug using offenders.

Implementation status

A needs assessment was conducted in January-April 2011. A seminar for 50 local prison and medical staff and judiciary took place in the Zaporozhye region of Ukraine on 2-4 June 2011. The seminar contributes to identification of feasible models to tackle drug problems in the penitentiary system of Ukraine. Based on the results of the seminar, the Council of Europe and Ukrainian experts will suggest follow-up actions.

Project 1.4.3: Implementation of the Revised European Social Charter

Duration: 2012-2013

Implementation status: proposed

Total cost: €60 000 (OB)

Funding status: funding required

Partners: Ministry of Social Policy of Ukraine and other relevant ministries, Ukrainian Parliamentary Commissioner for Human Rights

Overall objectives: Effective implementation of the rights guaranteed by the Revised European Social Charter and fulfilment of its obligations. To prepare acceptance of additional provisions and instruments of the Revised Charter, in accordance with the economic and social reforms in Ukraine.

Specific objective: To ensure implementation of European Committee of Social Rights (ECSR) decisions and conclusions in law and in practice in Ukraine. Graduated accession to the ESC provisions.

Expected results and main activities

To ensure the application of the Revised Charter in Ukraine. Every year Ukraine submits national reports on the implementation of different provisions of the Charter. In October 2011 it will submit its fourth national report.

It is proposed that the expected results and main activities of the project proposed by the Ukrainian authorities be slightly amended to include training activities on the Charter for specific target groups, as well as activities to promote acceptance of the collective complaints procedure and additional provisions of the Revised Charter.

Finally, it is recalled that in 2011 a seminar on non-accepted provisions of the Revised Charter is to be organised in Ukraine (financed through the OB), provisionally scheduled for the end of September 2011.

Project 1.4.4: European Code of Social Security

Duration: 2011-2013

Implementation status: proposed

Total cost: €30 000 (OB)

Funding status: funding required

Partners: Ministry of Social Policy of Ukraine and other relevant ministries

Overall objective: To consider the procedure and modalities for preparing a possible signature and ratification of the European Code of Social Security.

Specific objective: To develop an effective social security mechanism, in line with European standards.

Expected results and main activities

Signature of the European Code of Social Security. By providing training to social security specialists, the Government's ability to manage social security according to European Code of Social Security is developed.

Project 1.4.5: Contributing to the development of modern social services in Ukraine

Duration: 2011-2014

Implementation status: proposed

Total cost: €40 000

Funding status: funding required

Partners: Ministry of Social Policy of Ukraine, Department of Labour and Social Security of the Donetsk Regional State Administration; Donetsk Regional State Administration, local authorities

Objective: To design a strategy for the implementation of social services provision at the national, regional and local level.

Expected results and main activities

Design of a strategy for the development of social services, with particular consideration for vulnerable groups; introduction of measures to facilitate the growth of the tertiary sector in the social services field; training programmes for social services staff; technical advice, study visits, seminars, workshops.

Project 1.4.6: Support of implementation of a national drug strategy and action plan in Ukraine

Duration: 2011–2012

Implementation status: proposed

Total cost: €70 000

Funding status: funding required

Partners: Ukrainian State Service for Drug Control, Ministry of Internal Affairs of Ukraine, Ministry of Justice of Ukraine, Ministry of Health of Ukraine, Ministry of Education, Youth and Sports of Ukraine

Objectives: The aim of the capacity-building project is to provide support for the Ukrainian State Service for Drugs Control to implement a national drug strategy and action plan that corresponds with the general principles included in the EU Drugs Action Plan 2009–2012. In the pursuit of this aim the following objectives are set:

- to provide Ukrainian authorities with examples and experiences of common practice in European countries in the fields of prevention, treatment and trans-frontier law enforcement co-operation;
- to facilitate knowledge on monitoring, evaluation and assessment methodologies;
- to assist in developing structures that allow for effective stakeholder co-operation at government level and also with civil society in implementing the national drug policy;
- to contribute to the elaboration of recommendations and minimal criteria for the development and implementation of a national drug strategy and action plan.

Expected results and main activities

A national drug strategy and action plan for Ukraine was prepared by the Ukrainian State Service for Drug Control in 2010 in due consultation with international and European institutions, national ministries, NGOs and civil society. Stakeholders will have made specific commitments to support the implementation of a national drug action plan. The activities will be based on the expert opinion provided by the Pompidou Group to the Ministry of Justice and Ministry of Internal Affairs of Ukraine on European drug policies and practices and the mission of the Pompidou Group to Kyiv in November 2010 at the invitation of the Ukrainian State Service for Drug Control.

Project 1.4.7: Developing local capacity for school-based prevention

Duration: 2011–2012

Implementation status: proposed

Total cost: €210 000

Funding status: funding required

Partners: Ministry of Education and Science, Youth and Sports of Ukraine, Ukrainian Medical and Monitoring Centre on Drugs and Addiction

Objective: In 2007-2008 the Pompidou Group trained 130 multipliers (teachers, educators, social workers) in the Zaporozhye region of Ukraine in life skills drug prevention methodology. This project was funded by voluntary contributions. As a spin-off of this project, and at the request of Ukrainian experts and authorities, the Pompidou Group proposes to organise a pilot project in the Zaporozhye region of Ukraine. The project aims:

- to adopt a European school-based prevention programme (life skills training methodology) to the Ukrainian context;
- to train regional multipliers in all twenty-eight regions of Ukraine;
- to certify the programme by the Ministry of Education and Science, Youth and Sports of Ukraine and introduce the programme in the school curriculum.

Expected results and main activities

1. Organisation of two five-day training seminars for a total of 120 educators and teachers from all twenty-eight regions of Ukraine.
2. Development of the training materials for teachers, parents and pupils.
3. Feasibility study on the implementation of good European practices in the prevention and treatment of drug use.

4. Development of a quality centre on school-based drug prevention in the Zaporozhye region of Ukraine to facilitate further dissemination of good practices in Ukraine, and possibly to neighbouring countries (specifically in Moldova and Russia).

Project 1.4.8: Drug prevention TV project targeting families

Duration: 2011–2012

Implementation status: proposed

Total cost: €100 000

Funding status: funding required

Partners: Ministry of Education and Science, Youth and Sports of Ukraine, National Television Company of Ukraine, Ukrainian Medical and Monitoring Centre on Drugs and Addiction

Objective: The project intends to create, in partnership with a Ukrainian media production company and local educational and health authorities, a TV format reaching 'at risk' groups of parents (such as 'Super Nanny') who are otherwise difficult to reach with drug prevention messages and information on help and support. More specifically, the pilot project seeks to:

- develop a television format that communicates drug prevention messages and support to 'at risk' families;
- reach families that are usually seen as 'hard-to-reach' through TV;
- create a media product that promotes discussion on drugs in families;
- provide parents with information on institutional assistance and self help.

Such TV format could be a new way to pass messages to 'hard-to-reach' families, help them think about drugs issues, and help initiate conversations about drugs in the context of other issues and concerns that parents and children have. The project will involve Ukrainian and international experts and will aim from the beginning to be translated and adopted to other countries. It will involve educators, health and social workers and will be implemented in a public-private partnership framework.

2. RULE OF LAW

2.1. Ensuring justice

Project 2.1.1: Enhancing judicial reform in the Eastern Partnership countries

Duration: March 2011 – August 2013

Implementation status: ongoing

Total cost: €154 000 (approximate budget allocation for Ukraine from a regional programme, €923 995 for six countries, including Ukraine)

Funding status: funding secured (EaP Facility, CoE/EU joint project)

Partners: Ministries of Justice of the beneficiary countries, judicial communities

Objective: To support and enhance the ongoing process of reform of the judiciary, with a view to increasing the independence, efficiency and professionalism of the judicial systems of the participating beneficiary countries, through intensive information exchange and best practice sharing.

The Project will mobilise expertise and experience from all participating beneficiary and contributing countries. It will provide the opportunity to discuss the legal and practical obstacles to the implementation of the applicable European standards in the participating countries and to further adjust their respective policies in the areas of particular concern

identified by the Project, the Council of Europe (CoE) monitoring mechanisms, the EU progress reports and the beneficiary countries themselves.

In line with the Eastern Partnership and its Judiciary Panel's objectives, the Project will provide a flexible forum for discussing among the participating countries the concrete implications of the standards, drawing on relevant expertise and experience and extracting key findings and applicable European lessons learnt for shared use.

Main activities

(Proposed additional activities, the High Council of Justice (HCJ) of Ukraine)

1. Round tables, seminars, conferences aimed at studying of activity of the institutions similar to the High Council of Justice of Ukraine.
2. International conferences, seminars.
Powers of the judicial authorities and state bodies providing organisation of work in courts and responsible for formation of judge corps in European countries and in Ukraine.
 - Differentiation of legal responsibilities of judges in Ukraine.
 - Disciplinary responsibility of judges in European countries.
 - Differentiation of grounds and reasons of disciplinary responsibility and removal of judges for oath violation in member states of the Council of Europe and in Ukraine.
3. Training of HCJ Secretariat staff the following branches of modern management:
 - Time management;
 - Effective communications;
 - Conflict management, etc.
4. Organisation of regular improvement of professional knowledge of the High Council of Justice staff in the sphere of the judiciary and judicial system of Ukraine and foreign states, participation in corresponding conferences, seminars and trainings, including international.
5. Comparative analyses with reports carried out by EU experts:
 - Comparative analysis of High Councils of Justice and similar bodies in member states of the Council of Europe (in particular concerning their status, powers, structure and requirements to their members, order of training and formation, organisation, work process, etc.).
 - Comparative analysis of order of appointment (election) of judges on administrative positions in EU countries, and also their dismissal, in particular, in countries where High Councils of Justice (Magistracy) are not present.
6. Translation of Laws of those countries where High Councils of Justice (Magistracy) are present, and internal documents of these bodies (for example, the High Councils (Magistracies) of Portugal, Spain, Italy, Poland and France).
7. Visits of the High Council of Justice staff to European countries where institutions similar to the HCJ are functioning, for close and direct acquaintance with their activity, including training.
8. Software updating for effective usage of HCJ office equipment.
9. Visit of a delegation of an European country where institutions similar to the HCJ are functioning, for acquaintance with their activity, exchange of experience in the sphere of high skilled judicial staff selection.
10. Amendments to the legislation, in particular the Law on the Judiciary and Status of Judges and other key texts. Close co-operation with the Ministry of Justice: work on the amendments to the procedural legislation to decrease the number of cases before the courts.
11. Support to the State Court Administration, in particular by enhancing its capacity building, by improving the automation system as well as the court performance standards and enhancing the court financing.
12. Support to the High Qualification Commission by further implementing and developing the legal provisions.

Project 2.1.2: Support to the reform of the judicial system

Duration: 2011-2014

Implementation status: underway; follow-up agreed

Total cost: to be defined

Funding status: funding secured until 31 December 2011 (CoE/EU Joint Programme budget €6 000 000); extension granted (new funding required from early 2012)

Partners: Ministry of Justice of Ukraine (including Secretariat of the Government Plenipotentiary at European Court of Human Rights), Supreme Court of Ukraine, High Administrative Court of Ukraine, Supreme Court of Ukraine, High Council of Justice of Ukraine, National School of Judges of Ukraine, Council of Judges of Ukraine, High Commercial Court, Office of the Prosecutor General of Ukraine, State Court Administration of Ukraine, Ukrainian Parliamentary Commissioner for Human Rights, the High Qualification Commission of Judges of Ukraine, National Commission for Strengthening Democracy and the Rule of Law, Parliament (Verkhovna Rada), Committee on Legal Policy and Committee on the Judiciary, State Court Administration, High Specialised Court for civil and criminal cases

Objectives: The overall objective of the ongoing Council of Europe/European Union Joint Programme entitled "Transparency, independence and efficiency of the Judicial System in Ukraine" (TEJSU) is to assist with the establishment of an independent, impartial, efficient and professional judiciary in Ukraine, accessible to all citizens, working effectively and transparently vis-à-vis citizens and civil society. The four individual components have their own separate objectives; combined they contribute towards further strengthening the capacity of the Ukrainian judicial system to administer equitable and efficient justice. Among the issues being addressed are automation of courts, the measuring of the workload of judges, courts financing, the system of initial and in-service training of judges, the disciplinary liability of judges, the establishment of one professional bar association, access to legal aid, the use of alternatives to judicial dispute resolution, and procedures and tools for ensuring compliance of legislation with European standards.

Expected results and main activities

The methodology comprises legislative and policy advice, capacity-building, peer-to-peer contacts and sharing of best practices, and setting up/strengthening existing co-ordination structures and working groups. Once the TEJSU Project is completed, a follow-up initiative or project should build on its strong results and prepare the ground for the introduction of budgetary support in the field of the judiciary. It might also be integrated into the future European Union Project on "Support to the justice sector policy reforms in Ukraine". The future precise results would have to be defined based on the situation once the TEJSU project is completed. It would be crucial to ensure continuity and complementarity, while building into the new project the implications in terms of capacity and co-ordination that any transition to direct budget support would entail.

A major milestone achieved by the Project is related to the drafting of the legislation on an automatic case-management system in Ukrainian courts. The Project team, in co-operation with the Ukrainian counterparts, prepared a draft regulation, commonly agreed, which has been adopted and took effect as from 1 January 2011. This regulation will help to make the court's work more efficient and transparent. In addition, a list of categories of cases and levels of their complexity was drawn up within the framework of the Project. The implementation of these documents will allow the further specialisation of judges, based on objective criteria, and provide an efficient and realistic tool for the evaluation of the workload and allocation of resources between the courts. This will contribute to an efficient administrative organisation of courts.

The Project has also started work on the improvement of a system of court financing. During the meetings, both judicial and governmental institutions demonstrated a high interest in the results. The implementation in a short period of time of the new additional activities requested by the stakeholders, such as policy advice on the application of the European Convention of Human Rights (ECHR) and the case law of the European Court of Human Rights (the Court); peer-to-peer review and expertise, as well as the organisation of conferences on judicial education, proved to be viable and successful examples attest to the success of the Council of Europe values and its unique capacity to gather together, under the same umbrella, for the first time two key stakeholders (the Academy of Judges (AoJ) and the Academy of Prosecutors (AoP)) by enhancing a close dialogue.

As a tool of Alternative Dispute Resolution (ADR), mediation was included by the Project on the map for Ukrainian citizens and authorities. Mediation was successfully introduced in four pilot courts around the country (Bila Tzerkva City Court of the Kyiv region, Vinnitsa Circuit Administrative Court, Appeal Administrative Court of the Donetsk region and Ivano-Frankivsk City Court) as a means towards both decreasing the number of cases dealt with by courts and strengthening the efficiency of courts. The Project provided in-depth training on mediation to legal professionals by providing tools to judges and lawyers, with a view to carrying out mediation in cases assigned to them. Mediation has proved to be an important factor in the success of the Project.

Training on the implementation of the new case management system in general courts, support to elaborate curricula for initial and continuous training, and measures to improve the quality of judicial decisions proved to be among the most successful activities, and were highly appreciated by the recipients during the extension time.

Capacity building with the main beneficiaries has continued to be at the heart of the Project's outputs. The Project Team has also continued to assist all beneficiaries through institutional support to overcome differences and to facilitate a dialogue. It has also enhanced networking and exchange of information through participating in conferences, seminars and training activities organised by other donors.

Project 2.1.3: Support for prison reform in Ukraine

Duration: March 2011 – February 2013

Implementation status: ongoing

Total cost: €1 000 000

Funding status: Funding secured. (Funded by the Swedish International Development Co-operation Agency – SIDA)

Partners: State Penitentiary Service of Ukraine, Ministry of Justice of Ukraine, Ministry of Internal Affairs of Ukraine, Ministry of Health of Ukraine, General Prosecutor's Office of Ukraine, State Court Administration of Ukraine, Ukrainian Parliament Commissioner for Human Rights, Permanent Committees of the Parliament of Ukraine and NGOs.

Objective: To enhance reforms in the area of execution of criminal sanctions in Ukraine, in line with CPT and other Council of Europe standards and recommendations. The project will use a combination of approaches, such as policy advice and the drawing up of a sector strategy and/or road map; awareness raising; training, including management training and the necessary tools and curricula for effective training; and peer-to-peer contacts with other European jurisdictions.

The project's final design and activities will only be decided upon at the end of the inception phase, based on the needs assessment to be carried out during that phase and the input

from the Stakeholder's Platform which is being established to discuss and adopt the main orientations and priorities of the project.

Among the aims currently being examined, which may be integrated into the final design of the project, are improving and strengthening the functioning of the probation service; promoting greater use of alternative sanctions; introducing programmes to help increase the prospects of successful reintegration of prisoners, as well as developing the professional skills and management capacities of prison staff. It may also include reviewing and strengthening the provision of health care in prisons. Other aspects may still be added in light of the work of the Stakeholders Platform.

Project 2.1.4: Support for reform of the Public Prosecution Service as part of the reform of the criminal justice system

Duration: 2012-2014

Implementation status: proposed

Total cost: to be defined

Funding status: funding required

Partners: Prosecutor General's Office of Ukraine, Ministry of Justice of Ukraine, Ministry of Internal Affairs of Ukraine, Ukrainian Parliament Commissioner for Human Rights, National Academy of Prosecutors of Ukraine, Supreme Court of Ukraine

Objective: To support the reform of the Public Prosecution Service, bearing in mind, and based on, the significant number of cases of findings of violations by the European Court of Human Rights of Articles 2, 3, 5 and 6 of the European Convention on Human Rights. Some of these judgments indicate that the General Prosecutor's Office requires comprehensive and in-depth reform. This is further linked to Ukraine's original Council of Europe accession commitments, which include the adoption of a criminal procedure code and introducing changes to the role and functions of the Prosecutor General's Office. The project would also look at ways of ensuring full implementation of the Presidential Decree on the "Concept on the State policy in the field of criminal justice" (311/2008).

2.2. Countering threats to the rule of law

Project 2.2.1: Good governance and the fight against corruption in the Eastern Partnership countries

Duration: March 2011 – August 2013

Implementation status: ongoing

Total cost: €187 727 (approximate budget allocation for Ukraine from a regional programme, €1 126 365 for six countries, including Ukraine)

Funding status: funding secured (EaP Facility, CoE/EU joint project)

Partners: Ministry of Justice of Ukraine, Ministry of Internal Affairs of Ukraine, Ministry of Finance of Ukraine; Judicial Council of Ukraine, Prosecutors Council of Ukraine, specialised agencies on anti-corruption and Financial Intelligence Unit, civil society and private sector associations, central electoral administrations, State Court Administration of Ukraine, the Ukrainian Parliamentary Commissioner for Human Rights, General Prosecutor Office of Ukraine, Supreme Court of Ukraine

The purpose of this project is to strengthen national capacities of Ukraine (along with other members of the Eastern Partnership Initiative) to apply prevention and law enforcement measures in order to enhance their good governance and fight against corruption.

Furthermore, this regional project being a part of the EaP/CoE Facility will:

- increase the regional dialogue and create the forum for sharing good practices in the prevention and fight against economic crime;
- Good governance and fight against corruption remains an acknowledged priority, and thus results and work under this project will be reviewed by the Eastern Partner;
- address those relevant GRECO and possibly some of MONEYVAL recommendations through Pilot Activities (which are subject to specification at the EaP Panel meeting in Tbilisi, Georgia, and bilateral meetings in Kyiv, Ukraine, before the end of May 2011);
- Provision of specialised training of law enforcement staff and with regard to detecting and investigating corruption offences those directly involved in the fight against corruption (Rec vi) from the joint 1st and 2nd GRECO Evaluation Report.

Overall objective: To enhance the reform processes in the six partner countries through a multilateral approach and to bring them closer to Council of Europe and EU standards in core areas covered by the Eastern Partnership Platform 1.

Specific objective: To enhance good governance and strengthen the capacities of the public administration and criminal justice sector in order to effectively prevent and fight corruption in line with Council of Europe conventions and other international treaties.

All activities will follow a regional approach and combine technical advice, with training, assessments, development of methodologies, and policy design and tools exchange in the area of good governance, corruption and money laundering.

Project 2.2.2: Co-operation against cybercrime in the Eastern Partnership countries

Duration: March 2011 – August 2013

Implementation status: ongoing

Total cost: €120 667 (approximate budget allocation for Ukraine from a regional programme, € 724 000 for six countries, including Ukraine)

Funding status: funding secured (EaP Facility, CoE/EU joint project)

Partners: Ministry of Justice of Ukraine, Ministry of Internal Affairs of Ukraine, Judicial Council of Ukraine, Prosecutors Council of Ukraine, specialised agencies, local NGOs, Ukrainian Parliamentary Commissioner for Human Rights

Overall objective: To enhance the reform processes in the six partner countries through a multilateral approach and to bring them closer to Council of Europe and EU standards in core areas covered by the Eastern Partnership Platform 1.

Specific objective: To strengthen the capacities of criminal justice authorities of Eastern Partnership countries to co-operate effectively against cybercrime.

Additional proposals of the Ministry of Internal Affairs of Ukraine: to provide an efficient functioning of an around-the-clock contact centre for responding to cybercrimes, as part of an international around-the-clock contact centre for responding to cybercrimes, formed on the basis of the Article 35 of the Council of Europe Convention on Cybercrime and other international around-the-clock contact centres for responding to cybercrimes; logistical support of an around-the-clock centre; working out and approval of regulations on the activities of the contact point; creation of a regional contact centre network on combating cybercrimes and human trafficking; arrangement of working visits to competent subdivisions of foreign law enforcement bodies on exchange of positive experience towards exposing and stopping cybercrimes, information exchange on crimes of this kind and taking joint measures in exposing and stopping cybercrimes.

Project 2.2.3: Strengthening the financial system security in Ukraine

Duration: 2011-2015

Implementation status: proposed

Total cost: to be defined

Funding status: funding required

Partners: Ministry of Internal Affairs of Ukraine, State Service for Financial Monitoring of Ukraine, Ministry of Justice of Ukraine, Ministry of Finance of Ukraine, National Bank of Ukraine, State Securities and Stock Market Commission of Ukraine, State Financial Services Market Regulation Commission, Security Service of Ukraine, Ministry of Economic Development and Trade of Ukraine, Ministry of Infrastructure of Ukraine

Overall objectives: Development and improvement of the AML/CFT system, in line with European standards and MONEYVAL recommendations, in order to provide for the financial security of Ukraine; boosting domestic co-operation and capacity at central and regional level in key areas, such as financial investigation; enhancement of supervisory oversight of banking, non-banking financial and non-financial reporting entities in the AML/CFT area; development and optimisation of legislative, regulatory and supervisory functions of the State Committee for Financial Monitoring of Ukraine, the National Bank of Ukraine, the State Securities and Stock Market Commission, the State Financial Services Market Regulation Commission and other supervisory bodies, in order to ensure adherence of the reporting entities with anti-money laundering and counteracting terrorist financing legislation and to remove legislative hindrances that impede development of the financial market and maximum consideration of its participants' interests.

Specific objectives: To provide a reliable, regular feedback system between public and private sectors; elaboration and implementation of effective anti-money laundering and terrorist financing risk management policy and the gradual transition to a supervision system, based on risk level and geographical region peculiarities; promoting financial institutions' transparency with regard to beneficiary owners, products, services, financial transactions; reporting on and enhancement of supervisory agencies' transparency; enhancement of supervisory agencies' capacity to effectuate law enforcement activities, in order to improve transparency, corporate governing and level of commercial, banking and other financial secrecy disclosure and to create equal conditions in the market; enhancement of existing technological support of supervisory agencies, to ensure timely data collection (including obligatory reports), therefore improving the quality and timeliness of analysis and corrective measures; enhancement of financial investigations at national and regional level; development of a methodological base, in order to implement co-ordinated risk-based supervision of the reporting entities; promotion of analytical capacities needed to effectuate risk-based supervision; ensuring efficient functioning of non-banking and designated non-financial businesses and professional supervisors.

Establishing the system of around-the-clock exchange of information between banking institutions and the Department on combating cybercrime and human trafficking of the Ministry of Internal Affairs of Ukraine, with the purpose of ensuring operative response to the facts of committing fraud with plastic payment cards in the ATM network and POS-terminals in Ukraine.

Project 2.2.4: Project against corruption in Ukraine – 'UPAC 2'

Duration: 2012-2014

Implementation status: proposed Joint programme EU/CoE

Total cost: €1 380 000

Funding status: funding required

Partners: Ministry of Justice of Ukraine, Ukrainian Parliament Commissioner for Human Rights, State Court Administration of Ukraine

Overall objective: To contribute to the improvement of Ukrainian anti-corruption legislation and policies, and to the development of the capacities of the respective Ukrainian institutions to effectively and efficiently implement them.

Specific objectives: To strengthen the capacity for the prevention of corruption; to strengthen the law enforcement agencies' institutional capacity to investigate and prosecute corruption-related offences; to support future reforms of domestic anti-corruption legislation.

Project 2.2.5: Project against cybercrime in Ukraine

Duration: May 2011 – April 2013 (24 months)

Implementation status: proposed Joint Programme EU/CoE

Total cost: €1 200 000

Funding status: funding required

Partners: Ministry of Justice of Ukraine, Ministry of Internal Affairs of Ukraine, Security Service of Ukraine, Judicial Council of Ukraine, Prosecutors Council of Ukraine, specialised agencies, local NGOs, Ukrainian Parliament Commissioner for Human Rights

Source of justification:

1. Convention on Cybercrime (ETS No. 185).

Objective: To strengthen criminal justice capacities against cybercrime, on the basis of the Budapest Convention (legislation, high-tech crime unit, law enforcement and judicial training, law enforcement – ISP co-operation, measures against child pornography, efficient international co-operation); to promote building and maintaining of a unified national system of combating cybercrime; exchange of experience in conducting investigations, expert forensic research in the field of combating cybercrime; to establish a modern scientific and methodological basis assessment malware and hardware used by cybercriminals; to organise and conduct trainings for employees of law enforcement involved in combating cybercrime; creation of a separate structural element - the National Centre for Combating Cyber Threats.

Project 2.2.6: Project to combat trafficking in human beings in Ukraine

Duration: 30 months

Implementation status: proposed

Total cost: €1 500 000

Funding status: funding required

Partners: Ministry of Internal Affairs of Ukraine, Ministry of Social Policy of Ukraine, local state administrations, Ministry of Justice of Ukraine, Judiciary and Prosecution Services, Verkhovna Rada of Ukraine, centres of social services and NGOs

Objectives: To contribute to the full implementation of the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197), as an effective instrument in the fields of prevention of trafficking, prosecuting the traffickers and protection of the victims; to strengthen the capacity building of key institutions involved in the fight against trafficking in human beings; to create legislative procedures and mechanisms to ensure timely assistance to victims of trafficking.

Expected results and main activities

1. Prevention of human trafficking, prosecution of traffickers and protection of victims of trafficking are in line with the requirement of the Council of Europe Convention on Action against Trafficking in Human Beings.

2. Capacity building of key institutions involved in the fight against trafficking in human beings is strengthened.
3. Skills on standards with regard to the fight against trafficking in human beings are enhanced. Judges, prosecutors, law enforcement officials, social workers and other relevant officials are trained on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings.
4. Assistance to set up shelter centres and help lines is available.
5. Advice on design and running of information and awareness-raising campaigns is available.
6. Training seminars, trainings, conferences on prevention and counteraction human trafficking.
7. Improved conditions of logistical support of the divisions on combating cybercrimes and human trafficking of the law enforcement bodies.
8. Working visits to competent divisions of foreign law enforcement bodies for sharing of good practice in the direction of detection and suppression of human trafficking, exchange of information on crimes, oriented in this way, and carrying out joint activities for their detection and suppression.
9. Guidelines on topical issues of documentation, disclosure and investigation of the facts of human trafficking.

3. DEMOCRACY

3.1. Parliamentary democracy; support to improve electoral legislation and practice

Project 3.1.1: Support free and fair elections in the Eastern Partnership countries

Duration: March 2011 – August 2013

Implementation status: ongoing

Total cost: €155 983 (approximate budget allocation for Ukraine from a regional programme, €935 900 for six countries, including Ukraine)

Funding status: funding secured (EaP Facility, CoE/EU joint project)

Partners: Central electoral administrations of the beneficiary countries, local NGOs

Main partners: Central Electoral Commission of Ukraine, Ukrainian Parliamentary Commissioner for Human Rights

Overall objective: To ensure the effective implementation of the principles of the European electoral heritage, relying notably on capacity-building and awareness-raising activities involving both the competent authorities and civil society.

Specific objectives: To enhance the capacity of the electoral administration at all levels to organise elections in compliance with European standards. This is to be carried out essentially by involving local experts and making them the focal point for the training of election commissions and officials at all levels, so as to ensure sustainability; to address problems of common concern in the region linked to the organisation of democratic elections and, notably, to the modernisation of the electoral process such as the creation of accessible electronic voter registers or mechanisms for the registration of voters abroad; to support civil society in developing its capacity to act as a reliable source of independent national observers for elections in a sustainable manner relying on a regional exchange of knowledge and experience and pooling of training resources; to involve voters more deeply in the electoral process as a pre-condition for full participation in public and political life, making them aware of the importance of participating (and hence abstaining from) in elections, the individual rights of each voter, and the freedom of choice in the casting of a ballot. The

activities will target in particular young first-time voters and women, to fight phenomena such as family voting.

Project 3.1.2: Assistance in capacity building to the Central Electoral Commission of Ukraine and training of electoral officials and judges

Duration: 2011-2014

Implementation status: proposed

Total cost: €30 000

Funding status: funding required

Partners: Ministry of Justice of Ukraine, Central Electoral Commission of Ukraine, Supreme Court of Ukraine, High Administrative Court of Ukraine, National School of Judges of Ukraine, Office of the Prosecutor General of Ukraine, including Secretariat of the Government Plenipotentiary in European Court of Human Rights, State Court Administration of Ukraine, media and civil society

Short description/objectives

Elaboration of election-related legislation and its implementation, the effective exercise of voting rights and the conditions necessary for a free and informed participation of voters. Specific activities will cover, *inter alia*, the preparation of handbooks and curricula based notably on the standards of the ECHR as interpreted by the case law of the Court and on the opinions of the Venice Commission for the training sessions, the training of the electoral administration at all levels, the role of the media to support a balanced coverage of the electoral campaign, a voters' information campaign.

3.2. Local democracy: support public discussions on international standards for democratic elections

Project 3.2.1: Strengthening local democracy and support for local government reforms in Ukraine

Duration: 1 January 2010 - 31 December 2012

Implementation status: ongoing

Total cost: ca. €1 500 000

Funding status: funding secured (SIDA contribution)

Partners: Ministry of Regional Development, Construction and Housing of Ukraine, Ministry of Finance of Ukraine, Verkhovna Rada of Ukraine (Parliament), Ukrainian Parliament Commissioner for Human Rights, State Fund for Local Self-Government of Ukraine, associations of municipalities, villages and regions

Short description/objectives

The programme is designed to provide policy guidance, legal assistance and technical expertise to the Ukrainian authorities. The programme will contribute to the establishment of an efficient local government system, in order to promote good governance and more effective provision of services to citizens in Ukraine. The purpose of the programme is to contribute to the improvement of an institutional and legislative framework for local democracy in Ukraine and the development of a system of decentralised governance consistent with the European Charter of Local Self-Government, European standards and objectives of the Council of Europe Action Plan for Ukraine.

Expected results and main activities²

1. Structural local self-government (LSG) reforms are designed and agreed on. The LSG reform is integrated into a wider PAR process. Division of roles and responsibilities between local governments and local state administrations are clarified and streamlined.
2. Local finance system and inter-budgetary relations are enhanced to reduce vertical and horizontal imbalances; LSG budget autonomy is strengthened; budget management is improved.
3. The National Programme of Reform and Development of the Housing and Municipal Economy is enhanced. Inter-municipal co-operation is encouraged.
4. Public and stakeholders' awareness of the reform process and of its impact is raised.

Project 3.2.2: Strengthening the institutional capacity of the local self-government authorities and their associations in the implementation of European standards of good governance at local level, providing the active citizenship and participatory democracy

Duration: 2011-2013

Implementation status: ongoing

Total cost: €1 200 000 (contributions from Denmark and Switzerland)

Funding status: partially funded (second part of the Swiss contribution is conditional upon successful implementation of the first year)

Partners: Ministry of Regional Development, Construction and Housing of Ukraine, Verkhovna Rada of Ukraine (Parliament), State Fund for Local Self-Government of Ukraine, associations of municipalities, villages and regions, and a Club of Mayors, Centre of Research of Regional and Local Development Issues and Support to the Administrative Reform, Individual municipalities, Ukrainian delegation to the Council of Europe Congress

Short description/objectives

The proposed programme aims at improving the quality of local self-governance in Ukraine. The programme will complement the above-mentioned SIDA-funded programme, which focuses on providing legal assistance. Both programmes will thus allow for a comprehensive implementation of the Council of Europe Action Plan. The capacity-building programme consists of five separate, but interconnected, components, based on tools developed by the Centre of Expertise and successfully implemented in many CEE countries. These programmes include training, developing tools for the use of local authorities and support to their use, as well as practical reforms of local government regulations and practice.

Expected results and main activities

1. The level of public ethics at local level is enhanced through the implementation of a Public Ethics Benchmarking Programme, which leads to changes of regulation and practice in pilot municipalities, as well as to the adoption of Codes of Conduct and the creation of Ethics Committees.
2. Local government institutional leadership is strengthened through the implementation of a Leadership Academy Programme.
3. The quality of local services is improved through the utilisation of performance indicators in the framework of a performance measurement and management programme.
4. The local finance system is improved at both local and central government level through the implementation of a Local Finance Benchmarking Programme.
5. Good practice is encouraged, acknowledged and replicated through the implementation of a Best Practice Programme.

² Provided that the Government announces the reforms and co-operates with the Programme.

Project 3.2.3: Strengthening leadership by local elected representatives

Duration: 2012-2014

Implementation status: proposed

Total cost: € 600 000

Funding status: funding required

Partners: local elected representatives, Ukrainian delegation to the Council of Europe Congress, associations of municipalities, Foundation for Local Self-Government of Ukraine, European associations of municipalities and regions, Assembly of European Regions

Short description/objectives

The overall objective is to contribute to the development of local and regional democracy in Ukraine, to build confidence and trust in local elected representatives and foster greater transparency at local level.

The proposed programme focuses on the quality of local self-governance and the consolidation of the reforms in this field. It aims at improving the leadership capacities of local elected representatives and empowering them to engage in constructive dialogue with the central authorities and with the citizens.

It consists of a series of peer-to-peer exchanges and interactive seminars with the participation of Congress members from other member states of the Council of Europe and experts. The work will be organised into the following main themes: the role of local elected representatives, ethics in politics and decision making, citizen participation, transfrontier co-operation, positive campaigning (with a view to the next local elections), and the implementation of human rights at local level.

The programme will complement already existing programmes which focus on providing legal assistance in the area of local government reform and on the implementation of the European standards of decentralisation and good governance at local and regional level. In addition, specific focus will be put on the process of regionalisation.

3.3. Promoting democratic governance and stability

Project 3.3.1: Kyiv Initiative Regional Programme

Duration: 2011-2014

Implementation status: The Preliminary Phase of the "Pilot Project on the Rehabilitation of Cultural Heritage in Historic Towns" is ongoing (finishing at the end of November 2011, JP and OB).

Total cost: €50 000 (approximate budget allocation for Ukraine from a regional programme; €2 000 000)

Funding status: funding to be secured from 2012. The possibility of financing the Operational Phase (from 2012 to 2014) of this Joint Programme is under discussion with the European Commission in the framework of the EU-Eastern Partnership Platform 4 "Contacts between people"

Partners: Ministry of Culture of Ukraine, regional state administrations

Objectives: This Pilot Project aims to assist national, regional and local authorities in implementing strategic revitalisation and to contribute to social and economic sustainable development. In this approach, the built heritage is considered as an economic and social factor, going beyond simple conservation and restoration, to encourage and facilitate

rehabilitation which provides new uses and new possibilities for the local population while integrating with the planning of the built environment's future shape.

Project 3.3.2: Promotion of European standards in the Ukrainian media environment

Duration: 2008-2012

Implementation status: ongoing

Total cost: €2 208 918

Funding status: secured (EU/CoE Joint Programme)

Partners: State Committee of Television and Radio Broadcasting, Verkhovna Rada of Ukraine (Parliament) Committee on Freedom of Speech, Ukrainian Parliament Commissioner for Human Rights, National Council of Television and Radio Broadcasting

Overall objective: To raise journalistic standards with a view to ensuring that the Ukrainian public is better informed about political and social processes.

Specific objectives: To align the legislative framework for the media with European standards; to raise ethical standards in the journalism profession and to promote an ongoing dialogue between the media, civil society and state administration at the local/regional level.

Expected results and main activities

Media-related legislation is aligned with European standards. The legal framework for and the institutional capacity of a public-service broadcaster is developed. A draft digital broadcasting strategy is prepared. Journalists and editorial staff develop professional working methods on the basis of best practices in Europe. Media professionals understand and accept the need to adhere to journalistic ethics rules and start the process of establishing a self-regulatory mechanism (Press Council/Press Complaints Commission). The mechanisms for co-operation and dialogue between journalists, civil society representatives and state officials are improved.

Project 3.3.3: Intercultural cities

Duration: 2011-2014

Implementation status: proposed

Total cost: €250 000

Funding status: funding required

Partners: Ministry of Culture of Ukraine, Institute of Culturology of the Academy of Science of Ukraine, National Academy for Managers in Culture and Arts, Centre for Democracy through Culture

Overall objective: To establish a Ukrainian and wider (Eastern European) network of poly-cultural cities as a partner network of CoE ICC programme, allowing a wider exchange of experience and using the multiplier effect.

Specific objective: To introduce the mechanisms of efficient community-building, based on culturally diverse resources and interests in Ukrainian cities and cities abroad.

Project 3.3.4: Pestalozzi programme: trainers of trainers

Duration: 2011–2014

Implementation status: proposed

Total cost: €200 000

Funding status: funding required

Partners: Ministry of Education and Science, Youth and Sports of Ukraine and educational institutions

Overall objectives: To emphasise the importance of education and teacher education; to increase awareness of the key role of education in promoting human rights, democracy and the rule of law.

Specific objectives: To work collaboratively on projects of shared thematic and pedagogic interest, to strengthen personal and professional relationships across Europe and the world.

Expected results and main activities

To launch conceptual research on intercultural education; to develop analytical instruments and identify and disseminate examples of good practice around Ukraine; to develop national programmes aimed at communication and mutual understanding, particularly through language learning; to support initiatives and experiments with democratic governance in schools; to strengthen intercultural education and management of diversity in its training; to develop educational strategies and working methods to prepare teachers to manage new situations.

Project 3.3.5: Training course on youth policy, participation and human rights education for representatives of Ukrainian youth NGOs and civil servants in charge of youth matters

Duration: 2012 and 2013

Implementation status: proposed

Total cost: €30 000 per course

Funding status: funding required

Partners: Ministry of Education and Science, Youth and Sports of Ukraine, State Service for Youth and Sports of Ukraine, NGOs

Objectives: To acquaint representatives of public authorities and NGOs with the Council of Europe standards of youth policy development and youth participation; to provide introductory training in the field of human rights education for young people; to strengthen the capacity of Ukrainian youth organisations and consolidation of their role as partners in the youth field; to support reform and development of youth policy; to prepare youth NGO leaders and civil servants responsible for youth affairs (at national and local level); to promote co-operation between governmental and non-governmental sectors of the youth policy in Ukraine.

Expected results and main activities

1. One to two courses presenting and analysing the different models of youth policy making and youth participation in Europe (case studies, examples of good practice, Council of Europe standards, introduction to training manual "Have your say!").
2. Introduction to human rights and citizenship education, using the Council of Europe manuals ("Compass" and "Compasito", if possible in Ukrainian language versions). National and local follow-up projects at the level of public authorities and NGOs expected.
3. Strengthening the role of youth organisations in Ukraine and the effectiveness of the Council of Europe activity in the youth area.
4. Launching reforms in the youth sector.
5. Application of positive European experience in the development and adoption of a relevant legal framework in the field of youth policy.

Project 3.3.6: International review of the Ukrainian youth policy

Duration:

Implementation status: Planned for 2012

Total cost: €40 000

Funding status: if no additional resources, it will be financed within the 2012-2013 OB budget of the Directorate of Youth and Sport

Partner: Ministry for Education and Science, Youth and Sports of Ukraine, State Service of Youth and Sports of Ukraine

Objectives: An international team of youth policy experts will conduct an in-depth review of the youth policy of Ukraine and make recommendations, following the model used in the previous analyses³.

Expected results and main activities

1. Analysis of the problems existing in the youth sector of Ukraine.
2. Acquaintance of the European youth policies.
3. Conducted meetings, round tables with representatives of central authorities and NGOs.

The results of the review will be presented in Ukraine during a national public hearing, followed by a presentation and debate in the Joint Council on Youth (CMJ) of the Council of Europe.

Project 3.3.7: Promoting social cohesion

Duration: 2011-2014

Implementation status: proposed

Total cost: €30 000 (OB)

Funding status: funding required

Partners: Ministry of Social Policy of Ukraine, Department of Labour and Social Security of the Mykolaiv Regional State Administration, local authorities, local self-government

Overall objective: To promoting social cohesion in Ukraine.

Specific objective: To improve the system of social services for rural population in the Mykolaiv region.

Expected results and main activities

1. Publication, presentation and implementation of the Council of Europe Action Plan for Social Cohesion at the regional level.
2. Provision of a systematic approach to implement the policy of social services, improvement of the delivery of social services to vulnerable people living in rural areas and in difficult conditions.
3. Preparation of relevant regulations to expand the range of categories of citizens and the list of social services provided immediately at home in the community.
4. Sharing the obtained experience in all regions of Ukraine.

Project 3.3.8: European identity and education (European Higher Education Area)

Duration: January 2011 – December 2014

Total cost: €60 000

Implementation status: ongoing

Funding status: €10 000 from OB secured, further funding required

Partners: Ministry of Education and Science, Youth and Sports of Ukraine

³ Cf. http://www.coe.int/t/dg4/youth/IG_Coop/youth_policy_reviews_en.asp

Overall objective: To carry out higher education reform in Ukraine based on European standards and good practices, in particular as concerns the legal framework and qualifications frameworks, in line with the principles of the European Higher Education Area.

Specific objectives: In line with the Council of Europe's role in advancing structural higher education reform in general and supporting the sharing of experiences in the development of national qualifications frameworks, in particular: to provide expert assistance, in order to step up the development and implementation of the national qualifications framework in Ukraine, as an essential instrument of higher education reform by 2014; to provide expert assistance in establishing the national legal framework, fully reflecting the principle of university autonomy and academic freedom, and reflecting conformity to the principles of the European Higher Education Area.

Project 3.3.9: Integration of European standards in the Ukrainian media environment

Duration: 2013–2015

Implementation status: proposed

Budget proposal: €2 000 000 (CoE/EU JP)

Funding status: funding required

Partners: National Television and Radio Broadcasting Council of Ukraine, State Committee of Television and Radio Broadcasting, Verkhovna Rada of Ukraine (Parliament), media professionals, civil society

Objective: To promote freedom of expression and information and freedom of the media, through enhancing the relevant legal framework and its implementation, establishing a genuine public broadcasting service and raising professional standards in journalism.

Expected results and main activities

1. The proposed project will build upon the results achieved so far under the CoE/EU joint programme "Promotion of European standards in the Ukrainian media environment" ending on 31 December 2012. It will seek to continue the reforms in the media field, with a view to achieving a sustainable impact. This would bring relevant Ukrainian law and practice closer in line with European standards, addressing at the same time the relevant EU-Ukraine Association agenda priorities. The continuing support to the process of enhancing the legislative framework for media will include expert assistance, legal expertise, working meetings and public discussions with parliamentarians, government officials, media professionals and civil society. With this support, it is expected to create the legal framework for establishing a genuine public broadcasting service and for the transition to digital broadcasting.
2. The day-to-day implementation of the relevant legal framework is expected to move closer to European standards, thereby contributing to an environment more conducive to the existence of an independent and professional media – both traditional and "new". This goal will be pursued through expert assistance, training programmes, seminars, conferences and other events with the participation mainly of public officials, media professionals and civil society.
3. It is also expected that the professional media community will adopt a code of ethics/conduct and will create a wide-based voluntary mechanism to enforce it. This aim will be pursued through expert assistance, training programmes, seminars and workshops, as well as through encouraging the participation of Ukrainian media professionals in a regional network of self-regulatory bodies. It was already agreed at a meeting held in Chisinau on 9-10 June 2011 to create such a network to include Armenia, Azerbaijan, Georgia, Moldova, the Russian Federation and Ukraine.

Project 3.3.10: Completing the constitution of the Emerald Network of Areas of Special Conservation Interest in Ukraine

Duration: January 2013 – December 2016

Implementation status: Proposed (follow-up project to be discussed with the EU)

Total cost: €371 430 (approximate budget allocation for Ukraine from a regional programme, €2 600 000 for seven target countries)

Funding status: Funding required (through a JP)

Partners: Ministry of Environment and Natural Resources of Ukraine, State Agency of Protected Areas of Ukraine, NGO Interecocentre

Overall objectives: The project's overall objective is the protection of biodiversity in seven targeted countries from Central and Eastern Europe and the South Caucasus (Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine and the Russian Federation).

Specifically, the project's purpose is to implement the UN Convention on Biological Diversity's Aichi targets on protected areas, as well as the EU and Bern Convention's principles on the protection of habitats and species, through the setting-up of the Emerald Network of Areas of Special Conservation Interest.

Expected results and main activities

The project is a follow-up to the currently implemented Joint Programme between the European Union and the Council of Europe entitled "Support for the implementation of the Convention on Biological Diversity (CBD)'s Programme of Work on Protected Areas in the EU Neighbourhood Policy East Area and Russia: Extension of the implementation of the EU's Natura 2000 principles through the Emerald Network". It is designed to complete the latter's objectives, granting its sustainability by moving further in the constitution process of the Emerald Network of areas of special conservation interest (ASCI).

Created by the Standing Committee of the Bern Convention in 1989 the Emerald Network is a tool to ensure the long-term survival of Europe's most valuable and threatened species and habitats. It is complementary to the EU Natura 2000 Network and uses the same methodology and scientific approach. For this reason, it is largely agreed among all concerned actors that the setting-up of the Emerald Network will prepare EU candidate countries to integrate the EU Natura 2000 Network.

Through this project proposal, Ukraine will be able to finalise Phase I and Phase II of the Network's constitution process by completing the assessment of its natural resources, the identification of the species and habitats to be protected, as well as the assessment of the efficiency of the proposed Emerald sites for the long-term survival of species and habitats. Furthermore, the project will facilitate the preparation of guidelines and/or National Action Plans for ensuring the proper management and monitoring of the selected areas prior to their official nomination as Emerald sites.

Finally, the project will build on the results of the previous JP, by continuing to channel and assemble in a coherent manner Ukrainian knowledge on biodiversity, as well as by renewing the national scientific data and raising awareness of the EU methods and principles on nature and biodiversity conservation.

3.4. Building a democratic culture

Project 3.4.1: History teaching

Duration: January 2008 – December 2011

Implementation status: ongoing

Total cost: €100 000

Funding status: secured by OB, additional funding required

Partners: Ministry of Education and Science, Youth and Sports of Ukraine

Source of justification:

1. Request from the Ministry of Education and Science, Youth and Sport of Ukraine.
2. CM Recommendation (2001) 15 on history teaching in twenty-first-century Europe.
3. White Paper "Living together in dignity".

Objectives: To provide assistance to the reform of history teaching in Ukraine; to align the national educational system to European standards and to help the young generation to acquire the necessary skills to live and build partnerships in the present-day multicultural society.

Project 3.4.2: Language Education Policy Profile

Duration: January 2008 – December 2011

Implementation status: ongoing

Total cost: €40 000

Funding status: secured by OB, additional funding required

Partners: Ministry of Education and Science, Youth and Sports of Ukraine

Objective: To provide assistance in reflecting upon language education policy by providing the target group with an opportunity to undertake a self-evaluation of its policy in a spirit of dialogue with Council of Europe experts, and with a view to focusing on possible future policy developments within the country. The process concerns all languages in education: languages of instruction in schools, modern languages and languages of minorities.

Project 3.4.3: Enhance and consolidate national policies related to sport, in order to provide the UEFA European Football Championship 2012 with the best possible legal and political framework, in compliance with international standards

Duration: 2010–2012

Implementation status: ongoing

Total cost: €10 000

Funding status: secured by OB

Partners: Ministry of Education and Science, Youth and Sports of Ukraine, State Service for Youth and Sports of Ukraine

Objectives: To monitor the implementation of the European Convention on Spectator Violence; to support the preparation and the organisation of major sport events, in particular the UEFA European Football Championship 2012; to support the Ukrainian authorities in the development of an anti-doping policy.

Project 3.4.4: Language policy and social inclusion

Duration: 2011-2014

Implementation status: proposed

Total cost: €200 000

Funding status: funding required

Partners: Ministry of culture of Ukraine, Ministry of Education and Science, Youth and Sports of Ukraine, NGOs

Overall objective: To demonstrate that language education, language services and language use require a strategic approach and increased investment.

Specific objective: To develop guidelines, accessible to policy makers, on reference standards and tools concerning the language competences necessary for equal access for all to quality education based on Council of Europe values.

Expected results and main activities

The outcomes of the project are expected to be: development of a "National Platform" dealing with the languages of schooling, and integrating current and new work on foreign languages and minority languages; description of language competences and learning experience to which learners are entitled as part of access to education for social inclusion and active democratic citizenship in multicultural societies; development of tools for analysing and reviewing current curricula; development of guidelines and support material for designing plurilingual and intercultural curricula based on the Common European Framework of Reform for Languages: Learning, Teaching, Assessment (CEFR); preparation of proposals for a possible "portfolio" type approach within Language of Education (all languages).

Project 3.4.5: European lessons in shared histories

Duration: 2011-2014

Implementation status: proposed

Total cost: to be defined

Funding status: funding required

Partners: Ministry of Education and Science, Youth and Sports of Ukraine, Institute of Ethno national Studies, Academy of Pedagogic Sciences, cultural societies of various national minorities of Ukraine, pedagogic universities, schools and local communities

Overall objective: To facilitate a public discussion on reconsidering the role of multicultural education in the post-communist society, and to identify new opportunities for building a multicultural image of Ukrainian society based on the European democratic approach to education.

Specific objectives: Development of school textbooks; holding of seminars, summer school of tolerance; contest of social projects for pupils "Inside the Culture"; contest of Methodological Papers and Essays for young teachers and students; international educational travel of Ukrainian teachers to Europe.

Expected results and main activities

In such a problematic situation, it is important to form identity and civic self-awareness in a qualitative way. In conjunction, the multicultural component of education is developed, to enhance the interaction of various cultures in schools, local communities and the country as a whole. Students are free from stereotypes of social and cultural discrimination and xenophobia. They are aware of the admissibility of alternative opinions and the language of self-expression, and consider tolerance of "others" as a norm of social behaviour. The principle of personal autonomy and the fundamentals of civic solidarity are respected. Development of independence and autonomy of a personality take place, together with the assimilation of social and legal norms.

Expected results and main activities

2012: Training workshops, including all the partners in Odessa and Kyiv (Spielberg foundation, Yahad in Unum, Memorial de la Shoah)

2012-2013: Monitoring creation of pedagogical tools and activities with students and youth leaders

2013: Implementing a cultural route dedicated to Holocaust Memorial Sites in Ukraine

2013: Monitoring of a multiplier action plan for disseminating good practices in other Ukrainian villages and towns

Project 3.4.6: Swiss – Ukrainian Pilot Initiative on the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education [adopted in the framework of Recommendation CM/Rec(2010)7]

Duration: 2011-2013

Implementation status: proposed

Total cost: to be defined

Funding status: OB: €10 000 (2011), OB €10 000 (2012), additional funding required

Partners: Ministry of Education and Science, Youth and Sports of Ukraine

Overall objective: To explore possible ways of implementation of Recommendation CM/Rec(2010)7 on the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education (EDC/HRE), in the form of technical co-operation.

Specific objectives: To raise awareness of the Charter; to support the implementation of the Charter in a number of specific areas, such as curricula (Article 6) and teacher training (Article 9).

Expected results and main activities

The activities will include expert visits to Switzerland and Ukraine, thematic workshops, summer university on citizenship and human rights education. A series of brochures/a book on EDC/HRE in Switzerland and Ukraine, from the perspective of the Charter, will be prepared. A network of EDC/HRE actors will be set up, and a webpage of the pilot project will be developed.

Appendix 1

Project: Evaluation of the Action Plan

Duration: 2011-2012

Implementation status: ongoing

Total cost: to be specified (€500 000 SIDA contribution available)

Funding status: funding secured

Partners: main national stakeholders, international partners, experts

Overall objective: This evaluation is part of a wider exercise, which is divided into two parts: the first part will focus on the process of definition and adoption of the Action Plan for Ukraine 2008-2011, which is the subject matter of the present Terms of Reference. The second part will focus on the global effectiveness and, therefore, the substance of the AP, for which separate Terms of Reference will be drafted.

The purpose of this evaluation is to draw lessons to guide the preparation, design and reporting of the future Action Plan on Ukraine, as well as APs to be prepared on other priority countries.

The evaluation will analyse the preparation process, the design and implementation modalities of the Action Plan for Ukraine. It will focus on such aspects as Council of Europe internal consultation and decision-making procedures; priority identification and programming; the link between results of monitoring and formulation of co-operation proposals; the extent to which projects and programmes within the AP are interlinked and contribute towards a common objective; fund raising; donor relations; relations with other stakeholders (internal and external co-ordination); overall process; and intervention logic of the AP.

The evaluation will lead to conclusions based on objectives and reliable findings. These will lead to a set of lessons and recommendations that will be addressed to all stakeholders (CM, Council of Europe operational entities, Ukraine authorities, relevant partners).

Appendix 2

CoE/Ukraine documents relevant to implementation of Council of Europe Action Plan for Ukraine 2011-2014:

- 77 Council of Europe conventions signed and ratified by Ukraine;
- Decree of the President of Ukraine on the Action Plan to meet obligations and commitments of Ukraine which derive from its Council of Europe membership of 12 January 2011 with amendments introduced by the Decree of the President of Ukraine of 27 April 2011;
- Programme of economic reforms of Ukraine for 2010-2014 "Wealthy society, competitive economy, effective government";
- Law of Ukraine "On Judiciary and Status of Judges" of 7 July 2010;
- Law of Ukraine "On the Fundamentals of Corruption Counteraction in Ukraine" of 7 April 2011;
- Decree of the President of Ukraine "On the Working Group on improving the election legislation" of 2 November 2010;
- Decree of the President of Ukraine "On approving the Concept of reforming the criminal justice of Ukraine" of 8 April 2008;
- Opinion of the Parliamentary Assembly of the Council of Europe no. 190 on the application by Ukraine for membership of the Council of Europe;
- PACE Resolution 1755 (2010) on the functioning of democratic institutions in Ukraine;
- Reports of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) on the periodic visits to Ukraine in 2002 and 2005;
- Report by the Council of Europe Commissioner for Human Rights on his visit to Ukraine, 10–17 December 2006;
- The Court's judgments with findings of violations in Ukraine as regards ill-treatment and its improper investigation (the most recent judgment is *Nowak v. Ukraine* (Application no. 60846/10));
- Recommendation Rec(2006)5 of the Committee of Ministers to member states on the Council of Europe Action Plan to promote the rights and full participation of people with disabilities in society: improving the quality of life of people with disabilities in Europe 2006-2015;
- Strasbourg Declaration on Roma adopted at the High-Level Meeting on Roma on 20 October 2010; CM recommendations related to Roma [Rec(2008)5 on national policies for Roma; Rec(2009)4 and Rec(2000)4 on the education of Roma; Rec(2006)10 on Roma access to health care; Rec(2005)4 on improving housing conditions for Roma; Rec(2001)17 on Roma access to employment];
- Recommendation Rec(2006)7 on management of patient safety and prevention of adverse events in health care. It builds also on the results of the Council of Europe Conference on "Patient safety as a European Challenge", Warsaw, 14-15 April 2005;
- Conclusions of the European Committee of Social Rights;
- Recommendations of the Council of Europe Pompidou Group's experts on effective school-based drug prevention interventions (P-PG/MinConf (2006)1);
- PACE Resolution 1703 (2010) (on judicial corruption);
- PACE Recommendation 1896 (2010) (on judicial corruption);
- Recommendation 102 (2001) of the Congress of Local and Regional Authorities on local and regional democracy in Ukraine;
- The Utrecht Agenda on Delivering good local and regional governance in 2010-2013, adopted by the European Ministers responsible for local government in 2009;
- Recommendation 303 (2011) and Resolution 322 (2011) on Local Elections in Ukraine (31 October 2010);

- Declaration adopted by the Ministers of Culture of Armenia, Azerbaijan, Georgia, Moldova and Ukraine to launch the Kyiv Initiative Regional Programme (December 2006);
- White Paper on Intercultural dialogue;
- Final Declaration of the 8th Council of Europe Conference of Ministers responsible for youth, Kyiv 2008 ("Agenda 2020"); Resolution CM/Res(2008)23 of the Committee of Ministers on the youth policy of the Council of Europe; annual priorities of the youth sector set by the Joint Council on Youth (CMJ);
- CM Recommendation (2001) 15 on history teaching in twenty-first-century Europe;
- White Paper "Living together in dignity";
- Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education [adopted in the framework of Recommendation CM/Rec(2010)7].

Appendix 3 – Financial information (as of 09.08.2011)

Total number of projects: 51

TOTAL ACTION PLAN BUDGET: € 22 041 375

Table 1

Type of project	OB (2011)	EU/CoE JPs	VCs	Total funds secured	Additional funds required
National	490 000	2 258 918	4 209 000	6 957 918	
Regional/ Multilateral	150 000	1 318 377		1 468 377	
TOTAL	640 000	3 577 295	4 209 000	8 426 295	13 615 080

Table 2

Pillars	Total funds secured	Additional funds required
1. Human rights	1 099 000	5 763 650
2. Rule of law	1 462 394	4 080 000
3. Democracy	5 364 901	3 771 430
AP Evaluation	500 000	
TOTAL	8 426 295	13 615 080