



**CENTRE FOR DEMOCRACY
AND RULE OF LAW**

**ANNUAL
REPORT
2016**



Director of the Centre
for Democracy and Rule of Law
Taras Shevchenko

The year of 2016 turned the year of great changes for the organization, which is primarily due to the change in its name. Founded in 2005, the Media Law Institute was transformed into the Centre for Democracy and Rule of Law. Thus, from 18 April 2016 onwards, a new stage of the action began. This change, although unexpected for many, was well thought out and well-planned.

The Media Law Institute has long operated far beyond its name, holding leadership positions in the development of civil society coalitions, in particular, the Reanimation Package of Reforms and the Civic Movement CHESNO, implementing the projects in such fields as anti-tobacco achieving a smoking ban in public places yet in 2012. The previous name narrowed down and limited our capabilities and constrained further development of the organization.

The year of 2016 also became the year of founding a new major project CHESNO.Filter the Judiciary! within the framework of CHESNO Movement, which is a joint project of the Centre UA and CEDEM. CHESNO.Filter the Judiciary! proved a very timely response to the urgent need for changes in the judicial system. During the first half of the campaign, election to the Supreme Court began, thus, making the activities of our new project even more relevant.

For the Coalition – the Reanimation Package of Reforms (RPR), the last year became the first year of activity under the new organizational model proposed by CEDEM and supported by the coalition members at the end of 2015. It was in 2016 that the RPR established itself as a coalition of civil society organizations, in which the most important issues were resolved by the Meeting of CSOs-members of RPR. At such a Meeting there has been approved a new strategy for 2016-17 and for the first time, there have been identified those priority directions of the coalition's work. Over the year, the Centre

for Democracy and Rule of Law remained a reliable member of the coalition, providing organizational and financial support to the RPR Secretariat.

In the media field, an activity of the Independent Media Council, which CEDEM and its partners created at the end of 2015 to resolve disputes in the media environment, kicked off. During its first year of operation, the Media Council has proven itself as a powerful expert platform trusted by the media community. Conclusions rendered by the Council repeatedly formed the basis for the decisions of the National Council on Television and Radio Broadcasting, in particular, when imposing sanctions. The year of 2016 appeared also the year of implementing two crucial media laws – the public service broadcasting and the reform of state and municipal press. These are two reforms to which our experts have direct involvement.

By expanding its horizons, at the end of last year, the Centre for Democracy and Rule of Law launched another important project to reduce road fatalities. The “For Safe Roads” campaign is not just a socially important advocacy project for us – it’s an opportunity to save thousands of lives and bring new ones to the culture on the highway.

We performed the record number of activities for the organization in the regions. The CEDEM team held 75 regional events annually having a network of activists within the Active Citizen Lab and the Network of Defenders of the Access To Information Rights.

This is only a part of what our team has achieved in 2016. You can read more information in this report and on the organization’s website.

Our organization has many achievements in various fields because it brings together fantastic people. Only strong teams achieve remarkable results. We continue our work to ensure that Ukraine is a country based on the principles of democracy and the rule of law, and has a strong civil society.

12 years of successful work in the civil society sector of Ukraine allowed the organization to grow significantly both in terms of its competences and in terms of activity. The organization has become one of the largest advocacy and analytical centres implementing changes in mass media sphere, as well as builds and develops powerful coalitions and civic networks. In April 2016, the organization got a new name – the Centre for Democracy and Rule of Law.



CENTRE FOR DEMOCRACY AND RULE OF LAW



partnership projects



Who are we

Centre for Democracy and Rule of Law (CEDEM) is a think-and-act tank, which has been working in the civil society sector of Ukraine since 2005 channelling its efforts for development of independent media, support of civic platforms and movements, and building a legal state in Ukraine.



Our team



Our mission



The mission of the Centre for Democracy and Rule of Law is contributing to the development of the society of active and responsible citizens through support to civic initiatives; impartial and professional development and implementation of high-quality law; education; the freedom of speech protection; achieving accountability of government; asserting the rule of law.



CEDEM in 2016



In the framework of the Movement CHESNO, CEDEM launched a campaign **CHESNO.Filter the Judiciary!**, aimed at cleansing and renewing the judicial system



The representative of the Centre became co-coordinator of the **Public Council for Integrity** and participates in the decision-making on the judge's career



Lawyers of the Centre **co-authored the Charter of the National Public Broadcasting Company of Ukraine**, which was approved on 28 December 2016



A network of **23 regional coordinators** of CHESNO. Filter the Judiciary! campaign operates in Ukraine



CEDEM monitored the implementation of the law on access to information in all regions of Ukraine, monitors filed more than **700 information requests** in 2016



In 2016, the **position of Co-Chairs of the Council at the Reanimation Package of Reforms was introduced** and Taras Shevchenko with Igor Koliushko got elected then



5 cases on access to information were won in the courts with the assistance of CEDEM in 2016



Director of CEDEM, Taras Shevchenko, received **an award on behalf of the RPR under the special project "People of the New Time - 2016"** in the nomination "For Perseverance in Preparing Real Systemic Changes in the Country"



Throughout the year, the Centre for Democracy and Rule of Law held **50 regional training** sessions in 16 regions of Ukraine, having trained 752 local activists to fight corruption



The Independent Media Council, created on the initiative of the CEDEM, **issued 12 expert opinions** and recommendations on disputed media issues during the year



In partnership with the Oxford University, for the first time in Kyiv CEDEM held **a regional round of the Price Media Law Moot Court Competition** that involved 7 teams from 5 countries



The first year RPR functioned as a coalition of civil society organizations under the new **Charter proposed by CEDEM**



Upon the initiative of the Centre, **the Rules for the RPR Groups** were developed and adopted, the institutional capacity of the RPR coalition was strengthened



During 2016 there were two enrolments of **the Open University of Reforms** – it's a joint educational project of CEDEM and RPR



Lawyers of CEDEM developed and advocated the registration in the Verkhovna Rada of the **bill on the protection of whistleblowers** teaming up with the partners of the Initiative 11



The Centre launched **“For Safe Roads” Campaign**, aimed at reducing fatalities and injuries on Ukrainian roads



CEDEM experts have developed and registered in the Verkhovna Rada the bill No.4030a on **the prohibition of displaying cigarette packages at sales points**



Lawyers of CEDEM have provided over **250 consultations to journalists** and civic activists on **media law** and access to information

Public broadcasting


Thanks to the amendments to the Law of Ukraine “On Public Service Television and Radio Broadcasting of Ukraine” (PSB), developed with the participation of CEDEM lawyers and adopted in 2015, all regional state broadcasters were reorganized in the PSB branches in 2016. Due to the sabotage of Ukrtelemfilm, the lawyer of CEDEM, Igor Rozkladaj, together with the State Committee for Television and Radio and the Parliamentary Committee on Information Policy, developed and advocated amendments to the above Law. The bill was adopted on 17 May 2016 and changed the procedure for joining Ukrtelemfilm thereby unblocking the transformation process.

The Supervisory Board of the public broadcaster, formed in 2015 with Taras Shevchenko, CEDEM Director, as one of its members, started working in 2016. Prior to the creation of the legal entity of the public broadcaster, the Supervisory Board undertook the preparatory work for the launch

of the public broadcasting during 2016, and since 2017 began full-fledged work as the governing body for public broadcasting.

Legislative support and proper financing were the top issues for the reform of public broadcasting. Throughout the year, the Centre for Democracy and Rule of Law sought the allocation of adequate financial support for public broadcasting with colleagues from the Reanimation Package of Reforms, the Coalition “For Public Broadcasting” and, together with the members of the Supervisory Board of the future public broadcaster. As a result, this proposal by the civil society was considered by the Government, which committed to increase funding for public broadcasting in the second half of 2017.


The positive conclusion of the year was the approval of the Charter of the NPBCU on 28 December 2016, which allowed the official launch of public broadcasting in Ukraine in January 2017.




The Charter of the National Public Broadcasting Company of Ukraine was approved

30
state broadcasters

liquidated and
the PSB branches
created





The Law “On Amendments to the Law of Ukraine “On Public Television and Radio Broadcasting of Ukraine” adopted to define the procedure for the accession of the state enterprise “Ukrainian Television Film Studio “Ukrtelemfilm”, which unblocked the course of the public broadcasting reform
- 17.05.2016



Denationalization

The Law of Ukraine “On the Reform of State and Municipal Print Media”, adopted at the end of 2015 after the advocacy campaign of CEDEM, came into force on 1 January 2016. It launched the process of denationalization. The reform of the press shall be completed in 3 years, whereas 2016 was the first year of transformation.

The mass media, which voluntarily agreed to become “reform leaders”, could participate in the “pilot” phase of the reform, which took place during 2016. CEDEM has urged media outlets to get reformed and worked on the efficient implementation of the law, advising editors and journalists on the process of denationalization. During 2016 such a desire was revealed by 244 editors, among which there were 233 – municipal ones, and the remaining 11 – have public

authorities among the founders. CEDEM has pushed the Cabinet of Ministers to approve this list of editions for the early launch of the first phase of denationalization. As a result, on 23 November 2016, the Cabinet of Ministers approved a list of editions by its resolution, which marked the inevitability of the denationalization of state and municipal press media.

The first year of the law showed problems with its implementation. Advising journalists, CEDEM experts revealed the flaws of the law and the most common problems with its application in practice. Availing of such practical information, lawyers of the Centre for Democracy and Rule of Law are involved in drafting a bill that will be able to eliminate the most common difficulties faced by the media in the reform process.



1 January 2016

the process of denationalization was launched with the enactment of the Law on the Reform of the State and Municipal Print Media



January 2016 – 31 December 2016

Reform of the media outlets, which have chosen the first stage



1 January 2017 – 31 December 2018

All the other media skipping the first stage to be reformed

244
state and municipal
media

joined the first stage of denationalization

Media legislation

The lawyers of CEDEM contributed to the development of laws

■ **“On amendments to the law of Ukraine «On Television and Radio Broadcasting» (regarding the definition of programs of European production)”**

■ **“On amendments to some laws of Ukraine regarding the share of music works in the state language in programs of broadcasting organizations».** In this law, the lawyers of CEDEM elaborated specific alterations to the legislation in force, in particular regarding the introduction of musical quotas.

Lawyer of the Centre, Igor Rozkladaj, co-authored the bill No.4701 “On amendments to certain legislative acts of Ukraine in the conviction of totalitarian regimes to bring them in line with the requirements of Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms”. In particular, the specialist of CEDEM developed amendments to the law on access to the archives of the repressive bodies of the totalitarian regime, which purpose was to ensure the right to access to archival information.

More than 150 media-related consultations were provided by CEDEM’s lawyers to journalists, editors, civic activists and public officials.



Independent Media Council



Created at the end of 2015 on the initiative of the Director of the Centre for Democracy and Rule of Law, the Independent Media Council became a reputable self-regulatory body of the media sphere in the first year of its work. During this year, the Independent Media Council considered 23 appeals and initiated 3 additional proceedings on media disputes and violations of legislation or journalistic ethics. 3 out of the 11 conclusions of the Independent Media Council formed the basis for decisions of the National Council of Ukraine on Television and Radio Broadcasting.



14

reputable
experts

5

founding
organizations

The Independent Media Council was founded by five leading media non-governmental organizations: Centre for Democracy and Rule of Law, Institute for Mass Information, Internews-Ukraine, Detector Media and Suspilnist Foundation.

The subjects of appeals to the Independent Media Council in 2016

- spread of hate speech
- violations of professional journalistic standards
- violations in advertising and sponsorship of alcohol
- non-compliance with audiovisual legislation

28

appeals, of which
3 were initiated by
members of the
Media Council

23

appeals
considered for
admissibility

16

recognized as
admissible

11

expert opinions
of the Media
Council

1

recommendation
issued

The Independent Media Council is a permanent civic monitoring and advisory body created to establish high professional standards for journalism and for the objective consideration of disputed issues and situations that arise in the information sphere of Ukraine. CEDEM serves as the secretariat to the Independent Media Council.

Website: mediarada.org.ua

International Media Law Summer School



For twelve years in a row, the Centre for Democracy and Rule of Law gathers legal professionals in the capital for the International Media Law Summer School – a three-week intensive training course on legal and practical aspects of media work regulation. Since 2005, more than 280 media lawyers and journalists from Ukraine, Moldova, Georgia, Kazakhstan, Tajikistan, Belarus, Armenia, Azerbaijan, Russia, Kyrgyzstan have participated in the International Media Law Summer School.

The International Media Law Summer School in 2016 comprised

- 3 weeks of lectures and practical classes
- 21 expert lecturers from 6 countries
- 28 participants from Ukraine, Georgia, Azerbaijan, Russia, Kyrgyzstan, Moldova and Kazakhstan



Educated journalists – high-quality media

The Centre for Democracy and Rule of Law annually organizes trainings, seminars and on-line courses on media law and related topics for raising the level of skills and legal awareness of journalists and teachers of journalism faculties.

On-line and off-line education in 2016

- Training for teachers of the journalism faculties of 12 HEEs
- Digital Security training for journalists of online publications
- 2 training sessions on professional ethics and journalism standards in association with IREX Europe in Kyiv and Riga
- Distant on-line courses on media law, as well as “Courts and Media”, “Access to Information”, “Copyright for Journalists”



Price Media Law Moot Court Competition

At the end of the year, the Centre for Democracy and Rule of Law, in partnership with the Oxford University, the National University “Kyiv-Mohyla Academy” and the Kyiv-Mohyla Moot Court Society, held the Regional Media Round for the first time in Ukraine. 7 teams from the universities of Ukraine, Latvia, Lithuania, Belarus and Georgia competed among themselves for the right to go to the moot court in Oxford. According to the results of the regional tour, the battle continued at the annual Price Media Law Moot Court Competition in spring of 2017 among students from the University of Latvia, the Kyiv-Mohyla Academy, the University of Vilnius and the National University “Odessa Law Academy”.

For many years, the Centre for Democracy and Rule of Law has been preparing teams to participate in the Annual Price Media Law Moot Court Competition, held in Oxford. In spring of 2016, a team from the Kyiv-Mohyla Academy, trained by CEDEM, represented Ukraine at competitions among 37 teams from around the world.



In partnership with the Oxford University, the first regional round of the Price Media Law Moot Court Competition held

5 teams

7 countries



Reanimation Package of Reforms



The Reanimation Package of Reforms (RPR) is the largest and the most powerful coalition of 80 civil society organisations joining efforts for the sake of promoting and implementing reforms in Ukraine. RPR acts as a coordination centre for civil society organisations and experts that develop, promote and monitor the implementation of reforms. Since its start in early 2014, RPR has advocated the adoption of over 100 laws, which proves mainly the achievement of civil society organisations united in the coalition.

Since the establishment of the Reanimation Package of Reforms, CEDEM remains a part of the coalition and provides it with the institutional support. According to the RPR decision, CEDEM is an organisation that provides organisational and financial support to RPR by attracting funding from international donors for RPR activities.

RPR today:

80

CSOs-
members

22

expert
groups

350+

experts

In 2016:

26

laws approved
and adopted

18

of which pertain to 7
RPR strategic priorities
approved and adopted



In October 2016, RPR presented the new Roadmap of Reforms – a document pointing out the tasks for the Verkhovna Rada, the Cabinet of Ministers, the local self-government authorities and other branches of state power by the end of 2017. The document elaborated in the new format – there is a description of problems, goals and tasks for advocacy and implementation of reforms in 23 areas of public policy. The document has been developed by RPR expert groups.

Centre for Democracy and Rule of Law in RPR

- CEDEM experts are members of 5 groups



media



anticorruption



judicial
reform



tax
reform



national
memory

- Director of CEDEM Taras Shevchenko is the Co-chair of the RPR Council



At the end of the year, director of CEDEM Taras Shevchenko as the Co-chair of the RPR Council was awarded by “Novoye Vremya” magazine in nomination “For perseverance in preparing real systemic changes in the country” under the “People of the New Time 2016” award.

New organisational structure of the coalition

The Centre for Democracy and Rule of Law implements the best governance practices in the coalition work. The year of 2016 became the first year for the RPR activities, according to the new governance structure, proposed by CEDEM experts and supported by the coalition members. The supreme governance body under the new structure is the general **Assembly of Civil Society Organisations-Members**. RPR's strategic management body is the Assembly-elected **RPR Council**, which implements the Strategy approved at the Assembly meetings, elaborates and makes the tactical decisions. The executive authority is the **Secretariat**.

Assembly of Civil Society Organisations-Members is a supreme governance body formed instead of the Coordination Council

Civil society organisations-members serve as an organisational basis for the RPR groups and form the group composition. The expert group members are those experts delegated by the civil society organisation, as well as other experts.

Strategic management is handled by the RPR Council

Secretariat is an executive body chaired by the Secretariat Head.



In January 2016, the Co-chairs of the RPR Council were elected for the first time. The Director of CEDEM Taras Shevchenko and the head of the Center for Political and Legal Reforms Board Ihor Koliushko were elected as the RPR Council Co-chairs.

With the assistance of the Centre for Democracy and Rule of Law, in 2016 the RPR Assembly developed and adopted the strategy of the coalition defining the next priorities for the Reanimation Package of Reforms:



Judicial reform



Public administration reform



Law enforcement/prosecutor's office reform



Election legislation reform



Decentralization



Anti-corruption reform



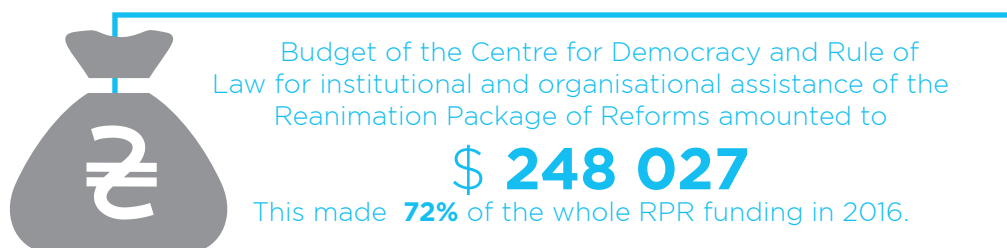
Economic reforms



RPR Secretariat

The RPR Secretariat is formed for support to civil society organisations and experts performing activities in expert groups for the implementation of those reforms within the framework of the agreed priorities, initiating and providing expertise in advocacy; communication; infrastructure support; activity coordination and monitoring of decision-making of the Rada and plans of the expert groups; control over compliance with the approved principles and rules of RPR activities; and for knowledge-sharing among the organisations and experts in the field of reforms.

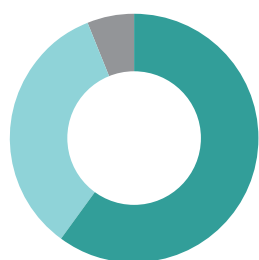
The Centre for Democracy and Rule of Law is one of those public organisations providing organisational and funding support to the RPR Secretariat. In particular, in 2016 there has been a two-year agreement concluded between CEDEM and the European Union for funding the project “Enhancing of the Reanimation Package of Reforms Coalition”.



6%
\$ 13 944

The project is aimed at organisational development of CSOs-members of the coalition supported by the Renaissance Foundation

34%
\$ 84 885
Funds granted by SIDA within its core support to CEDEM



60%
\$ 149 198

The project “Enhancing of the Reanimation Package of Reforms Coalition” funded by the European Union

Within the framework of projects, implemented by CEDEM, the RPR Secretariat conducted in 2016:

100+
public events

2
large forums: “100 Days of the Government: First Assessments and Further Expectations” and presentation of the Roadmap of Reforms devised by the civil society

250
representatives of organisations-members took part in trainings aimed at developing organisational potential of CSOs

Open University of Reforms



The Open University of Reforms is a joint educational project of the Centre for Democracy and Rule of Law and the Reanimation Package of Reforms. The project aims to prepare civic activists for reforming the country through their involvement in the work of the RPR, its members and partners. Program of the Open University of Reforms comprises lectures and internships in CSOs-members of the Reanimation Package of Reforms and lasts for 3 months.

During the year two enrolments of the Open University of Reforms completed their studies, from the last of which students graduated on the eve of the New Year. On the part of CEDEM, the Open University of Reforms was coordinated by Ivan Omelian. In 2016, within the framework of the Open University of Reforms, open public lectures by leading experts on pressing topics were launched, with free entry.

2

admissions to the Open University per year

75

participants



10 

out of 30 graduates of the 4th enrolment got employed in the CSOs of the RPR

50

experts became trainers of the Open University in 2016



2

public lectures on the anti-corruption and judicial reforms were attended by over 170 people



“For Safe Roads” Campaign



On 14 November 2016, during the Road Safety Week in Ukraine, the Centre for Democracy and Rule of Law initiated an advocacy Campaign “For Safe Roads” aimed at reducing mortality and injuries on the Ukrainian roads. The Campaign partnered with the “Vizion Zero” CSO, the Association of Cyclists in Kyiv, the Autoacademy of Driver’s Skills, as well as experts from the Reanimation Package of Reforms, international organisations, legislative and executive authorities.

Every year more than a million people lose their lives in traffic accidents worldwide, in Ukraine this number is 4000. However, lack of information, imperfect regulation and irresponsibility of drivers themselves are added to the problem of mortality in Ukraine. In order to decrease road fatalities and tackle the problems that lead to it – at the national level – CEDEM is implementing “For Safe Roads” Campaign.

Directions of advocacy

- reducing the speed of the road traffic
- increasing the use of seat belts and the safe transportation of children
- decrease of inattentive driving, in particular, distraction on communication devices

Actions



monitoring



informing



popularisation



advocacy



implementation



Tobacco-Free Kyiv



Advocacy of legislative changes

Continuing the move towards a legislative restriction on tobacco smoke in Ukraine, within the framework of the project “Tobacco-Free Kyiv”, CEDEM developed and registered a bill No.4030a in the Verkhovna Rada, which provides for a number of limitations for tobacco and smokers.

Bill 4030a

- ✓ completely prohibits a visible placement of cigarettes in the sales points
- ✓ makes all offices, businesses, hotels and stations 100% smoke-free
- ✓ introduces liability for all business entities for violating the smoking ban at their premises and territories
- ✓ grants the right to local authorities to establish additional smoke-free places
- ✓ establishes a unified penalty for individuals of 340 UAH for smoking in public places
- ✓ empowers the Ministry of Internal Affairs authorities to draw up protocols directly for promoters of tobacco products

Popularization

In spring of 2016, within the framework of the project “Tobacco-Free Kyiv”, CEDEM and its partners launched a public campaign “Manifesto for the Future Without Tobacco”, sponsored by prominent doctors, public figures, well-known people, and MPs. In the Manifesto, we outlined 10 priority tasks on the way to tobacco-free Ukraine. The campaign was a continuation of the popularisation of the idea of the need to liberate Ukraine from tobacco smoke.

International standards

The Centre for Democracy and Rule of Law, together with its partners in the “Tobacco-free Ukraine” coalition, initiated the adoption in the Verkhovna Rada of a resolution on the support of the WHO Framework Convention on Tobacco Control by the Verkhovna Rada. Adopted in April 2016, the Resolution provides an opportunity to fulfill the international obligations of Ukraine regarding the further implementation of the provisions of the Convention and its Guidelines.



Open Parliament



The Centre for Democracy and Rule of Law, in partnership with OPORA Public Network, Transparency International Ukraine, CHESNO Movement and the “Eidos” Center, joined the International Initiative “Open Parliament” in 2016, which was implemented by the Verkhovna Rada upon initiative of MP Svitlana Zalishchuk.

On 5 February, the Verkhovna Rada of Ukraine hosted a solemn presentation of the “Open Parliament” initiative, during which the Action Plan on Increasing Transparency, Accountability and Openness of the Verkhovna Rada of Ukraine was discussed. Director of CEDEM Taras Shevchenko voiced the priority tasks of ensuring the openness of the parliament during the presentation.

The Action Plan for the implementation of the Declaration of Openness of the Parliament covers

- access to information
- involvement of citizens in parliamentary processes
- accountability
- technologies and innovations



The draft Communication Strategy of the Verkhovna Rada was elaborated under the coordination of CEDEM and with participation of its experts. This is a comprehensive programmatic document, which enacting would allow the Ukrainian Parliament to communicate in a more systemic and efficient way with the public, the mass media and the international audience. The strategy also contains recommendations for establishing effective internal communication in the Parliament and a part devoted to the Verkhovna Rada branding.

CHESNO Movement



On 28 October 2016, the Civic Movement CHESNO turned 5 years. It was established jointly with the Centre UA and other civil society organisations in 2011 before the then parliamentary elections in order not to let the politicians and other candidates with a tainted reputation to enter the Parliament. During the first five years, CHESNO (Honestly in Eng) has implemented six successful campaigns that included the parliamentary elections in 2012 and 2014 (Filter Rada and the CHESNA/Honest Rada campaigns), analysis of the Parliament's work in 2012-2014 (Filter the Power campaign), analysis of the Government's work of 2013-2014 (CHESNO About the Government), oversight over the presidential elections in 2014 (Campaign Honest Candidate), local elections in 2015 (Honest Spring, Responsible Fall Campaign).

Advancement of the judiciary reform in 2016 stimulated the Movement to launch the campaign CHESNO. Filter the Judiciary!, under which members of CHESNO Movement act in the direction of cleansing and renewing the judicial system.

The campaign CHESNO. Filter the Judiciary! started in June 2016 on the initiative of the Centre for Democracy and Rule of Law in partnership with the Centre.UA, the Civic Lustration Committee, the Reanimation Package of Reforms, lawyers and investigative journalists.

For oversight over the government, in 2016 CHESNO concentrated its activities in the regions - the team managed to build a reliable network of watchdogs over the local councils. The Centre for Democracy and Rule of Law provides methodological and legal support to the Movement since the foundation of CHESNO. In summer of 2016, the Centre provided legal advice to its partners as part of a campaign assessing candidates for parliamentary elections and a political literacy campaign of CHESNO "What we need a mayor for".

100

analytic materials



passed legal expertise of CEDEM



CHESNO.Filter the Judiciary!



CHESNO. Filter the Judiciary! – a long-term campaign of public control aimed at activating the society in order to cleanse the courts of dishonest judges and establish fair justice in Ukraine. CHESNO. Filter the Judiciary! started in June 2016 and is implemented within the framework of CHESNO Movement.

Campaign goals:

- control and monitoring of conducting new contests for the judges` posts
- cleansing the system from dishonest judges
- checking the integrity of the judges
- activation of society
- public control over the judicial system



As a part of Filter the Judiciary! campaign, CHESNO has developed criteria for assessing the integrity of judges, under which it analyses all the Ukrainian servants of Themis, who make up almost 7 thousand in the system.

Criteria for the integrity of judges

- non-participation in corruption or criminal offenses
- non-participation in the adoption of doubtful decisions
- the lifestyle of declared income and the transparency of the wealth
- non-participation in violation of human rights
- adherence to the rules of professional ethics

2 June 2016

amendments to the Constitution in part of justice, and the Law on the Judiciary and the Status of Judges were adopted

30 September 2016

changes to the legislation entered into force and the judicial reform started

21 December 2016

the Verkhovna Rada passed a law on the High Council of Justice

Cleansing and renewal of the judiciary system is the key to successful reform

According to public polls, over 80% of Ukrainians do not trust the courts. This situation is caused by total corruption and lack of justice in the courts. In view of this, there is a growing demand in the society for the purification of the judiciary system from the dishonest servants of Themis. Under of CHESNO campaign Filter the Judiciary! CEDEM propels cleansing of the judiciary of unfair judges.

341
judges



were dismissed for violation of the oath

1320
judges



left the system voluntarily

New Supreme Court

In November 2016, a competition for the new Supreme Court judges began. Within the framework of CHESNO. Filter the Judiciary! campaign Centre for Democracy and Rule of Law has prepared analytical reports on each candidate and provided information to the Public Council for Integrity and the High Qualifications Commission with a view to prevent dishonest candidates from becoming judges.

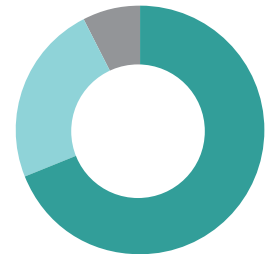
For the first time access to the competition received not only the incumbent judges, but also people out of the system – lawyers and academics. CHESNO movement initiated an information campaign, urging people not from the system to enter the competition and to compete with existing judges.

653
candidates

took part in the competition to the Supreme Court

7,5%
candidates with aggregated experience needed

23,5%
lawyers and academics



69%
judges

Public Council of Integrity

For the first time, the society was given the opportunity to participate in the process of solving the issues of judicial career. The Public Council of Integrity, formed by 9 civil society organisations, is the body assisting the High Qualifications Commission of Judges of Ukraine in the assessment of judges or candidates for position of judges. The Public Council of Integrity is an important leverage of public influence on the judiciary system, as its representatives render conclusions about contestants for position of judges, in particular during the competition to the Supreme Court. Negative conclusions of the Council make it possible to block the appointment of a dishonest candidate for the position of judge. The representative of CEDEM, Halyna Chyzhyk, became a member of the Council and its co-coordinator.

Thanks to the revised amendments to the law on the High Council of Justice, which was demanded by the civil society, the Public Council of Integrity received more powers.

The High Qualifications Commission of Judges has to apply majority voting, 11 out of 16, in order to overcome the negative conclusions of the public about dishonest candidates.

CHESNO. Filter the Judiciary in the regions

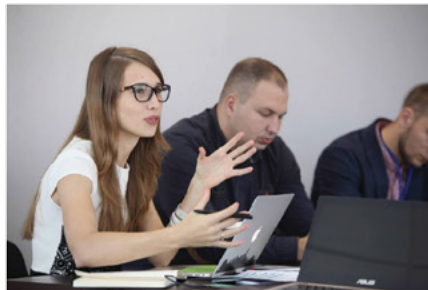
In October 2016, the regional network of CHESNO. Filter the Judiciary! campaign was launched on the basis of the Lab of active citizens. 23 activists were selected on a competitive basis to represent the campaign in their regions and help CHESNO movement in collecting information about candidates to the Supreme Court.

During November-December, under the CHESNO. Filter the Judiciary! campaign the regional team conducted **23 trainings** for over **500 local activists** on judicial reform issues, its implementation and use of anti-corruption tools for public control over the judiciary system.

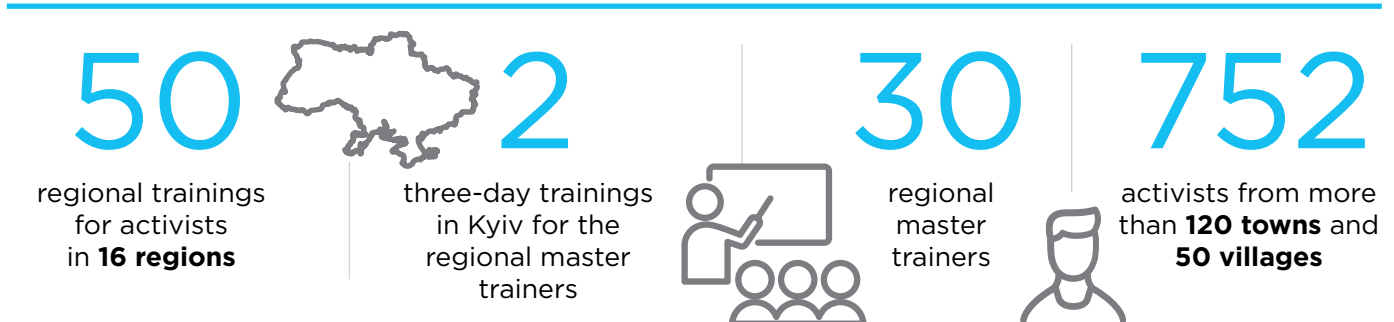
Regions in action



In 2016, the Centre for Democracy and Rule of Law successfully conducted an anti-corruption school launched at the end of 2015 – the Active Citizen's Lab – 50 regional trainings were held for activists in 16 regions of Ukraine. This was an all-Ukrainian initiative aimed at training and transferring efficient anti-corruption tools, practical aspects of access to public information, mechanisms for cooperation with anti-corruption bodies and rules for building effective public campaigns.



The Lab in 2016:



Initiative 11



Protected whistleblowers

Initiative 11, which was co-founded by the Centre for Democracy and Rule of Law, Anti-Corruption Action Centre, the All-Ukrainian League of Lawyers Against Corruption, the Blueprint for Free Speech and the Centre UA, initiated in 2016 drafting of the Law of Ukraine “On the Protection of Whistleblowers and the Disclosure of Information on Harm or Danger to Public Interests”. CEDEM lawyers, together with international experts from Blueprint for Free Speech (Australia), experts from the Reanimation Package of Reforms, as well as progressive MPs, have developed a bill aimed at not only protecting the rights of whistleblowers and guaranteeing them security, but also stimulating citizens to disclose publicly important information. The bill was registered in the Verkhovna Rada under the No 4038a on 20 July 2016.

Guarantees for whistleblowers:

- anonymity
- financial incentives – a whistleblower may receive 10% of the funds returned to the state budget as a result of disclosure
- physical protection of whistleblowers
- guarantees of no legal responsibility
- protection against dismissal and payment of salary for 2 years in case of dismissal

A bill designed to protect whistleblowers of socially important information has been developed. It was developed with the assistance of foreign experts and following the experience of the USA, Australia, Bosnia and Herzegovina

On 20 July 2016, a bill on was registered at the Verkhovna Rada

The draft received support from the National Anticorruption Bureau, Ombudsperson`s Office, and also was approved by the Verkhovna Rada Committee on the Prevention and Counteraction of Corruption



Open public information

Since 2012, the Centre for Democracy and Rule of Law has been supporting the Fund for the Protection of the Right to Access Information. It allows lawyers to provide free judicial protection of citizens' rights to receive public information. In the regions, oversight over the access to information and protection of the rights to it is handled by the members of the Network of Defenders of the Right to Access Public Information, which was set by CEDEM.

In 2016, the Centre for Democracy and Rule of Law issued a practical guide "How to litigate against the violation of the right to access public information?", which contains a detailed step-by-step instruction for civic activists interested in challenging an unjustified denial of access to public information. The manual contains detailed explanations on typical violations of the law on access to public information and all types of appeals against such violations.



5

cases on access to information won

3

lawsuits are under consideration

judicial practice of CEDEM was taken into account in the resolution of the Supreme Court of Ukraine on the application of legislation on access to information by courts

CEDEM lawyers defended the rights of journalists of the "SCHEMES" program under the lawsuit against journalistic investigation

CEDEM lawyers developed and submitted interventions (comments of the third party addressed to the court) in 2 cases considered by the European Court of Human Rights - pertaining to the access to information and the protection of honour, dignity and business reputation

Monitoring under the Law on Access to Public Information

The Centre for Democracy and Rule of Law has carried out a large-scale monitoring of compliance with the legislation on access to public information in cooperation with the Office of the Ombudsperson of the Verkhovna Rada of Ukraine on Human Rights. The project monitors explored how the public authorities and local authorities in all regional centres of Ukraine comply with the requirements of the Law on Access to Public Information. The monitoring carried out by CEDEM was the first comprehensive study conducted within the framework of the “Ombudsman Plus” platform and provided an opportunity to identify the main drawbacks in the work of public authorities in implementing the Law concerned.

The results of the monitoring carried out by CEDEM have been included in the Annual Report of the Ombudsperson Office.

When analysing the monitoring findings, the project experts made a cross-cutting assessment of the most pressing problems in the field of access to public information, which the monitors detected in their regions, and developed relevant recommendations to the public officials – this output was distributed in 2000 copies.



PROJECT MONITORS

filed over

700

inquiries for public information

attended

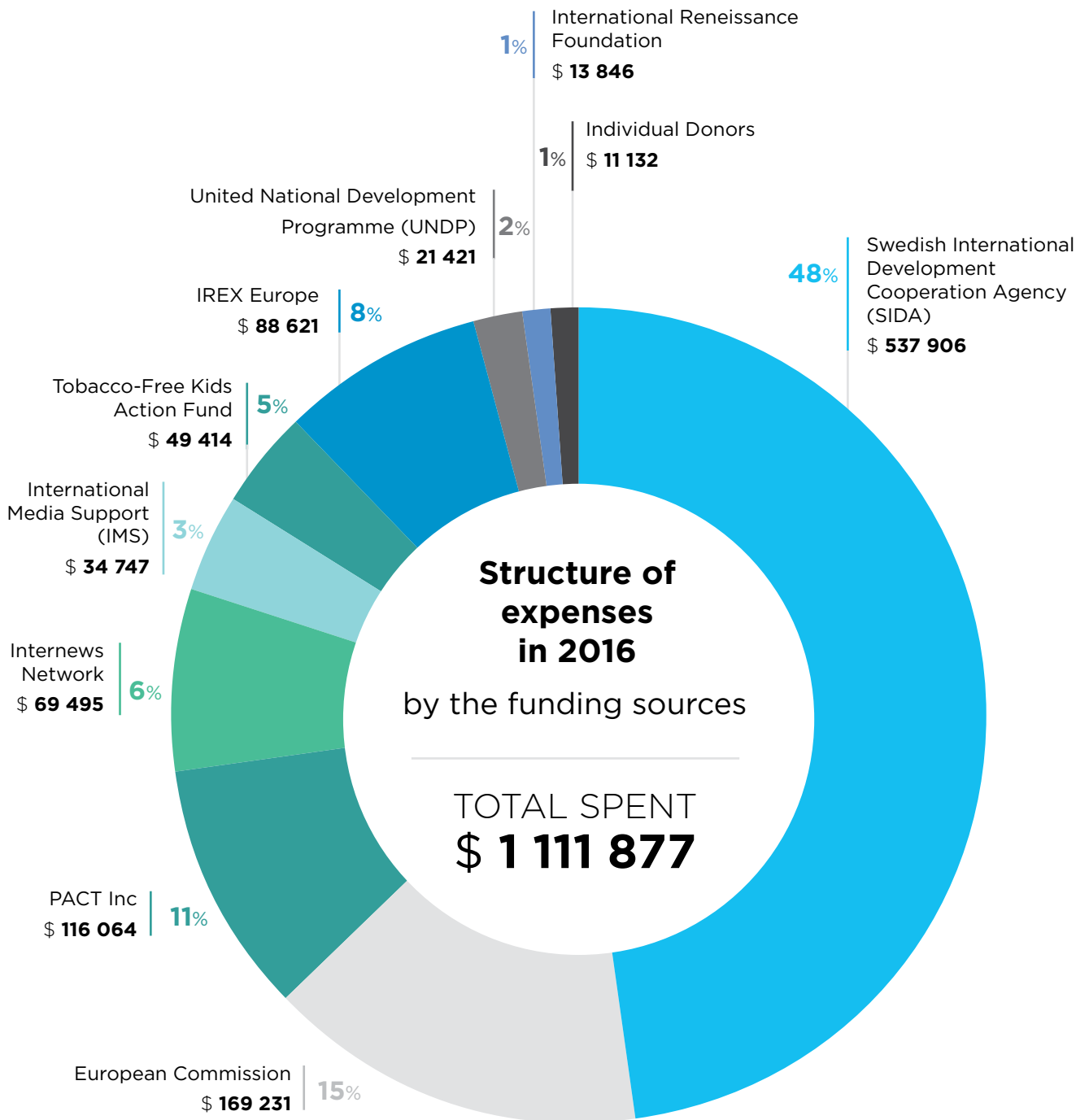
40

sessions of municipal and regional councils

monitored the work of regional councils, regional state administrations and municipal councils of all regional centres of Ukraine

checked how the special places are organised, initially meant for the work of citizens with documents at the premises of public bodies

CEDEM experts provided journalists and activists with over 100 pieces of advice on access to information



“The financial statements of the Civil Society Organization “Centre for Democracy and Rule of Law” reflect fairly, in all substantial aspects, the financial state of the Organisation as of 31 December 2016” – the Independent Audit Firm LLC “KYIVAUDYT”

* National Bank of Ukraine yearly average exchange rate for USD for 2016 was used (25.5513 UAH)

OUR DONORS





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