

MEMORANDUM OF COOPERATION

**between the Ministry of Justice Free Legal Aid Coordination Center,
International Renaissance Foundation, and the INL Section of the U.S. Embassy
to Ukraine**

on building human resources capacity to provide free legal aid services

Kyiv

July 29, 2016

The Ministry of Justice Free Legal Aid Coordination Center (hereinafter referred to as the "FLACC") represented by Andrii Vyshnevskyy, FLACC Director, acting on the basis of the Free Legal Aid Coordination Center Terms of Reference approved by Cabinet of Ministers Resolution No. 504, dated June 6, 2012,

the International Renaissance Foundation (hereinafter referred to as the "IRF") represented by Yevhen Bystrytskyy, IRF Executive Director, and

the INL Section of the U.S. Embassy to Ukraine (hereinafter referred to as the "INL") represented by Marie Kurth, Acting INL Director, (hereinafter referred to as the "Parties"/"Party")

in accordance with the Universal Human Rights Declaration, the International Pact for Civil and Political Rights, the Convention for the Protection of Human Rights and Fundamental Freedoms, Agreement between the Government of the United States of America and the Government of Ukraine Regarding Humanitarian and Technical Economic Cooperation of May 7, 1992, the Letter of Agreement on Law Enforcement and Criminal Justice Sector Assistance between the Government of the United States of America and the Government of Ukraine of March 13, 2015, other international conventions in the area of human rights protection that the Verhovna Rada agreed on being binding, the Constitution of Ukraine, the Law of Ukraine on Free Legal Aid, other legal instruments aimed at implementing and protecting human rights,

having regard to the Joint Action Plan signed between the FLACC and INL on September 1, 2015, for the implementation of an international assistance project,

realizing a need to make sure that the human resources capacity to provide free legal aid services is continuously strengthened and vulnerable groups and various communities are legally empowered,

aiming to achieve the best possible efficiency while attaining common goals,

have agreed as follows:

1. Article 1. Goal and General Provisions

- 1.1. The goal of this Memorandum is to create conditions for the continued capacity building of advocates, lawyers, local government officials, members of non-governmental organizations, workers of the FLACC and its local branches providing free legal aid, and other stakeholders.
- 1.2. This Memorandum is an instrument on which basis the Parties shall coordinate their efforts towards achieving the goal set forth herein.
- 1.3. The Parties express their readiness to undertake mutually beneficial cooperation in the areas identified herein.
- 1.4. The Parties act in accordance with this Memorandum and with other agreements that can be entered into by and between them.
- 1.5. The Parties intend to provide comprehensive support to develop cooperation between each other in accordance with this Memorandum and inform each other about relevant activities.

2. Article 2. Areas of Cooperation

- 2.1. To achieve the goal of this Memorandum, the Parties agreed to cooperate in the following areas upon availability of funds:
 - 2.1.1. establishing Resource and Communications Platforms (hereinafter referred to as the "RCP") to support distance and on-line courses, training workshops, seminars and other activities to ensure continuous learning for advocates, lawyers, local government officials, members of non-governmental organizations, workers of the FLACC and its local branches providing free legal aid, and other stakeholders;
 - 2.1.2. staffing the RCPs with necessary personnel;
 - 2.1.3. providing the RCPs with appropriate premises;
 - 2.1.4. providing the RCPs with necessary equipment;
 - 2.1.5. renovating the RCP premises (where necessary);
 - 2.1.6. conducting joint activities aimed at strengthening the efficiency of human resources of the free legal aid system and of other stakeholders;
 - 2.1.7. other agreed areas of cooperation.

3. Article 3. Organization of Cooperation

- 3.1. While implementing this Memorandum within the limit of the available resources, the Parties shall:
 - 3.1.1. assign appropriate representatives to conduct consultations and develop proposals to jointly implement the activities outlined herein
 - 3.1.2. conduct joint activities (e.g., working meetings, workshops) to discuss issues related to implementing the activities hereunder
 - 3.1.3. undertake joint efforts aimed at informing the society about cooperation of the Parties hereunder;
 - 3.1.4. assign resources according to the Parties' internal rules and regulations;
 - 3.1.5. keep any personal information that becomes known to them in relation to the implementation of this Memorandum confidential, as required by the law;
 - 3.1.6. cooperate in any other forms as agreed upon by the Parties.

4. Article 4. Cooperation with Other Institutions and Organizations

- 4.1. To achieve the goals of this Memorandum, the Parties, acting upon mutual agreement, may invite other institutions and organizations of any type and individuals to cooperate in the agreed areas.

5. Article 5. Term of the Memorandum

- 5.1. This Memorandum shall enter into force upon countersignature of the all Parties.
- 5.2. This Memorandum shall be valid for one year. The term of the Memorandum shall be automatically extended for another year unless either Party gives the other Party prior notice of its intent to terminate the Memorandum in writing.
- 5.3. If the Memorandum is terminated, the activities launched hereunder and not completed during the term hereof shall be continued under the terms and conditions agreed on by the Parties unless such activities are impossible to continue.

6. Article 6. Other Provisions

- 6.1. Any changes or amendments to this memorandum must be done through written agreement of all Parties and form an inherent part of this Memorandum.

6.2. Any disputes regarding interpretation or implementation of any provision of this Memorandum shall be resolved by the Parties through consultations and mutual agreement.

DONE in triplicate in Kyiv, Ukraine, this 29th day of July, 2016, in the English and Ukrainian languages, both texts being equally authentic.

Marie Kurth
Acting Director, INL Section
U.S. Embassy to Ukraine




Andrii Vyshnevskyy
Director of Coordination Center for
Providing Legal Aid
Ministry of Justice of Ukraine




Yevhen Bystrytskyy
IRF Executive Director


