

MEMORANDUM OF UNDERSTANDING

City of Kyiv

July 5th, 2014

The Coordination Center for Legal Aid Provision (hereinafter called – Coordination Center) and the Canadian Bureau for International Education (hereinafter called – CBIE) (hereinafter called together – Parties),

Intending mutually to implement the international technical assistance project “*The Quality and Accessible Legal Aid in Ukraine*” (hereinafter called – Project) funded by the Government of Canada’s Department of Foreign Affairs, Trade and Development

Made this Memorandum on the following:

Article 1. Goal of the Project

- 1.1. The Parties agree with each other to support the implementation of the Project “*The Quality and Accessible Legal Aid in Ukraine*”.
- 1.2. The Project is aimed at increasing equitable access to justice for population across Ukraine, in particular individuals from marginalized groups through support to implementation of the free legal aid system and increase of public awareness of rights for free legal aid. The project outcomes are:
 - Increased ability of targeted stakeholders to deliver and monitor quality legal aid services for Ukrainian population;
 - Increased efficiency of free legal aid service provision system and its capacity to respond to citizens’ needs;
 - Increased awareness of population of Ukraine of free legal aid service system.
- 1.3. The Project consists of three key components: 1) human resource ability; 2) systems capacity; 3) outreach and communication capacity.
- 1.4. The Project summary is attached in the Memorandum Annex 1.

Article 2. Project Management

- 2.1. The Project Steering Committee performs overall management of the project, approves the Project Implementation Plan to be developed by the Parties during the project implementation initial stage, annual workplans and the project reports. The Project Steering Committee includes the Parties’ representatives (Coordination Center and CBIE) with engagement of the Government of Canada’s Department of Foreign Affairs, Trade and Development. The terms related to DFATD involvement in the Project Steering Committee are set in Contribution Agreement #Z-021069-001 between CBIE and DFATD.
- 2.2. Management and implementation of the Project are done by the main two partners: in particular, by the Ukrainian partner and main project recipient – Coordination Center and CBIE – the Canadian executing agency financed by the Government of Canada’s Department of Foreign Affairs, Trade and Development.

- 2.3. The Coordination Center is Ukrainian project partner and plays a key role in supporting the project implementation including providing support in engaging the project targeted groups into project activities; participating in identifying overall project priorities; and ensuring the transfer of knowledge, skills, best practices etc. gained within the project to the legal aid system and relevant system stakeholders etc.
- 2.4. CBIE acting as the project administrator is responsible for the project management as well as for the project team and resources management; preparation of financial and narrative project reporting etc. The partners' roles and responsibilities are to be described and approved in the Project Implementation Plan.

Article 3. Project Implementation Plan

Initially, the Parties will jointly develop a Project Implementation Plan for the entire project period, which upon the approval by the Project's Steering Committee of the Project will be attached as Appendix 2 to this Memorandum and will include but not limited to the following sections:

- detailed description of the Project, including its goals, objectives and activities;
- description of the Project expected outcomes and outputs;
- arrangement of interaction between the Parties including description of the roles and responsibilities of all stakeholders involved into the Project implementation;
- Project plan, including timeframes and human and financial resources required for the project implementation;
- Project Budget.

Article 4. Final Provisions

- 4.1. This Memorandum, including Appendix 1 that constitute the integral part, takes effect upon its signing and is concluded for the entire project implementation period (up to December 2018 inclusive). Future Appendix 2 takes effect upon Project Implementation Plan approval by the Project's Steering Committee of the Project, and will constitute the integral part of this Memorandum.
- 4.2. Any amendments to this Memorandum are made only in a written agreement of the Parties and become its integral part.
- 4.3. Any disputes concerning the interpretation or application of this Memorandum, the Parties resolve through consultations and negotiations.
- 4.4. This Memorandum may be terminated by either Party giving at least thirty (30) days written notice to the other Party.
- 4.5. Official communication between the Parties related to all matters of this Memorandum implementation is made to the following addresses:

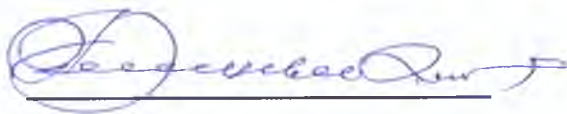
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Signed in Kyiv July 5th, 2014 in the Ukrainian and English languages in two copies (an English original and a Ukrainian original to each of the Parties). The texts of the Memorandum in English and Ukrainian are equally authentic, all signed copies having equal legal force.



Andriy Vyshnevsky
Director
Coordination Center for
Legal Aid Provision



Karen McBride
President
Canadian Bureau for
International Education

Description of the Quality and Accessible Legal Aid Project in Ukraine

The *Quality and Accessible Legal Aid in Ukraine (QALA)* Project is a five year (2013-2018) technical assistance project funded by the Government of Canada's Department of Foreign Affairs, Trade and Development, implemented by the Canadian Bureau for International Education in cooperation with the Coordination Center for Legal Aid Provision under the Ministry of Justice of Ukraine.

The **overall goal** of the Project is to contribute meaningfully to increasing equitable access to justice through quality legal aid for women and men across Ukraine, in particular individuals from marginalized groups.

The expected **immediate outcomes** for the Project are:

- Increased ability of targeted stakeholders to deliver and monitor quality legal aid services for Ukrainian citizens;
- Increased capacity for the management, oversight and decentralized service delivery of the legal aid system by Ministry of Justice, legal aid centers, contracted lawyers and other key delivery partners; and
- Increased public awareness of legal aid services.

In support of the goal of providing targeted Canadian technical assistance support to operationalize the free legal aid system in Ukraine for the benefit of vulnerable Ukrainians, the Project will consist of three **key components**:

Component 1: Human Resource Ability

The QALA Project will focus its attention upon building the required human resource ability within the broad stakeholder community to support the sustainable operation and monitoring of the legal aid system over the long-term.

This component will include:

- Identifying learning groups and knowledge gaps within the stakeholder community; and
- Designing and delivering training programs and learning events to augment skills and knowledge to support legal aid service delivery and monitoring.

In the context of the operation of the legal aid system in Ukraine, the stakeholder community broadly may encompass contracted lawyers directly providing legal aid defense representation, administrative and management staff in legal aid; administrative and management staff within the Ministry of Justice system overseeing the operation of the system; judges and court staff administering cases for individuals accessing the legal aid system; staff of inquiry and investigation bodies; relevant business and professional associations; government officials at the oblast and municipal levels; staff within other key ministries that impact upon the legal aid system (e.g. police, social services, industry, environment) and that currently provide services to vulnerable citizens); civil society and non-governmental organizations, including bar and municipal organizations; educators within law faculties exposing students to the concept of legal aid and to the notion of legal aid as a profession within requisite law school programs; etc.

Component 2: Systems Capacity

The QALA Project will focus its attention upon building the required systems to support the sustainable operation and monitoring of the legal aid system, with particular emphasis upon increasing the efficiency of legal aid service providers in responding to citizens' needs. This component will include:

- Identifying the required systems/technical needs to operationalize the decentralized delivery of quality legal aid services across Ukraine; and
- Providing support for the development of a comprehensive legal aid system, including all necessary processes, policies, standards, procedures and mechanisms required to support sustainable strategic and human resources planning, financial management, performance management, monitoring, evaluation and reporting; and
- Building institutional capacity within civil society for independent monitoring of the legal aid system.

Component 3: Outreach and Communication Capacity

The QALA Project will focus its attention upon building the required outreach and communication capacity within targeted civil society organizations across Ukraine to promote increased public awareness of legal aid services, through the dissemination of relevant information and the provision of advisory support and referrals. This component will include:

- Developing and implementing communications, outreach and engagement strategies;
- Developing and implementing information sharing mechanisms within and between relevant stakeholder organizations; and
- Supporting community and NGOs initiatives to promote locally-based support solutions for vulnerable Ukrainian citizens in accessing the legal aid system and in addressing systemic barriers to access; and
- Supporting community gender initiatives to promote locally-based support solutions for vulnerable Ukrainian citizens in accessing the legal aid system and in addressing systemic barriers to access.