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# ENHANCING THE CAPACITY OF LOCAL GENERAL COURTS AND THE FREE LEGAL AID SYSTEM IN DONETSK AND LUHANSK OBLASTS ON ARMED CONFLICT RELATED CASES WHILE IMPLEMENTING TRANSITIONAL JUSTICE IN UKRAINE: NEEDS AND PROSPECTS

Survey summary





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This report is prepared to describe the needs and prospects for enhancing the capacity of local general courts and the free legal aid (FLA) system in Donetsk and Luhansk oblasts on armed conflict related cases in the implementation of transitional justice in Ukraine, challenges of the implementation of legislation on transitional period, as well as possible ways to overcome them. The report describes the context, problems, identified needs and opportunities for meeting them. For a better understanding of the surveyed issues, we recommend referring to the full version of the report (available in Ukrainian). The information in the report is relevant as of 15 September 2021.

The report is prepared by Oleksiy Plotnikov, Ph.D., Senior Lawyer with “Tenth of April” NGO, within the framework of the UN Recovery and Peacebuilding Programme (UN RPP) and with the financial support of the Government of the Kingdom of the Netherlands.

The authors of the survey emphasize the contribution of judges of local and appellate courts of Donetsk and Luhansk oblasts, the Supreme Court, the Coordination Centre for Legal Aid, oblast centres for secondary free legal aid in Donetsk, Zaporizhzhia, Luhansk, and Kharkiv oblasts, local centres for secondary free legal aid in Donetsk and Luhansk oblasts, as well as lawyers cooperating with free legal aid offices, without whose support and contributions this report would have never been completed.

Ivan Honcharuk, Rule of Law and Access to Justice Specialist, UN Recovery and Peacebuilding Programme, managed the survey, provided overall supervision, editorial proposals and essential materials.

The views, comments, conclusions or recommendations expressed in this document are those of the authors and do not necessarily reflect the views of the United Nations and the Government of the Kingdom of the Netherlands.

The United Nations Recovery and Peacebuilding Programme (UN RPP) is being implemented by four United Nations agencies: the United Nations Development Programme (UNDP), the UN Entity for Gender Equality and the Empowerment of Women (UN Women), the United Nations Population Fund (UNFPA) and the Food and Agriculture Organization of the United Nations (FAO).

Twelve international partners support the Programme: the European Union (EU), the European Investment Bank (EIB), the U.S. Embassy in Ukraine, and the governments of Canada, Denmark, Germany, Japan, the Netherlands, Norway, Poland, Sweden & Switzerland.

# SHORT OVERVIEW OF THE SURVEY METHODOLOGY



From April to August 2021, the UN RPP carried out a survey on the needs and prospects for enhancing capacity of the local general courts and the FLA system in Donetsk and Luhansk oblasts on armed conflict related cases in the implementation of transitional justice in Ukraine. The goal of the survey was to assess the capacity building needs of local general courts and local secondary free legal aid offices in Donetsk and Luhansk oblasts dealing with civil and criminal cases during the transitional policy in Ukraine, as well as in terms of the quarantine restrictions.

The survey consisted of the following phases:

- study and analysis of international law and practice related to the activities of courts and the FLA system amid the armed conflict and post-conflict settlement;
- collection and analysis of information on the national legislation and practice of countries that have applied the concept of transitional justice;
- study and systematisation of Ukraine's national legislation and practice in terms of courts' activities in the situation of the armed conflict, post-conflict settlement and transitional justice;
- interviewing of judges, male and female specialists of free legal aid offices (FLAOs), male and female lawyers who cooperate with FLAOs on the needs of the judicial and FLA systems in the implementation of transitional justice, as well as amid the quarantine restrictions due to the COVID-19 pandemic;
- preparation of a report reflecting the results of the survey on the needs of the judiciary and FLA systems in Donetsk and Luhansk oblasts in the implementation of transitional justice in Ukraine and in the context of the COVID-19 pandemic, as well as recommendations based on the expertise of project experts and comments of stakeholders concerned.

For the purposes of the survey, the definition of transitional justice provided in the draft Law of Ukraine "On the Principles of the Public Transitional Policy", registered on 9 August 2021 under the No. 5844 was used as the term 'transitional justice'. The terms 'transitional justice', 'transitional justice' and 'law in transition' are used interchangeably. The term 'transitional justice', accepted in the UN system, is used most often.

# GENERAL DESCRIPTION

OF THE PROBLEMS OF ENHANCING  
THE CAPACITY OF THE LOCAL GENERAL COURTS  
AND THE FLA SYSTEM ON ARMED CONFLICT  
RELATED CASES IN THE IMPLEMENTATION  
OF TRANSITIONAL JUSTICE IN UKRAINE AMID  
THE QUARANTINE DUE TO THE COVID-19 PANDEMIC



The armed conflict that broke out in 2014 has eroded the rule of law and prompted numerous human rights violations, including in the form of international crimes. At the same time, due to the loss of control by the Government of Ukraine over certain areas of Donetsk and Luhansk oblasts, relocations of judges, court employees, as well as lawyers from the non-government-controlled areas to the controlled territories, organisational changes in the system of justice and FLA, disruption of transport communications and infrastructure of Donetsk and Luhansk oblasts, the implications of the armed conflict, including in the form of direct threats to the life and health of citizens, a significant decline in the capacity of the judiciary system and the FLA system has been reported. Furthermore, there has been a surge in the burden on these systems as a result of conflict-related problems, including the emergence of large numbers of internally displaced persons, the need to address new categories of criminal (armed conflict related cases) and civil cases (birth and death cases in the non-Government controlled territory of Donetsk and Luhansk oblasts, cases of reparation of the damages caused during the ongoing armed conflict, etc.). The capacity of the above systems of providing services to citizens has also been affected by the SARS-CoV-2 (COVID-19) coronavirus pandemic that began in 2020 and is continuing at the time of publication.

Transitional justice means a set of processes and mechanisms aimed at overcoming the effects of large-scale human rights violations so as to ensure accountability, justice and reconciliation<sup>1</sup>. It covers judicial and non-judicial mechanisms with varying degrees of international involvement, including measures to conduct a serious investigation of violations when they occur; to impose suitable sanctions on those responsible for the violations; and to ensure reparation for victims of the violations. Transitional justice has applied and is applying, in one way or another, various techniques in dozens of countries all over the world. Transitional justice always involves a certain degree of international involvement, though the main work on a routine reinstatement of the rule of law and justice always relies on national mechanisms that are relevant in each individual case. It is therefore important to enhance the capacity of national courts and the legal aid system to operate in a country of transitional justice.

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1 The rule of law and transitional justice in conflict and post-conflict societies (S/2011/634). 2004. <https://www.refworld.org.ru/publisher/UNSC,THEMREPORT,4a895b662,0.html>.

Ukraine is currently developing legislation on transition period, joined by many experts and representatives of the Government of Ukraine, international organizations, human rights organizations, and academic institutions. In August 2021, the draft Law of Ukraine “On the Principles of the Public Transitional Policy”<sup>2</sup>, positioned as a fundamental law and the basis for a further development of legislation and bylaws on transitional justice, has been submitted to the Verkhovna Rada of Ukraine for consideration. A number of other laws have been passed that govern the operation of the judiciary in times of the armed conflict. Amendments have been made to the Criminal Code of Ukraine, which implemented the provisions of the Rome Statute of the International Criminal Court on criminal liability for international crimes. Hence, the transitional justice has already become a reality of Ukraine’s legal system, within which courts and the FLA system should operate.

Practice shows that courts and the FLA system are ready to develop in accordance with new challenges, as evidenced by the example of their successful examination of new categories of cases on establishing births and deaths in non-Government controlled territory and the reimbursement for housing destroyed by hostilities. Meanwhile, the capacity and efficiency of both systems in the transition period can be significantly increased due to additional support, including external, expert, material and information assistance.

Some challenges faced by the judiciary and the FLA system (e.g., a lack of judges and court employees, high level of staff reshuffle in the FLA system<sup>3</sup>) can be solved only through the Government’s efforts. Others reflect the common problems of the armed conflict-affected regions (e.g., transport accessibility, telephone and Internet accessibility); and the way to their solution is to gradually improve the overall situation in the regions concerned. Most needs can however be met in one way or another through international support as well as efforts of non-governmental organizations. These needs include education, certain material needs, awareness-raising of citizens and others.

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2 The draft Law of Ukraine “On the Principles of the Public Transitional Policy” No. 5844 of 09.08.2021. [https://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=72625](https://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=72625).

3 Assessment of the accessibility of the free legal aid provision system in Donetsk and Luhansk oblast for the UN Recovery and Peacebuilding Programme: final report. 2019. <https://www.legalaid.gov.ua/wp-content/uploads/2019/12/otsinka-dostupu-do-sistemy-nadannya-bezoplatnoyi-pravovoi-dopomogy-v-donetskij-ta-luganskij-oblastyah.pdf>

The combination of efforts of the Government, international organizations and non-governmental organizations will considerably strengthen the capacity of the judiciary and the FLA system in Donetsk and Luhansk oblasts in the situation of the transitional justice.

Additional challenges for the transitional justice in Ukraine have been evoked by the COVID-19 pandemic, which has had significant impacts on the operation of the systems of justice and free legal aid provision. This was mainly reflected in the switching of justice and, to a large extent, the legal aid provision to an online format of operation, through the use of electronic means, such as the Easycon system, e-mail, various electronic messengers. This switching can enhance the capacity of the judiciary and FLA systems through their ability to provide justice and legal aid service to people who for one reason or another cannot come in person, but it should be properly provided, including by means of electronic equipment and a communication system; necessary legal regulation is also a must.

TRANSITIONAL  
JUSTICE INTERNATIONAL  
EXPERIENCE AND UKRAINE



Ukraine has a number of international legal commitments in implementing the transitional policy. There are two groups of sources with regard to the standards of courts and authorities providing free legal aid in terms of transitional justice: general commitments on the accessibility and quality of justice and documents of declarative, advisory or explanatory nature. The most important documents of the first group are the Universal Declaration of Human Rights, the UN Covenants on Human Rights of 1966, the Convention for the Protection of Human Rights and Fundamental Freedoms, the Geneva Conventions and their Protocols, and the practice of relevant convention bodies. The second group comprises international recommendations on the status of judges, conduct of judges, independence of the judiciary, accessibility of legal aid and legal advice, and the UN and Council of Europe recommendations on human rights in the administration of justice. The findings and recommendations of non-governmental organizations dealing with transitional justice, such as the International Centre for Transitional Justice, are also of great value and relevance.

Although there are just a dozen of countries administering transitional justice in one way or another, including developed democracies such as Australia, Canada and the U.S., each individual case of transitional justice is unique. There is no universal recipe, but the study of experience of every country can be useful for adopting individual solutions and best practices. The survey examines the experience of some Latin America countries and former Yugoslavia. When it comes to the first group of countries, it is expedient to borrow the experience of improving the accessibility of justice through simplified procedures in standard cases, decentralisation of justice, creation of a system of mobile legal aid clinics. The experience of the former Yugoslavia countries is interesting for some parallels in the circumstances of armed conflicts, as well as for the fact that transitional justice in these countries started to be applied against the backdrop of their European integration aspirations. Specifically, Bosnia and Herzegovina's experience in completing investigations and enforcing international criminal court decisions may be of great value (in the case of BiH, it was the International Criminal Tribunal for the Former Yugoslavia, and in the case of Ukraine, the International Criminal Court which is already investigating the Ukrainian situation).

The experience of Croatia is of great interest as well, in particular in terms of the involvement of international experts in the operation of special judicial chambers examining armed conflict related cases. Croatia's experience in organising special witness protection centres may be helpful for the FLA system. It is also recommended to study the Croatian experience of fulfilling the requirements for a candidate country for accession to the European Union in the implementation of the justice strategy in transition.

In 2021, the Ministry of Reintegration of Temporarily Occupied Territories has presented a draft Law "On the Principles of the Public Transitional Policy", widely discussed by the expert community and the public<sup>4</sup>. Among other things, the draft Law proposes to draw up a list of crimes that are not subject to the amnesty. It is proposed to create an institution of convalidation, i.e. the recognition of the validity of transactions made in the non-Government controlled territory whose procedure should be regulated by a special law. The document also sets up a procedure for reinstating justice in the 'deoccupied territories' and a number of other issues.

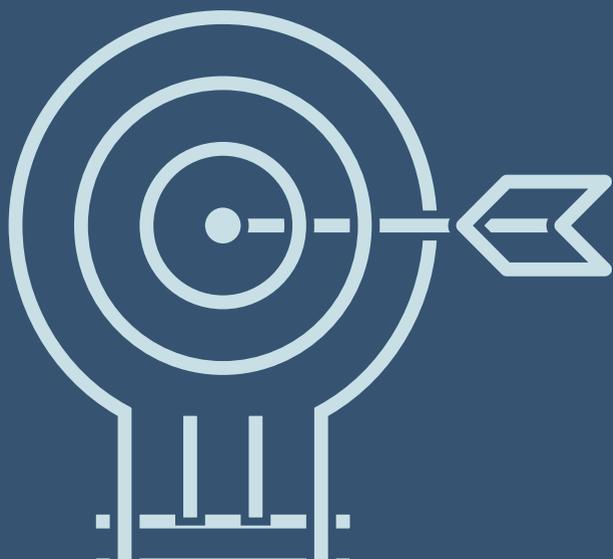
On the basis of the submitted draft Law, a preliminary assessment of the needs of the judiciary and the FLA system was made and further specified and clarified during interviews with male and female respondents. It has been established that the Ukrainian judicial system and the FLA system in general are ready to accept the transitional justice challenge. There are no fundamentally unsolvable problems that would hinder the implementation of a relevant strategy and the achievement of the goals of transitional justice. According to the overwhelming majority of respondents, the Ukrainian judiciary is capable of dealing with any armed conflict related case, but needs some international support to improve the quality of proceedings of this kind and ensure their impartiality, which will serve the four major goals of transitional justice: to investigate violations, to impose sanctions on perpetrators, to ensure reparation for victims, and to guarantee non-repetition of crimes.

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4 The draft Law of Ukraine "On the Principles of the Public Transitional Policy" No. 5844 of 09.08.2021. [https://w1.c1.rada.gov.ua/pls/zweb2/webproc4\\_1?pf3511=72625](https://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=72625).

The examination of certain high-profile and complicated cases by the International Criminal Court will enable creating template solutions for Ukrainian courts. Where armed conflict related cases are considered, these courts need advice of international experts, including judges, prosecutors, lawyers and other legal professionals who have formerly been involved in identical cases in countries applying transitional justice.

# SHORT OVERVIEW OF THE KEY FINDINGS



Transitional justice is a *fait accompli* in Ukraine. With the support of the free legal aid system, Ukrainian courts will play a key role in implementing the main tasks of restoring the rule of law, ensuring justice and reconciliation. This task will require courts to apply not only Ukrainian national law, but also international criminal law, international human rights law, international standards and best practices of criminal investigations and proceedings in international crimes. Courts should apply this practice knowingly in order to achieve the transitional justice objectives. Ukraine's compliance with its international commitments in the area of the rule of law and human rights will depend on the successful operation of courts in Donetsk and Luhansk oblasts in the of transition.

It is necessary to protect the rights, freedoms, and legitimate interests of all people, including suspects/accused persons, victims, witnesses, and parties to civil proceedings. The quality of legal proceedings will be crucial to establishing the truth and combating impunity. The quality and credibility of judicial decisions will play a significant role in social reconciliation and guarantees of non-repetition of crimes.

The judiciary should be ready to perform these tasks, and a drastic increase in its capacity is therefore important. International experience in resolving this kind of conflicts has certain value in identifying the needs of the judiciary in the period of transition. Transitional justice is applied in one way or another in dozens of countries and regions, and this experience is extremely diverse. The practice of countries that had have experienced internal and international armed conflicts that resulted in the loss of control of part of their territories should be used. The most relevant is the experience of some Latin America countries (Colombia, Peru) and the countries of the former Yugoslavia (Bosnia, Herzegovina, and Croatia). At the same time, it has to be noted that each situation of transitional justice is unique, and the experience of individual decisions can be borrowed, rather that the whole set of measures.

With the application of transitional justice, Ukraine's judiciary and legal aid system will have to face new categories of cases: criminal proceedings for armed conflict related crimes (including war crimes) and civil cases on reparation for victims of such crimes. However, both systems are currently overburdened with civil cases involving the Ukrainian Government's loss of control of certain areas of Donetsk and Luhansk oblasts (cases of births and deaths in the non-Government controlled territory).



Without a strengthening of capacity, both the judiciary and the FLA system in Donetsk and Luhansk oblasts may appear to be unprepared to deal with a large number of new complicated cases.

The most important need of both the judicial and the free legal aid systems is the need for training. The quality of justice in criminal proceedings and the quality of protection that will be provided in such proceedings directly depend on the awareness of judges and lawyers of international criminal law and practice, the tasks of transitional justice, as well as the specifics of armed conflict related criminal proceedings (including proceedings in absentia). The same applies to civil cases on the reimbursement for the damages caused by armed conflict related crimes. Particular attention has to be paid to the development of judges and lawyers' psychological knowledge and skills that will enable them to work with this category of cases.

This training can be organized in the form of training courses, trainings, experience sharing workshops, study visits to international courts and other institutions, as well as to courts of countries whose courts have examined cases of international crimes (e.g. Bosnia and Herzegovina, Croatia).

The problem of a lack of a sufficient number of judges is extremely acute, which results in a significant overload on judges and court staff, the accumulation of a large number of unexamined cases, and a decrease in the quality of court proceedings. Furthermore, a large number of judges do not administer justice due to a lack of mandates. As for other court staff (assistant judges, court clerks, clerks), they have low salaries, which leads to high staff reshuffle and hampers the accumulation of positive experiences. There is an urgent need to increase the number of judges administering justice, as well as to establish a system of financial incentives for court staff and to improve the overall financial support of judges and court employees working in the armed conflict areas.

There is a need to improve funding for courts. It is already possible to discuss the need for special equipment to protect witnesses and victims. Other material needs (repair of buildings, supply of equipment, etc.) can be identified following a separate study. The material needs of the FLA system primarily include the provision with transport, fuel and equipment needed for visits of mobile legal aid clinics.

Moreover, courts experience a drastic shortage of consumables (paper, printer ink, envelopes, etc.), which restricts their capacity to prosecute and adversely affects the quality and accessibility of justice.

An important need is to ensure the safety and well-being of victims and witnesses of armed conflict related crimes, which is relevant for both criminal proceedings and civil cases. This includes informing victims and witnesses of their rights, protecting them from any form of harassment by offenders and their surroundings in connection with criminal or civil proceedings. In particular, this applies to ensuring the psychological well-being of victims in order to avoid their re-victimisation. Special emphasis has to be placed on the protection of victims of sexual violence. In courts, this task can be facilitated by developing, through trainings, psychological skills of judges and court staff for working with this category of persons. Within the FLA system, the solution may be to set up special centres on the basis of available local FLA offices to work with victims and witnesses of armed conflict related crimes. At least one centre of this kind has to be set up in Donetsk and Luhansk oblasts. Their setting up may not be instantaneous, but imply a gradual increase in the capacity of a selected centre through training employees in working with relevant categories of persons and crimes, providing special equipment, creating a position of psychologist in the centre, etc.

Work needs to be done to support the independence and impartiality of courts in considering the above categories of cases. The independence will be possible if a mechanism is developed to protect judges from any illegal outside influence, including that from offenders, authorities, local self-governments, and the public. The impartiality can be ensured through improved communication between courts and society, training of judges in the skills of conduct in proceedings on armed conflict related conflicts and in public communication skills.

The effectiveness of transitional justice will largely depend on its accessibility and efficiency. This can be achieved by bringing justice and legal aid closer to the population, in particular in remote areas and areas where the control of Ukraine's Government will be reinstated through informing citizens about the possibility of going to court and about the system of free legal aid in specific categories of cases, as well as improving tools of online access to court. First and foremost, it is necessary to

improve the quality of online access to courts and the FLA system by providing courts and free legal aid offices with quality equipment and, where appropriate, connecting them to telephone and Internet networks with the highest quality coverage in the region. To ensure the accessibility of legal aid, it is necessary to provide the FLA system with its own transport for organising visits of mobile legal aid clinics and equipment necessary for these visits.

The study has found that in general, courts and the FLA system cope with the challenges posed by the COVID-19 pandemic. The pandemic has only exacerbated some existing needs, such as the need to improve the quality of communications and communication equipment, or logistical needs. Solutions to these problems will help overcome the COVID-19 challenges.

# RECOMMENDATIONS



## RECOMMENDATIONS FOR ENHANCING THE CAPACITY OF LOCAL GENERAL COURTS IN DONETSK AND LUHANSK OBLASTS WHILE IMPLEMENTING TRANSITIONAL JUSTICE IN UKRAINE

Among the judicial system's needs throughout the transition period the following are of particular importance:

- 1. THE NEED FOR TRAINING** in the fundamentals of transitional justice, international law, legislation, and practice in armed conflict related cases, psychological skills needed for working with armed conflict related cases, in particular those needed for working with victims from among vulnerable groups, victims of sexual crimes, and the minors. It is recommended to develop guidelines for consideration of certain categories of cases.
- 2. THE NEED FOR INCREASING THE NUMBER OF JUDGES AND COURT STAFF.** This need is very pressing, as a lack of judges in courts of Donetsk and Luhansk oblasts has already caused a significant delay in the consideration of cases. The problem can become critical if new complex categories of armed conflict related cases are taken to courts. The only way of the Government to meet this need is empowering already appointed judges, appointing new judges, and improving the staffing of judges and court employees.
- 3. THE NEED FOR ENSURING THE INDEPENDENCE OF THE JUDICIARY** through protecting judges from illegitimate influence. The matter concerns the influence of the executive, excessive public pressure which sometimes can be seen as interference with the work of courts, threats from offenders, representatives of non-governmental armed groups against judges and their relatives.

- 4. THE NEED FOR ENSURING THE IMPARTIALITY (UNBIASED ATTITUDE) OF COURTS.** According to male and female survey participants, this problem should be considered in the light of public perception of court decisions. The need is linked to trust in the judiciary and its capacity of communicating in a way that enhances public confidence in the impartiality and quality of justice rather than to a particular judge's own bias (although this cannot be ruled out).
- 5. THE NEED FOR SAFETY AND WELL-BEING OF VICTIMS OF CRIME AND WITNESSES.** This concerns both their protection against offenders, non-governmental armed groups and individuals, and their well-being during pre-trial investigation and trial. This need can be met by improving legislation on protecting victims and witnesses, as well as by training judges and court staff in the specifics of working with certain categories of victims and witnesses (e.g. minors) so as to avoid re-victimisation.
- 6. THE NEED FOR ENSURING LOGISTICAL SUPPORT.** The matter concerns individual equipment items (e.g., equipment for concealing the identity of a witness), and consumables. The need for these materials is very urgent. A lack of paper, stamps, envelopes, and other consumables does not allow timely sending notifications and court decisions, which slows down the administration of justice and limits its accessibility. Some respondents also mentioned other material needs, such as improving the accessibility of court premises for availability of buildings and facilities for less-mobile groups of population. It is concluded that there is a need for further studying courts' material needs.
- 7. THE NEED FOR DISSEMINATING INFORMATION** on the possibility of recourse to law enforcement authorities and courts on armed conflict related cases, e.g. the possibility of getting reimbursement for damages caused by the armed conflict.
- 8. THE NEED FOR IMPROVING THE OPPORTUNITIES FOR INFORMATION EXCHANGE.** The matter concerns the creation of legal opportunities for courts to use available databases (e.g., the register of internally displaced persons to establish a person's place of residence), as well as giving courts access to certain databases of law enforcement authorities to prevent the use of court decisions in illegal activities (e.g., legalisation of illegally obtained property).

**9. THE NEEDS RELATED TO THE COVID-19 PANDEMIC**, in particular ensuring access to justice amid the pandemic. Courts have enough protective equipment, but there is a need to improve citizens' online access to justice. Some courts lack equipment for providing online access, or this equipment is of poor quality. A major problem is the quality of telephone and Internet coverage in areas affected by the armed conflict, which prevents them from using remote access tools to the full.

## RECOMMENDATIONS FOR ENHANCING THE CAPACITY OF THE FLA SYSTEM IN DONETSK AND LUHANSK OBLASTS WHILE IMPLEMENTING TRANSITIONAL JUSTICE IN UKRAINE

Among the FLA system's needs throughout the transition period the following are of particular importance:

1. **THE NEED FOR TRAINING** of male and female specialists of the FLA system, male and female lawyers in transitional justice, international criminal law, the specifics of criminal proceedings in armed conflict related cases, representation and protection of the interests of victims in criminal proceedings and parties in armed conflict related civil proceedings. In addition, there is a need for developing in these people knowledge and skills of psychology and interpersonal qualities that will enable them to work with cases of this kind.
2. **THE NEED FOR ENSURING LOGISTICAL SUPPORT** for visits of mobile legal aid clinics to areas affected by the armed conflict (areas along the 'line of contact', areas with poor transport accessibility). This includes the availability of vehicles, fuel and lubricants, professional drivers, computer equipment and communication equipment.
3. **THE NEED FOR PROTECTING VICTIMS AND WITNESSES OF INTERNATIONAL CRIMES** against pressure from offenders, non-governmental armed groups and others (including representatives of local communities who may negatively respond to certain circumstances). There is an urgent need for psychological support to be provided to people involved in international crimes, as well as for people belonging to vulnerable groups, victims of gender-based violence, and minors. To this end, it is recommended to set up a special psychological service within the FLA system or enter into agreements with professional psychologists for engaging them in the work with the FLA system's applicants. It is advisable to consider the possibility of the establishment on the basis of free legal aid offices of special centres for the protection of victims and witnesses of international crimes, providing them with protection, psychological support and highly specialised legal assistance.

4. **THE NEED FOR RAISING AWARENESS** of the public about the possibility of obtaining legal assistance in armed conflict related cases, including online aid. Among other things, this incorporates the need for disseminating among the population through all possible means (media, Internet, local authorities) of information on the possibility of getting justice and reparation for the damages caused by armed conflict related crimes. Improvements in the quality of this work can help create a network of paralegals from among local activists and employees of local authorities and self-governments.
5. **THE NEED FOR MAINTAINING COOPERATION WITH NON-GOVERNMENTAL ORGANIZATIONS** providing legal aid so as to increase the efficiency of information sharing, referral and the use of resources of NGOs to maintain certain functions of the FLA system (e.g. vehicles for visits of mobile legal aid clinics until the FLA system is fully provided the required number of own transport means).
6. **THE NEED FOR DEVELOPING AND DISSEMINATING INFORMATION ON ONLINE PRIMARY LEGAL AID.** This need is particularly relevant to ensure the availability of legal aid in areas affected by the armed conflict (particularly in non-Government controlled areas), as well as amid the pandemic. The FLA system makes significant efforts to develop online services, in particular, it has created a mobile application, Free Legal Aid; maintains another mobile application, Your Right, and clients' accounts on the FLA system's website etc. The development of online legal aid is constrained by a lack of public awareness of its availability, as well as general infrastructural problems of the region (bad telephone and Internet connections).





