



MEMORANDUM OF COOPERATION

between

Council of Judges of Ukraine

and

Non-governmental organization "Human Rights Vector"

This memorandum is guided by the Constitution of Ukraine and Laws of Ukraine "On public associations" and "On the Judicial System and Status of Judges", international treaties and the basic principles of effective cooperation between the authorities and the public. The creation of this Memorandum is motivated by the awareness for the need for joint action to create partnerships between the community and public authorities. Taking into account previous successful experience of cooperation and aiming to extend it, the Council of Judges of Ukraine (hereafter - CJU) on the one hand, and the non-governmental organization "Human Rights Vector" (hereafter - NGO "Human Rights Vector") - on the other (hereafter – the Parties), have created this Memorandum of partnership and cooperation to achieve the following objectives on the basis of combining the capabilities of the Parties.

I. General provisions

The aim of signing the Memorandum is the implementation of effective forms of cooperation:

1. To ensure the right to a fair trial and the avoidance of violations in the legal process;
2. To implement educational work among the general public, as well as future and current professionals in the justice sector as a mean to improve legal knowledge and legal culture;
3. To enhance confidence in courts and the judiciary;
4. To promote legal reform in Ukraine;
5. To increase the level of openness and transparency of the judicial process;
6. To create an additional monitoring tool over the quality of justice for the public, as well as for the judiciary and prosecutors;
7. To create trust and help avoid conflicts during trials;
8. To broaden the usage of internet technologies as a tool to inform the general public about the activity of courts and to improve legal knowledge and culture.

To ensure realization of this Memorandum the Parties agree on cooperation in following issues:

1. To develop and implement mechanisms for the broadcasting of trials on the “Judiciary of Ukraine” YouTube-channel using the courts` technical means;
2. To exchange information regarding issues of cooperation in the framework of the Memorandum, except for information disclosure, use, or transfer of which is limited by legislation;
3. To organize and conduct educational and consulting work, as well as joint actions on issues of mutual interest within the framework of the Memorandum.

II. Obligations of the Parties

1. Implementing the right to openness and transparency of the trial, the Parties will contribute to the organization and conduct of trials broadcast on the official YouTube-channel of “Judiciary of Ukraine” using the technical means of the courts. Special attention will be paid to trials` resonance, social significance, and the opinion of the parties involved in the process.
2. Broadcast of the hearings should be made in the absence of restrictions provided by legislation.
3. Commenting on broadcasts of trials in live time or recorded comments in the framework of the project "Trial in simple words" shall be subjected to the following principles and rules:
 - *Independence and objectivity* The commentator provides comprehensive coverage of the trial, paying equal attention to compliance / violation of rules of conduct in court and compliance / non-compliance to procedural legislation. The commentator should avoid conflicts of interest (conflict between personal interests and professional duties, which could affect the commentary). A lawyer who participated in the process, or is part of the bar association, whose members took part in the trial, cannot comment on the trial. The commentator cannot be guided by the instructions of other persons in her or his commentary. The commentator can refuse to comment on the trial in a region where she or he is working and / or living.
 - *Neutrality* The commentator should not support the defense or prosecution.
 - *Nonpartisanship* Commenting on the trial commentator should give up political symbols that indicate sympathy towards any political force. The commentator should abandon political assessments of parties, paying attention only to the letter and spirit of the Law.
 - *Non-discrimination* It is not allowed to use any discriminatory statements in the process of commenting or to show any kind of personal preferences towards particular individuals or groups of people.
 - *Professionalism* The judicial commentator is a person who has a professional legal education, and a good professional reputation. The commentator should be trained in the framework of the project “Trial in simple words”. If the legal commentator is a lawyer, he or she is liable in accordance with lawyers` oath. The commentator is responsible for his or her words; the initiative may not share the opinion of a professional commentator.

4. Videos of trials` broadcasts and recordings with comments of participants of the project "Trial in simple words" should remain in the public domain on the Internet.
5. The Parties agree on a joint program of public awareness-raising, training and advisory work, and joint action on issues of mutual interest within the framework of the Memorandum.

III. Final provisions

The Parties agree to maintain contacts and to take all necessary actions to ensure the efficiency and development of collaboration and to promote other forms of cooperation to achieve the goals specified in the Memorandum.

This Memorandum is a prerequisite and basis for the creation of joint action plans, in cases the Parties deem it necessary.

The Memorandum remains valid until the Parties are no longer interested in collaboration. Amendments to this Memorandum shall be made by mutual written consent.

The Parties agree that the terms of this Memorandum are not confidential and may be available to other interested parties if necessary.

The Memorandum is signed in two copies, each having equal legal force: one for the Council of Judges of Ukraine and one for the NGO "Human Rights Vector."

November 29, 2016

Kyiv

Deputy Chairman of the Council of Judges of Ukraine

Bogdan Monich

Director of the NGO "Human Rights Vector»

Valeria Rybak