Ukrainian National Bar Association Annual Report 2016

Printed according to the provided dummy layout at the printing shop PE "Persha Drukarnia" Kyiv City, 84 Vyborzka Street tel.: (044) 220-40-75

Order number 1339

Annual report prepared by the Secretariat of the Ukrainian National Bar Association

Ukrainian National Bar Association 5 floor, 6 Yaroslavska Street, Kyiv 04071 tel.: (044) 392-73-71 fax: (044) 392-73-70 e-mail: info@unba.org.ua www.unba.org.ua





a n n u a l r e p o r t 2 0 1 6

Ukrainian National Bar Association

Dear colleagues!

We are happy to bring to your attention the Ukrainian National Bar Association's Annual Report 2016. The fourth year of the advocates' self-government work was marked by both important achievements and serious challenges to the independent status of legal profession and possibilities to provide effective legal aid to the citizens.

The year 2016 became notable for the real implementation of judicial reform. The constitutional amendments provide for the advocates' exclusive right to representation in courts. Such changes in Ukrainian legislation are adopted in full compliance with European standards. As a result, our citizens will be able to get more professional legal aid in courts and will be confident in the defenders' competence, responsibility and ethics. The bar community will increase significantly, however, the quantitative growth shall not affect the high level of professional requirements imposed on the advocate.

The further bar reform, which will cover the fundamental principles of the profession organization, shall also be aimed at adapting the best international practices.

Throughout the developed world the advocacy is an independent self-governing profession, which, together with high social prestige and respect, enables the advocates to freely carry out their mission as the defenders of legitimate rights and interests of the citizens.

In Ukraine, the independent status of the bar is guaranteed by the Constitution, and the self-government gives an opportunity to develop the institutional foundation for the practical implementation of these guarantees. In a span of four years UNBA managed to build a stable and well-balanced system of advocates' self-government . By studying the best European practices, collaborating with key international partners, and being members of the most influential professional organizations, namely, the International Bar Association (since 2015) and the Council of Bars and Law Societies of Europe (since 2016), UNBA consolidates the bar community on the basis of shared values and standards of legal profession, and actively involves in shaping the legislative framework for further development of modern professional independent bar in Ukraine.

UNBA consists of more than 35 thousand Ukrainian advocates and is established to ensure the proper implementation of legal profession activities, to assure the guarantees of legal profession, to protect the advocates' professional rights and to ensure a high level of the advocates' professional competency.

The legal profession requires a high level of competence, education, sufficient legal experience and adherence to ethical standards. The expertise, principled stance in defending the legitimate rights and interests of the citizens, willingness to work under rough conditions that are sometimes associated with certain risks or pressures, commitment to their work, which often determines people's fate, – these are the ingredients building the foundation of respect and authority of the rights defenders.

With due understanding of the responsibility imposed on us, paying attention to the requests from society, being uncompromising in all matters related to professional rights and values, UNBA makes every effort to strengthen the bar status in Ukraine and to fully realize the constitutional role for protecting the citizens' rights.



Yours sincerely,

President of the Ukrainian National Bar Association, and Bar Council of Ukraine

Lidiya Izovitova

Specif

Mission and vision

UNBA was founded on November 17, 2012 to provide assistance to every Ukrainian advocate

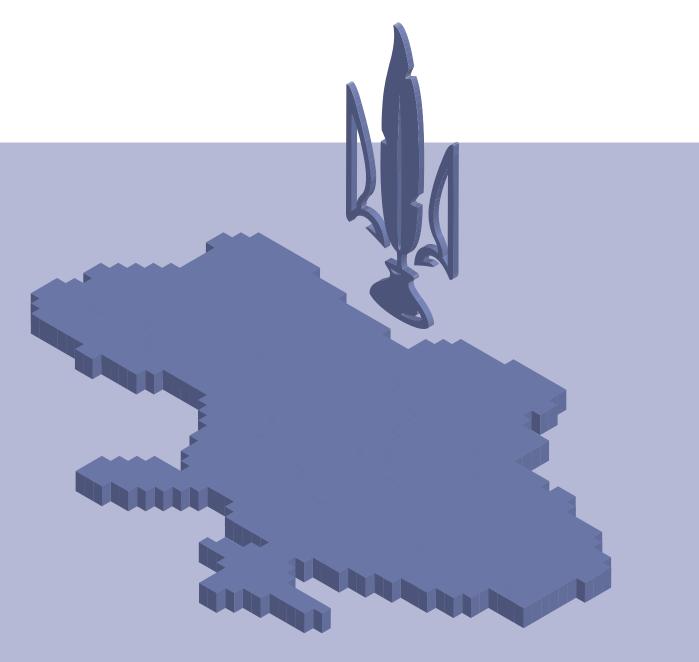
UNBA is the only official nationwide non-governmental non-commercial non-profit professional organization of advocates in Ukraine

UNBA's mission is to bring together all Ukrainian advocates to achieve the objectives of the advocates' self-government, enhancing their professional independence and professional freedom and dignity

UNBA's vision is to become the national leader of advocates' self-government with international recognition

UNBA's purpose is to do everything possible to protect professional rights of advocates and uphold the guarantees of the practice of law

Number of UNBA members as of December 2016: 35 142 advocates



Organization: How UNBA operates?

The Ukrainian National Bar Association (UNBA) is a legal entity operating via organizational forms of advocates' self-government provided by the Law of Ukraine "On the Bar and Practice of Law". UNBA's constitutional document is the Charter approved by the Foundation Congress of Advocates of Ukraine (Article 45 (3) and (5) of the Law).

Higher bodies	Regional bodies
Congress of Advocates of Ukraine	Conferences of Advocates
Bar Council of Ukraine	• 27 Bar Councils
Higher Qualification and Disciplinary Commission of the Bar	• 27 Qualification and Disciplinary Commissions of the Bar
Higher Audit Commission of the Bar	• 27 Audit Commissions of the Bar

- •Congress of Advocates of Ukraine is the supreme body of advocates' self-government, comprised of delegates elected by regional conferences of advocates by a relative majority of votes of delegates attending these conferences.
- •Bar Council of Ukraine (BCU) performs the functions of advocates' self-government in-between the Congresses of Advocates of Ukraine. The Bar Council of Ukraine has 30 members: one representative from each region of Ukraine, elected by the regional conference of advocates, plus the Chair and two Vice-Presidents elected by the Congress of Advocates of Ukraine.
- •Higher Qualification and Disciplinary Commission of the Bar is a collegiate body responsible for reviewing complaints against decisions, actions or inactions of regional qualification and disciplinary commissions of the bar. The HQDCB is controlled by and reports to the Congress of Advocates of Ukraine and the Bar Council of Ukraine. The HQDCB consists of 30 members: one representative from each region of Ukraine, elected by the regional conference of advocates, plus the Chair and two Vice-Presidents elected by the Congress of Advocates of Ukraine.
- •Higher Audit Commission of the Bar is a body established and acting for the purpose of controlling financial and performance indicators of the Ukrainian National Bar Association and its bodies, regional bar councils, the Bar Council of Ukraine, regional qualification and disciplinary commissions of the bar, the Higher Qualification and Disciplinary Commission of the Bar, and regional audit commissions of the bar. The HACB is controlled by and reports to the Congress of Advocates of Ukraine. Membership: the Chair and members of the HACB are elected by the Congress of Advocates of Ukraine for a 5-year term. The number of HACB members is decided by the Congress of Advocates of Ukraine.
- •Conference of Advocates is the supreme body of advocates' in the Autonomous Republic of Crimea, regions and the cities of Kyiv and Sevastopol. The conference is comprised of advocates domiciled in the Autonomous Republic of Crimea, respective region or the city of Kyiv or Sevastopol, and whose information is filed in the Unified Register of Advocates of Ukraine.
- •Regional Bar Council (RBC) performs the functions of advocates' self-government in a region in-between the region's conferences of advocates. The regional bar council is controlled by and reports to the regional conference of advocates. The Chair and members of the regional bar council are elected by the regional conference of advocates.
- •Qualification and Disciplinary Commission of the Bar (QDCB) is a body established to determine the level of professional qualification of persons applying for a license to practice law, and handle the matters of advocates' disciplinary liability. The QDCB is controlled by and reports to the regional conference of advocates. The Chair and members of the regional QDCB are elected by the regional conference of advocates.
- •Regional Audit Commission of the Bar is a body established and acting for the purpose of controlling financial and performance indicators of the regional bar council and qualification and disciplinary commission of the bar. The ACB is controlled by and reports to the regional conference of advocates. The Chair and members of the regional ACB are elected by the regional conference of advocates.

Organizational structure of the BCU, UNBA Secretariat

Approved by BCU Decision No. 141 dated June 11, 2016 PRESIDENT OF UNBA, BCU

Head of the UNBA, BCU Secretariat * *

Department for UNBA, BCU Secretariat Organizational Support

Financial Division

- Accounting
- Budgeting
- Financial reporting
- Payroll accounting
- Other

Legal Department: * *

- Legal Division
- Dealing with UNBA, BCU acts (filing and communication with LZ)
- Development of and control over the joint interdepartmental acts
- Other

Division for Representation in Courts

- Division for Representation in Courts
- Other

Administrative Division

- Office support
- Purchases
- Car fleet
- Other

Division for Workflow and Paperwork Management

- Incoming and outgoing correspondence
- Archive
- Other

IT Division

- Web support
- Servers and network maintenance
- Other

Human Resources Division

- HR
- Other

Self-Government Department

Bar Self-Government Division

- Support of BCU activities
- Preparation for Congresses of Advocates of Ukraine
- Coordination of work and communication with higher and regional bar self-government bodies
- Matters related to access to the practice of law (qualification procedures, internship)
- Matters related to disciplinary procedures
- Other

URAU Division

- Unified Register of Advocates of Ukraine
- Annual fees
- Statistics
- Other

Division for Organizational Support of UNBA's Structural Units

- Support of the activities of UNBA, BCU structural units
- Support of the activities of UNBA, BCU Charitable Foundation
- Coordination of and control over the Higher School of Advocacy
- Support of the activities of the Scientific and Advisory Board
- Support of the activities of the Centre for Research of the Bar and Law
- Support of the activities of the UNBA Next Gen
- Representative Offices of UNBA, BCU abroad
- Support of the activities of the Expert Council
- Support of the activities of the Nomination Committee
- Other

★ — Directly reporting to the President of UNBA, BCU

Deputy Head of the UNBA, BCU Secretariat

Communications Department

Public Relations Division *

•

- Relations with mass media
- Social media
- Speech/News writing
- Copywriting
- Questioning, processing and analysis of the results
- Other

Creative Services Division

- Design
- Making-up
- Web-design
- Other

Web-Resources Division

- Content development and support
- Newsletters
- Other

Publications Division

- Preparation and printing of methodological recommendations
- Preparation of promotional and information materials
- Preparation and issue of UNBA's journal
- Information bulletin of committees, sections, working groups
- Judicial practice news
- Other

Partnership Program

- Coordination and support of partnership programs
- Other

Other

- Translation and interpreting
- Support of UNBA events
- Photographer
- Other

Profession

Department for Legal

Division for Support of Bar Activities

- Legal assistant
- Foreign advocates
- Certificate of the right to practice law
- Advocate's ID card
- Forms of practice of law
- Taxation of the practice of law
- Advocate's warrant
- Career centre
- URAU-related matters (submission of information, extracts, etc.)
- Management of the advocate's area online
- Social initiatives for advocates
- Other

Division for Support of UNBA, BCU Sections

- For criminal law and procedure
- For civil law and procedure
- For economic law and procedure
- For administrative law and procedure
- For family law
- For labour law
- For land law
- For agricultural law
- For corporate law
- For tax and customs law
- For international law
- ECHR practice
- Practical aspects of practice of law
- For mediation
- For banking, financial and insurance law
- For IT law
- For intellectual property law
- Other

Event Management Division

- UNBA, BCU events
- Professional training
- BCU meetings (logistics)
- Congresses of Advocates of Ukraine (logistics)
- Other

Activities of UNBA, BCU Secretariat in 2016

1. About the Secretariat of the Bar Council of Ukraine (Secretariat of the Ukrainian National Bar Association).

According to the Regulation on the Bar Council of Ukraine approved on 17 November 2012 by the Foundation Congress of Advocates of Ukraine (as amended), the Bar Council of Ukraine has established, per Resolution No. 32 of 17 December 2012, the Secretariat of the Bar Council of Ukraine which is simultaneously the Secretariat of the Ukrainian National Bar Association) to ensure the performance of the Bar Council's functions and handle paperwork.

The Secretariat is a permanent body responsible for ensuring statutory activities of the Ukrainian National Bar Association, as well as the functions of the Bar Council of Ukraine.

The Secretariat's key responsibilities include organizational, expert and analytical, legal, informational, material and technical support of activities of the Ukrainian National Bar Association, Bar Council of Ukraine, Chair of the Ukrainian National Bar Association, Chair of the Bar Council of Ukraine and Vice-Presidents, as well as preparation and organization of Congresses of Advocates of Ukraine.

To perform its duties, the Secretariat interacts with the bodies of advocates' self-government, local, national and international bar associations, law firms, law offices and advocates, public bodies, bodies of local self-government and their officials, citizen associations, enterprises, institutions, organizations and private individuals.

On June 11, 2016 pursuant to the best international practices the Bar Council of Ukraine has introduced certain changes into the structural organization of the Ukrainian National Bar Association and the Bar Council of Ukraine to enhance the organizational, expert and analytical, legal, informational, material and technical support of their activities.

The Secretariat includes the Head of UNBA, BCU Secretariat, the Vice-President of UNBA, BCU Secretariat and the Secretariat's four departments with their respective divisions: 1) Department for UNBA, BCU Secretariat Organizational Support (Financial Division, Legal Department, Division for Workflow and Paperwork Management, IT Division, HR Division); 2) Self-Government Department (Advocates' self-government Division, URAU Division, Division for Organizational Support of UNBA's Structural Units); 3) Communications Department (Managing UNBA portal, UNBA Facebook/Twitter accounts; setting up interviews and briefings for the press; preparing news releases, fact sheets, and other materials; handling press inquiries. 4) Department for Legal Profession (Division for Support of Bar Activities, Division for Support of UNBA, BCU Sections, Event Management Division).

About activities of the Bar Council of Ukraine (Secretariat of the Ukrainian National Bar Association) in 2016.

- I. In 2016, Secretariat of the BCU and UNBA handled the organizational and technical aspects of preparation and organization of 9 (nine) meetings of the Bar Council of Ukraine, resulting in adoption of nearly 300 decisions and drafting of 9 minutes, namely, on: February 26, 2016, April 23, 2016, May 20, 2016 (extraordinary), June 10-11, 13, 2016, July 14, 206 (extraordinary, e-voting), July 22, 2016 (extraordinary), September 13, 2016, November 17, 2016, December 15-16, 2016. In particular, the following actions were taken to provide members of the Bar Council of Ukraine with proper working conditions: preparation and servicing of preliminary materials for the meeting of the Bar Council of Ukraine; collection and completion of handouts for BCU meeting; search and furnishing of a facility for work, organization of the BCU members' accommodation and stay for the duration of work, etc.; handling technical and legal aspects of the BCU work; handling legal aspects of the BCU work (preparation of draft decisions of the BCU, minutes, and documents required for its appropriate work); drafting of decisions after their adoption and their publication on the official website of the Bar Council of Ukraine; transmission of the decisions to the regional advocates' self-government bodies.
- II. In 2016 UNBA, BCU Secretariat maintained a Unified Register of Advocates of Ukraine – a single database on number and names of Ukrainian and foreign advocates, licensed to practice law in Ukraine under the Law of Ukraine "On the Bar and Practice of Law", as well as on the organizational forms of such practice of law as chosen by the advocates, as corroborated by the following indicators: new advocates registered in the URAU database - 2630; advocates, who renewed their status - 432; advocates, who suspended their status - 1161; transfer excerpts – 243.
- III. In 2016 UNBA, BCU Secretariat handled the organizational and technical aspects of organization of:
- 21 seminar and training for advocates, organized by the Ukrainian National Bar Association;
- 20 seminars and trainings for advocates, organized by the Ukrainian National Bar Association jointly with other national and international organizations;
- 24 conferences, round tables and forums.

In 2016 UNBA, BCU Secretariat engaged into organization representation in courts in 35 cases: 22 cases in administrative courts; 2 cases in economic courts; 11 cases in general jurisdiction courts. Out of the said number 6 cases were

- filed directly by UNBA, BCU, and 29 cases were filed by other persons. Number of court cases in which a judgment was issued and entered into legal force -26. Number of judgments in favor of UNBA, BCU -25, number of judgments in favor of other persons -8. Two cases are to be decided in 2017, no judgment was issued.
- IV. Within the scope of its authority UNBA, BCU Secretariat provided protection of the professional rights of the advocates and guarantees of practice of law. In particular, 94 inquiries were placed with the law enforcement authorities regarding violation of advocates' rights and guarantees of the practice of law; 99 inquiries were placed with the Committee for the Protection of Advocates' Rights regarding violation of advocates' rights and guarantees of practice of law.
- **V.** In 2016 UNBA, BCU Secretariat has: reviewed 1752 inquiries filed with UNBA; forwarded 173 inquiries for review by other public bodies and bodies of local self-government.
- VI. During 2016 UNBA, BCU Secretariat has administered and filled the official website of the Ukrainian National Bar Association with main news related to organization of the bar institute in Ukraine and practice of law, resolutions of the Bar Council of Ukraine binding upon all Ukrainian advocates, information documents, advocates' publications on the practice of law, news about advocate skill improvement events, round tables, forums, conferences, etc., press releases about UNBA's achievements, including at international stage, electronic methodological manuals and UNBA's official printed publication "UNBA Bulletin" in electronic format, useful information regarding legislative changes in Ukraine and materials of judicial and international practice, interviews by advocates and heads of advocates' self-governmentbodies regarding the matters of the Ukrainian bar, etc. In addition, during 2016 UNBA, BCU Secretariat has regularly provided information to UNBA's official printed publication "UNBA Bulletin", which saw 13 issues (11 editions) released in 2016.
- VII. In 2016 UNBA, BCU Secretariat has provided organizational and technical support to the work of committees, councils, centers and other bodies and structures of UNBA (BCU). In particular: provision of facilities to host meetings and the necessary materials; handling technical and legal aspects of the committees' work.
- VIII. In 2016 UNBA, BCU Secretariat has organized and implemented the management of UNBA's records, as corroborated by the following indicators: total volume of incoming correspondence 2537 documents; 1131 inquiry from individuals, legal entities and advocates were processed; 564 documents, forming the correspondence with central and local bodies of public administration and bodies of local self-government concerning the main (specialized) areas of activity, were processed; 820 documents forming correspondence with bodies of advocates' self-government, concerning the main (specialized) areas of activity, were processed.

- **IX.** During 2016 UNBA, BCU Secretariat handled accounting and reporting of the Ukrainian National Bar Association, namely, by gathering, consolidation and analysis of the information regarding activities of advocates' self-governmentbodies, and by providing access to this information via posting it on the official website of the Ukrainian National Bar Association.
- **X.** During 2016 UNBA, BCU Secretariat has maintained communication with foreign and international organizations and their representative offices in Ukraine on the matters related to their interaction with UNBA and other matters belonging to the scope of its competence.







Secretariat staff



Head of the Secretariat of the Bar Council of Ukraine (Secretariat of the Ukrainian National Bar Association)

Vadym Krasnyk

e-mail: vkrasnyk@unba.org.ua tel.: (044) 392-73-71

- organization of work of the Secretariat:
- control over the execution of decisions of the Congresses of Advocates of Ukraine and BCU, regulations and orders of the



Head of the Legal Department, Department for UNBA, BCU Secretariat Organizational Support

Tetiana Nikitchenko

e-mail: t.nikitchenko@unba.org.ua



Head of the Legal Division of Legal Department, Department for UNBA, BCU Secretariat Organizational Support

Anzhela Humeniuk

e-mail: a.gumenyuk@unba.org.ua



Lawyer at the Legal Division of Legal Department, Department for UNBA, BCU Secretariat Organizational Support

Viktoriia Synytska

e-mail: v.synytska@unba.org.ua



Legal counsel at the Legal Division of Legal Department, Department for UNBA, BCU Secretariat Organizational

Olena Drozdova

e-mail: o.drozdova@unba.org.ua



Head of Division for Representation in Courts, Legal Department, Department for UNBA, BCU Secretariat Organizational Support

Yaroslav Romanenko

e-mail: y.romanenko@unba.org.ua



Secretary at the Administrative Division, Department for UNBA, BCU Secretariat Organizational Support

Ivanna Zharii

e-mail: secretary@unba.org.ua



Car drivers at the Administrative Division, Department for UNBA, BCU Secretariat Organizational Support

Serhii Tokovyi

Ruslan Kupchenko



Head of the Division for Workflow and Paperwork Management, Department for UNBA, BCU Secretariat Organizational Support

Yevhen Kachan

e-mail: e.kachan@unba.org.ua



Head of the HR Division, Department for UNBA, BCU Secretariat Organizational Support

Oleksandra Posternak

e-mail: o.posternak@unba.org.ua



Head of the Advocates' self-government Division, Self-Government Department

Nataliia Skalozub

e-mail: n.skalozub@unba.org.ua



Assistant to Vice-President of the Bar Council of Ukraine, Advocates' self-government Division, Self-Government Department

Alyona Temper

e-mail: a.temper@unba.org.ua



Assistant to Vice-President of the Bar Council of Ukraine, Advocates' self-government Division, Self-Government

Ihor Krivosar

e-mail: i.krivosar@unba.org.ua



Deputy Head of the Secretariat of the Bar Council of Ukraine (Secretariat of the Ukrainian National Bar Association)

Oleksandr Chapko

e-mail: a.chapko@unba.org.ua



Head of the URAU Division, Self-Government Department Hanna Fedirko

e-mail: a.fedirko@unba.org.ua



Database administrator, URAU Division, Self-Government Department

Anna Zelenetska

e-mail: a.zelenetska@unba.org.ua



Database administrator, URAU Division, Self-Government Department

Valeriia Krapivner

e-mail: v.krapivner@unba.org.ua



Head of the Division for Organizational Support of UNBA's Structural Units, Self-Government Department

Svitlana Kalmykova

e-mail: s.kalmykova@unba.org.ua



Consultant at the Division for Organizational Support of UNBA's Structural Units, Self-Government Department

Vasyl Bohun

e-mail: v.bogun@unba.org.ua



Consultant at the Division for Organizational Support of UNBA's Structural Units, Self-Government Department

Vladyslav Perevertailo

e-mail: v.perevertailo@unba.org.ua



Head of the Communications Department

Daria Hlushchenko

e-mail: d.glushenko@unba.org.ua



Head of the Public Relations Division, Communications

Olena Reznyk

e-mail: o.reznyk@unba.org.ua



Head of the Publications Division, Communications

Irvna Bohdanivna Vasvlvk

e-mail: ivasylyk@unba.org.ua



Editor at the Publications Division, Communications Department

Anastasiia Serbina



Head of the Division for Support of Bar Activities, Department for Legal Profession

Ihor Karaman

e-mail: i.karaman@unba.org.ua



Head of the Event Management Division, Department for Legal Profession

Andrii Nahalov

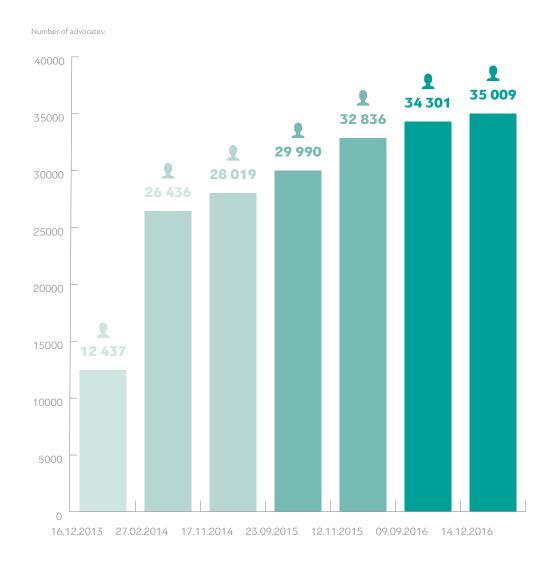
e-mail: a.nahalov@unba.org.ua

Unified Register of Advocates of Ukraine

One of UNBA's priority objectives is to ensure the accessibility and openness of information regarding Ukrainian advocates. Therefore, the Bar Council of Ukraine is required by law to maintain the Unified Register of Advocates of Ukraine (URAU). The URAU is an electronic database containing up-to-date information regarding the number and names of Ukrainian advocates and foreign advocates licensed to practice law in Ukraine under the Law of Ukraine "On the Bar and Practice of Law", and organizational forms of practicing law chosen by advocates.

Moreover, a trend toward the growing number of advocates in Ukraine is now clearly visible. Therefore, the number of advocates has increased by almost 5.5 thousand comparing to 2015. In addition, the amendments to the Constitution of Ukraine, envisaging the introduction of the exclusive right of advocates to representation in court, have already been adopted. It is expected that these legislative innovations will result in the numerical growth of the advocate corps.

Growth dynamics of the number of advocates as of 14.12.2016:



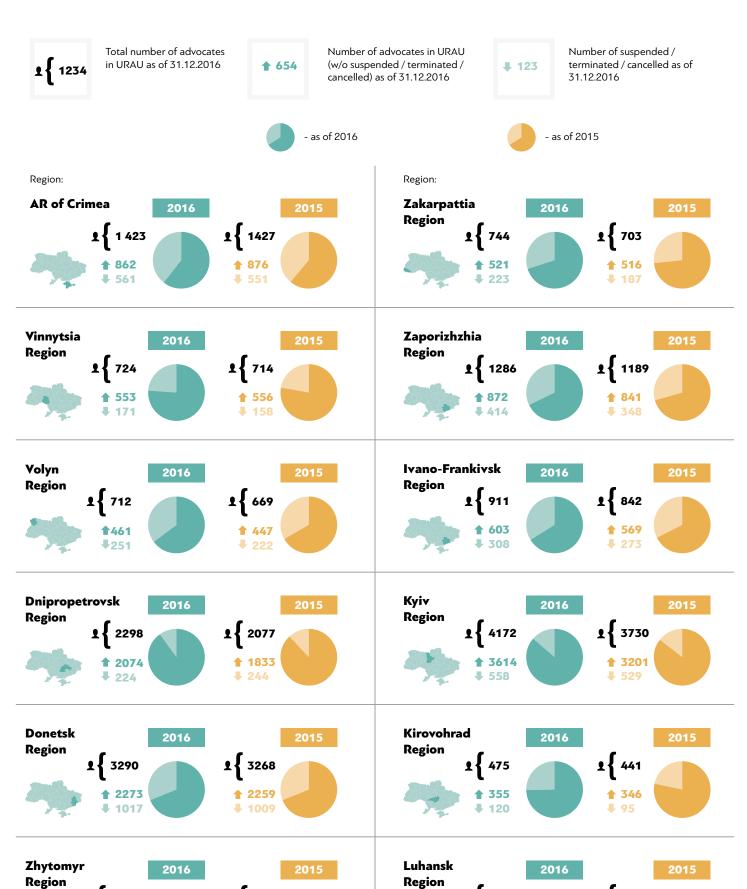
Unified Register of Advocates of Ukraine

€ 593

379

€ 597

404

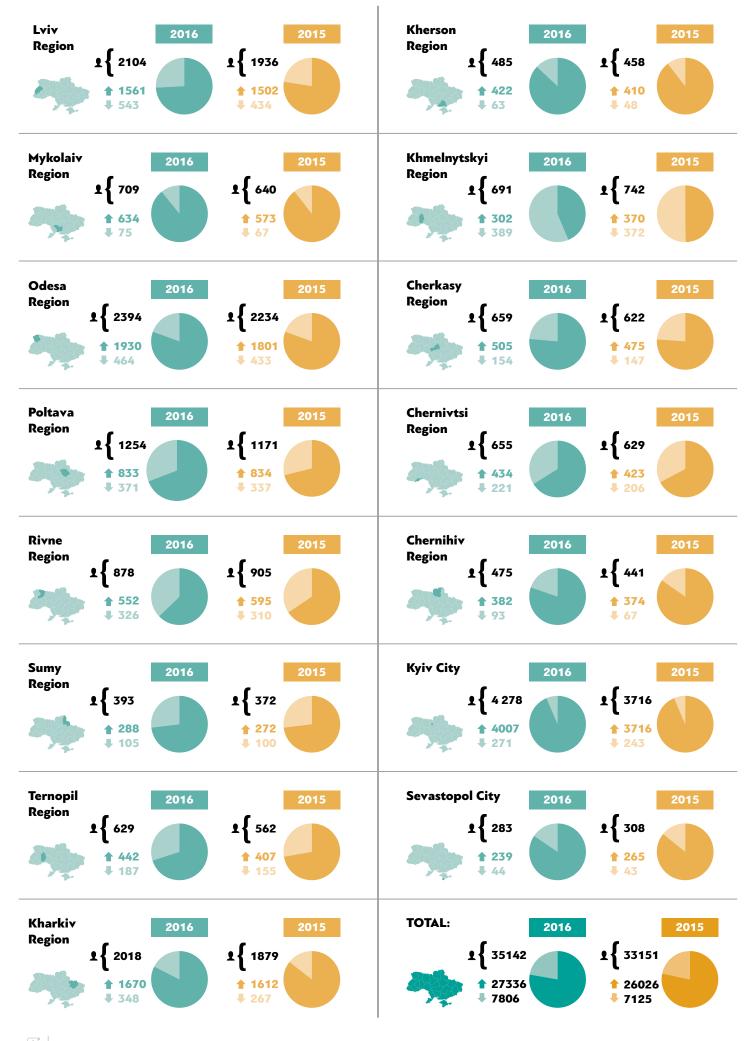


636

549

₩ 87

609



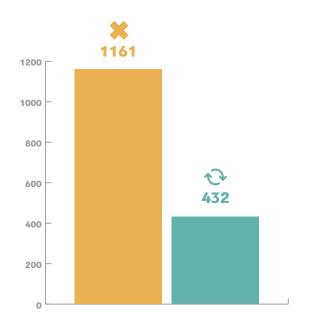
Unified Register of Advocates of Ukraine

In 2016 a transition to a new administrative panel of URAU database was carried out, which currently operates in a new interface with advanced features, and is being further improved and developed.

The upgraded administrative panel now provides the possibility to use filters to refine various data, such as:

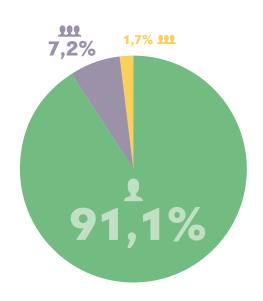


Number of advocates, who suspended, terminated or renewed their right to practice law (suspended/terminated in 2016 – 1161; renewed in 2016 – 432)



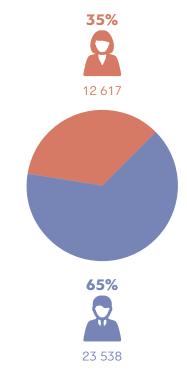


Organizational forms of practicing law (individual – 91.1%, bar associations - 7.2%, law firms – 1.7%)





By gender: female – 12617 (35%), male – 23538 (65%)





Number of transfer excerpts issued to advocates:



In 2016 —

243 transfers

Key court cases involving the Ukrainian National Bar Association and the Bar Council of Ukraine in 2016

During 2016 more than 30 cases involving the non-governmental non-commercial professional organization Ukrainian National Bar Association were heard in courts of various jurisdictions.

The judgments have been already delivered and entered into legal force for more than half of them.

1. Case № 800/141/16 on compliance with the requirements concerning the positions overlapping by the member of High Council of Justice, Pavlo Grechkivskyi.

The plaintiffs sought the HACU declaration of unlawfulness of the HCJ inactivity due to the failure to conduct investigation as regards compliance by Pavlo Grechkivskyi, the HCJ member, who is also a member of the advocates' self-government bodies, namely, holds the position of BCU Secretary, with the requirements of positions overlapping.

2.Case № 826/27268/15 on introduction of a legislative ban on the use of proper names of the advocates' self-government bodies.

In its claim UNBA pointed out that the lack of such prohibition allows the legal entities, established under the laws other than the Law on the Bar, to misappropriate the names of the advocates' self-government bodies and use them in violation of the said law.

3. Case № 686/16001/15-\mu on reversal of the decision of the Bar Council of Ukraine concerning convocation and holding of a Conference of Advocates of Khmelnytskyi Region in 2013.

The court's decision that has already come into force dismissed the plaintiffs' claims in full and presented the legal opinions confirming the legality of convocation of the regional conference of advocates by the Bar Council of Ukraine.

4.Case № 826/19572/14 on UNBA refusal to include the advocates, elected by the Kyiv City Conference of Advocates, to the III Congress of Advocates of Ukraine.

Nº 800/141/16

The Supreme Court of Ukraine upheld the ruling of the Higher Administrative Court of Ukraine, which rejected the claim submitted by advocates against the High Council of Justice. The court also pointed out that, according to the legislation of Ukraine, such concepts as practice of law and participation in the work of the advocates' selfgovernment bodies are not identical.

Nº 826/27268/15

By the court decision that has already entered into force the Ministry of Justice of Ukraine is obliged to bring laws and regulations, related to the state registration of individuals and legal entities, in line with the Law of Ukraine "On the Bar and Practice of Law", since the latter takes precedence. The courts refer to the fact that the legislation clearly defines proper names for all advocates' self-government bodies, and the use of their proper names by other parties of social relations is not allowed.

№ 686/16001/15-ц

The court found that the Bar Council of Ukraine is authorized to convene the regional conferences of advocates; the advocate, whose information is missing in the URAU, cannot participate in regional conferences of advocates, cannot participate in the formation of advocates' self-government bodies, and is not and shall not be a member of the existing advocates' self-government bodies.

Nº 826/19572/14

By its ruling the Kyiv City Administrative Court of Appeal has dismissed a claim of the Kyiv City Bar Council, and the Higher Administrative Court upheld the ruling.

Not agreeing with the decision adopted by the court of cassation, the stranger to the case (Party 7) appealed to the Supreme Court of Ukraine to review the case on the grounds of unequal application of Articles 2 and 17 of the Code of Administrative Court Procedure of Ukraine by the court of cassation.

By its ruling of 06.09.2016 the Supreme Court of Ukraine has reversed the decisions of three courts, closed the case and determined that such controversial legal relations do not fall within the jurisdiction of the administrative courts.

In addition, the SCU found that the disputes related to the suspension or termination of the right to practice law, the appeal of decisions on disciplinary penalty and other similar actions are based on public law, and, therefore, fall under the jurisdiction of administrative courts; legal relations arising between the advocates and/or the advocates' self-government bodies, acting under the law and referred to the powers of this self-governing organization of advocates in the charter, shall be the issues regulated by internal (statutory) rules.

UNBA's achievements on the international stage in 2016

The Ukrainian National Bar Association (UNBA) is an independent professional organization established under the Law of Ukraine "On the Bar and Practice of Law", uniting more than 35 thousand Ukrainian advocates, and is an official professional organization authorized by the state to perform a number of functions, which as of today has offices in 14 countries around the world, including USA, France and Hungary, and holds a large number of events each year, both on the national and international level.

Within just a few years of operation since its establishment in 2012, UNBA managed to deploy a wide network of international relations with key actors that shape the agenda of the legal profession as such.

The international activities of the Ukrainian Bar are being carried out in three main areas.

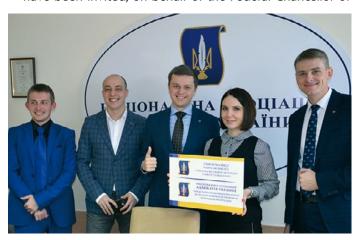
First: cooperation with national regulators of the legal profession.

Second: cooperation with international organizations that unite members of the legal profession.

Third: cooperation with officials and authorities of other states.

2016 turned out to be very fruitful in terms of UNBA's international activity.

1. Valentyn Gvozdiy, UNBA Vice-President, and Ivan Grechkivskyi, the Chair of UNBA International Relations Committee, participated at the 44th Conference of Presidents of the European Bar Associations, which is traditionally organized by the Austrian Bar Association in Vienna. As the conference participant, UNBA first introduced the national report on the status and major reforms in the bar of Ukraine, which sets out UNBA position and key events and activities of the Association. According to the conference program, the presentation of separate national reports of the European countries, CCBE reports, and the reports of international bar associations took place on the day of speeches made by the President of CCBE and the President of the European Court of Justice. In addition, the participants have been invited, on behalf of the Federal Chancellor of





Austria and the Mayor of Vienna, to participate in various events. Moreover, the participants visited the Ministry of Justice of Austria. The Conference of Presidents of the European Bar Associations is a great platform for expanding professional contacts, making professional discussions and sharing experience of professional bar organizations.

- 2. On April 14, 2016 the German Federal Chamber of Lawyers and the Ukrainian National Bar Association held in Kyiv a joint informational and discussion event the Ukrainian-German Forum of Lawyers. The event was supported by the German Foundation for International Legal Cooperation. The discussion was split into two blocks of questions, including the regulation of market of legal advices in Germany and Ukraine; the exclusive right of lawyers to represent clients in courts; and insurance of professional liability.
- 3. UNBA defends the rights and guarantees of the practice of law on the international stage, and insists on addressing both specific cases of such violations, and systematic practice of narrowing and obstruction of the practice of law. This topic has become a leading during the meeting of the President of the Ukrainian National Bar Association and the Bar Council of Ukraine Lidiya Izovitova and the Chair of the International Relations Committee Ivan Grechkivskyi with the President of the Council of Bars and Law Societies of Europe (CCBE) and other European colleagues. During the meeting UNBA President presented a Report on violations of advocates' rights in Ukraine. In particular, it contains information about cases of flagrant violations of the advocates' professional rights threatening the right to defense and the right to a fair trial in Ukraine, observance of the human rights and effective implementation by the advocates of their professional activities. The Report also contains the main conclusions and recommendations of UNBA for the rapid elimination of violations of professional rights and guarantees of the advocates, and, as a result, for the strengthening the protection of human rights and the rule of law in Ukraine.
- 4. On March 17, 2016 the Steering Committee of the Council of Europe Project "Continued Support to Criminal Justice Reform in Ukraine" held its meeting. The participants discussed the perspective directions of further implementation of the project initiatives, including the reform of law



enforcement, prosecution, judiciary system and the bar, as well as the legal aid system. At the meeting UNBA was represented by the Chairman of the Committee on Protection of Advocates' Professional Rights and Guarantees, Hanna Kolesnyk, and UNBA Coordinator of advocates' continuous training, and Coordinator of the HELP Program in Ukraine from the Bar, Ihor Karaman.

- 5. On March 17, 2016 an official meeting between Valentyn Gvozdiy, UNBA Vice-President, and Ignas Vėgėlė, the President of the Lithuanian Bar Association, who visited Ukraine, took place. During the meeting, parties discussed various aspects of the legal profession in Ukraine and Lithuania. Valentyn Gvozdiy spoke about the current problems of advocates. UNBA Vice-President stressed on the need for an urgent reform of the legal aid system, which is currently not effective. This is evidenced by the findings contained in the updated UNBA Report on legal aid system in Ukraine, which was handed over to the Lithuanian side during the meeting. In this context, the experience of functioning of this system in Lithuania was also discussed. Valentyn Gvozdiy and Ignas Vėgėlė paid special attention to the subject of violation of advocates' professional rights and guarantees in Ukraine. A detailed description of the problem with specific examples of violations and recommendations for their elimination was reflected in UNBA Report, which was also handed over to the LBA President. Following the meeting, it was agreed to develop and sign a bilateral memorandum of friendship and cooperation between the Ukrainian and Lithuanian National Bar Associations.
- 6. During her visit to Brussels UNBA/BCU President Lidiya Izovitova presented the assessment of status of the Ukrainian Bar to the members of CCBE Standing Committee. In her speech UNBA President introduced the principles of the Association, as the only professional organization uniting already 35 thousand advocates, as well as regional structure and information tools of UNBA. Addressing the members of CCBE Standing Committee, she drew their attention to a growing number of violations of the advocates' rights and guarantees. This refers to the identification of advocates with their clients, threats against the advocates, including directly during the hearings. Of particular concern are the cases of physical violence against the advocates, murders and disappearances. UNBA receives statements from the advocates concerning the failure of courts to ensure their security, which is another cause of concern.
- **7.** As part of extending international relations with foreign bar

organizations, a meeting took place between Lidiya Izovitova, UNBA President, and Adam Redzik, the representative of the Warsaw Bar, the editor of the leading Polish journal for lawyers "Palestra". The meeting was devoted to discussion of the Polish-Ukrainian Forum and peculiarities of the bars in Poland and Ukraine. Lidiya Izovitova spoke about the establishment of UNBA and the first steps in forming of the Ukrainian advocates' self-government, which took place nearly under the Polish model. UNBA President also spoke about violations of advocates' professional rights and guarantees, the number of which is growing in Ukraine. For their part, the representative of the Polish advocates' self-government described the operation of the bar in Poland, the main provisions of the specialized legislation and the rules of professional conduct, and shared experience in building a European, open and transparent advocates' self-government. Adam Redzik told about the Polish experience in protecting advocates' rights and also spoke about the work of the legal aid system and insurance of advocates in Poland.

- 8. UNBA delegation visited the Commission of Legal Services of Quebec. In the meeting Ukraine was also represented by Pavlo Grechkivskyi, the BCU member, and Ivan Grechkivskyi, Chair of UNBA International Relations Committee. UNBA representatives explained the particularities of functioning of the legal aid system in Ukraine and stressed on the need to implement real reforms in this system. The Canadian colleagues were provided with UNBA reports on violation of advocates' professional rights and guarantees in Ukraine and on operation of legal aid system in Ukraine. During the meeting, the Canadian officials presented the features of administration of the legal aid system in Quebec, which has been functioning since 1970.
- 9. During their visit to Canada, Pavlo Grechkivskyi, the BCU



Secretary, Valentyn Gvozdiy, UNBA Vice-President, and Ivan Grechkivskyi, the Chair of UNBA International Relations Committee, met with the representatives of the Canadian Bureau for International Education. The Canadian Bureau for International Education (CBIE) is the Canadian executive organization in Ukraine, implementing the project "Affordable and high quality legal aid in Ukraine", funded by the Government of Canada. Since October 2014, this office has started implementing in Ukraine a 5-year project with the budget of approximately 7.6 million US dollars. Accordingly, the main topic of the meeting was the functioning of

the legal aid system in Ukraine and the need to immediately correct the major abuses and violations of human rights and advocates' rights. The Canadian side was represented at the meeting by Larissa Bezo, Director of the CBIE Project "Affordable and high quality legal aid in Ukraine", Karen Dalkie, Director of CBIE Department of Strategic Development, and Tatiana Wojtan, Project Manager of the CBIE Project "Affordable and high quality legal aid in Ukraine".

- 10. On April 27, 2016 in Kyiv the Ukrainian National Bar Association together with Civil and Political School (CAPS) organized a lecture "Implementation of the rule of law in the region", which was delivered by Georg Papuashvili, the President of the Constitutional Court of Georgia. The event was attended by advocates from Kyiv, Ternopil, Donetsk, Chernihiv, Chernivtsi and Volyn regions, who actively asked questions and took interest in the Georgian experience in reforming the judiciary system and forms of regulation of legal profession. The main topics of the lecture were as follows:
 - directions of judicial reforms in Georgia;
 - procedure of selection of judges;
 - land law;
 - comparison of constitutional justice in Georgia, Ukraine and other countries;
 - changing the constitution during the conflicts;
 - equality of arms in the court;
 - judicial practice in Georgia and acquittals.
- 11. During the visit to Canada, UNBA representatives met in Ottawa with Jeff Hirsch, the President of the Federation of Law Societies of Canada, Jonathan Herman, the Director General of the Federation, and Frederica Wilson, the Director of Department of Regulatory and Public Relations. The Federation is the regulator of the legal profession at the national level in Canada. Pavlo Grechkivskyi, the BCU Secretary, Valentyn Gvozdiy, UNBA Vice-President, and Ivan Grechkivskyi, the Chair of UNBA International Relations Committee, presented the main results of UNBA activities and its objectives of development of international contacts. The Canadian colleagues, who were handed over UNBA Report for 2015, highly esteemed it during the meeting. In particular, the parties discussed the next steps to inform advocates of both countries about the legislative opportunities concerning inclusion of foreign advocates in the registries of advocates.
- 12. The Department of Justice of Canada hosted a meeting between UNBA delegation and Deborah Friedman, the Director General of the Section of international law programs, Hanna Hrushka, the Director of Legal Aid Directorate of the Department of Justice, and an official from the Department of International Relations of the Department of Justice. Pavlo Grechkivskyi, the BCU Secretary, Valentyn Gvozdiy, UNBA Vice-President, and Ivan Grechkivskyi, the Chair of UNBA International Relations Committee, presented the work of the advocates' self-government bodies in Ukraine, history and key achievements of UNBA for the first three years. In particular, they stressed on the need for further institutional development and strengthening of the independent professional corporation of advocates in Ukraine. During the discussion of the main problems of the

Ukrainian bar, the parties discussed violations of advocates' professional rights and guarantees, unsatisfactory state of affairs in the legal aid system in Ukraine and the ways of carrying out urgent and effective reforms in the legal aid system.

13. UNBA team came back to Ukraine from the World Football Cup among advocates MundiAvocat 2016 with a victory. The 18th Championship, which has been held since 1983, took place in Spain. UNBA team for the first time represented Ukraine in this competition. Ukraine was represented at the World championship by Mykhaylo Budzherak, Hlib Sydorov, Ihor Baida, Anton Mizin, Volodymyr Mykhailov, Oleh Korol, Anton Uzdemyr, Serhii Osyka and Yurii Kozin. The team was selected from among 10 players from Donetsk team, which won the nationwide competition of football players, and players from regional teams of Rivne and Cherkasy regions, which reached a semi-final. The team members were officially met at the Boryspil Airport by the Organizing Committee members - Valentyn Gvozdiy, UNBA/BCU Vice-President, Pavlo Grechkivskyi, the BCU Secretary, Ivan Grechkivskyi, the Chair of UNBA International Relations Committee, Vadym Krasnyk, the Head of UNBA Secretariat, friends and relatives. The team counts 7 games on the World Cup, of which 6 wins in matches with teams of advocates from Belize, China, 2 wins over Russian teams and wins over Lithuanian and Romanian teams. In the first game of the semi-final the Ukrainian team lost



to team from Brazil with score 1:3. In addition, following the results of the tournament Mykhailo Budzherak was declared the best goalkeeper, and Yurii Kozin was nominated for the best player, and Serhii Osyka, captain of the team and the BCU member, was declared one the three best team managers.

14. UNBA representatives attended the 11th IBA Annual Bar Leaders Conference and Mid-year meetings, where the heads of committees, sections and, more generally, the IBA management (Board of Directors) worked together. As the IBA member, UNBA was invited to participate at the conference and also participated at the Board meeting (IBA Council). The delegation further had a number of fruitful meetings "on the fields" of the event, including with the leaders of the IBA, heads of the bars of the United Kingdom, Australia, Canada, Ireland, Northern Ireland, Lithuania, Malaysia, Germany, Bosnia and Herzegovina, Zimbabwe, Ba-



hamas, Kazakhstan, Tajikistan, and the representatives from the International Criminal Court. The International Bar Association addressed the top leaders of Ukraine concerning the violations of the advocates' rights. The violation of the advocates' rights in Ukraine caused serious international response. The IBA addressed the President of Ukraine and heads of law enforcement agencies due to violation of advocates' rights in Ukraine, information about which was provided by the Ukrainian National Bar Association as the IBA member. The International Bar Association also sent a letter to Justice Minister Pavlo Petrenko, Interior Minister Arsen Avakov and the Prosecutor General of Ukraine. The copies of the letter were also sent to the British Embassy in Ukraine, Embassy of Ukraine in the United Kingdom and the CCBE headquarters. Referring to the stated facts, in its intervention letter to the Ukrainian President and the leadership of law enforcement agencies and ministries, the IBA drew attention to inadmissibility of violation of advocates' rights by the governmental agencies, in particular violation of advocates' professional secrecy. In view of these violations, the IBA pointed out that the Ukrainian authorities shall adhere to the Constitution, the Law "On the Bar and Practice of Law" and international standards. Thus, the IBA pointed at the United Nations Basic Principles on the Role of Lawyers (principles 16 and 22), which refer to the recognition by governments of confidentiality of relationships between the advocates and their clients and the advocates right to free exercise of professional activities. The IBA also stressed on the advocates' right to obtain information from the state and local authorities, their officials, enterprises, institutions and organizations. The organization pointed at inadmissibility of such facts as obstruction of advocates' work with a particular client, which is contrary to constitutional norms and the International Convention on Civil and Political Rights providing for a free choice of a defender.

15. On June 14, 2016 in Odesa the German Federal Chamber of Lawyers and the Ukrainian National Bar Association held a second joint German-Ukrainian Forum of Lawyers. The event was supported by the German Foundation for International Legal Cooperation (IRZ). The forum's topics covered the most urgent problems of the Ukrainian bar. The discussion was opened by UNBA President Lidiya Izovitova, the Vice-President of the German Federal Chamber of Lawyers Ulrich Wessels and Project Manager of the Foundation for International Legal Cooperation Anastasia Moderau. The participants discussed the particularities of access

to justice in Germany and Ukraine and provision of legal aid. Special attention was paid to a process of appointment of legal aid advocates in criminal proceedings. German experience in these matters was presented by Dagmar Beck-Bever, the Chairman of the Committee on lawyers' fees, the Vice-President of the Celle Bar Chamber.

- 16. At the invitation of Georgian Bar Association, Lidiya Izovitova, UNBA/BCU President, and Oksana Kadenko, the BCU member, participated at the working meeting (conference) of the bar associations on issues concerning professional independence and other issues of the bar. During its visit to Georgia, UNBA delegation presented the situation in the Ukrainian legal profession and informed foreign colleagues about the results of UNBA activities in building the advocates' self-government. The event was held in Tbilisi (Georgia) with the participation of representatives from 10 national bar associations of different countries, more than 20 representatives of the Georgian Bar Association and experts from international organizations.
- **17.** On June 23, 2016 a joint working meeting between the representatives of UNBA and the Royal Norwegian Em-



bassy in Ukraine was held in the premises of UNBA Secretariat. During the meeting, representatives of the Embassy of Norway, namely Tonje Meinich – the Head of Norwegian Mission of Rule of Law Advisers to Ukraine (NORLAU), officer of the Embassy of Norway in Ukraine on issues of justice; Dag Bratole – Judge, and Dmytro Loza – Coordinator of the NORLAU Project, officer of the Embassy of Norway in Ukraine, took interest in the situation around the Ukrainian bar and the advocates' self-government in Ukraine. The participants discussed the issues of violation of advocates' rights in Ukraine, which unfortunately takes place, abuse of powers by pre-trial investigation authorities in criminal proceedings and the absence of real accountability of law enforcement officials for violations of the Law of Ukraine "On the Bar and Practice of Law".

18. The CCBE informed key international institutions about violations of advocates' rights in Ukraine. In particular, the CCBE informed the European Commissioner for Enlargement and European Policy Johannes Ghana, the European Commissioner for Justice, Consumer Rights and Gender Equality Věra Jourová, the Director of the Directorate General of Human Rights and Rule of Law of the Council of Europe, former special adviser on Ukraine Christos Giako-

mopoulos, and Head of Delegation of the European Parliament to the Parliamentary Committee of EU-Ukraine Association Andrej Plenković. The CCBE also provided information to the Expert of the EU Project "Support to the justice sector reforms in Ukraine" Mark Segal.

- **19.** On behalf of the European bar, Monica Pinto, the UN Special Rapporteur on the independence of judges and lawyers, also received information on the situation of colleagues in Ukraine.
- 20. On Thursday September 22, 2016 a meeting between Lidiya Izovitova, UNBA/BCU President, and Regis Brillat, the Special Representative of the CoE Secretary General in Ukraine, took place at UNBA premises. The central topic of the conversation was violation of advocates' rights in Ukraine, of which UNBA informed the CoE Secretary General. Lidiya Izovitova noted that, despite the rigid legal rules protecting advocates from interference and harassment, violations of their rights occur more often. Among them she mentioned identification of the advocate with the client, which is practiced by law enforcement agencies, and searches. Each advocate has not just one case; some advocates work with several other colleagues in the same office. During such searches, the files of all advocates are copied and seized, advocates' proceedings in respect of all clients are seized, and the sense of security, defence tactics and strategy are lost.
- 21. On December 2 2016 the Ukrainian National Bar Association became an observer member of the Council of Bars and Law Societies of Europe (CCBE). The CCBE is an international non-profit organization founded in 1960, the "voice of the legal profession", which speaks on behalf of more than 1 million European advocates and bar associations of 45 countries. Ukraine became the 11th observer member of the CCBE. The CCBE is a recognized representative of the bar in relations with the EU institutions, Council of Europe and international organizations worldwide. Through its cooperation with the European Parliament and European Commission, the organization has influence on the development of legislation on the bar, criminal and corporate legislation; it provides information on changes in procedures before the European Court of Justice and the European Court of Human Rights.
- 22. The Ukrainian National Bar Association requested the Head of the Permanent Delegation of Ukraine to the Parliamentary Assembly of the Council of Europe to support the development of a Convention, which would regulate the activities of advocates and lawyers. The initiative for the development of such a convention was submitted to the PACE by the Council of Bars and Law Societies of Europe (CCBE). At present, there is no such legally binding instrument in relation to the legal profession. In case of a positive result of voting, a working group will be set up and given a two-year mandate for elaborating the document. As the CCBE member, UNBA asks the Ukrainian delegation to participate in the work on this convention and is ready to provide expertise upon request.
- **23.** UNBA holds negotiations with the Department of Consular Service of the MFA of Ukraine concerning the signing

- of the memorandum, aiming, in particular, to promote the practical implementation of consular protection of rights and legal interests of the citizens of Ukraine, to assist in research, development and dissemination of information aimed at improving the general awareness of the law of a particular foreign country, to provide help, consultative and methodological assistance in obtaining information on the peculiarities of law of the other countries, and assist in the exercise of the right of our citizens to apply to the competent authorities of the host country, etc.
- **24.** In 2016 UNBA's representative offices began their work in Cyprus, France, Hungary, Russia, Poland, Turkey, Spain, Italy, Mexico, Australia, and Dubai (UAE).



CLE events held by UNBA

Nº	Date of event	Location	Type of event	Number of participants
1	January 23, January 30 2016	Kyiv	Advocacy Mastery Course by Yaroslav Zeikan	25
2	February 6, 2016	Kharkiv	UNBA seminar for advocates of Kharkiv Region	580
3	February 27, 2016	Khmelnytskyi	UNBA seminar for advocates of Khmelnytskyi and Ternopil Regions	350
4	March12, 2016	Zaporizhzhia	UNBA seminar for advocates of Zaporizhzhia Region	950
5	March 26, 2016	Kramatorsk	UNBA seminar for advocates of Donetsk Region	150
6	April 9, 2016	Kirovohrad	UNBA seminar for advocates of Kirovohrad and Cherkasy Regions	500
7	April 23, 2016	Ivano-Frankivsk	UNBA seminar for advocates of Ivano-Frankivsk and Chernivtsi Regions	300
8	May 13, 2016	Kyiv	Video conference on ECHR practice	30
9	June 04, 2016	Lutsk	UNBA seminar for advocates of Volyn and Rivne Regions	300
10	June 25, 2016	Sievierodonetsk	UNBA seminar for advocates of Luhansk Region	80
11	July 2, 2016	Odesa	UNBA seminar for advocates of Odesa Region	500
12	July 9, 2016	Mukacheve	UNBA seminar for advocates of Zakarpattia Region	200
13	July 23, 2016	Kherson	UNBA seminar for advocates of Kherson and Mykolaiv Regions	200
14	September 17, 2016	Dnipro	UNBA seminar for advocates of Dnipro Region	950
15	October 1, 2016	Mariupol	UNBA seminar for advocates of Donetsk Region	210
16	October 4, 2016	Kyiv	Seminar "Mediation as the advocate's tool"	70
17	October 13, 2016	Kyiv	Training of American lawyer Youras Ziankovich	100
18	October 29, 2016	Lviv	UNBA seminar for advocates of Lviv Region	1100
19	November 12, 2016	Poltava	UNBA seminar for advocates of Poltava and Sumy Regions	550
20	November 26, 2016	Vinnytsia	UNBA seminar for advocates of Vinnytsia and Zhytomyr Regions	250
21	December 10, 2016	Chernihiv	UNBA seminar for advocates of Chernihiv Region	350
				7745

CLE events held by UNBA jointly with other organizations

Nº	Date of event	Location	Type of event	Number of participants
1	January 29-30, 2016	Kyiv	Joint workshop of UNBA and the CoE and EU Joint Project "Consolidation of Justice Sector Policy Develop- ment in Ukraine" for heads of the regional QDCB and members of the HQDCB	25
2	February 12-13, 2016	Kyiv	Joint workshop of UNBA and the CoE and EU Joint Project "Consolidation of Justice Sector Policy Develop- ment in Ukraine" for heads of the regional QDCB and members of the HQDCB	25
3	February 27-28, 2016	Zhytomyr	Advocacy Mastery Course by Yaroslav Zeikan	65
4	March 26-27, 2016	Poltava	Advocacy Mastery Course by Yaroslav Zeikan	240
5	April 2, 2016	Dnipro	Advocacy Mastery Course by Yaroslav Zeikan	500
6	April 9, 2016	Odesa	Advocacy Mastery Course by Yaroslav Zeikan	400
7	April 14, 2016	Kyiv	Ukrainian-German Forum of Lawyers, organized jointly by the German Federal Chamber of Lawyers and UNBA	110
8	April 16. 2016	Kryvyi Rih	Advocacy Mastery Course by Yaroslav Zeikan	250
9	April 22-23, 2016	Kyiv	Conference on "Taxation and accounting of the advo- cates' self-government bodies", organized by UNBA with the assistance from the Higher Audit Commission of the Bar	100
10	April 23, 2016	Khmelnytskyi	Advocacy Mastery Course by Yaroslav Zeikan	80
11	April 27, 2016	Kyiv	Lecture of the President of the Constitutional Court of Georgia, organized jointly by UNBA and Civil and Politi- cal School (CAPS)	20
12	May 21, 2016	Lviv	Advocacy Mastery Course by Yaroslav Zeikan	800
13	June 11, 2016	Uzhhorod	Advocacy Mastery Course by Yaroslav Zeikan	180
14	June 14, 2016	Odesa	Ukrainian-German Forum of Lawyers, organized jointly by the German Federal Chamber of Lawyers and UNBA	100
15	June 25-26, 2016	Kharkiv	Advocacy Mastery Course by Yaroslav Zeikan	230
16	July 11, 2016	Mukacheve	Joint seminar of UNBA and BCU	50
17	July 23, 2016	Mykolaiv	Advocacy Mastery Course by Yaroslav Zeikan	170
18	September 3, 2016	Chernihiv	Advocacy Mastery Course by Yaroslav Zeikan	240
19	October 8, 2016	Zaporizhzhia	Advocacy Mastery Course by Yaroslav Zeikan	950
	*	*		4535





Key achievements and events in 2016

Ukrainian-German Forum (April 14, 2016) – for Ukrainian bar the cooperation with German bar is of paramount importance. In April 2016 the Vice-President of the German Federal Chamber of Lawyers, Dr. Ulrich Wessels, has visited Ukraine for the third time to introduce the features of legal practice and self-government in Germany to the Ukrainian bar community. The participants discussed the exclusive right to representation in courts, which at that time was already given to German advocated and was not yet introduced in Ukraine; peculiarities of the advocates' work in Germany in part of education, access to the profession, mandatory participation in professional associations and provision of free legal aid (the advocate is paid by the state if the citizen's inability to pay is duly confirmed; the citizen independently chooses any advocate registered in the general register). The German system of professional insurance for advocates was also presented during the forum.

UNBA team won bronze at the World Football Cup among advocates MundiAvocat 2016. The 18th Championship took place on May 13-22, 2016 in Spain. UNBA team for the first time represented Ukraine in this competition. In February 2016 UNBA has launched a national football tournament among the advocates – "The UNBA Cup 2016". The tournament was held on March 5 between 13 regional teams. Based on the results of the competition a team of advocates to participate in the World Championship was formed. The team comprised 10 players from the football teams of Donetsk, Kyiv, Rivne and Cherkasy regions.





On July 14, 2016 the German Federal Chamber of Lawyers and the Ukrainian National Bar Association held a second joint German-Ukrainian Forum of Lawyers in Odesa.

The event was supported by the German Foundation for International Legal Cooperation (IRZ).

The forum's topics covered the most urgent problems of the Ukrainian bar. The discussion was opened by UNBA President Lidiya Izovitova, the Vice-President of the German Federal Chamber of Lawyers Ulrich Wessels and Project Manager of the Foundation for International Legal Cooperation Anastasia Moderau.

The participants discussed the particularities of access to justice in Germany and Ukraine and provision of legal aid, in

particular, the appointment of legal aid advocates in criminal proceedings. German experience in these matters was presented by Dagmar Beck-Bever, the Chair of the Committee on lawyers' fees, the Vice-President of the Celle Bar Chamber.

Ukrainian bar fought its way through to the introduction of the exclusive right to representation in courts – on September 30, 2016 the amendments to the Constitution of Ukraine in terms of justice came into force. As a result of judicial reform the exclusive right of advocates to representation in courts was introduced. The reform is being carried out in stages. From January 1, 2017 the advocates only will have the representative powers at the Supreme Court, from 2018 – in specialized courts and court of appeal, from 2019 this practice will spread to the courts of first instance, and from 2020 all interests of the public bodies will be represented in courts by advocates only.

This innovation for the bar, which was introduced by the constitutional amendments, is primarily in the interest of effective protection of citizens' rights. As a result of this reform, everyone will be put on an equal footing in courts and will apply to professional defenders.

The advocates' exclusive right in litigation is a principle which operates in the US and in most European countries. In many aspects, its adaptation is also the merit of the Ukrainian bar, which promoted and supported this reform and received expertise of foreign partners on the practical implementation of this principle.

The Ukrainian National Bar Association gave a positive expert opinion to the Constitutional Court regarding the said reform

as an implementation of the relevant European practices. In the system of justice the exclusive advocates' right to litigation gives the Ukrainian bar the status equal to the one of the bars of the old European countries. Moreover, Ukraine outran many countries in the Eastern Europe and the CIS with this reform.

UNBA's European partners, especially the Council of Bars and Law Societies of Europe – the organization representing more than 1 million advocates, has favorably rated this reform in Ukraine. This success of the Ukrainian bar inspires our international partners' confidence in us. This is these effective efforts that strengthen our reputation in Europe as a young, ambitious and efficient organization and motivate Europeans for further practical support of our reforms.

"Amendments to the Constitution in part of the judiciary system deserve approval by the bar community. We have obtained the tools for professional protection of interests of other persons in courts, which comply with the European practice. However, the quality of the constitutional process is determined not only by the professionally developed amendments to the Law, but also by the way they are implemented in practice. The Constitution shall work; it must be unconditionally respected and complied with by citizens, public authorities and courts, and it shall play a role envisaged for it as for a legislative act of the highest legal force", - said Lidiya Izovitova, UNBA/BCU President.

"The CCBE approves amendments to the Constitution of Ukraine and the Law of Ukraine "On the Judicial System and Status of Judges", adopted by the Verkhovna Rada on June2, 2016. The CCBE considers the introduced changes, including advocates' exclusive rights in all judicial proceedings, to be a positive development", - CCBE letter to UNBA.

"The bar as an institution is fully interested in the rapid reform in the field of justice. If you get rid of corruption in the judiciary, then advocate's professionalism will come to the fore. However, professionalism costs a lot. Therefore, advocates support fair and transparent justice sector reforms. With the success of judicial reform in Ukraine professionalism of advocates will come to the fore", — said Valentyn Gvozdiy to "Public people".

"As a result of the constitutional changes the bar obtained the exclusive right to represent clients in litigation. This strengthens its status in the justice system and entrusts it with more professional responsibility", – said Pavlo Grechkivskyi, the BCU Secretary.

"There can no longer be a chaotic market of legal services. An advocate is a representative of a strictly regulated profession. Breach of clients' rights entails disciplinary liability", - said Valentyn Gvozdiy to the Reporter TV Channel.

"The introduced amendments come into effect in stages and there are actually three years of a gradual introduction of the reform. Since 2017, only advocates will act as representatives at the Supreme Court, since 2018 – in specialized and appellate courts, and since 2019 – in the first instance courts. It should not be forgotten that since 2020 not only private business, but also public bodies will apply to advocates for

representation in litigation", – said Valentyn Gvozdiy in the Forbes publication "Five myths about the monopoly of the bar, or Why business should not be afraid".

"In the near future the Law "On the High Council of Justice", new Law "On Constitutional Court" and amendments to all procedural codes are expected to be adopted. We also expect the adoption of amendments to the Law "On the Bar and Practice of Law", - said Pavlo Grechkivskyi in his interview to the 7th Channel.

"Advocates with 10-year experience will be able to participate in the competition for the posts of judges of the Supreme Court. This will certainly allow forming a new composition of the Supreme Court from professionals of the highest level", — said Pavlo Grechkivskyi in his publication in YurLiga "Judicial reform: we should keep the best, get rid of the worst and move forward".

Advocates' self-government in Kyiv is completely restored – On October 8, 2016, in accordance with the Law "On the Bar and Practice of Law", the Kyiv City Qualification and Disciplinary Commission of the Bar, which had not been established prior to that as a form of the advocates' self-government, was established. Advocate Ihor Orlov was elected its Chairman.

The conference also elected members of the QDCB by way of a rating vote.

The delegates of the Kyiv City conference of advocates have also elected Petro Riabenko a Chairman of the Kyiv City Bar Council and renewed the composition of the regional bar council.

The representatives of Kyiv City advocates in the Bar Council of Ukraine and the Higher Qualification and Disciplinary Commission of the Bar were also re-elected. These positions are entrusted to Ihor Cherezov and Valerii Kostriukov.

The Kyiv City conference of advocates was conducted on the basis of the BCU Decision No. 153 "On the approval of conclusions of the Special Interim Commission on the audit of activities of the advocates' self-government bodies in Kyiv".





On December 2, 2016 UNBA became the CCBE observer member – Ukraine became the 11th CCBE member having the observer status. The Council of Bars and Law Societies of Europe is an international non-profit organization founded in 1960. It is "the voice of the legal profession" which speaks on behalf of more than 1 million European lawyers and bar associations of 45 countries (32 full members, three associate members and 10 observers). The CCBE is a recognized representative of the bar in relations with the EU institutions, Council of Europe and international organizations worldwide. Through its cooperation with the European Parliament and European Commission, the organization has influence on the development of legislation on the bar, criminal and corporate legislation; it provides information on changes in procedures before the European Court of Justice and the European Court of Human Rights. The CCBE mission is the regulation of profession, assurance of the rule of law, and protection of human

rights and democratic values. A special focus of CCBE activities is justice, development of the rule of law and protection of clients by ensuring the core values of the legal profession. The PECO Committee is represented by the bars of Central and Eastern Europe, Belarus and Azerbaijan. The Committee aims to promote reforms in the region.

"One of UNBA tasks is to provide services to advocates, which would facilitate their professional development in modern conditions. At some point it became clear that, without integration into the world advocates' community, without an access to information and tools of international professional organizations, the performance of functions by UNBA will not be as effective as possible", - said the Chair of UNBA International Relations Committee, Ivan Grechkivskyi.

Among the benefits of the CCBE membership for the Ukrainian bar, the most important one is the mechanism for protection of advocates' rights.



"The consolidated voice in defence of professional rights is important, but an effective dialogue with the Ukrainian authorities would not have been possible without the international support. We need a working, effective mechanism in response to violations of the rights of defenders and we have finally obtained it in full", - considers the Chair of UNBA Committee.





Legal Alarm

On September 21 UNBA and Juscutum Attorneys' Association have signed an Agreement on the use of Legal Alarm Software.

This mobile application is a tool of operative advocate's assistance during the problems with the law enforcement agencies used for the transmission of urgent messages about the infringement of advocates' rights to the regional bar councils. The software provides the technical ability to make remote call to report unlawful acts against the advocate and get legal help in this situation. The application also sends geolocation data to be used when determining the location of an advocate, who requires help.

The implementation of this project is a response to the growing number of violations of the advocates' rights in Ukraine and ignoring the guarantees to practice of law and peculiarities of the advocates' procedural status by the law enforcement agencies.

The Legal Alarm application is available to UNBA members at no cost.

UNBA workers on duty will also be notified around the clock if the "alert button" is pressed.

The Legal Alarm mobile application is developed for IOS and Android operating systems.

Subsequently, the detailed instructions on the application settings will be provided on UNBA web-site.









https://goo.gl/73WoIn



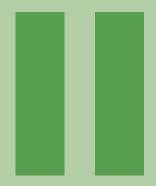


https://goo.gl/Qsju4i



UNBA | Financial indicators of performance in 2016

110 / 0110100		2015	€	2016	€
Revenues from the remittance by regional bar councils of 30% of the amoun annual fees charged to finance realization of the advocates' self-government Ukraine	t of : in	1 770 95	55	896 25	51 -49
Advocates' annual fees charged to finance realization of the statutory objecti of the advocates' self-government bodies	ives	6 615 61	1	9 033 45	51 37%
Other (including passive) income*		567 55	55	350 11	12 -32
Warrant books		-	_	1 91	11 100
Charity		-	-	48 00	100
Financial aid		-	_	1 000 00	100
assive income: income in the form of interest, dividends, insur- e payouts and indemnities, and royalties (Tax Code of Ukraine 2755-VI of 02.12.2010)	OTAL:	8 954 12	1	11 329 7	26 +20
016 Annual fees underpayment statistics:				Fees paid	
Total number of registered advocates: 100%	63%	379	%	Fees unpaid	
					_
Expenses		2015	€	2016	e
Total payroll amount		1 867 65	50	2 473 12	23 32%
Mandatory withholdings (taxes and duties)		1 490 31	7	1 657 98	11%
Office maintenance costs (lease payments, security, facility maintenance, Inte access, telephone, office supplies, motor vehicle lease and maintenance, mail courier delivery services, service*		1 989 56	7		
				2 084 98	5%
Organizational and technical support of Congresses of Advocates, meetings Bar Council of Ukraine, conferences, meetings, round tables, etc.	of the	1 584 99	5	2 084 98 2 113 46	
Organizational and technical support of Congresses of Advocates, meetings Bar Council of Ukraine, conferences, meetings, round tables, etc. Organization of CLE events for advocates in Ukraine	of the	1 584 99 408 10			33%
Bar Council of Ukraine, conferences, meetings, round tables, etc.			3	2 113 46	35 33% 31 89%
Bar Council of Ukraine, conferences, meetings, round tables, etc. Organization of CLE events for advocates in Ukraine Costs of producing official ID cards for heads of bodies of advocates' self-gov		408 10	23	2 113 46 772 43	33% 331 89% 350 357
Bar Council of Ukraine, conferences, meetings, round tables, etc. Organization of CLE events for advocates in Ukraine Costs of producing official ID cards for heads of bodies of advocates' self-govment; ID cards of advocates of Ukraine, diplomas, etc.		408 10 52 72	23	2 113 46 772 43 240 69	355 33% 551 89% 590 357
Bar Council of Ukraine, conferences, meetings, round tables, etc. Organization of CLE events for advocates in Ukraine Costs of producing official ID cards for heads of bodies of advocates' self-govennet; ID cards of advocates of Ukraine, diplomas, etc. Official website maintenance costs; UNBA Bulletin printing costs		408 10 52 72 817 44	23 21 29	2 113 46 772 43 240 69 1 369 29	355 33% 31 89% 30 357 39 68%
Bar Council of Ukraine, conferences, meetings, round tables, etc. Organization of CLE events for advocates in Ukraine Costs of producing official ID cards for heads of bodies of advocates' self-governet; ID cards of advocates of Ukraine, diplomas, etc. Official website maintenance costs; UNBA Bulletin printing costs Accounting, legal and notarial service costs		408 10 52 72 817 44 350 14	23 21 29	2 113 46 772 43 240 69 1 369 29 530 61	355 33% 351 89% 357 357 399 68% 19 52% 02 20%
Bar Council of Ukraine, conferences, meetings, round tables, etc. Organization of CLE events for advocates in Ukraine Costs of producing official ID cards for heads of bodies of advocates' self-governet; ID cards of advocates of Ukraine, diplomas, etc. Official website maintenance costs; UNBA Bulletin printing costs Accounting, legal and notarial service costs Purchase of fixed and intangible assets		408 10 52 72 817 44 350 14	23 23 24 29 29 29 29 29 29 29 29 29 29 29 29 29	2 113 46 772 43 240 69 1 369 29 530 61 245 50	355 33% 351 89% 357 357 399 68% 19 52% 02 20%



Bar Council of Ukraine

Meetings of the Bar Council of Ukraine in 2016

February 26, 2016

April 23, 2016

May 20, 2016 (extraordinary)

June 10-11, 13, 2016

July 14, 2016
(extraordinary, e-voting)
July 22, 2016 (extraordinary)

September 13, 2016

November 17, 2016 December 15-16, 2016

February 26, 2017

This meeting of the Bar Council of Ukraine was convened pursuant to the Order of the Chair of the Bar Council of Ukraine No. 7 of February 5, 2016 in accordance with Article 55(5) of the Law of Ukraine "On the Bar and Practice of Law". According to the above Order, the meeting was to be convened on February 26, 2016 at Asambleia Conference Hall of Ukraine Hotel at: Kyiv, 4 Instytutska Street.

Upon conclusion of the meeting of February 26, 2016, the Bar Council of Ukraine (having due powers to adopt decisions - more than half of the BCU members) has adopted the following key decisions:

- On approval of UNBA Report on violation of the advocates' rights and guarantees to practice law in Ukraine;
- On approval of the explanation regarding the simultaneous representation of interests of two or more plaintiffs or defendants by one advocate in civil proceeding;
- On approval of the explanation regarding the right of the HQDCB Chair to direct a claim (complaint) about a disciplinary offence of an advocate to the QDCB in other region;
- On approval of the explanation regarding the calculation of the work experience of the advocates' assistants to be exempted from internship;
- On approval of the explanation regarding the obtaining of certificate of the right to practice law without internship, taking into account the work experience in a position of the assistant advocate, and on the basis of the Specialist's Diploma of Advanced Training;
- On approval of new revised regulations of regional bar councils and QDCB (as regards to the changes in tax legislation);
- On introduction and approval of amendments to the Procedure for keeping the Unified Register of Advocates of Ukraine;
- Issue related to the advanced training of the advocates of Ukraine (amendments to the Procedure for advanced training of advocates of Ukraine introduced and approved; it was found that the advocates, who haven't scored the predetermined number of test points during the reporting three-year period (30 points, of which at least 10 points in each of the three years of assessment) and haven't obtained the advanced training certificate, shall perform their duties as related to the advance training in the established order and submit the relevant cards with points received in the period by June 01 of the current year);



- On approval of the revised Program for taking the qualification exam (entered into force on 01.06.2016);
- On approval of the revised Regulation on representation of the Ukrainian National Bar Association abroad;
- On approval of the revised Regulation on the International Relations Committee;
- On approval of the Regulation on the Committee on the Legislative Initiatives on the Bar;
- On adding the members to the composition of UNBA Scientific and Advisory Board;
- On approval of the candidates for the post of Vice-Rector of UNBA Higher School of Advocacy;
- On approval of the explanation regarding the guarantees of practice of law and certain conditions of disciplinary liability;
- On establishment of UNBA representative office in the Republic of Cyprus;
- On establishment of UNBA representative office in the Republic of France;
- On deferral of payment of the annual fee to ensure the realization of advocates' self-government in 2016;
- On periodical publications of the Higher School of Advocacy;
- On introduction and approval of the amendments to the Regulation on regional Qualification and Disciplinary Commission of the Bar;
- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Kyiv

Region, Rules of the Conference of Advocates of Kyiv Region and establishing the representation quota.

- On convocation of the Conference of Advocates of Zhytomyr Region, approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Zhytomyr Region, Rules of the Conference of Advocates of Zhytomyr Region and establishing the representation quota.
- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Lviv Region, Rules of the Conference of Advocates of Lviv Region and establishing the representation quota.
- On convocation of the Conference of Advocates of Luhansk Region, approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Luhansk Region, Rules of the Conference of Advocates of Luhansk Region and establishing the representation quota.

April 23, 2016

This meeting of the Bar Council of Ukraine was convened pursuant to the Order of the Chair of the Bar Council of Ukraine No. 25 of March 28, 2016 in accordance with Article 55(5) of the Law of Ukraine "On the Bar and Practice of Law". According to the above Order, the meeting was to be convened on April 23, 2016 at Gliasse Conference Hall of Pushcha Congress Hotel at: Kyiv, 20 M. Yunkerova Street.

Upon conclusion of the meeting of April 23, 2016, the Bar Council of Ukraine (having due powers to adopt decisions - more than half of the BCU members) has adopted the following key decisions:

- On approval of the Development Strategy of the Ukrainian National Bar Association in 2016;
- On establishment of the Special Interim Commission for audit of the advocates' self-government bodies in Kyiv City;
- On approval of the explanation concerning certain conditions for application of the provisions of the Law of Ukraine
 "On the Bar and Practice of Law" and Rules of Advocates' Ethics;
- On establishment of UNBA representative office in Hungary;
- On establishment of UNBA representative office in the Russian Federation;
- On introduction and approval of the amendments to the Regulation on the International Relations Committee and the Regulation on the establishment of UNBA representative offices abroad;
- On the validity of the certificate of passing the qualification exam;
- On introduction and approval of amendments to the Rules of regional bar council;
- On approval of Regulation on Committee on Coordination of Legal Assistance to Participants of Anti-Terrorist Operation, their Families and Internally Displaced Persons;
- On approval of the Opinion on violation of the advocates' rights and guarantees of practice of law, corruption com-

- ponent in the establishment and operation of the legal aid system in Ukraine;
- On organizational issues related to the participation of UNBA team in the Football World Cup for Lawyers – MUN-DIADVOCAT 2016;
- On amendments to the Procedure for keeping the Unified Register of Advocates of Ukraine;
- On approval of the explanation concerning the possibility of an advocate (law firms, bar associations) to provide legal aid (pro bono);
- On approval of the Regulation on forms' samples and technical details of the Ukrainian advocate's ID card, official ID card of the Ukrainian advocate being a member of the Ukrainian advocates' self-government body, member of the Committee established at the Ukrainian National Bar Association, foreign advocate's ID card and ID card of the assistant advocate.

May 20, 2016 (extraordinary)

The extraordinary meeting of the Bar Council of Ukraine was convened pursuant to the Order of the Chair of the Bar Council of Ukraine No. 47 of May 13, 2016 in accordance with Article 55(5) of the Law of Ukraine "On the Bar and Practice of Law", and Section 10 of the Rules of the Bar Council of Ukraine, approved by the BCU Decision No. 115 of August 30, 2014, in connection with the situation developed around the development and discussion of the Draft Law of Ukraine "On Amendments to the Law of Ukraine "On the Bar and Practice of Law", the ignoring of the officially presented by UNBA and BCU proposals to the draft law, the ignoring of the criticism and rejection of many of its amendments by the professional community, for the purpose of consideration of the interim report of the Special Interim Commission for audit of the advocates' self-government bodies in Kyiv City, established under BCU Decision No. 101 of April 23, 2016 number 101, and to discuss of the quality standards for legal aid provision.

The meeting was scheduled to be held on May 20, 2016 at Conference Hall of President Hotel at: Kyiv, 12 Hospitalna Street.

Upon conclusion of the meeting of May 20, 2016, the Bar Council of Ukraine (having due powers to adopt decisions - more than half of the BCU members) has adopted the following key decisions:

- On continuation of the work of the Special Interim Commission for audit of the advocates' self-government bodies in Kyiv City;
- On addressing the national and international institutions concerning the Draft Law of Ukraine "On Amendments to the Law of Ukraine "On the Bar and Practice of Law".

June 10-11 and 13, 2016

This meeting of the Bar Council of Ukraine was convened pursuant to the Order of the Chair of the Bar Council of Ukraine No. 51 of May 20, 2016 in accordance with Article 55(5) of the Law of Ukraine "On the Bar and Practice of Law".

According to the above Order, the meeting was to be convened on June 10-11 and 13, 2016 at the premises of GAGA-RINN Hotel at: Odesa, 5b Haharinske Plato Street.

Upon conclusion of the meeting of June 10-11 and 13, 2016, the Bar Council of Ukraine (having due powers to adopt decisions - more than half of the BCU members) has adopted the following key decisions:

- On approval of the explanation concerning the possibility to bring an advocate to disciplinary liability during suspension of his/her right to practice law;
- On approval of the explanation of certain issues related to the incorporation of amendments to the information about legal entity – QDCB to the Unified State Register of Legal Entities, Individual Entrepreneurs and Public Organizations;
- On approval of the explanation concerning the procedure for execution and the appearance of a permit of the Internship Supervisor to commit certain actions;
- On approval of the preliminary list of educational, scientific and other services that may be provided by UNBA Higher School of Advocacy;
- On results of review of the letter from the State Fiscal Service of Ukraine concerning the consideration and work on the draft Protocol on procedure for information exchange, terms, structure and format of files exchanged between the State Fiscal Service of Ukraine and the Bar Council of Ukraine:
- Issues related to ensuring the right to practice law by the advocates with disabilities (disabled);
- On the results of review of the letters from the Head of Presidential Administration of Ukraine, B.Y. Lozhkin, and the Prime Minister of Ukraine V.B. Groysman on implementation status in 2015 of the Action plan for realization of the strategy for reforming the judicial administration and judicial procedure systems and related legal institutions in 2015-2020;
- On approval of the organizational structure and payroll and personnel schedule of the Secretariat of the Bar Council of Ukraine (the Secretariat of the Ukrainian National Bar Association);
- On establishment of UNBA representative office in the Republic of Poland;
- On procedure for fees payment for taking qualification examination;
- On amendments to the Procedure for admission to the qualification examination, procedure for taking the qualification examination and methods for evaluation the results of the qualification examination to acquire the right to practice law in Ukraine;
- On amendments to the Procedure for accepting and consideration of complaints about the advocate's misconduct, which may result in his/her disciplinary liability;
- On explanation of paragraph 6 of the Procedure for advanced training of the advocates as reworded by the BCU Decision No. 219 of September 27, 2013;
- · On the results of review of the letter from the Ministry of



Justice of Ukraine with a proposal to bring to the attention of advocates and bar associations the information on the procedure for access to the State Register of Property Rights to Immovable Property;

- On approval of the Program of partnership with the Ukrainian National Bar Association;
- On appeal to the Constitutional Court of Ukraine concerning an official interpretation of the Constitution and current legislation of Ukraine;
- On provision of information about passing/failing the qualification examination on UNBA official website;
- On approval of the explanation concerning certain issues related to the exercise by the advocate of his/her right to rest;
- On approval of the explanation concerning the placing for internship and issue of the certificate of the right to practice law, based on the results obtained during the internship, to persons for whom the circumstances of incompatibility of duties are observed;
- On amendments to the Procedure for admission to the qualification examination, procedure for taking the qualification examination and methods for evaluation the results of the qualification examination to acquire the right to practice law in Ukraine;
- On approval of the explanation concerning drawing up of a protocol / refusal to draw up a protocol on administrative violations under Article 212-3 of the Code of Ukraine on Administrative Offenses;



- On certain issues related to the organization of process of bar and law research;
- On approval of the Opinion of the Special Interim Commission for audit of the advocates' self-government bodies in Kyiv City;
- On approval of the Regulation on the Kyiv City Qualifica-



tion and Disciplinary Commission of the Bar;

- On convocation of the extraordinary Conference of Advocates of Kyiv City, approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Kyiv City, Rules of the Conference of Advocates of Kyiv City and establishing the representation quota.
- On certain issues on realization of the Opinion of the Special Interim Commission for audit of the advocates' selfgovernment bodies in Kyiv City;
- On continuation of work related to the research of issues concerning the functioning of the advocates' self-government bodies in Kyiv City.

July 14, 2016 (extraordinary, e-voting)

The extraordinary meeting of the Bar Council of Ukraine was convened pursuant to the Order of the Chair of the Bar Council of Ukraine No. 61 of July 13, 2016 in accordance with Article 55(5) of the Law of Ukraine "On the Bar and Practice of Law", Section 10 of the Rules of the Bar Council of Ukraine, part 4 of Section V, and paragraph 1.17 of part 1 of Section III of the Regulation on the Bar Council of Ukraine, in con-



nection with the massive violations of the advocates' rights by the law enforcement officers and considering the number and systematic nature of these actions, in relation to the searches that are clearly considered by the bar to form a pressure and illegal interference with the bar activities, as well as the lack of concrete actions and signs of willingness to investigate these cases and establish the persons responsible for numerous violations of the law, and given the public statements of the representatives of state bodies on the preparation of new mass searches of the advocates during the investigation of resonant criminal cases.

The meeting was conducted by electronic voting, sending the relevant materials of the meeting at formally designated email addresses of the BCU members.

The meeting was scheduled on July 14, 2016.

On July 14, 2016 the BCU (having due powers to adopt decisions - more than half of the BCU members took part in the e-voting) has adopted a decision "On approval of the Open letter on the inadmissibility of violation of the advocates' rights and attack on the constitutional status of the bar institute in Ukraine".

July 22, 2016 (extraordinary)

The extraordinary meeting of the Bar Council of Ukraine was convened pursuant to the Order of the Chair of the Bar Council of Ukraine No. 62 of July 18, 2016 in accordance with Article 55(5) of the Law of Ukraine "On the Bar and Practice of Law". Section 10 of the Rules of the Bar Council of Ukraine. Section V and paragraph 1.17 of part 1 of Section III of the Regulation on the Bar Council of Ukraine, in connection with the continuation of the unacceptable unprecedented attack on the independent bar institution, pressure and illegal interference with the bar activities, given the aggravation and increase in the number of violations of advocates' rights by the law enforcement authorities, continuation of searches, and the lack of concrete actions to investigate these cases and establish the persons responsible for numerous violations of the law.

The meeting was scheduled on July 14, 2016 at Conference Hall of President Hotel at: Kyiv, 12 Hospitalna Street.

Upon conclusion of the meeting of July 22, 2016, the Bar Council of Ukraine (having due powers to adopt decisions more than half of the BCU members) has adopted the decision "On approval of the resolution concerning violations of the advocates' rights and guarantees to practice law, as well as the response action plan".

September 13, 2016

This meeting of the Bar Council of Ukraine was convened pursuant to the Order of the Chair of the Bar Council of Ukraine No. 65 of August 16, 2016 in accordance with Article 55(5) of the Law of Ukraine "On the Bar and Practice of Law".

According to the above Order, the meeting was to be convened on September 13, 2016 in Conference Hall of President Hotel at: Kyiv, 12 Hospitalna Street.

Upon conclusion of the meeting of September 13, 2016, the Bar Council of Ukraine (having due powers to adopt decisions - more than half of the BCU members) has adopted the following key decisions:

- On approval of explanation of issues related to the disciplinary liability;
- On approval of explanation of issues related to the restoration of right to practice law;
- On impossibility to delegate the legislative authorities of the advocates' self-government bodies to other bodies (working groups, committees, etc.);
- On issues arising in relation to holding of Conference of Advocates of Kyiv Region on 10.09.2016;
- On establishment of UNBA representative office in the Republic of Turkey;
- On establishment of UNBA representative office in the Kingdom of Spain;
- On issues arising in relation to holding of Conference of Advocates of Kyiv City on 06.08.2016;
- On approval of the national program "Perpetuation of the memory of Ukrainian advocates";
- On establishment of a branch of UNBA Higher School of Advocacy "Regional school of advocacy skills in Kharkiv Region";
- On amendments to the Procedure for admission to the qualification examination, procedure for taking the qualification examination and methods for evaluation the results of the qualification examination to acquire the right to practice law in Ukraine;
- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Volyn Region, Rules of the Conference of Advocates of Volyn Region and establishing the representation quota;
- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Zakarpattia Region, Rules of the Conference of Advocates of Zakarpattia Region and establishing the representation quota;
- On convocation of the Conference of Advocates of Kirovohrad Region, approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Kirovohrad Region, Rules of the Conference of Advocates of Kirovohrad Region and establishing the representation quota;
- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Poltava Region, Rules of the Conference of Advocates of Poltava Region and establishing the representation quota;
- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Sumy Region, Rules of the Conference of Advocates of Sumy Region and establishing the representation quota;
- On convocation of the Conference of Advocates of Ternopil Region, approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Ternopil Region, Rules of the Conference of Advocates of Ternopil Region and establishing the representation quota;
- On approval of the Procedure for nomination and election



of the delegates to the Conference of Advocates of Khmelnytskyi Region, Rules of the Conference of Advocates of Khmelnytskyi Region and establishing the representation quota.

November 17, 2016

This meeting of the Bar Council of Ukraine was convened pursuant to the Order of the Chair of the Bar Council of Ukraine No. 89 of November 1, 2016 in accordance with Article 55(5) of the Law of Ukraine "On the Bar and Practice of Law".

According to the above Order, the meeting was to be convened on November 17, 2016 in Predslava Conference Hall of President Hotel at: Kyiv, 12 Hospitalna Street.

Upon conclusion of the meeting of November 17, 2016, the Bar Council of Ukraine (having due powers to adopt decisions - more than half of the BCU members) has adopted the following key decisions:

- On approval of Development Strategy of the Ukrainian National Bar Association by 2020;
- On results of review of the Draft Law of Ukraine "On amendments to Article 10 of the Law of Ukraine "On judicial system and status of judges" in relation to the minor disputes in the courts (No. 5221 of 04.10.2016);
- On issue of duplicate / replacement of certificate of the right to practice law;
- On approval of new revised Regulation on UNBA representation abroad;
- On approval of the Regulation on UNBA sections;
- On establishment of UNBA representative office in the Republic of France;
- On issues that have arisen in connection with the Conference of Advocates of Kyiv City on 05.11.2016;
- On review of the information and applications to restore the advocates' self-government in Kyiv City and on granting the advocate's status to certain persons;
- On approval of the template and description of the certificate of the right to practice law (in English);
- On approval of new revised Regulation on regional QDCB to bring the Article 12.2 of the Regulation in line with the Article 133.4.1 of the Tax Code of Ukraine;

- On approval of new revised Regulation on regional QDCB to bring the Article 11.1 of the Regulation in line with the Article 133.4.1 of the Tax Code of Ukraine;
- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Donetsk Region, Rules of the Conference of Advocates of Donetsk Region and establishing the representation quota;
- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Dnipropetrovsk Region, Rules of the Conference of Advocates of Dnipropetrovsk Region and establishing the representation quota;
- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Kharkiv Region, Rules of the Conference of Advocates of Kharkiv Region and establishing the representation quota;
- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Mykolaiv Region, Rules of the Conference of Advocates of Mykolaiv Region and establishing the representation quota;
- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Kherson Region, Rules of the Conference of Advocates of Kherson Region and establishing the representation quota;
- On approval of the Procedure for nomination and elec-



tion of the delegates to the Conference of Advocates of Chernihiv Region, Rules of the Conference of Advocates of Chernihiv Region and establishing the representation quota;

- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Chernivtsi Region, Rules of the Conference of Advocates of Chernivtsi Region and establishing the representation quota;
- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Rivne Region, Rules of the Conference of Advocates of Rivne Region and establishing the representation quota;
- On convocation of the Conference of Advocates of Ternopil Region, approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Ternopil Region, Rules of the Conference of Advocates of

Ternopil Region and establishing the representation quota;

- On convocation of the Conference of Advocates of Ivano-Frankivsk Region, approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Ivano-Frankivsk Region, Rules of the Conference of Advocates of Ivano-Frankivsk Region and establishing the representation quota;
- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Kyiv Region, Rules of the Conference of Advocates of Kyiv Region and establishing the representation quota.

December 15-16, 2016

This meeting of the Bar Council of Ukraine was convened pursuant to the Order of the Chair of the Bar Council of Ukraine No. 102 of November 30, 2016 in accordance with Article 55(5) of the Law of Ukraine "On the Bar and Practice of Law".

According to the above Order, the meeting was to be convened on December 15016, 2016 at the premises of Kozatskyi Stan Complex at: 18 km Boryspil Highroad.

Upon conclusion of the meeting of December 15-16, 2016, the Bar Council of Ukraine (having due powers to adopt decisions - more than half of the BCU members) has adopted the following key decisions:

- On approval of Program of partnership with the Ukrainian National Bar Association in 2017;
- On initiating the issue concerning amendments to the Law of Ukraine on "On Court Fee" to reduce the rates of court fee;
- On results of the review of the letter from the State Fiscal Service of Ukraine on improvement of information exchange between the SFS and the BCU;
- On results of review of the letter from the Ministry of Justice of Ukraine on provision of the information about Ukrainian and foreign advocates, who acquired the right to practice law in Ukraine;
- On annulment of the decision of the Kyiv Region Bar Council concerning organization of the interviews with the interns (trainees) by the Committee on protection of advocates' professional rights and guarantees of practice of law of the Kyiv Region Bar Council;
- On inquiries regarding the obstructing to the work of the advocates' self-government bodies in Kyiv City and the unacceptable illegal interference in their activities;
- On approval of explanation on the legality of the inclusion of an advocate to the Register of Internship Supervisors and exercise by him/her of their training duties in case the actual place of training and the advocate's workplace are different:
- On introduction and approval of amendments to the Regulations on organization and procedure for undertaking internship to obtain the certificate of the right to practice law;
- On inquiry concerning review of the amendments to the Law of Ukraine "On the Bar and Practice of Law" by the

- working group of the Judicial Reform Council under the President of Ukraine;
- On approval of the explanation concerning the possibility of an advocate to represent the client in court under certain circumstances;
- Issue related to payment of an annual fee to ensure the self-government in 2017;
- Issue concerning ensuring of the organizational measures for undertaking an internship;
- On inquiries concerning protection of the violated advocates' rights and guarantees to practice law;
- On review of the inquiry from the advocate K.P. Koval concerning the conditions of the conciliation of parties in case No. 826/14693/15;
- On approval of amendments to the Procedure for admission to the qualification examination, procedure for taking the qualification examination and methods for evaluation the results of the qualification examination to acquire the right to practice law in Ukraine;
- On establishment of UNBA representative office in the United Arab Emirates (Dubai);
- On establishment of UNBA representative office in Australia (Victoria);
- On establishment of UNBA representative office in the United Mexican States (Mexico);
- On establishment of UNBA representative office in the Italian Republic (Genoa);
- On approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Zapor-



izhzhia Region, Rules of the Conference of Advocates of Zaporizhzhia Region and establishing the representation quota;

 On convocation of the Conference of Advocates of Cherkasy Region, approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Cherkasy Region, Rules of the Conference of Advocates of Cherkasy Region and establishing the representation quota; On convocation of the Conference of Advocates of Vinnytsia Region, approval of the Procedure for nomination and election of the delegates to the Conference of Advocates of Vinnytsia Region, Rules of the Conference of Advocates of Vinnytsia Region and establishing the representation quota.

BCU members



BCU President Lidiya Izovitova l.izovitova@unba.org.ua



BCU Vice-President Oleksii Kukhar o.kuhar@unba.org.ua



BCU member from the AR of Crimea Olha Shevchenko o.shevchenko@unba.org.ua



BCU member from Volyn Region Oksana Komarnytska o.komarnytska@unba.org.ua



BCU member from Dnipropetrovsk Region Yevhen Bolshakov y.bolshakov@unba.org.ua



BCU member from Zhytomyr Region Oleksii Slivinskii o.slivinckii@unba.org.ua



BCU member from Zaporizhzhia Region Ihor Smola i.smola@unba.org.ua



BCU member from Kyiv City Ihor Cherezov i.cherezov@unba.org.ua



BCU member from Lviv Region Mykola Malaniuk m.malanyuk@unba.org.ua



BCU member from Odesa Region Yurii Polonskyi y.polonskiy@unba.org.ua



BCU member from Rivne Region Mykola Bliashyn m.bliashyn@unba.org.ua



BCU member from Ternopil Region Taras Budz t.budz@unba.org.ua



BCU member from Kherson Region Liubov Horoshchenko l.goroshchenko@unba.org.ua



BCU member from Cherkasy Region Serhii Khomik s.khomik@unba.org.ua



BCU member from Chernivtsi Region Valerii Bozhyk v.bozhyk@unba.org.ua



BCU Vice-President Valentyn Gvozdiy v.gvozdiy@unba.org.ua



BCU Secretary (BCU member from Kyiv Region) Pavlo Grechkivskyi p.grechkivsky@unba.org.ua



BCU member from Vinnytsia Region Yurii Zazhyrko y.zazhyrko@unba.org.ua



BCU member from Luhansk Region Tamara Tereshchenko t.tereshchenko@unba.org.ua



BCU member from Donetsk Region Serhii Osyka s.osyka@unba.org.ua



BCU member from Zakarpattia Region Vasyl Koshelia v.koshelya@unba.org.ua



BCU member from Ivano-Frankivsk Region Iryna Mnyshenko i.mnishenko@unba.org.ua



BCU member from Kirovohrad Region Nataliia Sumska n.sumska@unba.org.ua



BCU member from Mykolaiv Region Pavlo Repeshko p.repeshko@unba.org.ua



BCU member from Poltava Region Anatolii Pleskach a.pleskach@unba.org.ua



BCU member from Sumy Region Roman Afanasiiev r.afanasiev@unba.org.ua



BCU member from Kharkiv Region Larysa Velychko l.velychko@unba.org.ua

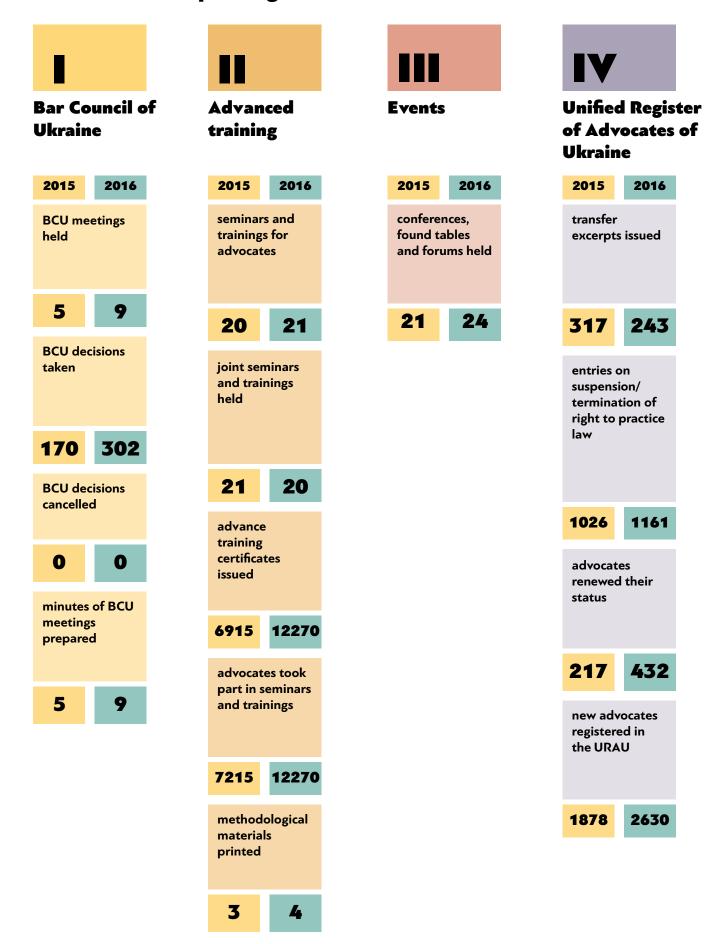


BCU member from Khmelnytskyi Region Oksana Kadenko o.kadenko@unba.org.ua



BCU member from Chernihiv Region Liudmyla Hryn l.hryn@unba.org.ua

BCU statistical reporting for 2016



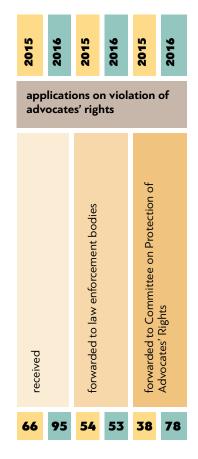


Legal Department

201	5	2016	201	5	2016					
total number of cases in courts of all levels										
	ted b A/BC	•	initiated by other parties							
8		15	75	1	112					
decisions adopted but not yet in force										
	our o		in favour of other parties							
12 15			5	5						
decis	sions	adopted	l and in	force						
in favour of UNBA/BCU			in favour of other parties							
34		30	2		6					
num	number of cases in									
administrative		economic		general						
64	78	4	5	14	44					
num viola	ber o	f application	ations o ates' ri	n ghts						
forwarded to law enforcement agencies			forwarded to Committee							
54		49	38	3	78					



Protection of advocates' rights





Paperwork

2015 2016 incoming mails 2537

applications from natural and legal persons, advocates

977 1131

bodies and bodies of local self-government on major (specialized) topics

246 564

communication with RBCs, QDCBs, HACB and HQDCB on major (specialized) topics

538 820

letters of enquiry, applications and related documents from members of parliament

4 22

applications reviewed

1281 1752

applications forwarded to other bodies

117 173



Higher Qualification and Disciplinary Commission of the Bar

Activities of the Higher Qualification and Disciplinary Commission of the Bar in 2016

January 27-28, 2016 February 25-26, 2016 March 23-24, 2016 **April 21, 2016**

May 26, 2016 June 10-11, 2016 July 21-22, 2016 August 25-26, 2016 September 27-28, 2016 October 28, 2016 **November 30, 2016 December 16, 2016**



During 2016 the Higher Qualification and Disciplinary Commission of the Bar (the HQDCB or the Commission) has focused its efforts on the performance of duties the Commission is charged with by Article 52 of the Law of Ukraine "On the Bar and Practice of Law", and for the purpose of exercising its powers has held 12 meetings, which is one meeting more as compared to 2015. Most of these meetings lasted two days and were held in Kyiv. Three meetings were held in other cities: Odesa (10-11.06.2016), Dnipro (21-22.06.2016) and Kherson (25-26.08.2016).

Each of the HQDCB meetings held in 2016 had the required quorum, as confirmed by the attendance of meetings by the overwhelming majority of its members.

Decisions

At its twelve meetings held during the last year, the Higher Qualification and Disciplinary Commission of the Bar has adopted 266 decisions, which proves highly productive performance of its members.

At the same time, the parties to 96 disciplinary cases, including the complainants, their advocates and representatives, have exercised their right to personally attend and provide explanations at meetings of the Higher Qualification and Disciplinary Commission of the Bar. This fact proves transparency of the Commission's work.

In addition to review of complaints against decisions of regional QDCBs, at the meeting of 27-28.01.2016 the Commission members have adopted the plan for generalization of the HQDCB disciplinary practices as related to the application by the QDCBs of Article 39 of the Law of Ukraine "On the Bar

and Practice of Law", as well as the composition of the working group for generalization of the disciplinary practices concerning systematic or single gross violations of the advocate's ethics rules, undermining the authority of the Ukrainian bar.

During this year the HQDCB Secretary's duties were performed by T.O. Drobotushchenko. As of today, these functions are entrusted with K.V. Kotelevska, a representative to HQDCB from Zaporizhzhia Region.

Currently the organizational duties for ensuring the current activities of the HQDCB are imposed on the HQDCB Secretariat, headed by the advocate V.I. Vovniuk.

Organizational activities of the HQDCB

An important achievement of the HQDCB in the reporting year was the decision of the Supreme Court of Ukraine of February 2, 2016, satisfying the HQDCB complaint and determining the administrative jurisdiction for cases related to the disputes arising between the advocates, the regional qualification and disciplinary commissions of the bar and the HQDCB.

In 2016 the financial activities of the Commission were audited by the Higher Audit Commission of the Bar in accordance with the objectives defined in Article 53 of the Law of Ukraine "On the Bar and Practice of Law". The audit found no financial violations. However, the HQDCB was given recommendations on improvement of its operation.

In the reporting year new representatives of the advocates from Kyiv City - V.I. Kostriukov, and Kyiv Region - A.Y. Kitesov, became the members of HQDCB. Having said that, in 2017 new representatives of the advocates from Kyiv Region - N.B. Chornobai, and Kherson Region - M.I. Dimchohlo, have also become the members of HQDCB.

Foreign activities

To consolidate and strengthen the bar community and to ensure the guarantees to practice of law in the reporting year the HQDCB has initiated fruitful cooperation with UNBA (BCU) on improving the regulatory framework for the activities of the advocates' self-government bodies and the bar as a whole.

In the reporting year the working group, established by UNBA (BCU) President L.P. Izovitova and consisting of the HQDCB representatives, namely, O.M. Drozdov, V.V. Volcho, L.V. Krupnova, A.P. Misiats and A.M. Trarasova, has developed a new Program for taking qualification examination for those willing to obtain the right to practice law.

The publication "Qualification (bar) examination" in

17 volumes that is a comprehensive textbook and reference publication, dedicated to the issues of passing the qualification (bar) exam, co-authored by HQDCB Chair, Oleksandr Drozdov, as the First Vice-Rector of UNBA Higher School of Advocacy, was developed.

In the reporting year the practice of cooperation with regional QDCBs, in particular, to enhance the implementation of disciplinary proceedings and adoption of lawful and reasonable decisions by the regional QDCBs, was initiated. For the purpose of aforementioned the representatives of regional QDCBs were invited to the HQDCB meetings as participants and audience, and UNBA (BCU) organized a number of training activities for the members of disciplinary bodies of the advocates' self-government. Pursuant to paragraph 2 of Part 4 of Article 52 of the Law of Ukraine "On the Bar and Practice of Law", the generalizations on application of terms for bringing an advocate to disciplinary liability during disciplinary proceedings were approved.

International experience

With the support from the Ukrainian National Bar Association, the HQDCB actively studies and borrows from the best experience and practices of bar associations from developed European countries.

Thus, on April 14, 2016 the overwhelming majority of the Commission's members took part in a joint informational and discussion event – the Ukrainian-German Forum of Lawyers, organized by the German Federal Chamber of Lawyers and the Ukrainian National Bar Association. The HQDCB Chair Oleksandr Drozdov has made a speech at the event on the "Intentions for implementing bar monopoly in Ukraine".

In addition, on 26.10.2016 the HQDCB Chair Oleksandr Drozdov has represented the Ukrainian National Bar Association at the international conference in Kazakhstan, held by the Ministry of Justice of the Republic of Kazakhstan and the International Bar Association, with the assistance of the Republican Bar Association of Kazakhstan. During the conference, attended by the representatives of bar and legal community of Belarus, Russia, Turkey, Azerbaijan, Georgia, Armenia, Latvia, Lithuania and Estonia, the HQDCB Chair gave a speech on the main peculiarities of bar activities in Ukraine, the importance of bar in the formation of a state's civil society, guarantees of practice of law in the context of the ECHR, and the international cooperation between the advocates' self-government bodies and the bar associations.

The reporting year saw amendments to the Regulation on the HQDCB, under which the complaints against decisions, acts or omissions of the qualification and disciplinary commissions of the bar shall be reviewed in accordance with the legal framework of the bar activities in Ukraine and decisions of the advocates' self-government bodies, as well as in accordance with the provisions of the Convention on Human Rights and Fundamental Freedoms, taking into account relevant practices of the European Court of Human Rights.

Legislative activity

In the reporting year, starting from 2015, in order to facilitate the reform of Ukrainian legislation, the HQDCB Chair Oleksandr Drozdov made a lot of work to draft and improve the amendments to the Constitution of Ukraine in terms of justice, in particular, regarding the exclusive right of advocates to de-

fend and represent their clients in courts.

The adoption by the Verkhovna Rada of Ukraine and the approval by the President of Ukraine of the said Law No. 3524, providing for the bar "monopoly" in Ukraine, was an outstanding event for Ukraine.

Back in the day it was the HQDCB Chair Oleksandr Drozdov, as a member of UNBA Scientific and Advisory Board and first HAS Vice-Rector, who provided a scientific opinion on the compliance of requirements of Article 131-2 to the Constitution of Ukraine.

The Commission representatives actively participated in the conference to discuss the draft amendments to the Law of Ukraine "On the Bar and Practice of Law", held on March 25, 2016 by the Ukrainian National Bar Association in three sessions. The HQDCB Chair Oleksandr Drozdov moderated the third session of the event, which was dedicated to the issue of access to the profession and disciplinary liability; speakers of the session - Liubov Krupnova and Andrii Misiats.

In the reporting year the HQDCB Chair has prepared and published, in the co-authorship with colleagues, a number of scientific and practical articles, including translations of the ECHR resolutions and peculiarities of application of the European Court's practice on certain issues, in the specialized publications for advocates (UNBA Journal).

Advanced training

At the same time, in order to promote professional

development of advocates and to represent the Ukrainian bar in other public institutions, in 2016 the HQDCB Chair has participated in thirty-four advance training events (seminars, trainings, conferences, round tables, etc.), organized by UNBA, including with the support from the joint project of the Council of Europe and the European Union "Consolidation of Justice Sector Policy Development in Ukraine".

The HQDCB Chair has made a speech and moderated the annual forum "Protection of human rights in criminal proceedings: proof and proving" on July 8, 2016, advanced training for advocates of Ukraine within a framework of the Third regional forum "Tavriiski Zori" on August 27, 2016, VII All-Ukrainian scientific and practical conference "Combating crime: theory and practice" on 20.10.2016.

In January and February 2016 a four-day training for members of HQDCB and heads of regional QDCBs, consisting of two two-day sessions, was held. The event was dedicated to the issues of interpretation and application of the European Convention on Human Rights and the ECHR practice, according to the Program for taking the qualification exam. The HQDCB Chair delivered speeches at all three sessions of the event

In this period the advanced trainings with the participation of the HQDCB Chair were held in Kyiv, Kharkiv, Kropyvnytskyi, Mukachevo, Kherson and Donetsk Region.

2017 objectives

The HQDCB leadership plans to participate, as speakers, in a number of qualification improvement seminars and trainings for advocates and members of the advocates' self-government bodies, the plan for which was approved by the Ukrainian National Bar Association, and write a number of scientific and practical articles for UNBA Journal.



To implement the provisions of paragraph 2 of Part 4 of Article 52 of the Law of Ukraine "On the Bar and Practice of Law", it is planned to improve and develop the work started on generalizations of the disciplinary practice of the qualification and disciplinary commissions of the bar.

At the same time a number of advance trainings for the advocates, with the participation of HQDCB members and members of the regional advocates' self-government bodies, is planned, taking into account the HQDCB experience and practice.



Decisions of the Higher Qualification and Disciplinary Commission of the Bar in 2016

During January-December 2016, the Higher Qualification and Disciplinary Commission of the Bar (hereinafter – the HQDCB) held 12 meetings which passed, in accordance with Article 52 of the Law of Ukraine "On the Bar and Practice of Law", 268 decisions after reviewing complaints against decisions, actions or inactions of regional qualification and disciplinary commissions of the bar (QDCB).

Thus, in the overwhelming majority of cases (171 decision), the HQDCB has dismissed complaints and upheld the decisions taken by QDCBs.

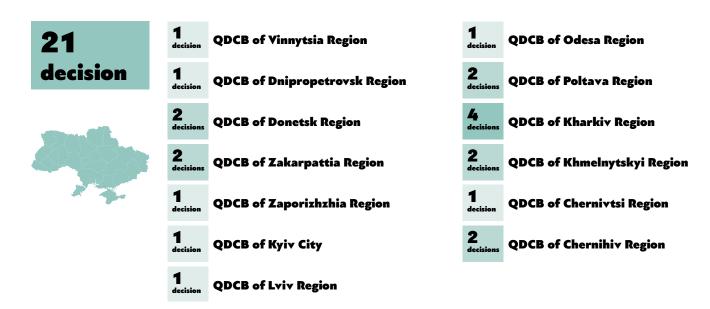
However, almost every tenth decision of a regional QDCB was reversed, and the HQDCB entered a new decision in the case (28 HQDCB decisions in total).

In 34 cases, the HQDCB ruled to remand the case to the regional QDCB concerned and oblige the QDCB to take certain actions.

During this time, the HQDCB overruled only 4 decisions by regional QDCBs and entered a new decision.

Moreover, during January-December 2016, the HQDCB entered 10 new decisions.

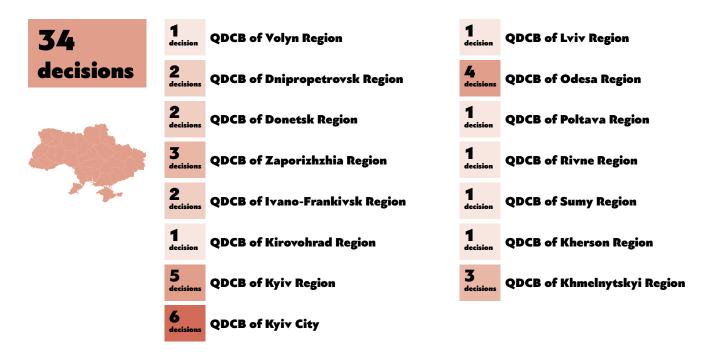
In addition, during January-December 2016, the HQDCB entered 21 decision in the cases of complaint against the regional QDCB's actions or inactions, distributed as follows:



The 28 decisions of the HQDCB on reversing of the regional QDCB decisions and adoption of a new decision are distributed as follows:



The 34 decisions adopted by the HQDCB, ruling to remand the case to the QDCB concerned and oblige the QDCB to take certain actions, are distributed as follows:



It is worth noting that among the complaints reviewed by the HQDCB, 10 (ten) complaints were filed against decisions of the Legal Departments of the regional QDCB to charge an advocate with disciplinary liability by striking an advocate off the rolls, 1 (one) complaint against QDCB decision to revoke a license to practice law on the basis of entry into legal force of a court judgment finding the advocate guilty.

After reviewing these complaints, the HQDCB has passed:

- 5 HQDCB decisions dismissing complaints and upholding decisions by regional QDCBs;
- 2 HQDCB decisions partially granting a complaint, overruling the QDCB decision, and applying to an advocate a disciplinary punishment in the form of suspension of the certificate of the right to practice law for one year;
- 3 HQDCB decisions partially granting a complaint, the QDCB decision to charge an advocate with disciplinary liability and a=pply to an advocate a disciplinary punishment in the form of suspension of the certificate of the right to practice law reversed, new decision adopted to close the disciplinary case against an advocate;
- 1 HQDCB decision partially granting a complaint, the QDCB decision to charge an advocate with disciplinary liability and apply to an advocate a disciplinary punishment in the form of suspension of the certificate of the right to practice law reversed, new decision adopted to charge an advocate with disciplinary liability and apply to an advocate a disciplinary punishment in the form of revocation of the advocate's right to practice law with the following exclusion from the Unified Register of Advocates of Ukraine.

Out of all cases heard by the HQDCB, the overwhelming majority concerned the QDCB decisions issued due to improper, in the opinion of the complainants, performance of the advocate's obligations; complaints against the actions of advocates rendering services to the opposite party to the case; complaints concerning unethical conduct of advocates; complaints concerning refund of advocate's fee; complaints concerning the QDCB's inactions; complaints concerning application of disciplinary liability to an advocate failing to pay the annual fee; complaints concerning provision by the advocates of secondary legal aid, etc.

2016

HQDCB members



HQDCB Chair **Oleksandr Drozdov**a.drozdov@vkdka.org



HQDCB member from the AR of Crimea **Oleksandr Yatsenko**o.yatsenko@vkdka.org



HQDCB member from Volyn Region

Valerii Tarhonii

v.targoniy@vkdka.org



HQDCB member from Donetsk Region

Vitalii Melchenko

v.melchenko@vkdka.org



HQDCB member from Zakarpattia Region

Ninel Masiak

n.masiak@vkdka.org



HQDCB member from Ivano-Frankivsk Region

Volodymyr Sobotnyk
v.sobotnyk@vkdka.org



HQDCB member from Kyiv Region **Arkadii Kitesov**a.kitesov@vkdka.org



HQDCB member from Luhansk Region **Volodymyr Odnovol**



HQDCB member from Mykolaiv Region

Vitalii Volcho

v.volcho@vkdka.org



HQDCB member from Poltava Region **Oleksandr Pshenychnyi**o.pshenychnyy@vkdka.org



HQDCB member from Sumy Region

Pavlo Kravchenko

p.kravchenko@vkdka.org



HQDCB member from Kharkiv Region **Asia Tarasova**a.tarasova@vkdka.org



HQDCB member from Khmelnytskyi Region **Andrii Misiats** a.misyats@vkdka.org



HQDCB member from Chernihiv Region **Tetiana Drobotushchenko**t.drobotushchenko@vkdka.org



HQDCB Vice-President **Oleh Bieliaiev**o.belyaev@vkdka.org



HQDCB member from Vinnytsia Region

Viktoriia Vysharovska
v.vysharovska@vkdka.org



HQDCB member from Dnipropetrovsk Region **Serhii Zhukov** s.zhukov@vkdka.org



HQDCB member from Zhytomyr Region **Tetiana Levchuk**t.levchuk@vkdka.org



HQDCB member from Zaporizhzhia Region **Kateryna Kotelevska** k.kotelevska@vkdka.org



HQDCB member from Kyiv City **Valerii Kostriukov** v.kostriukov@vkdka.org



HQDCB member from Kirovohrad Region

Andrii Miahkyi

am@vkdka.org



HQDCB member from Lviv Region

Petro Borsuk

p.borsuk@vkdka.org



HQDCB member from Odesa Region **Tetiana Podolna**t.podolna@vkdka.org



HQDCB member from Rivne Region **Serhii Udovychenko** s.udovychenko@vkdka.org



HQDCB member from Ternopil Region

Valerii Stroivans
v.stroyvans@vkdka.org



HQDCB member from Kherson Region

Maryna Dimchohlo

m.dimchoglo@vkdka.org



HQDCB member from Cherkasy Region

Volodymyr Petrenko
v.petrenko@vkdka.org



HQDCB member from Chernivtsi Region **Oleksandr Notskyi**o.notskiy@vkdka.org

HQDCB | Financial indicators of performance in 2016

♣ Revenues	2015	a	2016	9	
Revenues from the remittance by regional QDCB of 20% of the amount of annual fees charged to finance realization of the advocates' self-government in Ukraine	980 898	3	3 902 0	26	298
Passive income*	-			_	
Grants and subsidies	_			_	
Other revenues; funds received from UNBA (allocation of the annual fees for the needs of HQDCB)**	573 014			_	
* Passive income: income in the form of interest, dividends, insurance payouts and indemnities, and royalties (Tax Code of Ukraine No 2755-VI of 02.12.2010)	1 553 912	2	3 902 02	26	+15

^{**} Other revenues: revenues envisaged by Art. 58 of the Law of Ukraine *On the Bar and Practice of Law*, Statute of the Ukrainian National Bar Association (voluntary contributions of advocates, law offices, law firms, donations by other natural persons and legal entities and other sources otherwise not prohibited by law).

↑ Expenses	2015 =	2016	•
Total payroll amount	599 177	677 793	139
Mandatory withholdings (taxes and duties)	455 881	366 769	-20
Office maintenance costs (lease payments, security, facility maintenance, Internet access, telephone, office supplies, motor vehicle lease and maintenance, mail and courier delivery services, service)*	196 979	135 372	-31
Organizational and technical support of HQDCB meetings	153 669	275 388	79
Other expenses*, including:	147 275	226 860	549
— Accounting, banking and notary services	96 200	88 472	
— Postal expenses and delivery	34 387	39 010	
 Other business expenses (business trips, production of official IDs, accommodation, catering, scanning and printing, etc.) 	16 688	99 378	
Financial aid	-	1 090 000	
*Other expenses: expenses, in lieu of functions prescribed by Bar Council of Ukraine or special projects/programs of UNBA, which do not contradict the provisions of the Law of Ukraine *On the Bar and Practice of Law*.	1 552 981	2 772 181,56	+7

HQDCB statistical reporting for 2016



HQDCB meetings held



Complaints reviewed against decisions, actions or inactions of **QDCBs**



Advance training (CLE) events for advocates

2015

2016

34



Methodological recommendations produced and clarifications given on HQDCB activities

2016

3

2015

2015

2016

meetings held

12

2015 2016

complaints dismissed and decisions left without change

221

171

QDCB decisions changed

2

4

QDCB decisions reversed and new decisions adopted

38

28

QDCB decisions reversed and remanded to the regional QDCB concerned with obligation take certain actions

34

resolutions

8



Paperwork

2015

2016

incoming mails

1361

1990

applications from natural and legal persons, advocates

779

1279

communication with government bodies and bodies of local self-government on major (specialized) topics

5

3

communication with RBCs, QDCBs, HACB and HQDCB on major (specialized) topics

361

430

letters of enquiry, applications and related documents from members of parliament

7

11

applications reviewed

914

1389

2016

2015

applications forwarded to other bodies

238

334



Court activities

total number of cases in courts of all levels, where the HQDCB is: cases with decisions adopted and in force total number of cases in

third person defendant plaintiff

in favour of HQDCB
in favour of other parties

administrative courts economic courts general courts



Higher Audit Commission of the Bar

Report of the Higher Audit Commission of the Bar for 2016

The Higher Audit Commission of the Bar is excited to announce that in 2016 the HACB members have performed the following work:

I. General results.

The Higher Audit Commission of the Bar has initiated 22 audits, which resulted in entering 11 opinions:

- Ukrainian National Bar Association;
- Higher Qualification and Disciplinary Commission of the
- Bar Council of Volyn Region;
- Bar Council of Kyiv Region;
- Qualification and Disciplinary Commission of the Bar of Kyiv Region;
- Bar Council of Lviv Region;
- Qualification and Disciplinary Commission of the Bar of Lviv Region;
- Bar Council of Sumy Region;
- Bar Council of Ternopil Region;
- Bar Council of Chernihiv Region;
- Qualification and Disciplinary Commission of the Bar of Chernihiv Region.

The Higher Audit Commission of the Bar has given 51 recommendation. In 2016 the Commission held 11 meetings.

II. General recommendations for regional advocates' self-government bodies.

During inspections the Higher Audit Commission of the Bar recommends that the advocates' self-government bodies optimize their costs under statutory activities, optimize their payroll and staff schedules, rationally use the bar funds, bring their statutes into compliance with current legislation, re-register the type and code of activity (under KVED), distribute bar costs in different banks and refrain from placing money on deposit in commercial banks where the State of Ukraine does not hold a significant share. In addition to general recommendations there are also specific comments, provided for in the annexes.

III. Conference for bar self-governance bodies on taxation and accounting, held on April 22 and 23, 2016.

The Higher Audit Commission of the Bar has initiated the conference for the bar-self-government bodies of Ukraine on "Taxation and accounting of the bar-selfgovernment bodies", held by UNBA on April 22 and 23, 2016.

This event was attended by a large number of participants from different regions of Ukraine: advocates, accountants, lawyers, judges, experts, representatives of the State Fiscal Service of Ukraine, and representatives of the leading audit companies.

The following issues were discussed:

- taxation and accounting of self-employed persons;
- taxation and accounting of non-profit organizations;
- audits:
- identifying violations;
- complying with recommendations of audit commissions;
- identifying violations recoursed to law enforcement;
- suggestions and recommendations for audit commissions;
- comments on work of the HACB and audit commissions;
- complying with recommendations of HACB;
- the effectiveness of HACB, comments and recommenda-
- experience and practice of accountability based on the results of inspections of audit commissions.

IV. Problems encountered during audits.

During audits of the advocates' self-government bodies the HACB faced the problem of failure to provide requested documents to the HACB members. As a result, the HACB members have drawn the following docu-

- acts on failure to provide the requested documents by the Bar Council of Kyiv City;
- acts on failure to provide the requested documents by the Bar Council of Donetsk Region;
- acts on failure to provide the requested documents by the advocates' self-government bodies of Lviv Region;
- acts on failure to provide the requested documents by the Bar Council of Luhansk Region;
- acts on failure to provide the requested documents by the advocates' self-government bodies of Kharkiv
- decision on the Qualification and Disciplinary Commission of the Bar of Kyiv City concerning suspension of the

In regard to the Qualification and Disciplinary Commission of the Bar of Kyiv City the HACB members drew two acts on failure to provide the requested documents on February 11, 2016 and April 5, 2016. A Decision No. 23.3 of June 13, 2016 to suspend the audit of the Qualification and Disciplinary Commission of the Bar of Kyiv City was also adopted.

V. Reporting by HACB.

The information on HACB activities can be found at UNBA website (Self-Government > HACB). Here one can get acquainted with the Regulation on the Higher Audit Commission of the Bar, Standards for HACB audits, Rules of the HACB meetings, announcements, general recommendations and the agenda for the HACB meetings.

Starting from 2017 the HACB will post information regarding HACB activities after each HACB meeting at NAAU webpage on Facebook.

VI. Approval of reports by the Congress of Advocates of Ukraine.

Only conclusions of UNBA and HQDCB audits for the period up to April 2014 were passed to the Congress of Advocates of Ukraine for approval. After April 2014, no conclusions based on the audits conducted by HACB were put on the agenda of the Congresses for their approval.

UNBA (BCU) President L.P. Izovitova received a request to include in the agenda of the next Congress of Advocates of Ukraine the issue of approving of the said conclusion by the Congress of Advocates of Ukraine.

VII. Control over execution of the HACB's recommendations.

During inspections of the advocates' self-government bodies the HACB gives recommendations to eliminate the discovered shortcomings and violations. The control over execution of recommendations is ensured by sending a relevant request for an explanation on the implementation of previously given recommendations. The analysis of the explanations provided is further reflected by the HACB in its findings.

VIII. Cooperation with regional audit commissions of the bar.

According to paragraph 7.1 of Article 7 of the Regulation on the HACB, the Higher Audit Commission of the Bar sends a request for provision of region audit findings to all regional audit commissions of the bar.

List of regions failing to provide their audit findings as of the end of 2016:

- AR of Crimea;
- Vinnytsia Region;
- Dnipropetrovsk Region;
- Donetsk Region;
- Zakarpattia Region;
- Kyiv City;
- Kirovohrad Region;
- Luhansk Region;
- Mykolaiv Region;
- Odesa Region;
- Poltava Region;
- Sevastopol City;
- Cherkasy Region.

Activity of the HACB members.

In 2016 the HACB started its work with the following membership:

- O.H. Bashuk;
- M.Y. Boldin;
- T.V. Vasylenko;
- O.L. Dmytriieva;
- S.M. Kryvoruchko;
- L.A. Merkulova;
- I.S. Mokin;
- R.A. Nadon;
- Y.M. Petrenko;
- I.M. Pastyrchak;
- V.V. Raiko;
- I.O. Sachaieva;
- V.I. Selivanov;
- A.V. Stelmashchuk;
- A.I. Tsuvyn.

On March 16, 2016 S.M. Kryvoruchko submitted the letter of resignation from the HACB in connection with the suspension of her certificate of the right to practice law.

HACB members



HACB Chair Olha Dmytriieva e-mail: o.dmitrieva@unba.org.ua



HACB member Andrii Tsuvin e-mail: a.tsuvin@unba.org.ua



HACB member Oleksandr Bashuk e-mail: o.bashuk@unba.org.ua



HACB member **Ihor Pastyrchak** e-mail: i.pastyrchak@unba.org.ua



HACB member Andrii Stelmashchuk e-mail: a.stelmashchuk@unba.org.ua



HACB member Iryna Sachaieva e-mail: i.sachaeva@unba.org.ua



HACB member Ruslan Nadon e-mail: r.nadjun@unba.org.ua



HACB member **Volodymyr Selivanov** e-mail: v.selivanov@unba.org.ua



HACB Secretary **Maksym Boldin** e-mail: m.boldin@unba.org.ua



HACB member Yurii Petrenko e-mail: y.petrenko@unba.org.ua



HACB member Tamila Vasylenko e-mail: t.vasylenko@unba.org.ua



HACB member Larysa Merkulova e-mail: l.merkulova@unba.org.ua



HACB member **Ihor Mokin** e-mail: i.mokin@unba.org.ua



HACB member **Vasyl Raiko** e-mail: v.raiko@unba.org.ua



HACB member Svitlana Kryvoruchko e-mail: s.kruvorychko@unba.org.ua



Activities of UNBA Committees

Report of UNBA Committee on Protection of Advocates' Professional Rights and Guarantees for 2016



Committee Chair **Hanna Kolesnyk**e-mail: a.kolesnyk@unba.org.ua

The Committee on Protection of Advocates' Professional Rights and Guarantees is a structural unit of the Ukrainian National Bar Association, established under BCU Decision No. 74 of February 16, 2013, and is a part of the advocates' self-government bodies. The Committee aims to protect the professional, social and other rights of the advocates, to ensure the guarantees to practice of law, and to ensure the necessary conditions for effective and quality execution by the advocates of their professional duties.

During 2016 the Committee started to bring the Committee's work in line with the Regulation simultaneously on several fronts:

- Interaction with public authorities, law enforcement agencies, prosecutor's office and courts, international organizations and public associations for the proper response to violations of advocates' professional rights and guarantees, to prevent such violations, and to restore the rights by the aforementioned bodies, organizations and institutions in any other forms not prohibited by law.
- Collection, analysis and generalization of practices on protection of the advocates' professional rights and guarantees.
- Coverage of the Committee's work, as well as topical issues of the protection of advocates' professional rights, in the media.
- Participation in forming and implementing of state policy in the field of protection of advocates' rights and interests, ensuring guarantees to practice law.
- Identification, recording, analysis and systematization of violations of the advocates' professional rights and interests, as well as violations of the guarantees to practice law that took place in Ukraine.
- Carrying out preventive measures, aimed at preventing violations of the advocates' rights and interests, and violations of the guarantees to practice law.
- Development and systematic improvement of measures necessary for rapid response to violations of the legal rights and interests of the advocates and their guarantees to practice law.
- Rapid response to each appeal from the advocates, related to the Committee's activities.
- Representation of the advocates' interests with law enforcement agencies, public authorities, enterprises, institutions and organizations of different ownership, courts, public associations.
- Taking actions in accordance with the effective legislation of Ukraine, on behalf of the Bar Council of Ukraine, to elimi-

nate the violations of professional rights and guarantees of the practice of law by public agencies and local self-government bodies or any other entities; making proposals to eliminate the discovered violations and shortcomings and bring to justice the officials responsible for such violations.

- Carrying out explanatory work among the bar community on methods and practice of self-protection of the advocates' professional rights and guarantees.
- Informing the bar community and public concerning review



of the issues that fall within the competence of the Committee.

- Bar community opinion poll on the status of observance of the advocates' professional rights and guarantees and taking it into account in its work.
- Analysis of the observance by the law enforcement agencies of the effective legislation during the investigations against the advocate.
- Monitoring, analysis and forecasting of status of cases on violations of advocates' professional rights in Ukraine, timely notification of the BCU leadership.
- Participation in the review and preparation of proposals for improving the Committee's organization of protection of the information that is a state, advocate's, commercial, banking or other secret, protected by law, as well as confidential information.
- Participation in the development and implementation of a system of measures taken in conjunction with law enforcement agencies to protect life, health, honor, dignity, property of the advocates and members of their families from criminal offenses and other unlawful actions.
- Organization of the work of the BCU's hotline, ensuring the prompt processing of incoming information, as well as taking necessary measures to respond to the violations of the advocates' rights.







 Ensuring the development of international cooperation in the field of the protection of the advocates' rights to prevent and counteract against the offenses related to the practice of law, participation in the conclusion of contracts with the self-government bodies of other states in the manner established by law.

At the beginning of 2016 the Committee has for the first time prepared the Report on violations of the advocates' rights and guarantees to practice law, which analyzed and summarized the statistics of violations of professional rights starting from 2013, with indicators of the number of murders and assassination attempts against the advocates, criminal prosecution, physical harassment, threats, destruction of property, searches, secret investigative actions and interrogations of the advocates in cases where the advocate acted as a defender. The Report was published in two languages: Ukrainian and English, and forwarded to all law enforcement agencies, the Prosecu-

tor General of Ukraine, the President of Ukraine and European organizations for protection of human rights.

A number of working meetings was held with the representatives of the State Judicial Administration. In particular, on January 15, 2016, a joint round table was held with the representatives of the State Judicial Administration and the State Penitentiary Service of Ukraine, discussing the issues of implementation of the requirements of the criminal procedural law in the context of providing the mechanism for familiarizing the accused with the materials of the criminal case, which should be provided by the court under Art. 317 of CPC of Ukraine, ensuring the possibility for protecting detainees and providing them with legal aid. It was decided to apply with the relevant application to the Council of Judges of Ukraine in order to ensure that the courts of Ukraine strictly adhere to the requirements of Art. 317 of the CPC of Ukraine, and their failure to do that shall be considered a significant violation of the right to defence.

On January 29, 2016, a working meeting was held with the SJA representatives concerning the issues of ensuring adequate conditions for the protection, equality of the parties and access to justice in the criminal process, which raised the question of the need to open rooms for the advocates at the court premises.

The representatives of the Committee became members of the working group of the Verkhovna Rada Committee on Legal Policy and Justice to discuss the necessary amendments to the criminal procedural legislation of Ukraine and the Law of Ukraine "On the Bar and Practice of Law".

A dialogue with the representatives of the Prosecutor General's Office of Ukraine was initiated, for the purpose of which a meeting was held with the participation of UNBA Vice-President Valentyn Gvozdiy and the Chair Hanna Kolesnyk. At the meeting with the Deputy Prosecutor General of Ukraine, the issues of building interaction between UNBA and the prosecutor's offices were discussed to ensure the observation of the defender's guarantees by the authorities conducting pre-trial investigation.

The main topic of the meeting was the procedure for conducting searches at the advocates' premises and violations of the established guarantees of the defender, taking place during the searches by the investigator or prosecutor.

The Committee representatives repeatedly participated in round tables organized at the initiative of the Prosecutor General's Office of Ukraine, raising the issues of violations of the advocates' rights, even though the state actually refuses to properly respond to such violations, the Committee takes a principled stand on this issue and strives to change the situation by all legal means. The positive result was a reconsideration by the Prosecutor General's Office of Ukraine of UNBA's appeals in the interests of the advocates.

Taking into account the urgency of the problem, the work initiated in 2015 with the State Penitentiary Service of Ukraine on the implementation of the reform of the penitentiary institutions and the amendments of the internal rules of the pretrial detention facilities by bringing them to the European justice standards was continued. Particular attention was paid to the observance of the advocates' secrecy by the personnel of such institutions at the pretrial detention facilities' checkpoint, the unsatisfactory sanitary conditions and the opening of a special room for the visits of an advocate with a client.

The work initiated in this field has had positive consequences in the form of the provision by the Head of the SPSU of written instructions to the heads of territorial bodies on the fulfill-



ment of these requirements and taking measures to respond to existing problems as related to the implementation of the advocates' powers. To improve the efficiency of the penitentiary system reform, Hanna Kolesnyk actively participated in the work of the Coordination Committee of the Council of Europe Project "Further Support for the Penitentiary Reform in Ukraine", and has repeatedly participated in its meetings. The Project has also issued a brochure for the convicts in order to raise their awareness of their rights and responsibilities, taking the Committee's work as the basis for such material; in addition, on the proposal of Hanna Kolesnyk the brochure was supplemented with a section on the provision of legal aid. The convict shall use the right to resolve family, labor and civil disputes, be informed on criminal proceedings under which he/she is a victim, and use legal aid, - she stressed out at the round-table discussion on the development of this brochure, which took place on February 9, 2016.

Taking into account the need for a proper written response to the advocates' appeals, upon an initiative of the Chair and under the Order of UNBA President Lidiya Izovitova, a working group on consideration of complaints was established. The working group members analyzed all appeals from the advocates sent to UNBA regarding violations of the professional rights for the entire period of the Committee's existence, starting from 2013 to 2016 inclusive. Each appeal was properly processed, a telephone conversation was held with each applicant to clarify additional issues in order to eliminate the reported violations. For each of the appeals the members of the working group adopted the relevant decisions at the meetings held on 12.04.2016, 21.04.2016 and 04.05.2016. As a result of the analysis of the appeals of advocates, received by the Committee, there was a rapid growth of such appeals in comparison with previous years. For example, in 2015 the Committee received 15 appeals on the violation of the advocates' rights. In 2016, this figure amounted to 99 appeals per year. That is, it is more than just a significant increase in violations, and these are only official figures that do not reflect the true picture. For each of the appeals received in 2016, the Committee sent a written response to the competent authorities or presented a response to the applicant. As of today, 7% of the Committee's appeals to law enforcement agencies have had positive consequences in the form of conducting official inspections or recognition of violations, 30% of appeals are under control or are still being processed, 10% of the appeals contain no grounds for the Committee's reaction measures, and 53% of appeals to the law enforcement agencies resulted in written responses on the lack of grounds for reaction measures.

In order to revitalize the Committee's work, the practice of holding regular meetings of the Committee Board, consisting of its Chair and Vice-Presidents, was initiated. The said meetings were held 9 times on: 08.04.2016, 21.04.2016, 04.05.2016, 20.05.2016, 27.05.2016, 07.06.2016, 22.08.2016, 30.09.2016, and 14.11.2016. Their main task was to plan and develop the Committee's activities in accordance with the challenges faced by the bar in 2016. First of all, it is a matter of the rapid growth of violations by the law enforcement agencies of the guarantees of advocates' lawful activity, an unprecedented number of searches of the advocates' premises, seizure of documents constituting the advocate's secret, and the attempts to put pressure on the defense team through artificially created criminal prosecution. So the Chair Hanna Kolesnyk, and the Deputy Chairs Yevhen Solodko, Andrii Hrubskyi and Igor Cherezov regularly went to the searches of the advocates' premises in order to provide effective legal aid. Particularly, this issue abruptly arose in July 2016 during massive searches of advocates by the National Anti-Corruption Bureau of Ukraine in connection with a number of loud criminal cases. Taking into account this situation, on 30.06.2016 the Chair Hanna Kole-



snyk met with the NABU Deputy Director, and expressed the position of the entire bar community on the inadmissibility and wrongfulness of such actions, given the direct prohibition of access to the advocate's secret, interference with the defender's activities and identification of the advocate with the client. In order to take further measures in response to the illegal actions of the NABU, the Extraordinary meeting of UNBA Committee on Protection of Advocates' Professional Rights and Guarantees was convened on 13.07.2016. Due to this, the work was started to attract the attention of the international community and the European organizations for protection of human rights to the actual destruction of the rule of law in the state. The specialized bar organizations of a number of foreign states immediately responded in support of the Ukrainian bar and sharply condemned the NABU actions, appealing to the President of Ukraine.

On 02.09.2016 the Committee convened an open meeting called "Attack on the bar as a preface to destruction of the rule of law", devoted to the issue of mobilizing the bar community to provide a proper response to violations of professional

rights and guarantees that are gaining momentum. The decision to hold an open meeting was conditioned by the need to hear the opinion not only of the Committee's representatives, but also of the non-indifferent advocates regarding the existing risks of destruction of the bar independence and searching for ways to eliminate these attacks at the national level. In addition, one of the main items on the agenda was consideration of the initiative of individual representatives of the advocates' self-government bodies to sign a memorandum between UNBA and NABU, as well as to approve the so-called instruction on the searches of premises or other possession of the advocate. Taking into account the ambiguity of such an initiative, this issue was also the subject of consideration at a meeting of the Bar Council of Ukraine. The Committee strongly criticized the adoption of such an instruction and signing of any memorandum with the NABU, since, according to its members, this would be a humiliation of the bar, since the law enforcement officials, when conducting procedural actions against the advocate, should know the rules of the current criminal procedural law and strictly adhere to tem, and in case of violation of these norms, they shall bear the criminal liability established by the law. The Chair of the Committee on Legislative Initiatives on the Bar, Yaroslav Zeykan, when expressing opinion of the instruction on the advocates' searches has fully supported the position of the Committee, noting that it would be advisable to bring this instruction to the attention of advocates, but not the NABU.

To initiate the interaction with the regional bar councils, on March 23, 2016, the Chair took part in a round table discussion organized by the Bar Council of Advocates of Khmelnytskyi

Region on the "Consideration of certain issues arising during the assessment of quality of the legal aid provided by the LA advocates". She has also participated in a number of events jointly conducted with the Bar Council of Vinnytsia Region. On April 13, 2016, she took part in a round table discussion on "Security of the advocates' activities as a constitutional guarantee of the right to protection", and on September 3, 2016 - in a round table entitled "Attack on the bar as a preface to destruction of the rule of law", constantly drawing attention to the policy of deliberate destruction of the bar independence in the country, and to direct connection between the bar oppression and the violation of human rights, since it is the institute of bar that is aimed to protect the human rights, without which it is impossible to imagine the democratic and lawful state Ukraine is seeking to become.

In addition, the Committee, together with the Committee on Protection of Human Rights, organized round tables on the "Right of detained persons to timely and competent legal aid" on April 26, 2014, and "Procedure for conducting searches" on 30.10.206. The holding of these events aroused lively interest of not only the bar representatives, but also of the law enforcement authorities and judges, who took an active part in discussing these issues and made it possible for all parties to criminal proceedings to hear each other.

In November 2016, the Committee set up a round-the-clock operation of hotline and "hot but-

ton" as the mobile application for prompt notification by the advocates to the Committee's duty personnel about violation of their professional rights. As a result of cooperation with the regional bar councils, a responsible person at each RBC was identified, who would receive an information on the commission of various offenses against the advocates for taking further actions on the basis of territorial jurisdiction in all Ukrainian cities. The corresponding statistics of violations is collected.

To establish a dialogue with representatives of the judiciary system, on 08.07.2016 the Committee, together with the High Specialized Court of Ukraine for Civil and Criminal Cases, organized and held an annual forum on "Protection of human rights in criminal proceedings: proof and proving". The representatives of the bar community, law enforcement agencies and judges presented their reports at the forum. The idea of the forum was to discuss, with the representatives of the judicial branch, the prosecutor's office, the police and the bar, the issues of application of certain norms of the CPC, form of a unified understanding of the criminal process by all its parties, jointly identify the causes of human rights violations in criminal proceedings, in particular, while gathering evidence and in the process of proving, and find the legislative shortcomings requiring amendments or changes in the practice of application.

To continue a fruitful cooperation, the Chair participated in the round table organized by the HSCU on "Excessive length of civil and criminal proceedings in Ukraine in the context of the case-law of the European Court of Human Rights: possible solutions and effective remedies", held on October 27, 2016. During the event, the needs to agree on the date and time of



the court hearing with the defence team and to observe the reasonable time limits for trial were stressed out. Based on the results of the round table, the participants formulated general recommendations on how to solve the problem of excessive length of the proceedings and how to develop remedies at the national level to overcome the problem of excessive length

of the proceedings; they have also made suggestions regarding further directions of cooperation with the Council of Europe.

A dialogue with representatives of the Embassy of the Kingdom of Norway was initiated. Thus, during a working meeting with the Embassy's representatives on 23.06.2016, Hanna Kolesnyk brought to the attention of the meeting participants the most pressing problems existing in the Ukrainian bar. In response, the Embassy's representatives shared information on the state of affairs regarding the working conditions of advocates in Norway and their own experience in securing the independence of the bar and respecting the professional rights of the defence team in their country.

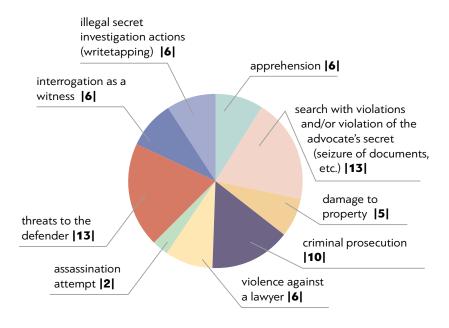
Also, special attention was given to the organization of educational events for advocates in regions of Ukraine concerning the procedure of actions and methodology of responding to violations of the guarantees to practice law, the organization and conduct of which is still ongoing. Certain lectures were held in Kropyvnytskyi on "Protection of the advocates' rights" on 04.11.2016 and in Lutsk on "Advocate's activities for the protection of professional rights" on 25.11.2016.

During the lectures, the Committee representatives shared their experience with advocates of the regions concerning the elimination of violations of the advocates' rights, and typical cases of abuse of procedural rights by the officials of the pre-trial investigation bodies. Also, certain issues of conducting the examination and its role in the advocate's activities were considered. This topic was delivered to the advocates of the region by the Chair of the Committee on Expert Support of Practice of Law, Violetta Fedchyshyn. In addition, in Lutsk Hanna Kolesnyk and other UNBA delegates, including Committee Deputy Head Ihor Kolesnykov, member of the Committee on Protection of Human Rights Hanna Boriak, advocate Diana Nazarenko, Judge of Perevalsk District Court in Luhansk Region Andrii Ivanov, and Chair of the Committee on Expert Support of Practice of Law Violetta Fedchyshyn, have visited the Court of Appeal of Volyn Region with a working visit and met with the Head of the Court Petro Filiuk. During the visit, the delegation inspected the courtroom and the room of the suspects / accused. It should be noted that the

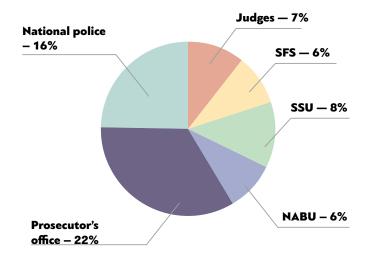
conditions and quality of these premises were at a rather high level. Among the issues discussed was the issue of agreement of the date and time of the beginning of court sessions with advocates, due to the need to observe reasonable time limits for court proceedings. The Head of the Court assured that these issues were under his personal control, and therefore the judges of the Court of Appeal of Volyn Region always agree on the date and time of the court session with the advocate, which, by the way, was confirmed by the advocates of Volyn Region during the further meeting with colleagues. Within a month after the meeting, at the request of Hanna Kolesnyk, a room for the advocate was opened at the premises of court.

The work on closer interaction with the media was launched. To this end, the Deputy Chair of the Committee, advocate

Actions against the advocates:



Violators of the advocates' rights according to appeals submitted to the Committee:



Yevhen Solodko, conducted a lecture for media representatives in order to provide legal clarifications on the violations that have been recently committed by law enforcement agencies in relation to the advocates, and to refute the unilateral information given by pre-trial investigation bodies. Yevhen Solodko explained the main issues of a special procedure for the conduct of legal proceedings against the advocate and indicated direct violations of this order, which are currently allowed by the law enforcement agencies. The event took place on 17.10.2016.

At the same time, Hanna Kolesnyk took an active part in the meetings of the Council of Europe, where she represented UNBA and her Committee, in particular, at the meetings on discussing the previous draft methodology for measuring progress in implementing justice reforms in Ukraine, expert meetings on bar reform, discussions of the Ukrainian LA system evaluation and others. During her participation in the events aimed at discussing the state of things in the legal aid system, Hanna Kolesnyk has repeatedly focused on its ineffectiveness and the urgent need for reform. The quality of the LA system has been identified as unsatisfactory, remuneration of labor is low, and numerous abuses, unfortunately, take place. Following the discussions, the experts of the Council of Europe Project "Continued support to the criminal justice reform in Ukraine" issued an expert report with conclusions and recommendations

On 22.09.2016 the Chair held a working meeting with the Special Representative of the Secretary General of the Council of Europe, during which she has again emphasized the problem of violations of the advocates' rights, which gains catastrophic momentum in the state.

In addition, the Committee representatives were included in the working group at the Committee on Human Rights of the Verkhovna Rada of Ukraine to discuss changes to the Criminal Procedural Code of Ukraine. The Committee presented a negative assessment of this draft law, as for the one limiting the right of person to defence and encompassing real threats to the constitutional rights and freedoms of citizens.

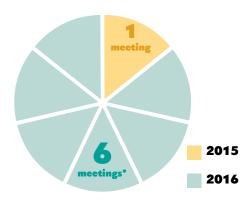
On December 19, 2016, on the professional holiday - the Day of the Bar, the Committee organized a picket of the Prosecutor General's Office of Ukraine with the requirement to the Prosecutor General Yurii Lutsenko and Chief Military Prosecutor Anatolii Matios to apologize publicly for their incorrect statements about the advocates in a number of resonance cases. The event was supported by representatives of the All-Ukrainian Non-Governmental Association "Ukrainian Advocates' Association" and advocates of Kyiv City. Despite the well-grounded demands of the picketers and the personal appeal of UNBA President Lidiya Izovitova to the Prosecutor General Yurii Lutsenko on this matter, the PGU notified in writing that they see no violations of the advocates' rights in the outright offensive statements and threats of their high officials.

Regarding the comparison of the number of organized and carried out activities, according to the Committee's performance report for 2015, the Committee organized and conducted 8 events. In 2016 the Committee organized and conducted 32 events. In addition, the Committee Chair took part in 36 events (round tables, meetings, press conferences, etc.) representing UNBA and the Committee itself.

Report of UNBA Committee on International Relations for 2016

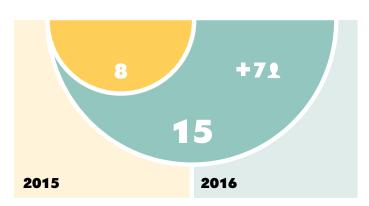


In 2016, UNBA International Relations Committee, under the leadership of its Head - the advocate Ivan Grechkivskyi, held six meetings, while in 2015 there was only one meeting of the Committee.



*Meetings held on February 9, April 19, June 8, August 31, November 14 and December 8, 2016.

Кількість членів Комітету зросла до 15. До складу Комітету у долучилися наступні адвокати:



- •Ivan Hrechkivskyi
- Anna Babych
- Andrii Buzarov
- Oleh Klymyuk
- Hanna Kolesnyk
- Oleksii Shevchuk
- •Yevheniia Mnyshenko
- Serhii Oberkovych

- Andrii Pronchenko
- Yaroslav Porokhniak
- Vitalii Vlasiuk
- Ihor Karaman
- Oleksandr Drozdov
- Mvkola Pavlov
- Alina Vasiurenko

In 2016 a new amended and restated Regulation on UNBA International Relations Committee was approved, which allowed holding the Committee meetings more effectively and ensure the proper and effective work of the Committee.

In the same year, the number of UNBA's representation offices abroad has increased from three to fourteen.

Increasing dynamics in a number of UNBA's representation offices abroad



+366,67%

Events attended by Committee members

On February 4-6, 2016, UNBA Vice-President Valentyn Gvozdiy and the Deputy Chair of UNBA International Relations Committee Ivan Grechkivskyi took part in the 44th Conference of Presidents of the European Bar Associations, which was traditionally organized by the Austrian Bar Association in Vienna. As the conference participant, UNBA first introduced the national report on the status and major reforms in the bar of Ukraine, setting out UNBA position and key events and activities of the Association. According to the conference program, presentation of separate national reports of the European countries, CCBE reports, and the reports of international bar associations took place on the day of speeches made by the President of CCBE and the President of the European Court of Justice. In addition, the participants have been invited, on behalf of the Federal Chancellor of Austria and the

Mayor of Vienna, to participate in various events. Also, the participants visited the Ministry of Justice of Austria.

On April 14, 2016 the German Federal Chamber of Lawyers and the Ukrainian National Bar Association held a joint informational and discussion event – the Ukrainian-German Forum of Lawyers, supported by the German Foundation for International Legal Cooperation. The discussion was based on two blocks of questions, including the regulation of the legal advice market in Germany and Ukraine; the exclusive right of advocates to represent their clients in courts; and professional liability insurance.

The protection of advocates' professional rights and guarantees was the main topic of the meetings between UNBA, BCU President Lidiya Izovitova, the Head of the International Relations Committee Ivan Grechkivskyi, the CCBE President and other European colleagues. During the discussions UNBA President presented UNBA report on violations of the advocates' rights in Ukraine. In particular, UNBA report reflects the flagrant violations of the professional rights of advocates, threatening the observance of the right to defense and rights to a fair trial in Ukraine, the observance of human rights and the effective exercise by advocates of their professional activities. The report also contains the main findings and suggestions of UNBA for the early elimination of violations of the advocates' professional rights and guarantees and, as a result, for strengthening the protection of human rights and the rule of law in Ukraine.

On April 25, 2016 UNBA delegation visited the Commission of Legal Services of Quebec. In the meeting UNBA was also represented by Pavlo Grechkivskyi, the BCU member, and Ivan Grechkivskyi, the Chair of UNBA International Relations Committee. UNBA representatives explained the particularities of functioning of the legal aid system in Ukraine and stressed on the need to implement real reforms in this system. The Canadian colleagues were provided with UNBA reports on violation of advocates' professional rights and guarantees in Ukraine and on operation of legal aid system in Ukraine. During the meeting, the Canadian officials presented the features of administration of the legal aid system in Quebec, which has been functioning since 1970.

On April 26, 2016, during their visit to Canada, the BCU Secretary Pavlo Grechkivskyi, UNBA Vice-President Valentyn Gvozdiy, and Chair of UNBA International Relations Committee Ivan Grechkivskyi have met with representatives of the Canadian Bureau for International Education. The Canadian Bureau for International Education (CBIE) is the Canadian



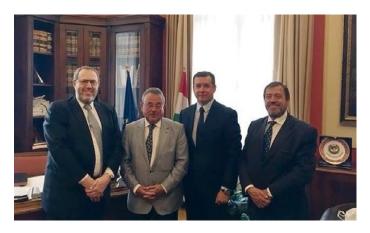


executive organization implementing the project "Affordable and high quality legal aid in Ukraine", funded by the Government of Canada. Since October 2014, this office has started implementing in Ukraine a 5-year project with the budget of approximately 7.6 million US dollars. Accordingly, the main topic of the meeting was the functioning of the legal aid system in Ukraine and the need to immediately eliminate the major abuses and violations of human rights and advocates' rights. The Canadian side was represented at the meeting by Larissa Bezo, Director of the CBIE Project "Affordable and high quality legal aid in Ukraine", Karen Dalkie, Director of CBIE Department of Strategic Development, and Tatiana Wojtan, Project Manager of the CBIE Project "Affordable and high quality legal aid in Ukraine".



On April 27, 2016, during the visit to Canada, UNBA representatives met in Ottawa with Jeff Hirsch, the President of the Federation of Law Societies of Canada, Jonathan Herman, the Director General of the Federation, and Frederica Wilson, the Director of Department of Regulatory and Public Relations. The Federation is the regulator of the legal profession at the national level in Canada. Pavlo Grechkivskyi, the BCU Secretary, Valentyn Gvozdiy, UNBA Vice-President, and Ivan Grechkivskyi, the Chair of UNBA International Relations Committee, presented the main results of UNBA activities and its objectives of development of international contacts. The Canadian colleagues, who were handed over UNBA Report for 2015, highly esteemed it during the meeting. In particular, parties discussed the next steps to inform advocates of both countries about the legislative opportunities concerning inclusion of foreign advocates in the registries of advocates.

On April 25, 2016 the Department of Justice of Canada hosted a meeting between UNBA delegation and Deborah



Friedman, Director General of the Section of international law programs, Hanna Hrushka, Director of Legal Aid Directorate of the Department of Justice, and an official from the Department of International Relations of the Department of Justice. Pavlo Grechkivskyi, the BCU Secretary, Valentyn Gvozdiy, UNBA Vice-President, and Ivan Grechkivskyi, Chair of UNBA International Relations Committee, presented the work of the advocates' self-government bodies in Ukraine, history and key achievements of UNBA for the first three years. In particular, they stressed on the need for further institutional development and strengthening of the independent professional corporation of advocates in Ukraine. During the discussion of the main problems of the Ukrainian bar, the parties discussed violations of advocates' professional rights, unsatisfactory state of affairs in the legal aid system in Ukraine and the ways of carrying out urgent and effective reforms in the legal aid system.

The International Bar Association addressed the top leaders of Ukraine concerning the violations of the advocates' rights. The violation of the advocates' rights in Ukraine caused serious international response. The IBA addressed the President of Ukraine and heads of law enforcement agencies due to violation of advocates' rights in Ukraine, information about which was provided by the Ukrainian National Bar Association as the IBA member. The International Bar Association also sent a letter to Justice Minister Pavlo Petrenko, Interior Minister Arsen Avakov and the Prosecutor General of Ukraine. The copies of the letter were also sent to the British Embassy in Ukraine, Embassy of Ukraine in the United Kingdom and the CCBE headquarters. Referring to the stated facts, in its intervention letter to the Ukrainian President and the leadership of law enforcement agencies and ministries, the IBA drew attention to inadmissibility of violation of advocates' rights by the governmental agencies, in particular violation of advocates' profes-



sional secrecy. The IBA pointed out that the Ukrainian authorities shall adhere to the Constitution, the Law "On the Bar and Practice of Law" and international standards. Thus, the IBA pointed at the United Nations Basic Principles on the Role of Lawyers (principles 16 and 22), which refer to the recognition by governments of confidentiality of relationships between the advocates and their clients and the advocates right to free exercise of professional activities. The IBA also stressed on the advocates' right to obtain information from the state and local authorities, their officials, enterprises, institutions and organizations. The organization pointed at inadmissibility of such facts as obstruction of advocates' work with a particular client, which is contrary to constitutional norms and the International Convention on Civil and Political Rights providing for a free choice of a defender.

On June 14, 2016 in Odesa the German Federal Chamber



of Lawyers and the Ukrainian National Bar Association held a second joint informational and discussion event – the German-Ukrainian Forum of Lawyers. The event was supported by the German Foundation for International Legal Cooperation (IRZ). The forum's topics covered the most urgent problems of the Ukrainian bar. The discussion was opened by UNBA President Lidiya Izovitova, the Vice-President of the German Federal Chamber of Lawyers Ulrich Wessels and Project Manager of the Foundation for International Legal Cooperation Anastasia Moderau. The participants discussed the particularities of access to justice in Germany and Ukraine and provision of legal aid. Special attention was paid to a process of appointment of legal aid advocates in criminal proceedings. German experience in these matters was presented by Dagmar Beck-Bever, the Chair of the Committee on lawyers' fees, the Vice-President of the Celle Bar Chamber.

The CCBE informed key international institutions about violations of advocates' rights in Ukraine. In particular, the CCBE informed the European Commissioner for Enlargement and European Policy Johannes Ghana, the European Commissioner for Justice, Consumer Rights and Gender Equality Věra Jourová, the Director of the Directorate General of Human Rights and Rule of Law of the Council of Europe, former special adviser on Ukraine Christos Giakomopoulos, and Head of Delegation of the European Parliament to the Parliamentary Committee of EU-Ukraine Association Andrej Plenković. The CCBE also provided information to the Expert of the EU Project "Support to the justice sector reforms in Ukraine" Mark Segal. On behalf of the European bar, Monica Pinto, the UN Special Rapporteur on the independence of judges and lawyers, also received information on the situation of colleagues

in Ukraine. This became possible thanks to the co-ordinated work of the Committee members and UNBA leadership, attracting attention of the world community to the problem of observance of the advocates' professional rights and guarantees in Ukraine.

On December 2 the Ukrainian National Bar Association became an observer member of the Council of Bars and Law Societies of Europe (CCBE). The members of UNBA International Relations Committee held a number of important meetings, provided translation of statutes and regulations of UNBA and CCBE, ensured correspondence between organizations and prepared information upon CCBE's request.

For information: the CCBE is an international non-profit organization founded in 1960, the "voice of the legal profession", which speaks on behalf of more than 1 million European advocates and bar associations of 45 countries. Ukraine became the 11th observer member of the CCBE. The CCBE is a recognized representative of the bar in relations with the EU institutions, Council of Europe and international organizations worldwide. Through its cooperation with the European Parliament and European Commission, the organization has influence on the development of legislation on the bar, criminal and corporate legislation; it provides information on changes in procedures before the European Court of Justice and the European Court of Human Rights.

At the moment UNBA and its International Relations Committee hold negotiations with the Department of Consular Service of the MFA of Ukraine concerning the signing of the memorandum, aiming, in particular, to promote the practical implementation of consular protection of rights and legal interests of the citizens of Ukraine, to assist in research, development and dissemination of information aimed at improving the general awareness of the law of a particular foreign country, to provide help, consultative and methodological assistance in obtaining information on the peculiarities of law of the other countries, and assist in the exercise of the right of our citizens to apply to the competent authorities of the host country, etc. UNBA representatives in the working group on the development of the document are: the BCU member Serhii Osyka, Chair of UNBA International Relations Committee Ivan Grechkivskyi, and Committee Secretary Oleh Y. Klymyuk.









Report of UNBA Committee on Advocates' Professional Conduct for 2016



Committee Chair **Andrii Tsyhankov**e-mail: a.tsygankov@unba.org.ua

In 2016, the Committee meetings were held predominantly in the form of electronic communication of its members by sending e-mails on issues raised by the Chair of the Committee and in connection with the appeals received by UNBA leadership and staff from the advocates of different regions of Ukraine. The Committee paid special attention to communication with advocates upon their written and oral appeals.

According to the Head and members of the Committee, due to the fact that the Committee's work is of specific nature, due to the tasks assigned to it and communication with colleagues, it has a certain confidential component with regard to the actual responses and the nature of appeals to the Committee. The basic principle of work, as it is seen by the Committee, is the principle of mediation between the parties to the conflict, or parties to the problem situation. The main work is to provide clarification and pay attention to the issues of the advocates' ethics, exercise certain control over the advocates' observance of the Rules of ethics, counseling and adjusting of the advocates' behavior in disputed situations of the Rules' application, educational and teaching concept of presenting the Rules for the bar community.

During 2016 the Committee continued to work in the standard mode of electronic correspondence between members of the Committee, without any changes in its composition, actively cooperating with advocates Diana Nazarenko and Roman Hryshankov.

The Committee continues to participate in the mainstreaming of issues related to advocates' ethics at training seminars for lawyers, organized by UNBA. In 2016 there were 10 lectures delivered by the Chair and advocate Diana Nazarenko, including those organized at the initiative of the regional bar councils. New lecture program as part of seminars on education and training of advocates were developed; the electronic presentations for a more comfortable visual perception of lectures were created and presented at seminars by the advocate D. Nazarenko.

In addition, in 2016 visiting meetings of the committees' representatives with the advocates from regions were initiated, as well as discussion of topical and problematic issues of the bar. At such meetings (round tables) the representation of the Committee on Advocates' Professional Conduct was duly ensured, along with other committees such as the Committee on Protection of Advocates' Professional Rights and Guarantees, the Committee on Protection of Human Rights, the Committee on Expert Support of Practice of Law and more.

At the initiative of the Chair, the BCU has introduced amendments to the Procedure for keeping the Unified Register of

Advocates of Ukraine as related to the fact that at the request of the advocate the URAU can be updated with the information on Internet addresses of the advocate's pages in social networks, model and serial number of the computer equipment used by the advocate, characteristics and corresponding serial numbers of data storage devices used by the advocate in professional activities, information about transport used by the advocate, etc. (BCU Decision No. 66 of 26.02.2016 "On introduction and approval of amendments to the Procedure for keeping the Unified Register of Advocates of Ukraine).

In view of certain confidentiality of the Committee's work, in the opinion of its Head, there are no grounds for a detailed report on the activities of the Committee, since such a list may negatively affect the image and business reputation of the Committee. The Committee cooperates with other UNBA Committees, holds meetings and consultations with advocates who address the Committee with both oral and written appeals, and provides counseling to assist the advocates in solving problems.

As regards further organization of the Committee's work, it will continue to be carried out by holding joint meetings within the framework of communication and further approval of minutes of such meetings by e-mail.

Report of UNBA Committee on Mediation for 2016



Committee Chair **Vladyslav Sytiuk**e-mail: v.sytyuk@unba.org.ua

Since the establishment of UNBA Committee on Mediation, about 20 advocates have become its members, which is illustrative of the interest of the bar community in mediation as an alternative dispute resolution procedure.

In the period from March to December 2016, the composition of UNBA Committee on Mediation was fully composed, three meetings of the Committee were held, and mediation-related training events for advocates were organized.

Thus, the Committee approved three main areas of work, namely:

- promotion of mediation, as a practice of peaceful resolution of disputes, in legal society;
- development of proposals to normative legal acts on the dissemination of mediation among advocates, including to the draft Law "On Mediation" and the draft Law "On Amendments to the Law of Ukraine "On the Bar and Practice of Law" in relation to the regulation of activities of the advocates-mediators;
- ensuring mediation among the advocates to resolve conflicts and ethics-related situations.

On behalf of the Committee on Mediation, a letter was sent to UNBA President L.P. Izovitova with suggestions to:

- initiate the inclusion of amendments to the draft Law "On Mediation" in part of the provisions concerning the right of the Ukrainian National Bar Association to carry out professional training on mediation for the advocates;
- include UNBA representatives into the working group on developing the draft law "On Mediation";
- nominate to the working group on the development of the draft law "On Mediation" the Chair of the Committee on Mediation, Vladyslav Sytiuk, the Deputy Chair of the Committee, Stanislav Skrypnyk, the Committee Secretary, Anton Stiebieliev, members of the Committee: Oleksandr Drozdov, Viktor Vovniuk, Artur Kiian, Sofiia Pohorila, Yana Matiieva, Anastasiia Kozlenko, Olha Kudinova, Liubov Krupnova, Luiza Romanadze, Tetiana Barabash, Hanna Haro, Kateryna Vlasiuk, Roman Havrylenko, Olena Drozdova, Ihor Prasolov, Oleksandr Volvak, Mykhailo Honcharov, Olha Voloshchenko;
- introduce relevant amendments to Article 19 of the Law of Ukraine "On the Bar and Practice of Law" to guarantee the advocates' right to mediation.

On September 26, 2016 the Committee Chair, Vladyslav Sytiuk, participated in the meeting of the Council of Europe working group on alternative dispute resolution mechanisms in criminal and civil cases in Strasbourg (France).

The members of the working group from Ukraine, Georgia, Armenia, Azerbaijan, Moldova and Belarus shared their experience in mediation in their countries, which can become a better alternative to the judicial process in the future.



In addition, on December 22, 2016 the Committee members discussed the draft law "On Mediation", adopted in the first reading by the Verkhovna Rada of Ukraine, in particular, the provisions relating to the rights of advocates-mediators. During lively discussions the advocates, taking part in the meeting, delivered the in-depth proposals for amendments to some of the provisions of the draft law in the context of strengthening the guarantees of the activity of the advocate-mediator.



Activity program of UNBA Committee on Mediation for 2017

- 1. Organization of the round table among advocates to discuss the draft Law "On Mediation" and the prospects for further development of the bar in case of its adoption as a whole.
- 2. Establishing cooperation with the leadership of the regional bar councils in order to spread the practice of peaceful settlement of disputes both among advocates, and among the advocates and their clients.
- 3. Following the adoption in the near future of the Law of Ukraine "On Mediation" and the gradual spread of mediation in the bar community, - preparing and submitting to UNBA leadership of the draft amendments to the Rules of Advocates' Ethics.
- 4. Organization of the event on the prospects for the use of mediation in trial and on the procedure for enforcement proceedings with the participation of representatives of the bar, judiciary system, the Ministry of Justice of Ukraine and other interested parties.
- 5. Conducting mediation procedures among the advocates being UNBA members, who cannot reach an agreement on their own.
- **6.** Every two months conduct the advanced training seminars for advocates on the alternative dispute resolution method, in particular through the use of the mediation procedure or its procedures.
- 7. Organization and holding of an international mediation forum with the participation of representatives from Georgia, Belarus, Moldova, and Germany.

Report of UNBA Committee on Legislative Initiatives on the Bar for 2016



Committee Chair **Yaroslav Zeykan**e-mail: y.zeykan@unba.org.ua

Organizational activities of the Committee

UNBA Committee on Legislative Initiatives on the Bar (hereinafter - the Committee) is composed of the Committee Chair Yaroslav Pavlovych Zeykan and advocates (24 persons).

The main areas of work of the Committee were the analysis and development of legislative initiatives on the bar, the development of legislation and preparation of conclusions on the appropriateness of adopting certain legislative changes in draft laws of the Ukrainian parliament, submitted to the Verkhovna Rada of Ukraine for consideration by the President of Ukraine, people's deputies of Ukraine and the Cabinet of Ministers of Ukraine.

During the year the Committee engaged in the development of initiatives as related to the normative legal acts, informational letters, including preparation of law enforcement practice analysis, preparation of proposals for elimination of violations found in the implementation of Ukrainian legislation, analysis of the social and economic situation, preparation of explanations and provision of advisory assistance on the application of legislation, as well as proposals for improving the budget and tax legislation of Ukraine.

In 2016 the Committee organized and conducted a competition among Ukrainian advocates for the posts of coordinators on the development of conceptual framework of draft legislation. The candidates were chosen during an open competition. The qualification requirements of the competition were the availability of experience of practice of law of 5 and more, and the rule-making skills. As a result, 13 specialists were chosen.

The Committee held 6 meetings, considered 46 issues and 28 draft laws.

During the year, the Committee Chair participated in the events held by UNBA Committees, organizations for protection of human rights and others. He also participated in the preparation and holding of conferences, round tables, and seminars.

The Committee Chair has also delivered a speech, as an expert advocate on topic "Criminal proceedings on the basis of agreements under the Criminal Procedure Code of Ukraine. Possibilities for mediation" at the Annual Forum of the Ukrainian Mediation Academy "Mediation and Law", which took place on June 3, 2016, in Odesa.

In May the Committee Chair Y.P. Zeykan delivered a speech at the extraordinary meeting of the Bar Council of Ukraine on the situation surrounding the process of drafting and discussing the draft Law of Ukraine "On amendments to the Law of Ukraine "On the Bar and Practice of Law".

The Committee Chair has also participated and delivered speech on "Attack on the bar institute as a preface to destruction of the rule of law" at the open meeting of the UNAB Committee on Protection of Advocates' Professional Rights and Guarantees.

In April 2016, a meeting was held with the Program Coordinator of Kharkiv Group for Protection of Human Rights – A.A. Didenko, the People's Deputy Olena Sotnyk, the Head

of the Public Organization "Movement "Public Engagement" ("Rukh "Hromadske Sponukannia"), T.M. Rafalska. The meeting discussed the issues and problems related to the observance of human rights in the penitentiary field, as well as the realization of the rights of persons illegally convicted (including for life imprisonment) to a fair trial. The participants of the meeting made suggestions on amendments to legislation and finding mechanisms for reviewing court decisions in criminal cases. In particular, it refers to persons convicted of crimes they did not commit: due to fabricated cases, torture, and coercion to confession, which is considered to be "the queen of evidence", etc.

On October 11, 2016, the Committee Chair participated as an expert advocate at the round table on "The lack of a mechanism for correction of court mistakes in Ukraine", which took place at the Office of the Authorized Human Rights Representative of the Verkhovna Rada.

On April 20, 2016 the Committee member R.M. Tsaryk took part in the Committee hearings and delivered a speech on "Alumni obligations for child maintenance: problems and ways of solving".

In May 2016, the Committee received an invitation to order representatives for work to the working group on issues of family, youth policy, sports and tourism for preparation of amendments to the draft Law of Ukraine "On amendments to certain legislative acts to improve the protection of the rights of a child to proper maintenance" with a view to consider and agree the comments, suggestions and revisions. The working group included the Committee Chair Y.P. Zeykan and Committee member R.M. Tsaryk.

In May 2016 the work was carried out to record and broadcast the program with the participation of an advocate, Committee member R.M. Tsaryk on the TV channel "Pershyi Kozatskyi". The program was devoted to "Legal education of the population, discussion of problems with the registration of property rights of displaced persons, and how to get rights to property. Divorce processes. Legal protection of children. Judicial reform".

Legislative initiatives

The purpose of elaboration of the draft laws of Ukraine is to introduce and improve amendments to Ukrainian legislation, bearing certain risks in the presented articles of the draft laws.

https://goo.gl/MMy4mO

The Committee members prepared conclusions and recommendations on the revised draft laws, namely:

- to the draft Law of Ukraine "On the Bar and Practice of Law" and other certain legislative acts of Ukraine (regarding the advocates' professional status and guarantees and the formation and operation of the advocates' self-government bodies);
- to the draft Law of Ukraine "On the Judicial System and Status of Judges" (Reg. No. 4734 of 30.05.2016);

- to the draft Law of Ukraine "On Legal Aid";
- to the draft Law of Ukraine "On Protection of the Rights of Persons Interviewed (Tested) on the Polygraph" (Reg. No. 4094 of 17.02.2016);
- to the draft Law "On Amendments to the Criminal Procedure Code of Ukraine Regarding the Introduction of Video Recording of the First Interrogation of a Detainee" (Reg. No. 4277 of 18.03.2016);
- to the draft Law of Ukraine "On Operational and Investigation Activity" (Reg. No. 4778);
- to the draft amendments "On Amendments to Article 303 of the Criminal Procedure Code of Ukraine":
- to the draft amendments "On Amendments to Article 317, to part 3 of Article 291 of the Criminal Procedure Code of Ukraine";
- to the draft Law of Ukraine "On Detective Activity" (Reg. No. 3726 of 28.12.2015);
- to the draft Law of Ukraine "On Amendments to the Criminal Procedure Code of Ukraine on Certain Issues of Investigative Actions for the Purpose of Ensuring Additional Guarantees of Legality in their Execution" (Reg. No. 3719 of 24.12.2015).

The following draft laws, developed by the Committee members, were prepared for consideration:

M.V. Chundak developed and proposed a draft Law of Ukraine "On Payment for Services of the Advocates Providing Secondary Legal Aid".

O.P. Horokh proposed the draft Law of Ukraine "On Amendments to the Criminal Procedure Code of Ukraine Regarding the Appeal against the Introduction of Information on a Criminal Offense to the Unified Register of Pre-trial Investigations".

The appeals of citizens, people's deputies, public organizations, human rights organizations, bar councils of Ukraine were reviewed.

The Committee received over 40 written appeals from citizens, public organizations, human rights organizations, and Chairmen of the bar councils of Ukraine. Based on the results of consideration of the appeals received by the Committee from citizens and public organizations, 30 responses were prepared.

For the purpose of uniform application of the law and other legal acts of Ukraine concerning the realization of citizens' rights to legal support measures, the Committee provided relevant explanations.

The main issues raised in the appeals are related to the need to strengthen social protection measures.

On the whole, the work with appeals was focused on the analysis of correspondence for further use of suggestions country in general.

In May the Committee received the draft laws from Public Organization "Parasiuk Legislative Bureau" ("Zakonodavche Biuro Parasiuka") for consideration and provision of legal positions on the following draft laws:

"On Amendments to Certain Legislative Acts of Ukraine Regarding the Maximum Amount of Compensation of Expenses for Legal Aid in Civil and Administrative Cases";

"On Amendments to Certain Laws of Ukraine (on Import of Vehicles into Ukraine to Conduct an Anti-Terrorist Operation)";

"On Amendments to the Criminal Code of Ukraine

Regarding the Strengthening of Liability for Illegal Develop-

ment of Coastal Lines of Water Bodies";

"On Amendments to the Criminal Code of Ukraine on Increasing the Amount of Punishment for Unlawful Devastation of Forests" (Article 246 of the Criminal Code of Ukraine).

As a result of consistent and hard work, all draft laws were considered by the Committee members: M.A. Ostrovska, O.P. Horokh, M.M. Yakymenko, I.S. Yakovets, R.S. Kudryk, A.L. Fesenko, O.V. Sibilova.

The following articles and publications of the Committee members have been prepared and published:

M.A. Ostrovska: "Non-typical interrogation: invitation of prosecutor to interrogation as a counteraction to the advocate's interrogation", "Reasonable terms for reasonless prosecutors", "Detention of an advocate: an algorithm of counteractions", "Interrogation of an advocate: an algorithm of counteractions", "Search of the advocate's possessions: an algorithm of counteractions", "ECHR practice in the context of advocate's premises searches";

A.L. Fesenko: "Is it possible to avoid criminal liability for violation of the rules of registration of narcotic drugs";

S.Y. Vovzhenchuk: "Private law agreement: comparative essay".

Guidelines:

The following guidelines have been prepared for publication: "Guideline on the preparation of an advocate for civil process", "Advocate's guide on new methods of persuasion in the criminal proceedings", and handbook "Advocate's techniques (preparation for the proceedings and persuasion techniques)".

With a view to comprehensively discuss the draft laws of high social significance, and to define approaches to the development of legislative initiatives, the Committee decided to establish regional subcommittees - public collegiate bodies that provide analytical, expert and informational and consulting support to the legislative work of the Committee on Legislative Initiatives on the Bar.

We continue to work on improving legislation, aiming to take into account the proposals and comments made by the Committee on draft laws of Ukraine and amendments to the current legislation. Unfortunately, the adoption of draft laws is carried out solely by the state, often without taking into account the opinion of the bar community.

Report of UNBA Committee on Protection of Human Rights for 2016

During 2016, the Committee on Protection of Human Rights, together with the Committee on Protection of Advocates' Professional Rights and Guarantees, on **26.04.2016** organized a round table on "The right of detained persons to timely and qualitative legal aid". On **12.05.2016** a meeting on the "State of child rights' protection" was held. On **26.05.2016** a round table on the "Child as a participant in criminal process" was organized. On **13.06.2016** a roundtable on "Energy tariffs in the context of human rights" was held. On **28.07.2016** a round table on "Problematic issues of application of certain norms of the CPC" was organized.

On **23.06.2016** the Chair Tetiana Hnatiuk participated in a joint meeting with representatives of the Embassy of the Kingdom of Norway and UNBA concerning further cooperation.

In addition, the Chair Tetiana Hnatiuk participated in the following events as a representative of the Committee on Protection of Human Rights:

18.05.2016 - meeting of UNBA Committees.

25.05.2016 – joint working meeting of the Committee on Protection of Human Rights and the Committee on Protection of Advocates' Professional Rights and Guarantees on topic "Defence and representation of an advocate".

31.05.2016 – joint working meeting of the Committee on Protection of Human Rights and the Committee on Protection of Advocates' Professional Rights and Guarantees on topic "Defence and representation of an advocate".

08.07.2016 – joint Forum, organized with the participation of HSCU, on "Protection of human rights in criminal proceedings: proof and proving"

02.09.2016 – open meeting of the Committee on Protection of Advocates' Professional Rights and Guarantees.

25.10.2016 – meeting of the Heads of UNBA Committees.

Committee on Protection of Advocates' Professional Rights and Guarantees – round table on "Procedure for conducting searches".



Committee Chair **Tetiana Hnatiuk**e-mail: t.gnatiuk@unba.org.ua







Report of UNBA Academic and Methodological Centre for Research on the Bar and Law for 2016



Head of UNBA Academic and Methodological Centre for Research on the Bar and Law, Ph.D. in History, Assoc. Prof.

Iryna Vasylyk e-mail: i.vasylyk@unba.org.ua

I. Scientific work:

Development of the National Program "Perpetuation of the memory of Ukrainian advocates" adopted by the BCU Decision on September 13, 2016.

1) Publication of books:

- 1. 2nd edition of collected volume "Ukrainian bar: forgotten and unknown", series "Essays on the history of Ukrainian bar".
- 2. Publication of the book "Legal, public and political activities of Stepan Baran", series "Advocates' biography".

Scientific research books:

- 2) Series "General history of the Ukrainian bar":
- 2.1. Ukrainian bar in the Polish-Lithuanian Commonwealth period (XV-XVII centuries).
- 2.2. Ukrainian bar in the early modern Hetmanate of the XVII-XVIII centuries.
- 2.3. Advocates-scriveners in defence of interests of the Orthodox Church in XVII-XIX centuries.
- 2.4. Advocates of statism in the period of Ukrainian Revolution of 1917-1921.

3) Series "Regional history of Ukrainian bar":

- 3.1. History of Kharkiv Region bar;
- 3.2. History of Khmelnytskyi Region bar;
- 3.3. History of Stanislav (Ivano-Frankivsk) Region bar;

4) Series "Advocates' biography":

- 4.1. Legal, public and political activities of Volodymyr Zahaikevych.
- 4.2. Legal, public and political activities of Volodymyr Bemko and Mykhailo Zakhidnyi.

5) Scientific research:

- 5.1. Revelation of surnames and biographies of convicted, shot and rehabilitated advocates and lawyers of 11 regions, on the basis of consideration of the scientific and documentary series of books "Rehabilitated by history", namely, from: Volyn, Chernihiv, Rivne, Chernivtsi, Dnipropetrovsk, Kirovohrad, Ternopil, Zakarpattia, Zaporizhzhia, Mykolaiv, and Ivano-Frankivsk regions. 5.2. Analysis of the activities of advocates being the peoples' deputies of the Verkhovna Rada of Ukraine of I-VIII convocations.
- 5.3. Analysis of the activities of Ukrainian advocates and advocates of Ukrainian origin in the United States, namely, in the Ukrainian American Bar Association (UABA).

6) Scientific events:

- 6.1. Organization and holding of the all-Ukrainian round table "Ukrainian Constitution through the prism of time and challenges of the present confined to the 20th anniversary of the adoption of the Constitution of Ukraine", June 24, 2016, with the assistance from the Ternopil Region State Archive. Signing of a Memorandum of Cooperation with the Archive.
- 6.2. Organization and holding of the all-Ukrainian round table "Khmelnytskyi Region bar in the history of Ukraine" (confined to the 135th anniversary of the advocate, a member of the Central Council of Ukraine, Hryhorii Stepura), October 7, 2016, Khmelnytskyi, together with the Bar Council of Khmelnytskyi Region and Khmelnytskyi University of Management and Law;
- 6.3. Organization and holding of the Solemn Scientific Academy dedicated to the 150th anniversary of the birth of a leading advocate, prominent public and political figure, peoples' deputy, Doctor of Law Mykola Lahodynskyi, October 26, 2016, Nadvirna, Ivano-Frankivsk Region.
- 6.4. Organization and holding of the all-Ukrainian round table "Kremenets district bar: forgotten and unknown", December 27, 2016, at the premises of Kremenets Regional Humanitarian and























Pedagogical Academy named after Taras Shevchenko, Kremenets, Ternopil Region.

II. Methodological work:

- 1) Opening of the bar history rooms and lecture halls named after advocates in higher educational institutions of regions, preparation of visual materials stands.
- 1.1. Volyn bar history room, named after the XVII century advocate, Fedir Boniakevych, Lesia Ukrainka Eastern European National University, Faculty of Law, Lutsk, opened with assistance of the Bar Council and the QDC of Volyn Region on April 24, 2016;
- 1.2. Podillia bar history room, named after the advocate, member of the Central Council of Ukraine, Hryhorii Stepura, Khmelnytskyi University of Management and Law, Khmelnytskyi, opened with assistance of the Bar Council of Khmelnytskyi Region on October 7, 2016;
- 1.3. Classroom named after advocate Mykola Lahodynskyi, Nadvirna College of the National Transport University, Faculty of Law, Nadvirna, Ivano-Frankivsk Region, opened with assistance of the Bar Council of Ivano-Frankivsk Region on October 26, 2016;
- 1.4. Galicia bar history room, named after the advocate, Prime Minister of the West Ukrainian People's Republic, Kost Levytskyi, Ivan Franko National University of Lviv, Faculty of Law, Lviv, opened with assistance of the Bar Council of Lviv Region on October 28, 2016;
- 1.5. Dnipropetrovsk Region bar history room, University of Customs and Finance, Faculty of Law, Dnipro, opened with assistance of the Bar Council Dnipropetrovsk Region on December 19, 2016;
- 1.6. Classroom named after advocate Borys Kozubskyi, Kremenets Regional Humanitarian and Pedagogical Academy named after Taras Shevchenko, Kremenets, Ternopil Region, opened on December 27, 2016,

The Centre has prepared and delivered 30 stands, 15 plates and portraits for the bar history rooms and classrooms mentioned above.

2) Naming secondary schools after the famous advocates.

The Rakovets secondary school of I-II degrees in Zbarazh District of Ternopil Region was named after advocate Borys Kozubskyi. New name of the school: "Rakovets secondary school of I-II degrees named after advocate Borys Kozubskyi". The official opening and presentation of the nameplate and school seal was held on December 28, 2016 in Rakovets Village, Zbarazh District, Ternopil Region.

3) Opening of regional exhibitions.

Opening of the exhibition "Constitution - the Basic Law of the State" dedicated to the 20th anniversary of the Constitution of Ukraine at the premises of Ternopil Region State Archive. The exhibition contains draft Constitutions of Ukraine, developed by the advocates. Duration of the exhibition: June 25 to July 31, 2016, TRSA, Ternopil.













III. Educational projects:

- 1) Joint project with the Ukrainian National Radio: the series of radio programs "Bar in the history of Ukraine", 5 programs broadcasted:
- "Advocates in the Ukrainian Revolution of 1917-1921", August 6, 2016;
- "Ukrainian bar in the Polish-Lithuanian Commonwealth period (XV-XVII centuries)", September 10, 2016;
- National Program "Perpetuation of the memory of Ukrainian advocates" and research of UNBA Centre for Research on the Bar and Law on the Ukrainian bar history, October 8, 2016;
- "Advocate's role in ecclesiastical justice and canon law", November 05, 2016;
- "Hetmanate bar (XVII-XVIII centuries)", December 03, 2016;
- 2) Excursions for advocates. UNBA Centre for Research on the Bar and Law, together with the National Historical and Memorial Reserve "Bykivnia Graves" has organized an excursion (including about advocates being the victims of repressions, who are buried in Bykivnia) at the premises of the reserve for advocates.
- 3) Lectures on the Ukrainian bar history at the training seminars for advocates (Zaporizhzhia, Lutsk, Kherson, Dnipro, Lviv, Vinnytsia).
- 4) Publication of articles in the section "Ukrainian bar history" of UNBA Journal.
- 5) Facebook page content management Project "Ukrainian bar history".

Report of UNBA Committee on Physical Training and Sports for 2016



Committee Chair **Taras Lamakh**e-mail: t.lamakh@unba.org.ua

UNBA Committee on Physical Training and Sports was established by Order No. 72 of September 13, 2016 "On establishment of the Committee on Physical Training and Sports at the Ukrainian National Bar Association" with the aim of organizing and conducting regular training sessions, physical education and cultural sessions, sports tournaments and competitions, sports and medical law events (seminars, round tables, etc.) for the advocates, as well as for promotion of a healthy lifestyle among advocates, establishment of friendly relationships between professional associations, organizations and groups of advocates, creation of conditions for informal communication of colleagues.

To achieve its goal the Committee:

- organizes and conducts regular trainings, physical education and sports sessions, sports tournaments and competitions for the advocates;
- organizes and conducts sports and medical law events (seminars, round tables, etc.) for the advocates;
- studies, generalizes and shares domestic and foreign experience of leisure activities' organization;
- ensures and coordinates work on physical training and sports among the advocates;
- develops the Committee's sports program and submits it to UNBA, BCU President for approval;
- develops draft regulations on competitions and tournaments, which fall within the competence of the Committee and ensures their implementation;
- participates in the organization and/or holding of seminars, conferences, trainings and other events of UNBA;
- interacts with the regional advocates' self-government bodies on matters that fall within its competence;
- interacts with state authorities, international institutions, public associations and other institutions and organizations in a field of physical culture and sports, as well as with other entities on issues that fall within its competence;
 - considers the appeals falling within its competence;
- performs its tasks in any form not prohibited by the Constitution of Ukraine, legislative acts of Ukraine, the Rules of Advocates' Ethics, etc.
- In 2016 UNBA has initiated conducting of football tournaments at all-Ukrainian and regional levels. Since its establishment UNBA specialized Committee also takes part in their organization. Since 2016 UNBA holds UNBA Cup $-\ a$ National Football Tournament among the Advocates, whose winners were the first to represent Ukraine at the MundiAdvocat-2016 World Cup and won the third place in the final.
- An open table tennis tournament was held in Mukachevo; an active organizer and participant of the event was the Chair of the Bar Council of Zakarpattia Region, Oleksii Fazekosh.
- Under the leadership of Taras Lamakh, the Committee plans to further conduct a number of sporting events for the purpose of organizing leisure activities for advocates, informal communication and strengthening the corporate spirit

of a profession. The educational aspect of the activity lies in holding the sports and medical law seminars with the participation of the Committee members.









Activity of the regional advocates' self-government bodies

Autonomous Republic of Crimea	76
Vinnytsia Region	77
Volyn Region	78
Dnipropetrovsk Region	79
Donetsk Region	80
Zhytomyr Region	81
Zakarpattia Region	82
Zaporizhzhia Region	83
Ivano-Frankivsk Region	84
Kyiv Region	85
Kyiv City	86
Kirovohrad Region	87
Luhansk Region	88
Lviv Region	89
Mykolaiv Region	90
Odesa Region	91
Poltava Region	92
Rivne Region	93
Sumy Region	94
Ternopil Region	95
Kharkiv Region	96
Kherson Region	97
Khmelnytskyi Region	98
Cherkasy Region	99
Chernivtsi Region	100
Chernihiv Region	101

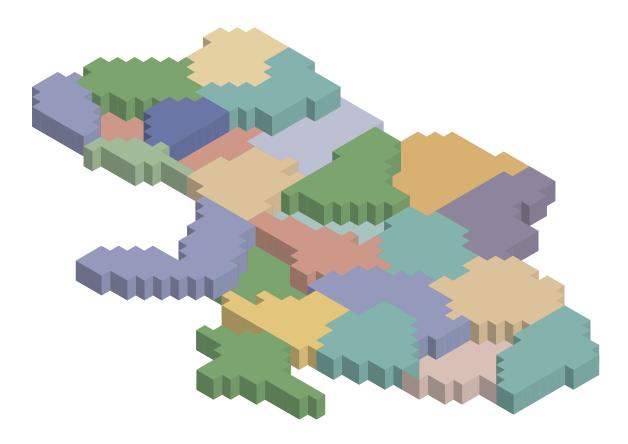
The Autonomous Republic of Crimea and Sevastopol City

In accordance with the Constitution of Ukraine, Law of Ukraine "On the Bar and Practice of Law", laws of Ukraine and international laws, the higher and regional advocates' self-government bodies of Ukraine take and will continue to take all possible measures to protect Ukrainian advocates in the Autonomous Republic of Crimea and Sevastopol City, who did not betray the Oath of Advocate of Ukraine and the state of Ukraine.

The Ukrainian National Bar Association takes all possible efforts to guarantee observance of professional rights and guarantees of practice of law of the advocates from the Autonomous Republic of Crimea and Sevastopol City throughout the entire territory of Ukraine.

For your reference::

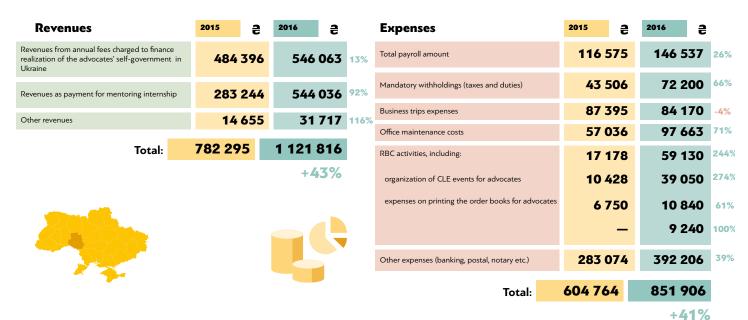
- advocates from the Autonomous Republic of Crimea and Sevastopol City have never been stripped of the status of Ukrainian advocate;
- the Unified Register of Advocates of Ukraine is maintained by the Bar Council of Ukraine.



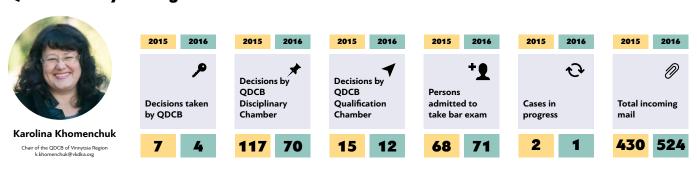
Bar Council of Vinnytsia Region



2016 Financial indicator



QDCB of Vinnytsia Region

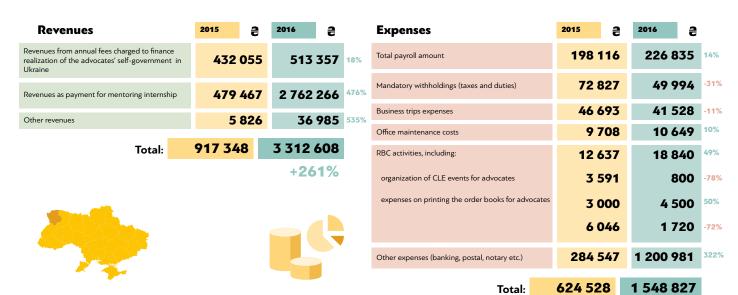


Revenues	2015	2016	9		Expenses	2015	9	2016 =	
Revenues from payments for taking the bar exam	247 923	314 2	240	27%	Total payroll amount	72 1	151	86 213	19%
Other revenues - voluntary contributions for logistic support of legal activities	_		_		Mandatory withholdings (taxes and duties)	26 3	325	65 275	148%
rogistic support of regarded rates					Business trips expenses		_	_	
Other revenues	72 085	119 6	27	66%	Office maintenance costs	41 (048	41 930	2%
Total:	320 008	433 8	67		QDCB activities, including:		_	_	
		+30	6%		organization of CLE events for advocates expenses on printing the order books for advocates expenses on production of certificates of passing qualification exam		- -	_ _	
205					Other expenses	172	456	222 687	29%
					Total:	311 98	0	416 105	
								+33%	,

Bar Council of Volyn Region



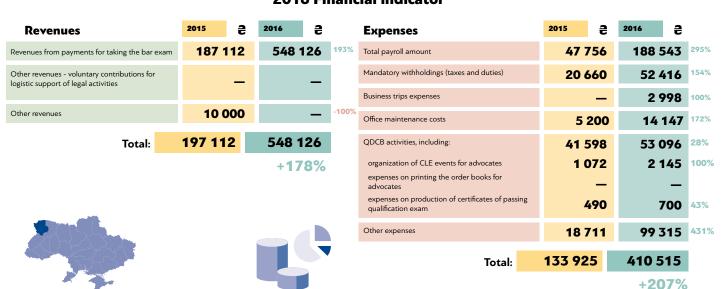
2016 Financial indicator



QDCB of Volyn Region

+148%

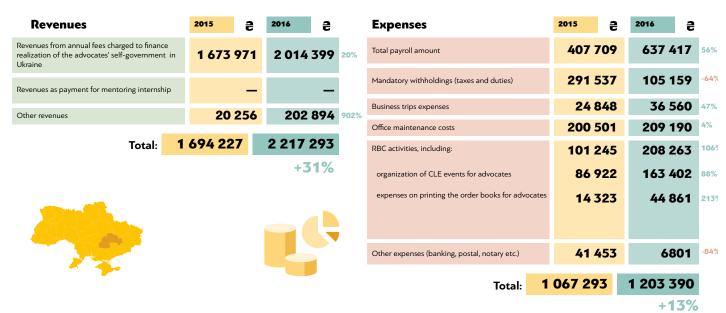




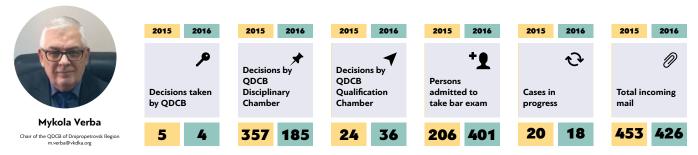
Bar Council of Dnipropetrovsk Region



2016 Financial indicator



QDCB of Dnipropetrovsk Region

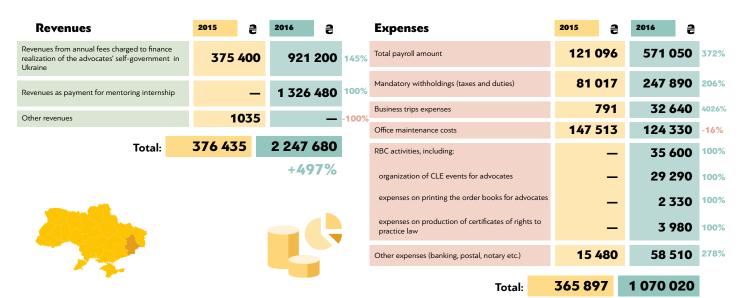


			201	0 1 11	iaiic	iai iliuicatoi					
Revenues	2015	e	2016	9		Expenses	2015	æ	2016	e	
Revenues from payments for taking the bar exam	1 143 1	81	3 031	480	165%	Total payroll amount	322	631	606	798	889
Other revenues - voluntary contributions for logistic support of legal activities				_		Mandatory withholdings (taxes and duties)	130	214	251 8	B21	939
Tog-sale support of regar activities						Business trips expenses	4	B65	6 2	292	299
Other revenues		_		-		Office maintenance costs	156	105	182	000	179
Total: 1	143 181	3	3 031 4	180		QDCB activities, including:		_		_	
			+16	5%		organization of CLE events for advocates		_		_	
						expenses on printing the order books for advocates		_		_	
~ 200						expenses on production of certificates of passing qualification exam		_		_	
200					1	Other expenses	30	775	55	356	809
					1	Total:	644 59	20	1 102 2	267	
									+7	71%)

Bar Council of Donetsk Region



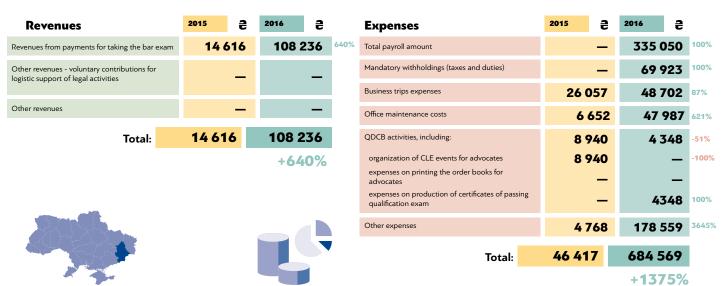
2016 Financial indicator



QDCB of Donetsk Region

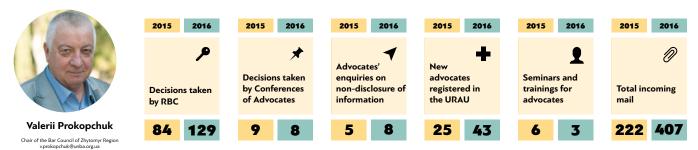


2016 Financial indicator

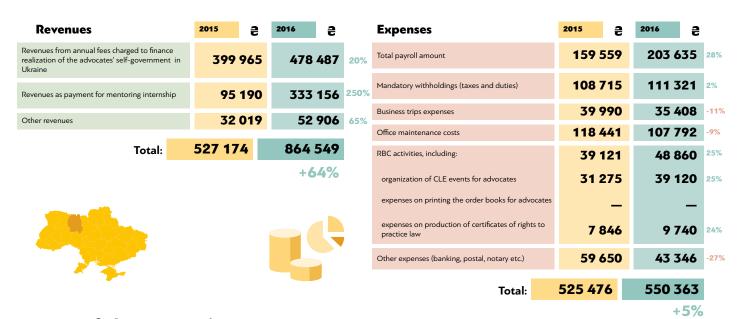


+192%

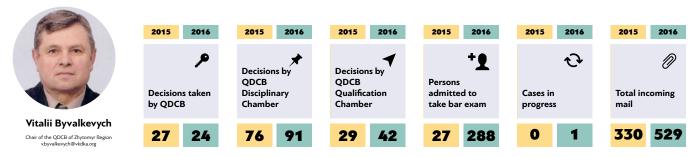
Bar Council of Zhytomyr Region



2016 Financial indicator



QDCB of Zhytomyr Region

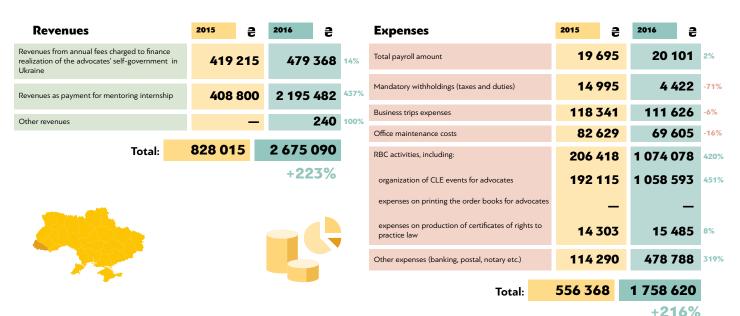


Revenues	2015	æ	2016	e		Expenses	2015	e	2016	e	
Revenues from payments for taking the bar exam	297	886	608	521	104%	Total payroll amount	59 2	25	68 4	13	16%
Other revenues - voluntary contributions for logistic support of legal activities		_		_		Mandatory withholdings (taxes and duties)	57 4	94	23 4	67	-59%
						Business trips expenses		_	3 2	292	100%
Other revenues		231		636	175%	Office maintenance costs	10	707	7 9	917	-26%
Total:	298 11	17	609 1	157		QDCB activities, including:		_	1 3	25	100%
			+10	4%		organization of CLE events for advocates		_		_	
						expenses on printing the order books for advocates		_		_	
. 146						expenses on production of certificates of passing qualification exam		_	1 3	25	100%
					1	Other expenses	67 2	253	90 2	268	34%
					,	Total:	194 67	9	194 6	82	
										0%)

Bar Council of Zakarpattia Region

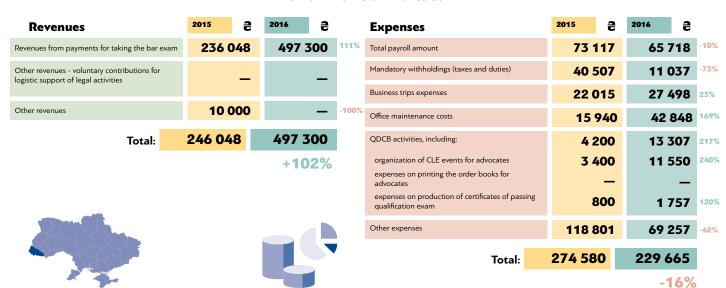


2016 Financial indicator



QDCB of Zakarpattia Region

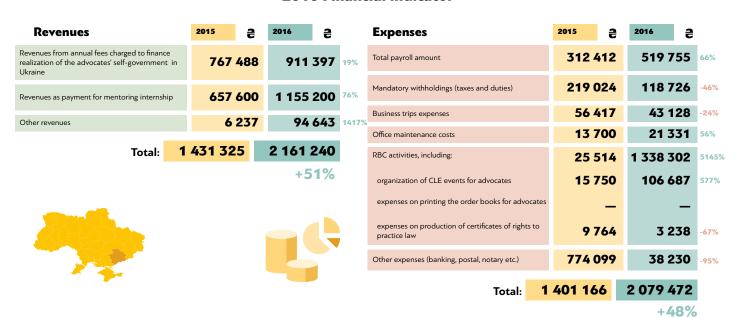




Bar Council of Zaporizhzhia Region



2016 Financial indicator

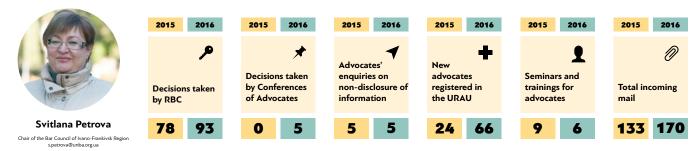


QDCB of Zaporizhzhia Region

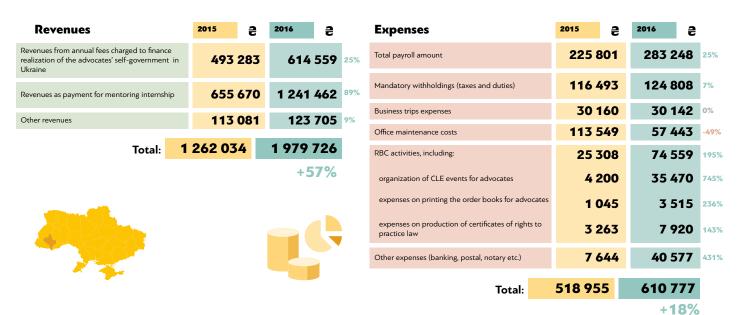


Revenues	2015	2016	€		Expenses	2015		²⁰¹⁶ =	
Revenues from payments for taking the bar exam	324 030	1 001 5	573	209%	Total payroll amount	_	-	93 824	100%
Other revenues - voluntary contributions for logistic support of legal activities	_		_		Mandatory withholdings (taxes and duties)	-	-	48 369	100%
0 11 0					Business trips expenses	_	-	2 926	100%
Other revenues	76 356		_		Office maintenance costs	3 45	4	24 902	621%
Total:	400 386	1 001 5	573		QDCB activities, including:	_	- 1	790	100%
		+15	0%		organization of CLE events for advocates	-	-	_	
					expenses on printing the order books for advocates	_	-	_	
					expenses on production of certificates of passing qualification exam	-	-	790	100%
					Other expenses	394 19°	1	383 685	-3%
					Total:	397 645		554 496	
								+39%	/ D

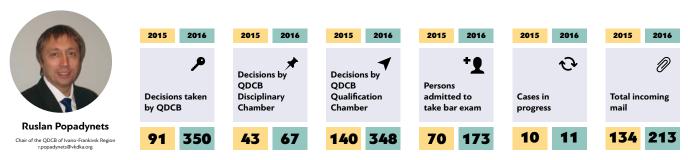
Bar Council of Ivano-Frankivsk Region

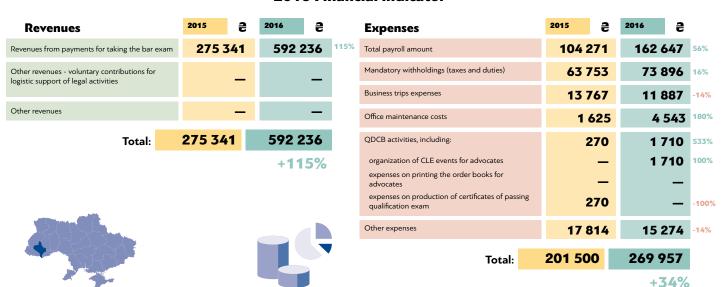


2016 Financial indicator

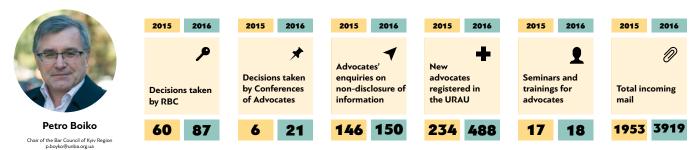


QDCB of Ivano-Frankivsk Region

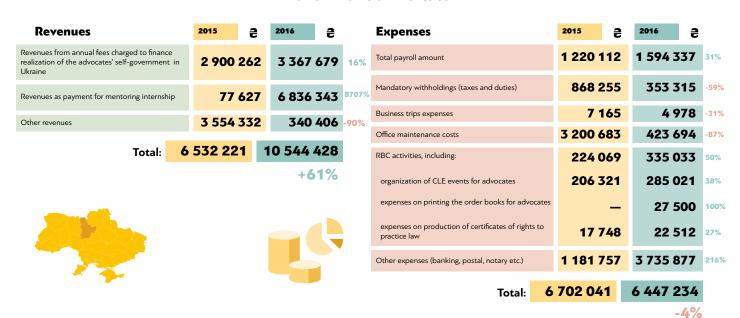




Bar Council of Kyiv Region



2016 Financial indicator



QDCB of Kyiv Region



Revenues	2015	2016	a	Expenses	2015	e	2016	e	
Revenues from payments for taking the bar exam	1 360 746	1 857 668	37%	Total payroll amount	643 63	36	784 92	28 2	22%
Other revenues - voluntary contributions for logistic support of legal activities	_	_	_	Mandatory withholdings (taxes and duties)	448 92	21	410 33	52 -	9%
				Business trips expenses		_		_	
Other revenues	447 082	498 093	11%	Office maintenance costs	634 68	86	410 0	61 -	35%
Total: 1	807 828	2 355 761	1	QDCB activities, including:	1 32	26	13 32	20	904%
		+30%	%	organization of CLE events for advocates expenses on printing the order books for advocates		–		_	
				expenses on production of certificates of passing qualification exam	1 32	26	13 32	20 9	904%
3200				Other expenses	164 48	35	255 31	12 5	55%
				Total: 1	893 054		1 873 95	3	
							_*	1%	

Bar Council of Kyiv City

Reformed advocates' self-government of Kyiv City



On October 8 the Kyiv City QDCB was established.

The Conference of Advocates has elected Ihor Orlov a Chair of QDCB of Kyiv City.

8 жов.

The Qualification Chamber members elected: Olha
Biehunova, Volodymyr
Derevianchuk, Ihor Pokotylo,
Olha Prosianiuk, Rovshanbek Razmetov,
Nataliia Sukhomlynova, Roman Tytykalo,
Eduard Uhrinchuk, Oleksii Driuk, Tetiana
Hnatiuk, and Vadym Rykov.

The Qualification Chamber members elected: Lesia Dubchak, Oleksandr Zarutskyi, Serhii Mostovenko, Kostiantyn Rybachkovskyi, Oleksandr Nahornyi, Yevhen Solodko, Tetiana Tymchenko, Volodymyr Voloshchuk, Kateryna Nikitiuk.

On October 8 a

no-confidence motion was
passed against the Chair and
members of the Bar Council of
Kyiv City, and their offices were
early terminated. The Conference has approved the
report of Kyiv City Audit Commission of the Bar,
containing evidence for numerous financial
misconducts by former leadership of the regional bar.

On **October 8** the Kyiv City advocates have elected **Petro Riabenko** a Chair of Bar Council of Kyiv City.

The new composition of the Bar Council of Kyiv City was formed by 25 advocates.

On **October 8 Ihor Cherezov** was elected to represent the Kyiv City advocates at the Bar Council of Ukraine.



The Conference has terminated the office of **Nataliia Petrova**.

On **October 8 Valerii Kostriukov** was elected to represent the Kyiv City Bar in the Higher Qualification and Disciplinary Commission of the Bar. The office of Iryna Pikh was terminated.



On September 10 the composition of Kyiv City Audit Commission of the Bar was renewed. The office of Kyiv City ACB members was early terminated, and new members were elected, namely, the advocates Serhii Vylkov (Chair), Yaroslav Bilak and Leonid Tantsiura.



On September 10 the composition of Kyiv City Audit Commission of the Bar was renewed. The office of Kyiv City ACB members was early terminated, and new members were elected, namely, the advocates Serhii Yylkov (Chair), Yaroslav Bilak and Leonid Tantsiura.

On **August 6** a Conference of Kyiv City Advocates was held to elect the members of QDCB of Kyiv City and to evaluate the performance of regional bar.



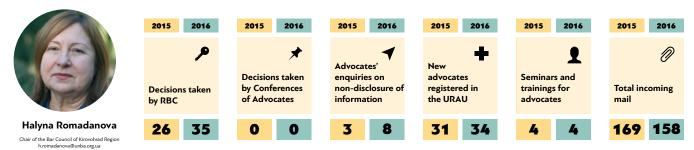
On June 13, the Bar Council of Ukraine adopted a package of anti-crisis decisions aimed at restoring the work of legitimate advocates' self-government bodies in the capital, the Resolution of the Bar Council of Ukraine No. 153 of June 11, 2016 "On Approval of the Conclusion of the Interim Commission for Audit of the Activities of the Advocates' self-government Bodies of Kyiv City", and No. 156 of June 11, "On Certain Issues of the Implementation of the Conclusions of the Interim Commission for Audit of the Activities of the Bar Self-Government Bodies of Kyiv City". According to them, the BCU has established the absence of a Qualification and Disciplinary Commission of the Bar in Kyiv

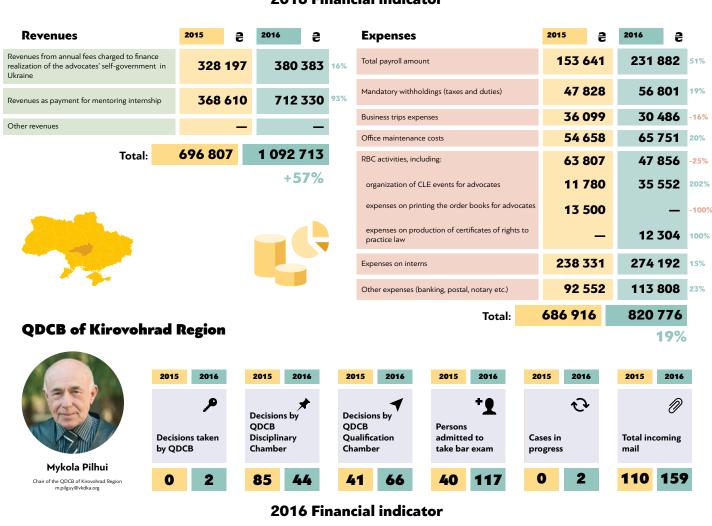
City, established in accordance with the Law

of Ukraine "On the Bar and Practice of Law".



Bar Council of Kirovohrad Region



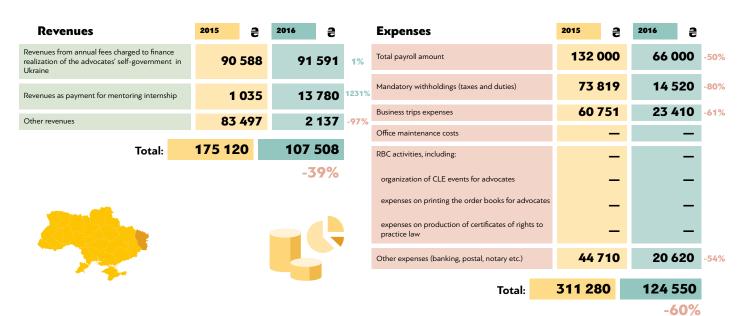


Revenues	2015	æ	2016	e		Expenses	2015	9	2016	9	
Revenues from payments for taking the bar exam	158	457	421	448	166%	Total payroll amount	100 3	346	185	474	85%
Other revenues - voluntary contributions for logistic support of legal activities		_		_		Mandatory withholdings (taxes and duties)	36 8	387	40 8	304	11%
						Business trips expenses	3 1	166	5 8	353	85%
Other revenues	70	000	70	000	0%	Office maintenance costs	56	480	38	290	-32%
Total:	228 45	57	491	448		QDCB activities, including:	3 3	350	63	313	88%
			+11	15%		organization of CLE events for advocates expenses on printing the order books for advocates expenses on production of certificates of passing qualification exam	3 3	350 — —	63	313 — —	88%
					1	Other expenses	25 5	595	8 6	595	-66%
					•	Total:	225 82	24	285 4		
									2	26%	

Bar Council of Luhansk Region

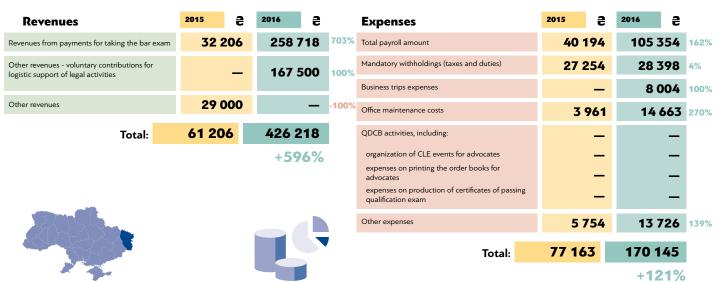


2016 Financial indicator



QDCB of Luhansk Region

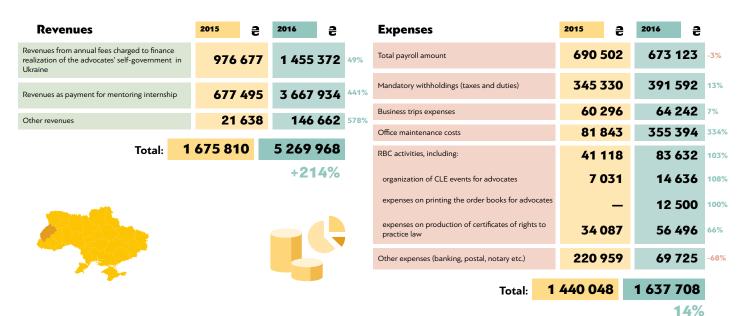




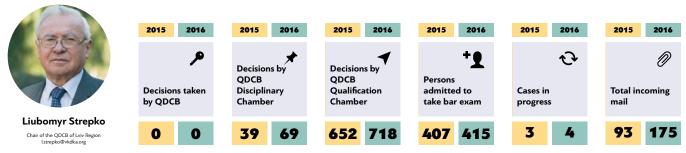
Bar Council of Lviv Region



2016 Financial indicator



QDCB of Lviv Region

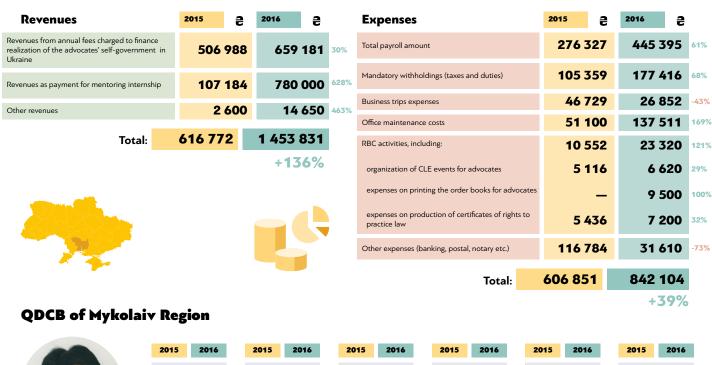


Revenues	2015	ə	2016	e		Expenses	2015	e	2016	e	
Revenues from payments for taking the bar exam	939 9	903	1 151 (038	22%	Total payroll amount	395	229	484	063	22%
Other revenues - voluntary contributions for logistic support of legal activities		_	7 8	B63	100%	Mandatory withholdings (taxes and duties)	213	356	280	089	31%
						Business trips expenses	3 4	476	8	073	132
Other revenues	2 9	968	20 (000	574%	Office maintenance costs	129	629	202	434	56%
Total:	942 87	1	1 178 9	701		QDCB activities, including:	7 ()77	75 -	420	966
			+2	25%		organization of CLE events for advocates expenses on printing the order books for advocates		_		_	
- 100						expenses on production of certificates of passing qualification exam	7 (077	75	420	966
						Other expenses	108	785	30	049	-72
						Total:	857 55	2	1 080 1	128	
									+2	26%	

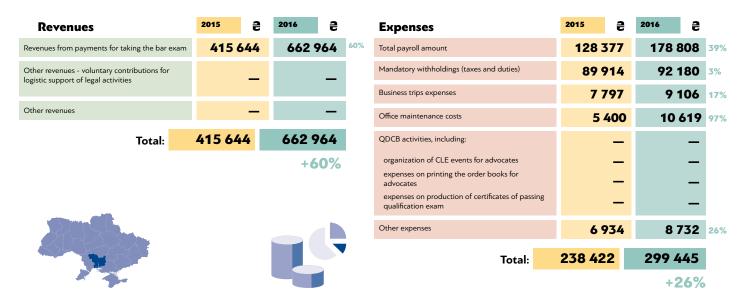
Bar Council of Mykolaiv Region



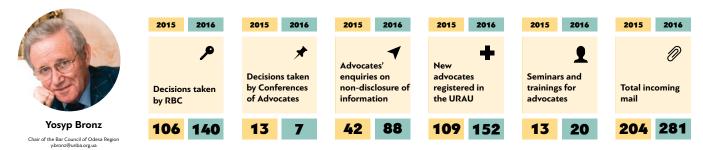
2016 Financial indicator



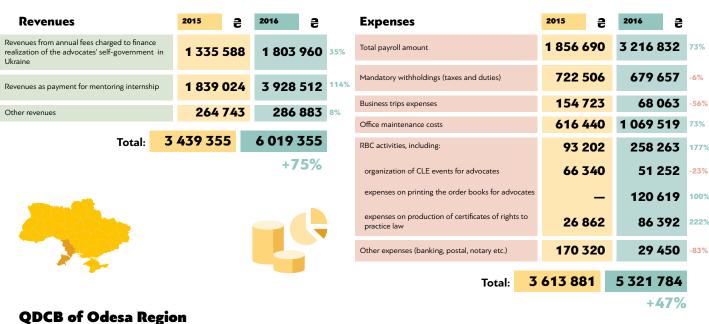


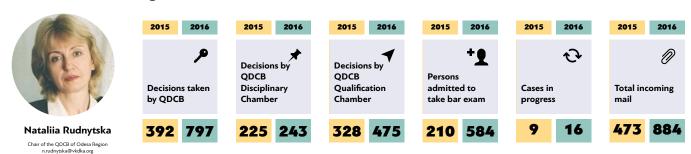


Bar Council of Odesa Region



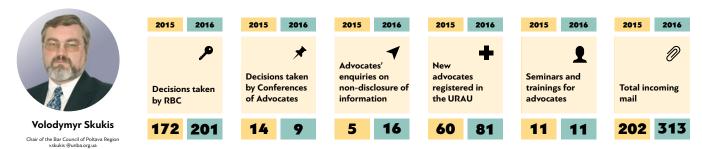
2016 Financial indicator



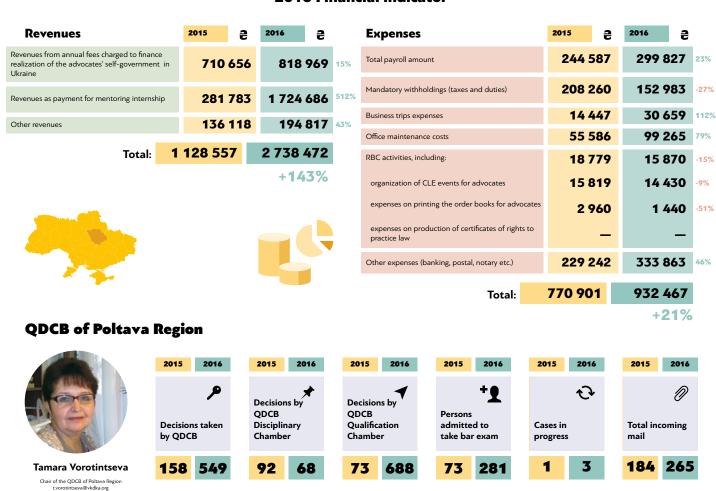


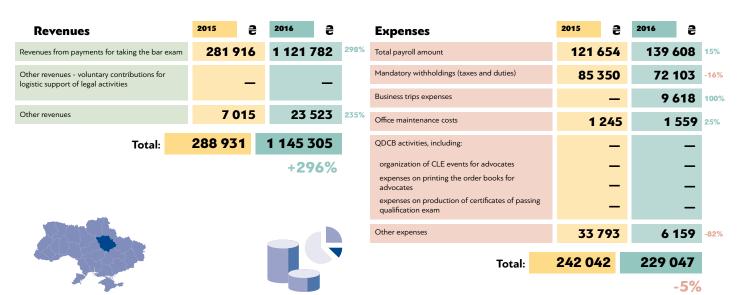
Revenues	2015	e	2016	€		Expenses	2015	æ	2016	€	
Revenues from payments for taking the bar exam	623	848	842	495	35%	Total payroll amount	363	531	443 4	41	22%
Other revenues - voluntary contributions for logistic support of legal activities		_	1 :	554	100%	Mandatory withholdings (taxes and duties)	198	457	101 8	97	-49%
						Business trips expenses		_	29 1	81	100%
Other revenues	30	417	127	231	318%	Office maintenance costs	28	920	42 !	560	47%
Total:	654 26	55	971 2	280		QDCB activities, including:		_		_	
			+4	48%		organization of CLE events for advocates		_		_	
				- 0 , 0		expenses on printing the order books for advocates		_		_	
- MA						expenses on production of certificates of passing qualification exam		_		_	
						Other expenses	9	312	74 2	218	697%
						Total:	600 22	20	691 2	97	
									+1	5%)

Bar Council of Poltava Region



2016 Financial indicator

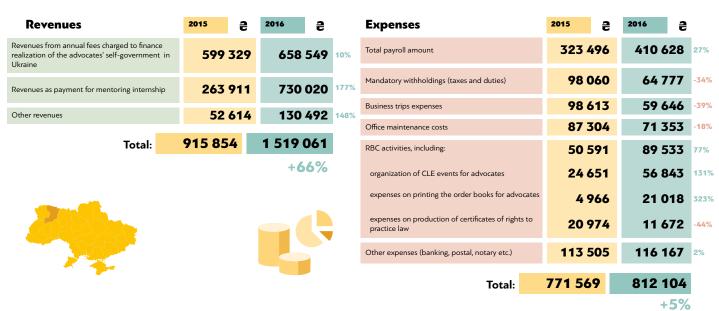




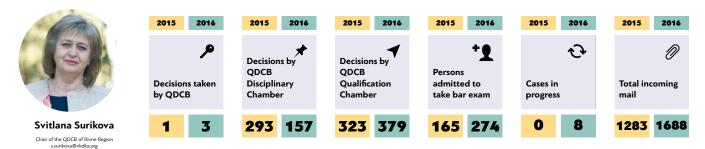
Bar Council of Rivne Region



2016 Financial indicator

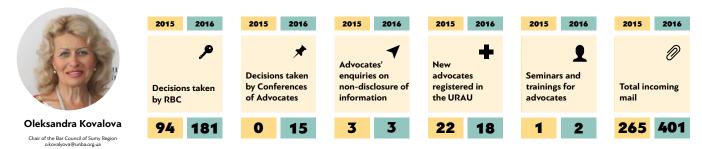


QDCB of Rivne Region

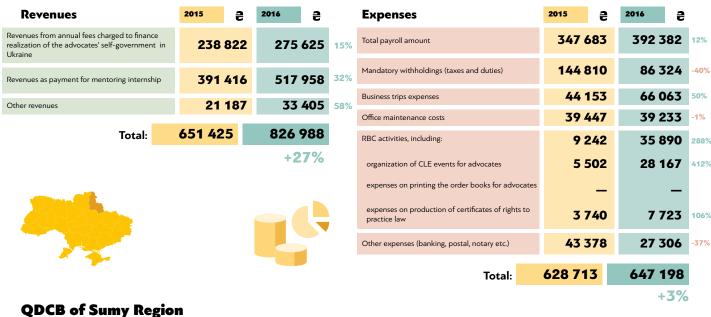


Revenues	²⁰¹⁵ 근	2016		Expenses	2015	201	<u>۽</u>	
Revenues from payments for taking the bar exam	267 696	790 457	195%	Total payroll amount	119 99	6	172 579	44%
Other revenues - voluntary contributions for logistic support of legal activities	_	_		Mandatory withholdings (taxes and duties)	85 39	4	37 978	-56%
logistic support of regul detirities				Business trips expenses	2 75	0	11 575	321%
Other revenues	20 085	1 565	-92%	Office maintenance costs	19 18	5	44 568	132%
Total:	287 781	792 022		QDCB activities, including:	3 72	8	10 579	184%
		+175%		organization of CLE events for advocates expenses on printing the order books for advocates expenses on production of certificates of passing		-	9 973 —	100%
milk				qualification exam	3 72	8	_	-100%
				Other expenses	12 46	4	9 963	-20%
				Total:	243 517	2	87 242	
							+18%	6

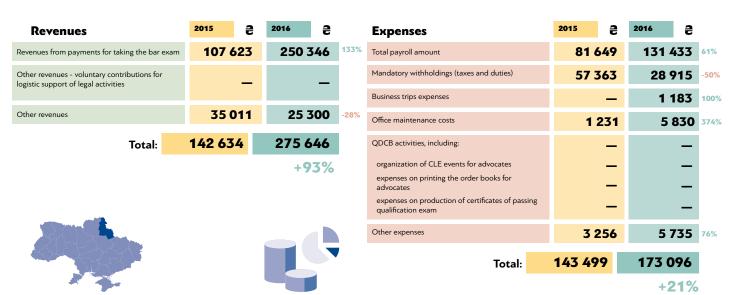
Bar Council of Sumy Region



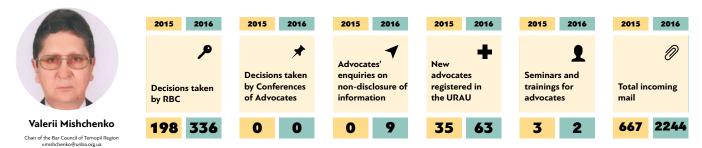
2016 Financial indicator



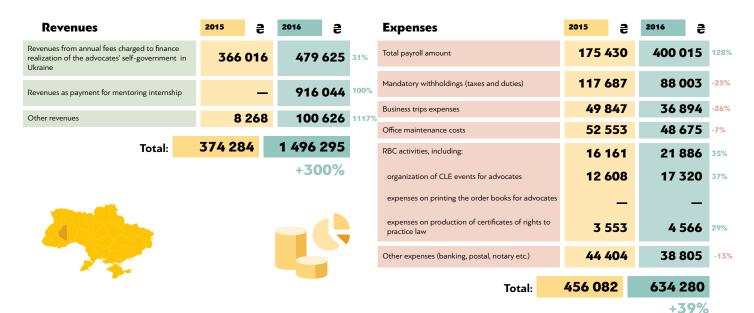




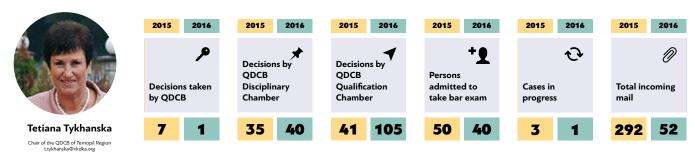
Bar Council of Ternopil Region



2016 Financial indicator



QDCB of Ternopil Region



2016 Financial indicator

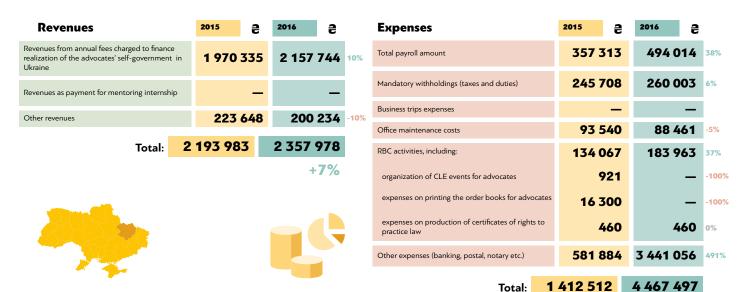
Revenues	2015	ŧ	2016	e		Expenses	2015	e	2016	e	
Revenues from payments for taking the bar exam		_	610	598	100%	Total payroll amount		_	219 3	25	100%
Other revenues - voluntary contributions for logistic support of legal activities		_		_		Mandatory withholdings (taxes and duties)		_	95 28	88	100%
						Business trips expenses		_	11 6	54	100%
Other revenues		_	359	266	100%	Office maintenance costs		_	41 1	26	100%
Total:		_	969 8	364		QDCB activities, including:		_		_	
			+10	00%		organization of CLE events for advocates		_		_	
						expenses on printing the order books for advocates		_		_	
						expenses on production of certificates of passing qualification exam		_		_	
205					1	Other expenses		_	255 8	00	100%
						Total:		_	623 19	3	
									+10	0%	

(M

Bar Council of Kharkiv Region



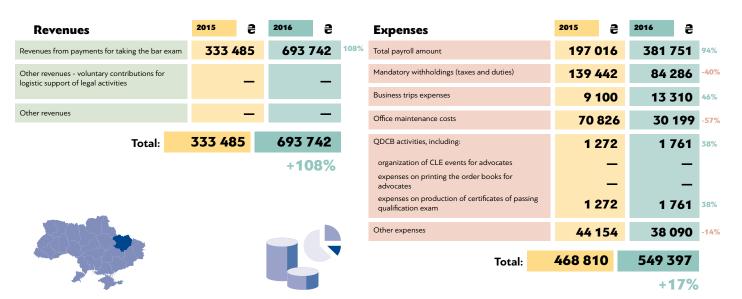
2016 Financial indicator



QDCB of Kharkiv Region

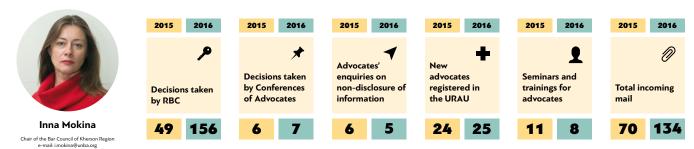


2016 Financial indicator

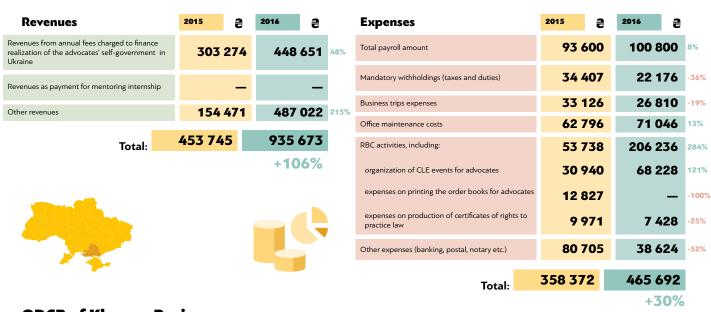


+216%

Bar Council of Kherson Region



2016 Financial indicator



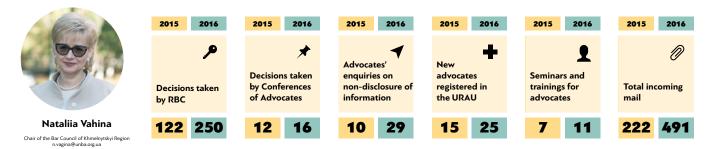
QDCB of Kherson Region



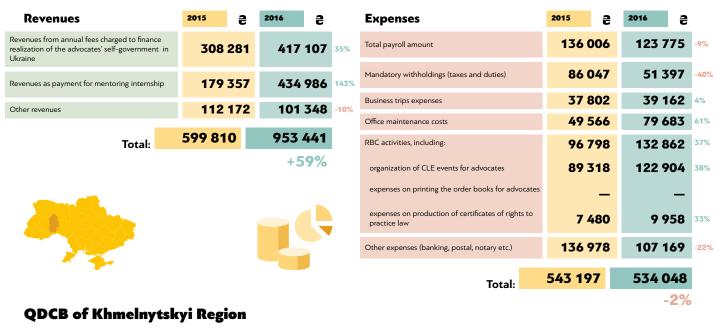
2016 Financial indicator

Revenues	2015	e	2016	e		Expenses	2015	e	2016	ŧ	
Revenues from payments for taking the bar exam	93 4	470	229	859	146%	Total payroll amount	142 3	70	167	484	18%
Other revenues - voluntary contributions for logistic support of legal activities		_		_		Mandatory withholdings (taxes and duties)	75 4	119	36 8	346	-51%
						Business trips expenses	11 4	43	18 4	116	61%
Other revenues	55 7	720	84 8	B 03	52%	Office maintenance costs	23 9	926	29	789	25%
Total:	149 19	0	3146	662		QDCB activities, including:		_	31 6	578	100%
			+11	1%		organization of CLE events for advocates expenses on printing the order books for advocates		_	31 1	78 —	100%
						expenses on production of certificates of passing qualification exam		-	5	500	100%
					1	Other expenses	13 5	64	31 4	686	132%
					•	Total:	266 72	2	315 6	93	
									+1	8%	,

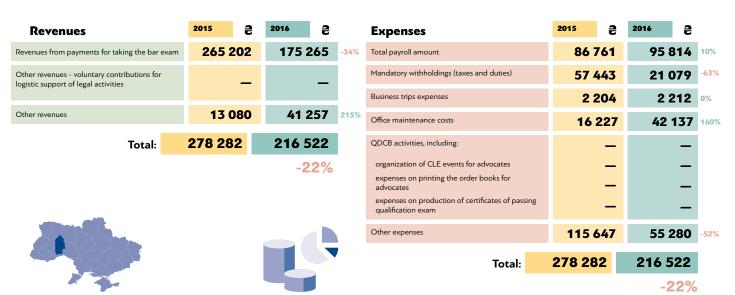
Bar Council of Khmelnytskyi Region



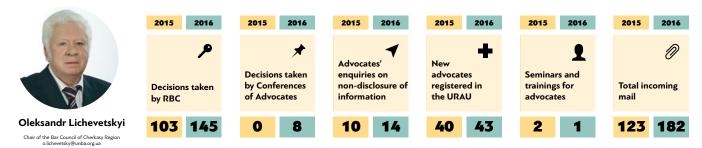
2016 Financial indicator



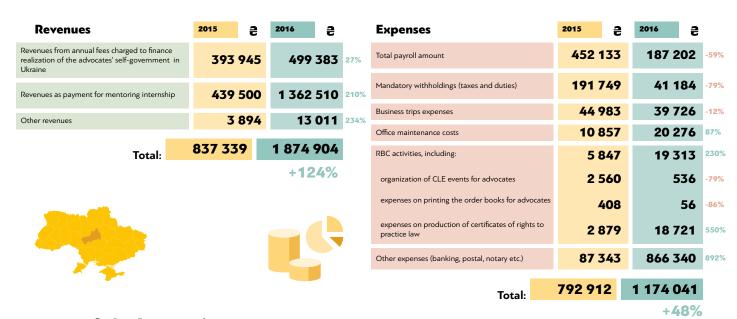




Bar Council of Cherkasy Region



2016 Financial indicator



QDCB of Cherkasy Region

98

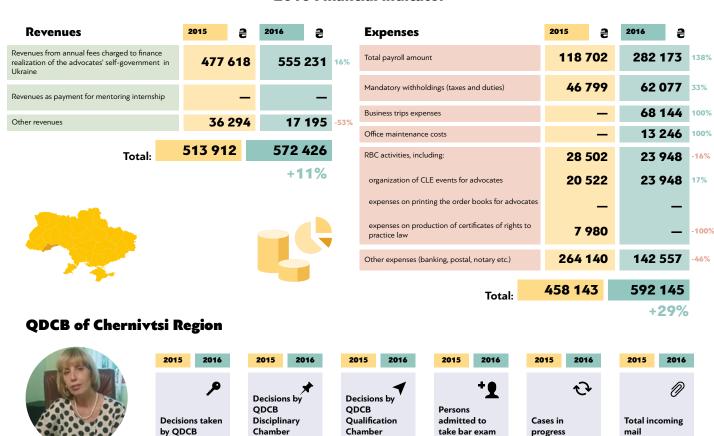


Revenues	2015	e	2016	æ		Expenses	2015	e	2016	e	
Revenues from payments for taking the bar exam	181 5	72	562	542	210%	Total payroll amount	178	343	220	346	23
Other revenues - voluntary contributions for logistic support of legal activities		_	127 000		100%	Mandatory withholdings (taxes and duties)	65	742	48	476	-2
3 3						Business trips expenses		_		_	
Other revenues	107 1	32	93 (026	-13%	Office maintenance costs	19	150	34	176	78
Total:	288 70	4	782 5	568		QDCB activities, including:	19	989	6	596	23
			+17	71%		organization of CLE events for advocates expenses on printing the order books for advocates		_	5	325 —	10
- MA						expenses on production of certificates of passing qualification exam	1 9	989	1	272	-3
200				1	Other expenses	16	104	13	844	-1	
					,	Total:	281 82	8	323	438	
										15%)

Bar Council of Chernivtsi Region



2016 Financial indicator

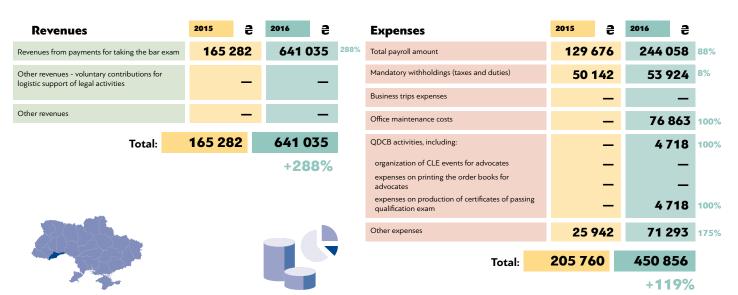


2016 Financial indicator

48

116

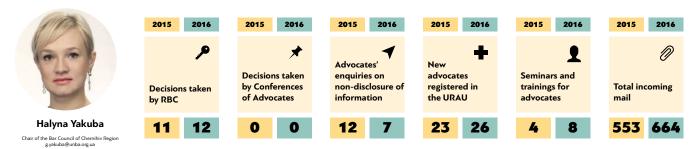
26



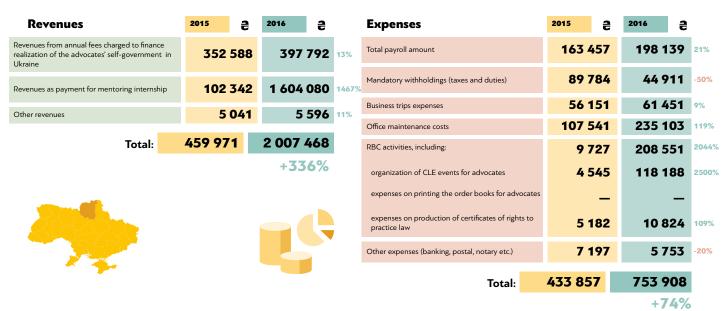
Zvenyslava Diachenko

Chair of the QDCB of Chernivtsi Region z.dyachenko@vkdka.org 89

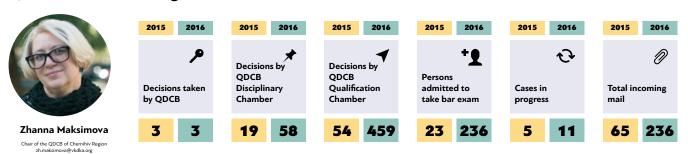
Bar Council of Chernihiv Region



2016 Financial indicator



QDCB of Chernihiv Region



Revenues	2015	€	2016	ŧ		Expenses	2015	€	2016	9	
Revenues from payments for taking the bar exam	153 3	360	749 °	181	389%	Total payroll amount	60 8	309	118 ()42	94%
Other revenues - voluntary contributions for logistic support of legal activities		_	34 65		100%	Mandatory withholdings (taxes and duties)	22 3	553	25 9	969	16%
						Business trips expenses	47	729	15 6	538	231%
Other revenues	12 4	462	39 7	799	219%	Office maintenance costs	50 9	759	65	337	28%
Total:	165 82	2	823 6	536		QDCB activities, including:		_	1 ()47	100%
			+39	7%		organization of CLE events for advocates		_		_	
						expenses on printing the order books for advocates		_		_	
						expenses on production of certificates of passing qualification exam		_	1 ()47	100%
320						Other expenses	10 9	717	72 3	36	562%
						Total:	149 76	7	298 3	69	
									+9	9%)



UNBA Higher School of Advocacy

Report on performance of UNBA Higher School of Advocacy in 2016



The Higher School of Advocacy of the Ukrainian National Bar Association (hereinafter – UNBA Higher School of Advocacy) is an academic and research organization, established in a form of a privately owned scientific institution by the Decision of the Bar Council of Ukraine of 17.12.2015.

Pursuant to paragraph 5.2.1.9 of the Charter of UNBA Higher School of Advocacy, the Rector annually reports on the results of the work of UNBA Higher School of Advocacy to the Ukrainian National Bar Association and the Bar Council of Ukraine. In 2016 UNBA Higher School of Advocacy performed the activities as follows:

1. Activities related to the establishment and legal arrangements (registration) of UNBA Higher School of Advocacy:

- UNBA Higher School of Advocacy was registered as a legal entity;
- Official seal of UNBA Higher School of Advocacy was produced;
- Current accounts of UNBA Higher School of Advocacy were opened with banks;
- New revised Charter of UNBA Higher School of Advocacy was developed and approved by the Bar Council of Ukraine (BCU Decision No. 131, approved on June 10, 2016);
- New revised Charter of UNBA Higher School of Advocacy was registered;
- Management of documentation, record keeping and archival work at UNBA Higher School of Advocacy was established;
- KVED codes of economic activities of UNBA Higher School of Advocacy were registered;
- Official website of UNBA Higher School of Advocacy has been developed: hsa.unba.org.ua;
- Official page of UNBA Higher School of Advocacy was opened in Facebook;

2. Activities related to the structure development of UNBA Higher School of Advocacy:

- Organizational structure and payroll schedule of UNBA Higher School of Advocacy was developed;
- Academic Board of UNBA Higher School of Advocacy was established;
- Rector's office of UNBA Higher School of Advocacy was established;
- Scientific and Expert Board of UNBA Higher School of Advocacy was established;
- Regulation on branches of UNBA Higher School of Advocacy;
- Two branches of UNBA Higher School of Advocacy were opened (Advocacy Mastery Schools in Dnipropetrovsk and Kharkiv Regions);
- Personnel selected and hired for structural units, whose activities are a priority at the time of establishment of UNBA Higher School of Advocacy;

3. Activities of UNBA Higher School of Advocacy related to the human resourcing:

- Negotiations held and the best law specialists in Ukraine were engaged to the activities of UNBA Higher School of Advocacy;
- Pursuant to paragraphs 5.1.5 and 5.4.3 of the Charter of UNBA Higher School of Advocacy, the employment contracts with the Rector and Vice-Rectors of UNBA Higher School of Advocacy were drafted and transferred to the Ukrainian National Bar Association;
- Employment contract with employees was drafted;
- Minimum standards for staffing were developed;
- Human Resources Department of UNBA Higher School of Advocacy was established.

4. Activities of UNBA Higher School of Advocacy related to training and/or continuous legal education

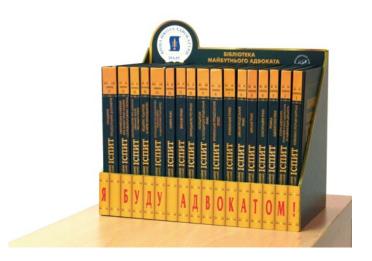
of advocates and other parties to legal profession:

- Documents for obtaining permits for conducting training and/or continuous legal education of advocates and other parties to legal profession by UNBA Higher School of Advocacy, as well as for relevant programs, were prepared;
- General list of educational, scientific and other services that can be provided by UNBA Higher School of Advocacy was developed (BCU Decision No. 133 of June 10, 2016);
- Program "Approximation of the Ukrainian Bar to European Standards" for continuous legal education and/or training of persons at UNBA Higher School of Advocacy was developed and approved;
- General educational and methodological approaches to continuous legal education and/or training programs for advocates and other parties to legal profession were developed;
- Program for provision of educational services (continuous legal education and/or training) for persons, who have resumed their activities of practice of law, was developed and approved;
- General approaches to diagnosing the quality of knowledge after studying the programs for the continuous legal education and/or training of advocates and other parties to legal profession were developed;
- Tests for diagnosing the quality of knowledge of persons, who have resumed their activities of practice of law, were developed;
- Format of TV video trainings for advocates and other parties to legal profession was developed;
- 3 video trainings on topics related to appeal to the European Court of Human Rights were prepared;
- Negotiations were conducted and preliminary agreements were made with the UNT TV studio for further filming of video trainings for advocates and other parties to legal profession;
- Negotiations were conducted and the leading Ukrainian scholars and practicing advocates were invited for further participation in filming of video trainings for advocates and other parties to legal profession;
- Negotiations were conducted with the leadership of the Committee on Television and Radio Broadcasting of Ukraine concerning the broadcasting of video trainings for advocates and other parties to legal profession by all regional state-owned TV and radio companies;

5. Scientific activities of UNBA Higher School of Advocacy

- Documents for obtaining permits for conducting scientific activities by UNBA Higher School of Advocacy were prepared;
- Agreement on scientific and international cooperation with the Center for Training and Advanced Training of the Leading Personnel of the Ministry of Revenue and Duties of Ukraine was concluded;
- Preparations made for registration of UNBA Higher School

- of Advocacy in the EDEBO (unified state education database), maintained by the Ministry of Education and Science of Ukraine;
- Preparations made for registration of scientific research topic of UNBA Higher School of Advocacy;
- Educational programs for training of Doctors of Philosophy in Law (Ph.D. in Law) were developed;
- Preparations made to open postgraduate and doctoral programs at UNBA Higher School of Advocacy;
- Preparations made to open a Specialized Academic Board of UNBA Higher School of Advocacy;
- Scientific and expert activities of UNBA Higher School of Advocacy were improved;
- Scientific analysis was carried out and a scientific explanation was provided regarding the rules of advocates' ethics raised in the appeal of citizen V.S. Svirskyi;
- Publishing program of UNBA Higher School of Advocacy for 2016-2017 was approved;
- Periodical prints of UNBA Higher School of Advocacy were registered, in particular scientific journals "Scientific Journal of the Higher School of Advocacy of the Ukrainian National Bar Association", "Case Law of the European Court of Human Rights", and an all-Ukrainian newspaper for advocates "Newspaper for Advocates" ("Advokatska Gazeta");
- Edition "Qualification (bar) examination" in 17 volumes, developed in collaboration with more than 50 leading scholars and practitioners from all fields of legal activity, was prepared and issued;
- Publication "Appeal to the European Court of Human Rights" was prepared for publication and published; 60 copies were given free of charge to all regional bar councils



and qualification and disciplinary commissions;

- Publication "Bar Standards" is being prepared;
- First issue of the journal "Case Law of the European Court of Human Rights" was prepared for printing;
- First issue of the "Scientific Journal of the Higher School of Advocacy of the Ukrainian National Bar Association" was prepared for printing;

6. International activities of UNBA Higher School of Advocacy:

- Preparations made to determine priorities of international activities of UNBA Higher School of Advocacy;
- List of potential foreign partners of UNBA Higher School of Advocacy, with which the cooperation agreements may be concluded, was developed;
- Monitoring of international partners, with whom the further cooperation has been planned, was developed;
- Preliminary negotiations with the Ukrainian Free University (Munich) were held on the joint award of Ph.D. degree in Law to advocates.



Rector of UNBA Higher School of Advocacy

O.D. Sviatotskyi

Link to the web-page of UNBA Higher School of Advocacy: https://goo.gl/8UvtW2



Working program of the Higher School of Advocacy of the **Ukrainian National Bar Association for 2017**

Nº	Description
1	Continuation of work on establishment of branches of UNBA Higher School of Advocacy
2	Development of educational and methodological support to training programs and/or continuous legal education programs for advocates and other parties to legal profession
3	Improvement of the training and/or continuous legal education programs of UNBA Higher School of Advocacy
4	Improvement of the program for provision of educational services (training and/or continuous legal education) to persons renewing their professional status
5	Continuation of work on development of tests to identify the level of knowledge of persons renewing their professional status
6	Continuation of work on preparation of video trainings on topical problems of law enforcement system with the participation of the leading scientists and practicing advocates
7	Ukrainian-German Forum of Lawyers organized jointly by the German Federal Chamber of Lawyers and UNBA
8	Continuation of work on registration of UNBA Higher School of Advocacy with the EDEBO (unified state education database), maintained by the Ministry of Education and Science of Ukraine
9	Continuation of work on registration of the scientific research topic of UNBA Higher School of Advocacy
10	Continuation of work on opening postgraduate and doctoral programs at UNBA Higher School of Advocacy
11	Continuation of work on opening Specialized Academic Board of UNBA Higher School of Advocacy
12	Implementation of scientific and expert activities of UNBA Higher School of Advocacy
13	Preparation for printing and publication of edition "Bar Standards"
14	Preparation for printing and publication of journal "Case Law of the European Court of Human Rights"
15	Preparation for printing and publication of journal "Scientific Journal of the Higher School of Advocacy of the Ukrainian National Bar Association"
16	Continuation of work on scientific and international cooperation and concluding agreements on cooperation with foreign partners of UNBA Higher School of Advocacy
17	Continuation of work on staffing of UNBA Higher School of Advocacy



Partnership Program

Partnership Program

In 2016 the Partnership Program of the Ukrainian National Bar Association was launched for the first time.

The Ukrainian National Bar Association unites more than 35 thousand Ukrainian advocates, and is an official professional organization authorized by the state to perform a number of functions. Our representative offices were opened in 15 countries around the world, including the USA, France and Hungary.

UNBA's intense contacts with foreign professional associations and national bars of other countries work on the international reputation of the Ukrainian bar and open up new opportunities for deployment of our activities.

The Ukrainian National Bar Association has committees and sections focused on topical issues of the bar and formation of a European model of the bar in Ukraine, as well as on the development of various branches of legislation.

The consolidated efforts of the bar community have created a solid foundation for inviting you to collaborate with us within a framework of partnership programs, providing you with exclusive privileges of:

- General partner of UNBA;
- Partner of UNBA;
- Partner of UNBA section;
- Event sponsor;
- · Partner bank;
- Partner insurance company;
- General partner of the Higher School of Advocacy;
- Partner of the "Journal of the Ukrainian National Bar Association";
- · Edition/publication sponsor.

The participation in the partnership program provides real opportunities to contribute to the creation of a key component of a law-governed state, namely, an independent bar, as well as to directly engage in the development of the advocates' self-government bodies and the development of legislation as such. UNBA partners have the opportunity to join UNBA committees, sections and representative offices abroad. In addition, partner cooperation provides the benefits for the professional growth of the partner companies' employees, who can participate as experts at UNBA's events, as well as improve their level taking part in the continuous legal education programs for advocates.

For more information about UNBA Partnership Program, please contact us at:

Phone: +380 44 392 7371; Fax: +380 44 392 7370; E-mail: v.krasnyk@unba.org.ua

Vadym Krasnyk

Head of UNBA, BCU Secretariat

You can view the Partnership Program in PDF format at: https://goo.gl/UGKVJT





PwC Legal – first official partner of the Ukrainian National Bar Association



On July 6, 2016 a solemn signature of a partnership agreement between the Advocates' Union "PwC Legal" and the Ukrainian National Bar Association took place.

PwC Legal became the first official partner of the Association among the law firms.

PwC Legal is a legal direction of PwC Ukraine. The company's team of lawyers and advocates specializes in national and international law and is a part of the largest professional network, enumerating 2 500 lawyers in 83 countries.

During the signing ceremony Andrii Pronchenko, managing partner of PwC Legal, said: "PwC Legal is happy to act as a flagship of changes, supporting initiatives for the development of the State governed by the rule of law and new qualitative changes introduced by colleagues from UNBA, which furthermore correlate with the mission and values of our company. We are confident that the partnership will enable us not only individually, as company's advocates, but also as a powerful international company with the world name, to contribute to a development in our country of a genuinely professional and independent legal profession, the construction of which is one of the most prominent signs of any democratic country".

Valentyn Gvozdiy, UNBA Vice-President and member of UNBA Expert Council, noted that: "The UNBA is building in Ukraine a modern European bar, with a view to introducing the most advanced practices of legal profession. I am convinced that the partnership with PwC Legal — a company working to the highest international standards, has a considerable experience and principled positions on questions of ethics, independence and transparency of the legal profession — will strengthen our position as a conductor of European reforms".





You can find out more about UNBA partners at: https://goo.gl/VPMV40





UNBA Communications

UNBA Communications

UNBA works as a modern transparent organization that publicly reports on its activities, supports communication not only within the professional community, but also with the whole society, academic communities and legal business. We summarize our performance not in the annual reports only, but we regularly publish statistical information on the activities of all advocates' self-government bodies, including the financial one. News about UNBA's activity, expert comments, authors' publications, regulatory documents and decisions, as well as announcements on public activities are promptly made public by all channels of corporate communications.

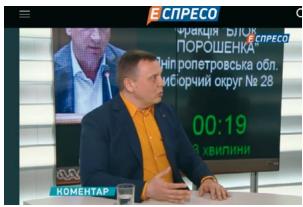
UNBA is open to the press and provides information on all activities of the bar, publicly clarifies the position of the professional community in relation to judicial reform, changes in legislation, and protection of citizens' rights. UNBA Communications Department provides prompt comments from the leading advocates on a wide range of legal issues for TV channels, prints, online periodicals, and radio.

UNBA representatives held 6 press conferences on key information platforms regarding the most resonant events and strategic challenges to the bar independence in 2016.

In cooperation with the most authoritative specialized legal journals, UNBA publishes authors' articles and organizes interviews on topics of professional interest to practicing advocates, scholars, and law students.

By expanding the audience and striving to explain the complex legal issues in a simple and easily understandable manner, the BCU representatives keep blogs on different web-resources such as LB.ua, Liga.net, and Forbes.











Link to Pavlo Grechkivskyi blog: https://goo.gl/KhzK8L

UNBA official website

The structure of UNBA official website provides an opportunity to place not only operational information about UNBA activity in an easy to read and search modes. The thematic sections provide full information on access to the legal profession, peculiarities of legal profession, specialized legislation, acts of UNBA, case law and practice of the European Court of Human Rights. The site contains electronic versions of UNBA thematic and annual reports, guidelines and books, UNBA Journal, photo and video materials. Due to the fact that UNBA cooperates with many international partners, the Communications Department maintains an English version of the website.

The website also contains the Unified Register of Advocates of Ukraine (URAU). This portal is the official electronic resource providing information from the register.





Link to UNBA official website:

www.unba.org.ua



UNBA Journal

UNBA Journal is an official publication of the Ukrainian National Bar Association. The Journal contains key decisions of national advocates' self-government bodies, official explanations from the Bar Council of Ukraine on contemporary matters of the practice of law (admittance to the bar, qualification improvement, etc.), analytical materials on contemporary matters (a reference list is enclosed), overviews of judgments by courts of higher instances, generalizations of judicial practice by particular categories of cases heard by appellate courts, etc. The bulletin is issued once a month.





Link to the latest UNBA Journal at UNBA official website:

https://goo.gl/ I67Pr0



Official Facebook page

UNBA's Facebook page is continuously updated with the latest news. Over 24 000 persons are viewing posts on our Facebook page per week, which provides an opportunity to interact with advocates from all over the country. Every piece of news is viewed 2 500 times on average.

Thus, by posting on our page a survey on a matter of contemporary importance for the bar community, the Facebook helps collect the necessary information in a fast, transparent and efficient manner.

The all-Ukrainian project "Ukrainian Bar History", supported by UNBA Centre for Research on the Bar and Law, has its own page on Facebook. More than a thousand Facebook users have signed up to the project page.

The project uses social networks to publish the latest research on the history of the Ukrainian bar, thematic radio programs, news about the Centre's own activities, information on the academic disciplines that the Centre develops to deepen the knowledge of law students about the history of the profession.







https://goo.gl/7R5ksb



Link to the all-Ukrainian project "Ukrainian Bar History" on facebook.com: https://goo.gl/NUgTh8







Link to UNBA official channel on youtube. com:

https://goo.gl/ TdPqJ4

Official Youtube channel

UNBA's Youtube channel is an exceptionally powerful and effective instrument to inform the advocates by disseminating video information about UNBA's activities. The channel is structured by the following topics:

- Interviews with and greetings from UNBA leadership;
- · Meetings of the Bar Council of Ukraine;
- Advanced training seminars for Ukrainian advocates;
- · Materials of Congresses of Advocates of Ukraine;
- Information regarding the Declaration on the Protection of Human Rights in Criminal Proceedings.

Official Twitter page

Our official page on Twitter is also continuously updated with the latest news and photo reports from UNBA's events. To this end, every registered user has the opportunity to stay informed about the association's latest events in a convenient form.





Link to UNBA official page on twitter: www.twitter.com/infounba







Cooperation with printed media

UNBA works and communicates with target printed mass media. Our association maintains contacts with the following professional periodicals: Legal Practice Newspaper ("Yurydychna Praktyka"), Advocate Magazine ("Advokat"), Law and Business Newspaper ("Zakon i Biznes") and other nationwide online resources, TV channels and radio companies.

UNBA newsletters

UNBA's main news and events are communicated weekly via electronic newsletters sent to addresses of advocates on file in the URAU. It is an effective and efficient instrument of informing advocates about the association's activities and development.





Link to UNBA official website www.unba.org.ua



Each one of the information sources used by UNBA enables the association to cover all target groups in a convenient and accessible way of receiving informa-

UNBA continues to develop and implement new information approaches to improve the coverage and inform advocates and the public about activities of the advocates' self-government bodies.



Press conferences

Press conferences held in 2016

January 28, 2016: UNBA press conference "Identification of an advocate with a client is prohibited by law"

UNBA Vice-President Valentyn Gvozdiy, Chair of UNBA Committee on Protection of Advocates' Professional Rights and Guarantees Taras Lamakh, the Deputy Chair of UNBA Committee on Protectoion of Advocates' Professional Rights and Guarantees Yevhen Solodko, and the Chair of UNBA Committee on Advocates' Professional Conduct Andrii Tsyhankov have commented on such violations of the advocates' rights as a call to interrogation as a witnesses, conducting searches of law firms and bureaus, seizing property, documents and data storage devices containing advocate's secrets, intimidations, arson of the advocates' cars, offices, etc., which is inadmissible in a civilized and lawful state.

In 2015 the Committee on Protection of Advocates' Professional Rights and Guarantees received more than 50 appeals, in January 2016 – about 10 appeals.

The legislation prohibits the identification of a n advocate with a client, and the widespread practice of making common allegations with infringement of procedures should be stopped. "We were divided according to clients; our society does not consider us to be advocates, but the party to one or another court proceeding", - he said. The answer to this problem should be consolidation. "Unless each and every advocate considers such a problem to be their own, nothing can be done", - said Andrii Tsyhankov.



Andrii Tsyhankov emphasized the key principle of practice of law, namely, the advocate's secret guaranteed by the law, including the international obligations of Ukraine. "Advocates are guaranteed by law to know the truth about what their clients have done and to work out a system of their protection. And society has no right to condemn us for that. Since it is the task of the prosecutor's office and independent courts to convince the public that the prosecutor's office, police and courts are able to prove the person's guilt".

February 22: UNBA press conference on "Violations of advocates' rights in Ukraine – symptoms of a police State"

UNBA position was presented by UNBA, BCU Vice-President Valentyn Gvozdiy, Chair of UNBA Committee on Protection of



Advocates' Professional Rights and Guarantees Taras Lamakh, the Chair of UNBA Committee on Protection of Human Rights Hanna Kolesnyk, and advocate, member of UNBA Committee on Protection of Human Rights Hanna Boriak.

UNBA is concerned that the majority of violations of advocates' rights and interferences with their activities are caused by illegal actions of prosecutors. Of particular concern is the silence of the authorities: there is no legal or political reaction to a situation which affects not only the code of legal profession, but also is a threat to standards of protection of human rights in Ukraine.

"We would like to make an absolutely clear declaration of unprecedented pressure on the bar from the part of law enforcement bodies. Those violations of advocates' rights indicate that our country has signs of a police state. We are sorry to admit it, we are sending this message to everybody – the Ukrainian politicians, civil society and the international community", - said Valentyn Gvozdiy.

March 28: press conference of UNBA representatives on "New violations of the advocates' rights in Ukraine"

UNBA Vice-President Valentyn Gvozdiy, Chair of UNBA Committee on Protection of Advocates' Professional Rights and Guarantees Hanna Kolesnyk, the Committee Deputy Head Ihor Cherezov have presented a revised UNBA report on violations of advocates' rights and the most flagrant crimes against the advocates, in particular, the resonant murder of a famous advocate Yurii Hrabovskyi. The position of the bar community on amendments to the law "On the Bar and Practice of Law" was also presented. The situation with the disappearance and murder of Yurii Hrabovskyi once again proved the need for immediate amendments to the laws to strengthen the rights of advocates and the mechanisms for their protection.

"We are procedurally sort of similar with the representatives of the law enforcement agencies, but in fact, in the legal field we stay unarmed. We cannot conduct investigative actions, we can question people, but this is not the evidence in a criminal case", - stated lhor Cherezov.

Hanna Kolesnyk informed that the analytical report on the violations of the advocates' in Ukraine was sent to the Ukrainian authorities and international professional organizations in order to attract the attention of the public and to prevent the further growing tendency of such violations. The document re-

flects an impressive scale of the problems that the Ukrainian advocates are facing today.

April 13: press conference on "European standards in the Ukrainian legal profession — waiting for reforms from the new Government" at the Ukrainian Crisis Media Center

UNBA Vice-President Valentyn Gvozdiy and the Chair of UNBA International Relations Committee Ivan Grechkivskyi have emphasized on such priorities of bar reform as the strengthening of independent constitutional status, the introduction of an effective mechanism for the protection of advocates' professional rights and guarantees, the neutralization of the state's influence on the system of legal aid.



"The Ukrainian National Bar Association is convinced in the urgency of reforms in the bar and believes that this process should fully comply with the European standards and implement the world best examples of legal profession. UNBA will therefore continue to work actively on international arena and to lobby the European reforms in Ukraine", - said Ivan Grechkivskyi.

June 1: press conference on "Advocates require transparency in bar reform" at the Ukrainian Crisis Media Center

UNBA, BCU Vice-President Valentyn Gvozdiy and the BCU Secretary Pavlo Grechkivskyi have presented the bar's position concerning the amendments to the Law "On the Bar and Practice of Law", elaborated by the Working Group of the Council on Judicial Reforms at the President of Ukraine.

"The artificial limitation of the participation of professional bar community in developing of the draft law has already led to significant risks for the independent status of the advocates' rights. The proposed draft law is a combination of the law onjoint stock companies and the law on elections. Unfortunately, nobody thinks about the interests of the bar. The BCU came to the conclusion that someone is preparing an illegal takeover of the bar", - said Pavlo Grechkivskyi.

The amendments to the Law "On the Bar and Practice of Law", developed by the Working Group, threaten the inde-



pendent status of the bar and the effective functioning of the advocates' self-government. This position is fixed in the BCU Decision of May 20, 2016.

July 6: UNBA press conference on "Unprecedented interference with bar activities and threats to protection of human rights in Ukraine"

UNBA Vice-President Valentyn Gvozdiy, The Chair of UNBA International Relations Committee Ivan Grechkivskyi, the Deputy Heads of Committee on Protection of Advocates' Professional Rights and Guarantees Yevhen Solodko and Ihor Cherezov have commented an unprecedented situation with mass searches of advocates in Kyiv City, conducted by the NABU detectives.

UNBA was shocked by yesterday's events which occurred around the searches of advocates' premises. At least six advocates were searched, which we are aware of, and we also have information that 70 other searches of advocates' offices are being prepared for the next few days by the police", - said Valentyn Gvozdiy.

He called the searches conducted by the NABU on July 5 in several offices of advocates and advocates' unions "a total crack-down on the law".





UNBA strategy

UNBA Development Strategy by 2020

In 2016 UNBA has revised its key document defining mission, vision, core values and priorities of UNBA activities. At the BCU meeting on November 17, 2016, UNBA has approved its Development Strategy by 2020. The new document contains a detailed program of UNBA activities for 4 years. The key fields of activity include the participation of the bar community in judicial reform, institutional strengthening of the advocates' self-government as a guarantee of independence of the legal profession, defense of the advocates' rights, improvement of standards and access to legal aid, development of cooperation with international institutions and partners in Ukraine, introduction of training programs for advocates and law students, expanding the range of consulting services, as well as the innovative services for UNBA members.

1. General information:

The Ukrainian National Bar Association (UNBA) is an all-Ukrainian non-governmental non-profit professional organization uniting all Ukrainian advocates to ensure the implementation of the objectives of lathe advocates' selfgovernment.

Established in 2012 in accordance with the Law of Ukraine "On the Bar and Practice of Law" on the basis of professional independence, it promotes the development and strengthening of the bar in Ukraine, enhancing the level of legal aid provided by the advocates, as well as the role and authority of the bar in society, protection of rights and legitimate interests of the organization members.

2. Vision:

UNBA is a strong and authoritative professional organization, devotedly serving the advocate, legal profession and society, which has gained national and international recognition, is an effective tool for protecting the rights of citizens, a guarantor of the independent status and professional freedom of every advocate in Ukraine.

3. Mission:

- Promote the development and independence of the advocates' self-government in Ukraine.
- Promote the strengthening of the role and authority of the bar within Ukrainian society, enhancing the status of the legal profession and trust into profession from the part of Ukrainian society.
- Represent the interests of the bar in relations with state authorities, local self-government, public associations and international organizations.
- · Contribute to raising the level of legal culture and legal consciousness of the society.
- Defend the interests of its members, create opportunities for their professional development and improvement.

- Encourage the involvement of the bar in the process of lawmaking and implementation of legal reforms.
- · Protect the advocates' professional rights and ensure the guarantees for practice of law.
- Promote the improvement of the level of professional training and advancement of the advocates, as well as ensure the observance of ethical standards of the practice of law.
- · Promote the improvement and availability of free legal aid in Ukraine.
- Represent interests of the bar in Ukraine and abroad.

4. Values:

- 1. Advocate's independence and freedom in his/her professional activities.
- 2. Legitimacy.
- 3. Dominance of client's interests.
- 4. Impermissibility of conflict of interest.
- 5. Confidentiality.
- 6. Competency and good faith.
- 7. Respect for the legal profession.
- 8. Rule of law.
- 9. Honesty and fairness.
- 10. Equality before the law and court.

5. Objectives and tasks:

Strategic objectives:

- 1. Develop UNBA into a strong, united and authoritative organization in Ukraine and abroad.
- 2. Ensure active participation of its members in the constitutional process and the implementation of constitutional changes in the effective legislation.
- 3. Improve procedures for the professional development and advancement of advocates.
- 4. Improve the effectiveness of the communications system with all parties to and participants in the legal reform in Ukraine.

Tasks:

1. Improve the work of the system of advocates' self-government bodies in Ukraine and promote more active involvement of advocates in their work at the national and regional levels.

- 2. Raise the requirements for practice of law, in particular, raise the professional, moral and ethical requirements for persons intending to obtain the status of an advocate, as well as the requirements for disciplinary control over legal profession.
- **3.** Simplify the procedure for access of citizens to legal aid.
- **4.** Improve the system of legal regulation of the advocates' professional rights and duties, as well as provide guarantees for the practice of law. Introduce effective mechanisms for bringing officials to justice for violation of the advocates' guarantees of independence.
- **5.** Introduce qualitative changes into the professional development system and improve the process of the advocates' advancement.
- **6.** Actively promote cooperation with international professional organizations of advocates for borrowing and introducing their best practices.
- **7.** Improve the system of advocates' activity taxation.

- **14.** Holding events, publishing and promotion of materials on the history of Ukrainian bar.
- **15.** Implementation of UNBA Partnership Program. Collaboration with international donor programs and technical assistance projects.
- **16.** Development of projects and programs of the All-Ukrainian Charitable Organization "Charitable Foundation of Assistance to Advocates".
- **17.** Manufacture and distribution of brand advertising and souvenir products.
- **18.** Broad promoting of public and bar community awareness about UNBA activities through specialized, business and general mass media, as well as social media.
- **19.** Informing the society and the bar community about UNBA activities on the corporate website and through UNBA's printed publications. Further development of the corporate website and UNBA's periodicals.

6. Key directions of UNBA activities by 2020:

- **1.** Effective influence of the bar community on the course of judicial reform and participation in the law-making process.
- **2.** Protection of the advocates' professional rights and ensuring guarantees to practice law.
- **3.** Representation of the Ukrainian bar in relations with state authorities, local self-government, public associations and international organizations.
- **4.** Ensuring access to and openness of information on advocates and practice of law in Ukraine.
- **5.** Consideration of complaints against decisions, actions or inactivity of the qualification and disciplinary commissions of the bar.
- **6.** Control over financial and economic activities of UNBA bodies and the system of advocates' self-government.
- **7.** Improving standards and opportunities for citizens to access the legal aid.
- **8.** Cooperation with international professional organizations, institutes and projects on the bar and law. Representation of interests of the Ukrainian bar in other countries.
- **9.** Institutional development and improvement of UNBA's work.
- **10.** Development of sectoral committees and sections of UNBA.
- **11.** Launch of special programs, consulting services and innovative services for UNBA members.
- **12.** Assistance in raising the level of professional training and qualifications of the advocates.
- **13.** Multidisciplinary collaboration with higher education institutions. Introduction of special programs for young advocates.



Table of contents

I	Ukrainian National Bar Association	2
	Dear colleagues! Mission and vision Organizational structure How does UNBA operate? Activities of UNBA, BCU Secretariat in 2016 Organizational structure of the BCU, UNBA Secretariat Secretariat staff Unified Register of Advocates of Ukraine Key court cases involving the Ukrainian National Bar Association and the Bar Council of Ukraine in 2016 UNBA's achievements on the international stage in 2016 CLE events held by UNBA CLE events held by UNBA jointly with other organizations Key achievements and events in 2016 Legal Alarm UNBA Financial indicators of performance in 2016	3 4 5 5 7 8 10 11 15 16 21 22 23 26 27
II	Bar Council of Ukraine	28
	Meetings of the Bar Council of Ukraine in 2016 BCU members BCU statistical reporting for 2016	29 36 37
Ш	Higher Qualification and Disciplinary Commission of the Bar	39
	Activities of the Higher Qualification and Disciplinary Commission of the Bar in 2016 Decisions of the Higher Qualification and Disciplinary Commission of the Bar in 2016 HQDCB members HQDCB statistical reporting for 2016	40 43 45 47
IV	Higher Audit Commission of the Bar	49
	Report of the Higher Audit Commission of the Bar for 2016 HACB members	50 52
V	Activities of UNBA Committees	53
	Report of UNBA Committee on Protection of Advocates' Professional Rights and Guarantees for 2016 Report of UNBA International Relations Committee for 2016 Report of UNBA Committee on Advocates' Professional Conduct for 2016 Report of UNBA Committee on Mediation for 2016 Activity program of UNBA Committee on Mediation for 2017 Report of UNBA Committee on Legislative Initiatives on the Bar for 2016 Report of UNBA Committee on Protection of Human Rights for 2016 Report of UNBA Academic and Methodological Centre for Research on the Bar and Law for 2016 Report of UNBA Committee on Physical Training and Sports for 2016	54 60 64 65 66 67 69 70 73
VΙ	Activity of the regional advocates' self-government bodie	74
Vinn Volyi Dnip Don Zhyt	onomous Republic of Crimea ytsia Region n Region oropetrovsk Region etsk Region omyr Region omyr Region	76 77 78 79 80 81 82

Ivano- Kyiv Re Kyiv Ci Kirovol Luhans Lviv Re Mykola Odesa Poltava Rivne I Sumy I Ternop Kharkiv Kherso Khmeli Cherka Cherni	ty nrad Region kk Region gion iv Region Region Region	83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101
ΥII	UNBA Higher School of Advocacy Report on performance of UNBA Higher School of Advocacy in 2016 Working program of the Higher School of Advocacy of the Ukrainian National Bar Association for 2017	101 102 105
YIII	Partnership Program PwC Legal – first official partner of the Ukrainian National Bar Association	107 108
IX	UNBA Communications	109
Х	Press conferences	114
XI	UNBA strategy UNBA Development Strategy by 2020	117 118 122

Contacts





(044) 392-73-71



info@unba.org.ua



(044) 392-73-70



04071, Kyiv, 6 Yaroslavska Street, 5th floor







unba.org.ua





fb.com/Ukrainian NationalBarAssociation





twitter.com/infounba





youtube.com/c/HAAY_PAY