

## Data Sheet

<b>USAID Mission:</b>	Russia
<b>Program Title:</b>	Legal Systems Strengthened
<b>Pillar:</b>	Democracy, Conflict and Humanitarian Assistance
<b>Strategic Objective:</b>	118-0221
<b>Status:</b>	Continuing
<b>Planned FY 2005 Obligation:</b>	\$5,587,000 FSA
<b>Prior Year Unobligated:</b>	\$75,000 FSA
<b>Proposed FY 2006 Obligation:</b>	\$3,600,000 FSA
<b>Year of Initial Obligation:</b>	2002
<b>Estimated Year of Final Obligation:</b>	2012

**Summary:** USAID's program to strengthen legal systems increases public awareness of legal rights, strengthens legal protection of human rights, and enhances public relations and advocacy skills of human rights organizations. The program also increases the abilities of lawyers to represent citizens through continuing legal education and supports women's legal rights. It makes the judicial system more transparent, independent, and efficient through training and exchanges between Russian and American judicial officials on judicial education and governance, ethics, court administration, and the implementation of jury trials. The program builds the capacity of the judiciary.

### Inputs, Outputs, Activities:

**FY 2005 Program:** Improve Justice Sector/Legal Framework (\$4,120,000 FSA, \$75,000 FSA carryover). A new set of activities to improve the justice sector and legal framework will begin in FY 2005, continuing the thrust of past programs with some refinements. USAID's judicial reform activities will continue to offer key Russian judicial reformers at the national level, and in regions of Russia that have shown a willingness to innovate, the opportunity to benefit from ideas and examples of the best practices in U.S. judicial administration, governance, and ethics. This will be achieved through exchanges between Russian and American judicial officials and capacity building of Russian institutions such as the Judicial Department of the Supreme Court, the Academy of Justice, the Supreme Qualifying Collegium (SQC), and the Council of Judges. These activities will occur, in part, through regional "sister bar" partnerships that work with the judiciary and other legal professionals in the regions. Continued support for a successful pilot court program will encourage innovative case management and court administration procedures for possible nationwide replication. USAID's follow-on program will fund assistance on carefully targeted aspects of judicial administration, court management (including customer service), and judicial ethics. The judiciary has begun to publish its own bulletin on judicial ethics decisions following upon the success of the USAID-funded publication on this topic. However, further education on implementation of the norms remains important. Principal contractors and grantees: Chemonics International (prime), American Bar Association/Central European and Eurasian Law Institute (ABA/CEELI) (prime), to be determined (TBD).

Protect Human Rights and Equal Access to Justice (\$1,467,000 FSA). To strengthen equal access to justice and protect human rights, a new activity will place greater emphasis on lawyer training, strengthening the skills of users of the legal system, and on better use of the legal system by civil society organizations (CSOs). It will stress the provision of better legal information and representation to Russian CSOs and encourage networking among them. Work with Russia's system of lawyers' "chambers," (somewhat analogous to bar associations), which are now responsible by law for continuing legal education (CLE) for the practicing bar, will help to structure and implement CLE on a national scale. Interaction between carefully targeted members of the Russian and American legal communities, as well as support for indigenous reformers, will further strengthen clinical legal education and other educational innovations, women's rights, and advocacy for legal reform. These activities will continue to build constituencies for legal reform outside of the Government of Russia (GOR) and professionalize

the legal community. Technical assistance and training begun in 2003 will continue to support the GOR's decision to implement jury trials nationwide.

USAID will continue its human rights program, partly through a subgrant program and partly through separate grants, to develop the advocacy skills of CSOs, improve their legal status and their image among the general public, and provide access to justice through human rights law clinics. Principal grantees: International Memorial (prime), Perspective (prime), Moscow Helsinki Group (prime), University of Minnesota (prime), and new grantees to be determined.

**FY 2006 Program:** Protect Human Rights and Equal Access to Justice (\$850,000 FSA). The benefits of earlier support to CSOs in their use of the legal system will result in favorable court decisions in a number of substantive areas in which they work. Should the overall political climate permit, the legal status of CSOs will improve. There will be a program of CLE in place for Russia's practicing lawyers. Same implementers as above.

Improve Justice Sector/Legal Framework (\$2,750,000 FSA). These activities will push for the federal-level judiciary to adopt and apply revised instructions for court personnel. Increasing the confidence citizens place in the judicial system will require the following USAID-supported activities: adoption by the judiciary of better practices; increased efficiency brought about by more widespread use of automation and improved case management; the incorporation of norms from the jurisprudence of the European Court of Human Rights; and greater legal activism by civil society and business. Same implementers as above.

**Performance and Results:** Although cases of selective prosecution and politically-laden cases grabbed the headlines in 2004, the evolution of the Russian legal system continues. The number of court cases continues to grow, and citizens and taxpayers win a majority of the suits they bring against government agencies. There are also positive forces at work on the judiciary. Since 1998, Russia has been subject to the jurisdiction of the European Court of Human Rights, and since May 2002, at least 17 Russian cases have been decided by the Court, most of them finding violations. This body of law is binding on Russian courts, and the judicial leadership stresses this fact to the rank and file of judges. These cases are beginning to help shape more modern legal norms on key issues such as length of pretrial detention, length of civil proceedings, and rights to appeal.

Although sometimes under pressure, judicial reformers continue to try to strengthen judicial self-government with support from USAID's programs. Since the Judicial Department of the Supreme Court began representing the interests of the courts of general jurisdiction to the Russian government, funding for those courts rose fivefold in five years to the unprecedented level of one billion dollars in 2004. New positions, including court administrators, judicial law clerks, justices of the peace, and court press secretaries, have been introduced in recent years as the judiciary professionalizes its operations, often borrowing the ideas directly from U.S. practice showcased in USAID programs. More court decisions and decisions of judicial organs are published, both nationally and at the regional level. USAID grantees successfully use the legal system, having taken over 1,600 cases to court since 2002 on behalf of workers, refugees, the disabled, and other constituencies. They have won a majority of those cases. In November 2004, a working group of representatives from the Judicial Department, USAID pilot courts, and other judicial officials, joined by two U.S. Clerks of Court, in November 2004 recommended that the Judicial Department delete unlawful portions of the court instructions and incorporate key innovations. The Supreme Qualifying Collegium of Judges has taken over publication of a bulletin (begun as a USAID project) about its judicial ethics decisions, and the All-Russia Congress of Judges recently voted to adopt a new Ethics Code which included input from American judges.

## US Financing in Thousands of Dollars

Russia

118-0221 Legal Systems Strengthened	<b>FSA</b>
<b>Through September 30, 2003</b>	
Obligations	8,840
Expenditures	3,928
Unliquidated	4,912
<b>Fiscal Year 2004</b>	
Obligations	3,395
Expenditures	4,559
<b>Through September 30, 2004</b>	
Obligations	12,235
Expenditures	8,487
Unliquidated	3,748
<b>Prior Year Unobligated Funds</b>	
Obligations	75
<b>Planned Fiscal Year 2005 NOA</b>	
Obligations	5,587
<b>Total Planned Fiscal Year 2005</b>	
Obligations	5,662
<b>Proposed Fiscal Year 2006 NOA</b>	
Obligations	3,600
Future Obligations	0
Est. Total Cost	21,497