



European Union
Advisory Mission
to Ukraine



Organization for Security and
Co-operation in Europe
OSCE Project Co-ordinator in Ukraine

**MEMORANDUM OF CO-OPERATION
BETWEEN
THE OSCE PROJECT CO-ORDINATOR IN UKRAINE
AND
THE EUROPEAN UNION ADVISORY MISSION FOR CIVILIAN SECURITY
SECTOR REFORM UKRAINE**

The OSCE Project Co-ordinator in Ukraine (OSCE PCU), acting according to the Memorandum of Understanding between the OSCE and the Government of Ukraine of 13 July 1999 and ratified on 10 February 2000,

and the European Union Advisory Mission for Civilian Security Sector Reform Ukraine (EUAM), acting according to the Agreement between the European Union and Ukraine on the status of the European Union Advisory Mission for Civilian Security Sector Reform Ukraine (EUAM Ukraine) of 17 November 2014 and entered into force on 13 March 2015,

hereinafter referred to as "the Parties" for the purpose of developing co-operation in the field of security and justice sector reform,

RECALLING the numerous international conventions, instruments and mechanisms on promoting security and justice sector reform, especially the OSCE Charter for European Security (1999), OSCE Permanent Council Decision No. 1049 on OSCE Strategic Framework for Police-Related Activities, OSCE Helsinki Ministerial Council Decision No. 7/08 on Further Strengthening the Rule of Law in the OSCE Area, ODIHR Kyiv Recommendations on Judicial Independence in eastern Europe, South Caucasus and Central Asia, OSCE Brussels Declaration on Criminal Justice Systems, OSCE Bucharest Ministerial Decision No. 9 on Police-related Activities, Ljubljana Ministerial Decisions No. 12 on Upholding Human Rights and the Rule of Law in Criminal Justice Systems and No. 14 on Women in Conflict Prevention, Crisis Management and Post-Conflict Rehabilitation as well as Ministerial Decision No. 7/09 on Women's Participation in Political and Public Life, EU Concept for CSDP Support to Security Sector Reform (2005), EU Council Conclusions on a Policy Framework for Security Sector Reform (2006), Concept for European Community Support for Security Sector Reform (2006), Assessing the EU's approach to Security Sector Reform (2013);

AIMING at assisting Ukraine in establishment of effective, sustainable and accountable security and justice systems that contribute to strengthening the rule of law;

SHARING a comprehensive and co-operative approach to civilian security as well as a strong interest to co-operate closely on civilian security-related issues in Ukraine at all levels;

COMMITTED to co-ordinating efforts in pursuing common objectives and finding shared solutions in support of the security and justice sector reforms in Ukraine;

PROMOTING the respect of the rule of law and human rights in all activities;

CONVINCED that a comprehensive and multidisciplinary approach to security and justice sector reform requires the involvement of civil society and non-governmental organizations;

SHARE THE FOLLOWING UNDERSTANDING:

ARTICLE I

Purpose and Scope

1. The purpose of the Memorandum is to consolidate efforts of the Parties aimed at promotion of international standards in the sphere of civilian security sector reform in Ukraine, of the rule of law and democratic development.
2. The two Parties agree to co-operate on the basis of mutual respect, equality and mutual benefit and intend to work collaboratively, as set out herein in this Memorandum.
3. Each Party will implement this Memorandum within the scope of its mandate and in accordance with its own policy framework, regulations, rules and procedures.
4. No provision hereof may be interpreted as establishing legally binding rules.

ARTICLE II

Forms and Modalities of Co-operation

1. To attain the purpose of the Memorandum in accordance with their respective mandates and within the limits of available resources, the Parties co-operate in the following areas, their list being not exhaustive:

Legislative and good governance reforms transparency and inclusiveness

- a) facilitating effective dialogue between the political actors, public administration and Ukrainian society on reforms agenda thus contributing to a peaceful, sustainable and inclusive reforms process;
- b) supporting transparency, accountability and inclusiveness of the reform process; the Parties will strive to contribute to open and accountable decision making in Ukraine;
- c) enhancing the capacity of the parliamentary services in legislative drafting and legislative review of bills on their conformity with European standards.

Judicial reform

- d) supporting the development of a strategic approach to judicial reform in Ukraine in line with best international standards and practices;
- e) enhancing the capacity of Ukrainian judicial authorities to provide initial training for candidate-judges, and continuous education and training for sitting judges.

Police reform

- f) providing support to develop a strategic approach to police reform in Ukraine in line with the international best practices;
- g) strengthening the capacity of Ukrainian police educational institutions to provide pre-service and in-service police training;
- h) raising awareness on the benefits of police reform among the Ukrainian population and police;

- i) developing a curriculum and provision of training for police units undergoing reform (including but not limited to precinct police service);
- j) strengthening the capacity of Ukrainian police and prosecution in criminal proceedings;
- k) providing support to develop a strategic approach to the implementation of Municipal Guard according to EU standards.

2. The modalities of co-operation, under this Memorandum, may include:

- (a) regular exchange of information on security and justice sector reform as well as information on relevant activities which are organized by each of the Parties and could be of a common interest concerning their co-operation under this Memorandum;
- (b) meetings to review the progress of activities being carried out under this Memorandum and to plan future activities, at such intervals as deemed appropriate;
- (c) organization and conduct of joint events: meetings, seminars, round tables, conferences, training programs, educational campaigns etc.
- (c) joint efforts to mobilise resources, including human and financial, with a view to support and promote security and justice sector reform in Ukraine in a comprehensive way, striving to avoid duplication of efforts and ensure that tasks and responsibilities are delegated according to comparative advantages and the practical experience of the Parties;
- (d) implementation of or support to education, training and research activities for national and regional stakeholders through courses, seminars, events and conferences and through support to the development and implementation of common programmes, curricula and course materials on various aspects of security and justice sector reform;
- (e) joint efforts to foster and promote capacity and institutional building programmes in the field in a sustainable manner;
- (f) any other form of assistance mutually agreed by the Parties.

3. While seeking synergies, the Parties will respect each other's mandates and policy framework as well as the regulations, rules and procedures applicable to each Party. In particular, the Parties agreed to take into account EUAM strategic advisory expertise and OSCE PCU's extensive capacity building experience and long-term co-operation with the Ukrainian authorities and civil society.

ARTICLE III

Co-operation with Third Parties

In order to attain the purpose of the Memorandum, the Parties may in mutual agreement invite other institutions and organizations of any legal form of incorporation and subordination and natural persons to the project co-operation, to establish with them provisional working groups and other research and complementary structures.

ARTICLE IV

Miscellaneous Provisions

1. This Memorandum does not create or imply any obligations of a financial nature for the Parties. Any commitment undertaken by any of the Parties within the scope of the present Memorandum will be subject to the availability of resources. The Parties will seek, as appropriate, relevant funding opportunities in support of projects in the aforementioned fields.

2. No provision of the Memorandum shall affect privileges and immunities of the OSCE Project Co-ordinator in Ukraine and/or the OSCE as international organization as well as privileges and immunities of the European Union Advisory Mission for Civilian Security Sector Reform Ukraine.

3. Any use of the name, including its acronym, and emblem or official seal of each Party (the "requested Party") in connection with the co-operation hereunder will be subject to the prior written agreement of the requested Party. In no event will authorisation be granted for commercial purposes.

4. The Parties will nominate contact persons to facilitate liaisons and communication under this Memorandum.

ARTICLE V

Validity of the Memorandum

1. The Memorandum enters into force as of the date of its execution.

2. The Memorandum is concluded for the period of one year. The term of validity of the Memorandum shall be automatically extended for the each subsequent year unless either Party informs in writing the other Party of its intention to terminate the Memorandum.

3. Either Party may terminate the Memorandum at any time by notifying thereof in writing the other Party.

ARTICLE VI

Final Provisions

1. Done in Kyiv ~~July~~ July 2015 in two copies in English (one copy for each Party).

2. Any amendments or supplements to the Memorandum shall be agreed in writing between the Parties through exchange of relevant letters that shall become an integral part of the Memorandum.

IN WITNESS WHEREOF, the undersigned, the duly authorised representatives of the respective Parties affix their signatures below.

For the OSCE Project Co-ordinator in
Ukraine

Ambassador Vaidotas Verba
OSCE Project Co-ordinator in Ukraine

For the European Union Advisory Mission
for Civilian Security Sector Reform
Ukraine

Mr. Kalman Mizsei
Head of Mission