

# People-Centered Justice in Ukraine

## Second National Consultation

July 15, 2021

### Background

The [USAID New Justice Program](#) and the Pathfinders for [Peaceful, Just and Inclusive Societies](#) organized a second national consultation on people-centered justice in Ukraine on July 15, 2021. Surveys and discussions from the [first national consultation](#) held in November 2020, revealed gender-based violence and informal employment as two key justice problems in Ukraine. Following the first consultation, two working groups consisting of various stakeholders were formed to discuss and design roadmaps to resolve these justice problems. The second consultation brought together over 50 people representing the government, civil society, the judiciary, and other experts to discuss the draft roadmaps and practical implementation of people-centered justice in Ukraine. The two working groups presented their findings and roadmaps, and national and international experts commented on these. The meeting concluded with an agreement on the way forward.

### Overview of the two roadmaps

**The working group on gender-based violence** focused on the experience of domestic violence survivors. While acknowledging that domestic violence is a complex issue which needs a comprehensive policy and approach, the working group focused on a key aspect of the problem. It recognized that violence is cyclical and must be stopped at the outset, lest it intensify. Given this, the group focused on a key mechanism for timely response – restraining orders. Based on surveys and studies, the group identified key challenges in seeking and obtaining restraining orders. It also proposed strategies to resolve the problems. Some of their recommendations are listed below:

- Government should **provide practical support** to domestic violence survivors, such as user-friendly applications, providing templates for forms, and develop pilot projects for better online filing.
- It's necessary to **overcome legislative obstacles and improve the quality of service** for survivors by improving the legal framework, training judges and developing more tools for them to use when working on domestic violence cases.
- **Justice actors**, from courts to law enforcement to civil society groups, should complement each other's work and collaborate to ensure **effective and timely enforcement** of protective orders to keep survivors safe.

**The working group on informal employment** presented findings from their research and reported that there are serious justice problems faced by workers in the informal economy, including discrimination,

lack of paid leave, and wage theft. The majority of informal workers who experienced injustice were unable to resolve them. In fact, they were 6.5 times more likely to be fired for seeking justice as compared to those employed in the formal sector. Notably, women make up a large portion of informal laborers and have faced disproportionate injustices during the pandemic because of their work status and gender. The research also suggested strategies to address the justice problem. Some of their recommendations are listed below:

- **Legal needs data** must be collected through surveys on a regular basis in order to raise awareness of the problem and its scale.
- **Government should hold businesses and enterprises** who do not abide by the law **accountable**. Conversely, it should offer incentives to those who demonstrate transparency and good practices.
- Government must implement **accessible and efficient labor dispute resolution mechanisms** (especially through trade unions) and simplify the judicial procedures for labor dispute resolution.
- **Justice actors** should partner with others across sectors to provide holistic services.
- **Civil society should be integrated** in all processes and support accountability as well as empowerment efforts.

## Key Insights

The second consultation hosted a robust array of speakers from the Ministry of Justice of Ukraine, the State Labor Service of Ukraine, civil society organizations, USAID, and international experts (see the [agenda](#) for more details). They agreed that **Ukraine is leading the way** in justice data collection and people-centered justice initiatives. However, it's now time to "walk the talk." People-centered justice is rhetorically and conceptually powerful but we need to translate and operationalize this concept into concrete actions. National and international actors are ready to amplify solutions which work to demonstrate good practices and accelerate action on justice for all. Some of the key insights from their remarks and discussion are highlighted below:

*People-centered justice: it is about methodology, meeting people where their needs exist, and empowerment*

A people-centered approach must begin with unveiling the human experience. It starts with an understanding of people's justice needs and designing appropriate solutions. The end goal of people-centered justice is autonomy and empowerment of people to resolve their problems. Given this, methodology lies at the heart of people-centered approach. How do you understand the problems, how do you design and implement the solutions? It is not simply about changing laws and policies. It must be accompanied by a shift in mindset. It also requires flexibility and a re-orientation on the part of justice actors to meet people where their needs exist. Notably, meeting people's justice needs does not always require formal legal solutions. Multiple means and methods are essential!

*Justice data and evidence*

Data is crucial to understand the scope and impact of justice problems, and is critical in designing and delivering evidence-based, people-centered justice strategies. It is equally important to understand what

works and to facilitate cooperation between different sectors. Significantly, the data collection and analysis process must be transparent and accessible.

### *Leadership and funding*

People-centered justice entails a paradigm shift in the way justice pathways and solutions are designed. This requires political will and leadership. It also necessitates allocating adequate financial and human resources from the outset. Justice actors need to clearly understand that advancing people-centered justice is a key part of their role.

### *Collaborated action*

People-centered justice must be delivered by a justice system that is open and inclusive, and which works in collaboration with other sectors such as health, education, housing, and employment. There is an urgent need in Ukraine for justice actors across the sector to work together to achieve a more holistic and comprehensive approach to meet people's justice needs. This includes collaborating on raising awareness and in providing holistic solutions that empower individuals.

## Next steps

The working groups agreed to **develop an action plan** to accompany their roadmaps, which will identify stakeholders responsible for action points and set deadlines in order to ensure accountability.

## More information

For additional resources, see:

- Highlights and policy recommendations of the Justice for All Report ([English](#)) ([Ukrainian](#))
- Justice in a Pandemic: Justice for All and the Economic Crisis ([English](#)) ([Ukrainian](#))
- Justice in a Pandemic: Justice for All and the Public Health Emergency ([English](#)) ([Ukrainian](#))
- Committing to People-Centered Justice in Ukraine ([English](#)) ([Ukrainian](#))
- (Draft) Roadmap on the Application of A People-Centered Approach In Improving The Access To Justice For Gender-Based Including Domestic Violence Survivors With Respect To Issuance Of Restrictive Orders ([English](#)) ([Ukrainian](#))
- Study on “Legal Needs of Informal Employees in Ukraine: causes, consequences, possible solutions” ([English summary](#)) ([Ukrainian](#))