

# NEWSLETTER of the EU-Central Asia Rule of Law Platform

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## YOUR VIEWS



*Elisabeth Morin-Chartier, EU MEP and President of the European Union of Women (EUW)*

### FOR EUW PRESIDENT, THERE IS MUCH WORK TO BE DONE EVERYWHERE TO SUPPORT WOMEN'S RIGHTS – BOTH WITHIN THE EU AND BEYOND

Elisabeth Morin-Chartier is a Member of the European Parliament since 2007, and President of the European Union of Women (EUW) since March 2013. In 2014, she backed with enthusiasm the signing of the cooperation protocol between the European Union of Women and the League of Women-Lawyers of the Republic of Tajikistan initiated by the Rule of Law Platform.

In October and November 2014, the Rule of Law Platform organized a study visit to Paris for Tajik women, and a regional seminar on gender issues in Dushanbe. In an [extensive interview](#) she said that such activities afford the women of Central Asia and their counterparts in Europe to learn from each other, to respect each other's position.

She also encouraged the Rule of Law Platform in particular to support women by combatting domestic violence – “because it is precisely in the private sphere that everything happens and so legislation is needed to protect women there too”. The second battle, she says, is the education of girls, because you cannot be autonomous, without education and professional opportunities.

Founded in 1953 the European Union of Women promotes the fight against gender-based discrimination, domestic

violence and women's rights and freedoms. Much of her life has been devoted to the fight against domestic violence, for equal education for girls and boys; and for equal career opportunities. Poor pay for women results in serious impoverishment for older women in particular, she notes, so it's a political, economic and social issue. Equality is not easy even within the EU.

Although much remains to be done within Europe, she welcomes the RoL's calls to be active outside of Europe. The reason, she says, is on our TV screens every evening. Many of Europe's problems originate beyond its borders. Moreover, “there is no such thing as a European status of women. Women enjoy different conditions in Europe. And so, with the women of Central Asia, the logic is the same, to improve women's condition. There is no perfect model. There is much work to do everywhere”.

## RECENT EVENTS



### EU SEMINAR KICKS OFF REFORM OF JUDICIAL EXPERTISE IN TAJIKISTAN

On 4 March 2016, in Dushanbe the Justice Council of the Republic of Tajikistan and the European Union launched a dialogue on European best practices with regard to the use of judicial expertise in the legal system. The aim was to provide insights into the challenges of establishing such a system in Tajikistan with delegates being given a chance to hear from experts about the experience of Britain, Finland and France.

## The Rule of Law Platform:

The Rule of Law Platform acts as a coordination mechanism to facilitate policy dialogue and promote the measures needed to encourage and support legal and governance reforms in each of the Central Asian countries.

A fundamental tenet of the European Court of Human Rights is the right of the parties to the fair use of judicial experts as a key component of the adversarial process and a fair trial. Such experts can provide important inputs and clarifications to support key arguments – the judicious use of experts to substantiate or query arguments has been described as “*a small trial within a trial.*”

The seminar on “Fair Judicial Expertise” was organised by the EU – Central Asia Rule of Law Platform, under the patronage of the Ministry of Justice of Tajikistan, the project's main national partner. It was attended by 120 high-level experts, judges, judicial experts, practicing lawyers, academics, policy makers and Ministry and civil society representatives. International representatives included Dr. Pekka Hallberg, Emeritus President of the Supreme Administrative Court of Finland, Mr. François Pinchon, Honorary President of the Society of Judicial Experts to the French Cassation Court, Mr. Denys Duprey, Former Member of the Board of the Paris Bar,

## Contact us:

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and Mr. Robert Stevenson, Solicitor (England, Wales and Hong Kong), and the ambassadors of EU, Finland and Germany.

In Central Asia in general, lack of budgetary resources to adequately fund expert services has slowed reforms aimed at a more independent profession based on objective expert conclusions. Part VI of the government reform program provides for the establishment of an independent state agency on judicial expertise, as well as licensed independent non-state judicial experts.

During the seminar lessons were identified to be incorporated into the upcoming reform that will be undertaken as part of the "Programme of Legal-Judicial Reform of the Republic of Tajikistan for 2015-2017".

Both the EU and Central Asian partners recognize a common interest in developing transparent legal systems that lead to greater stability and an environment that is conducive to investment and job creation.

#### **THE EU PROVIDES TRAINING ON ADMINISTRATIVE JUSTICE AND PROCEDURE TO KAZAKH LAWYERS AND JUDGES**

A training seminar on Administrative Justice and Administrative Procedure was held for 40 Kazakh administrative law specialists and judges of the Supreme Court in Astana on 4-5 April, 2016. It was organised in the framework of the Rule of Law Initiative of the European Union for Central Asia, with support from the European Union, GIZ, the Ministry of Justice and the Supreme Court of Kazakhstan.

The objective of the seminar was to provide exposure to best European practices and to propose ideas for a reform of the administrative law and administrative procedure in the Central Asian countries, with a view to strengthening the rule of law in the region. The benefits of establishing an administrative procedure law and a law on administrative justice were discussed in light of the experience of Germany and Latvia. The participants will draw on the knowledge gained when drafting new laws on administrative procedure

and administrative justice due to be enacted in 2017.

At the Fourth Ministerial Conference (Astana, 14-15 November 2014), which was also organised by the Rule of Law Platform, the Ministers of Justice of the European Union and Central Asia underlined "the importance to develop an administrative procedure code, separate from the civil procedure, for resolving public law disputes". At this conference it was also noted that this is a critical aspect of sustainable economic development and improving the business climate, by ensuring legal security, notably for investments".

#### **THE EU SHARES BEST PRACTICES WITH KAZAKH ENFORCEMENT AGENTS**

On April 12, 2016, the Rule of Law Platform organized a seminar in Astana on "Professional ethics and procedural fairness - International standards and national developments in the field of enforcement" for a group of 90 Kazakh private and state enforcement agents, government specialists and academics. The seminar looked at ways to foster dialogue between the national professional agencies of Kazakhstan and representatives of the International Union of Enforcement Agents with a view to supporting the introduction of international professional and ethical enforcement standards. This comes as part of the Government's reform and the implementation of the "100 Steps Towards a New Nation" to strengthen the rule of law. Best practices looked at how to implement principles such as the European Court of Human Rights resolution that "*The execution of court judgments within reasonable time must*



*The delegates at the training seminar on administrative justice and procedure in Astana*

*be regarded as an integral part of the fair trial."*

The seminar followed the guidelines of the European Commission on the Efficiency of Justice (CEPEJ) and focused in particular on the experience of Bulgaria, the Czech Republic, Germany and Latvia.

The seminar was co-organised by the Rule of Law Platform, IRZ, the Ministry of Justice of Kazakhstan and the Republican Chamber of Private Enforcement Agents of Kazakhstan.

#### **CHECK OUT THESE WEBSITE UPDATES**

In early 2016, many pages of our web site [http://ruleoflaw.eu/](http://ruleoflaw.eu) were updated. Please check out in particular the new Project presentation, and work plan per region and country.

New sections on the website include:

- Voices for civil rights
- Regional dialogue on rule of law
- 5th Ministerial Conference in 2016
- Flagship Platform activity "Initiation to law for pupils of Kyrgyz Schools"
- Expert network and international partnership
- Newsroom

#### **Next on the Rule of Law Platform agenda**

##### **April 2016**

- ✓ Kyrgyz Awareness Modules Deployed in Kyrgyz pilot schools
- ✓ Seminar on the development of civil society, Ashgabat, Turkmenistan

##### **May 2016**

- ✓ Coordination meeting to prepare the Fifth conference of the Ministers of Justice of EU and CA, Brussels
- ✓ "National deployment week and round-table" of the Initiative "Introduction to law for pupils of Kyrgyz schools"