



# **PROJECT ANNUAL REPORT**

JUNE 2016 – MAY 2017

**RADA FOR EUROPE:**  
CAPACITY-BUILDING IN SUPPORT  
**OF THE VERKHOVNA RADA  
OF UKRAINE**

**CONTRACT N°:** ENI/2016/374818



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# LIST OF ABBREVIATIONS

EC	European Commission
ENPI	European Neighbourhood Partnership Instrument
EP	European Parliament
EU	European Union
EUD	EU Delegation
IR	Inception Report
KE	Key Expert
LTE	Long-Term Expert
NGO	Non-Governmental Organisation
PPR	Project Progress Report
STE	Short Term Expert
TA	Technical Assistance
TAT	Technical Assistance Team
TL	Team Leader
ToR	Terms of Reference
VRU	Verkhovna Rada of Ukraine

# 1 PROJECT SUMMARY

Project title:	RADA FOR EUROPE: CAPACITY-BUILDING IN SUPPORT OF THE VERKHOVNA RADA OF UKRAINE
Duration:	24 months from 1 June 2016 – 31 May 2018. Inception phase 1 June 2016 to August 31 2016. Implementation phase September 1 2016 to May 31 2018.
Budget:	Euro 1,300,000
Source of funding:	European Union, European Neighbourhood and Partnership Instrument (ENPI)
Implementer:	United Nations Development Programme (UNDP)
Beneficiary:	Speaker’s Office of the VRU, Conciliation Board, Secretariat of the VRU, NAM Task Force created through VRU Resolution 4210, Committees of the VRU; Civil society organizations, Secretariat of the VRU (including Press Service and Information Division)
Overall objective	To strengthen the capacity of the VRU to produce quality legislation and to effectively monitor its implementation, including legislation pertaining to the implementation of the EU-Ukraine Association Agreement, to fulfil its Constitutional prerogatives, and to serve a model and a driving force of governance reforms.
Specific objectives	<ol style="list-style-type: none"> <li>1. To support changes to parliamentary procedures and processes, establishing a framework for improving the quality of legislation in substance and in form, including in the context of the AA implementation;</li> <li>2. To strengthen the Secretariat (including Committee staff) enabling it to provide effective, non-partisan services to the VRU and MPs;</li> <li>3. To assure greater transparency and openness of the VRU and more consistent communication and dialogue with the public.</li> </ol>



## 2 PROJECT BACKGROUND

The project was developed as an outcome of the joint Verkhovna Rada – European Parliament Needs Assessment Mission carried out between August 2015 and February 2016, whose recommendations provide a roadmap for reform of the Verkhovna Rada.

### ✓ 2.1. Joint European Parliament and Verkhovna Rada of Ukraine Needs Assessment Mission

The Needs Assessment Mission (NAM) was a key product of the Memorandum of Understanding (MoU) between the European Parliament and the Verkhovna Rada on a joint framework for parliamentary support and capacity building, signed by Volodymyr Groysman, Speaker of the Verkhovna Rada, and Martin Schulz, President of the European Parliament, on 3 July 2015.

To implement the capacity-building partnership, the MoU outlined the following priority areas:

- strengthening the constitutional roles of law-making, oversight and representation of the Verkhovna Rada,
- improving the quality of legislation and of the legislative process in Ukraine,
- increasing the transparency, predictability, efficiency and openness of the proceedings of the Verkhovna Rada,
- contributing to the effective implementation of the EU-Ukraine Association Agreement.

In order to enable and support the implementation of the Memorandum, a Needs Assessment Mission (NAM) was established by the European Parliament – led by Mr Pat Cox, former President of the European Parliament – to work with its counterparts in the VRU on defining the areas in which to strengthen the parliament as an effective democratic institution. The focus of the NAM was to identify fundamental areas which can leverage overall change in institutional effectiveness and accountability. The NAM recommendations focus on seven key areas which could unlock overall improvements in legislative production and institutional effectiveness.



The seven focus areas of the Needs Assessment Mission were as follows:

1. Legislative capacity and process in the Verkhovna Rada
2. Political oversight of the Executive
3. Openness, transparency and accountability to citizens
4. Approximation of Ukrainian legislation to the EU acquis
5. Administrative capacities
6. Coalition, opposition and dialogue within the Verkhovna Rada
7. Ethics and conduct at the Verkhovna Rada



The Needs Assessment Mission carried out six expert fact-finding missions to the VRU and holding more than 100 meetings. The seven key areas were discussed with the VRU leadership, the political faction leaders, Committee Chairs, individual MPs and the VRU Secretariat, as well as with the Government of Ukraine, Ukrainian and international civil society organisations and other representatives of the international community. In addition, a large database of documents relating to the VRU, government, and parliamentary reform were analysed.

The NAM report was released during Ukrainian Week at the European Parliament in Brussels, Belgium, on February 29 2016. The NAM report contains 52 recommendations designed to provide a Roadmap for reforms that will enable the Verkhovna Rada to become an effective, transparent and democratic institution operating according to international best practices and European democratic norms. The Report was discussed and adopted by an overwhelming majority of the Verkhovna Rada in resolution 1035 on March 17 2016.

On March 1 2016, during Ukrainian Week at the European Parliament in Brussels, and in conjunction with the unveiling of the NAM report recommendations, an Administrative Cooperation Agreement was signed between the Secretariat of the Verkhovna Rada of Ukraine and the General Secretariat of the European Parliament.

The agreement outlines areas of collaboration and support between the two administrations, including:



- administrative restructuring and streamlining;
- human resource development;
- communication capacities;
- drafting and monitoring of implementation of legislation, oversight of the executive, planning and agenda setting of the plenary and of parliamentary committees;
- library, policy analysis and research capacities;
- establishment of an inter-party dialogue unit within the Verkhovna Rada to facilitate political dialogue and consensus building.





## ✓ 2.2. Rada for Europe project

The Rada for Europe project was initiated as a collaboration between United Nations Development Programme and the European Union. It builds upon a continuing relationship between UNDP and the Verkhovna Rada that has included support to the development of the Open Parliament Initiative in Ukraine, and the provision of expert technical advice to the Needs Assessment Mission process. UNDP has also engaged with the VRU through supporting various sector committees, including the Anti-Corruption Committee, the Committee on Human Rights, National Minorities and International Relations and the Committee on State Building and Self-Governance. In 2013 UNDP helped introduce a methodology for how to conduct civic anticorruption expert assessments of draft legislation. UNDP is also an active partner of Ukraine's Chapter of the Global Organization of Parliamentarians against Corruption (GOPAC) and the affiliated Anti-Corruption Action Centre (ANTAC). In 2012, UNDP, together with National Democratic Institute (NDI), supported the establishment of the inter-faction group "Equal Opportunities" which initially accounted for 42 MPs.

UNDP has been engaged in a wide range of support to democratic reform initiatives within Ukraine for a number of years that have engaged with parliament and parliamentarians. The European Union has also worked closely with the Verkhovna Rada in facilitating the institution's incorporation of European democratic norms through both the EU Delegation to Ukraine and the Support Group to Ukraine. As a result of the Association Agreement between the European Union and Ukraine, the EU-Ukraine Parliamentary Association Committee was established, which contains delegations from both the Ukrainian and European Parliaments.



As discussed in the background section above, the European Parliament has made a substantial commitment to supporting Rada reform, both through its support to the NAM process including the nomination by the European Parliament presidency of former EP president Pat Cox to head the Needs Assessment Mission, through continuing intensive administrative support to the Needs Assessment Mission and its follow-up, and through the Administrative Co-operation Agreement.

Following the adoption of the NAM recommendations by the Verkhovna Rada, UNDP and the European Union, in conjunction with the VRU and the European Parliament, identified key priorities within the recommendations and developed a project to provide capacity-building support to the Rada to assist implementation. The three areas of support to be provided are in strengthening the legislative process, enhancing the capacities of the Secretariat, and increasing parliamentary transparency and openness. A particular focus in the work of the project is on assisting the Verkhovna Rada to make the necessary reforms to enable effective implementation of the provisions of the EU-Ukraine Association Agreement signed in 2014.



The project inception phase began on June 1 2016, with a three-month inception phase, ending on August 31 2016, and implementation phase beginning September 1 2016 and ending on May 31 2018. This report covers the period June 1 2016 to May 31 2017.

## 3 POLITICAL SITUATION IN UKRAINE DURING THE REPORTING PERIOD

### 3.1. Background

The project commencement occurred shortly after the voting of a new government by the Verkhovna Rada on 14 April 2016, with former Verkhovna Rada Speaker Volodymyr Groysman elected Prime Minister. A new Speaker, Andriy Parubiy, was elected by the Verkhovna Rada. Mr. Parubiy is assisted by first deputy speaker, Iryna Herashchenko, and by deputy speaker Oksana Syroyid.

There are 450 members (deputies) of the unicameral Verkhovna Rada, but at present there are only 423 members because elections could not take place in 2014 in Crimea and parts of eastern Ukraine.

The political composition of the Verkhovna Rada shifts quite frequently, with members moving between different party factions and blocs. As of May 1 2017, the composition of party groups was as follows:

#### Political Composition of the Verkhovna Rada of Ukraine, May 2017

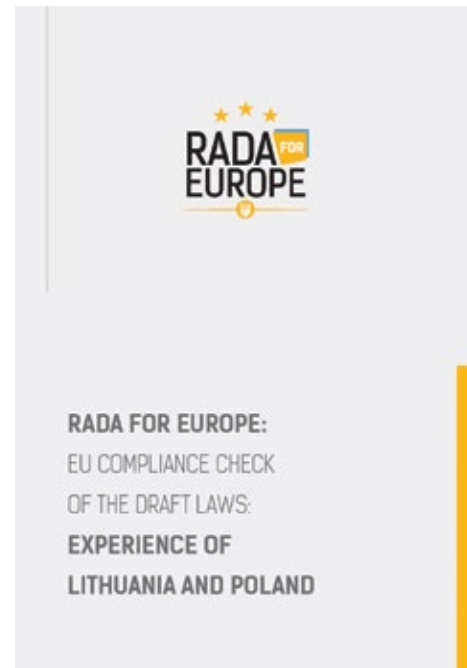
Faction of the Party "Petro Poroshenko Bloc"	142
Faction of the Party "People's Front"	80
Faction of the Party "Opposition Bloc"	43
Faction of the Political party "Samopomich" Union"	26
Faction of Oleh Liashko Radical Party	21
Faction of the Party "Batkivshchyna"	20
Group "People's Will"	19
Group of the Party "Revival"	24
Non-affiliated People's Deputies	48
<b>Total</b>	<b>423</b>

The two largest parties, the Petro Poroshenko Bloc (BPP) and the People's Front, form the current governing coalition. Together the command, in principle a majority within the Verkhovna Rada, with 222 of 423 elected deputies. However, in practice, party and faction membership does not guarantee that members will vote for propositions supported by their party leadership, including those of the governing coalition. Political support must be negotiated for each piece of legislation on a case by case basis. During 2016, for example, only 40% of pieces of legislation submitted by the government were adopted into law, a considerably lower percentage than in most democratic parliaments.

This specificity of Ukrainian politics and of the Verkhovna Rada has a major impact on the country's political life and upon the possibility for comprehensive reforms such as those contained within the EU-Ukraine Association Agreement. There is a paradox whereby the power of the Peoples' Deputies in the Verkhovna Rada is great in terms of ability to influence the decision-making process, but at the same time the ability of the institution as a whole to efficiently and effectively legislate and hold the government to account is quite limited. Thus, the VRU is frequently perceived by Ukrainian citizens as a blockage point in the reform process.

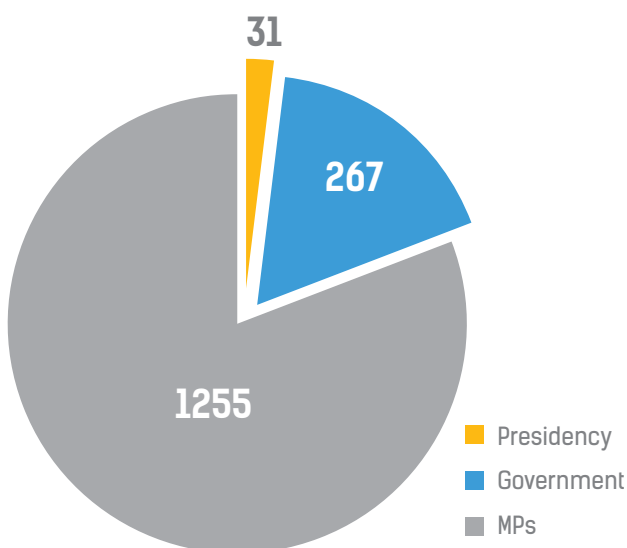
The Verkhovna Rada's juridical position is highly regulated within the Ukrainian constitution and is also governed by a comprehensive set of internal regulations. However, some provisions within the rules of procedure are inconsistent with the Ukrainian constitution, and the complexity of the legislative framework within which the VRU operates have been identified as barriers to effective institutional functioning. Unusually within international parliamentary practice, the central parliamentary secretariat and the committee secretariat are governed by separate pieces of legislation with the result that there is not a single unified secretariat under one leadership structure. There is no independent parliamentary civil service and permanent parliamentary officials are members of the national public service.

A notable feature of the VRU is the large number of pieces of legislation emanating from private members, an issue that preoccupied the Needs Assessment Mission during its work. The preponderance of MP initiatives noted by the NAM continues to be present. Between April 1 2016 and March 31 2017, MP legislative initiatives accounted for 1255 or 81% of the total 1553 pieces of legislation registered, compared with 267 (17%) from the government, and 31 (2%) from the presidency. In terms of the source of legislation passed during the same period, of the total 113, 46 (41%) originated from individual MPs, 45 (40%) from the government, and 21 (19%) from the presidency. Thus, even considering Ukraine's semi-presidential system in which the Executive role is divided between the Presidency and Government, more than four-fifths of legislative initiatives originate with MPs, and two-fifths of legislation actually adopted. This domination of MP-driven legislation is unusual in democratic parliaments and, while it reflects the capacity of MPs to pursue a policy agenda independently of government, it also limits the ability of an elected government to carry out its programme.



## Legislative proposals

April 1 2016 to March 31 2017



Members of parliament in Ukraine are guaranteed the right of legislative initiative within the Ukrainian constitution. While this is not unusual in international democratic practice, in other countries there are typically formal or informal mechanisms that limit the amount of parliamentary time that is devoted to considering private members' initiatives. This can be through ballots that select a small number of MP initiatives to be considered each session, through organization of the parliamentary timetable to concentrate private members' business into specific timeslots each week, and through formal or informal parliamentary practice in which member initiatives are coordinated through parliamentary groups. None of these models are used in Ukraine. Further, many MPs communicate their parliamentary work by referring to the number of pieces of legislation that they promote, rather than outcomes in terms of legislation passed or amended, or effective oversight conducted.

Frequently, competing pieces of legislation on the same subject is proposed, resulting in a heavy burden for staff and parliamentary committees required to scrutinize legislation. In many cases, it appears that alternative

pieces of legislation are proposed according to particular economic interests. Rules governing the prerequisites for the introduction of legislation (such as the inclusion of budget impact analysis with each piece of draft legislation) are not effectively applied, and the plethora of legislative proposals under consideration results in both bottlenecks and risk of poorly drafted or conflicting legislation being passed.



Another feature that results in a sub-optimal legislative process is the absence of effective prioritization of parliamentary work. Again, the Verkhovna Rada does have structures and processes for planning parliamentary work. In 2015, the VRU adopted a comprehensive legislative reform agenda made up of priority legislation contained within the EU Ukraine Association Agreement, the Strategy for Sustainable Development “Ukraine – 2020”, the Extraordinary Address by the President of Ukraine to the Verkhovna Rada of Ukraine “On the Internal and External Situation of Ukraine”, the Action Programme of the Cabinet of Ministers of Ukraine, and the Coalition Agreement. However, this document has not been applied as a basis for legislative planning, and is now outdated given the new government appointed based on a narrower governing coalition in April 2016.

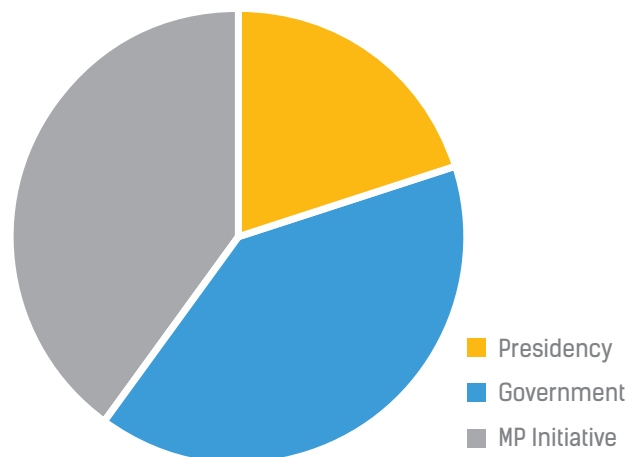
There is a medium-term planning process in which the committees of the Verkhovna Rada submit their legislative priorities each session.

These priorities are then combined and considered by the Conciliation Board, a formal body of the VRU that meets every week and advises the Speaker on the legislative agenda. The Conciliation Board comprises the leaders of the different parliamentary factions as well as committee chairs and a representative of the presidency and of the government. On a weekly basis, the Speaker’s office consults informally before proposing a legislative agenda for the week to the Conciliation Board on the Monday of the plenary weeks. The Board offers its input before the agenda is presented and adopted by the Plenary session on Tuesday.

The legislative process is thus characterised by an overload of legislative work, with ineffective systems for filtering and prioritising legislation at an early stage. Key pieces of legislation, particularly related to reform processes, are often delayed, with the result that the reforms to which the elected government has committed are frequently delayed. Numerous proposals to reform legislative processes including through reform of the VRU rules of procedure have been made over the years to address this situation, including most recently in the NAM report that was adopted by an overwhelming majority of the VRU in 2016. However, there has been only slow progress in adopting and implementing changes to legislative processes. In this situation, it is important to carefully examine and address the political and administrative dynamics that lead to this situation, so that the broader reform agenda that has been engaged by the elected government can be implemented in a coherent, planned and transparent manner.

### Legislative passed by source

April 1 2016 to March 31 2017



### ✓ 3.2. Developments within the Verkhovna Rada during 2016 – 2017

The new leadership of the Verkhovna Rada assumed office in April 2016, and there were also changes in the leadership of certain key committees, including the European Integration Committee, because of the appointment of the new government at the same time. In total 10 MPs, most with parliamentary leadership positions, left to join the new cabinet or other senior state positions. In July, a new interim head of the parliamentary administration was appointed. In addition, several members of the previous Speaker's team, who had been closely involved with the NAM and institutional reform, left to join him in the Prime Minister's office.

These changes resulted in a period of institutional consolidation. A new acting Secretary General was appointed by Speaker Parubiy to head the parliamentary administration. Also, a new team was appointed by the Speaker beginning in October 2016, with a mandate to facilitate the institutional reform strategy. On November 4 2016, Speaker Andriy Parubiy again underlined his strong commitment to the building of a "modern, European-style Parliament" as a key to the success of the country's reform process.

With the new reform team now in place, the fourth quarter of 2016 and the first quarter of 2017 were marked by a number of initiatives to reinvigorate the reform strategy. In particular, the launching of the 'Jean Monnet Dialogue' (supported by the European Parliament and NDI) enabled the leadership of different parliamentary factions to meet together and identify areas where parliamentary reforms could go ahead consensually. At the Dialogue meetings it was agreed to appoint a 'Working Group' of MPs from the different factions in order to follow up on Jean Monnet Dialogue outcomes and advance NAM implementation. This Working Group renewed regular meetings in the first quarter of 2017, and also engaged during February 2017 with President Cox who continues his engagement in facilitating the reform process in the Verkhovna Rada with the support of the European Parliament.

There has been a continuing commitment of the parliament, in collaboration with Ukrainian civil society, to increase institutional transparency, openness, and communications. The VRU has been engaged with the Open Parliament initiative since 2015, when Ukrainian MP Svitlana Zalischuk took part in the international conference on Open Parliaments in Tbilisi, Georgia, and on her return led organization of a joint parliament-civil society working group on legislative openness that developed the Open Parliament Action Plan for Ukraine. The development of the plan involved, among others, MPs and Secretariat of the Verkhovna Rada, Transparency International Ukraine, Civil Network OPORA, CHESNO movement, Eidos Centre and Media Law Institute, with support from UNDP Ukraine. On 5 February 2016, the Verkhovna Rada adopted the Action Plan. The project's activities under Objective Three build upon this initiative.

In the fifth session of the eighth convocation of the Verkhovna Rada that ran from September 6 2016 to January 20 2017, 106 pieces of legislation were adopted including 90 ordinary laws, and 16 legislative ratifications. Laws passed included notably the adoption in December 2016 of the national budget, legislation on the High Council of Justice, bringing governance of consumer credit in line with international standards, and the removal of unnecessary state controls over entrepreneurial activities. Other key legislative provisions adopted, including by amendment of existing legislation, include:

- Law of Ukraine of 21 December 2016 (1797-VIII) "**On Amendments to the Tax Code of Ukraine on improving the investment climate in Ukraine.**" Changes primarily aimed at improving the quality of administration, the process of tax calculation, taxpayer interaction and tax service, to reduce costs in terms of time and money for businesses, and remove barriers that hamper business development.

- The Law of Ukraine of November 3, 2016 (Number 1726) **“On Amendments to the Law of Ukraine” on Principles of State Supervision (Control) of economic activity “to liberalize the system of state supervision (control) of economic activity”**. This law reduced the frequency and duration of state bodies’ oversight of economic activity in order to simplify and reduce the administrative burden on business.
- Law of Ukraine of December 20, 2016 (1792–VIII) **“On large-scale expansion of exports of goods (works, services) of Ukrainian origin by insurance, guarantee and export credit cheaper”**. Establishment of export credit agencies.
- Law of Ukraine of 17 November 2016 **“On Amendments to the Law of Ukraine” On sources of financing road economy of Ukraine “** on an improved system for the financing of the road sector
- The Law of Ukraine of December 6, 2016 (1774–VIII) **“On amendments to some legislative acts of Ukraine”**, to bring the concept of minimum wage in line with European practice and international standards; introducing a new methodology for determining it (as the lower limit of wages, guaranteed by the state), providing for a minimum salary (wage rate) in an amount not less than the subsistence minimum for able-bodied persons; the transfer of authority from the monitoring of employment and wages to local authorities; an effective mechanism for completing the reorganization of social insurance funds.

Numerous other issues were debated including various social and economic issues, including energy pricing and regulation, progress on anti-corruption, and the health sector. The foreign policy of Ukraine was discussed with a particular focus on the security situation and Ukraine’s response to external aggression and threats to the country’s sovereignty. The status of Minsk Agreement implementation continues to be the subject of deputies’ concerns, as well as the continuation of international sanctions against the Russian Federation. Foreign Affairs including security was one of the seven issues on which parliamentary hearings were held. A number of economic and oversight institutions remain to be established through legislation, which delays capacity building and sectoral reform implementation possibilities. In regard to decentralization, the second reading of proposed constitutional amendments was not voted, and it appears unlikely that it will be voted in the near future. However, a number of pieces of legislation to support decentralization processes were debated and voted during the fifth session.

In terms of government oversight, during government question time, members raised issues including the minimum wage, agro-industrial sector, the state of the education sector, waste disposal, economic perspectives, infrastructure, home heating and energy issues, the implementation of the EU-Ukraine Association Agreement, and the progress towards a visa-free regime with the EU.



**РЕФОРМА**

**22 травня 2017 року**  
Верховна Рада України,  
вул. Грушевського, 5, конференц-зала

**ВИСОКА ПАНЕЛЬНА ДИСКУСІЯ**

**«ЗАКОНОТВОРЧИЙ ПРОЦЕС ТА ЄВРОПЕЙСЬКА ІНТЕГРАЦІЯ  
В КОНТЕКСТІ ПАРЛАМЕНТСЬКОЇ РЕФОРМИ»**

**14.30**  
**ВСТУПНІ РЕМАРКИ**

- ① Андрій ПАРУБІЙ, Голова Верховної Ради України
- ① Пет КОНС, колишній Президент Європейського парламенту, керівник оцінної місії Європарламенту
- ① Я.Л. Х'ю МІНГАРЕЛЛІ, посол ЄС в Україні
- ① І.Л. Мері ІОВАНОВИЧ, Посол США в Україні
- ① І.Л. Емануїл СУХОЦЬКА, Почесна Президент Венеціанської комісії

**15.00 – 16.20**  
**ПЕРЕГЛЯД ЗАКОНОТВОРЧОЇ ПРОЦЕДУРИ ВІД ПОЧАТКУ ДО КІНЦЯ**

- ① (Модератор – Дієз ДЮГУТ, програма USAID РАДА)
- ① Олександр ЗАСЛАВСЬКИЙ, Лабораторія законодавчих ініціатив/Програма USAID РАДА
- ① Олександр КОПІЛЕНКО, директор Інституту законодавства ВРУ
- ① Оксана СИРОІД, Заступниця Голови Верховної Ради України
- ① Володимир БОНДАРЕНКО, Державний секретар Кабінету міністрів України
- ① Ірина ЛУЦЕНКО, представниця Президента України у ВРУ
- ① Михайло ФРЕКДО, член Венеціанської Комісії від Мальти

**16.30–16.40**  
**ПЕРЕРВА**

**16.40 – 18.00**  
**ЗАКОНОДАВЧА ІМПЛЕМЕНТАЦІЯ УГОДИ ПРО АСОЦІАЦІЮ МІЖ ЄВРОПЕЙСЬКИМ СОЮЗОМ ТА УКРАЇНОЮ**

- ① (Модератор – Дієз ДЮГУТ, проект РАДА за Європу)
- ① Оксана СОПІНА, народний депутат України
- ① Марія ЮНОВА, народний депутат України
- ① Ольга СТЕФАНІШІНА, урядовий офіс з європейської інтеграції
- ① Дієз ДЮГУТ, представництво Європейського Союзу в Україні
- ① Зоряна МЕШУК, національна координаторка Платформи громадянського суспівства Україна-ЄС

**18.00**  
**ЗАКЛЮЧНІ РЕМАРКИ**

- ① Пет КОНС, колишній Президент Європейського парламенту, керівник оцінної місії Європарламенту
- ① Дієз ДЮГУТ, проект Рада за Європу
- ① Дієз ДЮГУТ, Програма USAID РАДА



The sixth session of the eighth convocation was opened by Speaker Parubiy on February 14 2017, with legislation and issues discussed in the first two months of the session including public health reform, anti-corruption related issues, corporation law reform, and green energy incentives. The Free Trade Agreement with Canada was ratified. The security situation and specifically the conflict in eastern Ukraine and the occupation of Crimea remained a significant concern for the Rada during the sixth session. Needs of Ukrainian forces in the East, as well as the capacities and resources of the Ukrainian armed forces are a continuing subject of discussion and concern among deputies.

The Verkhovna Rada continues to be faced with important challenges in moving reforms forward. Issues include the relatively small government majority, the fragmentation of political groupings within the Rada, a heavy legislative workload, and absence of processes for effective prioritisation and coordination of legislative workflow. International support initiatives continue to provide assistance to the Rada to address these and other challenges, with the framework of the NAM report providing a basis for the division of responsibilities and coordination of international support. In this regard, regular monthly meetings are held bringing together the reform unit of the Verkhovna Rada with the Rada for Europe project and the other international and national projects providing support to parliament. The Rada for Europe project has prepared as part of its project deliverables a regularly updated matrix of NAM recommendations, actions taken by the VRU, and support provided by different external actors and projects. This permits an easy tracking of progress as well as areas where support should be coordinated, or where external actor engagement is required.



## 4 PROJECT STRATEGY 2016 – 2017

The project Description of Action defines the areas of implementation of the project. These include:

- Make the legislative procedure more efficient
- Strengthen the Secretariat and the Committees' staff to enable them to provide effective, non-partisan services to the VRU and MPs
- Assure greater transparency of the VRU and more consistent communication and dialogue with the population

The project is based on the following principles:

1. The Verkhovna Rada has made an institutional commitment to reform through launching the Needs Assessment Mission process and by the adoption of its recommendations, by a vote of all deputies;
2. The 52 adopted recommendations of the NAM represent a roadmap for reform that provides a comprehensive and flexible strategy for reform;
3. The Rada for Europe project responds to specific aspects of the reform strategy of the VRU, with the priorities of legislative streamlining, secretariat strengthening, and parliamentary openness based on discussions with the VRU leadership prior to project implementation;
4. The project contributes to the objectives of the EU-Ukraine Association Agreement, entered into by the democratically elected government of Ukraine;
5. As part of the EU-Ukraine Association Agreement, Ukraine underlines its commitment to European values, and in particular democracy, respect for human rights and fundamental freedoms, and rule of law; the project supports the Verkhovna Rada's objective to become an exemplary European democratic parliament;
6. The Rada for Europe project offers support that is sustainable through enhancing institutional capacity; its support is entirely non-partisan;
7. The project seeks to build sustainable supportive partnerships between the Verkhovna Rada and other leading democratic parliaments, including particularly the European Parliament and European member state parliaments, which can continue after the end of the project;
8. An effective parliament carries out its functions effectively across its constitutional mandate of legislation, oversight, and citizen representation; the project's three components foster strengthened capacity in each of these mandate areas;
9. A democratic parliament represents the voice and interests of all citizens equally; the project seeks to enhance gender equality and the effective representation of minorities and disadvantaged groups in the democratic process;
10. The project cooperates and coordinates on a consistent basis with other international and national development partners of the Verkhovna Rada.

In relation to the three specific objective areas of the project, the strategies pursued during 2016 – 2017 have been as follows:

## ✔ Objective One – Legislative Strengthening

To support changes of the parliamentary procedures and processes, setting the frame for improving and monitoring the quality of legislation in substance and in form, including in the context of the AA implementation

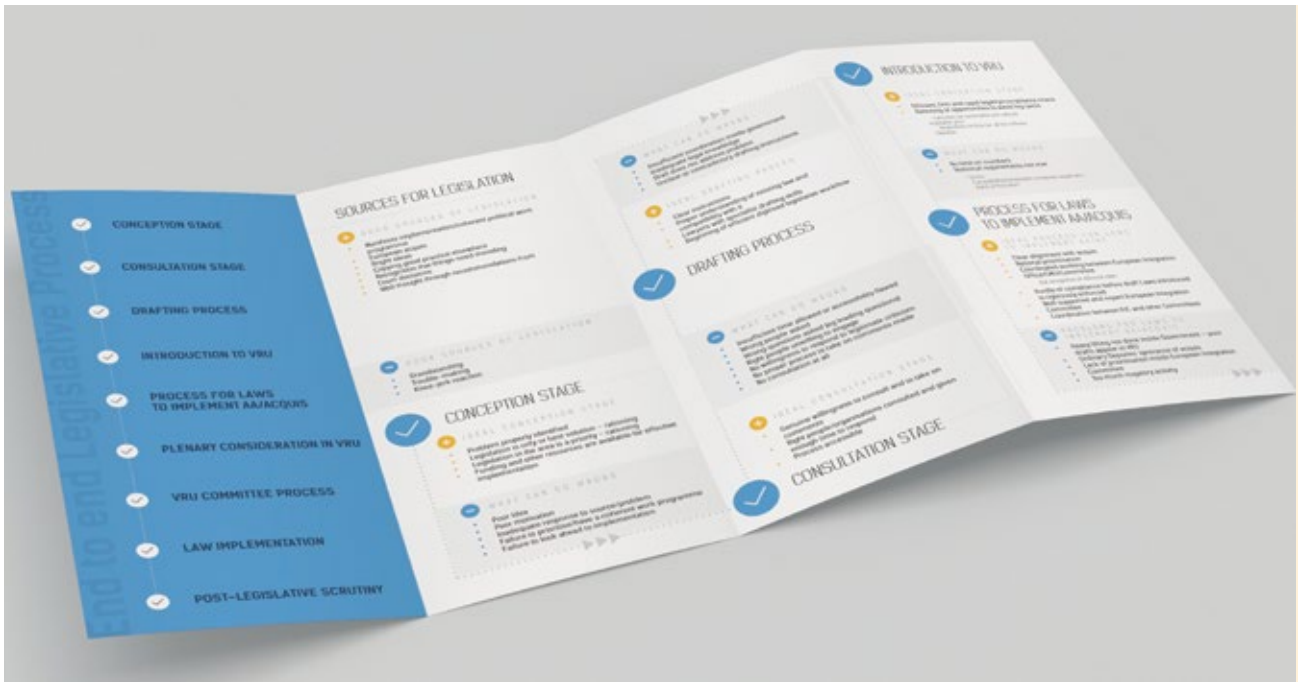
The project approach to legislative strengthening involves five interlinking principles:

- 1) Understanding the legislative process as a political as well as a technical process. While all reform involves application of technical solutions, these are simply the framework through which political questions can be asked and answered during the policy process. The objective of support is not to eliminate the political process but to enable it to function transparently and effectively;
- 2) Ensuring that the change process is the responsibility of national actors; it will be successful only if it is owned by national actors. The Rada for Europe project can help facilitate this process by providing opportunities to bring actors together to explore barriers, but it cannot substitute itself for the engagement of those actors;
- 3) Involving actors from 'end-to-end' of the legislative process. This ensures that stakeholders are included in discussions and enabled to present their perspectives. Stakeholders in the legislative process include parliamentarians, government (Cabinet of Ministers), parliamentary secretariat, committee secretariat, and citizens / civil society;
- 4) Acknowledging there is no single 'best practice'; instead providing information as requested on examples adopted by other countries, and facilitating opportunities to study various models;
- 5) Supporting overall strengthening of the legislative process while emphasizing reforms to facilitate harmonization with European Union acquis as provided in the EU-Ukraine Association Agreement



The overall policy making process in Ukraine is less coordinated than in some other countries. The government's capacity to deliver its legislative agenda is limited by factors including the relative lack of cohesion of political parties, the complexity of the policy and legislative process, insufficient opportunities for external consultation during the legislative process, and the overwhelming legislative workload characterized by a plethora of individual members' initiatives. The result is that legislation required to underpin the reform process within Ukraine is often delayed. This includes legislation relating to the EU-Ukraine Association Agreement.

While there is widespread acknowledgement of these issues and of the need to find ways to streamline the legislative process, there are several barriers to implementation of effective reforms to the legislative process. Although these barriers include suboptimal processes, it is important to understand that all processes are underpinned by a political economy of interests and human dynamics. It is necessary to understand and interact with this political economy of the decision-making processes, at the same time as providing feasible solutions to suboptimal processes.



## Objective Two – Building the capacities of the Secretariat

Strengthening the Secretariat (including Committee staff) to enable it to provide effective, non-partisan services to the VRU and MPs in the legislative process

The implementation principles and strategies for this objective are as follows:

1. Objective of attaining European norms in parliamentary administration, in line with overall Ukrainian government objectives established in 2004 and reinforced after the 2014 Maidan revolution;
2. Approach co-ordinated with other development partners and aimed at sustainably strengthening the institution;
3. Engagement of expertise of sister parliaments, in particular the European Parliament and European Union member state parliaments;
4. Use of project resources to develop agreed strategies for implementation and to facilitate mobilisation of expertise and resources for implementing an overall reform plan;
5. Support to implementation of an e-parliament strategy that will enhance Secretariat capacity to effectively serve the institution's mandate and support public awareness of the institution and transparency in its operations.

The Verkhovna Rada Secretariat has a staffing complement of 1067 permanent civil servants organized under five deputy secretary generals each responsible for discrete areas of administration. The central Parliamentary Secretariat and the Committees' Secretariats are regulated by two separate legislative acts, which is unusual in international practice. The position of the head of the Secretariat has been vacant since 2015, with the role played on an acting basis by one of the Deputy Heads of the Secretariat. Appointment of a permanent Secretary General requires approval by a majority vote of deputies, as do changes to the structure of the Secretariat (Constitution of Ukraine, Article 85, s.35).

In common with other parliaments, the Secretariat of the Verkhovna Rada is required to provide services on a neutral basis to members of parliament. In addition to non-political support provided by the Secretariat, each member of parliament is provided a monthly budget of 25,000 Ukrainian hryvna (approximately €870) for hiring personal assistants on a contractual basis. In February 2017, there were 1426 assistants paid through this budget. However, MPs are also able to engage assistants without recourse to the VRU budget, and as of February 2017, there were more than 5,000 MP assistants not paid through the VRU budget.

The Secretariat has undergone numerous changes and reforms since the country's independence in 1991. However, comprehensive restructuring to meet the needs of a new democratic parliament remains a future goal. The Secretariat continues to be hampered in its full modernisation by a complex administrative structure and regulatory framework, the absence of an integrated plan for institutional strengthening, lack of a unified administrative hierarchy, presence of divergent staffing modalities, and an ambiguous relationship with the overall national civil service in which the question of parliamentary autonomy is not fully reflected.



The Needs Assessment Mission provided a diagnostic of the challenges facing the Secretariat and recommended nine specific reforms. Overall, a main objective of the Needs Assessment Mission recommendations on the Secretariat was to streamline and unify the parliamentary administration, so that resources can be more effectively deployed in service of the institution. Specifically, it was recommended that the Secretariat be brought under a single structure with accountability to the head of the administration. Further, it was recommended that: "A comprehensive human resource development strategy should be elaborated, led by properly resourced strategic training opportunities, including languages, and individualised career development plans identified

through the regular performance appraisal system. A policy on staff mobility should be developed and encouraged” (NAM recommendation 38)



Based on the NAM recommendations and VRU priorities, the Rada for Europe project identified the following, integrated, main areas of focus in Secretariat strengthening: a) support to the drafting, in an inclusive process, of a strategic development plan to facilitate the evolution of the Secretariat to meet the needs of a contemporary democratic parliament; b) support to the development of a comprehensive human resources strategy for the Secretariat; and c) identification of capacity development needs and organization of trainings to support capacity development in line with international best practices with a specific focus on EU acquis and harmonisation in line with the EU–Ukraine Association Agreement.

The VRU Secretariat is part of the national civil service of Ukraine. The national civil service law was substantially modified in 2015 with reforms coming into effect in May 2016 that are designed to continue its transformation to attain European norms for a modern and responsive civil service. The 2015 changes focused particularly on assuring transparent processes for both hiring and remuneration, and encouraged the streamlining of the civil service while providing opportunities for improved remuneration with savings generated through rationalised staffing.

The new civil service law enhances the role of human resources functions within the public administration, including within the Verkhovna Rada. Hiring processes are systematically carried out through panel selection including external candidates, as opposed to previous practices that often restricted selection to internal candidates. All job descriptions are to be revised so that they are competency-based.

In the context of the new requirements for civil service administration, the VR human resources leadership requested information on human resource management practices in other European parliaments. Rada for Europe organized a mission of European Parliaments experts who provided comprehensive briefings and material on EP practices, and also planned a study mission of senior VRU Secretariat officials to the Ireland, Scotland, and Westminster parliaments to explore the models applied in those parliaments.



While democratic parliaments have different legal frameworks for organization of their civil services, the model of an independent parliament civil service has a number of advantages, including:

- Recognition of the autonomy of the parliamentary institution from the executive;
- Possibility for the tailoring of terms of employment to meet specific parliamentary working conditions and needs;
- Facilitation of tailored staff development programming in the context of whole career planning.

The Needs Assessment Mission recommendations proposed consideration of moving to a model of an independent parliamentary civil service (recommendation 41) as part of an overall secretariat reform strategy to include the unification of the administration under a single hierarchy. The overall civil service reform underway as part of the new law provides an opportunity for the VRU to explore the potential for an independent parliamentary civil service and the VRU secretariat leadership has requested support from the project in such an assessment. The top leadership of the secretariat as well as representatives of the VRU Reform Office and the HR directorate examined the models used in Ireland, Scotland, and at Westminster, all of which have effectively rationalised institutional management systems based on an independent parliamentary civil service.

The resources available to the project provide for the study of different models for administrative reform as well as provision of informational trainings for leadership staff. Through these seed resources, the project is assisting the VRU to identify its preferred models and enabling development of a comprehensive reform plan, which can then be used as a basis for identifying internal and external resources required to implement such a plan, including expert support provided through partnerships with the European Parliament (through the 2 memoranda of understanding between the EP and VRU) as well as with European national parliaments.

## ✓ Objective Three – Transparency and Openness

Supporting greater transparency and openness of the VRU and more consistent communication and dialogue with the public in the legislative process (in coordination with project objective three).

Ukrainian citizens consistently cite corruption and lack of transparency as the major challenge facing the country. In response to these concerns, reform-oriented parliamentarians and civil society organizations have worked together with the parliamentary administration, with support of UNDP, to develop a comprehensive open parliament strategy as well as a draft communications strategy built on the principles of openness and citizen engagement. These initiatives provide a foundation for Ukraine's parliament to act as an example for parliaments in the region and beyond, in terms of transparency, openness, and citizen engagement. The progress towards transparency that has been made in Ukraine was recognised by the Open Government Partnership's Legislative Openness Working Group selecting the Verkhovna Rada as the host of the 2nd Global Open Parliament Conference held on May 19 and 20 2017.

The principles underpinning implementation of Objective Three of the project are as follows:

1. Fostering collaborative relationships between parliamentarians and the parliamentary administration, and transparency-oriented civil society organizations;
2. Enabling increased public trust in parliament as a democratic institution through greater transparency, including through enabling better understanding by citizens of parliament's work, and increased awareness of MPs regarding citizen expectations;
3. Supporting engagement of the Ukrainian parliament in international parliamentary transparency networks including the OGP Legislative Openness Working Group, and thus enabling exchange and learning with parliaments internationally on global best practices in parliamentary openness;
4. Enabling Ukrainian citizens, particularly in the regions of Ukraine, to engage effectively with their elected officials in the Verkhovna Rada;
5. Supporting development and implementation of a comprehensive communications strategy for the institution, linked with the Rada for Europe project's support to the capacity development of the Secretariat (Objective 2).

Ukraine's parliament faces a paradox that is not unique among contemporary parliaments internationally. While the parliament has become considerably more open and transparent in recent years, in particular after the Maidan Revolution and the influx of reform-oriented parliamentarians in the 2014 election, public perception of the institution remains generally very critical. There are a variety of different factors involved:

- A. Historically elevated levels of corruption within Ukraine’s governance system, linked to incomplete transformation of the public administration and limited institutionalisation of political accountability;
- B. Limited national reach of Ukrainian civil society organizations engaged in promoting transparency, accountability, and responsive governance
- C. Incomplete civic understanding by citizens combined with scepticism regarding institutional reform given past experience;
- D. In a context of economic crisis, continuing prevalence of clientelism within democratic politics;
- E. External efforts to undermine credibility of Ukraine’s democratic system as part of a ‘hybrid warfare’ strategy.

The project seeks to address these issues through work with change agents within parliament and the parliamentary administration, supporting increased capacity of civil society organizations to represent citizen concerns and enable greater accountability, and fostering understanding and exchanges on international practices in parliamentary openness. The global Open Parliament Conference held in Ukraine in 2017, coordinated by the Rada for Europe project, has enabled Ukraine to share both its achievements in parliamentary openness, and also engage in high-level discussions and exchanges that address the challenges in strengthening democracy through parliamentary openness.



## ✓ Gender cross-cutting priority

Fostering gender equality is a key objective of both the European Union and of the United Nations Development Programme. Supporting gender equality within the project has been included as a cross-cutting priority in the EU-UNDP Description of Action and the UNDP Project Document. The project seeks to ensure representation of both women and men in project activities in all of its work. This includes in participants in project activities including seminars and workshops, and training opportunities. Gender balance is sought in the recruitment of national and international experts, and also in the recruitment of project personnel.



In order to develop its commitment to gender equality, in 2017 the project appointed a staff member as gender focal point, and also identified specific gender-mainstreaming activities that the project will undertake. The gender focal point and project leadership consulted key actors within Ukraine and internationally to explore strategies that can be effective in the Ukrainian context. As part of this initiative, the project participated in the organization of a Europe and Central Asia regional event on parliaments and the sustainable development goals in May 2017, at which a special session was devoted to ensuring gender focus in parliamentary development work on sustainable development. The project is developing a series of activities to carry out in 2017 and 2018 which will enhance the capacity of the Verkhovna Rada to assess the gender impact of proposed legislation.

## 5 PROJECT ACTIVITIES JUNE 2016 – MAY 2017

The numbering of the project activities reported in this section of the Annual Report refer to the Annual Workplans for 2016 and 2017 for the Rada for Europe Project under the three main categories: 1) Legislative Strengthening, 2) Secretariat Capacity Building, and 3) Parliamentary Transparency and Openness.

### ✓ 1. Legislative Strengthening

**ACTIVITY 1.1. Streamlined regulatory framework on legislative process and parliamentary business processes, including development of a dedicated statute on legislative process, management of the legislative agenda and parliamentary calendar, improved roles of Parliament Committees, improved coordination with the Executive in an 'end-to-end' legislative process as well as rationalised and more effective parliamentary oversight processes (Law on "Rules for Procedures of VRU", Law on "Committees of VRU", etc)**

As noted, the strategy underpinning the legislative strengthening component, Objective One of the project, is to implement key legislative enhancement recommendations of the Needs Assessment Mission through a nationally-driven process. While some changes can be introduced informally, ultimately changes to the internal regulations governing parliament's legislative responsibilities are required to implement NAM. The project engages with different actors within and outside parliament working on potential rule changes, with the objective of fostering agreement on necessary amendments.

At the beginning of the project's mandate, a seminar was organized on June 16 2016 in conjunction with the VRU, the European Parliament, and the USAID RADA project, providing a strategic discussion on inter-institutional cooperation between the legislature and the executive: European lessons learnt and the model for Ukraine. This provided a broad overview of the challenges required in NAM implementation. The project arranged the participation at the seminar of Sir Evan Paul Silk, former UK parliamentary clerk and international expert on parliamentary development and state institutional reform, whose engagement in supporting legislative process redesign continued through the first year of the project.

In December 2016, the project team organized a further mission of Sir Paul Silk to conduct analysis on procedures for legislative agenda-setting and parliamentary business planning in the Verkhovna Rada of Ukraine. During the visit, in conjunction with the project team, he conducted meetings with interlocutors from the VRU and Cabinet of Ministers, including MPs, representatives of the Secretariat, Speaker's Office, Rules Committee, EU Integration Committee and EU Integration Office of the Cabinet of Ministers and Deputy Prime Minister. During the visit, the expert analyzed the VRU Rules of Procedure, Draft Laws on Amending VRU Rules of Procedure, and the concept of the Draft Law on Legislation Harmonization.

Based on this preparatory work, a workshop on "End-to-end Legislative Process: Best International Practice" took place on March 20, 2017 with the participation of the secretariats of the VRU Committees on Budget, European Integration, Anti-Corruption, Legal Policy and Justice, and Rules of Procedure as well as the leadership of the Main Departments of the VRU Secretariat, and presence of representatives of the Secretariat of the Cabinet of Ministers of Ukraine.

The discussion focused on the best applicable models for the legislative process for Ukraine, based on the presentation by Paul Silk of the ideal stages of the legislative process, with examples from the best international



experience. At the same workshop, the European Parliament expert Lucienne Attard provided some good examples of the EP experience in streamlining the legislative process, focusing on role of committees and committee rapporteurs, as well as the innovation of the Inter-Institutional Agreement between the EP, EC and Council on better law-making. The State Secretary of the Government and the representative of the Prime Minister's Office briefed the participants on recent developments within the Government on implementation of the end-to-end legislative process, particularly on the planned introduction of 'white papers' into the updated Rules of Procedures of the Cabinet of Ministers; a key recommendation of the NAM Report.



The project coordinated its activities on the legislative reform process with the work of the European Parliament under the leadership of former European Parliament president Pat Cox. The project's parliamentary development expert liaised closely with Mr. Cox and provided technical support to assure success of his missions to Ukraine aimed to provide an opportunity to 'reboot' the process of the parliamentary reforms through establishing key meetings both with the NAM implementation working group, and senior representatives of the international community. The approach of building cross party reform commitment through the Jean Monnet dialogue was developed under the leadership of President Cox in response to the need to rebuild reform momentum in mid-2016. The new approach coincides with changes in the leadership of the Verkhovna Rada as well as changing political dynamics in Ukraine, where the small government majority and lack of political cohesion requires a cross-party approach.

At the first meeting of the Jean Monnet dialogue at the European Parliament's Jean Monnet House in France, leaders of the different parliamentary factions agreed on some priorities for addressing and implement NAM the reform roadmap. The first issue to be address was the parliamentary committee structure. This provides an opportunity for movement on one of the more crucial of the legislative strengthening agenda; an end-to-end approach depends upon adequate harmonization of committee legislative and oversight work with the work of the ministries.

Following the discussions during the meetings of the Working Group on NAM implementation the draft Law No. 6256 on the number of committees was submitted to the Parliament, sponsored by the leadership of the Parliament and heads of factions and groups except for the Opposition Bloc. The project team provided consultation to the Speaker's Office and the Main Legal Department of the VRU on the appropriate recommendation of the NAM Report.

During the Needs Assessment Mission, the European Parliament had already provided expertise to the Ukrainian parliament on legislative agenda setting, and this work is being continued in supporting the VRU to adopt a streamlined legislative workflow model. The project interacted with the office of the president of the European Parliament in order to develop further cooperation on legislative agenda setting. This process is particularly relevant to the Verkhovna Rada because the VRU does not yet have fully embedded processes for engaging the different factions in a collaborative approach to agenda-setting.

The activity development required a sensitive approach because of the politicized nature of the agenda setting, and as a result the training had to be combined with a number of one-on-one meetings with the key actors. There was extensive coordination and dialogue with both the Speaker's office of the VRU and the different administration actors involved in legislative agenda planning.

On March 21–22, the project organized a number of meetings between Mme. Attard, representative of the office of the President of the European Parliament responsible for legislative planning, with the Speaker's Office and leadership of the Main Organizational Department of the VRU Secretariat on the EP experience in the legislative agenda setting. Agreement was reached on a follow-up visit of VRU officials to the EP in mid-2017 during the pre-plenary week at the EP, providing the Ukrainian officials with the opportunity to observe the agenda setting process in action during the meetings of the EP committees and EP political groups.

#### **ACTIVITY 1.2. Strengthened monitoring capacities for legislative quality and implementation of the VRU Legislative Plan and recommendations of the NAM report and Roadmap**

The Working Group of the Verkhovna Rada of Ukraine was established by the Speaker of the Parliament on 24 November 2016. The main purpose of this working group is to speed up the process VRU reforming and implementation of the NAM recommendations. The Working Group was formed based on equal representation of the factions (one representative from each faction and group), and also included the VRU leadership as well as representatives of the Inter-faction caucus on the full public policy cycle, as well as key members of the VRU Secretariat.

During its first meeting on December 6 2016 an agreement was identified and reached regarding main challenges, next steps and 4 NAM reforms to be implemented (Bringing VRU Rules of Procedures in compliance with the Constitution, Committee optimization, distribution of Committee seats, and VRU budget).

As a result of the 5 Working Group meetings held in late 2016 and early 2017, new draft Laws No. 5522 on Amending Rules of Procedures to bring it into compliance with the Constitution of Ukraine, and No. 6256 on optimization of the quantity of the VRU Committees, corresponding ministerial portfolios, were registered with the Parliament. Draft Law No. 5522 has been forwarded to the Venice Commission for its opinion.

With the incorporation of legislative reform priorities into the Jean Monnet dialogue process, and the creation of the VRU reform working group, the prospect exists for a more coordinated VRU-wide approach to reform. The project staff coordinates closely with President Cox and with the European Parliament, as well as local actors, in organizing President Cox's visits to Ukraine as well as meetings with the Working Group.

Meanwhile, the project team continued consultations with the key VRU stakeholders (Speaker's Office, European Integration Committee and the Secretariat) regarding development of the Legislative Reform Plan, which should be approved by the Resolution of the Parliament.

One central issue of the reforms in Ukraine is the need to assess legislation for compliance with commitments of Ukraine in the EU-Ukraine Association Agreement. The question of how best to provide expert opinion and – of equal importance – how to ensure that these opinions are of substantive use in the legislative process was addressed by the project through a series of meetings.

Agreement was reached with the chairperson of the European Integration Committee on a workshop that will study the models of different European parliaments with a particular focus on relatively recent accession States that have incorporated the body of European acquis over a relatively short time period. The project team held discussions with Hungarian, Polish, and Lithuanian experts. Based on the consultations with the Parliamentary Committee on European Integration as well as some research on various models for the EU compliance check, Poland and Lithuania were identified as initial examples because of their successful use of different approaches and models within different institutional frameworks.

On April 3 2017, a Round Table took place on EU Compliance Check, with presentation of experiences from Poland and Lithuania. The key experts for the seminar were Mr. Darius Zeruolis, adviser to the Government of Ukraine on European Integration, and former Deputy Government Secretary for EU Affairs in Lithuania, and Ms. Agnieszka Grzelak, professor of EU and international law at the Law School of Koźmiński University in Warsaw, former Expert for legislation at the EU and International Law Department of the Chancellery of the Sejm. Members of the European Integration Committee; representatives of secretariat of the European Integration Committee; representatives of the secretariats of other VRU sectoral committees; representatives of the Main Scientific-Expert, Organizational and Legal Departments of the VRU Secretariat and Speaker's Office participated in the seminar, which was attended by over 50 participants.



At the initiative of the EU Delegation and the EU Support Group for Ukraine, the Rada for Europe project, together with other EU-funded projects, took part in analysing the bottlenecks and weaknesses of the legislative process in terms of implementation of the EU-Ukraine Association Agreement. Four major clusters were addressed – legal drafting, monitoring and management of the process, verification of the EU compliance and legislative procedure in the VRU. The Rada for Europe project particularly provided expertise in the areas related to parliamentary engagement in the legislative policy cycle. As a result of the EU projects' joint work, a Concept note "Implementing the association Agreement: analysis of existing legislative procedure in Ukraine, its weaknesses and proposal for improvement" was prepared and presented to the Vice-Prime Minister on European and



Euro-Atlantic Integration and Government officials (on April 6 2017), as well as with the Members of the VRU Committee on European Integration and staff of its secretariat on April 12 2017. An agreement was reached to jointly draft a comprehensive action plan addressing the recommendations of the analysis. The recommendations are expected to be taken into account in the draft amendments to update the current legislation on state policy of European integration being prepared by the VRU Committee in cooperation with the Government Office for European and Euro-Atlantic Integration.

The project aims to support improvement in interinstitutional cooperation between the Parliament and the Government on the legislative process. In this context the project began discussions with the VRU committee on European integration as well as representatives of different policy committees regarding hearings and discussions on key thematic areas of priority (comprehensive and evidence based policy discussions), including hearing and discussion formats and possible first topics. The project drew up lists of experts who have relevant

expertise. Discussions were held with SGUA which has a number of topics it would like to address. The project liaised with experts from Slovenia and from Slovakia who are ready to give seminars on public administration reform and on medium term financial planning respectively.

Following discussions with the VRU Committee on European Integration, the project team held consultations with the Government Office for European and Euro-Atlantic Integration to identify key thematic areas for hearings in context of the AA implementation. It was suggested to consider implementation of the EU Customs Code and EU law on financial services as priority topics. Scheduling will be focused on quarters 3 and 4 of 2017.

The project monitors the implementation of NAM reforms through the preparation and updating of a comprehensive table that includes columns on NAM recommendation area, proposed actions on implementation and timeframe, (to be approved by the Parliament), proposed indicators of implementation (to be approved by the Parliament), state of implementation by the Parliament, support for implementation by a project / programme/ NGO involved, and notes. The table was distributed among stakeholders and further amended with appropriate modifications based on feedback from the different stakeholders. The monitoring reports are prepared and updated on a regular basis with input from the VRU and implementing partners. The VRU has been concerned that the information be presented in a way that facilitates implementation rather than appearing to be an external monitoring mechanism. The table has been useful for members of the working group as they move forward on reform implementation.

## ✓ 2. Building the capacities of the Secretariat

### 2.1 Drafting and adopting, in an inclusive process, a strategic development plan to facilitate the evolution of the Secretariat to meet the needs of a contemporary democratic parliament

#### **ACTIVITY 2.1.1 Establish a Secretariat strengthening advisory group, which should include representatives from the Speaker's Office, the Secretariat, Committee Secretariat**

The administration of a parliament plays a crucial role in ensuring that the institution fulfils its constitutional and legal roles, a fact highlighted in the Needs Assessment Report and Roadmap on Internal Reform and Capacity Building for the Verkhovna Rada of Ukraine. Equally, leadership of the institution with identified vision, priorities and ability to operationalize the vision is one of the key success factors in ensuring efficiency and effectiveness of the institution.

During the project implementation, some major changes in the leadership of Parliament's administration took place. The longstanding Head of the VRU Secretariat retired and was replaced ad interim by the First Deputy Head of the Secretariat, who until now combines two senior management positions (Secretary General and Chief Operations Officer) on an interim basis. The changes in the leadership of the institution have required more time and effort in mapping and embarking on the critical path for implementation of the NAM's report recommendations on reform in Administration.

In discussions with the new and existing secretariat management, the Rada for Europe project team has re-confirmed the importance of strategic development plan elaboration, with a focus on human resources management as pre-requisites for successful modernization of



the administration. The anticipated Advisory Group to strengthen the Secretariat was not institutionalized, and instead the project built working relationships with key positions in the Secretariat, with numerous consultations conducted to ensure linkages between the managements, various Secretariat departments, and Committee secretariats, to map the different actors' vision on further development of the Administration. The different actors preferred to proceed without formalization of a reform body, to permit open discussion over priorities with a range of officials. This enabled the Secretariat and its constituent parts, with support of the project, to move ahead quickly on priority reform areas without having to establish a possibly constraining reform structure.

An international consultant on parliamentary development, who had previously led the process of administration strategic development plan elaboration in the Parliament of Moldova, was hired to conduct reform prioritization discussions with the further goal of developing a basis for the Strategic Development Plan of VRU (December 2016). In the discussions with senior management, the consultant used SWOT methodology and conducted over 10 sessions with various units to analyze good practices, issues or challenges in various business processes. Importantly, the project team and consultant had open discussions with the Administration's staff on what should be the directions for development, how feasible changes were to implement, and what impact the reforms would have on the overall functioning of the institution.

As a result of the consultations, the expert, Mr. Hommes prepared a brief summary of the organizational context and suggested directions for development to be used as a basis for a more comprehensive Strategic Development Plan (January 2017). Lighter version of this strategic framework fit the needs of the current Administration more than the full-fledged Plan which would be difficult to push through both on the political level, and at the administrative level given the Secretariat's a.i. leadership. The approach also presented less risks of bureaucratization enabling rapid implementation.

Human resources management, research capacity strengthening and digital transformation were selected as 3 major priority directions. The choice of these areas was based on feasibility and impact assessments. The project team has been particularly supporting the Administration in the areas of IT strengthening and human resources management.

#### **ACTIVITY 2.1.2 Develop a comprehensive Human Resources strategy for the Secretariat, including strategic training, career development, appraisal system etc, based on international best practices**

The permanent staff of the Parliament's Administration (about 1200 people) are part of the civil service of Ukraine. The new law on the civil service came into effect in May 2016, presenting new opportunities and also some challenges in recruiting and retaining capable and committed staff. A mission of Human Resources experts from the European Parliament was fielded in December 2016, and worked closely with the project team to conducted consultations with the senior Administration leadership, as well as the HR, IT and legal units of the Administration, to identify the most pressing challenges and offer international best practices to tackle some of these issues.



Together, the Secretariat, EP mission members, and project experts identified key challenges in human resources management:

#### RECRUITMENT

- ⊗ Dependence on the State Public Service to shortlist candidates for the interviews (given the specific job profile of the parliamentary civil service, the State Public Service often cannot identify relevant candidates)
- ⊗ Increased workload in relation to open competition process
- ⊗ Absence of opportunities for internal career growth
- ⊗ No parliamentary specifics in the tests for candidates, and consequently lack of accuracy in recruiting competent candidates for the job required

#### REMUNERATION

- ⊗ Remuneration in the public service of Ukraine is traditionally low. In the transition period for the implementation of the new civil service law, institutions are entitled to the same overall “salary fund”, but there is flexibility to optimize the number of staff, combine functions, etc. creating the possibility to “free up” funds to be used to increase remuneration for certain key positions. The functioning of the Parliament as a political institution managed with input from the different represented political tendencies means that the optimized salary fund approach has not been possible within the parliament, with a corresponding barrier to streamline and refocusing of the Administration of the Parliament
- ⊗ With pay increase possible within the executive, working in the Parliamentary administration is financially less attractive, with loss of competent staff to either the Cabinet of Ministers or the Presidential Administration

#### PERFORMANCE APPRAISAL AND MANAGEMENT

- ⊗ Appraisal is a relatively new concept introduced by the civil service law. Regulations and methodology are still under development, in particular for parliamentary staff

#### TRAINING AND CAREER DEVELOPMENT

- ⊗ While the new civil service law presents more diversity in training and career development opportunities/providers, the budget that is allocated for the staff development purposes in Parliament’s Administration is extremely low– about 70 UAH or €2.40 per head, per year
- ⊗ There is increased demand for “on the job” development opportunities and more modern trainings formats. Given the budget constraints, the gap between the demands and supply is constantly growing

All of the listed HR areas and identified issues in each of them were a basis for the ongoing support of the European Parliament HR experts, which the project team is still ongoing (December 2016–May 2017). VRU HR colleagues appreciated guidance and descriptions of procedures on appraisal system (based on the seniority level in the organization), training and development (samples of the training plan and menu of courses available,

system of trainings' approval by the supervisor, matching training demand and supply, etc.), a description of the European Personnel Selection Office (EPSO), close to what was previously called the "state reserve" in Ukraine; descriptions of different contractual modalities for various services and other knowledge products. The project team has facilitated exchange of over 20 HR policies in the mentioned fields. Peer-to-peer exchange proved to be very efficient in adaptation period of the new law implementation providing time efficient and constructive dialogue between professionals.

In addition, the project team provided recommendations on methodology and shared some models of conducting an **internal functional review** of the organization to meet the request of Administration (March 2017). Given the sensitivities, the project team did not receive the internal report from this exercise.

Considering the implications of the civil service law on human resources management in the Parliament's Administration, and increased demands on the Administration to provide impartial services to MPs and overall legislative process, which are different in nature and substance to those in the executive, senior leadership of VRU's Administration expressed an interest in exploring the creation of an **independent parliamentary service** model (NAM report recommendation 41).



To meet the request for exploring an independent parliamentary system and to inform the elaboration of the new Human Resources Strategy (inevitably related to the overall structure of the Administration), the project team facilitated a study visit of senior parliamentary staff to the Westminster, Irish, and Scottish parliaments. The selection of these institutions was made in order to expose the Secretariat leadership to different parliamentary service models: a) historic transition from civil to independent parliamentary service in Westminster, b) part of the civil service in Ireland, but with some autonomy in the governance structure, and finally an independent set up from the beginning of the devolved parliament in Scotland. Selection and study visit agenda development took place in March–April 2017. The topic of the visit was cross-functional and the project had to accommodate a larger delegation request than originally planned (proposed delegation composition exceeded the budget allocation). The request was met in partnership with Westminster Foundation for Development, which co-sponsored and co-financed the week-long visit to mentioned Parliaments.

As an outcome from the mission, the project experts in conjunction with the HR unit and the Secretariat leadership will summarize options on organizing an independent parliamentary civil service, and pros and cons of an independent service vis-à-vis integration with the national civil service, it is anticipated that the analysis will form the foundation for a strategic framework for Human Resources Strategy Development.

## 2.2 Capacity-building events organized on priority topics for the Secretariat of VRU and capacity-building support provided to select units/staff of the Secretariat

**ACTIVITY 2.2.1 AND 2.2.2** Conduct an assessment of the capacity development needs of the Secretariat staff, based on institutional strategic development objectives and Plan and organize capacity development events on key strategic development priorities within the adopted strategic development plan through trainings of trainers and specific in-service training

The discussions with management and heads of units in VRU's Administration on strategic priorities and elaboration of the strategic development plan as a "roadmap" informed the project team on some of the Administration's capacity needs both on the leadership and technical levels. In building the vision for the institution, an independent parliamentary service came out as a model current leadership is interested to explore in further detail. As noted above, based on the request, the project team organized the independent parliamentary service mission to UK and Ireland. Mr. Petro Bodnar, VRU's Head of Administration, Mr. Vitalii Maksymiak, Head of HR Unit, Mr. Oleksiy Sydorenko, Head of IT Unit, Mr. Arkadiy Nyzhnyk, Deputy Head of Legal Unit and Mr. Andriy Malyk, Advisor to the Speaker on Reform of the Parliament explored the following elements of the independent (and not) parliamentary service:

- ⊗ Overall governance structure of 3 parliaments' administrations (with the distinctive leadership "corporate body" called "Commission") and organizational mapping
- ⊗ Human Resources management in a independent parliamentary service (operational efficiency question, employer attractiveness, alignment with civil service remuneration and benefits, recruitment system, training and development, etc)
- ⊗ IT infrastructure to support efficient business process within an independent Administration and smooth and modern service provision for members of parliament
- ⊗ Regulations/policies/ acts that define legal context for independent parliamentary service (UK Parliamentary Act dated 1978 and Scotland Act and Terms and Conditions for Parliamentary Staff of 1999)

The exchange visit between Ukraine and well established European Parliaments provided secretariat members with a solid understanding of the alternative models of parliamentary service functioning both on strategic and various technical levels.

In addition, the project team has facilitated peer-to-peer exchange between the IT departments of VRU and European Parliament (February–May 2017 and ongoing). VRU's IT department has developed a draft IT strategy for 2018–2020. The project facilitated an exchange of feedback and comments to the strategy by EP and hosted a strategic workshop with the Head of Unit in EP Directorate-General for Innovation and Technical Support at the end of May 2017. The workshop agenda will include analysis and validation of identified by VRU's IT priorities and their feasibility study (capacities and budget); capacity needs for further digitalization of Ukraine's Parliament and project and program management in IT.

The project has also supported exchange between the mentioned units in VRU and EP on a regulatory framework for e-bill initiative (online commenting of bills) and provided specific guidance on e-bills in European parliaments to VRU's IT unit.



### 2.2.3 Organized a line of specialized trainings on European integration/AA policy, legal approximation, regulatory and financial impact assessment, targeting Scientific and Analytical Divisions, Legal Divisions and VRU Committees

The institutional infrastructure to support European integration within the VRU is mostly concentrated within the European Integration Parliamentary Committee's Secretariat. There is only a modest number of staff and overwhelming amount of legislation to be processed, presenting a major challenge for the smooth legislative process. The project team made a thorough analysis of existing and past initiatives aimed at strengthening the relevant Administration's departments in European Integration issues, and consulted staff of the various departments on what they saw as gaps and priority themes. The project team also attended a summary event and evaluation workshop of the Institute for European Policy, which had conducted a year-long training course for the staff of the Parliamentary Committee on European Integration and other Parliamentary Committees European integration "focal points". The idea of sector-themed trainings came out very prominently during the consultations and one-on-one meetings with Secretariat staff.

The project team will conduct thematic trainings for the mentioned staff based on the priorities in the reform agenda and capacity needs of the staff. Importantly these interventions will also be a platform for interaction between VRU's Administration staff and relevant Government agencies' representatives, to strengthen peer-to-peer knowledge and expertise exchange and therefore the institutional capacities of both parties involved in expertise provision on European approximation. For the moment, transport and infrastructure and customs were identified as priority topics for the upcoming training sessions.

## ✓ 3. Transparency and Openness

### 3.1 Open Parliament Plan adopted and implemented to assure transparency of parliamentary processes, on the basis of international best practices in parliamentary transparency communication in line with Ukraine's adherence to the global Open

**ACTIVITY 3.1.1. Support adoption and implementation of the Open Parliament agenda, including through joint VRU – Civil Society Organizations (CSOs) small grants contracted in accordance with UNDP rules and procedures.**

To effectively fulfill its representative functions, the Ukrainian parliament needs to interaction a continuing basis with voters. This is a two-way process. On the one hand, the Verkhovna Rada (both as an institution, and its MPs) endeavours to carry out its activities as transparently as possible, including reporting to and dialoguing with citizens regularly. On the other hand, the public should engage with the democratic process by informing MPs about their concerns and opinions, both directly and through representative organizations including NGOs, business associations, unions etc., which can carry forward divergent perspectives as input into the deliberations of the Verkhovna Rada.

The Ukraine Open Parliament Initiative, coordinated by the EC-UNDP Rada for Europe project, fosters and support these goals of openness, transparency and dialogue in Ukraine, and also connects the parliamentary openness movement in Ukraine with the international parliamentary transparency movement, which is part of the Open Government Partnership, a global initiative to increase governance transparency that includes 75 state among its members, including Ukraine. The Ukraine Open Parliament initiative includes MPs from across the Ukrainian political spectrum, representatives of the Verkhovna Rada Secretariat, and Ukrainian civil society organizations.

To promote the ideas of openness and transparency of the parliament, the project regularly conducts public presentations, open discussions, and TV debates. In particular, over the reporting period, seven interviews on the Open Parliament agenda have been broadcast on the parliamentary TV channel RADA. These included:

- ⊗ A discussion involving MP Svitlana Zalishchuk on the Open Parliament initiative as an integral part of the reform of the Verkhovna Rada and on the first results of the initiative;
- ⊗ Civil Network OPORA analyst Nadiia Babynska on the tools for engaging the public in the legislative process, and the reform of the Standing Orders of the Verkhovna Rada;
- ⊗ Civil movement CHESNO analyst Oleksandra Kryvoruchko on the draft laws promoted by the initiative (No. 1591 – disclosure of information about the MPs’ activities and access to the committee meetings; No. 1895 – penalties for non–personal voting);
- ⊗ Head of Verkhovna Rada of Ukraine Secretariat information technology Oleksiy Sydorenko on the online discussion of draft laws;
- ⊗ Coordinator of the Open Parliament Initiative Natali Vatamaniuk on the tools of VRU activity monitoring and engagement of citizens to the legislative process;
- ⊗ OPORA representative Anatoliy Bondarchuk on the transparency and openness of work of the VRU committees;
- ⊗ CHESNO analyst Pavlo Myronov on attendance at VRU plenary meetings and personal voting of MPs.

The project supports discussion of proposals for institutionalizing greater transparency in parliamentary work. On July 13 2016, it sponsored the conference “Open Parliament: How to Use This Opportunity”, which included focus on legislative proposal 1591 that contains provisions inter alia to assure regular reporting on MP activities and expenses, as well as greater openness and public access to parliamentary committee deliberations. The event, which took place at the Ukraine Crisis Media Center in Kiev, involved MPs, representatives of the Secretariat of Verkhovna Rada, international organizations and civil society representatives. Conference participants discussed the tools of public influence on political decision–making and public participation in law–making. While it was stressed that the Ukrainian parliament is today much more open than previously, this transparency needs to be institutionalized through legislation rather than being dependent on the personal support of the current parliamentary leadership. Legislative proposal No. 1591 is currently at second reading stage having been discussed at committee and in plenary. The conference also noted that while parliamentary openness is a public good in itself, public reaction to greater visibility of the political process can lead to a backlash on the part of MPs who can be surprised by the vehemence of some criticism. This feature of modern democracy which occurs internationally requires greater awareness and understanding on the part of both politicians and citizens. The dilemma of the sometimes inverse relationship between parliamentary openness and citizen trust is an international issue that was a key theme of the Global Open Parliament conference hosted by Ukraine and co–organized by the Rada for Europe project on May 19 and 20 2017.





To mark International Democracy Day and to celebrate open, participatory legislative processes under the framework of the Global Legislative Openness Week (GLOW), the Open Parliament Initiative held a conference “Open Parliament: Ukrainian Realities” on 15 September 2016. Conference resource people included MPs Mustafa Nayem, Yehor Soboliev, and Viktoriya Siumar, first deputy head of the Verkhovna Rada Secretariat Volodymyr Slyshynskyi, and public speakers Viktor Taran, Anastasia Kozlovtsseva, Nadia Babynska, and Pavlo Myronov. The conference, held at Ukrinform news agency, was focused on the issues of committees’ openness and raising awareness of the monitoring instruments and citizen participation in the Verkhovna Rada’s activities.

According to a study carried out by OPORA, presented at the conference, the committees on state building, regional policy, and local self-government; on legal policy and justice; on the standing orders and organization of activity of the parliament; as well as on freedom of speech and information policy publish the most information about their work, whereas the committees on transport; on agricultural policy; on industrial policy; on the national security and defence; and on foreign affairs provided the least.



The project supports close engagement with international initiatives on parliamentary and governance openness. In this context, head of the Speaker’s Office Tetyana Podolska, civil society representative Nadia Babynska, and OPI coordinator Natali Vatamaniuk attended the Fourth Global Summit of the Open Government Partnership in Paris on 7–9 December 2016, where they shared their experience in fostering parliamentary openness. At this event, The Legislative Openness

Working Group, which coordinates parliamentary openness work of the Open Government Partnership, selected Ukraine to host the Second Global Legislative Openness Conference in Ukraine on May 19 and 20 2017, under the theme “Building citizen trust through openness and engagement.”



Together, MPs and representatives of civil society organizations marked the first year of OPI activities since adoption of the Open Parliament Action Plan, and held a briefing at VRU press point on February 9, 2017. At the event, representatives of the Initiative urged further steps to increase the institution’s financial transparency, in line with the Open Parliament Action Plan and recommendations of the European Parliament – Verkhovna Rada of Ukraine Needs Assessment Mission.

Over the reporting period, the Open Parliament Initiative has held a series of sessions of the Monitoring Committee and meetings of thematic working groups with the participation of the Chairman of the VRU Andriy Parubiy, MPs, representatives of the VRU Secretariat, civil society organizations, and partners from international organizations. The meetings organized the awareness campaigns including those related to the draft laws (No. 1591 – disclosure of information about the MPs’ activities and access to the committee meetings; and, No. 1895 – penalties for non-personal voting), proposals for amendments to the VRU Standing Orders, parliamentary activity monitoring tools, MPs’ reporting, disclosure of financial information of the VRU, and other aspects of the Open Parliament Action Plan.



As mentioned, after the negotiations with the Legislative Openness Working Group of the Open Government Partnership during the Summit in Paris, Ukraine was entrusted with the organization of the Second Global Legislative Openness Conference (GLOC).

The Conference held on May 19–20, 2017, is a major parliament–civil society event bringing together government officials, legislators, parliamentary experts, and public figures, with over 200 participants from 50 countries around the world. . It is one of the largest international parliamentary conferences ever held in Ukraine. The conference hosted at the Verkhovna Rada of Ukraine was titled “Building citizen trust through openness and engagement”. Ukraine’s hosting of the conference reflected its leadership in this area; it is only the fifth country after France, Chile, Georgia, and Costa Rica to develop and formally endorse and Open Parliament Implementation Action Plan. The conference priorities included building the global movement towards parliamentary openness, best practices related to codes of ethics for parliamentarians, facilitating effective use of open data technologies, greater parliamentary involvement in open budgets, the impact of fake news on the political process, and public involvement in law-making.



The two-day conference programme was designed to provide a chance for both international and Ukrainian participants, on the one hand, to learn about the experience of legislative openness of different countries, and, on the other hand, to adopt advanced technology solutions for parliamentary activity monitoring and public engagement in an appealing, interactive form. The program covered classic discussion panels, TED-style talks, informational presentation of parliamentary activity monitoring tools, and exchange of experience in the form of “Lightning Talk – country updates.”

The conference was co-organized by the Open Parliament Initiative within the framework of the EU-UNDP project “Rada for Europe”, and the Open Government Partnership’s Legislative Openness Working Group of the co-chaired by the Congress of Chile and the National Democratic Institute.

Over the preparation period, countless negotiations and working meetings were held, coordinated by the Rada for Europe project, and involving international and national partners from the Legislative Openness Working Group, donor organizations, MPs, representatives of the Secretariat of the Verkhovna Rada and the Speaker’s Office, and members of civil society engaged in the event organization.



Apart from the the Verkhovna Rada of Ukraine and the EC-UNDP Rada for Europe project, conference partners included: the Open Government Partnership, the National Democratic Institute, the Congress of Chile, United Nations Development Programme, the European Union, the European Parliament, USAID, the Westminster

Foundation for Democracy, the House Democracy Partnership, the East Europe Foundation, the Ford Foundation, and civil society organizations – members of the Open Parliament Initiative in Ukraine.

To follow up the Second Global Legislative Openness Conference, a handbook containing proceedings of the conference and recommendations for future action is being prepared for distribution in June 2017.

**ACTIVITY 3.1.2. Develop and implement a strategy for Access to Information on VRU including information on MPs, on parliamentary inquiries, on committee work etc. with a focus on effective use of information and communication technology to underpin an Open Parliament**

To implement the Open Parliament Action Plan – in particular, its section “On access to information” – NGO members of the Initiative and its partners are conducting a number of activities and individual mini-projects. The project team together with its partners has decided to collect all the instruments for monitoring the activities of the Verkhovna Rada, access to information, and citizen engagement in the law-making process in a single information brochure. So far, the brochure contains detailed descriptions of 15 instruments with the links to web portals or mobile applications. The brochure is distributed among MPs and their assistants, civil society leaders and activists, and journalists. Regional presentations of this informational and educational product are being planned for the second half of 2017.

The tools include:

- Online platform for commenting on draft laws;
- Public procurement monitoring portal;
- DoZorro monitoring portal; Portal “They Vote for You” rada4you.org;
- Map of reception offices of political parties and MP’s;
- Map of electoral districts;
- Monitoring of MPs elected under the majoritarian electoral system;
- MPs’ profiles ;
- “Rada Talking”: search across verbatim reports;
- Joint voting of parliamentary factions; online tool for visualizing reports of political parties;
- Wall of Shame for MPs guilty of non-personal voting;
- Tool to visualize cooperation of MPs in the initiation of draft laws;
- List of heroes of anticorruption media investigations.

The Open Parliament Initiative, in cooperation with its partners, has developed a unified reporting form for MPs designed both to assist MPs to provide information to citizens and also to foster common minimum reporting norms. This form was presented by MP Ostap Yednak during the press briefing at the Ukrainian Crisis Media Center on February 6, 2017. It is planned to promote



this form among MPs and to find a technical solution to automate the conversion of text reports into an accessible visual product.

**ACTIVITY 3.1.3. Ensure transparency of parliament’s financial accounts through development and implementation of a system of publication of parliament’s financial data (expenses, budget performance, procurement processes, etc.), based on international best practice of parliaments.**

The project continues to support greater public access to parliamentary financial information in line with the Ukraine Open Parliament Action Plan. With support of UNDP in Ukraine, a tool has been developed enabling access to information on accommodation subsidies paid to MPs, manifests of the budgetary programmes of the Verkhovna Rada, public report on budgetary implementation, and total cost estimates. These were developed by the civil network OPORA together with the VRU, as part of the Open Parliament Initiative.

**ACTIVITY 3.1.4. Design and implementation of Open Data portal for the Parliament providing data about the Parliament’s activities in appropriate, readily accessible formats (improved data search and processing on the VRU’s web-resources, e-petitions and interlinks with other platforms that collect information on the Parliament’s performance), including through procurement of software and trainings**

The Open Data portal for the Parliament, providing data about the Parliament’s activities in appropriate, readily accessible formats was developed by the OPORA Civil Network, part of the Open Parliament Initiative.

The open data portal is in a process of continual development, expansion and adjustment to meet the needs of target audiences (e.g. API to upload financial information from closed VR databases to the public portal was added, or manual mode envisaged for institutional structure updates) and performance requirements (actions to stabilize the portal’s performance). The objective of the Initiative is to assure sustainability through enabling full ownership by the Verkhovna Rada of the portal, and technical document have been produced to enable smooth transition.

An important priority of the OPI is to assure wide dissemination of information regarding parliamentary work, including and especially outside the capital city of Ukraine. For this objective, six workshops have been conducted since the project started, in Dnipro, Kharkiv, Chernivtsi, Lviv, Odesa, and Vinnytsia. Workshop participants had the chance to learn about the Open Data Portal and master the new opportunities it provides for using open data while preparing media investigations and monitoring parliamentary activities.

To promote the Open Data Portal and to encourage journalists to use this data in their research, the project team prepared a series of educational materials, including videos in Ukrainian and English explaining the operating and technical principles of the Open Data Portal and video lessons on how to work with open data using Excel, and how to work with open data of the Verkhovna Rada of Ukraine in the R environment.

Five analytical articles have also been prepared with the use of open data. These include:

1. System failure: why MPs “withdraw” their votes.
2. Parliamentary car park: not all MPs like to walk
3. Paper-staining activities of MPs: how to unburden the parliament from the avalanche of draft laws?
4. Behaviour of factions, internal opposition at the Ukrainian parliament, and MPs–rebels.
5. Real authors of Ukrainian laws

### 3.2 A communication plan for the VRU is developed assuring that public awareness on parliamentary activities is increased and two-way communication with public enhanced

#### **ACTIVITY 3.2.1. Gather information on public and key informant perceptions of parliament through survey / focus groups, forming the basis for development of a parliamentary strategic communication plan as well as providing input into the parliamentary reform priorities**

A public perceptions survey of the VRU was conducted by the survey research company “InMind” through an open tender competition. A national opinion poll with a sample group of 2,000 persons was conducted in October 2016, and a series of indepth focus groups were also carried out throughout the country. The survey results were presented to the Secretariat of the VRU, Speaker’s office and the Communication Strategy working group.



The results of the survey provided input into the draft process for the Verkhovna Rada Communication Strategy. The survey provided a rich source of data on how parliament is perceived, citizen understanding and expectations of parliament, and indications of what actions and reforms parliament could take in order to increase citizen awareness and increase citizen trust in the institution as a pillar of Ukrainian democracy.

#### **ACTIVITY 3.2.2. Develop and support implementation of the VRU Communication Strategy and Action Plan based on best practices in European and other effective parliaments**

A multi-partner working group was established to draft the Verkhovna Rada Communication Strategy, including representatives of the Verkhovna Rada of Ukraine Secretariat, MPs, journalists, and members of NGOs. In addition, in the context of the VRU–European Parliament administrative support partnership, European Parliament, Doichin Cholakov, carried out a mission to Ukraine in January 2017 during which he met with Mykola Shevchuk, the Deputy Secretary General of the VRU Secretariat responsible for communications, VRU communications leadership and working group members, and provided strategic advice on the communications plan.

After the first strategic Communications Strategy session with 70+ participants, members worked in specialized sub-groups categorized according to the following areas of communications priorities of the Verkhovna Rada and of its interlocutors:

1. Communication with media
2. Communication with the public
3. Communication with the international community
4. Internal communication
5. Branding

The five working groups each developed a section of the Communication Strategy, covering the mechanisms for strengthening the communication capacity of the VRU; communication channels broken down by the target



audiences; messages; expected results; and principles of implementation. The draft was then harmonized by a Rada for Europe project expert consultant to assure consistency in approach.

The Working Group identified key anticipated results from the implementation of the Communication Strategy:

1. The level of public trust to the Verkhovna Rada of Ukraine has increased.
2. The percentage of citizens who consider the Parliament's work effective has increased.
3. Media focus on professional discussions of parliamentary activities and legislative processes, rather than actions of particular MPs, scandals, etc.

The final draft of the Strategy document has been submitted to the responsible Verkhovna Rada Committee on Freedom of Speech for consideration. It is anticipated that a finalized Communications Strategy will be adopted by the VRU in the second quarter of 2017. The communications strategy will provide a framework for pilot communications campaigns to be carried out in Kiev and in regions of Ukraine, with support from the Rada for Europe project, in the second half of 2017



## 6 PROJECT ASSUMPTIONS AND RISKS

### ✓ 6.1. Assumptions

The following assumptions are required for the smooth progress of reforms and the effective delivery of the project's support to those reforms:

- Parliament continues to be headed by a reform-oriented Leadership;
- The Secretariat has the capacity and readiness to enhance its institutional reform expertise;
- A reform working group, comprising of representatives from across the political spectrum, remains in place and functions efficiently, and there is general agreement on reform priorities amongst leaderships of the VRU factions;
- Support to the Verkhovna Rada from different international actors is effectively co-ordinated to ensure maximum synergy and efficiency
- Political support for a reform agenda and commitment continues in the context of the EU-Ukraine Association Agreement
- Recommendations of NAM report as adopted by VRU Resolution 4219 are implemented fully and systematically by the VRU through a long-term VRU Reform Strategy;
- Conditions exist for enhanced and rationalised collaboration with other state institutions (executive and judiciary powers).

### ✓ 6.2. Updated Risks

Certain risks may delay or derail the process of implementation:

- political instability and/or the holding of early elections
- general fatigue among MPs with reforms within the parliament;
- resistance to change administrative structures and processes within the Secretariat
- availability of resources within VRU and partner parliaments.

In the event of significant implementation challenges, the Project Team Leader will engage with the Project Board / Steering Committee to explore strategies for addressing the challenges, and to agree on any changes to specific activities to submit for approval by the Delegation of the European Union to Ukraine as the Contracting Authority.

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THE PROJECT  
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