

PUBLIC OVERSIGHT

OF THE IMPLEMENTATION OF THE NATIONAL
STRATEGY FOR FACILITATING CIVIL SOCIETY
DEVELOPMENT FOR 2016-2020
AT THE SUBNATIONAL LEVEL

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Opinions, conclusions and recommendations belong to the authors of this publications and do not necessarily represent the opinions of UNDP, other UN agencies or the Ministry of Foreign Affairs of Denmark.

IN THE PROCESS OF MONITORING:



analyzed

43

Regional
Action Plans



analyzed

24

Regional Civil Society
Development Programs



provided

400

recommendations
to regional State
authorities



reviewed
activities

of Regional
Coordination
Councils on the Civil
Society development



117

CSOs

from all regions
of Ukraine were
involved in monitoring



conducted

167

interviews
with experts

from 20 regions of Ukraine

47%

state authorities

53%

civil society



organized

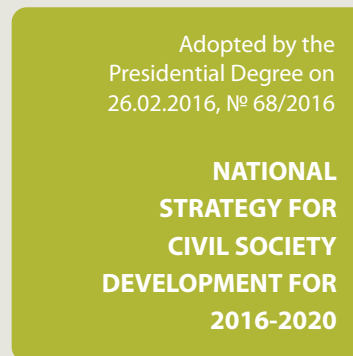
5

working groups

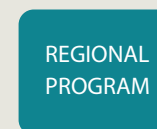
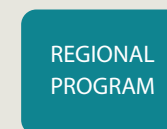
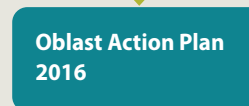
with the
participation of the
civil society and
state authorities
from 24 regions of
Ukraine

ACCORDING TO THE MONITORING RESULTS:

- The current level of the National Strategy's implementation is **unsatisfactory**.
- There are significant **regional differences** between oblast administrations in how they work and take responsibility for the development of civil society, which is particularly due to the central authorities' lack of oversight.



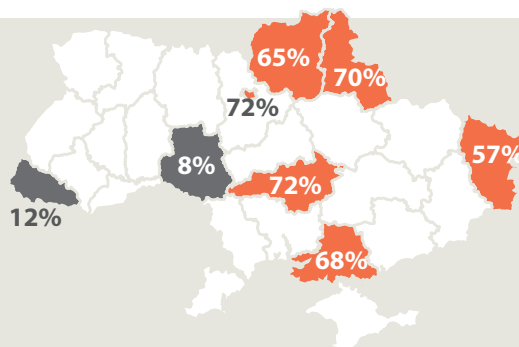
Developed and adopted by the Cabinet of Ministers annually



... 25

Developed by the oblast administrations with the involvement of civil society and adopted by respective oblast councils

CORRELATION OF THE NATIONAL STRATEGY WITH THE REGIONAL PROGRAMS AND ACTION PLANS

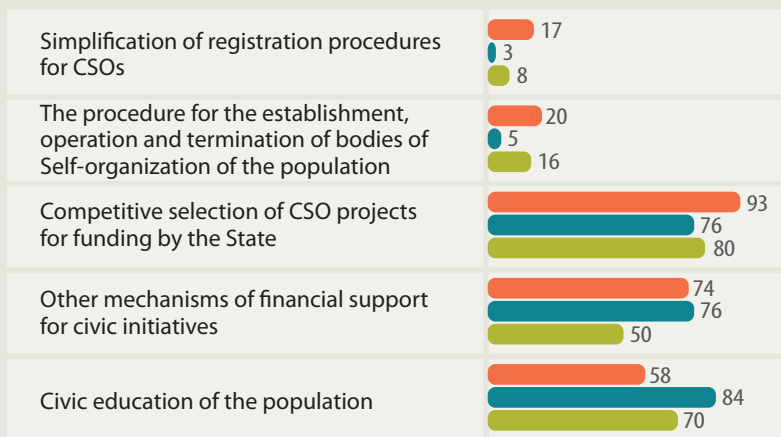


The National Strategy's objectives **are best** reflected in the programs of **Kyiv City and Dnipropetrovsk oblast (72%), Sumy (70%), Kherson (68%), Chernihiv (65%) and Luhansk (57%) Oblasts.**

Worst results demonstrate programs of **Vinnytsia (8%) and Zakarpattia (12%) Oblasts.**

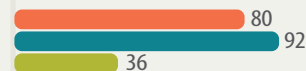
1. Creating favorable conditions for the creation and development of CSOs

the % of correlation with the NS



■ Action plans 2018 ■ Action plans 2017 ■ Regional program

Availability of the mechanism for the implementation of the Program



Availability of a monitoring mechanism for the implementation of the Program

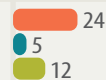


2. Public engagement in public policy-making

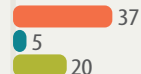
Establishing formal procedures for consulting the public in the process of policy development



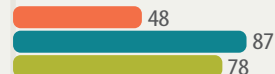
Establishing formal procedures for the general meetings of members amalgamated communities



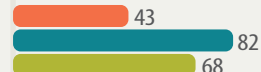
Developing and adopting statutes for amalgamated communities



Introduction of civic expertise at the level of local government bodies



Mandatory public consultations in developing of local budgets



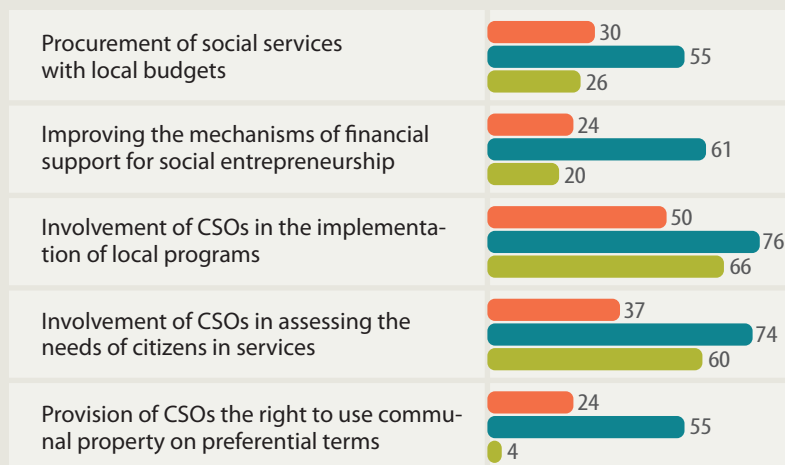
Introducing effective mechanism for electronic petitions



Transparency and openness procedures are in place in local council regulations



3. Stimulating the participation of civic organizations in socio-economic development



The extent to

which the National Strategy is reflected in the Regional Programs decreased in 2018

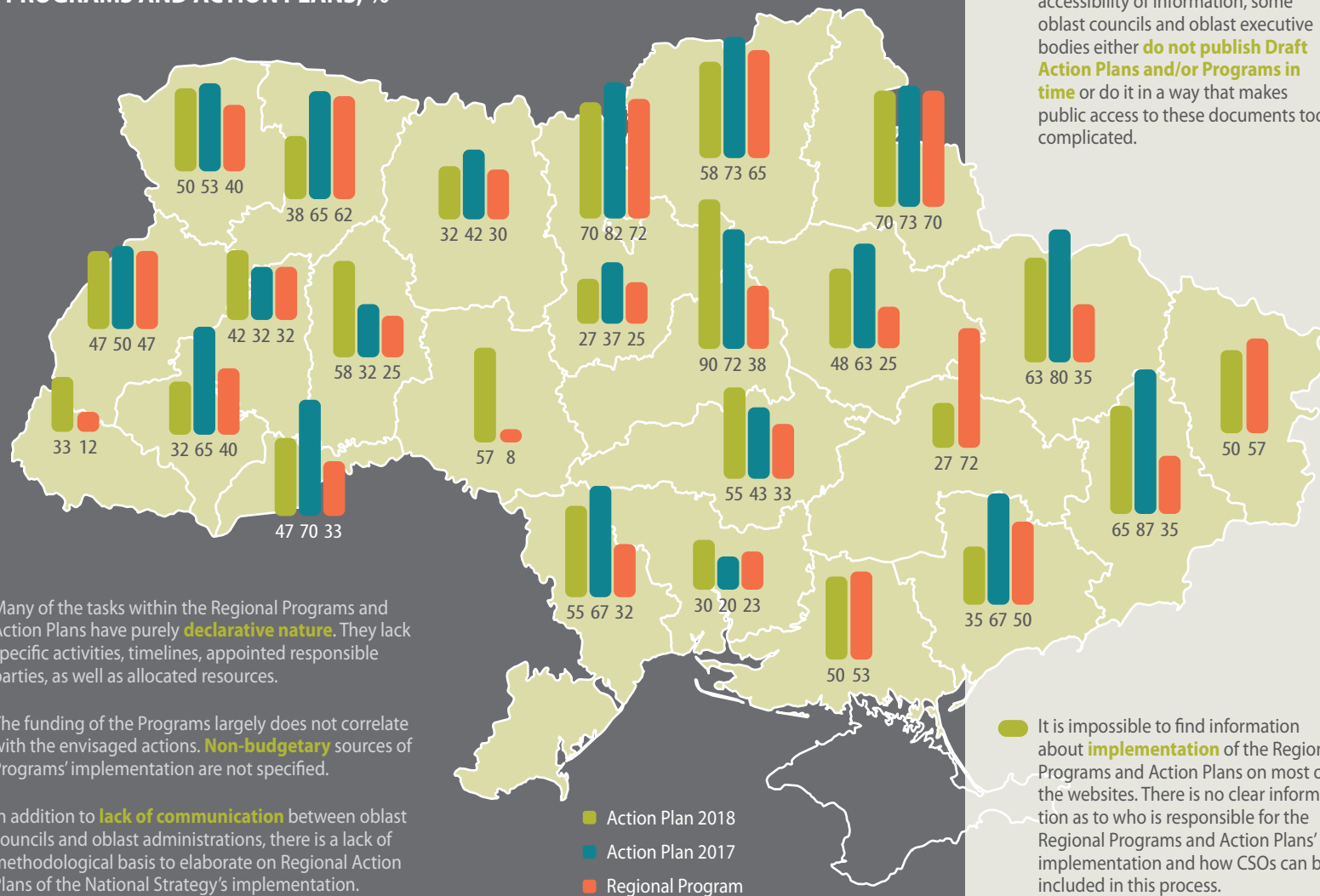
Possible reasons:

- Local authorities more carefully developed the Regional Action Plans, since the civil society control over the Plans' implementation has intensified
- Insufficient oversight by the Government and the National Coordination Council
- There is no clear relation between regional Action Plans, Regional Programs and the Government Action Plan.

4. Enhancing multisectoral partnership



HOW THE OBJECTIVES OF THE NATIONAL STRATEGY ARE REFLECTED IN REGIONAL PROGRAMS AND ACTION PLANS, %



Contrary to the state policy aimed at increasing transparency and accessibility of information, some oblast councils and oblast executive bodies either **do not publish Draft Action Plans and/or Programs in time** or do it in a way that makes public access to these documents too complicated.

Many of the tasks within the Regional Programs and Action Plans have purely **declarative nature**. They lack specific activities, timelines, appointed responsible parties, as well as allocated resources.

The funding of the Programs largely does not correlate with the envisaged actions. **Non-budgetary** sources of Programs' implementation are not specified.

In addition to **lack of communication** between oblast councils and oblast administrations, there is a lack of methodological basis to elaborate on Regional Action Plans of the National Strategy's implementation.

It is impossible to find information about **implementation** of the Regional Programs and Action Plans on most of the websites. There is no clear information as to who is responsible for the Regional Programs and Action Plans' implementation and how CSOs can be included in this process.

FINANCING OF THE REGIONAL PROGRAMS FOR CIVIL SOCIETY DEVELOPMENT

321,837,000 UAH

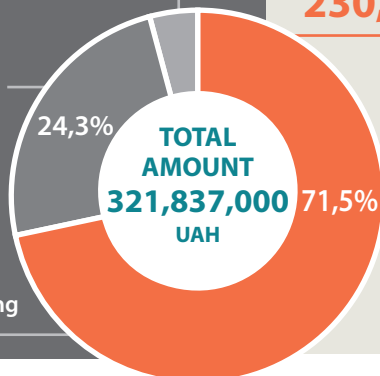
total allocated funding

for **5** years

Not directly related to the National Strategy implementation and should be included in other oblast programs

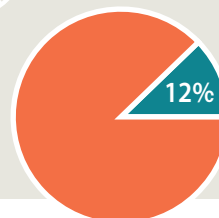
Related to purely informational policies and have secondary relevance to the National Strategy

Planned budgeting for 5 years

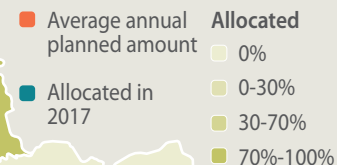


230,522,000 UAH

Allocated for activities directly related to implementation of the National Strategy

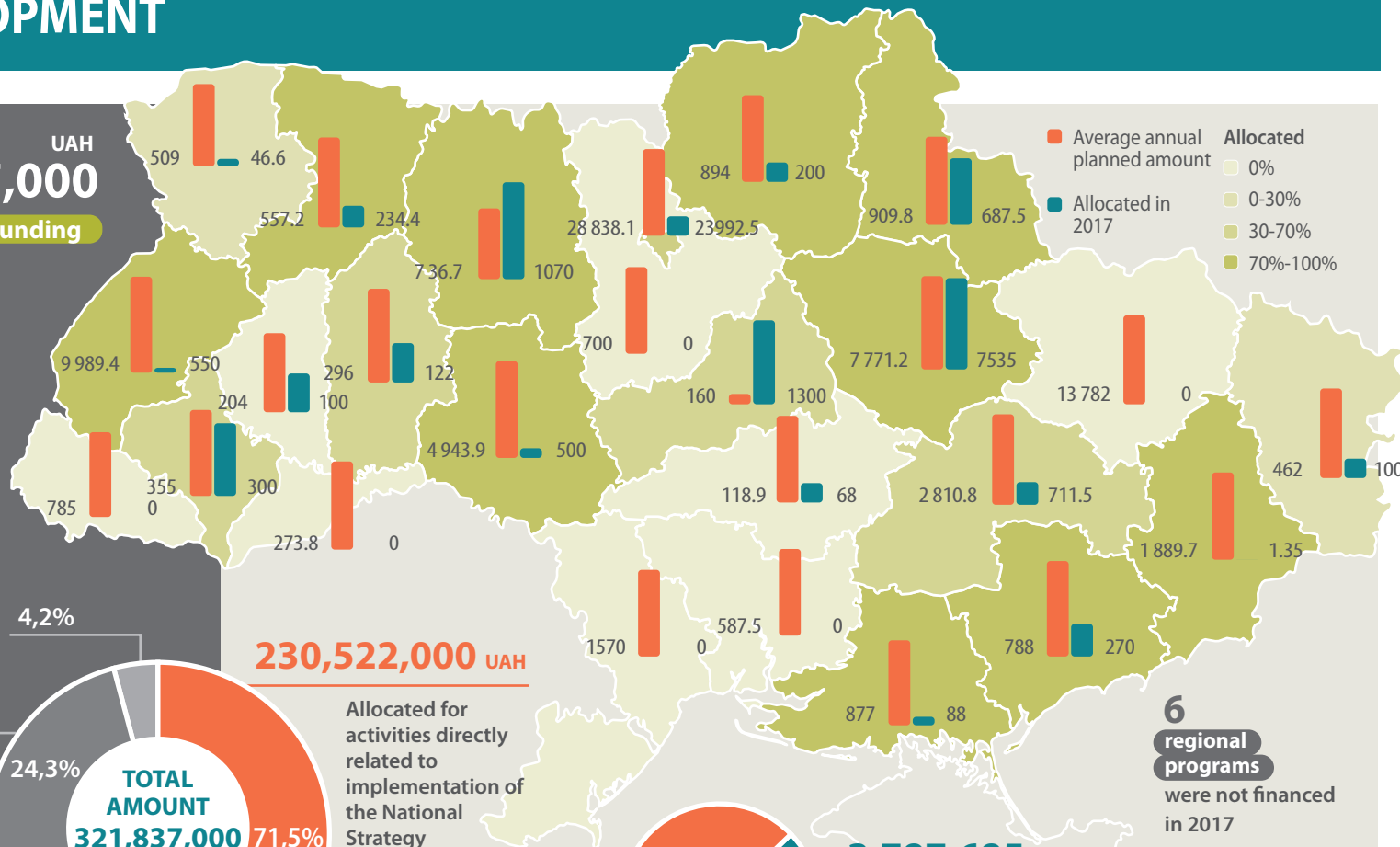


Allocated in 2017



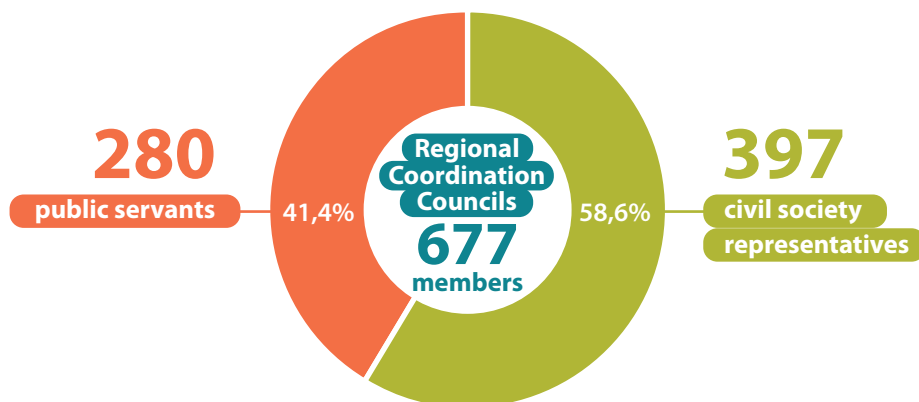
6 regional programs were not financed in 2017

68% utilized of allocated funds for 2017



REGIONAL COORDINATION COUNCILS

According to the Presidential Decree, the consultative bodies to facilitate the civil society development were to be established in all oblasts of Ukraine and in Kyiv city.



The process of forming the Coordination Councils is different in each region, since there is no clear procedure in the legislation.

The following issues are usually discussed at the Coordination Councils' meetings:

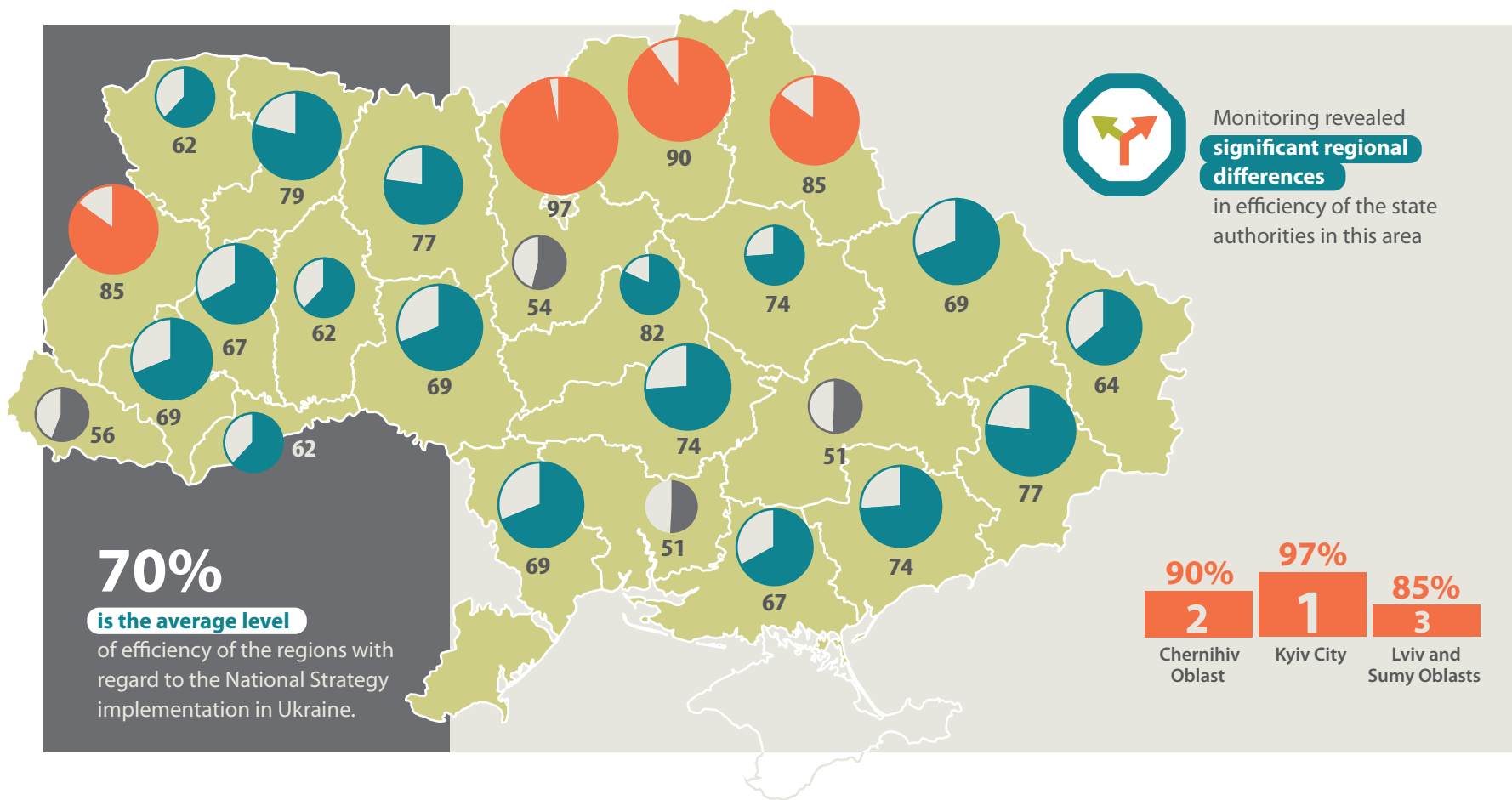
- + Civil society - state cooperation;
- + Organizing local project competitions for CSOs;
- + Elaboration and implementation of the annual Regional Action Plans;
- + Reviewing of the Draft Regional Programs;
- + Other issues related to the civil society development.

Problematic issues in the Coordination Councils' functioning:

- Formal nature of its functioning;
- No meetings held;
- Weak engagement of the members in the work of Coordination Councils;
- Insignificant impact of the Coordination Councils on the regional processes.

GENERAL SUMMARY OF MONITORING OF THE NATIONAL STRATEGY IMPLEMENTATION AT REGIONAL LEVEL

RANKING IS BASED ON 40 CRITERIA (AS OF JULY 1, 2018)



CONDITIONS FOR THE CSOS' FUNCTIONING. WHAT HAS CHANGED IN 2016-2017



- 1. Registration of the civil society organizations** was simplified. A new possibility to register CSOs in the TsNAPs (Center for administrative services) was made available.
- State and city programs, project competitions, and participatory **budgets were formed**.
- Impact of civil society institutions (CSIs)** on the regional processes increased due to the CSIs participation in consultative bodies and working groups.
- More information is available for the CSOs:**
Justice Departments provide free counseling regarding CSO registration; open data sources and data analysis is available.



- 1. Experts have different opinions on re-registration of the non-profit status of NGOs** due to the expiration of the Transitional Provisions of the Law of Ukraine "On Public Associations". On the one hand, it prompted NGOs to review and update their charter documents, and non-functioning organizations were mostly eliminated. On the other hand, there was no clear communication regarding re-registration procedure and its consequences, and some NGOs ceased to exist for that reason.
- 2. The introduced system** of e-declarations for members of public councils and the civil society organizations which work against corruption **is rated negatively** by respondents as a constraint and an instrument of pressure from the authorities.



To state authorities

To effectively cooperate with the civil society, public servants lack tolerance, the motivation and willingness to support civil society, and the ability to regard the civil society as an equal partner. They do not have a clear understanding of the role and functions of the civil society and are not aware of opportunities of such cooperation. In addition, they experience lack of time and direct contact with the public.

EXPERTS' OPINIONS



Generally, the experts highly rated the **role of project competitions for CSOs coming from local budgets**. Local initiatives foster greater public engagement and responsibility. CSOs have a better understanding of the needs of the community since they work with specific vulnerable groups and social divisions. In addition, the open calls contribute to more efficient budget spending.



- 1. Insignificant budgets allocated for the civil society projects cannot solve community problems** on a large scale, but rather help fix domestic problems (for example, the establishment of playgrounds or bus stops).
- 2. Sometimes the competitions are not transparent:** it is not clear how the winners are chosen.
- 3. Most of the CSOs are not willing to participate in the competitions**, given the small amount of the financial support and the complexity of financial reporting, including to the State Treasury.
- 4. CSOs may not have experience in developing project applications**, thus worthy ideas might not be recognized and therefore may be rejected.

Results of the monitoring have demonstrated that the civil society can and should influence the decision making at the regional level. In most oblasts, state authorities have implemented the recommendations of the civil society experts.

The project activities have had a significant influence on the way Oblast State Administrations implement the National Strategy.



Vinnytsia oblast

the Action Plan for 2018 is comprised of almost 90% of the recommendations of the civil society experts

Odessa oblast

Due to the civil society pressure in Odessa oblast the process of adopting the Regional Program has proceeded, while being previously hampered by the budget commission. The civil society experts have assisted in developing the indicators for assessing the program implementation effectiveness.

A vast majority of the recommendations provided by the regional experts to the Oblast State Administrations and Oblast Councils have been taken into account. **Mostly, the recommendations referred to**



improvement and adoption of the Regional Programs



improvement and adoption of the Action Plans



training for public servants and the civil society representatives



improvement of communication between the state authorities and the civil society



reporting on the Strategy's implementation in the region



establishing the Coordination Councils



monitoring the implementation of Regional Action Plans'



conducting project competitions for the CSOs in the regions



RECOMMENDATIONS

Ukrainian Parliament:

Improve the national legislation in order to implement the National Strategy in the regions (approve the Draft Law "On Public Consultations", amend the Law "On Local Self-Government in Ukraine" and the Budget Code of Ukraine)

Government:

Release annual public reports on the measures taken to implement the National Strategy and annual plans for its implementation

Finalize the regulatory framework for the activities of public councils and other advisory bodies in cooperation with the civil society

Oblast State Administrations and Kyiv City:

Ensure public revision of the annual Action Plans (by February this year)

Increase availability of the responsible subdivisions and officials for cooperation with the civil society in the structure of Oblast State Administrations

National Coordination Council for the Civil Society Development under the President of Ukraine

Ensure regular meetings of the National Coordination Council and Regional Coordination Councils

Ensure regular quarterly reports of the Regional Coordination Councils are published before the National one report

Civil Society Organizations:

Provide proper civil society support for establishment and functioning of the Regional Coordination Councils and Public Councils, e.g. by the formation of the regional CSO-coalitions

Initiate a study on the state of the civil society development of in the regions, level of openness and transparency of government activities, etc.