



Secretariat of the Cabinet of Ministers of Ukraine
Main Department of the Civil Service of Ukraine

Democratizing the Policy-Making Process

Green Paper

“The Activity of Policy Analysis Groups in Government
Bodies in Ukraine” Project



CENTER FOR SUPPORT
OF CIVIL SERVICE
INSTITUTIONAL DEVELOPMENT
MAIN CIVIL SERVICE DEPARTMENT OF UKRAINE



*international centre
for policy studies*

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Foreword

Democracy places new demands on the meaning and quality of government work. Today, a Government cannot possibly work successfully without a clear-cut strategy for achieving priority policy goals that is also acceptable to voters. In countries that are members of the European Union, this strategy is the outcome of a public policy formulation process that includes the preparation of policy documents called Green and White Papers. Such Papers are the regular working tools of bureaucrats, ensuring that the work of the Governments in these countries is effective, open, consistent, and predictable.

This policy document was prepared by Ukrainian civil servants as part of a pilot project called “The Activity of Policy Analysis Groups (PAGs) in Government Bodies in Ukraine,” initiated by the Main Department of the Civil Service of Ukraine and funded by the State Budget. The project was implemented by the International Centre for Policy Studies over 2005–2006 at the request of the Center for Support of Civil Service Institutional Development.

The goal of the “The Activity of Policy Analysis Groups (PAGs) in Government Bodies in Ukraine” project was to boost the professional capacity of management-level civil servants to analyze policy and institute democratic procedures in making decisions based on European best practice.

This project is the logical extension of a common initiative among the Cabinet of Ministers of Ukraine, the International Centre for Policy Studies (ICPS), the Open Society Institute (OSI), and the International Renaissance Foundation (IRF) implemented over 2000–2001. That initiative was funded by the International Renaissance Foundation as part of a trilateral agreement on cooperation among the Cabinet of Ministers, ICPS and the IRF.

Called “Establishing Policy Analysis Groups and an Information Resource Center in the Government of Ukraine,” this original project involved civil servants from the ranks of top and middle managers at the Ministry of Economy, the Ministry of Finance and the Cabinet of Ministers Secretariat, as well as the former First Deputy Secretary of the Cabinet of Ministers in 2000–2001 and current Advisor to the Premier Volodymyr Yatsuba.

Altogether, 49 top Ukrainian bureaucrats participated in the original initiative, including such well-known officials as today’s First Deputy Minister of Justice Petro Krupko, First Deputy Ministers of Economy Anatoliy Maksiuta and Serhiy Romaniuk, Deputy Minister of the Cabinet of Ministers Ivan Ratushniak, NBU Executive Director for Economic Issues Ihor Shumylo, Director of the Main Department of the Civil Service Tymofiy Motrenko, and many other talented administrators.

Consultations and training for participants in the first project were financed jointly by the Canadian International Development Agency (CIDA) and the Swedish International Development Agency (SIDA).

This way of organizing training for top-ranking civil servants through the practical application of public policy and democratic tools of governing in day-to-day work—customary in the Euro-Atlantic countries but still new to Ukrainian administrators—proved both effective and efficacious.

Many these project participants say that, thanks to changes in their own administrative awareness, an expansion of their bureaucratic outlook, and the acquisition of new knowledge and skills that are vitally important for a modern civil servant, they found their careers on the fast-track and are now successful managers of the highest rank.

Other results from the first project included Temporary Rules of Order for the Cabinet of Ministers that, in fact, still constitute practically the only formal instrument for coordinating the process of developing government policy, and the establishment of the Information Resource Centre. The Temporary Rules contain, among others, mandatory elements in the process of preparing Government policy such as analyzing alternative solutions to issues and consulting with stakeholders at the drafting stage. The Information Resource Centre has turned into a powerful department under the Cabinet of Ministers and is currently working with information technologies to build an e-government system. Its first manager, Viktor Bondar, later became Minister of Transport and Communication.

Yet launching such a project in 2000–2001 would have been impossible without the genuine democratic beliefs and commitment to instituting public policy principles and procedures in Ukrainian society on the part of the current President of the National Academy of Public Administration under the President of Ukraine, Vira Naniivska. As director of the International Centre for Policy Studies at the time, she was the author of this initiative, as well as the creative force and organizer behind the project itself.

Reviving the project in 2005–2006 would also have been impossible without a clear understanding that the main purpose for reforming the civil service is to fundamentally alter the meaning of a modern civil servant's work and the determination to institute this change. These were provided by Tymofiy Motrenko, one of the most active and most dedicated participants in the original project.

The political importance of the new project for the Government of Ukraine is evident in the fact that it is now funded by the State Budget. The fact that a donor-funded initiative from five years ago has now been taken up by the Government and added to its own Budget is very significant.

And precisely because this is the first project to set up policy analysis groups at state cost, we decided to call it a “pilot” project—although, to be precise, it should probably more rightly be called a “pilot extension”...

The final report of the “Establishing Policy Analysis Groups and an Information Resource Centre in the Government of Ukraine” project was published in 2001 and posted on the

ICPS website. It contains a section called “Recommendations for Extending the Project,” which specifies:

- Setting up policy analysis groups is an effective instrument for establishing a professional bureaucracy in a democratic society, and project experience should be disseminated among all donors and the Ukrainian community.
- Setting up policy analysis groups cannot stop at the pilot project stage, because this will lead to a situation when efforts to transform the bureaucratic machine will run up against the inert mass of old-style bureaucrats and their understanding of the decision-making process and relations with the society. Policy analysis groups need to be set up in other ministries and in the regions.
- The next stage of setting up policy analysis groups needs a different organizational approach, that is, a network of policy analysis groups rather than individual groups. This will make it possible to multiply changes and make them irreversible.

The pilot project called “The Activity of Policy Analysis Groups (PAGs) in Government Bodies in Ukraine” that grew out of the “Establishing Policy Analysis Groups and an Information Resource Centre in the Government of Ukraine” project and the common will to consolidate democratic change in Ukrainian society are a good example of how a valuable idea born one day can gain a new life, a new embodiment and new meaning.

The “The Activity of Policy Analysis Groups (PAGs) in Government Bodies in Ukraine” project implemented over 2005–2006 was to boost the professional capacity of top civil servants to analyze policy and to institute democratic procedures for making policy decisions. This included preparing them to eventually participate in Twinning projects, as a special type of technical cooperation with government bodies from EU Member States. The Main Department of the Civil Service was appointed coordinator of the preparation and implementation of Twinning projects in Ukraine.

To achieve the project’s goals and fulfill its objectives, 10 policy analysis groups (PAGs) were set up: in the Ministry of Economy, the Ministry of Finance, the Ministry of Transport and Communication, the State Committee for Technical Regulation and Consumer Policy, the Anti-Monopoly Committee, the National Electricity Regulatory Commission, the National Space Agency, the State Agency for Investment and Innovation, the Cabinet of Ministers Secretariat, and the Secretariat of the President. Each PAG consisted of seven or eight Category II–IV civil servants.

Over several months, these groups worked on priority policy issues in their institution’s area of responsibility using public policy principles and procedures. Throughout this period, they were given constant support in the form of consultations and training on policy analysis, strategic management and change management by independent domestic and foreign consultants. The UK Department for International Development (DFID) and the Delegation of the European Commission to Ukraine provided assistance in engaging these professionals.

Each group identified the issue it was working on independently, but the overall framework for all issues was the Ukraine–EU Plan of Action: a chosen issue had to match one of its priorities.

The policy analysis groups then produced policy documents in the form of Green and White Papers, accompanied by debate of these documents involving stakeholders. Such documents constitute one of the main instruments for public policy formulation and decision-making in the European Union.

As a rule, Green Papers can be prepared at various stages of the policy-making process. But their objective is to reflect the complete policy-making cycle: from formulating a problem to evaluating the results of policy implementation. Thus, the complete policy-making cycle can be used as an overall framework for evaluating how well the policy analysis documents were prepared.

The purpose of a Green Paper is to raise a specific issue in a given policy area, to identify its scale and the social groups interested in its solution so that the Government can draw the attention of these stakeholders and the general public to the particular problem, and to identify their attitudes towards alternative solutions.

A Green Paper is the product of a debate with stakeholders, as implementing changes written into this document will require the efforts not only of the Government, but of all voters and civil society institutions.

For civil servants, preparing Green Papers on various policy issues is also a way to anticipate the possible reaction of voters to future Government decisions and to adjust them in time, instead of correcting mistakes later—which is always more difficult and more costly.

Public debates to discuss Green Papers prepared as part of the “The Activity of Policy Analysis Groups (PAGs) in Government Bodies in Ukraine” project revealed that representatives of interested groups were seriously dissatisfied with the fact that the current practice of holding public debates was frequently separated from the real process of preparing and making decisions. These discussions also showed that, in many instances, government bodies lacked a common vision of problems and solutions, which undermined voter trust in government.

The reason for working on these policy documents is to improve the quality of dialog between the Government and interest groups and to make the implementation of future policies more effective by either reflecting stakeholder interests or at least involving stakeholders in the decision-making process. It also becomes possible to develop common approaches within the Government to resolving different policy issues, to have a clear-cut position on policy issues in negotiations with foreign partners, especially the European Union, and to identify and defend national interests.

By developing a White Paper, the Government can deepen the dialog with stakeholders that was initiated during the preparation of the Green Paper and formulate its own position and vision of a solution to the particular policy issue. A White Paper contains concrete proposals for eliminating the problem presented. As a rule, such documents generally reflect the results of discussions of the related Green Paper and form the basis for a series of consultations to evaluate possible policy options. When the Government arrives at a solution that is acceptable to both the political leadership and the main stakeholders, the proposals presented in the White Paper become the basis for the policy that is submitted in the form of a Bill to the Cabinet of Ministers or the Verkhovna Rada.

Preparing policy documents is the work of professional policy analysts, while turning these documents into draft legislation is the work of lawyers. Clearly separating these two functions of civil servants is an important factor determining the quality not only of policy, but also of legislation.

Once it has formed its own view of a particular policy, the Government must then focus on working with related committees in the legislature and with VR Deputies in order to explain the policy and to lobby for the Bill at all stages of debate in the Verkhovna Rada until final adoption. This is the third key function that ensures the quality of public policy, but it is more the competence of elected politicians than of professional bureaucrats.

On 6 October 2006, the results of the pilot project “The Activity of Policy Analysis Groups (PAGs) in Government Bodies in Ukraine” were presented in public and discussed in the Club of the Cabinet of Ministers. Instead of 150 invited guests, 250 individuals showed up at this event, including Minister of the Cabinet of Ministers Anatoliy Tolstoukhov and of EC Delegation to Ukraine’s Chief of Operations, Helene Chraye.

Mr. Tolstoukhov noted the importance of this project to the Government and asked the Main Department of the Civil Service to develop and submit a draft Cabinet of Ministers resolution to extend the project and expand the network of policy analysis groups to the entire system of central executive bodies. Ms. Chraye spoke about the interest of the European Commission in supporting this project and providing the necessary funding.

During the discussion of the results of the experience and lessons from this pilot project, participants identified the main problems that need to be resolved when the project is extended.

First, a serious systemic problem among government bodies is the lack of skills among civil servants to analyze the costs of implementing policy and the costs of doing nothing, that is, leaving the given problem without any solution. The weakest spot in all the White Papers developed under this project was the lack of financial underpinnings for the selected solutions. For this purpose, the PAGs that worked within this pilot project will receive additional support in the form of consultations and training to analyze the costs of policies and financial arguments for implementing policies.

Second, identifying policy problems at the level of a policy analysis group runs the risk that the easiest or the most manageable problems will be selected. In future, those problems that a PAG is to elaborate should be determined by political leaders and collegial bodies, to stimulate ministries and other government bodies to choose not the easiest problems where they feel strong but, on the contrary, the most complicated, urgent, important problems whose solution is critical for Ukraine to remain competitive. The suggestion was that ministries and other central executive bodies review the issue of forming PAGs and identifying their areas of work at collegial meetings.

Third, policy analysis groups should become the organizational basis for boosting the institutional capacity of ministries, executive agencies, the Cabinet of Ministers Secretariat, and the Secretariat of the President to handle Ukraine's European integration. For this purpose, training and consultative support must include a stronger component related to EU laws and institutions. Policy analysis groups should also be mandated to include civil servants responsible for European integration in the various ministries and agencies. This includes negotiations with the European Commission, legal reviews of draft legislation for compliance with the *acquis communautaire*, and the preparation and implementation of Twinning projects in those ministries and other agencies.

And finally, fourth. The recommendation from the original report to set up a network of policy analysis groups instead of separate groups is very important.

To determine demand for the proposed services, that is, involving top civil servants from ministries and other central executive agencies in a PAG network, the Main Department of the Civil Service proposed this possibility to these agencies and asked them to say whether they were interested or not. In response, the Department received letters from some 50 central executive agencies, as well as an initiative from the National Bank of Ukraine.

The project to set up a PAG network will be implemented in 2007–2009 and will be gradually expanded to the entire system of central executive agencies.

Policy analysis groups and their participants already constitute a network of civil service units of a new quality, a network of agents of change that, by shifting their own awareness and ways of working, can influence the awareness and ways of working of their colleagues. As time goes by, this network of PAGs should become a permanent forum, a club for the new bureaucracy, where participants can meet regularly in an informal environment, discuss their day-to-day professional problems, exchange experience, and acquire new knowledge, skills and abilities.

Ukrainian society needs to reform its bureaucracy—to make it democratic and professional. The only way to do this is to launch reform from within.

We should not be afraid of resistance and obstacles. It is impossible to stop progress. The famous philosopher Georg Wilhelm Friedrich Hegel once said: “The best service that can

be provided by the old and dying to the new and birthing is, by resisting as consistently and as stubbornly as possible, to make it possible for the new to come to life in its most developed and viable form.”

In the end, we would like to thank with all our hearts not only those who helped implement this project, but all those who impeded and resisted its implementation.

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Introduction

The purpose of this Green Paper is to stimulate debate of different approaches to democratizing the policy-making process in Ukraine and the next steps that need to be taken. The aim is to bring current practice closer to universal European standards for developing, adopting and implementing policies.

The problems tied to democratizing the policy-making process fall into two categories: procedural, that is, improving the standards and procedures currently used by the executive branch as a basis for its work, and relational, that is, consulting with stakeholders in the process of developing new policies.

In recent years, much has been done in Ukraine to make Government activities more transparent, open and understandable to the average Ukrainian. A major breakthrough was the passing of the 5 June 2000 Cabinet of Ministers Resolution №915, which instituted Temporary Rules of Order for the Cabinet of Ministers. These establish the procedure for organizing Government activities in order to exercise its powers. This document provides a fairly detailed description of the procedures and rules that the Cabinet of Ministers and Government bodies are to use as the basis for their work. It also introduces a norm according to which:

“After being agreed with interested bodies, Draft resolutions that have national significance and affect the basic interests of all voters shall be sent by the author to all ministries, the Council of Ministers of the Autonomous Republic of Crimea, oblast state administrations, and the Kyiv and Sevastopol Municipal State Administrations for consideration. Within 15 days of receiving the document, the recipients are required to submit their comments to the author.

“By Cabinet of Ministers decision, a draft resolution and its provisions can be brought to open debate through publication in the press or by informing the public through other means.”

The next milestone was the adoption of the 11 September 2003 Law №1160-IV “On the principles of business regulation.” One of its provisions establishes that a regulation cannot be adopted or approved by an authorized executive body or its official, if this draft was not made public.

The next step that confirmed the country’s movement towards democracy and European values was the 14 October 2004 Cabinet Resolution №1378 “Some issues on involving the public in the formulation and implementation of state policy” and the 15 September 2005 Presidential Decree №1276 “On involving the public in the formulation and implementation of state policy.”

This Resolution approved a procedure for holding public consultations on formulating and implementing state policy. One of its provisions (Clause 3 of the Procedure) specifically establishes that:

It is mandatory to hold public consultations on:

- draft bills and regulations related to rights, freedoms and the lawful interests of Ukrainians;
- draft state and regional programs for economic, social and cultural development and draft decisions on how they are to be implemented;
- reports from those who draft the State Budget regarding the spending of Budget funds in the previous year;
- reports on the activities of the Cabinet of Ministers and central and local executive bodies.

The Presidential Decree identified Cabinet objectives related to increase efforts to make the work of executive bodies open and transparent and specifically instructed the Cabinet to prepare proposals to raise the qualifications of civil servants in public relations, to develop the conditions for a tender to prepare National Reports, to hold this tender, to take measures to organize public scrutiny of the activities of executive bodies and local governments, and to evaluate their interactions with local citizens and community organizations by establishing a procedure to facilitate this process.

This list of bills and regulations is not exhaustive and other documents governing Cabinet activities in this area can be added to it. All these improvements give reason to believe that the country is moving in the right direction. At the same time, despite an adequate legislative and regulatory base that can be used by executive bodies, many problems remain with the actual application of norms, rules and procedures.

Current policy-making: problems, obstacles, opportunities

Analysis of current practice in developing and making policy in Ukraine reveals the most typical problems and obstacles that prevent the country from being closer to European standards in this area and ultimately affect the quality and effectiveness of those policies that are adopted:

- 1) the lack of suitable traditions, management culture, appropriate skills, and the desire to uphold professional ethical standards among those who take part in the process of preparing and making policy;
- 2) inadequate attention to proposals from the general public expressed in their appeals to government bodies and in the media; the absence of a system for analyzing the causes and conditions that lead to such appeals. Such a system should have as its aim to develop recommendations for adopting the right management decisions;
- 3) the lack of a clear, integral and balanced system for planning the activities of executive bodies, the lack of a systematic approach to preparing regulatory and legislative documents, and the use of an undemocratic, top-down model of developing draft policies;
- 4) inadequate institutional capacity among ministries and other central bodies to develop and implement state policy, in tandem with an inherited centralized system of governing;
- 5) the lack of traditions and consistent mechanisms in the executive system for involving the public in running the country through systematic public consultations at the stage when new policies are being drafted; a low level of engagement among the institutions of civil society.

The goal of public consultations is to identify approaches and solutions to these problems and to eliminate existing obstacles. This should make it possible to improve the quality and effectiveness of government decisions and to balance the interests of the two sides: both the state and the people. This means finding an answer to five key questions:

- What changes or improvements, if any, do the procedures for drafting policy need?
- What should the system for planning executive activities in Ukraine look like?
- How necessary is it to change the current system for initiating draft regulations and bills of law? What alternatives are available?
- What specific mechanisms are possible to really engage the public in governing the country?

- What requirements must representatives of community associations and interest groups meet to participate in consultations at the national, agency and regional levels?

Moreover, each of problems has a certain scale and specific features. It is impossible to make the policy-making process democratic unless all participants clearly understand the importance of strictly upholding established rules and procedures. In European practice, “democracy” and “procedures” are interconnected concepts and are integral elements of management culture and ethics.

The next problem is the lack of a clear, integral and balanced system for planning the activities of the Government and executive bodies. The huge number of program documents and plans, such as the Government Action Plan, the State Program for Socio-economic Development, more than 300 targeted state programs, the plan for legislative activity, the plan of Cabinet activities, and others that are not always harmonized, along with the short period that most Governments have been in office, seriously reduced the opportunities for both Ukrainians and the country’s foreign partners to understand and predict the strategy and prospects for Ukraine’s development over the short term.

The top-down practice of drafting regulatory and legislative documents upon the instruction of the Cabinet of Ministers does not follow European standards. There are several reasons for this: inherited traditions and stereotypes, inadequate institutional capacity among ministries and other executive bodies, the long habit of shifting responsibility for decisions onto a collegial body, such as the Cabinet of Ministers. This approach gives rise to a number of other problems, including duplicated functions, inconsistency among programs, difficulties planning the activities of the Government and ministries, and trouble coordinating their work.

The lack of a single center where stakeholders might familiarize themselves with the current drafts of all Government policies makes it generally hard to coordinate this work. As a result, draft regulations and laws whose purpose is the same are sometimes simultaneously drafted by different executive bodies. This is especially true of amendments to existing Government policies.

The current problems are also hard to eliminate because of the lack of a tradition in the system of government of involving the public in running the country. There are no systematic public consultations at the stage of drafting policies. The community councils set up under executive bodies are not working effectively. Coming out of its soviet past, Ukrainian society generally exhibits a low level of civil and political culture, as well as a certain amount of apathy. Moreover, there are no effective methods and technologies for executive bodies to communicate with voters.

Today, public consultations mainly take the form of simply making public draft regulations or concepts for targeted programs. In most cases, these drafts are posted

on the website of the body that prepared the draft. Sometimes these documents are published in the press as well. While stakeholders do send in comments and proposals regarding these draft documents, but they do not always have the chance to see what effect their feedback has had.

The 2 October 2003 Cabinet Resolution № 1569 “On approving the General Provision for the collegia of central executive bodies and local state administrations” is an illustration of the lack of suitably clear and transparent criteria for stakeholders to meet in order to participate in consultations at various levels of government. This Resolution provides for representatives of community organizations, artistic associations, enterprises, scientific institutions, and other organizations to be included in such boards, alongside representatives of community councils. This has established a certain hierarchy of community organizations and, thus, of the social groups whose interests they represent before government bodies that are widely represented and have a real impact on decisions of executive bodies. The rest have to be satisfied with a fairly illusory opportunity to be heard only through community councils.

This leads to another problem that makes it necessary to answer the issue of the representativeness of so-called community associations, their correspondence to the level of consultation—national, agency, regional—and their capacity to represent specific interests and groups.

The risks of inaction

The lack of principled, consistent steps to tackle these problems will lead to deeper negative processes and the further domination of tactical or local approaches over strategic ones regarding the most important issues in the country's socio-economic development. Voter confidence in the capacity of government institutions to appropriately react to the needs and challenges of the present will decline, as will that of the international community.

The policy-forming process will continue to be unsystematic, and results will not quite match the needs and expectations of Ukrainians, both private individuals and organizations.

Possible further steps

The lack of a management culture and professional ethics can best be tackled through: inculcating in all officials and functionaries, without exception, respect for the law; training civil servants and, if necessary, applying administrative and disciplinary penalties; and ensuring strict adherence to the requirements of the law.

Instead of the current system for planning the activities of the Cabinet, central and local executive bodies, Ukraine needs a new, interconnected, balanced system for strategic planning that is harmonized with international standards for forecasting and program documents.

The existing policy drafting system based on top-down instruction needs to be revised and reformed. New policies should be formulated according to a new scheme. For instance, with the Government Program, ministries initiate and draft the relevant policy papers, regulations or bills under this program and submit them in the usual manner to the Cabinet for consideration. To a large extent, this can be established by preparing a new Standing Rules of Order for the Cabinet that must provide for changes to make the procedures for preparing Government policy more democratic.

To raise the institutional capacity of the country's ministries and other bodies of the central executive, their powers need to be clearly separated from powers of the Cabinet of Ministers. It is unlikely, however, that this division can be instituted by a single action, even such a global step as adopting the Laws on the Cabinet of Ministers and Ministries.

The final goal of separating powers must be to establish such conditions that, when a state policy is adopted at the lowest authorized level. That is, issues that can be regulated by the decision of a single ministry or joint decision of several ministries should not involve a Government decision. A typical example here is the establishment of coordinating bodies—standing committees, councils, and so on, to deal with cross-sector issues—or ad hoc committees, that is, working groups to tackle a specific cross-sector issue.

The problem of consultations can be tackled by establishing a legitimate system that includes mechanisms for the mandatory involvement of voters in these processes and the reflection of public opinion in subsequent publications of the results of such consultations.

As of today, the government has developed six options for action:

- increasing institutional capacity of community councils under government bodies;
- developing and broadly discussing a Bill “On the openness and transparency of executive bodies and local governments;”

- setting up centers for communication between the government and voters under executive bodies for the purpose of providing good information services and holding public consultations to develop and implement state policy;
- increasing the institutional capacity of structural departments of government bodies;
- organizing systematic training for civil servants in order to enhance their communication skills;
- developing cutting-edge technologies for effective communication and information based on the experience of mature democracies; writing rules of order into regulatory documents and establishing a system of oversight and accountability for adhering to these rules;
- setting up a system of public oversight of government activities to ensure that public opinion is effectively included in the process of making and implementing state policy.

Appendix 1

Independent expert appraisal

Title

This is clear and neutral.

- You might say “Consultation Paper on Democratising the Policy-making process in the Ukraine.” It removes the government jargon of the words “Green Paper.”

Introduction

This states that the aim of the paper is to stimulate debate. Later, in Section 2, you note the role of public consultations.

- You might put this statement in the introduction, as it gives an indication of the value of consultee contributions.
- You might want say who you want to debate the issue and how they might contribute to the debate—written, e-mail, public forums, etc.
- You might identify particular people from whom you would like contributions and those issues where you most value their input. For instance, in Section 2, the first 3 of the key questions maybe more important for civil servants and decision-makers to address rather than the general public. The last two should perhaps be for everyone, including decision-makers, representatives and the general public.
- You might tell the consultees how their contributions will be used and presented/published.

Policy problem

You have given a straightforward description of the two problem areas you are considering; procedural and relational. You also set out clearly the legal basis for policy development and decision-making. You clearly state the current problems concerning the application and implementation of the legal framework. You also show some of the problems that will arise if no action is taken. You illustrate the problem of consultation with an example that makes the paper come alive.

Objectives of the policy

The objectives are tied to working to European standards.

- You might want to talk about the benefits that will bring to Ukrainian policy-making and the outcomes for Ukraine.

Consultation to date

The way this is written, it appears to be just internal thinking.

- Did you do some preliminary consultation with anyone, either internal to government or external? Are their views reflected in the paper?

Options

The options for action read like a program of actions to be taken rather than alternatives.

- They all sound like good ideas. However there may be alternatives to each of the actions that could bring about the desired result. You may not be able to identify them but your consultees might. Do you want to ask them?

Criteria

- You may want to show how you will judge options. This will help consultees understand your thinking and priorities.

Implementation plan, compliance, monitoring and evaluation

These are not really addressed in the paper.

- If you move to White Paper stage, these will need to be explored fully.
- The implementation plan should clearly explain how the actions taken will deliver the objectives you want, how what you do creates the behaviour changes, and so on, that are needed to improve administration.

Action

- You might want to add a short section to remind readers what they need to do.
- You might want to pose some specific questions that call for a response from consultees.

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