

ICPS newsletter[®]

#13 (476), 29 June 2010

Missing Out: Civil Society and ENPI

The European Neighborhood and Partnership Instrument (ENPI) has the potential to have a significant transformational impact among the EU's eastern neighbors. The entry into force of the Lisbon Treaty has only increased its promise. However, ENPI is currently not living up to its potential. A major reason for this is the lack of involvement of non-state actors (NSAs)

Research in Azerbaijan, Georgia, Moldova, and Ukraine shows that a low level of NSA participation is due to three factors:

1. the lack of quality NSA entry points into various ENPI processes;
2. poor use of existing entry points by local NSAs;
3. unreformed public institutions in partner countries.

Lack of NSA entry points

NSA participation in the elaboration and monitoring of the three national-level strategic documents (Country Strategy Papers, National Indicative Programs, and Annual Action Programs) and Budget Support is inadequate.

While the task of involving NSAs mainly rests with national governments, it is the EC's responsibility to provide a framework conducive to NSA participation and to compensate for shortcomings at the national level. Yet the EC's own record is mixed. Shortcomings in the EC framework include:

- **CSP elaboration and monitoring:** NSAs are consulted before a draft is prepared, but are excluded from the finalization phase. This allows them to influence priority-setting, but not to provide feedback or otherwise affect the draft. They are not consulted again until the mid-term review.
- **NIP elaboration and monitoring:** NSAs are not consulted before a draft is prepared and can only comment on the existing Concept Note. This excludes them from the priority-setting process. As with the CSP, NSAs are not involved in the finalization phase and so cannot ensure that their input has been taken into account.

- **AAP elaboration and monitoring:** Here, again, NSAs are not consulted before a draft is prepared and are excluded from the finalization phase.
- **Budget Support monitoring:** NSAs have no say in the selection of sectors to receive budget support. In addition, as their presence on Joint Monitoring Groups and Steering Committees (JMGs/SCs) is not mandatory, they are generally excluded from them.

Little awareness = Little impact

The absence of entry points in the four researched countries is not the only reason for insufficient NSA involvement. NSAs are generally either unaware of existing opportunities for participation or unable to make use of them.

Not enough is being done on the EU side—by both Brussels and local EU delegations—to foster NSA input. EU websites list suggestions as to how civil society can get involved, but these are general and leave the initiative up to individual organizations. Local delegations announce and sometimes even conduct consultations on their websites, but little more is done to raise awareness of NSA entry points. Finally, the scattered and technical nature of much of the information available, not to mention the fact that little of it is available in local languages, makes it difficult for NSAs to understand the whole process and to see where they can participate.

As a result, none of the four countries studied are making use of all potential entry points. In Ukraine, where civil society has been the most involved, NSAs

have participated in the elaboration of all programming documents, but they do not sit on budget support JMGs. Thus, they cannot actually monitor budget support, which is the EU's priority type of assistance.

Fulfilling ENPI's promise

The EC has not recognized that its ENPI partners are not completely ready for the type of aid it wishes to offer. To offer policy-driven assistance to countries with closed and unreformed policy-making institutions is to build on quicksand. The ENPI will not bring about real transformation until these truths are accepted and their implications taken into account.

ENPI has the potential to foster reform in partner countries, but in the short term, this will require a more proactive role on the part of the EC in ensuring civil society input.

Recommendations to the third sector

1. Make the democratization of public policy institutions, that is, accountable and responsive to the public, the priority of ENPI aid. Only open, sound institutions can adequately consult NSAs and assimilate their input into ENPI.
2. Make clear to national governments that NSA participation in ENPI planning and monitoring is mandatory, potentially by tying funding to adequate NSA consultation;
3. Assist national governments in identifying potential NSA participants in ENPI processes;
4. Given the lack of a strong tradition of NSA participation in policy-making in ENPI countries, maintain a separate track for NSA consultation by the EC. NSAs should be consulted by both the EC and the national authorities before any drafts are put forward;

5. Facilitate new NSA entry points into the CSP mid-term review, the drafting of new NIPs and AAPs, and the formation and functioning of budget support JMGs;
6. Provide training for NSAs on ENPI monitoring at both the programming and operational levels;
7. Enhance public information efforts to raise awareness about ENPI;
8. Make key ENPI documents (including criteria, indicators, benchmarks, and so on) easily accessible to non-state actors, and translate all documents into local languages;
9. Do not offer budget support to countries unable to assimilate it. When it is offered, make the presence of NSAs in budget support JMGs/SCs mandatory. ■

The complete reports can be downloaded at: http://www.icps.com.ua/key_issues/foreign_aid.html

ICPS was the coordinator of "Finalization, Consolidation and Completion of European Neighborhood Partnership Instrument (ENPI) Monitoring Reports" project, funded by the Open Society Institute of Budapest under the Local Government and Public Service Reform Initiative.

The project also included the Azerbaijan National Committee for European Integration (ANCEI), Green Alternative, Caucasus Institute for Peace, Democracy and Development (Georgia), and the Viitorul Institute for Development and Social Initiatives (Moldova).

For additional information, contact the author of this series, ICPS Foreign Aid Program Coordinator Viktoria Humeniuk by phone at (+38044) 484-4400 or via e-mail at victoria.gumeniuk@icps.kiev.ua.

Economic reforms to the max

The Economic Reform Program for 2010-2014 presented by President Viktor Yanukovich is the first-ever Government program worthy of meaningful debate. It contains a clear list of actions, rather than appeals and promises. It comprehensively defines and describes the challenges Ukraine is currently facing. However, it also has serious flaws that threaten successful implementation writes ICPS Quality of Life Coordinator Maksym Boroda in a recent Kyiv Post article

The biggest risk is that the proposed economic reforms are detached from the system of public governance. The block of reform that deals with modernizing the government system—administrative reform—will only be ready in autumn of this year, while the economic reform plan for 2010-2014 has already been made public.

Having a program for economic reform without administrative reform is like carrying a suitcase without a handle: hard to carry, but you can't just drop it, either. Planning separate economic reform makes little sense, since implementation will be nigh impossible without a radical restructuring of the bodies in charge of economic policy. For example, deregulation cannot take place unless the Economy Ministry, the State Committee for Regulatory Policy and Entrepreneurship,

and the State Committee for Technical Regulation and Consumer Policy are reformed.

The implementation of the President's program requires changes in legislation, but the program itself only provides a list of bills planned to be adopted, rather than a realistic plan of legislative initiatives pointing to that exactly needs to be canceled, approved or changed. The planned changes in law have no proper institutional and fiscal backing. This means that, of the three necessary components for developing state policy (legislation, institutions and financing), the President's program only has one—laws.

As far as content is concerned, the program has not been built upon a single underlying principle. In the description of problems and their causes, problems are

quite often no more than symptoms, while what is described as their cause is actually their effect. The list of required steps quite often mixes changes in legislation, institutional changes, individual measures and general statements, such as "to improve/deepen/perfect" something. Benchmarks for successful implementation have been selected quite objectively, but often there is little connection between these indicators and the objectives set in the program.

One of the big problems in the Economic Reform Program for 2010-2014 is the lack of priorities. Fully 17 substantial reforms in nearly every sphere of the economy are proposed for the next five years—a completely unrealistic goal. Setting priorities is a necessary element in effective tactical planning and distribution of state expenditures for carrying out such a program. If no priorities are set, it will simply be impossible to fulfill the program. ■

For more information, contact ICPS Quality of Life Program Coordinator Maksym Boroda by phone at (+38044) 484-4400 or via e-mail at mboroda@icps.kiev.ua.

icps newsletter is a bi-weekly publication of the International Centre for Policy Studies, delivered by electronic mail. To be included in the distribution list, mail your request to: marketing@icps.kiev.ua.

icps newsletter editor: Olga Lvova (olvova@icps.kiev.ua)
Phone: (38044) 484-4400. Fax: (38044) 484-4402
English text editor: L.A. Wolanskyj
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Address: vul. Pymonenka 13A, Kyiv, Ukraine 04050
Web-site: <http://www.icps.com.ua/eng/>