



The Seventh Survey of the Members of the Ukrainian Parliament

Parliamentary Development Project for Ukraine

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Introduction

In November 2010 – February 2011, the Parliamentary Development Project for Ukraine (PDP II) conducted a survey of Ukrainian People’s Deputies (Members of Parliament, or MPs), which was administered during the term of the 6th convocation of the Verkhovna Rada of Ukraine (VR), the parliament of Ukraine. The 6th VR was elected as a result of early parliamentary elections in the fall of 2007 called to resolve the political crisis manifested in a standoff between the parliamentary majority and opposition in an inoperative Parliament and continuing clashes between the President, the Parliament, and the Cabinet of Ministers.

This was the seventh survey conducted by PDP since 1998. The survey tracks the attitudes and opinions of Ukrainian MPs on various issues concerning the democratic development of Ukraine, political and democratic institutionalization of the Ukrainian parliament, the executing of its main democratic functions, relations with the executive branch, civil society organizations and international technical assistance organizations, and the parliamentary institutional strengthening.

The first PDP survey (Survey I) was conducted at the close of the second convocation of the VR in 1998; the second and third waves (Surveys II and III) were administered at the beginning and end of the third VR convocation (1998-2002); and the fourth and the fifth waves of the survey (Surveys IV and V) were conducted at the beginning and the end of the fourth convocation (2002-2006). The two latest, the sixth and the seventh waves, were conducted during the term of the sixth convocation elected in the pre-term parliamentary election held on September 30, 2007.

Given the dates of the surveys, we can generally divide the surveys into “entry surveys” (Surveys II, IV, and VI) conducted within a year or a year and a half after election of a new parliament, and “exit surveys” (Surveys I, III, V, and VII) conducted at the close of a parliamentary convocation.

Below in the table are the dates for all surveys conducted by PDP throughout 1998-2011. Interestingly, all surveys that were conducted were administered for Ukrainian MPs who served their whole terms. **In particular, the only two convocations that ended in snap parliamentary elections were the 1st and the 5th convocations. These were not covered by our surveys.**

Survey	Convocation	Year	MPs Surveyed
I	End of 2 nd	1998	109
II	Beginning of 3 rd	1999	303
III	End of 3 rd	2002	193
IV	Beginning of 4 th	2003	176
V	End of 4 th	2006	144
VI	Beginning of 6 th	2009	125
VII	End of 6 th	2011	106

One should take note that the 2nd through 4th convocations were elected for 4-year terms, however, beginning in 2006, the Verkhovna Rada instituted a 5-year election cycle. The 5th VR’s work was disrupted by political turmoil and it served just over one year. Such an outcome seemed eminent for the 6th VR as well, so PDP II waited some time for the situation to be resolved. Therefore, although conducted more than a year after the election, we consider Survey VI to coincide with the beginning of the work of the 6th VR convocation (“entry survey”). Survey VII was conducted more than a year prior to the end of the 6th VR because, at the time, it seemed it would be the last opportunity for the PDP to conduct the survey, though PDP II was later extended to 2013.

This report presents the results of Survey VII, placing them in comparative perspective with results from the previous PDP surveys wherever possible. The report begins with an executive overview followed by a discussion of survey methodology and sample selection. The remainder of the report details the survey results, which are organized according to general subject headings.

Table of Contents

- Highlights/Executive Summary 4
- Survey Methodology 7
- 1. Ukraine's Most Urgent Reform Areas 8
- 2. MP Functions, Deputy Roles and Priorities 12
- 3. Parliamentary Committees 15
- 4. Legislative-Executive Relations 20
- 5. Plenary Work, Factions and Voting 22
- 6. Rules of Parliamentary Procedure 26
- 7. VR Secretariat & Staff 28
- 8. Constitution of Ukraine 31
- 9. Parliamentary Oversight 37
- 10. Constituency Relations and Transparency of the Legislative Process 39
- 11. Assistance Organizations & Activities 412

Highlights/Executive Summary

The results presented here not only reflect the state of affairs within the Verkhovna Rada during the 6th Convocation, but also offer a picture of how things have changed over the last decade. The survey data are a powerful tool for discerning trends and tracking steps forward and backward. **Overall, the Verkhovna Rada has made significant strides in becoming a stronger, more robust legislative institution, with greater capacity to execute its representative, legislative, and oversight functions.**

Despite the political turmoil and long periods of parliamentary dysfunction that resulted from the standoff between the opposition factions and the pro-Government coalition in 2005-2008, the Ukrainian legislature proved to be an effective institution able to mitigate conflict between power elites. The changes in the Constitution made in 2004 and fully enacted in May 2006 seriously affected the way the parliament carried out its three major functions: representative, legislative, and oversight over the executive. While the strengthening of the parties in parliament and introduction of a near imperative MP mandate weakened the links between MPs and their constituencies, legislative-executive relations were somewhat improved generally, and significantly improved in some areas.

This report presents the results of the surveys in several clusters. The first two sections report deputy attitudes about the most important policy issues facing Ukraine and the primary roles of the deputy in addressing these policy problems as well as priorities for their parliamentary activities. The next three sections – Parliamentary Committees, Legislative-Executive Relations, and Plenary Work, Factions & Voting – provide a picture of the capacity of the Ukrainian parliament, its cooperation with other Government institutions and the dynamics of political developments in VR. The next two sections—Rules of Parliamentary Procedure and VR Secretariat and Staff—focus on the internal management systems of the Ukrainian parliament and the support capacity of VR. Then the report discusses crucial issues of state building and Government system in the Constitution of Ukraine section. The next two sections—Parliamentary Oversight and Constituency Relations and Transparency of the Legislative Process—focus on specific aspects of parliamentary work important for democratic institutional strengthening of the Ukrainian parliament as it evolves into a strong democratic institution. Finally, the report provides Ukrainian MP³ assessments of the work of technical assistance organizations and VR needs in the area of donor and technical assistance.

Below are some of the key trends from the surveys.

- In 2003-2006 (Surveys V-VI), deputies started focusing more on substantive policy issues—i.e. the reform of the legal/judicial system, the introduction of new anti-corruption mechanisms, the empowerment of local self-government, reform of the tax system, etc.—while less attention was paid to fundamental economic issues and the structure of the political system. This, in our opinion, was brought about by Ukraine's economic growth and high hopes for the future political reconciliation and functioning system of Government under the 2004 Constitutional reform. With the economic crisis and political turmoil in 2008-2009 this trend was reversed: substantive policy issues lost a central focus and the parliamentarians' attention returned to basic reform areas – the economy, the political system, and the structure of Government (Survey VI). In the most recent survey (Survey VII), however, **substantive policy issues have re-emerged as a top priority while the reform of the political and governance systems returned to the back burner.** This latest development was caused by the aftermath of the 2010 Presidential election: consolidation of the parliamentary majority behind the newly elected President of Ukraine and his reform priorities.
- Ukrainian MPs have **prioritized their work consistently over time**, believing that they should be spending the most time on three major legislative tasks: **working in plenary sessions, working in committees, and dealing with the requests of individual**

constituents. An overwhelming majority of surveyed MPs (over 90% in each category) consider these tasks their most important priorities.

- A majority of deputies believe that **key deliberations on proposed legislation take place in parliamentary committees** (52.9%); a finding that is **extremely consistent** over time. Despite the change of the political system that strengthened political parties/factions, parliamentary committees remain a major venue for discussing legislative issues. In Survey VII, however, the **Presidential Administration has emerged as a major institution where key deliberations on proposed legislation take place** (14.7%); previously, in Survey VI, none of the respondents identified the Presidential Administration.
- On the other hand, **factions are the most important consideration when MPs decide how to vote on proposed legislation** (39.6%) although committee recommendations and constituency opinions also play an important role in determining what legislation gets supported in the Ukrainian parliament (24.5% and 14.2%, respectively).
- Similarly, **parliamentary committees remain the most important actor to get draft legislation passed** in the Ukrainian parliament. About a half of surveyed MPs (46.2%) support this statement and this finding is **consistent over time**. Factions, on the other hand, became a less important factor in this area in the most recent survey (18.3%).
- MPs in recent surveys report that parliamentary **rules of procedure are working more effectively** than in the past in most areas, but seem to be less effective, among other tasks, in facilitating public understanding of the legislative process (16.8%).
- A majority of MPs continue to feel that **rules of parliamentary procedure should be interpreted by the Parliamentary Rules Committee** (58.1%). Over a third of respondents (35.2%), however, have indicated that the **rules should be interpreted by an independent rules expert**.
- A majority of MPs **favor the use of public hearings**, including hearings held by committees (63.2%), as part of their oversight functions. The **budgeting process remains the most effective parliamentary oversight mechanism** in view of the respondents (76.2%). The number of deputies who **positively evaluate the oversight functions** of the parliament has steadily increased over time, constituting a large majority in recent surveys.
- Over 80% of Ukrainian MPs consider **information on legislative issues provided to them or parliamentary committees by Ukrainian think tanks and CSOs** either useful or very useful.
- **Internet is the main source of information** for parliamentary work for surveyed Ukrainian MPs (74.5%).
- While many MPs in Survey V believed that the separation of powers has improved under Ukraine's 2006 Constitution, in Survey VI the majority of MPs, perhaps disappointed by the results of the 2004 Constitutional reform, **returned to see the Constitution as a temporary agreement**. A majority of respondents indicated a **clear need for reform of the system of power**, and especially the establishment of a balance of power between the legislative and executive branches. In Survey VII, the majority of MPs continue to regard the Constitution as a temporary agreement (60.2%), however almost twice as many respondents compared to the previous survey felt that the current separation of powers provides a sufficient foundation for building a democratic state – although still less than half (41.9% vs. 26.6%). Optimism was high in this regard in 2006 but has been declining since. The most commonly encountered reason for dissatisfaction with the separation of powers and belief that the current Constitution was not durable is that the Verkhovna Rada is weak in comparison to the President.

- A clear majority of respondents indicated that **combating corruption** (76.9%) and **reforming the system of judiciary** (57.7%) should be priority legislative tasks for the next term of the Ukrainian parliament.
- Deputies continue to favor **communicating with constituents through general district meetings organized by their parties** (53.8%); however, **meetings with individual constituents seem to be a more popular option** than in the last survey (35.8% vs. 18.9%). This indicates the strengthening of Ukraine's party system and reflects recent changes in the Constitution providing parties with more power.
- A majority of deputies believe that the **VR Secretariat has enough professional staff** (67.0%) and they increasingly voice that the **staff has all necessary skills to perform their duties** (69.4% believe that over half of the staff have such skills). However, MPs indicate a clear **need for staffers to be better trained in analyzing draft legislation** (29.2% in policy analysis and 20.8% in legal analysis). Also, MPs indicate that training in law-drafting techniques is something many of their personal aides are lacking (20.8%).
- The highest priority issues for international assistance in recent surveys include: helping committees in getting **techniques for comparative research analyses** (52.9%); **aiding in the budgetary analysis process** (54.8%); and developing **better methods for keeping the public informed** (53.8%).
- Almost half of surveyed MPs (44.6%) agree that **the Verkhovna Rada should itself fund the internship program** for young professionals, and **even a higher number are ready to vote for a line item on such a program** in the parliamentary budget (56.9%).

Survey Methodology

The survey instrument administered to MPs of the Verkhovna Rada of Ukraine was developed by the Parliamentary Development Project. The survey was conducted by the Kyiv International Institute of Sociology between February 17 and April 30, 2009. The fieldwork was conducted from February 23 until April 14 2009. The research process included the following stages:

- Preparatory work: formatting and correcting the questionnaire; deciding on sample selection criteria; preparing instructions for interviewers and other supplementary materials (cards, disclaimers, etc.)
- Fieldwork;
- Controlling and coding, entering and cleaning data;
- Preparing final data file.

The survey consisted of both open-ended and closed-ended questions. The survey sample was based on representation of factions in Verkhovna Rada. In contrast to previous surveys, the list of potential respondents was generated randomly within each faction in proportion to the number of MPs in that faction. There were a total of 150 MPs in the survey.

Twelve interviewers conducted 125 interviews. All interviews were conducted in person.

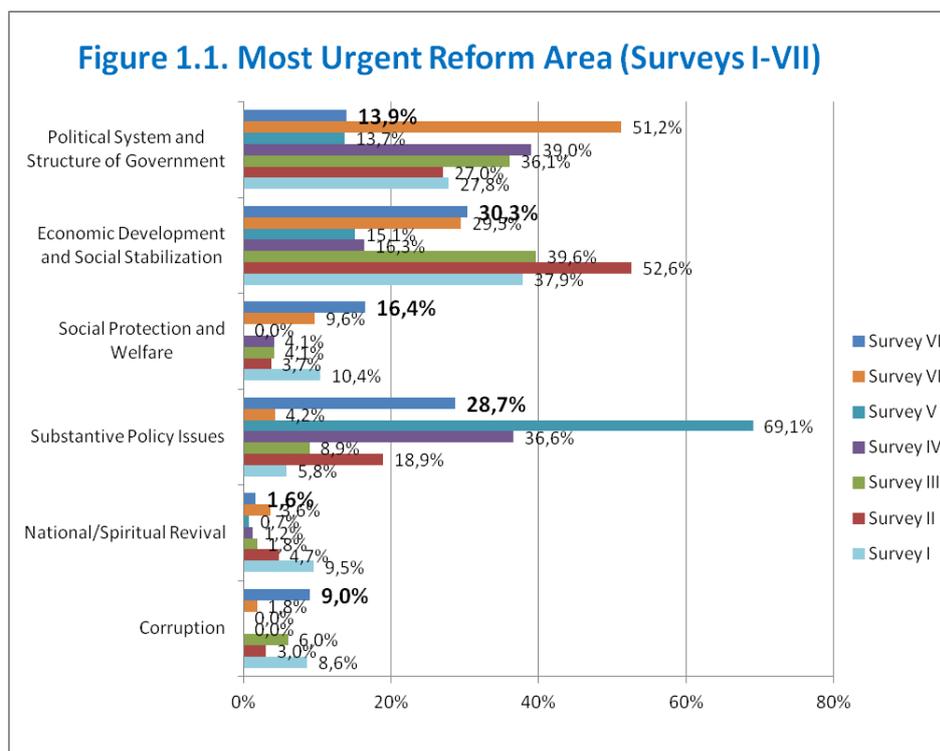
A sample of this size is sufficiently reliable to allow generalization to the entire population of deputies with a + or – 6.9% of sampling error. As noted above, membership in the various factions was tabulated for sample respondents and compared to proportions in the parliament as a whole. As can be seen from the table below, the sample is representative of factions in the parliament.

Distribution of Factions in Parliament and Survey VII Sample

Faction	Number of Seats	% in VR	Number in Sample	% in Sample
Party of Regions	180	40,0%	43	40,6%
Bloc of Yulia Tymoshenko - Motherland	121	26,9%	26	24,5%
Our Ukraine – People's Self-Defense	71	15,8%	16	15,1%
Communist Party	26	5,8%	8	7,5%
Lytvyn's Bloc	20	4,4%	3	2,8%
Non-affiliated MPs	32	7,1%	10	9,4%
TOTAL	450	100%	106	100%

1. Ukraine's Most Urgent Reform Priorities

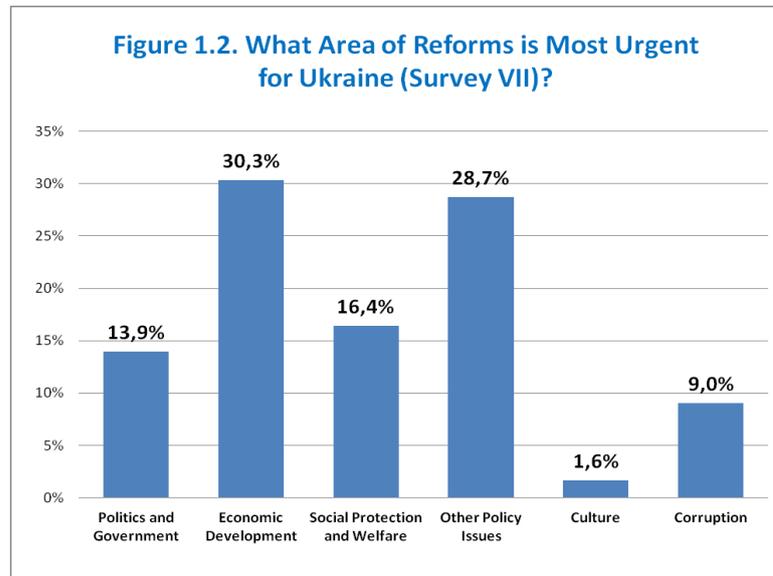
Since the first PDP survey in 1998, MPs have been asked in each successive wave to identify the most urgent areas in need of reform in Ukraine. As the Figure 1.1 shows, in most of the earlier surveys MPs typically identified basic economic development and governance issues as the most urgent areas in need of reform. For example, in Surveys I, II and III, well over a third of all MPs identified general economic development and social stabilization issues as the most important areas in need of reform. Likewise, the second most frequently cited area in need of reform was the basic structure of the political system and government in Ukraine.



In Surveys VI and VII we see a return to this tendency to select economic development. However, after the surge of support for the need of the urgent reform of the political system and structure of government in Survey VI (51.2%), we see it drop to the previous levels in the latest survey (13.9%).

In Surveys IV and V Ukrainian MPs shifted their attention quite dramatically, moving away from the concern for the basic structure of the political system and economic issues toward more substantive policy issues, perhaps because of the 2004 Constitutional reform and continuing economic growth. Survey VI showed an equally dramatic shift away from substantive policy issues toward the design of the political system; but this shift was subsequently reversed in Survey VII.

As we observe data in the Figure 1.1, combatting corruption does not seem a priority area of reform. However, there is a relatively strong indication from the latest survey that MPs in this convocation do recognize corruption as a problem, but consider that it is better to address it by changing respective laws and not deal with it as with a separate reform area. This is confirmed by responses to the question of the most important legislative reform priority for the next convocation (later in this analysis). In other words, they see corruption as a problem that constitutes parts of other areas that require legislative reform and change and not as a separate area.



In Survey VII, MPs held that economic development (30.3%) and other substantive policy issues (28.7%) were the areas in most need of reform. One reason that economic issues remained a priority while systemic political matters ranked only 4th in importance is that the global economic crisis deeply affected Ukraine in the fall of 2008 through winter 2010, when the survey was conducted. Another likely contributing factor was the general dissatisfaction with the governance system's change as a result of the 2004 constitutional reform. The changes to the Constitution of Ukraine were enacted when the 5th Verkhovna Rada convocation¹ took an oath as deputies in May 2006. Since then, political turmoil in the country continued unabated, revealing problems with governance institutions, notably the governing coalition operations and the separation of powers system between and within the two branches of power – the legislative and the executive.

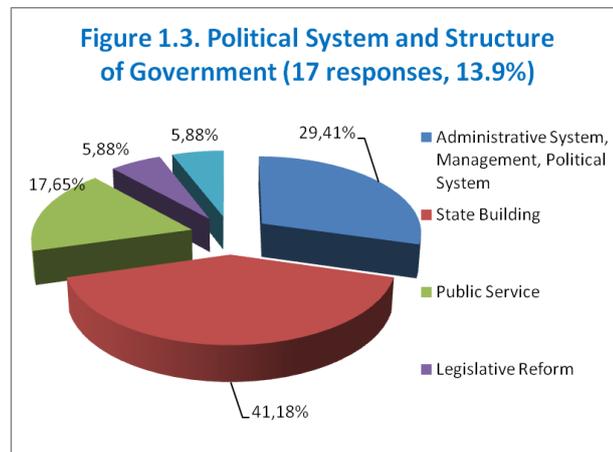


Figure 1.3 demonstrates the current reform preferences of the respondents in Survey VII, who indicated that the political system and the structure of Government in Ukraine are in need of most urgent reform. Although the number of such respondents is much lower than in the previous survey (13.9% vs. 51.2%), it is still interesting to see that near half of them (41.2%) believe that such reforms should focus on the state building area (Constitution of Ukraine, legislative-executive relations, etc.).

¹ PDP did not survey MPs in 5th convocation due to their very short actual term of service (September 2006 – January 2007).

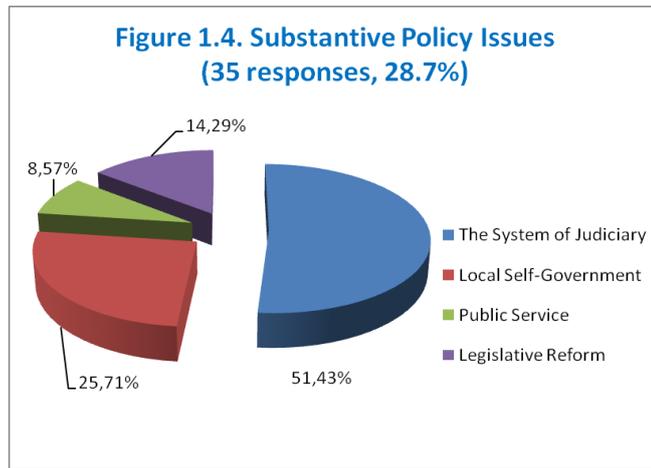
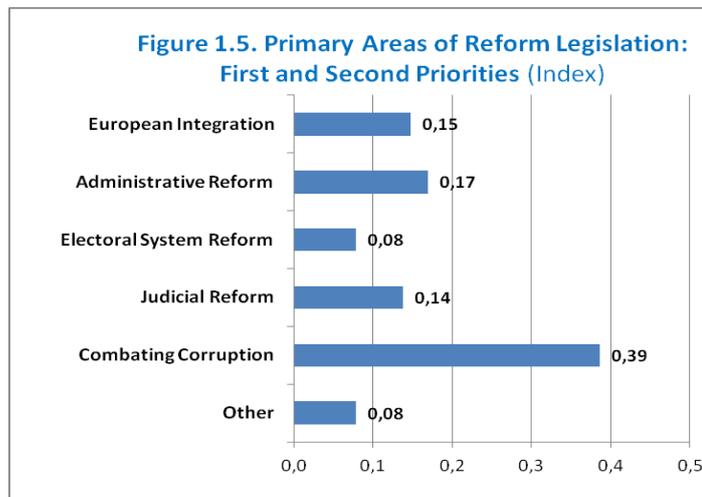
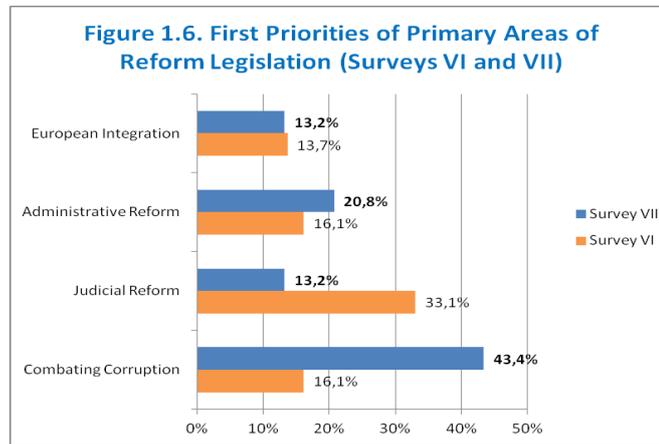


Figure 1.4 provides more insight into the specific policy issues that are of concern of MPs in the most recent survey. By far the most pressing policy issue facing Ukraine, according to the respondents in Survey VI, is the reform of the country's system of government and the legal system. More than one third of those MPs who chose a substantive policy issue as the most important area for reform indicated that reforming the Ukrainian judiciary is of paramount importance (51.4%).

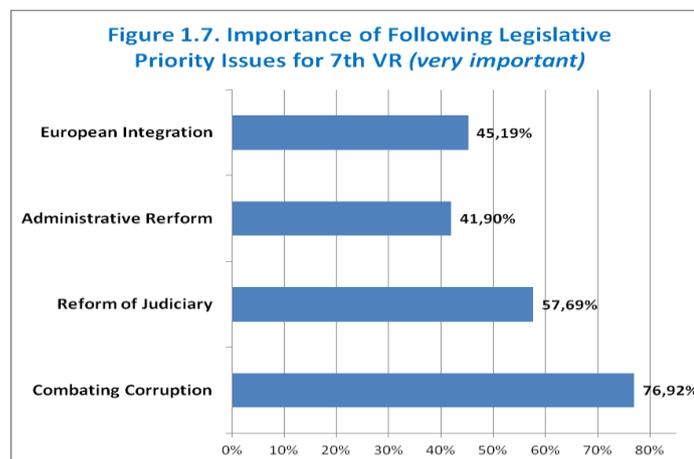
Further, we asked the Ukrainian lawmakers what primary areas of legislation demand immediate attention of parliamentarians in the 6th convocation (Survey VII) as well as the following convocation. The clear top priority for legislative reform, in contrast to prior years, is combating corruption followed by administrative reform. These results are reflected in Figure 1.5 which contains an index of these priorities (first immediate priority combined with the second immediate priority).



These results are quite different from the results of Survey VI in the domains of combating corruption and judicial reform. While at the beginning of their term (Survey VI) Ukrainian MPs considered the reform of the judiciary the topmost priority (33.1%, see Figure 1.6), in the end of their term (Survey VII) this place was taken by the combating corruption.

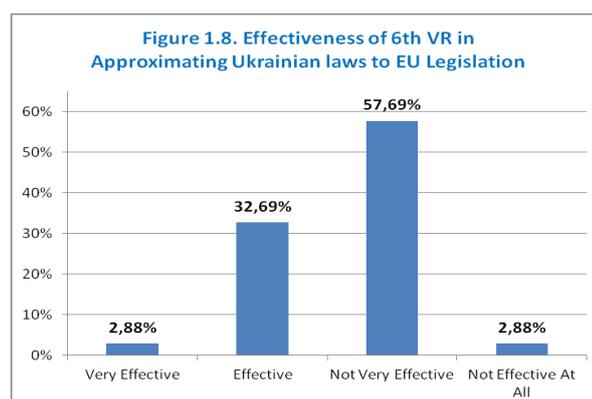


It is interesting to note that in the time of the world economic crisis, Ukrainian deputies still considered institutional reforms in non-economic areas more important for reforms in legislation than legislation in the economic spheres (taxation, energy sector, etc.). This could be due to the fact that some economic reform legislation was adopted in previous years, whereas reform legislation in such areas as the judiciary, administrative and territorial system, and local self government despite continued debates and assertions of their urgent need were not adopted.



Some Ukrainian politicians frequently mention approximation of the Ukrainian legislation to the legislation of the European Union as one of the most urgent priority issues for Ukraine. During the 4th convocation (2002-2006), a separate parliamentary committee on European Integration was created to deal with this issue. In Survey VII we asked MPs, whether they think this issue is of high importance for the country or not. As we can see from Figure 1.7, only 45.2% of the respondents rated the European Integration as “very important.”

When asked to rate the Rada’s effectiveness in approximating EU legislation, the majority of MPs reported that VR efforts were not very effective (see Figure 1.8.). About one-third of surveyed MPs (57.7%) felt that such efforts were effective.



2. MP Functions, Deputy Roles and Priorities

In all the seven surveys, people's deputies (MPs) were asked to name the most important function (task) of a chosen representative of the people. In 5 of the 7 surveys, a majority of parliamentarians involved in interviewing said that their main task was to ensure that the interests of their constituency are articulated. Surveys V and VI were exceptions. Enacting laws was determined by respondents of the Surveys V and VI as the main function (See Figure 2.1).

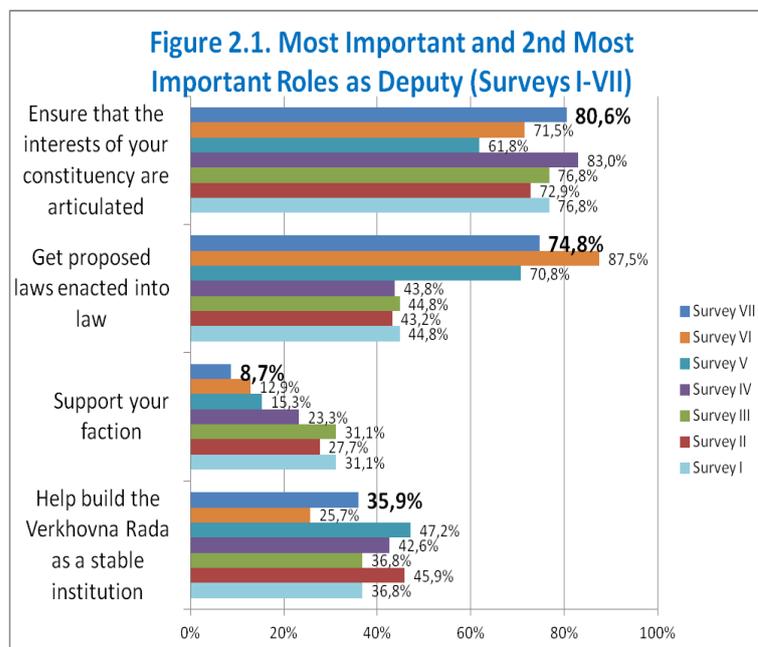
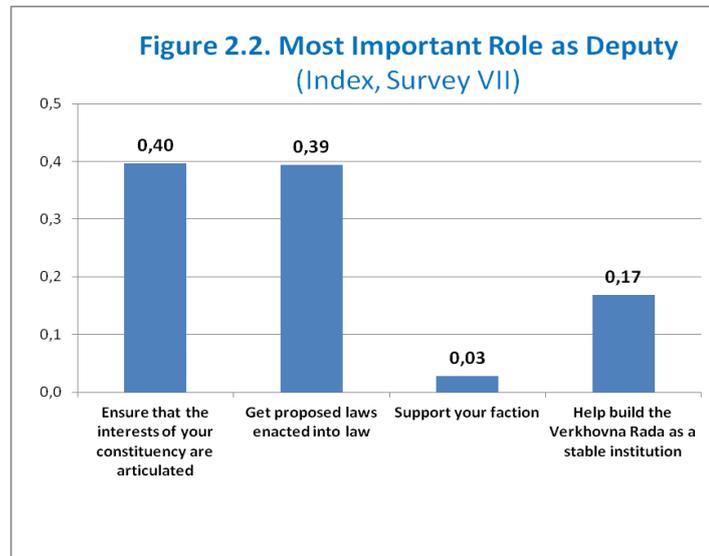


Figure 2.1 demonstrates an interesting dynamic during the surveyed period. The first four Surveys (I-IV) were characterized by predominating opinion that the main function of people's deputies is representing voters' interests in Verkhovna Rada (VR) of Ukraine. 73-83% of the interviewed MPs expressed the above mentioned opinion; 43-45% of MPs at the same time determined their main function as enacting laws (other variants were not mentioned as often).

The next three surveys demonstrated a sharp increase in the popularity of the opinion that the main task of a people's deputy is enacting laws (70.8% in Survey V, 87.5% in Survey VI, and 74.8% in Survey VII) and some decrease in popularity from the Survey IV level of the opinion that a people's deputy should represent interests of his/her voters in the parliament (61.8% in Survey V and 71.5% and 80.6% in Surveys VI and VII, respectively). This may be explained by the transition to the proportional election system that led to estrangement of people's deputies from their voters. Nevertheless, the number of those considering the parliament an institution for representing citizen interests rose to 80.6% in Survey VII.

However, if you combine the first most important role and the second most important role, as it was asked in the survey, into an index you will see that these two latter variables are almost of equal importance (See Figure 2.2, where it is demonstrated that many deputies also support the opinion that their main function is enacting laws). So, we can see that these two opinions are almost equally popular among the people's deputies.



One third of the interviewed people's deputies (35.9%) reported that their main function is developing the parliament as a stable democratic institution. This is an important result consistent with results of most of previous surveys except for the 6th one where the proportion of such deputies was about one quarter of those interviewed.

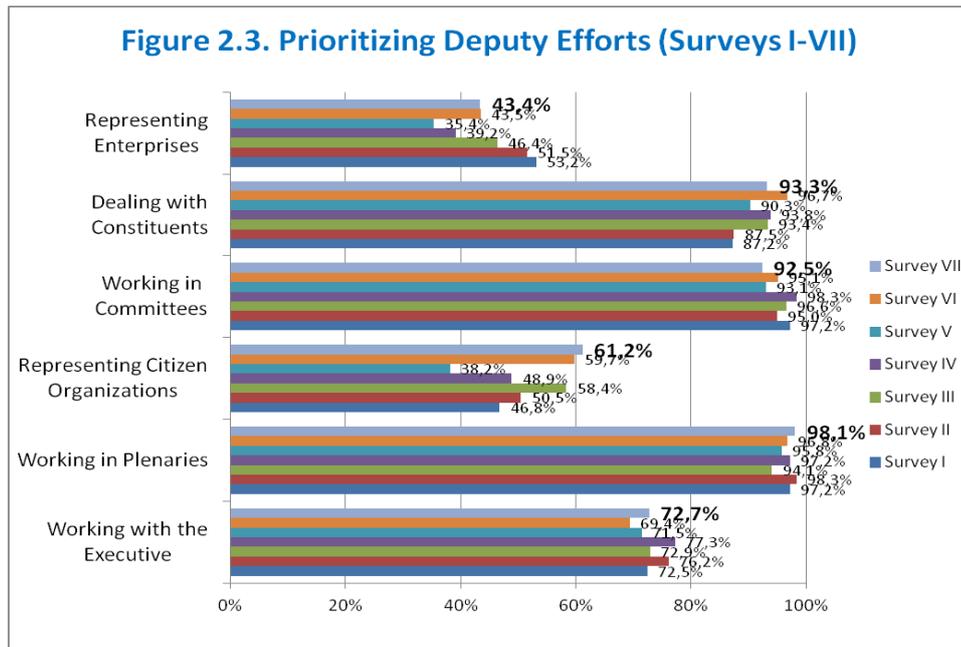
The survey results also showed a continuation of the overall downward trend of MPs believing that their main function is to support their faction. While according to the first three surveys the number of such opinions varied from 27.7% to 31.1%, this measure dropped to 8.7% in Survey VII

It is also possible that the 2004 political reforms (changes to the Constitution and providing more powers to VR) provided more freedom for people's deputies and more possibilities to position themselves as independent politicians expressing their own opinions; in other words, their connection with their faction became less important.²

Figure 2.3 shows the results to the question how MPs should prioritize their efforts while serving as people's deputies. We can observe that Ukrainian MPs prefer practical work – in plenary meetings, in committees, and with voters. In accordance with the survey results, 92.5–98.1% of the interviewed deputies believe that much time or some time should be spent working in the above mentioned areas. All the previous surveys are characterized by similar trends.

This question is a very important one and usually serves two purposes depending on the time of the survey. In entry surveys it shows expectations of MPs who are elected to the parliament, in exit surveys it serves more as a recommendation to incoming people's deputies based on the experience of MPs of the previous term. Therefore it is interesting to look at the distinctions within one convocation, as well as across convocations in both dimensions: entry and exit surveys.

² It should be noted that Survey VII was conducted after the September 30, 2010 decision of the Constitutional Court of Ukraine that revoked those constitutional changes adopted in 2004 and implemented gradually throughout 2005-2010.



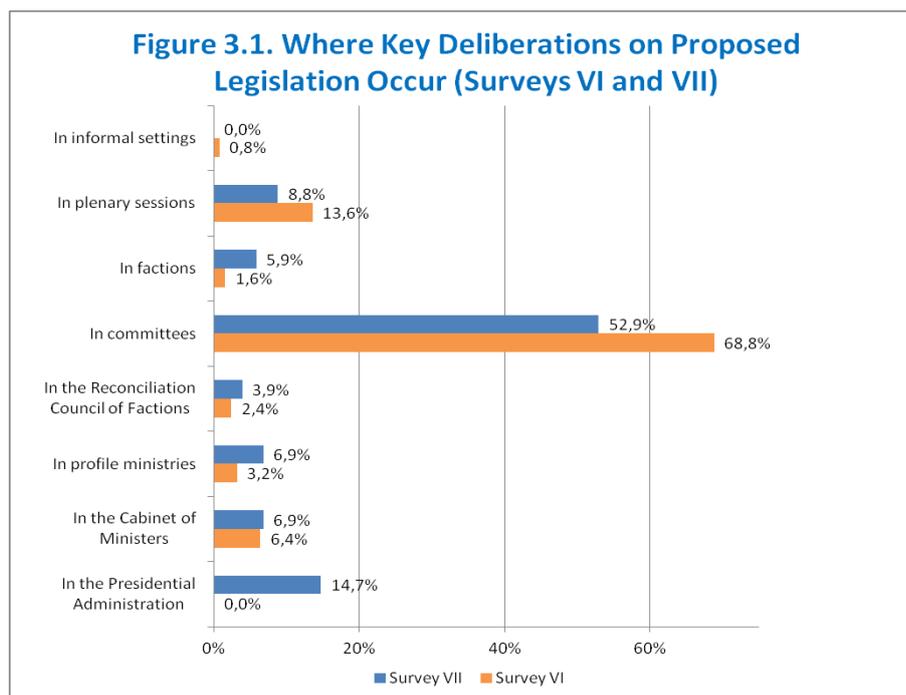
72.7% of MPs said that they should spend much of their time working with the executive government (in spite of the fact that this task is also of high priority for MPs' work). Disregarding some fluctuations, from two thirds to three quarters of MPs in all surveys believe that much time or some time should be spent on such activities.

More than half of MPs (61.2%) feel that representing the interests of NGOs (citizen organizations in the survey) should be a priority. This line of activity has shown the most fluctuation of all the measures over time, but has been growing steadily in importance since Survey V.

Representing interests of business enterprises is the last priority for MPs - only 43.4% believe that they should spend much or some time for such activities. The popularity of this activity dropped negligibly across the seven surveys.

3. Parliamentary Committees

In all surveys, except for the first one, MPs were asked about the role of parliamentary committees. The first question concerned the committees' role as the main forum for review of legislative proposals in comparison with other official and unofficial institutions for discussing legislative initiatives within and outside of parliament. Figure 3.1 reveals that only half of the interviewed parliamentarians (52.9%) believe that committees are the main institution for discussing law projects. In all the previous surveys this view was supported by 62-70% of MPs. The lowest number was in Survey II (1998, entry) – 61.7%. In spite of the fact that committees remain the most important institutional mechanisms of parliamentary work, in accordance with the MPs' answers, their role seems to become less important than before.

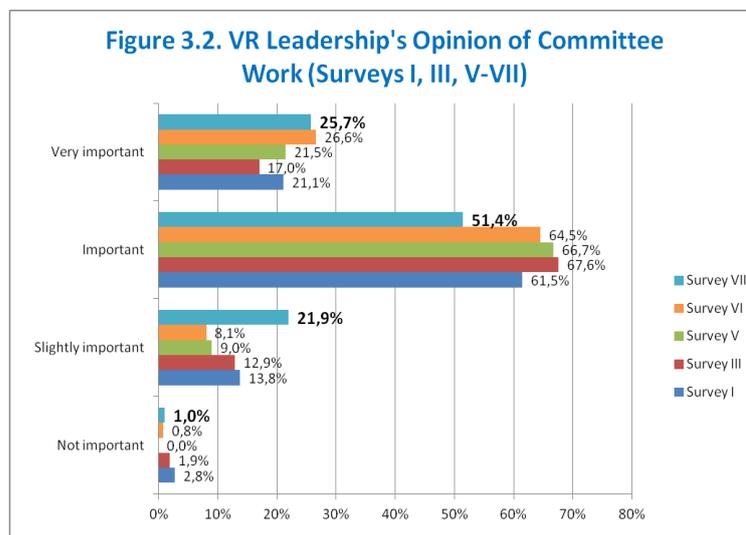


This situation could be attributed to the heavily increasing role of the Presidential Administration in the legislative process. In Survey VI this institution was not mentioned at all, yet in Survey VII, 14.7% of MPs mentioned it. Significantly, this figure is the highest for this measure of any of the surveys (previously, the highest figure demonstrating the influence of the Presidential office was 9.6% in Survey III, conducted in 2002 during the President Kuchma administration). It is also important that the impact of the Cabinet of Ministers remained the same (as compared with the previous Survey VI). The number of MPs mentioning profile ministries increased from 3.2% in Survey VI to 6.9% in the Survey VII (in all the other surveys the figures never exceeded 3%).

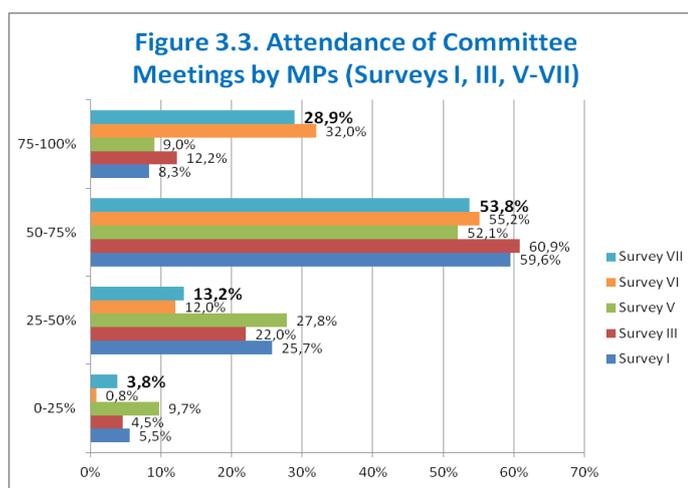
As compared with the previous surveys, the number of those naming plenary sessions as the primary deliberations forum decreased from 13.6% to 8.8% (in Surveys II-V the range was 6-10%).

The weight of deliberations in factions increased from 1.6% in Survey VI to 5.9% in Survey VII. Nevertheless, factions are not perceived as an important institution for legislative activities. The Conciliation Council of heads of deputy factions and committee chairs of the Verkhovna Rada, the main function of which is to include legislative proposals in the plenary week's agenda, was only mentioned by 4% of people's deputies.

As can be seen from Figure 3.2, the majority of Deputies (77.1%) believe that the leadership of the Verkhovna Rada considers the role of the committees as very important or important. Nevertheless, only a quarter of MPs (25.7%) believes that the leadership believes the committees' role to be very important.



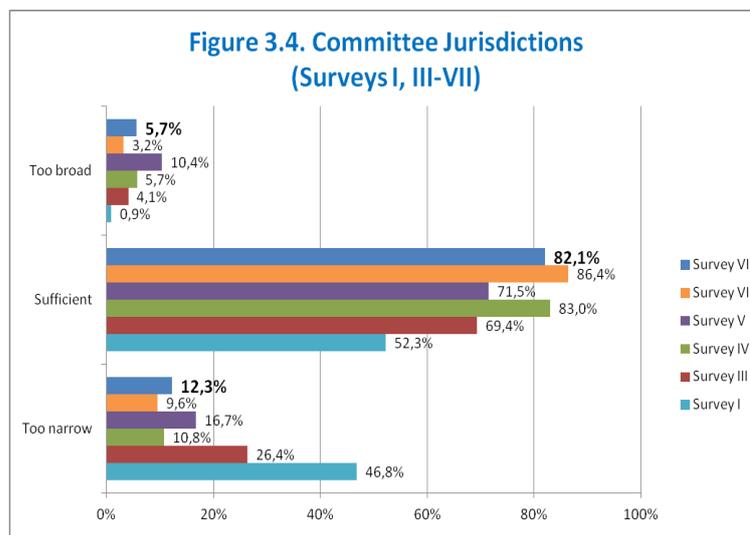
Compared with the previous surveys, there are important changes. In the previous surveys about 62-68% of MPs considered that the leadership's opinion of the committees' role is important; in Survey VII the number of MPs sharing this view decreased to 51.4%. The number of those answering "not very important (slightly important)" rose to 21.9% (this indicator was less than 14% in the previous surveys, and in Survey VI it formed only 8.1%). This fact could be attributed to recent changes in the Rules of Procedure by which the leadership of the parliament's powers to influence the plenary agenda decreased whereas committee chairs' powers increased.



The next set of questions concerned current activities of parliamentary committees and their members. In particular, MPs were asked questions on the attendance level of the committees (see Figure 3.3). Thus, a majority of people's deputies (53.8%) reported that 50-75% of the committee's members regularly attended committee. 28.9% said that this number was in the range of 75-100%. Generally, about 82% of those interviewed answered that more than half of MPs attend committee meetings on a regular basis.

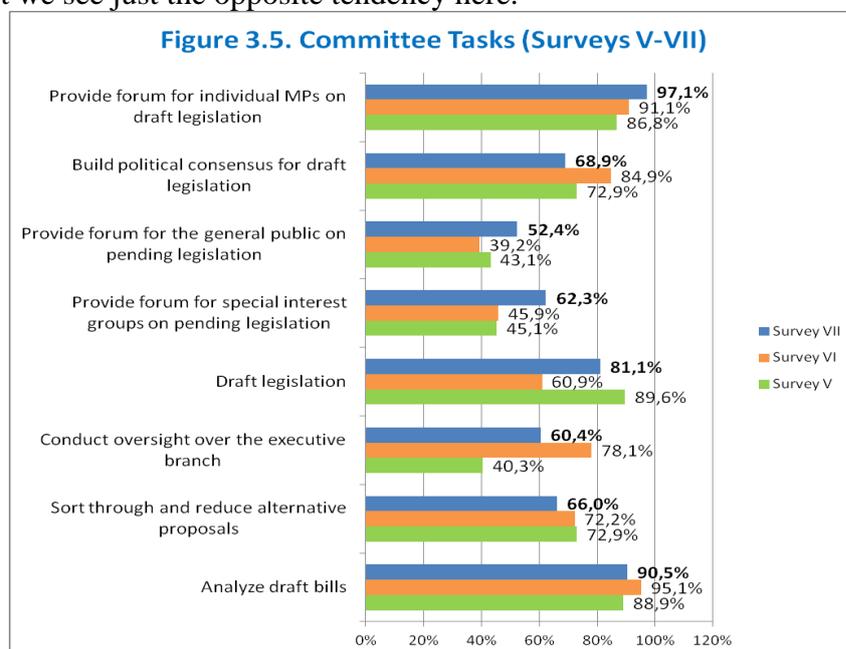
As compared with Survey VI, this situation has not significantly changed. As we can observe from the Figure 3.3, in most of convocations of the Ukrainian parliament most trends remain similar. The percentage of those regularly attending committee meetings is in the range from 70% to 80%. However, the percentage of MPs who answered that other deputies regularly attend committee meetings more than 75% of time has remarkably increased for the last convocation.

Understanding of committee work in the Ukrainian parliament can be of help here, too. Some committees schedule their meetings no more frequent than twice a month in plenary months which in the end results in about 15 meetings a year.



The survey also included a question regarding the scope of jurisdiction of the committees, in particular, whether the scope is too broad, or too narrow, or is sufficient. As can be seen in Figure 3.4, a large majority of people’s deputies (82.1%) consider the current jurisdiction to be sufficient. This situation has not changed much from Survey VI.

Nevertheless, if compared with all the other previous surveys, the number of those supposing the scope to be too narrow (46.8% of parliamentarians in Survey I) decreased while the number of MPs who found the scope to be sufficient increased. However, this pattern seems to be at odds with changes in the number of committees. At the beginning of the third convocation there were 22 parliamentary committees. In the 6th convocation (as of February 2011), there were already 27 parliamentary committees and one special control commission (since then, the number of parliamentary committees decreased to 26). In other words, an increase in the number of committees might be expected to increase the level of dissatisfaction with the narrowness of their jurisdictions. But we see just the opposite tendency here.



All the surveys asked MPs to answer how often the committees fulfill the tasks included in their agendas. Figure 3.5 includes the list of tasks and how frequently the tasks are performed (the sum of the answers «routinely» and «often»). The results show that the committees spend most of their time analyzing proposed legislation and identifying potential advantages and disadvantages of legislative initiatives as well as giving certain MPs the opportunity to express their views on the draft legislation. 90–97% of the interviewed parliamentarians in the three latest surveys reported that they perform the abovementioned tasks either routinely or often. It is worth noting that in the

case of providing MPs with the opportunity to express their opinion, we observe a gradual positive trend. In Survey V, 86.8% of MPs mentioned this activity; in Survey VII, 97.1%.

The task of drafting legislation takes a special place among other activities (81.1%). Although the committees are not responsible for initiating legislation, the majority of respondents believe that the committees routinely or frequently develops draft legislation through alliances of deputies formed in committees, while deputies have the power of legislative initiative as individuals or as groups. This view shows an interesting trend. In Survey V it was supported by 90% of MPs; in Survey VI the number fell to 61%. Nevertheless, in Survey VII the number of parliamentarians holding this view increased again (reaching the level of Survey V). It can be explained by the fact that Survey V and Survey VII are exit surveys questioning the deputies that have already had experience of work in committees and know more intimately their routine tasks while inexperienced deputies rely more on the first periods of committee work when working relations between committee members are not established yet.

Between Surveys V and VI oversight of the executive branch became a more frequent activity (from 40.3% to 78.1%). In accordance with the constitutional reform of 2004, the parliamentary functions were widened. Nevertheless, in autumn of 2010, the constitutional reform was nullified, which is reflected in deputies' answers as the number stating that this activity is implemented routinely or often dropped to 60.4%.

It is also worth mentioning that the committees are now perceived less as the venue for MPs to reach consensus on draft legislation. While in Survey VI this opinion was supported by 84.9% of the interviewed parliamentarians, in Survey VII there were only 68.9% (this figure is even lower than the 72.9% observed in Survey V).

In general, the view on regular or frequent review and exclusion of alternative proposals submitted by MPs was supported by interviewed parliamentarians (during the previous two surveys the figure was 72-73%).

Two positive tendencies should be noted here. The number of those stating that the committees routinely or often provide civic organizations (identified as special interest groups here, including Ukrainian NGOs: think tanks, research institutions, etc.) with the opportunity to express their opinion on proposed laws included in the agenda increased from 45.1% in Survey V to 62.3% in Survey VII. The figures on similar opportunities for the general public rose from 39-43% in Surveys V and VI to 52.4% in Survey VII. This suggests that the committees' work is gradually approaching the standards of democratic parliaments of the world, where these practices are used to guarantee the public access to the legislative process and make the process of adopting and implementing laws more efficient,

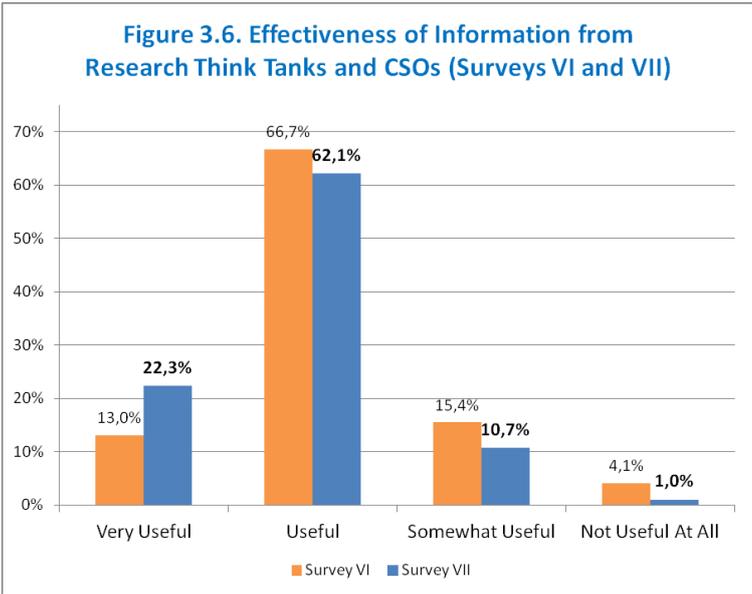


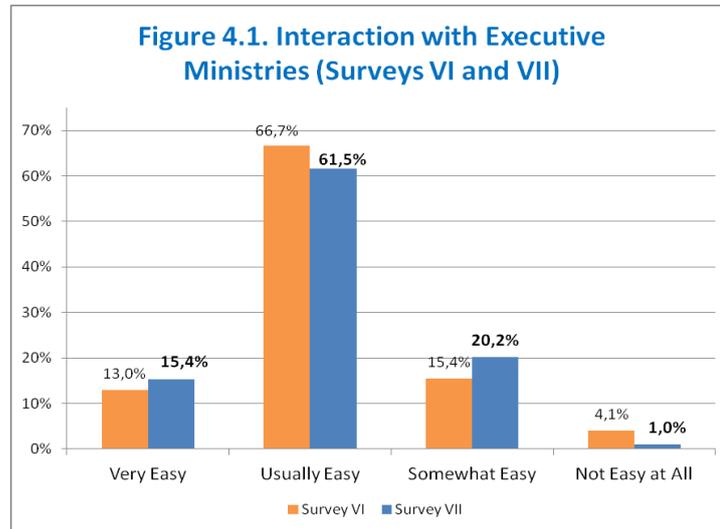
Figure 3.6 depicts MPs' estimation of usefulness of information provided by think tanks, research institutes, and other civil society organizations by their own initiative or regarding certain

legislative regulation issues. 84.4% of the interviewed MPs said that this information is useful or somewhat useful; 22% rate this information to be very useful. There are no significant changes as compared with Survey VI.

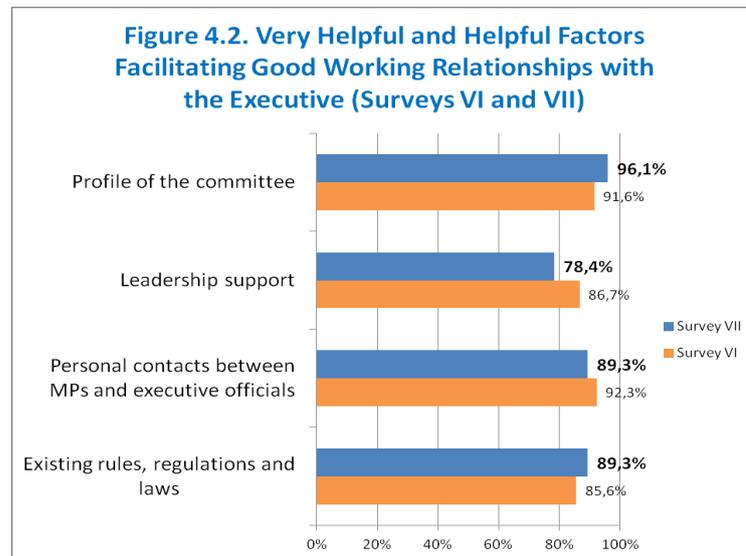
These results provide support for the opinion that more attention should be paid to institutionalization of parliamentary committees' cooperation with scientific and research institutions, analytical centers and some specialized non-governmental organizations. Increasing the weight of the task of providing the public opportunities to express its viewpoint on draft laws included in the agenda (Figure 3.5), among the other key tasks of the committees, will lead to more active and effective cooperation between the VR committees and civil society institutions.

4. Legislative-Executive Relations

In Surveys VI and VII MPs were asked to estimate committees' interaction with the relevant executive agencies for their area of work. Figure 4.1 demonstrates MPs' estimations of the committees' interaction with corresponding ministries and departments. So, 76.9% of the interviewed parliamentarians rated this interaction as very or mostly easy. Nevertheless, every fifth MP (21.2%) found the cooperation to be difficult or very difficult, in other words, in need of improvement. This is similar to Survey VI.

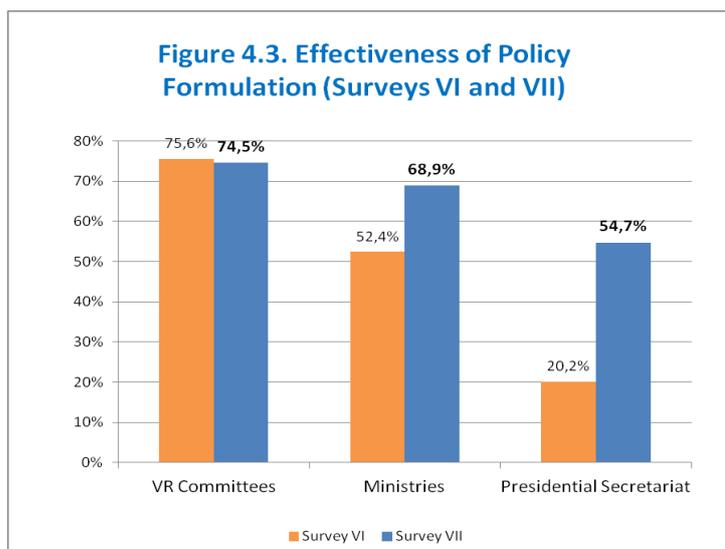


People's deputies were also asked to define measures that could be useful for improving committees' interaction with relevant executive bodies. The most useful measure was adjusting the subject matter jurisdiction of the committees to more closely match the corresponding executive agency.

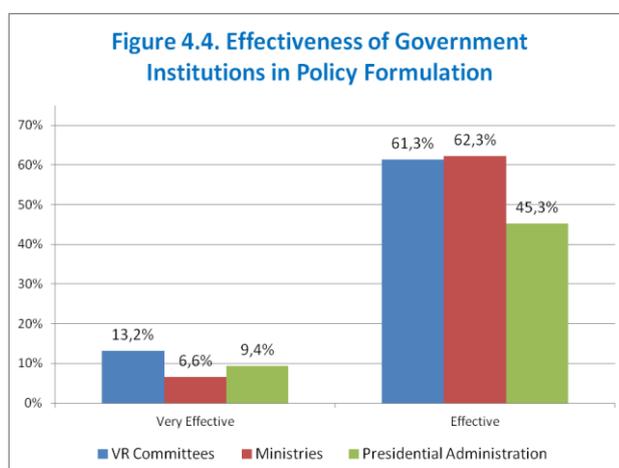


96.1 % of parliamentarians (see Figure 4.2) believe that this measure would be very or somewhat helpful for increasing the efficiency of legislative committee-executive agency relations. Estimation of this measure remained the same as in the previous survey. Existing rules, regulations and laws and also personal contacts of committee members with executive officials are also believed to be very helpful (89.3 %). The number of those rating personal contacts with executive officials as useful was 92.3% in Survey VI. The number favoring VR leaders fell from 86.7 % to 78.4 %.

Figure 4.3 provides MPs' answers concerning efficiency of the state power institutions in forming state policy.



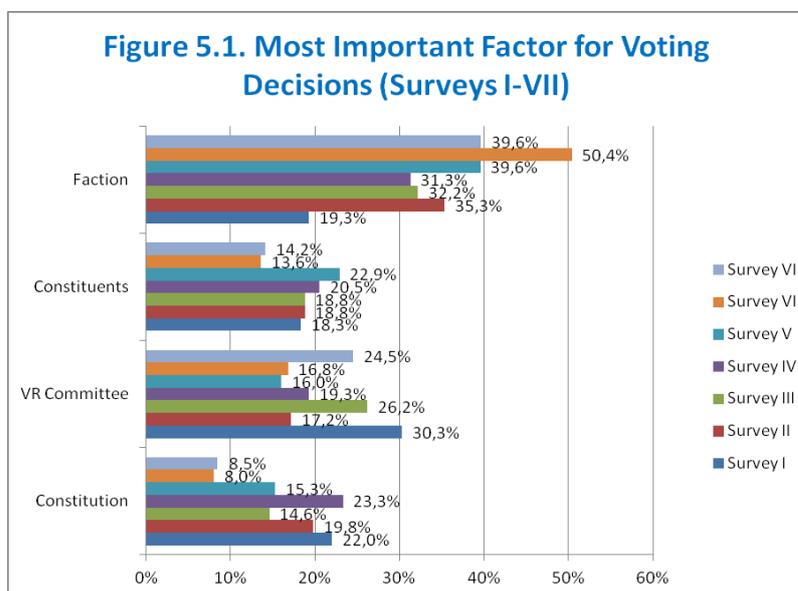
It is worth noting that respondents are more familiar with the work of the Verkhovna Rada standing committees and are inclined to estimate their work in a more positive way. The results show that 74.5% of MPs believe the committees' work to be effective or very effective in forming state policy. As to the ministries, 68.9% of the respondents expressed such opinion. In the previous survey the figure was 52.4%. The largest increase for this measure was observed in regards to the Presidential Administration – in Survey VI only 20.2% noted activities of this institution; in Survey VII the number jumped to 54.7%. Of course, this can be explained by the change in Ukrainian Presidents that took place between the two surveys.



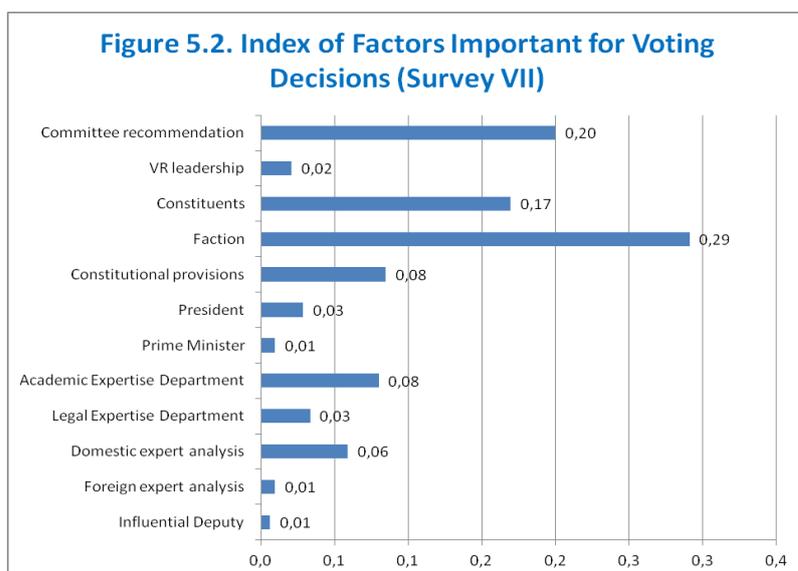
On the other hand, answering the question about the overall effectiveness of Government institutions in policy formulation (Figure 4.4), more MPs selected VR committees as very effective or effective compared with ministries or the Presidential Administration.

5. Plenary Work, Factions and Voting

MPs were asked about decision-making via voting during plenary sessions and the role of parliamentary factions in this process.

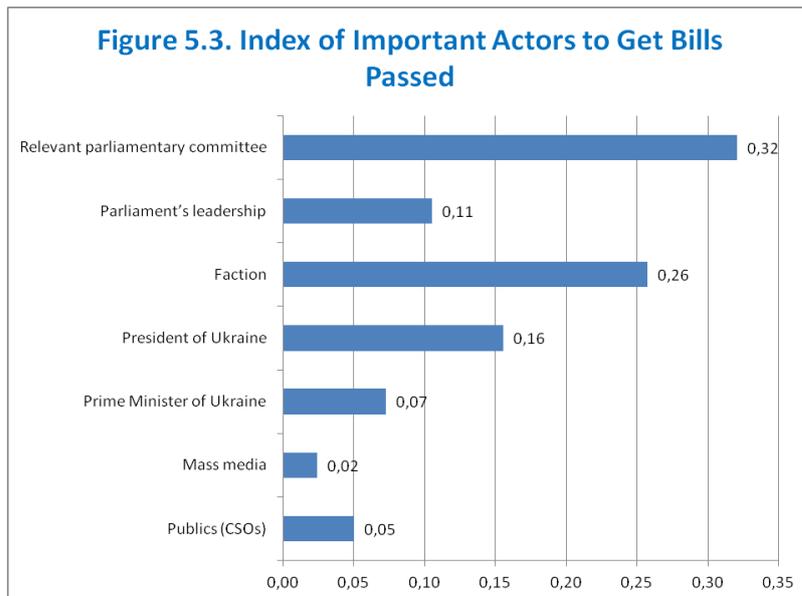


The results demonstrate that a faction's position plays an important role in the decision making process. This was confirmed by 39.6% of the interviewed MPs. It is important to mention that in the period from Survey I to VI, the impact of factions was increasing (from 19.3% to 50.4%). In Survey VII it began to decrease and fell down to about 40 per cent. This may be explained by the fact that the political reform of 2004 was cancelled leading to a weakening role of political factions in the parliament. Nevertheless, the factions' impact remains quite weighty.

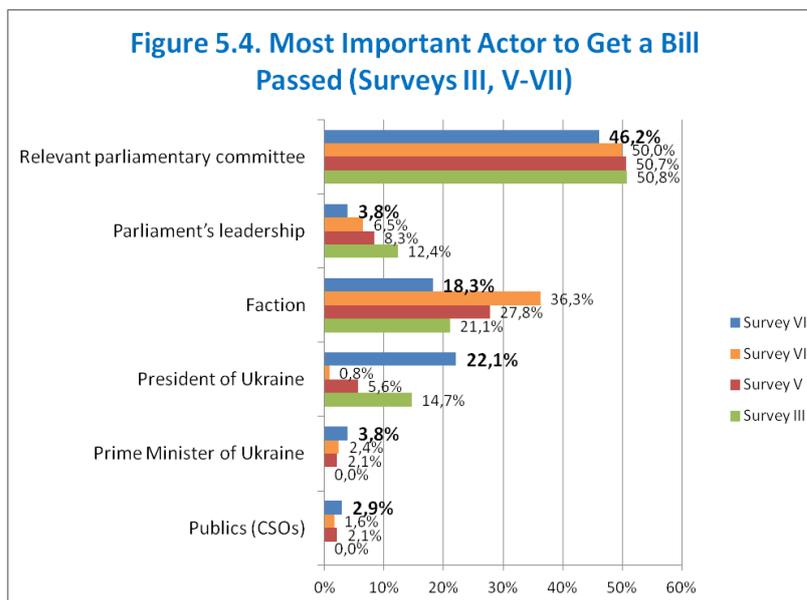


Recommendations of standing committees rank as the second most important voting factor (24.5% or 0.2 when we combined indexes for the most important and second most important decision, see Figure 5.2. There also were other options offered to MPs, as you can see from Figure 5.2 but for the comparative Figure 5.1 we only took those that were asked in all 7 surveys).

The percentage for standing committees has been increasing since Survey V. Influence of constituent opinions (14.2%) and constitutional clauses (8.5%) remain at the same level as in Survey VI.



The survey also included questions on institutional support for passing draft legislation (approval of the first and subsequent readings). As Figure 5.3 demonstrates, the majority of the interviewees (index value 0.32) believe that the most important institutions for passing a draft bill in the parliament are standing committees. Nevertheless, in all the previous surveys more deputies expressed this opinion. Below, in Figure 5.4, you can see the results of answers to the question who is the *most* important actor to get the bill passed in comparison with other surveys (in the Figure above is the index of the last survey to the questions who are the first, second, and third most important actors).



Faction dynamics play a significant role here. In Surveys I-VI the role of factions was increasing (from 21.1% in Survey III to 36.3% in Survey VI). This increase was logical, as the role of factions was strengthened after the constitutional reform of 2004. By the results of Survey VII only 18.3% of the interviewed MPs named the faction to be the most important institution in law approving process.

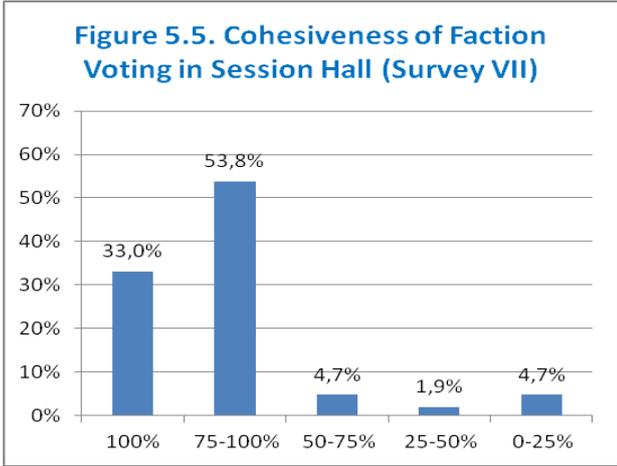
The role of the President of Ukraine sharply increased – a function of a new President coming to power between the two latest surveys in 2009 and 2011. In Survey VI only 0.8% of the interviewed mentioned the president compared to 22.1% in Survey VII.

It is also important to highlight the gradual weakening of the role of the leadership of the Verkhovna Rada – from 12.4% in Survey III to 3.8% in Survey VII. This can be attributed to the effect that changes to the Parliamentary Rules of Procedure had in strengthening the role of committee chairs in the plenary agenda setting process.

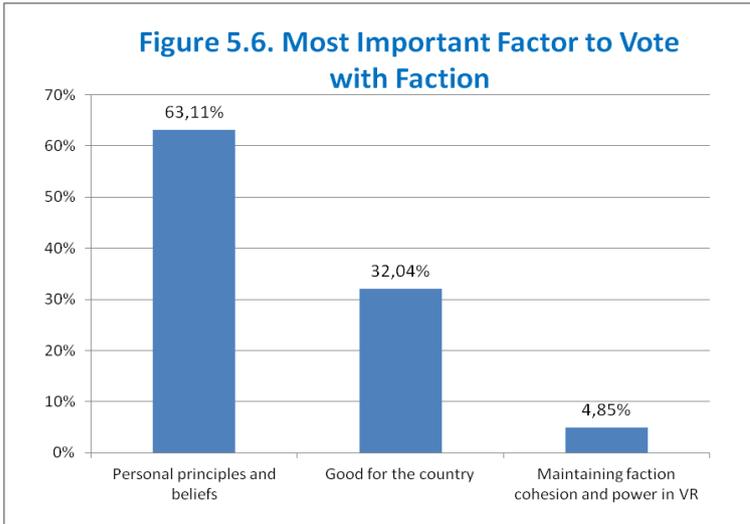
The impact of the public and the Prime Minister of Ukraine is considered very insignificant.

Comparing Figures 5.4 and 5.2 it seems clear that MPs find parliamentary committees to be very important instruments of lawmaking and legislative drafting; however, factions have the most influence on personal decisions of MPs when it comes to voting.

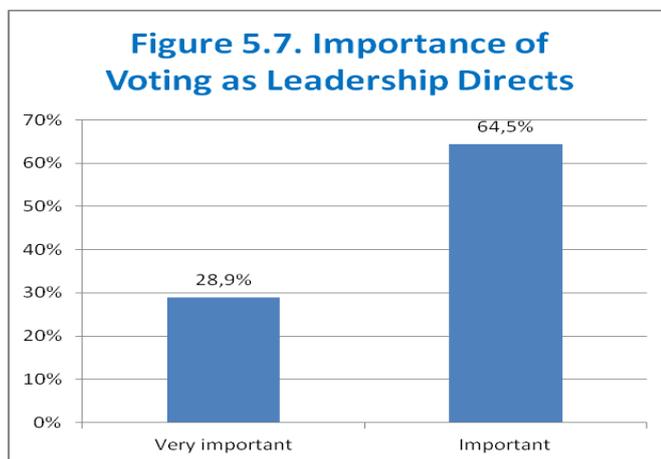
Factions as a legislative lever of political power have a significant impact on the legislative process and decisions to adopt or reject legislative initiatives. The survey also included questions on MPs’ opinions regarding certain peculiarities of deputy factions’ activities in the Verkhovna Rada of Ukraine.



The MPs were asked questions on the voting unanimity of MPs of certain deputy factions. In general, the research results demonstrate that the majority of MPs (86.8%) think that MPs of the same factions vote unanimously in at least 75% of cases. Nevertheless, only 33.0% mentioned absolute unanimity. As compared with the previous survey, there are no significant changes. Nevertheless, it should be noted that the number of those mentioning absolute unanimity increased from 27% to 33% and the number of those mentioning 75% unanimity decreased from 62% to 54%.

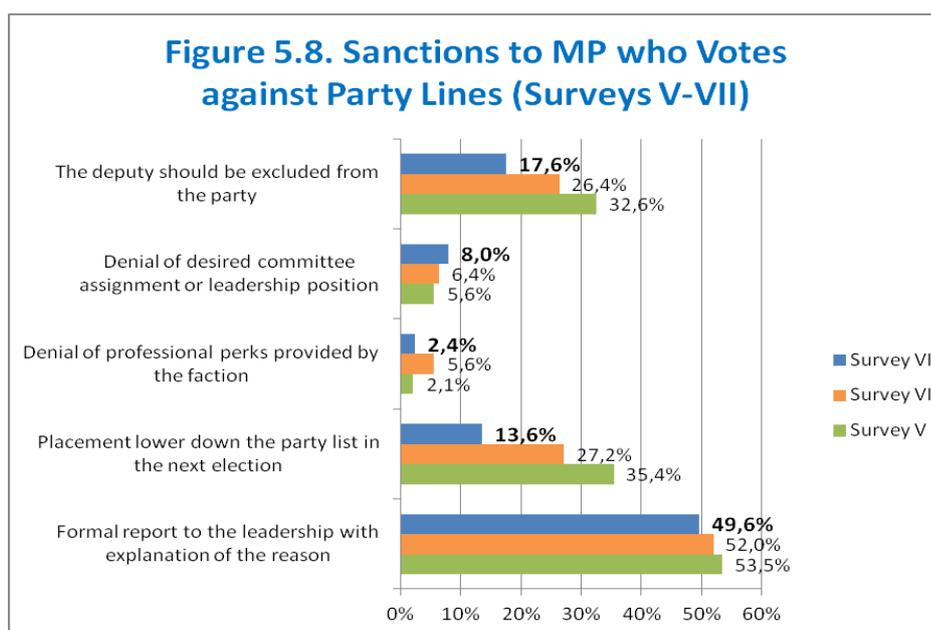


When we look at the reasons that facilitate voting in line with party positions (see Figure 5.6), the single strongest factor is “personal principles and beliefs”.



During Surveys VI and VII peoples’ deputies of Ukraine were asked about the importance of voting in accordance with faction leadership’s recommendations – 93.4% of the interviewees reported that it was important or very important for them to follow recommendations of their faction leadership (see Figure 5.7). It is an increase from the previous survey of almost 6 per cent.

It should also be noted that almost 6% of the interviewed MPs reported that it is not very important or not important to vote according to faction leaders’ recommendations. We may assume that such answers were provided by respondents from factions formed on the basis of political party blocs whose leaders are not leaders of the party compiling this bloc. Besides, it is important to take into account the fact that faction leaders often are not leaders of political parties in the parliament.

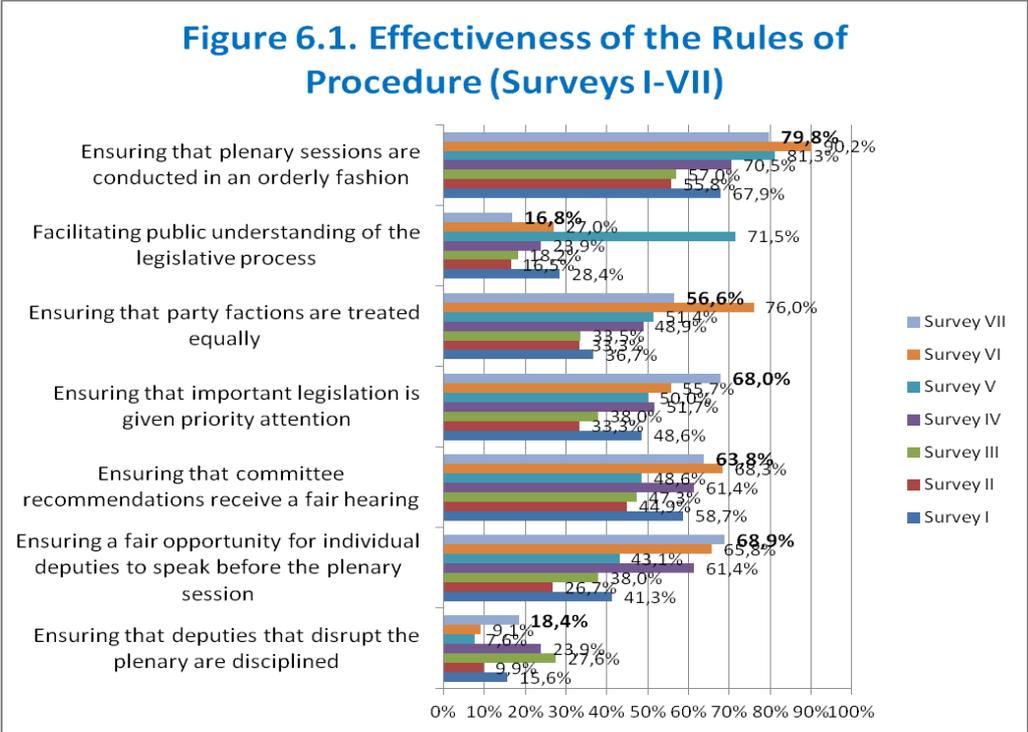


In the last three surveys people’s deputies were asked about sanctions that should be imposed on their colleagues if they do not follow voting recommendations of faction leadership. As Figure 5.8 reports, in Survey VII, almost half of the interviewed MPs (49.6%) said that such parliamentarians should be required to make an official report for faction leadership explaining the reason why their opinion differs from faction decisions. Only 17.6% of respondents think that such MPs should be excluded from the party. It is important to note that the number of MPs supporting this opinion decreased from 32.6% in Survey V.

The number of MPs believing that sanctions should be imposed in the form of demotion down the party list in the next election fell from 35.4% in Survey V to 13.6% in Survey VII. An insignificant number of respondents added that such MPs should be denied desired committee assignments or committee leadership positions (8.0%) or should be denied professional perks provided by the faction (2.4%).

6. Rules of Parliamentary Procedure

Parliamentary Rules of Procedure play an important role in the lawmaking process. Rules aim increase parliament’s efficiency and ensure that different factions – majority and opposition -- have access to the legislative process. They also make the legislative process more transparent and understandable to the public. MPs were asked about parliament’s efficiency in performing various tasks that make up the legislative process. Results are given in the Figure 6.1.



The existing rules of the VR are the most effective in ensuring order in plenary sessions – 79.8% of the interviewed parliamentarians share the above mentioned opinion. However, it is worth mentioning that while prior to Survey VI the number of those MPs who share this opinion was increasing, in Survey VII the number of such parliamentarians decreased.

In Survey VII the number of MPs who stated that the existing rules contribute to facilitating public understanding of the legislative process decreased from 27.0% in Survey VI to 16.8% in Survey VII. Effectiveness in assuring that party factions are treated equally also decreased (from 76.0% to 56.6%). Instead, the number of those positively estimating efficiency of the existing rules in ensuring that important legislation is given priority attention increased from 55.7% to 68.0%.

Only 18.4% considers that the acting Rules of Parliamentary Procedure is efficient in imposing sanctions on colleagues who break order during plenary sessions. However, it should be noted that the number of such deputies increased in comparison with the previous survey. Only 9.1% expressed this viewpoint in Survey VI.

Assessment of the effectiveness in ensuring a fair opportunity for individual deputies to speak before the plenary session (68.9%) and reviewing committees’ recommendations (63.8%) remained on the same level as in the previous Survey VI.

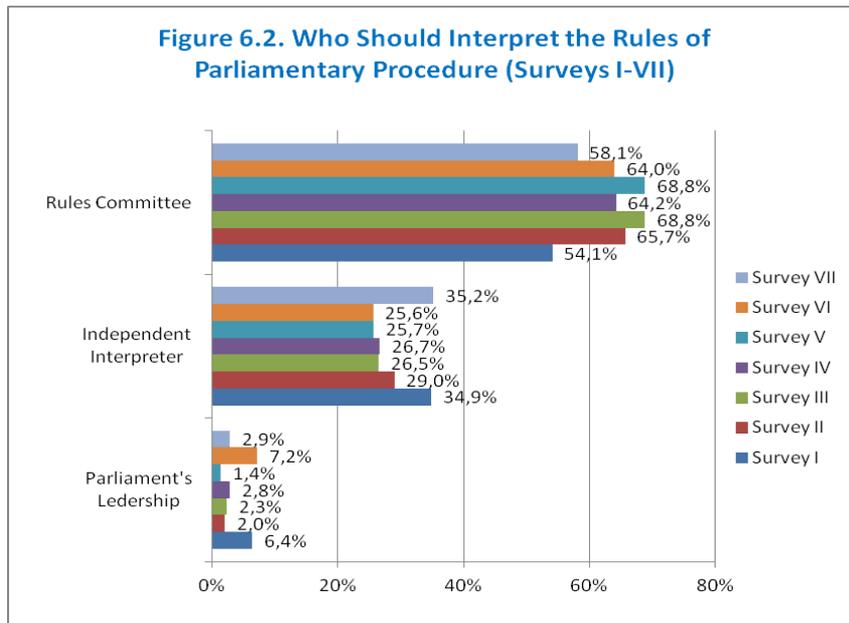
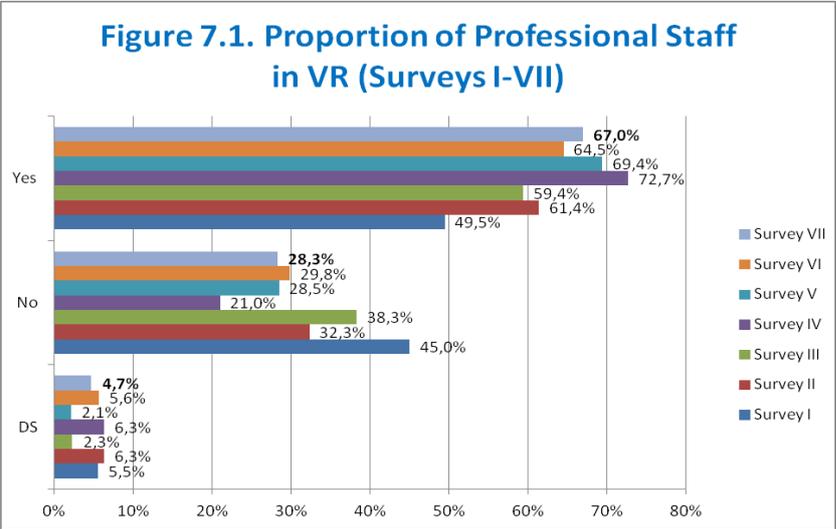


Figure 6.2 shows that the majority of the interviewed parliamentarians (58.1%) think that the Rules should be interpreted by a dedicated committee – the Committee on Rules of Parliamentary Procedure, Ethics and Support of Work of the Verkhovna Rada of Ukraine. However, the number of such MPs decreased compared with Survey VI, where 64.0% of parliamentarians supported this view. At the same time, the number of those who believe that the Rules should be interpreted by an independent expert rose from 25.6% to 35.2%, and the number of those who held that the Rules should be interpreted by leaders of the parliament fell from 7.2% to 2.9%.

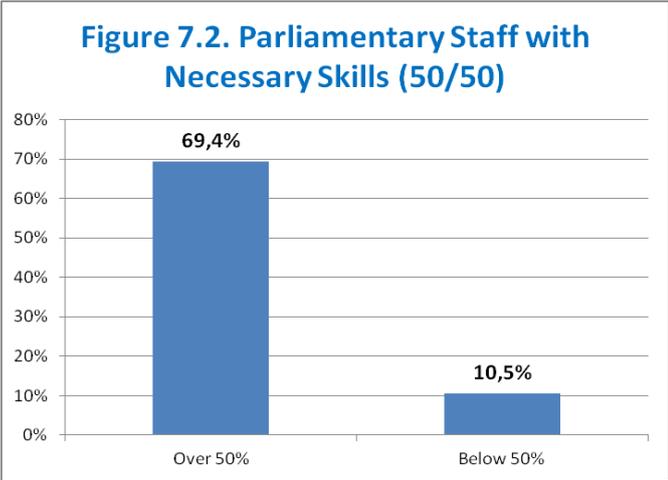
7. VR Secretariat & Staff

The VR Secretariat is the internal subsidiary staff responsible for providing legislative, organizational, and logistical support, documentation, information, and other assistance to the parliament and MPs. The Secretariat consists of various professionals who participate in drafting legislation, conducting scientific and legislative review of legislation drafts, providing consultation, and helping to develop cooperation between the parliament and other state jurisdictions, scientific institutes, non-governmental organizations, etc.



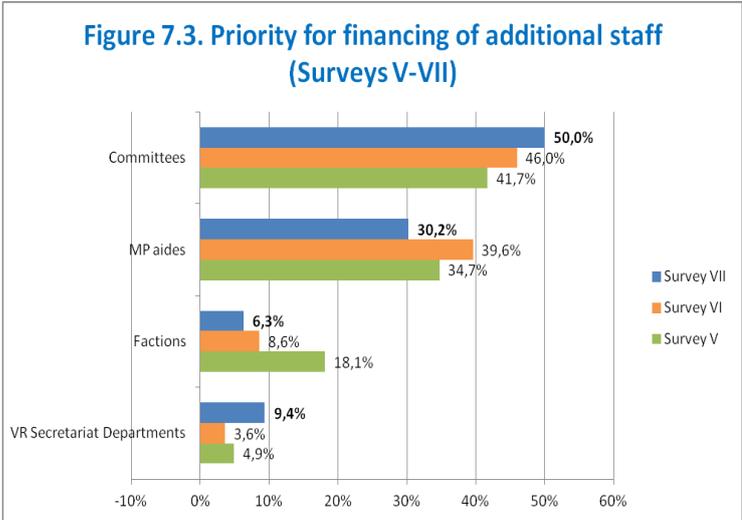
In routine parliamentary activities people’s deputies rely heavily on the assistance and professional education of employees of the VR Secretariat. Therefore in every poll we ask MPs questions about the professionalism of VR Secretariat staff, organizational ability of this structure, and possible ways for enhancing the efficiency of the VR Secretariat’s activities.

In this part of the survey we ask deputies whether the parliament has a sufficient number of professional staff. As you can see from the Figure 7.1, in all the surveys except the first, around two thirds of MPs were satisfied with the professional level of their colleagues, whereas one third of respondents reported that the VR lacks qualified professionals.



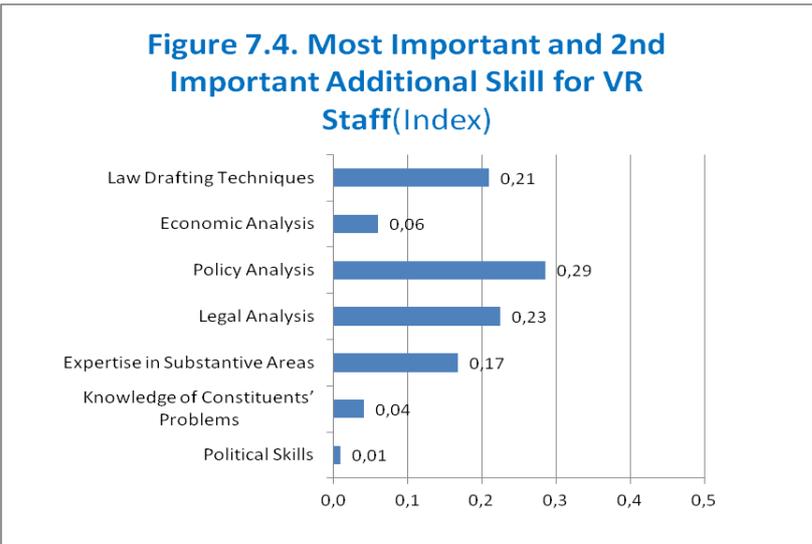
Asked to evaluate the professional level of the VR Secretariat (Figure 7.2), 69.4% of the interviewed MPs indicated that over 50% of the staff is properly qualified; only 10.5 per cent said that more than half of the parliamentary staff is not properly qualified.

In general, the share of deputies believing that more than half of VR staff possess necessary qualifications has so far increased from year to year: 68.8% in the first survey, 69.7% - in the second, 74.5% - in the third, 77.8% - in the fourth, 79.2% - in the fifth, 79.9% - in the sixth, but 69.4% - in the last survey.



As the survey results demonstrate, increasing the number of employees of the Secretariat is not a priority issue for the majority of parliamentarians (see Figure 7.3). Asked which support units should be prioritized for staff increases provided availability of additional funds, half of MPs (50.0%) said that more money should be given to secretariats of parliamentary committees; 30.2% would rather direct additional financial resources for personal staff of individual members. Only 9.4% of parliamentarians would rather increase the number of VR Secretariat staff; 6% feel that more money should be given to faction staff.

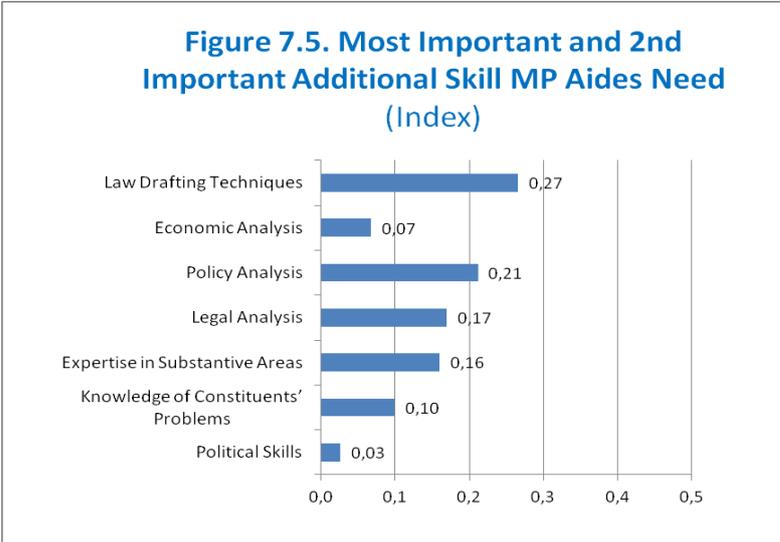
People’s deputies believe that the ability to analyze the future positive and negative effects of proposed draft bills, knowledge of legislative drafting techniques and legal analysis are the most important additional knowledge and skills that the VR Secretariat needs for ensuring efficient parliamentary activities (see Figure 7.4).



As the survey data demonstrates, knowledge of policy analysis, drafting legislation and legislation analysis gradually gain more importance in the list of necessary skills of the Secretariat staff.

Besides, MPs think that the Secretariat staff needs practical experience in certain areas. Although the majority of those interviewed do not consider such knowledge to be a top priority (10.8% considered it to be the most important), around one fourth of respondents think that expertise in a specific substantive area of legislation should occupy the second place in the list of knowledge and skills necessary for the VR Secretariat.

Other skills included in the list (economic analysis, knowledge of constituents’ problems, political skills) are significantly less required.



In the last two surveys we also asked MPs what knowledge and skills MP aides should possess. As the data show (Figure 7.5), respondents felt that MP aides should understand legislative drafting techniques (index 0.27) and be able to analyze future positive and negative effects of proposed draft bills (policy analysis, 0.21). Additionally, legal analysis (0.17), expertise in a specific substantive area of legislation (0.16) and knowledge of constituents’ problems (0.10) were ranked by MPs as important skills for their aides.

8. Constitution of Ukraine

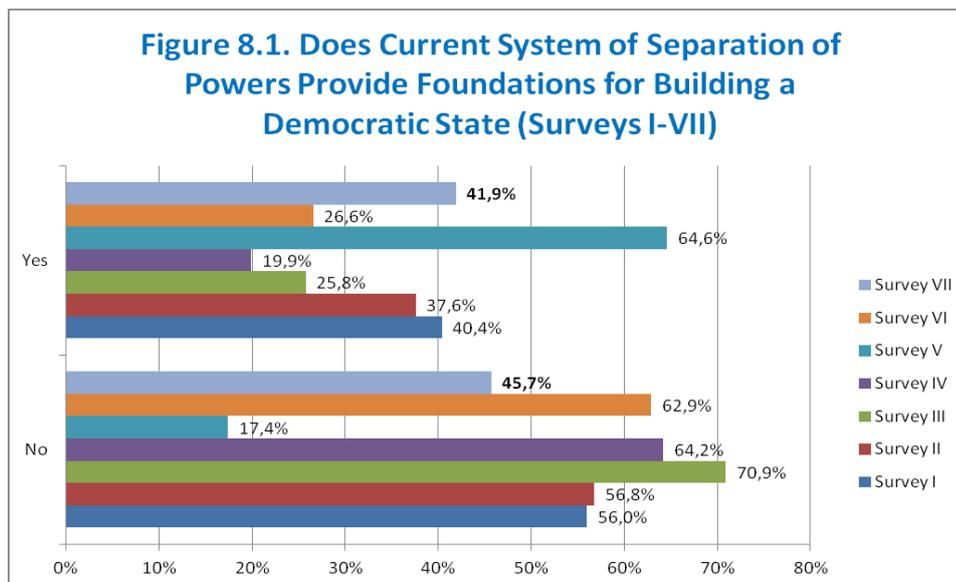
For almost the entirety of the Ukrainian state's existence there have been heated discussions around the format of the political system and its most important element – the separation of powers between the branches of government.

In accordance with the Constitution of 1996, Ukraine is a presidential-parliamentary republic. On December 8, 2004, against the background of deep political crisis, the Law on introducing changes to the Constitution of Ukraine was enacted, making provisions for transition from a presidential-parliamentary to parliamentary-presidential form of government, where the government was to be formed by a coalition of deputy factions and the VR's appointment term extended to 5 years. The Law entered into force on January 1, 2006. Nevertheless, on September 30, 2010, the Constitutional Court of Ukraine abrogated the constitutional reforms adopted in 2004. The Constitution of 1996 came into force once again.

Policy-makers and experts disagree in their assessments of the constitutional reform of 2004. On the one hand, they speak of the necessity of reforming the existing system of separation of powers; on the other, almost all interested parties acknowledge that in 2004 the constitutional changes were adopted in haste and were dictated by the political situation; such changes only disturbed the balance and did not bring the expected political stability. But returning to the Constitution of 1996 does not satisfy all the interested parties either, as the issue of wide constitutional reform aimed at developing an effective restraining and counterbalancing system between power branches still remains unresolved.

Given the situation as described above, it is interesting to observe the process of MPs' changing opinions on the role and place of the Constitution of Ukraine, separation of power between branches of government and other problems connected with the political system. Although a majority of questions are repeated in all the surveys, it is important to pay special attention to the time when the surveys were conducted and the format of separation of powers during that period of time.

The first question of this chapter was whether the existing system of separation of powers between branches of government can form the basis for developing a democratic Ukrainian state. Figure 8.1 shows the distribution of responses to this question.

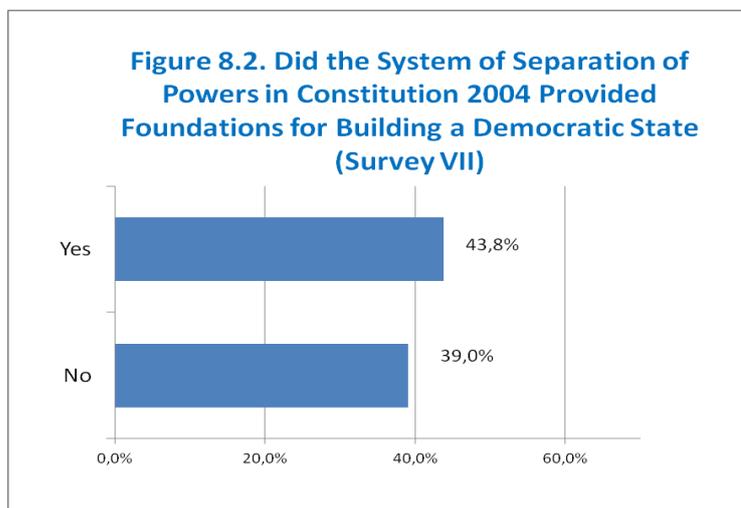


The Figure shows a decline (surveys I-IV) in MPs' trust in the Constitutional changes of 2004 (as an important instrument for laying a democratic foundation for the state). Initially, the new changes were welcomed by MPs with a great deal of enthusiasm: in 2006 (survey V) the share of deputies who believed that the constitutional reform provided a foundation for a democratic state increased to 64.6%. But the expectations were not realized. In 2009 (survey VI) the share of MPs

who believed that the newly introduced separation of powers between branches of government would contribute to developing democracy in Ukraine decreased to 26.6%.

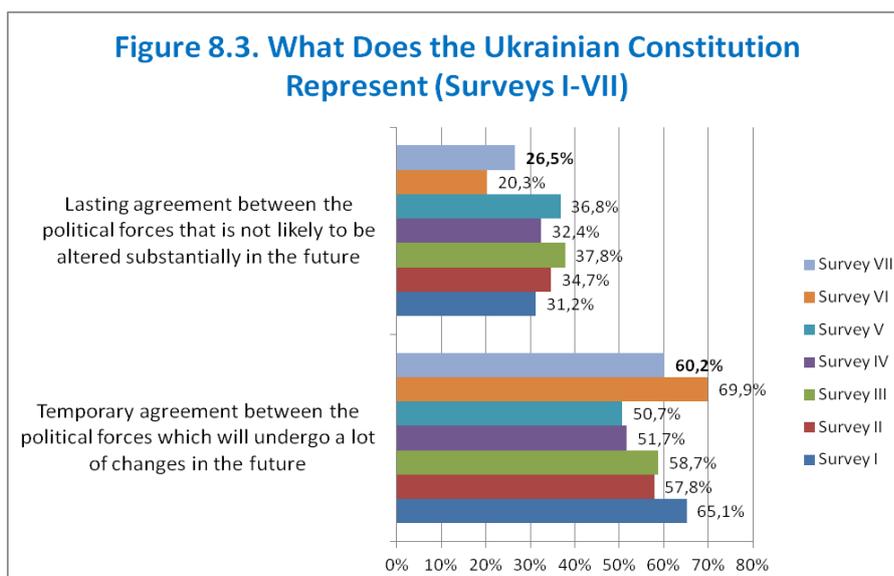
In the last survey conducted at the end of 2010 (after abrogation of the Law on introducing changes to the Constitution of Ukraine, thus returning to the Constitution of 1996) 41.9% agreed that the existing system of separation of powers provides a foundation for developing the democratic state; 45.7% disagreed.

Simultaneously, answering whether the system of separation of powers between the President and VR defined by the Constitution of Ukraine with the changes of 2004 could lead to development of a democratic state, 43.8% said “yes” and 39.0% - “no” (see Figure 8.2).



Thus, after the failed attempt of the constitutional reform, parliamentarians demonstrated uncertainty in choosing which variant of separation of powers was the lesser evil – both variants failed to satisfy many MPs. This suggests a need for restoring dialogue aimed at introducing consecutive constitutional reform and developing an efficient restraining and counterbalancing system between branches of government.

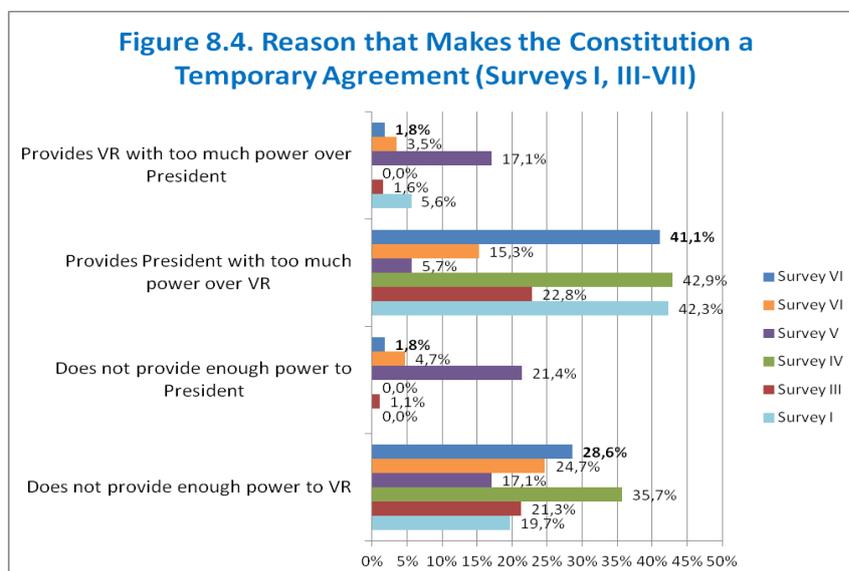
It is important that in all the periods when the surveys were held, the majority of MPs were persuaded that the current Constitution is a temporary agreement between the political forces and that it would be changed in the future (see Figure 8.3).



Conviction in the temporary character of the current Constitution was especially strong during the period when the first survey was conducted (in 1998, not long after the Constitution was adopted) and in 2009 when it became clear that the attempt at constitutional reform turned out to

have failed to meet expectations. In accordance with the last data of the survey conducted at the end of 2010, the number of MPs who felt certain that the Constitution was of a temporary nature decreased from 69.9% to 60.2%, however only 26.5% of people's deputies considered the Constitution to be a long term agreement between the political forces not subject to change in the foreseeable future.

Why are a majority of MPs sure that the current Constitution is temporary and needs changes? We asked respondents who felt that the Constitution was a temporary agreement between the political forces why they thought so. Figure 8.4 demonstrates the distribution of responses.



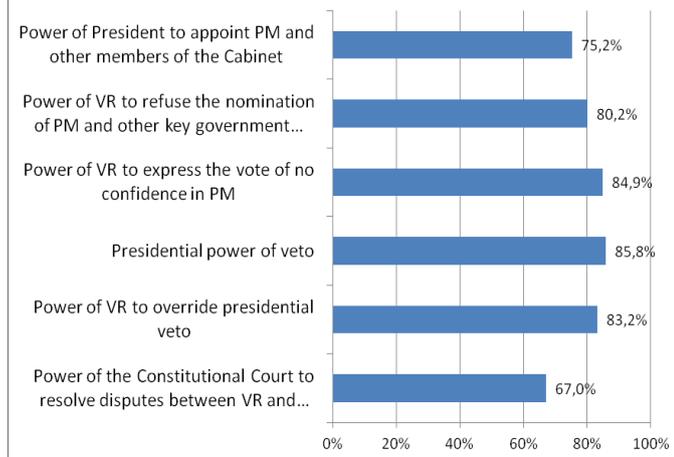
It is important to note that until 2006 (surveys I-IV) a majority of MPs among those considering the Constitution to be a temporary agreement based their reasoning on the fact that the Constitution provides the President of Ukraine with too much authority compared a less powerful VR.

After changes were introduced to the Constitution in 2004, the main concern of MPs was the opposite one – too much power was given to the VR and too little to the President. In the sixth survey (2009), almost half of the MPs who felt that the Constitution was a temporary agreement chose the variant “other”. Answering open questions, the majority of parliamentarians stated that the system of separation of powers is very problematic and does not ensure balance between the President and legislative power.

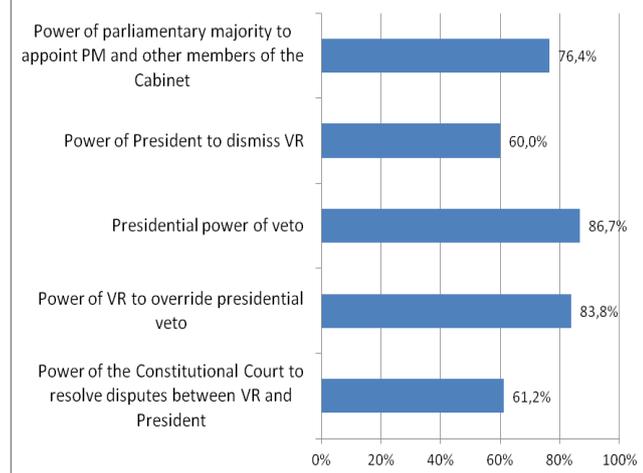
After abrogation of the constitutional reforms and a return to the Constitution of 1996, the reasons why MPs suppose the current constitution to be a temporary agreement coincided with the results of the survey in 2006: a majority of MPs mentioned that the Constitution provides the President with too much power (41.1%) as compared with the VR (28.6%). Less than 1.8% of respondents answered that in accordance with the current constitution the President's rights are excessive. 23.2% mentioned other reasons. Among other reasons were that the Constitution is not fulfilled, that it does not correspond to modern realities because of changes that took place in the state and in the society, and that authorities of different power branches are not balanced.

Within the survey framework, MPs were asked to evaluate the effectiveness of different components of the system of separation of powers between branches of government correspondingly to the Constitution of 1996 and of 2004. The Figures 8.5 and 8.6 show the distribution of respondents who answered that the separation of powers very effectively or just effectively contributed to a working system of government in Ukraine.

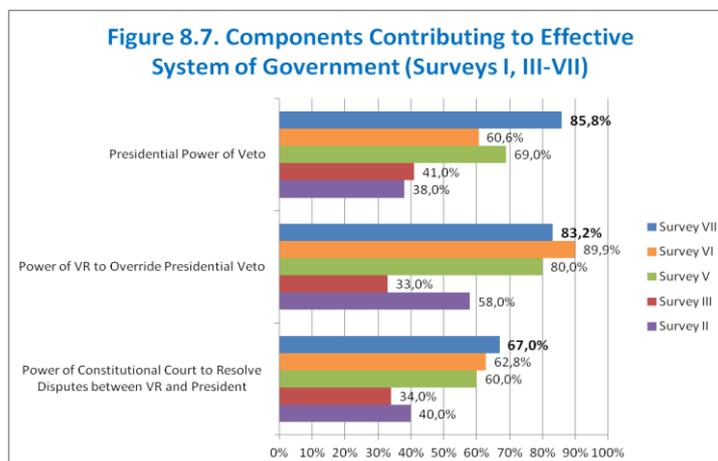
**Figure 8.5. Constitution 1996:
Components Contributing to Effective
System of Government (Survey VII)**



**Figure 8.6. Constitution 2004: Components
Contributing to Effective System of
Government**



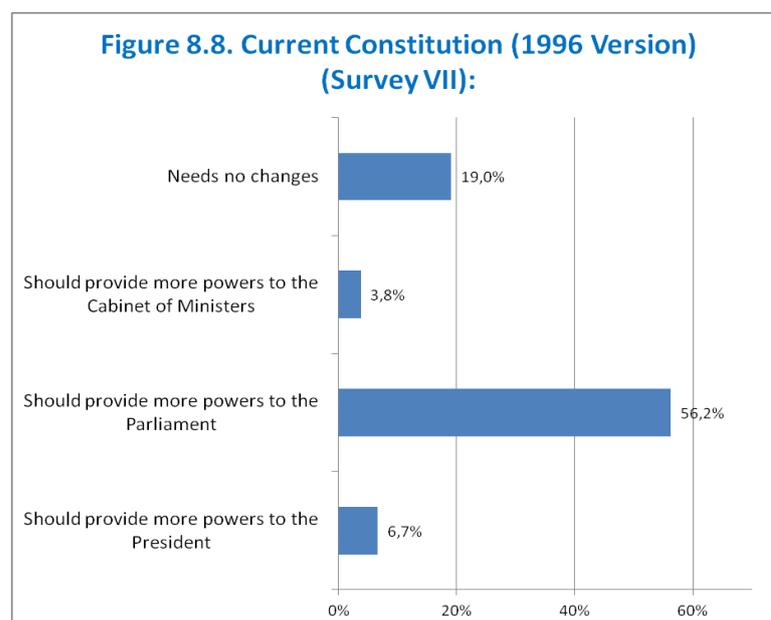
Starting from the Survey IV (2003), people's deputies positively estimate the effectiveness of the different aspects of the system of separation of power vested in the Constitution of 2006 (see Figure 8.7 for some comparative results of the 1996 Constitution): the right of Presidential veto (in Survey VII 85.8% of respondents stated this power was effective); the right of VR to override the presidential veto (83.2%); the VR's right to vote no confidence in Prime Minister (84.9%); the right of the President to nominate candidates for Prime Minister and to appoint members of Cabinet of Ministers (75.2%); the VR's right to reject a candidate for the post of Prime Minister and other official posts (80.2%).



It is interesting to note that MPs found both variants to be efficient: when the candidate for the post of Prime Minister is nominated by the President (75.2%) as stipulated by the Constitution of 1996 and when VR possesses this right (80.2%), according to the changes introduced to the Constitution in 2004. The right of the Constitutional Court to settle conflicts between VR and President regarding the issue of Constitution of 1996 was assessed as an effective one by 67.0% of respondents; regarding the Constitution of 2004 – by 61.2%.

The right of the president to dissolve the parliament was rated as the least effective among the other restraining mechanisms by 60.0% of respondents.

Considering all the dissatisfaction expressed by MPs concerning the current Constitution, it should not be surprising that only 19.0% of parliamentarians believe that the Constitution does not need any changes (see the Figure 8.8).



However, the majority of respondents (56.2%) stated that the Constitution should provide the VR with more powers. The option of providing the President or the Cabinet of Ministers with more powers was supported by 6.7% and 3.8% of respondents, respectively. Other answers included: the Constitution should ensure balance between branches of government to avoid usurpation; the Constitution should contain mechanisms designed to preserve it against violations by all the participants; and the Constitution should be more democratic and correspond to changes in the society.

In other words, in MPs' opinions the existing system of separation of power needs serious changes and the problem mostly concerns the scope and clear definition of authorities of certain branches.

One of the last questions of this chapter was the question on the relations between the VR committees and corresponding executive ministries and departments.

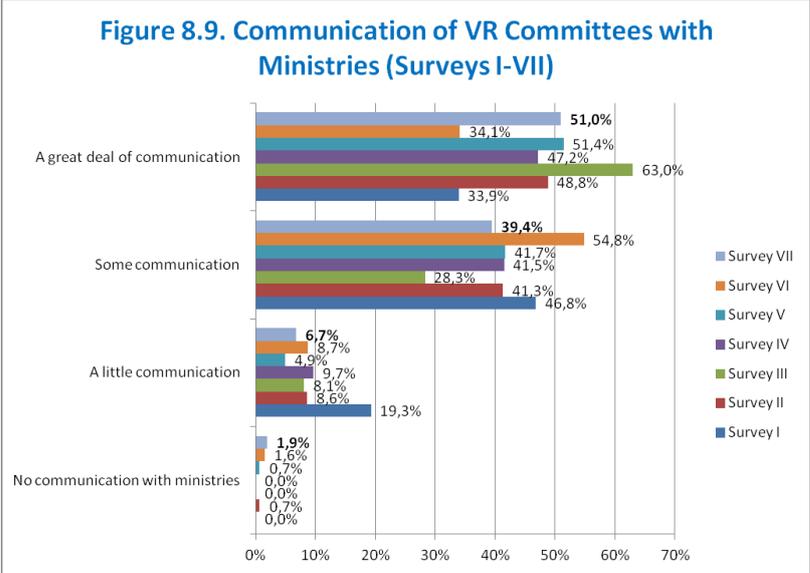


Figure 8.9 shows results of MPs’ answers to the question of how often parliamentary committees cooperate with governmental ministries and departments. After some weakening of cooperation between committees and ministries found in survey VI, the last survey demonstrated a return to the earlier frequency of contacts between the VR and corresponding ministries. In Survey VII almost 50% of respondents answered that the contacts between the committees and corresponding ministries are frequent; 39.4% said that the contacts are periodic. We may conclude that cooperation between the parliamentary committees and corresponding ministries is rather well developed.

9. Parliamentary Oversight

This chapter presents the deputies' opinions on the efficiency of the VR's oversight functions, in particular, some of the mechanisms of parliamentary control. In the last two surveys respondents were asked to evaluate seven mechanisms. However, only four of these (parliamentary hearings, VR committees' authority, powers of the Accounting Chamber of Ukraine, and powers of the parliament in the process of reviewing and adopting the state budget and monitoring and auditing its implementation (see Figure 9.1) may be compared with the results of the previous surveys.

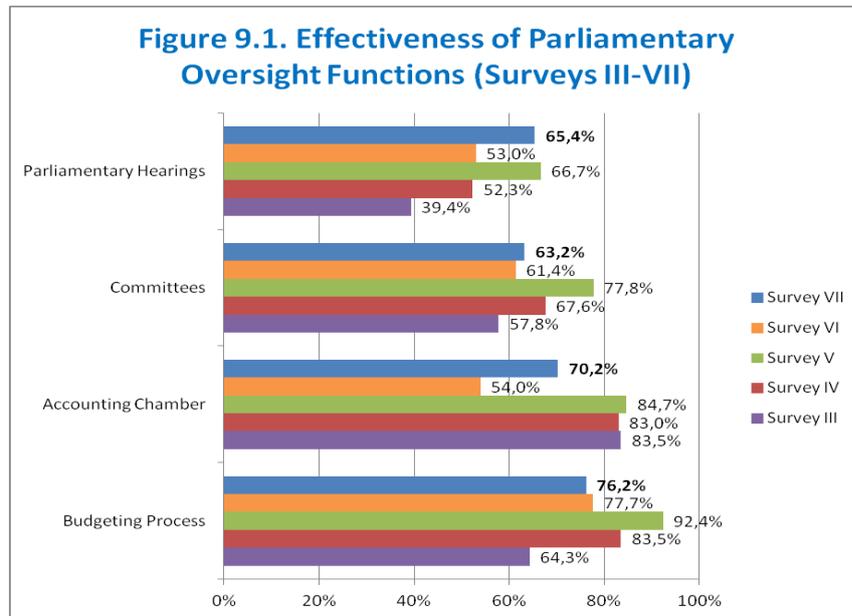
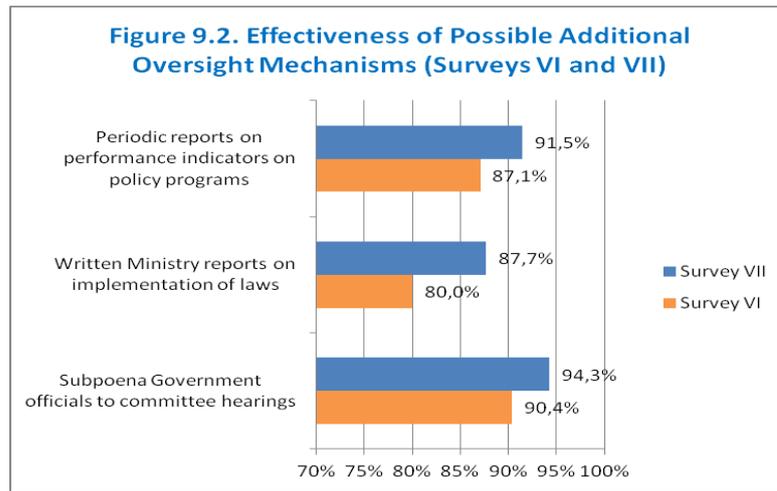


Figure 9.1 shows the share of respondents who answered that mechanisms of parliamentary oversight of the executive branch are effective or very effective. As the figure shows, the majority of MPs believe each of these mechanisms to be efficient. In the opinion of the majority of MPs of the 6th convocation, the most effective mechanisms of parliamentary control, in order, are: review and approval of the state budget of Ukraine (76.2%); the oversight authority of the Accounting Chamber of Ukraine (70.2%); deputies' petitions to individual ministries on specific issues (66.0%); parliamentary hearings (65.4%); "Government Questions Hour" (65.4%) and of the oversight authority of parliamentary committees (63.2%). 49.1% of respondents find committee hearings to be an effective way for exercising oversight.

Compared with the previous survey, the option that the "Government Questions Hour" is effective increased significantly, from 33.0% to 65.4%. This venue for communication between parliamentarians and ministers proved to be an effective mechanism for parliamentary oversight of the actions of the executive branch.

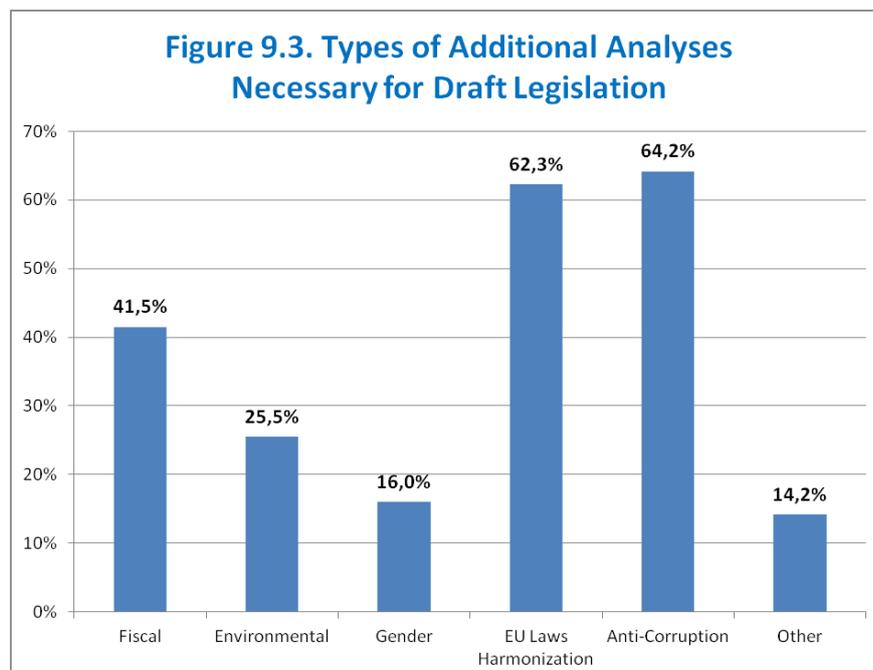
Deputies were also asked to estimate the effectiveness of certain additional procedures used in other democratic states. Results are shown in Figure 9.2.



As the figure shows, all mechanisms included in the survey were unanimously rated as effective: 94.3% of respondents believed the power to require Government officials to appear before parliamentary committees in hearings; authority to require ministries to provide written reports on implementation of laws to the parliament – 87.7%; authority to require ministries to periodically submit performance indicators, including quantitative information on results achieved in implementation of programs enacted by the parliament – 91.5%.

We may assume that such an overwhelmingly positive view of the suggested mechanisms may be due to absence of similar practices (as practice often demonstrates the disadvantages of so-called effective procedures). However, it's possible that similar additional mechanisms in Ukraine could become a good instrument of parliamentary oversight of the actions of the executive branch.

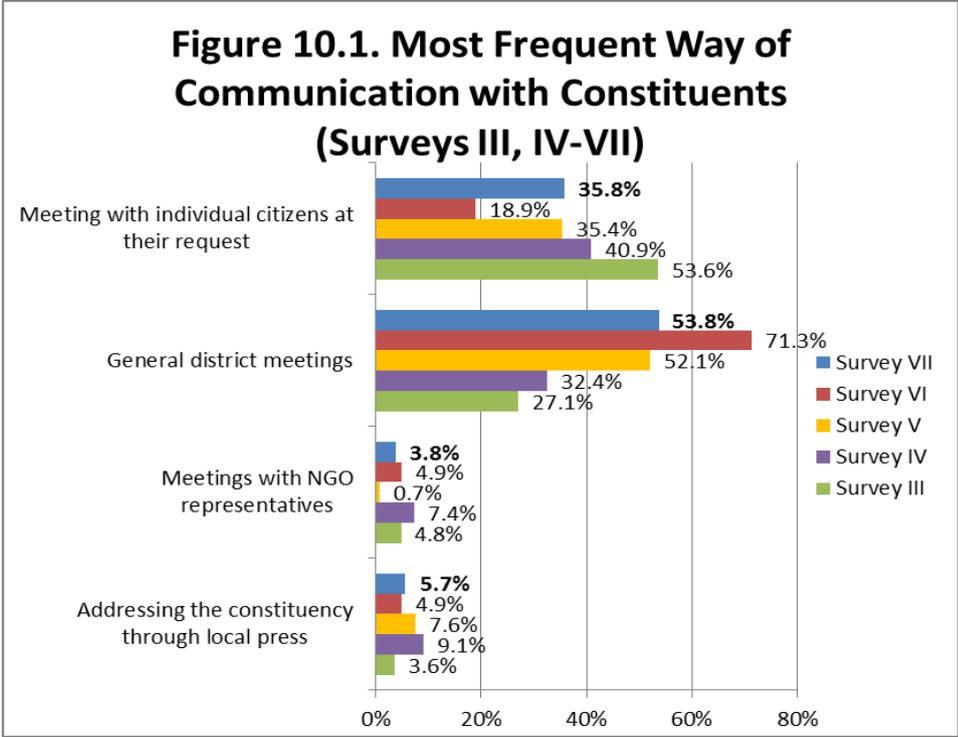
In addition, recently the Ukrainian parliament passed a number of changes to existing laws and regulations that may require additional and more developed oversight mechanisms as well as closer cooperation between the legislative and executive branches. When asked about the additional analyses that draft legislation needs, MPs indicated the following five major categories (see Figure 9.3): anti-corruption (64.2%), harmonization of Ukrainian laws with EU legislation (62.3%), fiscal analysis (41.5%), environmental impact analysis (25.5%), and gender analysis (16.0%).



10. Constituency Relations and Transparency of the Legislative Process

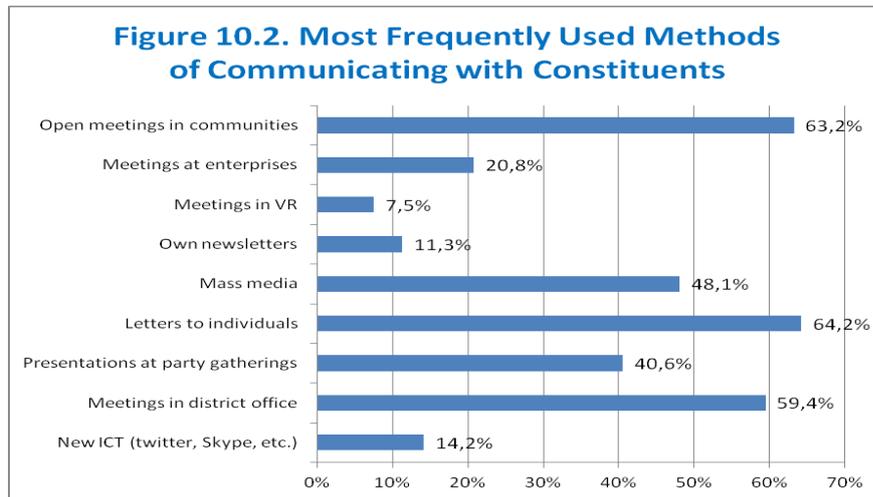
This chapter of the survey concerns MPs’ work with constituents and feedback mechanisms that they use when working with their constituencies.

The first question of this section concerned the format of contacts MPs usually use.



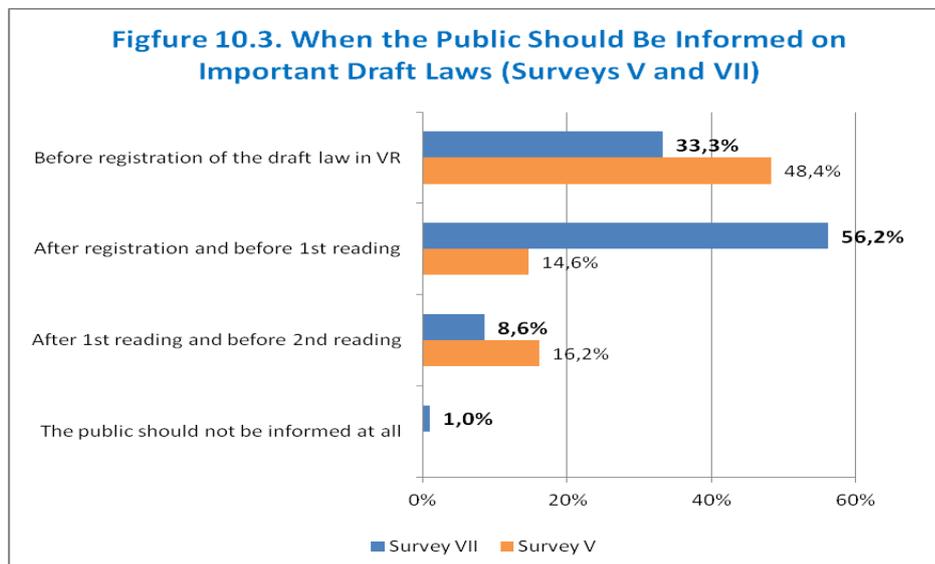
As Figure 10.1 reports, general district meetings, which may be attended by all citizens, are the most popular among MPs. Such meetings are organized by a representative office of parties that a people’s deputy belongs to and they are open to all citizens. In Survey VII this method of communication with constituents was mentioned as the most popular by 53.8% of respondents; and 27.4% said that it occupies the second place in the list of the most widely-used methods of communication with constituents.

Additionally, meetings with individual citizens at their request are also popular among MPs (35.8% named this method as the most widely-used; 32.1% ranked it as second among the most widely-used methods of communication with constituents). Also, as the second most frequent option respondents often mentioned communication via local mass media (27.4%). Meetings with NGO representatives are hardly used by MPs.



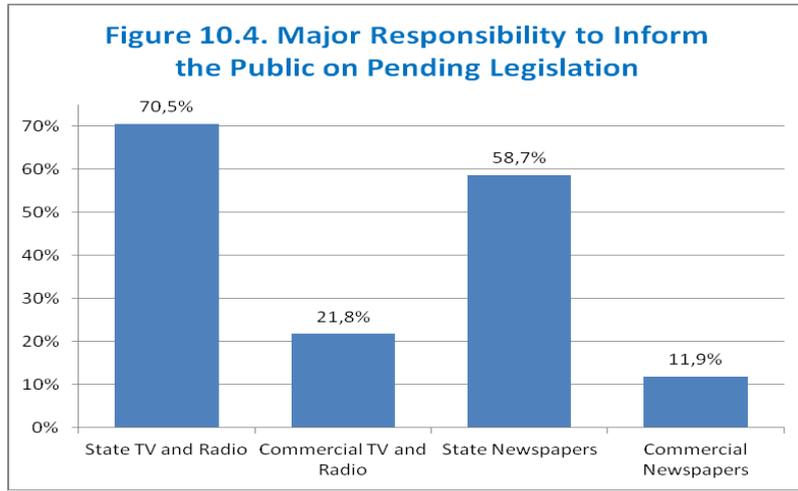
A separate set of questions asked how frequently MPs used particular forms of contact with constituents. Figure 9.2 demonstrates the share of MPs using different types of contacts with citizens. As you can see, the majority of MPs said that they often communicate with constituents via letters to individuals (64.2%), holding open meetings in communities in their election district (63.2%) or meetings with individual constituents at their district office (59.4%).

Informing the public on MPs' positions through the media (48.1%) and making presentations at party gatherings (40.6%) are also popular. Meetings with constituents at enterprises has become less popular (in 2010 it was used by 21% of respondents, in 2002 – 37%); meetings with constituents in VR also fell in popularity (in 2010 it was used by 7% of MPs, in 2002-2003 – by 24%). In addition, 14.2% of MPs use new information and communication technologies for communicating with constituents (social media networks (twitter), Skype, etc.), and 11.3% of MPs regularly distribute their own newsletter to report on parliamentary activity.



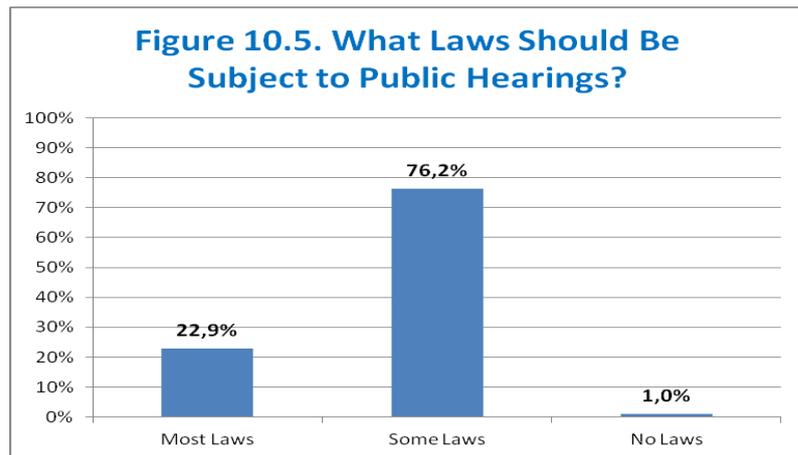
Practically all MPs agree that it is necessary to inform the public about pending legislation but their opinions differ on the timing (see Figure 10.3). The majority of MPs (89.5% in Survey VII and 63.0% - in Survey V) expressed the opinion that the public should be informed after a draft law is registered, before the first reading. Fewer MPs agree that the public should be informed on draft laws before they are registered in the VR. Compared to Survey V (2006), more MPs now believe that the public should be informed on draft laws as soon as possible.

This is evidence that parliamentarians are aware of the importance of informing the public beforehand with the aim of preventing misunderstanding and public indignation after “unpopular” decisions are made.



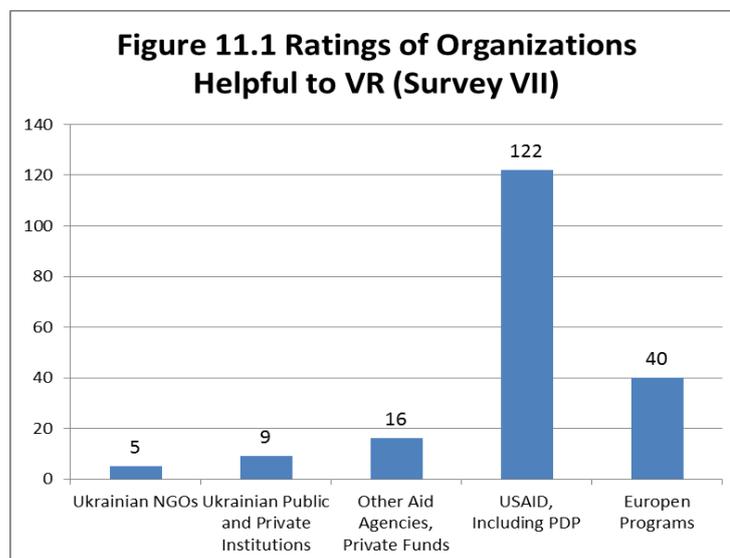
MPs felt that state mass media – state television and radio (70.5%) and state press (58.7%) – were responsible for informing the population on draft laws on the VR’s agenda. The opinion that the main responsibility lies with the commercial mass media is less popular (see Figure 10.4).

MPs were also asked whether they approve of open public hearings practiced in some parliaments around the world. From Figure 10.5 you can see that almost all MPs positively estimate the idea of conducting public hearings: over 75% approve of it in regards to some draft laws; and 22.9% in regards to the majority of draft laws.



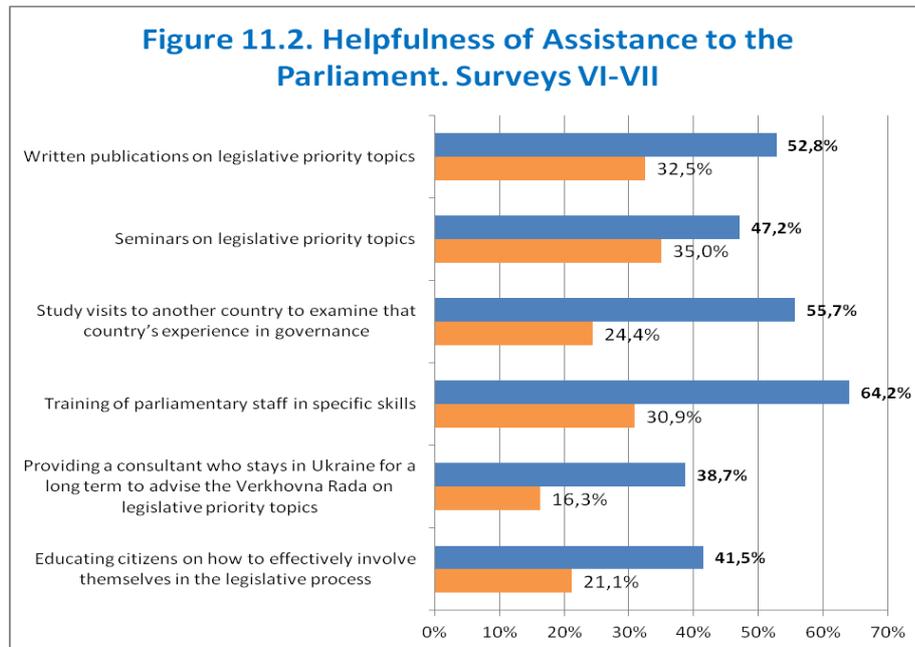
11. Assistance Organizations & Activities

At the end of the survey MPs were asked to evaluate the role and activities of international organizations involved in providing technical support to the Ukrainian parliament. As Figure 11.1 reports, 47.3% of MPs said that USAID programs were useful for VR's activities.

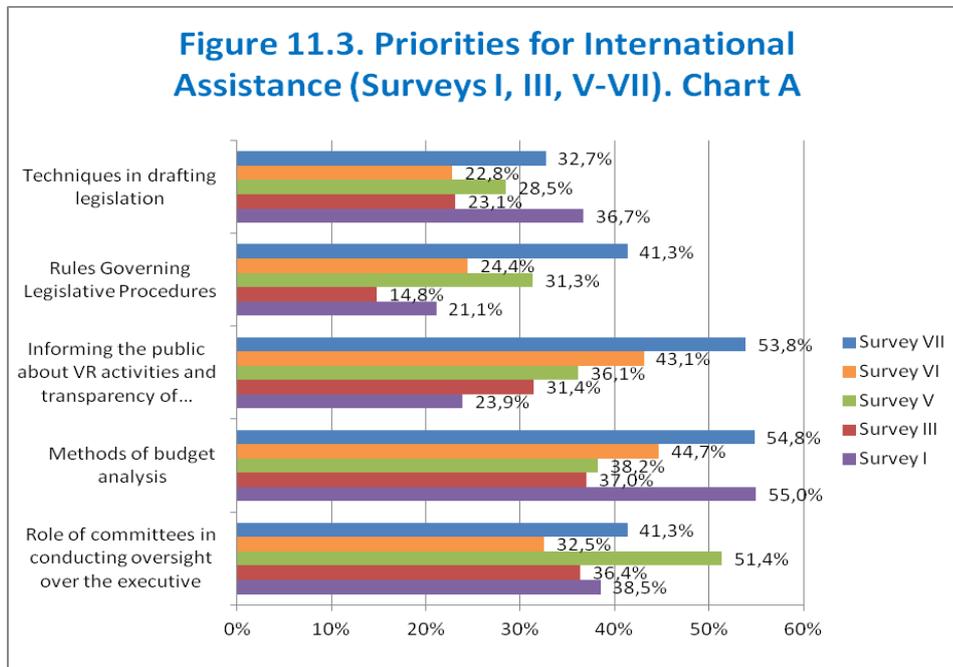


Other organizations and programs were mentioned less frequently. Specifically, 7% of respondents answered that technical assistance from Ukrainian scientific and research institutes and organizations was useful (National Academy of Science of Ukraine, Assembly of Chernobyl Funds, Legislative Initiatives Laboratory, Institute of Mathematic Machines and Systems of National Academy of Science of Ukraine (which developed the Rada system); 6% of respondents said that programs of the European Council and European Union were useful; 4% said that support from the OSCE was useful; 3% mentioned Westminster Democratic Foundation. IFC, Indiana University, NDI, WTO, IFAC, Hanns-Seidel-Stiftung, George Soros Foundation, etc. were also mentioned, but rarely.

Regarding assistance in developing legislation (Figure 11.2), that these organizations offer, people's deputies of Ukraine said that the most useful were professional training of parliamentary staff and faction secretariats, groups and committees (65% of respondents), informational tours to study governmental practices in other countries (56%), and analytic publications on special subjects (53%). In general, various forms of technical assistance offered by Ukrainian and international organization were much more highly regarded than in past surveys. Parliamentarians highly estimate activities of organizations providing technical support.



Answering the question of what type of technical support VR may request from international organizations (see the Figure 11.3), the majority of respondents said that methods for working with budgetary analysis should be the priority (53%); information technologies for informing the general public on VR's activities and transparency of legislative process (53%); analytical research methods (52%). As the survey data demonstrates, these activities have grown in priority recently.. In other words, MPs understand the importance of developing relations with the public and analytical work and are aware that international organizations can provide technical support in doing so.



The last two questions concerned the Parliamentary Internship Program that has been supported by the USAID for 16 years in Ukraine. The program was started in 1995 with the aim of expanding young professionals’ access to legislative process, allow them to gain practical experience and apply their knowledge and skills from their education in internships with government agencies. In 2008 the Program was implemented in executive agencies, specifically, the Ministry of Justice, Ministry of Economy, etc., and the Presidential Secretariat. The question was whether the VR was ready to continue implementing the Program after USAID ceased its financing and whether MPs were ready to support this program by voting for additional funding for the Program in the VR’s budget.

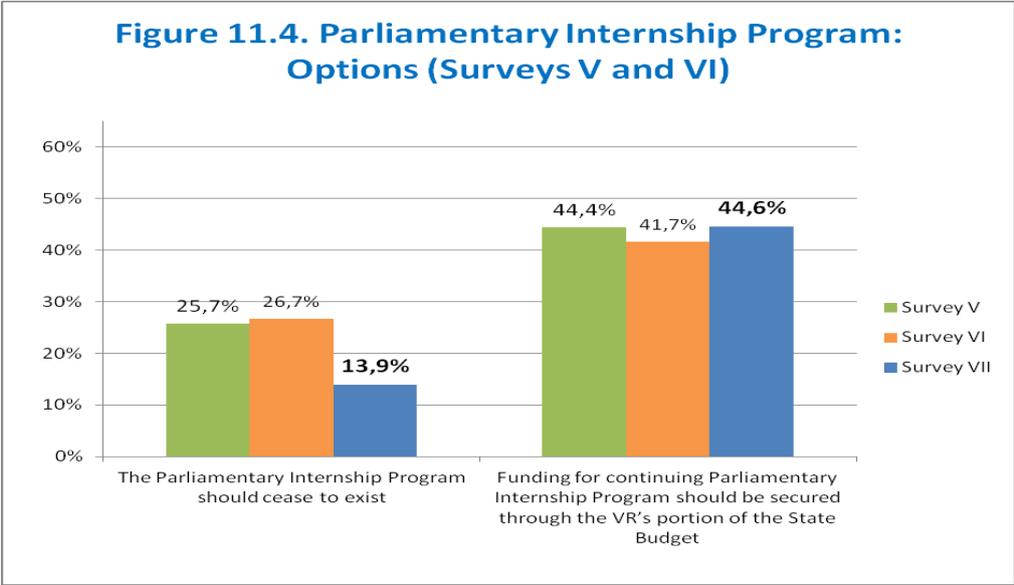
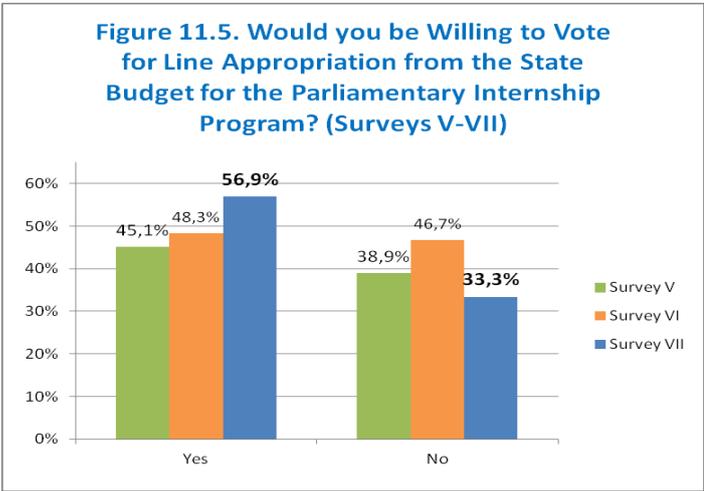


Figure 11.4 reports MPs answers to these questions. As the figure shows, 44.6% of parliamentarians felt that the program should be continued and financed from the VR’s budget. Only 13.9% of respondents (less than half in previous surveys) said that the program should be closed. One fourth of those polled (26%) suggested their own variants. Among them were proposals to look for other sponsors, to develop a program that should be co-financed, or to submit a request to USAID to continue financing. 18% of MPs did not give any concrete answer to this question. Although the overwhelming majority of parliamentarians supported the program, many of them do not agree that the program should be financed from VR’s budget.

Nevertheless, according to the results from Survey VII, the share of MPs prepared to support budget financing of the program rose to 55% (see Figure 11.5). 32% of respondents do not support this idea. The above demonstrates that financing of the internship program from the state budget in case USAID withdraws financing is a possibility.



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