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Review of the success stories of the PDP for 1994-2007

PDP is a non-partisan project working with all political forces present in the Ukrainian Parliament. It is the principal program through which the U.S. Agency on International Development (USAID), provides assistance to the Ukrainian Parliament. It was launched back in the spring of 1994 by Indiana University's School of Public and Environmental Affairs and the U.S.-Ukraine Foundation under a grant from USAID. The idea of the project was based on a request from the then Chairman of the Verkhovna Rada, Mr Ivan Pliushch while on a parliamentary exchange visit to the US in 1992. Chairman Pliushch suggested to Dr. Charles Wise and Mrs. Nadia McConnell that it would be beneficial for the Ukrainian Parliament if a permanent legislative technical assistance office was established in Kyiv to help the Verkhovna Rada.

Over these years, PDP passed through 4 distinct stages of assistance to the Ukrainian legislature: (1) providing the Verkhovna Rada with comparative information on democratic governance and legislation of world democracies (1994-1997); (2) assisting the establishment of democratic procedures: budget, committee hearings, information exchange (1997-2000); (3) facilitating the passage of reform legislation (2000-2003); and (4) strengthening internal management systems and improving legislative-executive relations and citizen access to parliament (2003-current).

Objectives

Broadly speaking, the aim of PDP's work is to provide direct and long-term assistance to parliamentarians in strengthening the Parliament as a democratic institution. Its work has three strategic areas: facilitating the passage of key legislation; increasing the transparency of the legislative process; and, improving the capacity of Parliament to conduct oversight of Executive Implementation of Legislative Acts.

This work falls under USAID's Strategic Objectives 2.2, "Legal Systems that Better Support Democratic Processes and Market Reforms". Legislative reform will improve the prospects for other USAID objectives, especially by increasing pressure for reform.

The Formative years

Among the project's major highlights during its first year was the Conference on the Separation of Power and Authority in Time of Social and Economic Crisis. It brought together MPs from most parliamentary factions as well as representatives of the presidential administration, the Cabinet of Ministers and local government. Its main aim was to discuss the president's draft of the powers bill. The conference was a rare forum for MPs to debate issues with the presidential administration and to make use of some of the finest comparative experts on legislative-executive relations. Materials and information presented at the conference were referred to during the debate on the powers bill in Parliament. The success of PDP in this case was its practical input. Albert Korneyev of the presidential administration noted that the PDP organized conference was "very beneficial both at the theoretical and practical level. The conference raised very interesting theoretical issues".

When Parliament passed the Law on Legislative Standing Committees, PDP was formally thanked from the floor by MP Taras Stetskiy, the principal author of the law, for the active role played by it in providing information and consultation during the preparation of the bill. PDP conducted a workshop in June 1994 on committee structures and operations for invited MPs, and devoted months intensively preparing for a follow-up session between experts and Stetskiy. The





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materials and consultations provided by the PDP were especially significant in the revision of 12 articles in the law, in particular, the procedure for hearings of committees and the financial support of committees to carry out their work. The PDP also provided resources for Ukrainian MPs in other legislation. For example, the draft on the budget system of Ukraine was debated and voted upon in Parliament in its second reading in April 1995. Of the articles passed in this reading, 10 specifically reflect the impact of materials provided by PDP on budget systems and processes. PDP supplied materials on corporate tax laws requested by the Banking and Finance Committee were used in drafting corporate tax legislation passed into law in December 1994. There are other examples of work in its first year, but one project which stands out is materials and analysis produced on draft electoral legislation.

PDP actively pushed the Verkhovna Rada to implement committee hearing procedures. Members of Parliament traveled to the US Congress and observed committee hearings in both the Senate and the House. Detailed discussions were conducted with committee staffers. What surprised all MPs on the visit was that not only Senators, but also senior Senate staffers were questioning a highly placed government official during the hearing.

Constitution of Ukraine

PDP also worked closely with Ukrainian legislators in 1995-6 on developing the Constitution of Ukraine. Much of the work of the PDP was to provide comparative information on the constitutions of various countries. Eventually several drafts of the constitution were drawn up and compiled into one working constitution and a copy sent to SPEA in December 1995. During the last months leading up to the final vote on the Constitution, PDP provided the MPs with comparative tables of the power structures and authority relations in Constitutions of neighboring countries. This information was then compared to the proposed structures of the two competing Ukrainian draft laws that were debated in Parliament. Then Chairman Oleksandr Moroz thanked the PDP for this assistance and said that it had helped illustrate better the key differences between the competing drafts and thus assisted in focusing the debate around these issues.

Recent years

Since September 2000, PDP has provided targeted assistance to many organizations (primarily USAID contractors) on a wide range of important reform legislation. The goal of this assistance has been to facilitate the passage of reform legislation identified by USAID as a priority. Generally, this assistance included supplying comparative analysis, information, and organizational support, including seminars, and other types of training within the Ukrainian Parliament. Since 1994 PDP has successfully held four information fairs inside Parliament. The last one, entitled “Verkhovna Rada Information Fair – Presentation of Resources of NGO and International Donor Organizations,” was held in October 2006. The fairs included dozens of USAID contractors as participants. This year’s fair was an opportunity for newly-elected MPs to learn more about the implementers of international donor projects and Ukrainian organizations that are actively engaged in improving and supporting the legislative processes. Participating organizations presented their projects and disseminated information materials and literature to MPs, their assistants and consultants, and the staff of parliamentary committees and factions. The success for PDP and other participating organizations was in communicating directly and positively with members and staff of parliamentary Committees and Factions. The fair was a success, leading to the receipt of letters of thanks and many requests from MPs and committees for additional materials.





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PDP accomplishments in the adoption of legislation

The following are just a few examples of the many pieces of draft legislation which have been successfully adopted thanks in part to the PDP's efforts.

Law "On Judiciary"

Activities

PDP began work with the main authors of the main draft and the Committee of Legal Policy in April 2000. To ensure that a reform-oriented Law "On Judiciary" was adopted, PDP organized and co-sponsored several events involving MPs, parliamentary staff, and Ukrainian and international experts. PDP also produced written analyses of various drafts of the law which were widely distributed not only among MPs but also representatives of the executive and judicial branches.

Accomplishment

The Law "On Judiciary", which contains several key elements that bring Ukraine's judicial system closer to international standards, was adopted by Parliament and signed by the President in December 2001. USAID officials and US Ambassador Carlos Pasqual all credited the PDP with facilitating the law's passage.

Land Code

Activities

PDP worked mainly with the parliamentary Committee on Land Policy. PDP's activities focused on building a cooperative relationship between MPs and bodies of the executive branch, including the Ministry of Agrarian-Industrial Policy. PDP's efforts brought together Ukrainian officials and experts from the US and European technical assistance programs specializing in agricultural reform.

Accomplishment

The Land Code was adopted in November 2001. USAID officials and many European technical assistance organizations pointed to PDP's involvement as making a positive contribution to its passage.

Budget Code

Activities

In an effort to pass the Budget Code – the central document of the Ukrainian budget process - PDP played a coordination role, bringing together experts of other technical assistance organizations which were directly involved in drafting the code and members of different committees and factions. PDP also provided analysis of political developments to the Barents Group of Fiscal Analysis and RTI during the code's consideration in Parliament.

Accomplishment

The Budget Code was passed into law by Parliament in November 2000. USAID contractors Barents Group and RTI, as well as USAID officials, noted that PDP's efforts were significant in the





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passing of the Budget Code. Adoption of the Budget Code greatly increased the potential for oversight of implementation of the budget by the relevant parliamentary committee and the Accounting Chamber.

Increasing the Transparency of the Legislative Process

PDP has worked hard to increase the transparency of the legislative process, concentrating its efforts in two areas: first, working with various parliamentary committees to utilize committee hearings; and second, working with the parliamentary Press Service to improve its capacity to report on proceedings.

Committee hearings

Activities

PDP has worked with various parliamentary committees in an effort to institute committee hearings, which are a cornerstone of transparency in parliaments as they are one of the primary means of including citizen groups and citizens into the legislative process. PDP first identified several committees interested in holding committee hearings, and then worked with international and Ukrainian experts to develop a manual on committee hearing procedures. It then developed a video cassette that shows how these procedures can be implemented. PDP then worked with committees in conducting committee level hearings on important issues.

Accomplishment

In May 1998 the Committee on Culture held a public hearing on the problems of the publishing industry. As a result of this hearing, a law on amendments to the law on libraries was adopted. The draft's sponsor, MP Nina Pokotilla, noted that the views of citizens and libraries had been considered thanks to the PDP's efforts in organizing committee hearings.

The system of parliamentary committees holding public hearings has stimulated the adoption of many laws. As a result of PDP's work in this area, starting in the spring of 2002, the leadership of Parliament established a regular practice of recommending that conducting public hearings at the committee level would greatly improve the quality of draft legislation and make the consideration of legislative proposals in the plenary sessions much more effective.

In December 2005, a new version of the Law on Committees of the Verkhovna Rada of Ukraine was passed that contains specific provisions regulating the committee hearings procedure.

Press Service of the Verkhovna Rada

Activities

Since September 2000, PDP has worked directly with the VR Press Service to improve the capacity to provide information to the public about the work and accomplishments of the Ukrainian Parliament. PDP has brought in several experts to work with press service staff to identify areas of reform.

Accomplishment

The VR World Wide Web homepage now includes a page devoted to the Rada's Press Service. The VR declared a renewed policy of holding press conferences to explain its work for the week as well as coming issues. These press conferences have become institutionalized and are held





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every Monday. In summer of 2000, the Press Service began disseminating the daily bulletin “Parliamentary News of Factions and Committees of the Verkhovna Rada of Ukraine”. This new initiative was consistent with the PDP’s recommendations to that office. The practice has been successfully institutionalized.

Improving the Capacity of the VR to Conduct Oversight of Executive Implementation of Legislative Acts

Activities

PDP has worked to build ties between the VR and the executive branch of power. It worked especially at the committee level to connect committee staff with corresponding officials in the presidential administration and the staff of ministries as they develop legislation. PDP worked directly at committee level to encourage them to conduct oversight through legislative hearings.

Accomplishment

The VR held a series of oversight parliamentary hearings in 2000-02. They involved testimonies of the executive branch on several areas, including budget implementation and human rights.

Internship program

The PDP also runs an internship program for students. It was launched in July 1995 upon an initiative by former Congress members and the VR. Since November 2000, the Program has been administered by PDP with the support of USAID. A non-partisan project, it works with all forces in Parliament and also enables Interns to meet and listen to prominent MPs and politicians.

Activities

Its aim is to provide young Ukrainians with the chance to take part in the legislative process, acquire work experience in Parliament, thereby enhancing their professional development. It focuses on training and development of leadership potential. During their internship, young specialists learn how to apply their knowledge in practice, study the legislative process and acquire valuable experience of decision making on legal and political issues.

Accomplishment

The program is regarded as a success as about 40% of alumni of previous programs go on to work in government bodies. Some students are even involved in developing draft legislation. Many former participants have spoken highly about the impact of the program on their careers. The majority note the practical aspects of the internship and how it helped them to master analytical and research skills. In its time the program has been praised by senior political figures, including Oleksandr Moroz and Viktor Yushchenko.

