



Partnership for a Transparent Society program

Semi -annual report
(May 1, 2004 – September 29, 2004)

And
Final Report
(October 2001 – September 2004)

Partnership for a Transparent Society

**Development Alternatives, Inc.
OUT-AEP-1-800-00-00006-02 TO 800**

**May – September 2004,
And
Final Project Report**

1. EXECUTIVE SUMMARY

Over a three year period (October 2001 through September 2004) the Partnership for a Transparent Society program developed a model for fighting corruption that fostered citizen participation with local government to develop a ground up movement toward greater transparency and accountability, in an effort to promote the principles of a democratic society and the concept of rule of law.

The Partnership strengthened more than 100 non-governmental organizations throughout 11 regions of Ukraine, while promoting coalition-building, citizen empowerment, advocacy and public education. This program was more than an anti-corruption program and went beyond the initial tasks outlined in the original workplan, multiplying its impact through mentoring, partnering and outreach at the local and regional levels.

Corruption continues to be a paramount concern in Ukrainian society. However, the acceptance of corruption, cynicism and lack of hope (which suggest that citizens do not believe they can take action and change things in their communities) is changing. After three years, according to the Partnership program's annual surveys, 73 percent of Ukrainians now believe that the third sector (that is, non-governmental organizations) should play a role in combating corruption and 22 percent were willing to personally take part in actions initiated by such organizations.

For example, close to 25,000 Ukrainian citizens turned to 26 of the Partnership's citizen advocacy offices in the regions of Lviv, Drohobych, Stryi, Ternopil, Chernivtsi, Kamianets-Podilsky, Shepetivka, Lubny, Kobeliaky, Sumy, Okhtyrka, Donetsk, Artemivsk, Luhansk, Kherson and Mykolayiv, and 15,000 sought advice from the Partnership hotlines.

The Partnership strategy created a network that allowed its partners to share experiences and lessons learned, discuss successful approaches to battling corruption. The participants of the Partnership's anti-corruption coalitions decided to continue their work beyond the project, inheriting the know-how of the USAID program and establishing their own informal network of NGOs, the "Partnership for a Transparent Society NGO Network", to continue their anti-corruption work.

Highlights of the achievements of this USAID-funded program and analyses of the continuing challenges for future anti-corruption programs are provided by this final report, which serves two functions. First, it is a semi-annual report, modeled on previous project semi-annual reports, covering the period from May 2004 to the end of the project in September 2004. Second, it is also a final technical report for the project, presenting the project's overall results and accomplishments, and suggesting continuing challenges for the future.

This report begins with an analysis of the Partnership's annual survey, with comparisons between the 2002, 2003 and 2004 public opinion polls (Chapter 2, Public Opinion Surveys). The annual survey on Ukrainian citizens' attitudes toward the dimensions of corruption in Ukraine and its regions was an integral part of the program, and the results informed the design of local activities by each coalition partner. For example, the surveyed residents of Lviv said that issues of small business and higher education were matters of priority concern. Thus, the Lviv coalition devoted many of its programs, such as press clubs, seminars, public hearings and information campaigns to these two issues.

The report then summarizes the project's final conference, held on September 10, 2004 (Chapter 3, Program Update). This was an opportunity for the 10 coalition partners to present their accomplishments and share lessons learned. More importantly, the conference marked the transition from a USAID project to an ongoing network of NGO coalitions that are committed to pursue their collaboration to fight corruption in their own communities, and to share resources, learning and insights across their regions. The signing of a Memorandum of Agreement to continue their work as a network of coalitions was not only the culmination of the conference, but in many respects was also a key result of the whole project, offering the prospect of sustained anti-corruption efforts beyond the period of USAID assistance.

Key achievements of each coalition partner were presented at this final conference and these are summarized in the next section of the report (Chapter 4, Coalition Activities). From each of the 10 partner coalitions, this report presents at least one significant success story. The specific sectors vary widely, from water tariffs to labor rights and land titling, from access to education to enforcement of traffic laws and licensing of business. Across all communities and sectors, however, the project has demonstrated that real change is possible at the local level, even when the national government is not supportive and shows a lack of political will.

A common thread running through project activities in each of the ten communities and their six pilot cities (Stryi, Ternopil, Kobeliaky, Shepetivka, Okhtyrka and Artemivsk) were the Citizen Advocacy Offices (CAOs) and anti-corruption hotlines. Chapter 5 presents a summary of how these activities were planned and implemented, as well as the results that were achieved. Interestingly, as the project matured, more Ukrainians took advantage of the CAOs, than the hotlines, showing that they are ready to fight corruption head-on, meeting with lawyers and taking the cases to their local courts, as opposed to anonymously reporting cases of bribery and graft to a telephone hotline. Over the years, the CAOs also earned the respect of the Parliamentary Committee on Battling Organized Crime and Corruption, which issued certificates to the CAOs, officially recognizing them as partners of the Verkhovna Rada Committee.

Public awareness (Chapter 6, Public Awareness and Cooperation with Mass Media) was critical to the success of the program and the various brochures, newspapers, publications, radio and television broadcasts reached millions of people throughout Ukraine. The Partnership activities were highlighted in dozens of articles in the national press, and hundreds of publications in local/regional newspapers and magazines. The program launched a number of new regional publications, many of which hope to continue to exist even after the close of the program. Many radio shows reported on the successes of the Partnership program, including the BBC and Radio Liberty, as well as Ukrainian radio stations. Partnership success stories and such issues as corruption in higher education, corruption on real estate issues and corruption regarding government officials were emphasized on such Ukrainian television shows as UT1's "Perekhrestia" (Crossroads), on Channel 1 +1, on ICTV and STB.

Close to 40 targeted and demand-driven trainings (Chapter 7) allowed the Partnership's NGO leaders to learn new skills in such important areas as strategic planning, financial management,

fundraising, models of social partnership and advocacy. Not only did these trainings help build the capacity of NGOs and enhance the performance of the coalitions during the project, they laid a solid foundation for the sustainability of the NGOs future activities.

In Chapter 8, the Partnership's innovation grants are examined. Established in 2003 to encourage creative approaches to battling corruption, these innovation grants demonstrated that significant results in preventing corruption can be achieved with modest resources. Under the innovation projects, the NGOs acted as partners of local government, helping them to establish transparent procedures in the areas of municipal school funding, small and medium business regulation, rural land privatization and youth policy development, to name a few.

A summary of monitoring of key project variables is presented in Chapter 9. These summary tables give a picture of the intensity of project activities and the kinds of corruption complaints and issues with which the projects have dealt. The program paid special attention to achieving systemic, long-term results. The NGO coalitions helped develop and adopt more transparent procedures and eliminate systemic causes of corruption in such areas as the work of the tax authorities, municipal property management, local taxes and fees, public transit, utility service provision and tariff setting.

Perhaps the most disappointing aspect of the Partnership program was its work on the national level (Chapter 10). Although the Partnership forged a strong relationship with the Parliamentary Committee on Battling Organized Crime and Corruption, it did not have any success in developing relationships with the President's Administration or the Cabinet of Ministers.

Collaboration with other donors was important to the success of the Partnership Program; Chapter 11 presents a brief summary of the ways which the Partnership program has gone beyond donor coordination to leverage additional funding from such organizations as the Eurasia Foundation, the International Renaissance Foundation, PAUCI and others to support USAID anti-corruption activities.

Finally, looking to the future, the report closes (Chapter 12, Future Challenges) with an analysis which points to some strategic issues that USAID may want to consider in contemplating its options for further anti-corruption work. The analysis is a synthesis of the strategic issues emerging from the final conference of the coalition partners. It is anchored in the project experience, but deliberately steps outside the boundaries of the project and looks beyond the completion of project activities.

This final report ends with a section of technical annexes, which give a quick glance at some of the Partnership for a Transparent Society's most successful activities.

2. PUBLIC OPINION SURVEYS

Anti-Corruption Activities in the Eyes of Ukraine's Citizens

Introduction.

As a part of the USAID-supported *Partnership for a Transparent Society* program, a team of experts contracted by the project has completed three annual surveys of citizen attitudes toward the dimensions of corruption in Ukraine. In April of 2002, 2003 and 2004, between 1,200 and 1,800 respondents across the country were asked a core set of common questions about their perceptions of the extent of corrupt practices, trends, causes and possible solutions. In addition,

approximately 250 respondents were surveyed in each of the ten communities where the USAID Partnership program is active.

The results of these surveys provide an illuminating picture of how ordinary Ukrainian citizens understand the problems of corruption and the impact of corruption on their everyday lives. Although the patterns of corruption are complex, shifting and generally hidden and difficult to reveal or fully understand, ordinary citizens are the ones most directly affected by corruption. They have unique insights into the dimensions of the problem, and they are an essential part of any effective response.

This overview presents some key common themes and issues that have emerged from the three surveys that were completed under the Partnership program. Other project technical reports present the findings of each annual survey in some detail (including more specific regional analyses and data on each of the 10 Partnership communities). The focus in this report, however, is not on past Partnership activities but on the larger strategic picture; on what these surveys tell us about lessons learned and the challenges for anti-corruption strategies for the future.

The report is divided into three sections. First, how do Ukrainians see ‘the corruption problem’? Do they see it as a problem? What are the institutions where they see it? Do they believe it is getting better or worse?

Second, how do Ukrainian citizens respond to corruption? How does it impact their day-to-day lives? What do they do about it? Where do they look for leadership and action in anti-corruption activities?

Third, what are the strategic implications of these attitudes, opinions and perspectives? What do they suggest about effective anti-corruption programs? More specifically, what do these surveys tell us about the challenges faced by Ukrainian civil society organizations in trying to implement these strategies?

1. Popular Perceptions: What’s the Problem?

Corruption – an acknowledged problem, widespread and serious.....

An initial review of the results of all three annual surveys appears to present a clear, consistent picture and unwavering: an overwhelming majority of Ukrainians view corruption both as widespread and as one of the most pressing or serious problems facing Ukrainian society. Somewhere between 80 to 90 percent of all respondents agreed that corruption is either widespread (an average of 26 percent across all three annual surveys) or *very* widespread (an average of 63 percent).

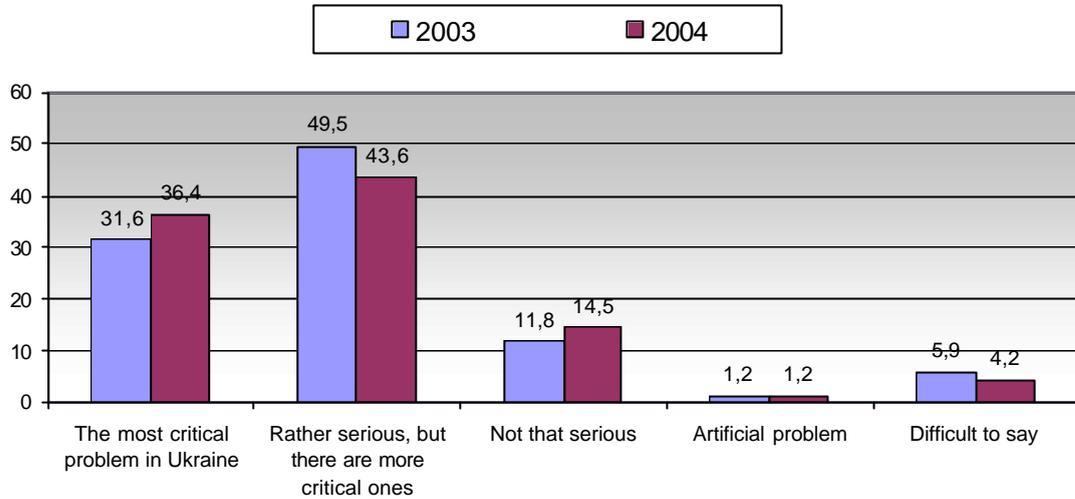
The results of all three surveys indicate that corruption is not an abstract issue, but one that the majority of Ukrainian citizens have experienced directly. About sixty percent of respondents report they encounter corruption either all the time, or from time to time, and about 75 percent report that corruption has a negative impact in their day-to-day lives.

.....but only one problem of many.

At the same time, a closer look at how each respondent ranked problems in his/her community and immediate family reveals a slightly different picture. Across all three annual surveys, corruption consistent ranks below other concerns, particularly personal and family health, and material well-being. Issues surrounding economic livelihood have increased in importance over the past three years. Less than ten percent of respondents rate corruption as the number one problem facing them in their daily lives.

Diagram 1

***“How critical is the problem of corruption
in comparison with other problems in Ukraine?, %
(comparison of 2003 and 2004 data)***

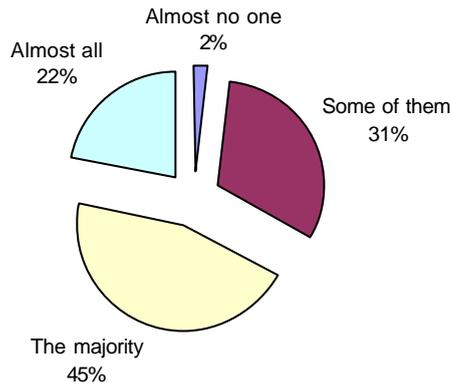


Consistently negative views about government officials...

Survey respondents consistently have a very negative view of the integrity and trustworthiness of government officials. For example, in 2004, 45 percent stated that ‘most’ government officials are engaged in corrupt activities, while an additional 22 percent said that ‘all’ government officials are. In the same survey, about 82 percent of respondents stated that local government officials are involved in corrupt practices. Commonly included the ‘top five’ list of corrupt government institutions across all three surveys are the police and law enforcement agencies and state authorities. Education institutions and medical facilities also rank in the ‘top ten’ as highly corrupt on all three surveys.

Diagram 2

„To what extent are officials involved in corruption?”



...and little optimism about improvements in the near term.

Not only is corruption seen as serious and widespread, but the trends are consistently seen as negative. All three annual surveys indicate that a strong majority (ranging from 57 to 71 percent) see corruptions as having increased either somewhat or dramatically over the past five years. A large minority – about 40 percent according to both the 2003 and 2004 surveys – believe that corruption is so ingrained that it will be impossible to eliminate, and only a tiny minority report seeing any progress resulting from anti-corruption programs.

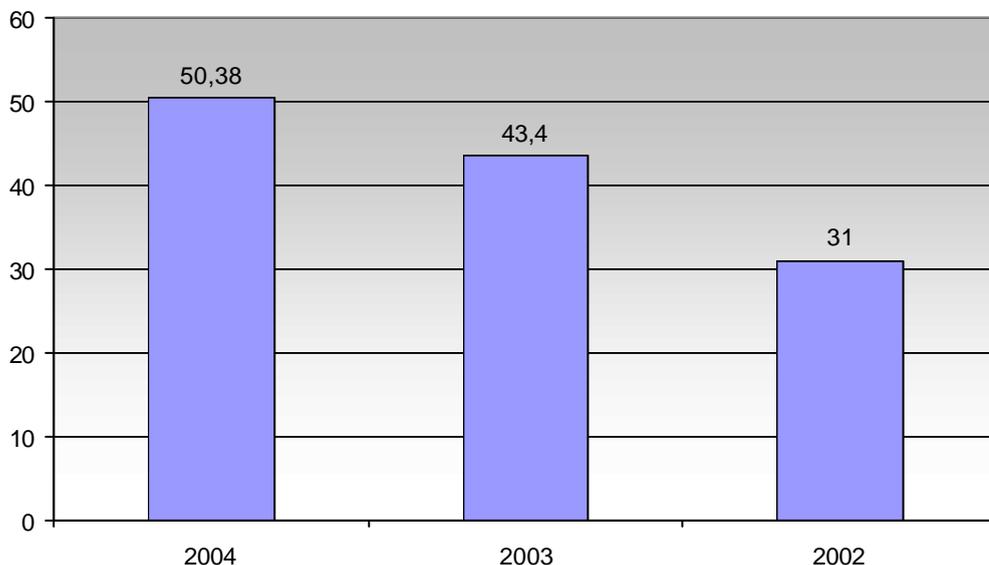
2. Responses: Coping with Corruption

Pragmatism at the personal level.....

Faced with continuing widespread corruption, little confidence in the integrity of government officials and no optimism about the trends in corruption, Ukrainians appear to have adapted a pragmatic stance. They appear to be practical, prepared to do what is necessary to get things done. Indeed, this pragmatic response may be increasing. Survey results indicate a significant growth in respondents admitting that they have given bribes, from only 31 percent in 2002, to 43 percent in 2003 and 50 percent in 2004.

Diagram 3

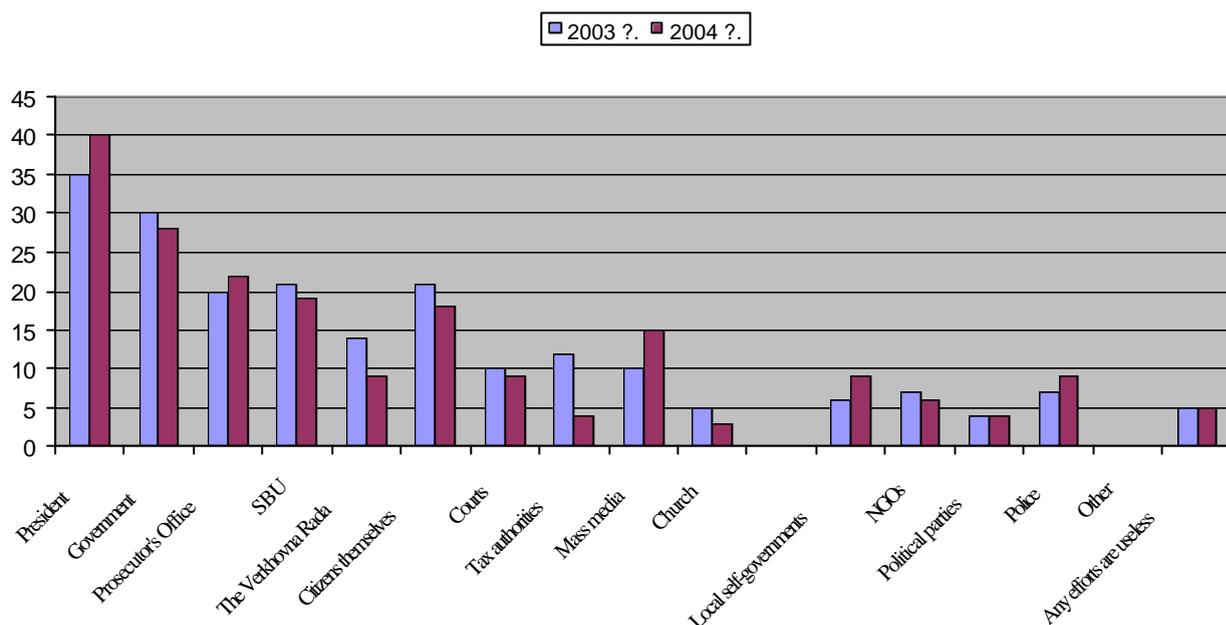
“Did you personally (or your relatives or friends) gave a bribe during the last year?, %(among those who gave a bribe)



Interestingly, the 2004 and 2003 surveys indicates that this pragmatic approach is more acceptable among the younger generation (aged 18-24). While only 38 percent of the total respondents to the 2004 survey describe bribes as an unfortunate but sometimes necessary way to get things done, 61 percent of the younger generation do not see any way to resolve problems than by resorting to bribes. Similarly, the 2003 survey reports that those in the younger age group are less likely to feel anger, shame or humiliation in offering bribes and are more likely to accept bribes as necessary to getting things done.

Diagram 4

*“What organizations/institutions can be the most effective in combating corruption?”,
%*



....and a focus on national institutions as the source for change.

When Ukrainian citizens are asked to identify engines for change to challenge the existing patterns of corruption, they very much look to national level institutions for leadership. Although non-governmental organizations and the media are often cited as important, the office of the president and national government are most often seen as key to fighting corruption, followed by the state Prosecutor's Office, security services (SBU). Citizens themselves generally rank as the least important. Leadership at the highest level, rather than improved legal systems or increased citizen activism, is seen as key to fighting corruption.

At the same time, survey results from all three years underscore the widespread view that those who are supposed to fight corruption are themselves corrupt, and this is the main reason why there is so little progress in fighting corruption. There is a clear irony in these results. On the one hand, Ukrainian citizens look to national agencies to take the lead. On the other, they seem to have little confidence that these same agencies actually will take the lead.

3. Strategic Challenges for the Future

The three annual surveys of citizen attitudes are not definitive, but they are illuminating. Although presenting only part of the picture, they point to some factors that a successful anti-corruption strategy may need to consider and address. The following observations are offered as a starting point for a dialogue on anti-corruption strategies, not as final conclusions. They point to lessons learned from the surveys and the experiences of the Partnership program that may be

useful in future programs. Four challenges in particular seem to emerge from the surveys of citizen attitudes.

Build partnerships across several levels and sectors.

Notwithstanding survey results that indicate most Ukrainians look to local government agencies to lead the battle against corruption, these same survey results also indicate growing acknowledgement of and support for the role of non-governmental organization and the media. The media and non-governmental organizations have increased legitimacy in fighting corruption.

These results point to the opportunity to build effective partnerships between different groups of actors. Non-governmental organizations and the media alone are unlikely to be able to make significant progress in fighting corruption. Although they have the advantaged of increased credibility, this is not enough. We still need to find ways of building on this new credibility to establish a collaborative relationship with government agencies, converting government institutions from potential enemies to real partners.

This is particularly true at the national level, where most Ukrainians look for leadership in fighting corruption. The challenge is finding ways of build partnerships and collaboration across sectors and organizations that will expand constituencies for reform and build political will.

Expand constituencies for reform.

In general, Ukrainian citizens understand what corruption is, and they don't like it or approve of it. They believe that it has a negative impact both on their personal lives and on the prosperity and development of their nation. This sentiment represents a potential source of strength for anti-corruption programs, if it can be tapped.

At the same time, Ukrainians are cautious about getting involved personally. While all three surveys consistently report that about 70 percent of ordinary citizens support more active engagement by non-government organizations, only about 20 percent are willing to get actively involved themselves. This 20 percent is not necessarily an unusually low number. In general, only the minority of citizens in any country become actively involved in advocacy or lobbying activities or in the work of nongovernmental organizations.

Table 1

“What are the most effective methods of combating corruption, that can be used by regular citizens?”

	2003	2004
Citizen refusal to give bribes	33,5	34,0
Taking elections seriously	28,6	28,8
Citizens' battle against corruption is impossible	26,5	26,4
Demands for accountability and transparency of all authorities' actions	19,8	26,2
Participation in anti-corruption NGO activities	18,4	19,3
Appealing to courts	14,8	12,8
Anonymous informing of authorities about the facts of corruption	14,5	19,7
Appealing to mass media	13,7	18,3
Appealing to higher authorities	11,5	13,9
Other	1,1	0,2

Nonetheless, in Ukraine there may be a need to focus on expanding the constituencies for reform, reducing this perceived risk associated with taking a public stand against corruption and actively support anti-corruption activities. A concentrated effort to expand those actively involved in anti-corruption work could help reach a ‘tipping point’ in public support, moving anti-corruption from a marginal to mainstream movement and capitalizing on the widespread and significant dissatisfaction with the entrenched corruption.

Identify opportunities to demonstrate visible change.

Ukrainians are pragmatic about accepting corruption as an inevitable evil because they see little prospect for dramatic change or improvement. Changing this dynamic will require demonstrating that progress is possible, and that corruption is not inevitable.

Identifying specific but visible targets of opportunity, where there is the possibility of making limited but clear progress, is probably critical in convincing ordinary citizens to lend their active support to anti-corruption programs.

Address the generation gap.

A particularly important challenge is engaging the younger generation, which survey results indicate are more accepting of corruption as a necessary evil. Ironically, in most countries, the younger generation is a critical source of support for non-governmental organizations, grassroots movements and political reform. Our survey results, however, indicate that the younger generation appears to be increasingly cynical and reluctant to lend popular support to anti-corruption programs. Left unchallenged, this attitude threatens to further embed corruption as an ‘inevitable’ part of day-to-day life in Ukraine that it is not possible to change.

3. PROGRAM UPDATE

A. Report on Final Conference

The closing conference of the Partnership for a Transparent Society was held in Kyiv on Friday, September 10, 2004 to celebrate three years of NGO development work, coalition building and anti-corruption advocacy in 11 regions of Ukraine.

The “lessons learned” conference analyzed the results of the Partnership’s regional coalition activities, highlighted success stories and discussed anti-corruption strategies for the future. All of the coalitions participated in an information fair at the conference, bringing samples of the various materials they produced during the three-year Partnership program, including newspapers, brochures, leaflets, booklets, and flyers.

As part of the conference agenda, many donors and international development organizations were encouraged to meet with representatives of the regional coalitions and see how they have played an active role in the social and economic development of their communities, how they have worked together with local government officials to promote transparency and accountability in the their regions.

Already such projects as UCAN, the US-Ukraine Foundation, People's Voice, PAUCI and the International Renaissance Foundation are interested in working closely with various NGOs from the Partnership coalitions.

Significantly, all of the coalitions worked closely together during this three year program, sharing skills, know-how, innovative ideas and approaches to battling corruption. For example, the Sumy coalition introduced the idea of mobile citizen advocacy offices, which caught on in Chernivtsi, Lviv, Lubny and Mykolayiv. The work of the Donetsk coalition with the state tax authorities has encouraged other cities to establish a dialog with their local authorities, including the coalitions in Lviv and Sumy. More transparency in the municipal service sector has been a topic pursued by Drohobych and Luhansk...the list keeps growing and growing.

However, most noteworthy at this lessons- learned exercise was the fact that during the conference, the Partnership coalitions established a "Partnership for a Transparent Society Civil Society Organizations Network," as a successor model to the USAID-funded and DAI implemented Partnership for a Transparent Society project.

Signing a memorandum of cooperation, the NGO leaders pledged to establish the Partnership network as an informal, non-political union of civil society organizations for further cooperation to promote transparency and combat corruption in Ukraine. They pledged to continue the activities of regional coalitions of the Partnership for a Transparent Society program to carry out joint activities and to ensure informal exchanges between the members of the Network in order to coordinate efforts and disseminate experience and lessons learned with the aim to reach results in program activities.

Indeed, the coalitions are earnest in making this Network a reality, based on the principles they promoted during the Partnership program. They agree that the Network is open to each and every civil society organization which shares the commitments and beliefs of the Network members and works toward the prevention of corruption and aims to establish and develop a transparent society.

The coalition members underscored the fact that during the program, they further strengthened their NGOs, they learned the powers of strength in numbers, they became empowered as they tried to combat corruption in their communities.

The coalitions learned about the powers of public education and advocacy; they have learned to work together for the common good, and to engage local government officials in constructive dialog. The successes of the Partnership have contributed to building a solid foundation for democracy in Ukraine and empowered thousands of Ukraine's citizens with the necessary tools to win the battle against corruption.



As, the lessons learned booklet cover states: "You Can Make the Difference: Say No to Corruption".

NB: The cover of this booklet was an entry at the joint Partnership for a Transparent Society/Center for Ukrainian Reform Education poster competition on anti-corruption. This poster won third place out of 205 entries from throughout Ukraine. This was just one of many public education campaigns that the Partnership developed for the program. For the top ten winners, please see the appendix in the back of this report

B. Follow-up on Conference “How to Promote Transparency in Small and Medium Business Regulation” (May – September 2004)

During this reporting period, an important effort was undertaken to implement some of the recommendations developed by the SME conference. Held on October 17-18, 2003 this conference produced a set of recommendations pointing at the main problem areas in the SME regulation and outlining general approaches to alleviate them. Those recommendations were the result of the significant work of the conference participants representing about 60 business associations and other kinds of NGOs promoting SME interests. One set of recommendations dealt with the system of permits in the area of entrepreneurship. The issuance of permits is regarded as one of the biggest restraints to SME development, and is arguably the most corrupt area in business regulation.

In order to implement some of the recommendations proposed by the conference participants and take a further step in promoting a more transparent regulatory environment for SMEs, the Partnership for a Transparent Society awarded a small grant to the *Association of Small, Medium and Privatized Enterprises*, which is the largest, most reputable and capable NGO representing and protecting the interests of the SMEs.

A grant of about \$4,000 was awarded to implement the following activities: analyze the existing draft laws concerning permits; organized a discussion among business community leaders, experts, and government officials in order to discuss the drafts and produce recommendations regarding their improvement; organize media coverage of the issue; and lobby the relevant parliamentary committees in order to promote new legislation establishing a more transparent framework for the system of permits for the SMEs. The main idea of the project was to give the independent business associations an opportunity to provide input in creating a better regulatory act.

The experts affiliated with the Association produced an analysis of the current legislation and draft laws on permits and developed a set of recommendations on how the system of permits should be improved and what important clauses should be included in the new draft. The Union conducted three roundtables: in Chernihiv, Khmelnytsky and Kyiv, which were attended by more than 100 participants representing small and medium companies, business associations, think-tanks and relevant government agencies. The Association’s experts incorporated important input provided by the roundtable participants in the new draft law “*On the principles of the system of permits for entrepreneurial activity*”. The draft was approved by the participants of the roundtable in Kyiv, although most experts recognized that it was only a framework bill and further development of more specific procedures would be required. However, everybody admitted that this basic law was badly needed to set the major principles and mechanisms of transparency in the provision of permits.

The Association is now lobbying the Parliamentary Committee on Industrial Policy and Entrepreneurship for the draft to be duly submitted for reading and discussion of Verkhovna Rada. The chances that the draft will be put forward for the discussion are quite high, given a long history of successful cooperation between the Association and the Committee.

Thus, this project has helped to achieve significant progress in promoting a regulatory environment that is more transparent and resistant to bureaucratic abuse and corruption.

4. COALITIONS ACTIVITIES

A. NGO Coalitions: A Successful Model

What made the Partnership for a Transparent Society a successful model for strengthening NGOs and increasing citizen participation in the democratic process?

NGO coalitions, citizen advocacy offices, information lines and public education campaigns...these were the key components in the work of the Partnership for a Transparent Society coalitions, representing 11 oblasts.

In the three years of this program's existence, the Partnership provided seminars and trainings to strengthen 10 regional coalitions – Lviv, Drohobych, Chernivtsi, Kamianets-Podilsky, Lubny, Sumy, Donetsk, Luhansk, Kherson and Mykolayiv. In 2004, six pilot cities joined the existing coalitions: Stryi, Ternopil, Shepetivka, Kobeliaky, Okhtyrka and Artemivsk. Together they represent more than 150 NGOs.

The success of the Partnership coalitions has inspired other communities to form their own NGO coalitions. They have begun to form social partnerships; having seen this effectiveness, they have been successful in securing both public and private funds for their anti-corruption work.

The establishment and work of NGO coalitions is an example of the increasing influence civil society has on the process of reforming local government. It is also a maturing process for individual NGOs, as they learn that there is strength in numbers.

It is our hope that coalitions will continue to enhance the role of the NGO community by broadening its role in advocacy, monitoring and engaging community interests. Through the Partnership's three year program, we have seen that developing NGO coalitions provides an opportunity to consolidate the interests of the NGO community.

Already, we have seen first steps regarding the sustainability of the coalitions even after USAID funding comes to a close. The existing 10 coalitions have, on their own initiative, decided to sign an agreement of cooperation and to establish the Partnership for a Transparent Society Civil Society network, where they state that they have the intention "to continue their established cooperation, to preserve and to augment the positive experience acquired within the framework of the program and to continue promoting transparency and prevent corruption to aid in the establishment of democracy and civil society development processes in Ukraine."

This is the perhaps the best legacy of the USAID-funded anti-corruption program; the NGO leaders and participants of the Partnership for a Transparent Society have acknowledged the success of the program and want to continue promoting its ideals. They understand that together they can change the face of society, together they can improve the quality of life in their local communities, to reach public consensus and develop constructive dialogue with their local government officials.

The anti-corruption Partnership NGO coalitions were formed by anywhere from 8 to 15 NGOs of various types: human rights, student and youth, women's, environmental, consumer, small business, citizens' special interests groups and associations, among others.

The coalitions formed by the Partnership were informal, based on a cooperative agreement signed by each participating NGO, underscoring the main goals of the coalition – promoting

transparency and preventing corruption. The work of each coalition was coordinated by one person elected at the meeting of the leaders of the participating NGOs.

What is an NGO coalition and what are its operating principles:

The Partnership experience is by no means the first coalition experience in Ukraine, but the Partnership believes it is one of the more successful attempts to make this model work. The People's Voice project, funded by the Canadian government through the World Bank, served as an inspiration and a sounding board for the Partnership program. It is the People's Voice project that supported the model of NGO coalitions back in the year 2000 and offered the following definition of an NGO coalition:

“An NGO Coalition is a free will, formal or informal union of non-governmental organizations who achieve a common aim, based on accepting the management rules and methods, common interests and resources.”

The Partnership took this one step further, and expanded the definition to include the following:

- Participation in the coalition is voluntary and the coalitions' activities are transparent
- Volunteers are welcome;
The coalitions lack a hierarchal structure and their underlying principle is one of democracy and partnership;
- Each coalition member has equal rights and mutual responsibility;
- Relations are based on mutual respect and trust;
- NGO coalitions are open to other NGOs that are interested in promoting transparency and preventing corruption in their communities;
- Decisions regarding coalition work are adopted collectively
- NGO coalitions seek cooperation with the local business community and local government; they act as partners of local governments, wherever possible, but this does not prevent them from being critical. They welcome private sector sponsorship but at the same time are careful about maintaining their independent status;
- The coalitions widely publicize their work within their communities and regions through local media and their own publications.

The Partnership experience:

Activities

Each coalition collectively adopted an annual action plan that outlined the coalition's priorities and listed tasks divided between the participating NGOs. The budget for each coalition was approved by the Partnership project. Funding for specific tasks and member NGOs was determined by the coalition meeting and approved by the Partnership project.

The typical coalition activities included operation of citizen advocacy offices (CAOs) and telephone hotlines that provided legal advice to the victims of corruption, publication and distribution of information materials on various issues concerning transparency and preventing corruption, public awareness, advocacy and lobbying campaigns, seminars, public hearings, and roundtable meetings of the citizens, local and regional government officials and local business people.

All NGO coalitions reached beyond their cities and provided advice and advocacy support to the residents of rural areas and small towns. "Mobile" CAOs was a popular practice when coalition

lawyers and advocates traveled to villages and towns, and provided consulting or conducted seminars or meetings with local residents.

The CAOs and hot lines served as an important source of information on the typical problems pertaining to the public sector corruption and lack of transparency in target communities. Besides advice and information dissemination, CAO lawyers and advocates represented corruption-related cases in court.

Giving due credit to the successful resolution of specific corruption cases, the Partnership encouraged the NGO coalitions to eliminate the causes of corruption. Each coalition determined targets to achieve systemic changes in specific topic areas. Achieving these targets usually involved systemic advocacy and lobbying efforts, as well as participation of coalition representative in citizen advisory boards, working groups, and coordination committees, where citizens work together with local and regional governments, and the private sector representatives.

Topic areas

In order to make the anti-corruption work more focused and effective, each NGO coalition chose at least two thematic areas, in which it focused its anti-corruption efforts, such as preventing corruption and promoting transparency in small business regulation, education, local government operations, utility service provision, municipal property and agricultural land privatization, employment and labor relations, and others. These thematic areas could be changed from year to year, based on local community priorities and the previous year's experience.

The choice of topic areas depended on the priorities that each coalition collectively determined as a focus of its anti-corruption efforts, often based on the yearly public opinion surveys. The nature of the member NGOs, their missions, and previous experiences were also important factors in the choice of a topic area.

Funding and sustainability

Funding to support the work of the coalitions primarily came from the USAID through the Partnership. However, most of the coalitions have been able to attract additional resources in the form of other donors' grants, volunteer work, private sector donations, funding and in-kind contributions from local governments. According to the coalitions' coordinators, after the core USAID funding ends, all of the member NGOs will continue their individual work, many of them concentrating on the issues of transparency.

Results and successes

Results achieved by the NGO coalitions at the specific case level include multiple positively resolved court cases, restoration of the citizens' rights breached by corrupt public officers, payment of moral damages to the citizens, return of illegally confiscated cash and property, provision of the due services to the citizens, cancellation of high utility tariffs adopted without due public discussion, discipline action against or dismissal of the delinquent public officers, and others.

Results at the systemic level include adoption of mostly local and regional, but in a few cases - national regulations establishing more transparent procedures and eliminating legal loopholes causing corruption, as well as cancellation of illegal government orders promoting corruption. Specific examples include creation of a transparent municipal property management system, establishment of a transparent mechanism for additional secondary school financing through charitable funds, creating a transparent regulatory environment for small and medium businesses, eliminating potential causes of corruption in local tax administration, and others.

Another important long-term result is the valuable experience and enhanced capacity of the non-governmental organizations to promote transparency, battle corruption, advocate for the citizens' interests, and protect their rights.

The Partnership for a Transparent Society project agrees with the evaluation of NGO coalitions as expressed by Daniel Rosecky, who spoke at the People's Voice conference held in Ukraine, a few years ago:

“All coalition members profit from a joint project. It can increase bilateral co-operation among local NGOs, improve public relations and the visibility of NGOs in their community, or improve access to the local media. Coalition members evaluate projects jointly and usually celebrate their successes jointly.”

In conclusion, I would like to quote Richard Tichy, from the Czech Republic's Information Center for NGOs, who summarized the strength and weaknesses of NGO coalitions at that same People's Voice conference:

Strengths

There are several positive characteristics of NGO coalitions. Most of all, they enable better cooperation and coordination of non-profit activities and sharing of resources (e.g., equipment, facilities, administration, contacts or experts). Also, they provide a stronger negotiating position when solving conflicts with the public administration or business sectors. Coalitions are more visible than solitary organizations, and, thus, have easier access to mass media. Another strength lies in the opportunity for the authorities to communicate more effectively with civil sector, as they can address the coalition instead of trying to reach each NGO one-by-one. Such cooperation further amplifies the potential of a coalition since other organizations will become interested in coalition membership.

Weaknesses

Unfortunately, coalitions of non-profit organizations might also have some negative aspects. Due to a broad range of opinions, professional qualifications and interests of member organizations, a coalition without a clear focus can suffer from great inner tensions or conflicts when solving even minor issues. When this happens, the coalition gradually ceases its activity, or (more often) it starts to use non-democratic methods of work.

Despite the program's conclusion, we believe that in the nearest future all regional NGO coalitions will both receive stable financial support and have strong political will to preserve NGO network and involve more civil society organizations.

B. Coalitions at a Glance: Success Stories from the Field

CHERNIVTSI

Regional Coalition Coordinator: Tetiana Smoldyryeva

tel.: (03722) 22-35-11, (0372) 55-29-36

E-mail: presclub@chv.ukrpack.net

Hotline: (0372) 58-40-34

Contact person: Ihor Kukharchuk

Citizen advocacy office: Chernivtsi, 2 Lomonosova St.

(Ukrainian People's House), 1st floor

tel.: (0372) 55-58-06

Contact person: Yaroslav Filyak

?	Organization	Address	Telephone (0372)	e-mail	Contact person
1	“Znannia/Knowledge” Organization (Chernivtsi Oblast branch)	23 Steinberg St., b/o box 24 “Znannia” 58000, Chernivtsi	22-66-30	bukland@chv.ukrpack.net	Yaroslav Kurko
2	Chernivtsi Oblast Committee of Voters of Ukraine organization	2 Lomonosova St., “Komitet Vybortsiv” 58000, Chernivtsi	55-58-06	Chern_kvua@west.com.ua	Yaroslav Filiak
3	Chernivtsi Business Center	20 Kobylanska St. 58000, Chernivtsi	58-55-72	maria63@list.ru.	Maria Porchuk
4	Chernivtsi City Center for Businessmen and Independent Entrepreneurs Rights Protection	3 Kobylanska St. 58000, Chernivtsi	58-53-89, 58-40-34	kuharchuk@au.cv	Ihor Kukharchuk
5	Bukovyna Center for Reconstruction and Development	23 Steinberg St. 58000, Chernivtsi	58-43-05	bcrr@utel.net	Yaroslav Kyrpushko
6	Bukovyna Electoral Technologies Center	34 Virmenska St. 58000, Chernivtsi	55-26-01	babyik@cv.ukrtel.net	Ihor Babiuk
7	NGO “Suchasnyk”	55 Kobylanska St., room # 2a58000, Chernivtsi	22-04-36		Elvira Mruchkovska
8	Chernivtsi press-club	23 Steinberg St., “Press-club”, 58000, Chernivtsi	22-35-11	presclub@chv.ukrpack.net	Tetiana Smoldyryeva

Citizen advocacy office opened in March 2003

Address and operating hours:

Chernivtsi, 2 Lomonosova St., (Ukrainian National Home)

Monday, Tuesday, 10 a.m. – 4 p.m.;

Wednesday – Friday, 1 p.m. – 7 p.m.

2 lawyers

During the reporting period 276 clients were serviced¹

Hotline functions from March 2003

¹ These numbers reflect the reporting period of May – August 2004.

Telephone: (0372) 58-40-34
Chernivtsi, 3 Kobylanska St.34
Operating hours: 10 a.m. – 5 p.m. (Monday – Friday)
1 operator

During the reporting period 366 calls were processed. ²

Success story: Fighting for your own combine

M. Konstantyniuk is the head of Rutka, a rural farm holding that is in the town of Vashkivtsi, in Vyzhnytskiy County, Chernivtsi. On Aug. 19, 2003, she took part in a sale at the Chernivtsi Trade Exchange. Her farmstead bought an SK5 Combine (Niva), which had been impounded and was on the territory of the Sokyriansk Unified State Tax Inspection. But Ms. Konstantyniuk was unable to claim her combine. It turned out that it had already been handed over to a Mr. V. Kokhaniuk, who had also participated in the sale. The combine was given over to him with the permission of A. Machiuha, the head of the Sokyriansk USTI's department for collecting tax debts and M. Radamovskiy, a senior tax inspector in the same department. The USTI workers explained what had happened by saying that Mr. Kokhaniuk was only given the combine in trust. However, on going to Mr. Kokhaniuk's farm in the village of Kalynivka, where the combine was supposedly being kept, Ms. Konstantyniuk discovered that it was completely taken apart, although at the exchange it had been presented as a complete and intact piece of equipment.

Ms. Konstantyniuk returned and went to the Sokyriansk County Prosecutor's Office to ask that the protocol for exchange trades be halted, as it required full payment for a combine in working condition. She also demanded that a criminal case be launched against the tax workers. However, this was not done. At the request of the Chernivtsi Prosecutor's Office, a review of the situation was called, but launching a criminal case against the USTI officers was refused on the basis that there had been no criminal intent in their actions. An additional review by the Sokyriansk Prosecutor's office also failed to find evidence of criminal intent on the part of the workers. Instead, the County Prosecutor sent a document to the USTI head demanding that he remove both the reasons and the conditions that allow staff to violate legislation. After these documents were reviewed, disciplinary action was taken against Mr. Machiuha, the head of the department, and Senior Inspector Radamovskiy.

But this decision did not satisfy Ms. Konstantyniuk, who saw the actions of the tax officials signs of violations under Art. 364 of the Criminal Code. She argued that officials handing over a combine for safekeeping to a person who had an interest in buying the equipment suggested abuse of office or position. Moreover, their actions had caused her company harm.

On June 6, 2004, Ms. Konstantyniuk received notice that yet another decision had been handed down refusing her request to launch a criminal suit. At this point, she turned to the lawyers of the CAO. A complaint was filed with regard to the refusal to launch a criminal case, dated June 29, 2004. The Sokyriansk District Court handed down a judgement on the resolution on refusing to launch a criminal case based on the fact that the Prosecutor's Office had carried out an incomplete review and the evidence in the case was passed on for a second review. The Konstantyniuk case is not over yet and a decision is awaited. Based on the decision of the court, the Prosecutor's Office was obliged to carry out an additional (broader) review and make an appropriate decision. So far, the Prosecutor's Office has not issued any information as to the additional review.

This case is a clear example of how law-enforcement bodies avoid taking workers from government bodies to court, even when they have violated legal rights. Having revealed a violation, the STA and Prosecutor's Office limited themselves to disciplinary action and a request to remove the reasons and conditions that allow violations of the law to take place, although the actions of the two tax officials had the clear markings of criminal activity.

² These numbers reflect the reporting period of May – August 2004

DONETSK

Regional Coalition Coordinator: Svitlana Yeremenko

tel.: (062) 345-1795

E-mail: pclub@euomb.com

Hotline: (062) 304-46-44, 304-70-80, 335-65-90, 304-55-00

Citizen advocacy office: (062) 304-25-79, 145a Artema St., office 1409

?	Organization	Address	Telephone (062)	E-mail	Head of Organization
1	Agency for regional development "Donbas"	133 Shevchenka Blvd., room 502, 83052, Donetsk	294-60-96, 345-74-19	donbass@agency.donetsk.ua	Vyacheslav Koval
2.	Donetsk regional league of professional and business women	45 Artema St. 4th floor, 83086, Donetsk	334-20-43, 334-34-43	postmaster@liga.donetsk.ua	Liudmyla Gorova
3.	Tax payers association of Ukraine (Donetsk city branch)	6 Universytetska St. 83000, Donetsk	337-23-22	Shashkova@bak-audit.dn.ua	Tamara Sereda
4.	Donetsk Committee of Voters of Ukraine organization	38 Kyivskyi Ave., 83045, Donetsk	385-67-17, 345-88-42	postmaster@cvu.donbass.com	Serhiy Tkachenko
5.	"Public Control", Donetsk branch	145a Artema St., room 1409, 83015, Donetsk	304-25-79	info@gk.org.ua	Oleksandr Ivashchenko
6.	Agency for Local Self-Governments Development	45 Artema St., 83084, Donetsk	338-11-00, 335-06-67	cp@eurtc.donetsk.ua	Valeriy Kochuyev
7.	Social Research and Political Analysis Labs of Donetsk National University	24 Universytetska St., Chair of political science, 83055, Donetsk	291-92-84	vkipen@fromru.com	Volodymyr Kipen
8.	Donetsk press-club of reforms	51 Cheluskintsiv St., office 401, 83055 Donetsk	345-1795, 291-09-36	pclub@euomb.com	Svitlana Yeremenko
9.	Ecology and cultural center "Bakhmat"	45 Gorbatova St., apt. 20, 84500, Artemivsk	(06274) 62-42-5	berezin@bakhmat.org	Volodymyr Berezin

Citizen advocacy office opened in June 2002.

Address: 145-A Artema St., office 1409, Donetsk, 83015

Operating hours:

Monday – Friday, 10 a.m. – 5. p.m.

5 professional lawyers

During the reporting period 948 clients were serviced³

Hotline functions from August 2002

League of Professional and Business Women hotline:

Address: 45 Artema St., Donetsk, 83086

Telephone: (062) 304-46-44

Operating hours:

³ These numbers reflect the reporting period of May – August 2004.

Monday – Friday, (2 consultants)

Tax Payers Association hotline:

Address: 12 Mayakovskoho Ave.

Telephone: (062) 335-65-90

Operating hours:

Monday – Friday, 9 a.m. – 5 p.m. (1 consultant)

During the reporting period 519 calls were processed⁴

Success story: Bureaucrat, know thy laws!

One day, a man named Yuriy Myshanov came to the citizen advocacy office of the Donetsk Partnership for a Transparent Society coalition. An ordinary guy with a nice smile. At first, he didn't seem upset or down, compared to most people who visit the office. Obviously most people turn to a lawyer because they have a serious problem, but not to invite the person to a party.

However, the story Mr. Myshanov told us proved unusually interesting. For 13 years, Mr. Myshanov ran the ecology and natural resources department of the Donetsk City Council. He worked as he was supposed to and there was never a black mark against him. Then suddenly, the way most bad things seem to happen in life, an agreement signed between Mr. Myshanov, in his capacity as an official, and a private company to build a nature preserve ended in stolen funds of a particularly large amount instead of the construction.

Before a criminal suit was even launched, Mr. Myshanov found himself officially reprimanded for having improperly checked into the company that was being contracted to do the construction for state money. During the criminal investigation against the managers of the contracted company, Mr. Myshanov was suddenly accused of abusing his office (Art. 364, Sec. 2 of the Criminal Code), which had very heavy consequences indeed. Eventually, the case against him was closed for lack of evidence that he had taken part in the scam.

But this provided no relief for Mr. Myshanov, as his alert managers fired him from his position under Art. 41, Sec. 2 of the Code of Labor Laws, "due to loss of trust," having agreed the move with his union, which did not oppose the decision. Mr. Myshanov thought long and hard about what had happened, wondering why the Donetsk Mayor had signed a memorandum to fire him, when the Prosecutor's Office had dropped all charges against him due to extenuating circumstances, and why his union had agreed with this turn of events.

Mr. Myshanov came to the conclusion that there was nothing logical about the situation and decided to turn to a civil rights specialist. At the CAO, he was assisted with putting together a formal complaint to the courts, provided with specific consultations, and accompanied in the court process. For more than half a year the court tried to determine who was lying and who was telling the truth, but finally it found in favor of the plaintiff. The City Council of course appealed the decision, but this did not work out. Mr. Myshanov was given back his job and paid all his wages for the interim period.

Whether this story illustrates the low level of professionalism of our bureaucrats or the high level of the lawyers at our advocacy offices, the reader can be the judge.

Success story: Guilty without charge

Iryna V., the director of a small travel agency called Mayak, decided to try the PFTS program's hotline, which is operated by the League of Business and Professional Women in Donetsk. She

⁴ These numbers reflect the reporting period of May – August 2004

wanted help to defend her rights as an entrepreneur. Her company was under siege by the Tax Inspection of the Kalinin District of Donetsk, who were carrying out a random check in the matter of “Proper calculation and payment of the VAT and corporate profit taxes for Q3 2001.” The results of the inspection were handed over to the Prosecutor of Kalinin District, while a criminal suit was launched against Iryna for evidence of wrongdoing under Art. 212, Sec. 1 of the Criminal Code of Ukraine. As punishment, she had to sign a bond stating she would not leave the area.

One of the bases for launching a criminal case against her was the report on the review by the State Tax Inspection, according to which the Mayak travel agency had supposedly underpaid by Hr 14,694 for the VAT and Hr 21,900 for corporate profit tax in Q3’01. Altogether, this shortage amounted to Hr 35,594.

During meetings with the person running the hotline, Iryna explained that she did not agree with the conclusions of the inspection, but she had signed the protocol and had not added her reservations to it, since she thought she would be unable to prove her innocence.

As it happened, Ms. V. explained, during one of the tourism trade shows in Kyiv, she had come to know representatives of a tour company from Bulgaria who had proposed their services to her so that Mayak clients would be taken care of by their company in Bulgaria. Iryna does not have her own buses to transport travelers such a large distance. Thus, to bring tourists from Donetsk to Bulgarian resorts, she needed a high-class Mercedes bus providing the best comfort.

When asked what was included in the price of a tour to Bulgaria, Iryna replied that these were Bulgarian vouchers, that the tickets were issued by the Bulgarian side. During the STI review, the inspectors sent a request to the Izmail Border Guards for a list of tourists who were traveling to Bulgaria from Donetsk. Having carefully examined these lists, the inspectors decided that all the tourists were from Iryna’s travel agency, without having any documentary evidence of this. Whether all of the people on the list of the Izmail border crossing were using the services of Mayak alone was never established. Thus, the review protocol does not include documentary evidence of the fact that the company actually paid less taxes than it owed.

Representatives of the League of Business and Professional Women offered Iryna qualified assistance in preparing a formal complaint to the Investigative Department of the STI in Donetsk. As a result, the criminal case against Iryna was closed for lack of evidence of wrongdoing on her part.

The next phase of protecting her interests was to file a claim with the Oblast Commercial Court in Donetsk to cancel the decision by the STI to fine her.

The efforts of the League’s lawyer, Natalia Savchenko, and the hotline consultant, Svitlana Tkachenko, resulted in a decision by the Commercial Court on April 18, 2003, to review the matter of the claim by Mayak, a travel agency, and to determine invalid the demands of the State Tax Inspection in the Kalinin District of Donetsk for unpaid taxes in the amounts of:

- VAT worth Hr 18,368, of which Hr 14,694 was the tax owed and Hr 3,674 fines;
- corporate profit tax worth Hr 25,185, of which Hr 21,900 was the tax owed and Hr 3,285 fines.

In addition, the court made a decision to recover costs in the amount of Hr 85 from the Customs Service and Hr 118 for informational services from the Kalinin District tax office on behalf of Mayak.

DROHOBYCH RAION (Drohobych, Stebnyk, Truskavets, Boryslav)

Regional Coalition Coordinator: Yevhen Shylnyk

tel.: (03244) 3-74-13

E-mail: shylnyk@dr.lv.ukrtel.net

Citizen advocacy office: (03244) 5-03-55, 3-74-13, 1 Shevchenka sqr, apt. 93

?	Organization	Address	Telephone	? -mail	Head of Organization
1	"Ecology and Law Center"	30/1 Ternavka St., Lviv oblast, Boryslav, 82300	(03248)51423		Oleh Tahayev
2	Center for Regional and Municipal Development	106/21 Nalyvaika St., Drohobych, 82100	(03244)54657		Oleh Zhovnir
3	Drohobych city branch of National League of Ukrainian Women	4/8 Honcharska St., Drohobych, 82100	(03244)37139		Nina Halushko
4	Regional Afghanistan Veterans Union	8 Aleikhima St., Lviv oblast, Drohobych, 82100	(03244)37977, (03244)23776		Oleh Vaichus
5	"Yuriy Drohobych Society"	1 Danyly Halytskoho St. Lviv oblast, Drohobych, 82100	(03244)38418, (03244)50210	cg@dr.lv.ukrtel.net	Volodymyr Kondziolka
6	Youth Parliament	1 Shevchenka Squire, room 51, Lviv Oblast, Drohobych, 82100	(03244)50355		Mariya Nykolayishyn
7	Motorist of Drohobych region	85 Sportyvna St., Lviv oblast, Drohobych, 82100	(03244)30451		Rostyslav Afanasiev
8	Drohobych branch of Committee of Voters of Ukraine	1 Shevchenka Squire, room 51, Lviv oblast, Drohobych, 82100	(03244)50355	Kvu_dr@isp-lviv.net	Bohdan Nykolayishyn
9	"Zlad" Businessmen Union	11a Konovaltsya St., Lviv oblast, Boryslav, 82300	(03248)32214 (03248)51423		Volodymyr Butsiak
10	Pensioners Union	162 Volodymyra Velykhoho St., Lviv oblast, Boryslav, 82300	(03248)50571		Olha Shved
11	Protection of Cultural Heritage Society	9 Drohobytska St., Lviv oblast, Boryslav, 82300	(03248)53097		Oleh Mykulych
12	Charity Fund "Dobrodiy"	28 January 22 nd St., Drohobych, 82100	(03244) 26698	infoblock@ukr.net	Volodymyr Novakovskyyi

Citizen advocacy office opened in June 2002.

Addresses and operating hours:

Drohobych

1 Ploscha Rynok Sq., room 6 (City Council)

tel: (03244) 5-03-55

Thursday, Friday, 2 p.m. – 6 p.m.;

Saturday, 9 a.m. – 12 a.m.;

1 January 22nd St., (Raion state administration)

Tuesday, 9 a.m. – 6 p.m.

1 lawyer + volunteers

Stebnyk

1 Sichovykh Striltsiv St., (City council)

Tuesday, 2 p.m. – 6 p.m.;

Saturday, 10 a.m. – 5 p.m.

Boryslav

14 Volodymyra Velykoho St. (school #7)

Friday, 10 a.m. – 6 p.m.

Truskavets

11 Drohobyska St.

Monday, 1 p.m. – 6 p.m.;

Saturday, 10 a.m. – 6 p.m.

During the reporting period 586 clients were serviced⁵

Hotline stopped functioning since January 2004 by the Coalition's decision

Success story: Legal lessons for City Hall

Just outside the city of Drohobych is an old orchard about 19 hectares in area. Until the end of the 1970's, this orchard belonged to a Drohobych company that was under the Armed Forces. As the Soviet Union began to fall apart and total demilitarization started, this orchard was acquired by a resident of Drohobych, Yaroslav Bihuniak, who wanted to develop his own business there.

Since at that time land was not subject to purchase or sale, Mr. Bihuniak was only able to buy the perennials that grew there, of which there were over 2,000 trees, and a number of buildings on the territory of the orchard. The land was given to Mr. Bihuniak's new cooperative called Gazda [Landlord] for long-term use by the company that managed the piece of land.

Right after this, the executive council of Drohobych's City Hall began to lay claim to the orchard—or, more accurately, to the 19 hectares on which it grew. Their claim was based on plans to build a number of residential buildings on the land. Since this construction was going to be carried out by private builders, each of whom would have from 6 to 10 *sotky* [hundredths of a hectare], the executive council's argument was fairly persuasive: around 200 Drohobych families would be able to improve their living quarters. For that reason, the orchard was included in the overall plans to develop the city.

Immediately after this, the executive council began to mark off plots in the orchard, although it actually belonged to a cooperative. The division of land was accompanied by the cutting down of fruit trees on more than 2 hectares of land. At a certain point, the executive began to go after the cooperative itself and passed a decision to close down the company. But when the cooperative appealed to a court of arbitration, the council's decision was declared illegal. This was in 1992.

The shortage of land had been a problem in Drohobych for some time and rumors began to circulate that, in order to become the owner of a plot of land, you had to pay \$2,000. Only with this kind of "contribution," the word was, would someone have a chance of getting a piece of land, "in the orchard" as locals put it. If the executive council succeeded in taking the orchard away from Gazda, 200 residents would be able to pay it \$400,000. For this kind of "slice," it was worth sucking the blood out of Gazda for a very long time, indeed.

And so the story went on. Despite the court's decision, the executive council passed a second

⁵ These numbers reflect the reporting period of May – August 2004.

decision to shut the cooperative again. Mr. Bihuniak learned about this completely by accident, when he went into his bank to do some business. The court of arbitration once again determined the executive council's decision illegal. Moreover, it satisfied the cooperative's counterclaim by obliging the executive council to set aside a piece of land of 18.9 hectares that would be handed over for permanent use to the cooperative. This included the 2 hectares with new buildings, as the distribution of land plots to private builders was also declared illegal by the court. This was in 1993.

Following the court's decision, the cooperative prepared documents for permanent use of the land. But this was not the end of the tale for Gazda.

In 1994, the executive council passed a decision allowing local residents to make hay in the orchard that belonged to the cooperative. After counting up the damage that resulted, the cooperative once again turned to the courts to sue the executive council for 9 million karbovantsi [worth only about \$90, but equivalent to about a year's wages at the time]. The court returned a positive decision.

In 1995, the cooperative was reorganized into a small private enterprise with the same name. The executive council now tried to shut down this company, too, and to launch a criminal case, claiming that the owners had falsified their statutes. But, at the last minute, the case was closed and the decision to shut down the company was dropped—by the executive council itself this time.

In 1996, a road was begun through the orchard, as a result of which the company suffered losses that MPP Gazda valued at Hr 5,000 [about \$2,700 at the time, or more than 5 years' wages]. The court of arbitration once again satisfied the claim and demanded that the executive council pay out damages in full. It took two years for the decision to be carried out.

Once the new Land Code came into effect, and the Law on Farm Holdings, the company was forced to change its legal form to a farm holding and to specify what it was using the land for. Knowing about the citizen advocacy office run by the Partnership for a Transparent Society, Yaroslav Bihuniak turned to their lawyers for assistance. In June 2003, with the help of the Partnership, the reorganized farm holding appealed to the executive council with a request for a State Land Act to give it clear ownership of the land. The council sat on its hands and did nothing about the application. Understanding that they had every chance of winning the case and having enough experience at this point, Gazda turned once again with a claim to the Commercial Court, which once again satisfied the claim and demanded that the executive council prepare and issue an Act granting the right of ownership to the piece of land.

This story, which had dragged on for over 10 years, was certainly not without its bad moments, which simply underscored the inactivity and self-interest of elected officials in such situations.

Pearls of wisdom

The first and funniest pearl was that, having lost one court case, in other words, having lost 19 hectares of good soil or whatever profits might have been had from it, the city mayor nevertheless filed a second suit, implying that the judge failed to make a decision in the interests of the people of Ukraine.

The second pearl, and no less funny, was that when Mr. Bihuniak turned to one highly-placed official in the Land Resources Department, to try to determine when he would be able to get the necessary plans for his piece of land as required by the court, the official responded: "Never. Because this is against nature." So the paper was issued by a government bureaucrat instead of the administrator in the Land Resources Department.

The third pearl was a pathetic one. Having challenged the legality of the farm holding called Gazda, which had been registered by the executive council itself, the council proceeded to refer to a Law that had been out of effect for over a year already.

There was only one incident, and at that a very intriguing one. After the court deemed the distribution of land plots in the orchard to private builders illegal and required an adjustment of the cadastral documents, it turned out that more than ten new buildings had already been placed on Gazda's farm holding.

Afterword

Four mayors took on Mr. Bihuniak in order to take away his orchard, where he was successfully growing apples, keeping bees and raising goats. One of them twice became mayor and never let go of the idea of proving to Mr. Bihuniak that the orchard was not his. Yet the executive council lost six commercial court cases, learning one key legal reality in the process: in an independent Ukraine, the right to private property is becoming inviolable.

STRYI (Mentor site of the Drohobych NGO coalition)

Coordinator – Natalia Svirchevska

Tel: (03245) 5-32-00

CAO: (03245) 5-32-00

?	Organization	Address	Phone	e-mail	Contact person
1	Charity Foundation "To Children of Stryi Region"	71/17 Shevchenka St., Stryi, 82400	(03245)5-32-00		Stepan Yasenytskyi
2	City organization "Union of Ukrainian Women"	8 Narodna St., Stryi, 82400	(03245)5-80-11		Maria Chornonyska
3	"Chervona Kalyna", PLAST squad	8 Narodna St., Stryi, 82400	(03245)5-95-98	chervonakalyna@yahoo.com	Lidiya Myskiv
4	"Ukrainian Perspective" Center	30b/23 Krasivskoho St., Stryi,	(03245)5-15-30		Andriy Levus
5	Stryi raion Association of Ukrainian Youth	4 Olesnytskoho St., Stryi, 82400	(03245)5-03-80		Petro Salish

KAMIANETS-PODILSKY

Regional Coalition Coordinator: Ihor Lepioshkin

tel.: (03849) 3-08-55

E-mail: pvkp@kp.km.ua

Hotline: (03849) 2-51-75

Citizen advocacy office: (03849) 2-51-75

?	Organization	Address (32300 Ukraine, Khmelnysky Oblast)	Phone (area code: (03849)	e-mail	Contact person
1	“Party of Kamianets-Podilsky Renaissance”	31 Lesi Ukrainky St., Office 302, 303? Kamianets-Podilsky	3-56-82 3-08-55	pvkp@kp.km.ua	Ihor Lepioshkin
2	Khmelnyskyi Oblast Committee of Voters of Ukraine	4 Soborna St., Kamianets-Podilsky	3-64-37	office@kvu.kp.km.ua	Yuriy Anufriyev
3	Social Service of Kamianets-Podilsky	10 Zarvanska St., Kamianets-Podilsky	3-64-37		Vira Shpyliova
4	Education Policy Center	96a Pivnichna St., apt. 102, Kamianets-Podilsky	5-14-10	Osv_politika@mail.ru	Oleh Demchyk
5	“Journalist Initiative”	1 Vidrodzhenya Squire, Kamianets-Podilsky	5-06-40		Petro Polischuk
6	ECOTOUR	31 Lesi Ukrainky St.? Kamianets-Podilsky	2-71-18		Volodymyr Kyrychenko
7	Women for Democratic Society	18 Pryvokzalna St., Kamianets-Podilsky	3-50-80		Liudmyla Yablonska
8	“Antityahanyna/Against Bureaucracy” city committee	9 Pyatnytska St., Kamianets-Podilsky	2-31-16		Alice Tykholiz

Citizen advocacy office opened in May 2003

Address and operating hours:

Kamianets-Podilsky, 38 Lesi Ukrainky St.,

Monday – Friday, 10 a.m. – 5 p.m.

2 lawyers

Shepetivka CAO functions from March 2004

6 Ostrovskoho St.

Monday – Friday, 9 a.m. – 5 p.m.

During the reporting period 1073 clients were serviced⁶

Hotline functions from May 2003 (38 Lesi Ukrainky St.)

Telephone: (03849) 3-08-55

Operating hours: 10 a.m. – 5 p.m.

2 operators

During the reporting period 1057 calls were processed⁷

⁶ These numbers reflect the reporting period of May – August 2004

⁷ These numbers reflect the reporting period of May – August 2004.

Success story: We'll be warm without the Podilskiy heating plant

A man named Vasyl Olynets one day turned to the CAO of the Kamianets-Podilsky Coalition of the Partnership for a Transparent Society program. He wanted help to defend his rights and legitimate interests.

The problem was that he had been turning to Kamianets-PodilskTeploKomunEnergo over two years about disconnecting his apartment from the centralized heating system and providing him with the necessary technical conditions to install an independent gas heating system. Yet the company kept groundlessly refusing his perfectly legitimate requests.

The company argued that it was turning his request down based on a letter from Derzhbud Ukraine dated Dec. 14, 2001, N°3/12-357. The requirements of Point 6.34 DBN V 2.5-20-2001 "Gas provision," which allowed the installation of a gas fireplace, convector, radiators and other kinds of gas-based factory-made heating equipment for heating buildings up to and including 10 stories, extended only to new buildings and reconstructed residential blocks if individual heating was installed in every apartment in the building.

At the request of the Anti-Monopoly Committee, Derzhbud Ukraine confirmed that it did not oppose the possibility of installing independent gas heating systems in apartments in multiple-unit buildings.

The installment of individual gas heating systems is regulated by DBN V 2.5-20-2001 "Gas provision," SNIP 2.08.01-89, "Zhylyozdannia," with recommendations for planning roof-based built-in or add-on furnace systems and the installation of residential heat generators that work on natural gas.

The administrative group of the Khmelnytskyi oblast department of the Anti-Monopoly Committee deemed illegal the actions of Kamianets-PodilskTeploKomunEnergo in refusing to allow individual customers to disconnect from the central heating system. In their Decision N°28RT of Dec. 1, 2003, they also declared that these actions violated legislation that protected competition, the Law on Protecting Commercial Competitiveness, and placed obstacles before buyers who wanted to get out of the market.

For violating the Law protecting commercial competitiveness, Kamianets-PodilskTeploKomunEnergo was fined Hr 2,000 [under \$400]. Regardless, the company sent letter N°5033 of Dec. 3, 2003, as a formal response to Mr. Olynets, in which they argued that cutting his apartment out of the central heating system would spoil the balance of heating in neighboring apartments.

According to Point 9, "Rules for Supplying Water, Heating Services and Sewage" in Cabinet Resolution N°1497 of Dec. 30, 1997, amended May 15, 2003, when a customer decides they don't need the company's services in water, heating or sewage, they have the right to cancel their contract and demand the disconnection of the appropriate piping from the heating system.

There was no actually no contract between Vasyl Olynets and Kamianets-PodilskTeploKomunEnergo, and he had no intention of signing one or paying for services, about which he notified the company.

On Dec. 30, 2003, the CAO prepared a claim against Kamianets-PodilskTeploKomunEnergo to be filed in court so that the company would provide the necessary technical conditions to disconnect Mr. Olynets's apartment from the central heating system—and to pay him compensation for the aggravation they had caused him.

In the courtroom, the company's representative refused to recognize the legitimacy of Mr. Olynets' request, explaining that it was impossible disconnect his apartment from the central system. He said it could lead to "hydraulic deregulation" of internal heating equipment, to greater heat loss in the heating system, to lower efficiency in the pumps, to a negative impact on the level of heating in neighboring apartments, and more.

These reasons the judge deemed groundless and on Feb. 10, 2004, Mr. Olynets's claim was satisfied: the company was forced to provide Mr. Olynets with the necessary technical conditions to disconnect his system from the central heating system, to actually disconnect it, and to pay him Hr 300 in compensation.

Success story: A building saved, costs recovered

Oleksandr Protsiuk, who lives at #1 on vul. Vodopianova in the city of Kamianets-Podilskiy, for a long time couldn't resolve the issue of how to do major renovations in his building, which was collectively owned by the Khmelnytskyi oblast council. The building had been handed over to Kharchovyk, the Kamianets-Podilskiy Food-Processing Plant, which was also collectively owned by the oblast council.

The building was more than 100 years old and had never undergone major renovations. In 2002, a building commission came to the conclusion that it was time to strengthen the wooden beams under the building's stairs. But when residents made an appeal, no one responded, although all the officials to whom Mr. Protsiuk turned sympathized and even wanted to help. Everything ended in people just shrugging it off: "I'd love to help, but we don't have enough money for everything."

Meanwhile the director of the Kharchovyk plant, Nina Bereznitska, sent Mr. Protsiuk a letter №188 dated Nov. 13, 2003, where she informed him: "Renovations of the residential building at vul. Vodopianova №1A, which is on the balancesheet of the factory, cannot be completed because applications from the residents of this building for permission to privatize their apartments are in the process of being reviewed at the moment."

The appeal by the building's residents to the owner about privatizing their apartments was dated 1996. But to this day, the issue had not been resolved. Thus, Ms. Bereznitska's letter was somewhat disingenuous.

In August 2003, Mr. Protsiuk turned to the specialists at the Kamianets-Podilskiy coalition's CAO, which then prepared his materials for the courtroom. As defendants, the case included Kharchovyk, a collectively owned company, the Kamianets Food Processing Plant, and the Khmelnytsk oblast council, since each of them considered themselves not responsible and kept passing the buck for providing living quarters to the next instance.

Mr. Protsiuk demanded compensation in the amount of the value of the works carried out, Hr 3,891. Since the two companies and the oblast council could not agree among themselves who was responsible for renovating the building, Mr. Protsiuk had repaired the stairs and doors, painted the walls and carried out other work at his own cost.

The court date was delayed several times as the representative of the Khmelnytskyi oblast council kept ignoring his summonses.

On March 24, 2004, the CAO turned to the head of the Khmelnytsk oblast council, Anatoliy Ovcharuk, with a plea to make his representative show up in court or to delegate the task of representing the council in the court to a local government body.

When the CAO lawyer appealed, the deputy head of the council, Volodymyr Tsyts, sent letter №639/01-15 of April 20, 2004, stating: "The oblast council has given the Kamianets-Podilskiy municipal court a well-grounded written explanation as to why our council cannot be party to the civil case filed by Mr. O.B. Protsiuk."

Regardless of this, on April 28, 2004, the court, having examined the case, decided to recover from the council in favor of Mr. Protsiuk in the amount of Hr 3, 891.

KHERSON

Regional Coalition Coordinator: Natalia Bimbiraite

tel.: (8 0552) 24-60-03, tel./fax: (8 0552) 26-50-39

? -mail: bimbirayte@u21.org.ua , pivden@tlc.kherson.ua

Hotline: (0552) 24-60-03

Citizen advocacy office: (0552) 24-60-03, 2 Frunze St., office 19, Kherson, 73000

?	Organization	Address	Telephone Area code (0552)	? -mail	Head of Organizatio n
1	Kherson oblast Health and Charity Foundation	2 Frunze St., office 24, Kherson, 73000	24-60-03	fmz@tlc.kherson.ua	Alla Tiutiunnyk
2	Kherson City Journalists' Association "Pivden"	18 Lenina St., Kherson, 73000	42-47-94	pivden@tlc.kherson.ua	Andriy Matrosov
3	Kherson Regional Protection of Consumers Rights and Interests Society	11 Lavreniova St., Kherson, 73000	29-23-00	han@public.kherson.ua	Valeriy Avilov, Vitaliy Nikitenko
4	Kherson regional branch of Union of Auditors of Ukraine	3/33 Tekstylnykov lane, Kherson, 73000	32-05-51, 51-44-57	agarant@tlc.kherson.ua	Valentyna Sichova
5	Committee of Voters of Ukraine, Kherson regional organization	5 Deviatoho Sichnya St., room 62, p/o box 13 Kherson, 73000	26-33-85	maxim@sena.kherson.ua	Dementiy Byelyi
6	Kherson City Center of Youth Initiatives "Totem"	2a Molodizhna St., Kherson, 73000		totem@public.kherson.ua	Olena Afanasiyeva
7	Nova Kakhovka Council of Ukrainian Preservation Society	22 Vokzalna St. Kherson oblast, Nova Kakhovka, 73000	(05549) 5-36-61, 7-28-92	Vitalya@nkah.hs.ukrtel.net	Taisaya Kozak
8	Kherson NGO "Public Institute of Local Government Development"	112 Marksa St., rooms 15,16 Kherson, 73000	42-28-04	zhitchenko@business.kherson.ua	Ihor Zhytchenko
9	Kherson regional branch of "Atlantic Council of Ukraine", Association for International Cooperation	25a Sorok Deviatoyi Hvardiyskoyi Dyviziyyi St., p/o box 38 Kherson, 73039	32-69-33	constant@public.kherson.ua	Volodymyr Korobov

Citizen advocacy office opened in June 2002.

Address and operating hours:

Kherson, 2 Frunze St., office 24

Monday – Friday, 10 a.m. – 3 p.m.; 3 p.m. – 6 p.m. – processing of documents

3 lawyers

Nova Kakhovka CAO

Address and operating hours:

74900, Nova Kakhovka, 25 Pershotravneva St.

Monday, Wednesday, Friday, 10 a.m. – 4 p.m. – consultations

Tuesday, Thursday, 9 a.m. – 4 p.m. – processing of documents

During the reporting period 836 clients were serviced⁸

⁸ These numbers reflect the reporting period of May – August 2004

Hotline functions from June 2002 (2 Frunze St., office 24)
Telephone: (0552) 24-60-03
Operating hours: 9 a.m. – 6 p.m. (Monday – Friday), 2 consultants
During the reporting period 291 calls were processed⁹

Success story: Hr 3,000 for violating the Constitution

When a raid brigade from the Kherson Local Power Grid (XMEM) arrived to check Mykola Lozovskiy's domestic electrical system, only his 12-year old daughter Dacia was home.

The XMEM workers knocked at the door and the girl asked, "Who's there?" They identified themselves. From behind the doors, the girl answered that her parents weren't home and she knew nothing about an inspection. She also said that she was forbidden to open the door for strangers.

The XMEM men began to hammer on the door with their fists, to the point that the latch broke open and they were able to enter the private residence without permission. This was a violation of the Constitution, which guarantees the inviolability of a person's home.

The girl decided that bandits had broken into her home and became very frightened. Her anxiety seemed to have no effect on the men, who began to search the apartment. They prepared a protocol №114711 dated Feb. 28, 2004, about the seal on the meter being broken (supposedly the seal had not been placed by XMEM employees), and forced the underage Dacia (!) to sign it. The XMEM Commission reviewed the protocol and determined that Mykola Lozovskiy to pay a fine for having violated the rules for using electricity.

Based on a claim filed by Mr. Lozovskiy, the Komsomolskiy District Prosecutor's Office began an investigation, determined the actions of the XMEM workers illegal, and sent their management a resolution. The scandal blew open. On April 2, 2003, XMEM management issued Order №110 to take the guilty workers to a disciplinary hearing, while a commission made an immediate decision to cancel the additional sums claimed against Mr. Lozovskiy.

However, Dacia's parents were unsatisfied with such a vague punishment for the men who had caused their daughter's health to deteriorate and her nervous system to be taxed. In July 2003, they turned to the Kherson Coalition's CAO with a request to be represented in lawsuit for moral damages. In court, Ivan Shum, the lawyer for the Kherson Municipal Human Rights Association, was appointed by the Coalition to represent the interests of Iryna and Mykola Lozovskiy.

On Feb. 11, 2004, a judge of the Suvorov District Municipal Court of Kherson turned down the request for moral damages in the case, basing his argument on the fact that there was no direct evidence that the child's health was tied with the illegal entry of the XMEM brigade. All the members of the Coalition who knew about the story were amazed by the "humane" response of the judge to the local monopolist. The refusal was appealed to the Appellate Court of Kherson Oblast.

On June 2, 2004, the college of judges of the Palace of Justice of the Appellate Court, including I. Kapitan, V. Chervonenko and A. Kolysnychenko, overturned the decision of the lower court judge and made a new judgment: "The demands of Iryna and Mykola Lozovskiy were to be partly met. VAT KhersonOblEnergo was to pay moral damages in the amount of Hr 1,500 to the benefit of M. Lozovskiy and in the amount of Hr 1,500 to the benefit of I. Lozovska." The judge also acknowledged the Constitutional violations of the XMEM workers and their violation of consumer rights because of actions that caused health problems in their daughter, a minor.

⁹ These numbers reflect the reporting period of May – August 2004.

Success story: Towers built on sand

In March 2004, 23 residents of the town of Nova Kakhovka showed up at the door of the Partnership for a Transparent Society CAO. They explained that everybody in their town who wanted to was just taking sand from communal territory for their own building purposes, without the permission of City Hall. Not only was this affecting the city's economy, because not a penny was going into the budget, but the environment was being affected: the town's natural filter was gradually being reduced and this affected drinking water. In addition, sand was being dug out near high-power pylons by the filtration plants, creating additional danger for these structures.

Having studied the problem, the CAO's staff determined that, back in 2001, the Nova Kakhovka Mayor had signed Resolution N°538-r about the realization of a "Program for ecological and economic development in the City of Nova Kakhovka." This program clearly states: "Collecting soil can only be done with the specific permission of the municipal executive committee."

This was very strange that neither the City Health Department, nor the Ecological Service, both local and regional, had ever responded to the complaints of locals, while City Hall responded rather bizarrely. On March 18, 2004, at the XXII session of the XXIV convocation, deputies adopted Resolution N°617 to permit TOV Olesia, a private company, to remove sand from the territory of the city...to reinforce the Kakhovka HES. Moreover, deputies seemed unconcerned about what would happen in the places where Olesia removed all the sand (one can only imagine how much might be needed to support a hydroelectric station). What kind of potholes would be left all over the city?! The strange thing was that not one deputy demanded to see a plan for recultivating the pieces of land—because then they would have seen that there was no such documentation.

This was at this point that the upset citizenry showed up at the Partnership for a Transparent Society's CAO. The CAO specialists sent a letter to Ecology Minister S. Poliakov. The Ministry was stirred and sent a response: "By a resolution of the State General Inspector for Ecology of Kherson oblast, dated April 5, 2004, N°08-8/304, the work of removing sand is temporarily halted. Documents canceling Resolution N°617 of March 18, 2004, have been sent to the Kherson Oblast Prosecutor's Office. Private individuals who have been digging sand without permission near filtration plants in the city of Nova Kakhovka will be administratively disciplined."

Here, the director of the Kakhovka Inter-county Ecological Inspection also issued a memo limiting access to the now off-limits sand quarry.

Rights advocates were happy about their victory, but did not stop there. They have continued to keep an eye on activities around the quarry—and on local deputies, so that they don't make any more decisions that are harmful to the city.

LUBNY

Regional coordinator: Volodymyr Velychko
tel.:(05361) 7-15-24
E-mail: volonter@poltava.ukrtel.net

Hotline: (05361) 7-15-25
CAO: (05361) 7-15-24, 5a Dostoyevskoho St.

?	Organization	Address (37500, Poltava oblast, Lubny)	Telephone	? -mail	Head of organization
1	National Committee of citizens' rights protection (Lubny branch)	8 Komsomolska St., Zasullia village, 37552, Lubny raion	7-15-24	volonter@poltava.ukrtel.net	Mykola Shevchenko
2	Lubny Women's Club "Ty ne odna/You are not Alone"	21 Gagarina St., Voynykha village, 37554, Lubny raion	7-15-24	volonter@poltava.ukrtel.net	Liubov Kolinko
3	Lubny center for countryside recreation	1b Lenina St., Berezotocha village, 37535, Lubny raion	9-01-57	volonter@poltava.ukrtel.net	Oleksandr Sereda
4	Committee of Voters of Ukraine (Lubny city branch)	31 Initsiatyvna St., Lubny, 37506	7-15-24	volonter@poltava.ukrtel.net	Tetiana Darnopykh
5	"Euroclub-Lubny"	16 Chkalova St., room 10, Lubny, 37502	7-24-63		Viktor Novikov
6	Regional center for economic research and business development	12 Radianska St., Lubny, 37500	7-27-47	FondLubny@yandex.ru	Ruslan Shcherbakov
7	Lubny charity and informational bulletin "PAR-KAN"	48 Lisna St., Pisky village, 37551 Lubny raion			Volodymyr Velychko
8	Ukrainian culture foundation (Lubny department)	66 2nd Pliutenytsia St., Lubny, 37506			Viktor Yuriyevych
9	Lubny department of Poltava media-club	48 Komsomolska St., room 47, Zasullia village, 37552, Lubny raion	9-24-48		Volodymyr Bezchasnyi

Organizations, representing mentor sites of the Lubny NGO coalition (Kobeliaky and Hlobyne):

10	Kobeliaky raion organization of consumers	85 Shchorsa St., Kobelyaky, 39200	(39200) 3-14-74	Oleg_bezkibalniy@rambler.ru	Mykola Klymenko
11	National Committee of citizens' rights protection (Hlobyne branch)	61 Pochynka St., Ustymivka village, 39074	(39074) 3-16-65	globino@kremen.ukrtel.net	Mykola Zaroza

Citizen advocacy office opened in February 2003

Address and operating hours:

Lubny, 5a Dostoyevskoho St.,

Monday, Wednesday, Friday, 9 a.m. – 5 p.m.

1 lawyer

During the reporting period 287 clients were serviced¹⁰

Hotline functions from May 2003

5a Dostoyevskoho St.,

¹⁰ These numbers reflect the reporting period of May – August 2004

Telephone: (05361) 71-524
Operating hours: 9 a.m. – 5 p.m.
1 operator

During the reporting period 157 calls were processed¹¹

Success story: Real help for local land owners

Attitudes toward land have always been very specific in Ukraine. In this sense, Lubny, as a well-known agricultural region, has a particular meaning. Since time immemorial, farmers have been putting their hearts and souls into the land, which provided them with shelter and food and was probably their main means of survival. Soviet times, during which no one was the owner, came to an end. Yet to this day, it's not that simple to become a full-fledged private owner of your own—not someone else's— land in Lubny!

In March 2003, the villagers from Krutiy Bereh in Lubny region turned to the Lubny Coalition CAO under the regional Partnership for a Transparent Society program. S. Suprun, H. Suprun, S. Suprun, O. Gulega, M. Gulega, A. Gulega, A. Onyshchenko, E. Shpyl, and V. Prokhoda wanted help dealing with the arrogance of officials in the Lubny County State Administration, which for two years had refused to issue State Acts for private ownership of land to replace Certificates of the Right to A Plot of Land (share) for private tillage. The Land Resources Department of the Lubny County State Administration kept finding excuses to turn them down. In fact, the reason was fairly clear: dragging out the transfer of property into private hands could prevent the development of private farmsteads among village dwellers. These events all took place at the start of spring—when land is being ploughed and not a moment can be wasted in order to have the long-awaited good harvest in the fall.

Volunteers from the Lubny NGO coalition drove out to the village council in order to help resolve this problem. Unfortunately, the councilors only shrugged their shoulders, announcing that they had no power to decide this problem. This, they said, was the prerogative of the Land Resource Department of the Lubny County State Administration. In their turn, those officials blamed the Land Resource Administration of Poltava Oblast.

Thanks to the Coalition's volunteers, who got through to the Land Resource officials at the Poltava Oblast Administration, there was an answer. All the documents pertaining to private ownership of the land of these farmers were prepared and sent off to Lubny. The reason for all the abuse was the local officials. The volunteers could do little except to appeal with their complaint to the head of the Lubny County State Administration, Oleksandr Hrytsayenko, about the deliberate refusal to work of both the city council staff, as well as the Land Resources Department of the Lubny County State Administration.

After these active interventions by representatives of the Lubny Coalition of the Partnership program in a deliberate situation set up by bureaucrats who refused to do their job, the managers of the county administration finally turned their attention to the god-forsaken village of Krutiy Bereh. There were discussions with the villagers. The head of the County State Administration himself organized a trip to the village to meet with people. There was even a special concert for local residents.

Justice won out. In May 2004, the most active villagers in Krutiy Bereh received their State Land Acts granting them private ownership of their land, which made it possible for families to establish their own farmsteads and to work independently on their own, private land. This case became a great example of defending your rights for other villagers who possibly were only dreaming of their own farm holdings.

¹¹ These numbers reflect the reporting period of May – August 2004.

LUHANSK

Regional Coalition Coordinator: Dmytro Kalitventsev

Hotline: (0642) 55-33-07

Citizen advocacy offices:

Luhansk: 38 Parkhomenko Town, tel.: (0642)55-33-07

Krasnodon: 8 Lenin Squire, hotel "Ukraine", office 318, tel.:(06435) 2-30-60

Krasnyi Luch: 47 Magistralna St., office 5, tel.:(06432) 2-20-35, 9-45-00

?	Organization	Address	Telephone	e-mail	Contact person
1	Employees and Owners Association	Independent Miners Union at M. Barakova coalmine, Ukraine, Luhansk Oblast, Krasnodon, 94400	(06435) 2-79-47, 2-71-21		Hryhoriy Tkach
2	Independent miners' union (Barakova coalmine)	Barakova coalmine, Luhansk Oblast, Krasnodon, 94500	(06435) 2-71-21, 2-79-47		Dmytro Kalitventsev
3	Democratic Forces of Luhansk Region Association	38 Parkhomenko Town, Luhansk, 91053	(0642) 53-14-39	seagull@cci.lg.ua	Serhiy Morozov
4	"Solma", Luhansk Committee of Soldiers' Mothers	10 Gradusova St., apt. 909, Luhansk, 91053	(0642) 55-33-07, 49-98-85		Sofia Bykova
5	Barakov coalmine newspaper	Independent Miners Union at M. Barakova coalmine, Luhansk Oblast, Krasnodon, 94400	(06435) 2-71-21		Oleksandr Kramarenko
6	"Luhanski Obyavy – plus" newspaper	90 Sovietska St., apt. 21 editorial office, Luhansk, 91053	(0642) 53-14-39	seagull@cci.lg.ua	Valery Tyushniakov
7	Public committee of protection of citizens' constitutional rights and freedoms	8 Marksa St., apt. 3, Luhansk Oblast, Krasnyi Luch, 94500	(06432) 4-09-68		Volodymyr Kolesnikov
8	"Chaika/Seagull", Luhansk regional civil rights protection organization	38 Parkhomenko Town, p/o box #76, 91053, Luhansk	(0642) 55-33-07	seagull@cci.lg.ua	Larysa Zalyvna

Luhansk regional NGO coalition has established 3 CAOs in Luhansk, Krasnyi Luch and Krasnodon.

Luhansk citizen advocacy office opened in March 2003

Address and operating hours:

Luhansk, 38 Parkhomenko district

Telephone: (0642) 55-33-07

Monday, Wednesday, 10 a.m. – 6 p.m.;

Friday, 10 a.m. – 5 p.m.;

Saturday, 10 a.m. – 4 p.m.

6 lawyers

Krasnodon citizen advocacy office opened in March 2003

Address and operating hours:

Krasnodon, 8 Lenina St., apt. 318

Telephone: (06435) 2-30-60

Monday – Friday, 8 a.m. – 4 p.m.;

Saturday, 8 a.m. – 1 p.m.

Krasnyi Luch citizen advocacy office opened in March 2003

Address and operating hours:

Telephone: (06432) 2-20-53, 9-45-00

Krasnyi Luch, 47 Magistralna St., office 5

Monday, Tuesday, Thursday, Friday, 8 a.m. – 2 p.m.;

Saturday, 10 a.m. – 2 p.m.

3 lawyers

Luhansk coalition's CAOs assisted a total of 752 clients¹²

Hotline functions from March 2003

38 Parkhomenko district

Telephone: (0642) 55-33-07

Operating hours: 9 a.m. – 6 p.m. (Monday – Friday); 10 a.m. – 10 p.m. (Saturday)

2 operators

During the reporting period 122 calls were processed. ¹³

Success story: Getting the Mining Law to work

Ukraine's Mining Law affects nearly 500,000 people across the country. It includes Article, 43, that regulates the free distribution of coal to heat the homes of miners. Where miners have centralized heating, they are to have free use of other kinds of energy: gas and electricity. This system is common to many countries. For instance, Germany's huge coal industry is almost as big as Ukraine's and it provides every miner's family with free energy resources equivalent to 7 t of coal, where the value of a single tonne is nearly DM 270. In Ukraine, each miner's family has a right to the equivalent of 5.9 t per year. The value, of course, is much lower, but for the family budgets of these miners it means a saving of over Hr 1,000 per year.

In a situation where wages are chronically unpaid and arrears are huge, regressive and other social payments are a significant support for miners, especially for families of invalids and those who have been killed.

The practice of providing miners with free coal for basic needs, the same way as providing train conductors with free train travel once a year, has existed for a long time, even during the hardest times for this society, during the crisis of 1922, during WWII and its aftermath. And there was always enough coal to go around, even though, then, this source of heating was not much complemented by gas or central heating. In our times, the practice of free coal for miners is enshrined in the Mining Law that was passed at the end of 1999.

But after its adoption, the situation grew worse and Art. 43 for some reason wasn't being carried out. Instead, other articles that involved handing out penalties to miners, were. The norms in one of these, Art. 51, which gave the Coal Administration the right to fine miners, such as forced transfer to lower-paying work, had to be cancelled. On the other hand, other parts of the law, which would have provided some social guarantees and subsidies, the Coal Administration and local governments stubbornly ignored, claiming that there was no means of enacting them. This was with particular reference to Art. 43, 48 and other statutes of the Mining Law.

Still, the mechanisms for carrying out, say, Art. 43, are indicated in the actual law: the mine is to provide the miner with free coal and, where the miner has centralized heating, it is to pay a certain amount into the town budget to cover the cost of the person's gas and electricity. Regardless, in the race for illegal gains, the residential services of mining towns, with the help of

¹² These numbers reflect the reporting period of May – August 2004

¹³ These numbers reflect the reporting period of May – August 2004.

the coal companies, began to demand payment from the miners for their heating, gas and electricity. They felt no compunction about considering the miners their debtors, going so far as to cut off electricity and gas in some cases.

Precisely because of this vicious circle and the refusal of those responsible to carry out the letter of the Mining Law, some mining towns—towns where fuel is being extracted—have remained without heating in the winter, with frozen piping, no electricity. This dreadful state of affairs lasted several years.

Mine management also tended to manipulate the articles of the Law, which placed the miners in an unfair position. Some families were getting free coal, whereas others were not being compensated for their fuel outlays. Some miners who hadn't paid for their electricity, heating or gas were even taken to court.

One member of the Luhansk Coalition of NGOs under the Partnership for a Transparent Society program, the Barakov Independent Coalminer's Union, led by the head of the union's Executive Office, Dmytro Kalitventsev, began to lobby the Luhansk oblast council about the application of Art. 43 of the Mining Law. Proposals to provide detailed interpretations of the proper application of this article (such as set-asides in the Budget to cover compensation to miners) went through the council sessions several times to the Cabinet of Ministers and received the reply that the proposals were appropriate and would be enacted. Luhansk Governor O. Yefremov appealed the issue to the appropriate government instances, even to the president himself. The Cabinet even confirmed that payments to residential services for coal (or the equivalent in gas or electricity) were to be covered by the mining company to whom the particular employee or one-time employees who still reside in that company's town or settlement belonged.

The miners themselves were also involved in resolving the problem. For instance, in Krasnodon, more than 7,000 signatures were gathered to support the application of the Mining Law. In response to appeals by local miners who were elected deputies, the Prosecutor's Office was also engaged to oversee the legality of government actions at the local level. In session after session, the Krasnodon City Council adopted decisions to ban cutting off the heating, gas or electricity to miners' homes who were illegally treated as debtors by the communal service providers.

Given that the application of Art. 43 was ignored by many mining companies, the Luhansk Coalition member in Krasniy Luch, lawyer Volodymyr Kolesnikov, using all the previous determinations gained by the coalition, was able to help one retired coalminer, Vadym Kudlai, file a suit against Donbas Antratsyt, a state enterprise, and its local division, the Krasna Luchska mine. The claim demanded that the mine pay Hr 527 for payments he had made for his electricity from November 2000 to October 2003, based on the receipts the miner had to confirm his payments. The court decided in favor of the miner. The decision was handed over to the Executive Service.

The Administration decided to appeal the decision. However, the appeals court left the decision as it stood. The case is now in the Supreme Court, although even that court will not be able determine anything other than the proper application of the Mining Law, which protects the rights of miners.

Winning a suit against the Coal Administration was a significant victory for the miners and for the Law.

With the support of the Luhansk Coalition, miners intend to launch a number of other suits in court, including against members of the Cabinet of Ministers who are guilty of delaying the preparation of mandatory documents.

The Luhansk Coalition has strengthened the position of the local community in its battle to get the Mining Law applied by also establishing contacts and cooperating in this direction with an NGO involved in developing local initiatives in the town of Yunokomunariivsk (the city of

Yenakievo, Donetsk). This organization has also been lobbying for the application of the Mining Law. Rights advocates have joined forces with the unions and mining deputies to continue to push for the proper and full application of the Mining Law. The legal battle goes on.

Success story: Scared of the European Court

Heavy industry is heavy precisely because workers in these industries have huge loads and work under harmful, difficult or dangerous conditions. Every year, there are 5,000 accidents and work-related illnesses at Luhansk enterprises. Nearly 1,500 of those who are involved become permanently disabled.

What does it mean to be permanently disabled? This means that, as the result of an accident or a work-related illness, a person's health is damaged, and thus their ability to work at their usual place of employment and be paid for it. This kind of person is therefor compensated by the state through a supplement that makes up the difference in pay. In most mining towns, a large part of the population are permanently disabled. For instance, in Krasnodon, where one of the Luhansk Coalition CAOs operates, for every 22,000 active mine workers, there are 7,000 permanently disabled workers. In Luhansk oblast, claims for the permanently disabled amount to Hr 16mn annually. Delays or failures to pay these claims always cover diversions of the allocated funds or even embezzlement. Thus, the timely payment of disability claims is an important way to close off yet another channel for the corrupt distribution of state funds.

Donbas miners have gone through a very difficult period, when arrears for wages and social benefits reached mass scales. The reduction of barter operations since 2000 has somewhat drawn the mining sector out of the shadow economy, and miners have begun to get real money. Still, disabled miners continue to wait for their benefits arrears to be paid out. This is a gross violation of human rights. The unions believe that all the disability claims can be paid out.

Rights advocates in the Luhansk Coalition have become involved in a legal solution to these arrears through the courts. The courts are finding in favor of miners across the board. But the old state machine is still in place, and it knows how to turn everything against the average citizen, violating the Constitutional principle of equality of forms of ownership in Ukraine. If the state owes money, then all kinds of bureaucratic tricks are used, including bankruptcy, which puts a moratorium on paying debts, in order not to return the money it owes to its citizens. Instead, this money gets divided up among corrupt groupings.

Yet another perversion is almost officially sanctioned non-enforcement by government bodies of court decisions in favor of the citizen. The court hands down a decision but the court enforcers aren't in any hurry to make sure that it is carried out. Proper enforcement ends up requiring specific leverage on management, including the threat of confiscation of company assets or freezing its bank accounts. But this is in theory only. In practice, the court enforcement agencies apply legal measures very reluctantly. The Luhansk Coalition learned how to do this in defending the rights of Olha Skoba, a seamstress, when Sofia Bykova, a specialist at the CAO, discovered and showed the enforcement agency all the means that they had at their disposal to use in this particular case. Only the persistence and competence of the rights advocate's actions made it possible for both the court decision and its enforcement to be treated as legitimate.

Thus, Krasniy Luch residents also had to put considerable effort into gathering information and, with unfairly treated miners, to collect all the evidence of the reluctance of the enforcement agency to carry out the court decision. Volodymyr Kolesnikov, the lawyer for the Krasniy Luch coalition CAO, and Mykola Kozyriev, the head of the Luhansk Committee for Constitutional Rights and Civil Liberties, helped miners prepare a suit for the European Court.

With time, in the summer of 2004, the European Court registered 41 claims from permanently disabled miners in Krasniy Luch alone. When a case goes to the European Court, a citizen is legally challenging the state that is violating his human rights. Thus, the attitude towards such cases among domestic legal circles and among highly placed officials in the country is fairly

serious. The Coalition received notice that the miners' case had been registered in Strasbourg. The local press began a publicity campaign by publishing a number of notices about a press briefing and meetings of the Krasniy Luch press club. Without waiting for the case to come up in court in Strasbourg, management of the Krasniy Luch mine paid out the first 8 claimants among the permanently disabled arrears worth over Hr 17,400 (V. Borysov, Y. Kozlov, V. Rechyn, I. Tkachenko, and others, including a miner who was paid compensation for the delay).

Miners see this as the light at the end of a very long tunnel and understand that the enforcement agency will finally wake up and fulfill its proper obligations, because there are 33 more such cases involving Krasniy Luch miners about to come up in Strasbourg. Coalition members intend to take the matter to its conclusion.

LVIV

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Lviv Coalition office

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Citizen advocacy office: 2 Smerekova St., tel.: (+380-322) 98-73-85

?	Organization	Telephone	Address	? -mail	Head of Organization
1	Tax Payers association of Lviv oblast	(0322)72-56-01	17 Chaikovskoho St., Lviv, 79005	f_formula@ukr.net	Teodor Diakiv
2	Institute of Political Technologies	(0322) 72-06-47	8 Ploshcha Rynok, Lviv, 79008	oprocak@iatp.org.ua	Mykhailo Komarnytskyi
3	Association of Employers of Lviv oblast	(0322)97-09-62	17 Chaikovskoho St, Lviv, 79005	associat@lviv.gu.net	Zenoviy Bermes
4	West-Ukrainian Regional Training Center	(0322)94-94-24	p/o box # 4342 , 8 Zolota St., Lviv, 79013	zurnc@zurnc.org.ua	Vitaliy Lesiuk
5	Association of law students	(0322) 96-47-58	14/610 Sichovyh Striltsiv St., Lviv, 79000	ladyeva@ukr.net	Eva Sushko
6	Institute for Strategic Studies	(0322) 52-85-80	63a Chornovola St., Lviv, 79078		Stepan Filipovych
7	Center of Educational Policy	(0322) 72-28-61	54/92 Vyhody St., Lviv, 79052	oprocak@iatp.org.ua	Oleh Protsak
8	Lviv regional Committee of Voters of Ukraine organization	(0322) 96-63-99	3/3 Rylyeyeva St., Lviv, 79000	kvu@mail.lviv.ua	Roman Koshovyi
9	Independent Ukrainian Youth Association	(0322) 97-54-91	14 Ploshcha Rynok, Lviv, 79008	numo@email.lviv.ua	Bohdan Kryven
10	Independent Culturological Almanac "I"	(0322) 74-58-90	8/3a Hrushevskoho St., Lviv, 79005	ji@litech.lviv.ua	Taras Voznyak
11	"Pomich/Help" regional NGO	(0322) 98-73-85	2/5 Smerekova St., Lviv, 79000	pomich@lviv.farlep.net	Orest Pasichnyk
12	Lion Society	(0322) 74-42-64	6/10 Drohobycha St.,	lev@lion.lviv.ua	Andriy

			Lviv, 79000		Nechporuk
13	Law and Democracy Foundation	(0322) 97-19-32	2 Kryva Lypa St., Lviv, 79004	lawdemo@nv.lviv.ua	Olena Hrabovska

TERNOPIIL (Mentor site of the Lviv NGO coalition)

Regional Coalition Coordinator: Oleh Udych

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?	Organization	Address	Telephone	e-mail	Contact person
1	Tax Payers' Association of Ukraine in Ternopil oblast	51/81 Tantsorova St., Ternopil, 46008	(0352) 43-41-61	u-o@ukr.net	Oleh Udych
2	Ukrainian union of manufacturers and entrepreneurs in Ternopil oblast	51/81 Tantsorova St., Ternopil, 46008	(0352) 22-06-59		Stepan Denysiuk
3	Ternopil oblast union of Farmers' Association of Ukraine	14a Ostrozko St., apt. 806, Ternopil, 46000	(0352) 52-06-17		Vasyl Zhovtiuk
4	Association of small businesses and entrepreneurs of Ternopil oblast	11 Tantsorova St., Ternopil, 46000	(0352) 25-55-76		Petro Chernychynets
5	Cooperatives and entrepreneurs association of Ternopil oblast	1 Hrushevskoho St., Ternopil, 46000	(0352) 52-07-96		Mykhailo Popyk
6	Employers' Association of Ternopil oblast	51/81 Tantsorova St., Ternopil, 46008	(0352) 22-06-59		Ihor Penyonzhko
7	Oblast committee of cooperators union	51/81 Tantsorova St., Ternopil, 46008	(0352) 22-33-69		Viktoria Tamarina
8	Commissioner of the State Committee of Ukraine on Regulatory Policy and Entrepreneurship in Ternopil oblast	51/81 Tantsorova St., Ternopil, 46008	(0352) 43-41-61	ternopillaw@ukr.net	Serhiy Babiy

Lviv citizen advocacy office opened in June 2002

Address and operating hours:

Lviv, 2/5 Smerekova St.

Telephone: (0322) 98-73-85

Monday, Wednesday, 10 a.m. – 2 p.m.

Tuesday, Thursday, 3 p.m. – 6 p.m.

3 lawyers

During the reporting period 452 clients were serviced (including Ternopil CAO – from March 2004)¹⁴

Hotline functions from June 2002 (6 Chaikovskoho St., office 203)

Telephone: (0322) 72-65-05

Operating hours: 9 a.m. – 6 p.m. (Monday – Friday), 2 consultants

During the reporting period 328 calls were processed¹⁵

¹⁴ These numbers reflect the reporting period of May – August 2004

¹⁵ These numbers reflect the reporting period of May – August 2004.

Success story: Rule of law—the only way

The Lviv Partnership Coalition has turned to the City more than once to get them to bring rates for various kinds of residential services in line with the law. Because of the coalition's active position, its support of other community organizations, unions and city residents, and its organized pressure on the local government (including picketing the Mayor's office), City Council was forced to approve the necessary decisions in favor of city residents. But city officials decided to get around the Council's decision by resorting instead to a decision by the Executive Committee, which had raised rates for water services in March. The procedure approving this decision was illegal and penalized hundreds of Lviv residents who overpaid the municipal budget for several months.

In this kind of situation, the only way to protect civil rights is to turn to the courts. Since only a legal entity can formulate a lawsuit, the Lviv Coalition resorted to a tried and true mechanism that it had already used on several occasions: preparing the suit through Formula, a company whose founder is the vice president of the Association of Taxpayers, an active member of the Coalition.

Formula filed suit against the illegal decision of the Lviv City Council's executive committee to raise rates for municipal water services. The courts at various levels, together with City Hall, did everything they could to protract the case or to dismiss it altogether. Still, Formula moved unwaveringly towards its goal, supported actively by the Coalition. Finally the court case, which took place in July, was determined.

During the examination of the case in court, it was determined that the adoption of the rate raise was beyond the competence of the executive committee as decreed in law. Moreover, the raising of rates was not agreed with the local branch of the Anti-Monopoly Committee in Lviv oblast. Also, this decision reflected a violation of the law on the protection of commercial competitiveness. The main argument in favor of the plaintiff was therefore the illegitimacy of the procedure involved in making the decision. That is, the burden of responsibility lay exclusively on the municipal government, which was operating in a untransparent, illegal way, and which was defending the interests of corporations and not the rights of its residents.

The members of the Coalition consider this ruling a major victory. For the first time, a decision of the City's executive committee was cancelled and a court decided against the government and in favor of the law. In addition, hundreds of thousands of consumers found out that there is a legal way to defend your interests and that it is possible to believe in your own strength.

Another important point is that nearly all the local papers wrote about this seemingly ordinary event. This is what made it possible for hundreds of thousands of Lviv residents to find out about the case.

Of course, the delaying tactics can take a very long time, but now it's evident that the City's executive council was in violation of proper decision-making procedures. Now three legal firms have turned to the Lviv Coalition for consultations on similar court cases.

For the process not to stop here, Formula has filed another suit relating to rates for heating. The local community is hoping that this decision will also be in their favor.

Another source of leverage as a result of this case has been the fact that the Kyiv Commercial Court is also reviewing a suit by Formula to induce the Lviv Oblast Administration to finally regulate rates for services by natural monopolies (as only the oblast administration has the power to do so) and then to agree them with the municipal administration.

In these situations, the municipal government will simply be forced to ensure greater transparency in the decision-making process, since it will be under pressure from the community and NGOs on one side and from the courts, the oblast administration and other appropriate bodies committed to transparent rate-setting on the other. In the end, there is only one path—the

path of the law. Still, as this example has shown, it's a long and thorny one.

Success story: Systemic change

Back at the end of April, the oblast administration held a session of its steering committee for the rights of entrepreneurs. At the council, the topic of improving relations between business and law-enforcement officers and the oblast's oversight bodies was raised. The governor chaired the meeting. In addition to government representatives, police officers and workers from oversight bodies, there were many members of NGOs and businesses at the session.

For Lviv oblast, the issue is very pertinent because lately there has been considerable pressure on local businesses from the police and the tax people, among others. Most often, this is in the form of endless spot inspections. As a rule, 90-95% of these raids are illegal. As a result of such raids, however, businesses are feeling serious losses, both material and non-material. At the session, many business people and representatives of NGOs spoke critically about these actions. A pleasant surprise was that the governor supported business these criticisms. As a result, the council presented a number of measures that would be necessary to improve cooperation between businesses, the government, and law-enforcement and oversight bodies.

On July 30, a second session of the steering committee was held. The circle of those who attended was much larger, which is a reflection of how interested people are in these issues, especially businesses. It was pleasant to hear from the governor that a significant number of the measures planned at the previous session had been carried out and that there were already positive examples of cooperation. Businesses themselves also spoke about this, as did local officials. Still, the situation had not improved all that much. Not only small businesses, but mid-size and large ones were beginning to feel pressure and made no bones about saying so at the meeting.

At this session, a small checklist was prepared for businesses listing the main reasons for a business organization being "raided" by either the police or oversight bodies. The checklist also included all the laws which provided the grounds for such inspections. Although Governor Oleksandr Serdeha declared his willingness to sign the document, tax officials, the police and the Prosecutor's Office showed no such willingness to support the checklist concept.

For four months, Lviv oblast businesses, with the support of NGOs, worked to convince these oversight bodies to put their signatures to the document, which would require them to carry out spot inspections in the region only within the limits of the law.

The systemic effect of these events is clear:

- The oblast government showed real willingness to cooperate with community organizations and business circles.
- The government began to take real steps towards transparency in its relations with NGOs and businesses.
- NGOs and businesses have a real possibility to take part in the resolution of problems that affect business activities.
- Similar joint efforts become systemic and become both open and trustworthy. No business person who openly criticized the government has felt any negative consequences (so far), and the government has committed itself to following up on instances of illegal actions on the part of the police or oversight bodies and to draw the necessary conclusions.
- Businesses are beginning to trust the oblast administration much more, as well as NGOs who are protecting their interests.

MYKOLAYIV

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Citizen advocacy office: (0512) 21-21-78, 37a Karpenka St., apt. 21

#	Coalition Member	Address	Phone area code (0512)	e-mail	Head
1	“Pravozakhysnyk” committee	64 Myru ave., Mykolayiv, 54037	212178, 21-24-56		Volodymyr Zhylytsov
2	“LASKA” Foundation	82 Bila St., apt. 5, Mykolayiv, 54038	40-12-31	lucy@laska.mk.ua	Ludmilla Rudenko-Kardash
3	“Pravozakhysnyk – I” committee	p/o box # 107, Mykolayiv, 54001	34-29-67	ivanna@mksat.net	Aida Peshtetych
4	“Vitryla”/Sails independent union	p/o box # 190, Mykolayiv, 54003	8-050-654-9075	vitryla@yandex.ru	Ihor Ivanchuk
5	Independent newspaper “VEDO”	5 Khodchenka St., Mykolayiv, 54033	20-24-42	vedo1@yandex.ru	Iryna Riabokon
6	Mykolaiv “My City” association	45 Velyka Morska St., Mykolayiv, 54001	35-30-70	krysenko@yandex.ru	Oleh Krysenko
7	„Women’s World” Charity Foundation	p/o box #92, Mykolayiv, 54001	8 – 050-658-05-47	zhi-svit@yandex.ru	Kateryna Popineney
8	Mykolayiv oblast charity foundation “Young Ukraine”	15 Shefska St., Mykolayiv, 54037	8-067-293-9446		Mykola Kramariuk
9	“VEDO” public union	75a Striletskoyi Dyviziyi # 295 St., Mykolayiv, 54054	20-24-42	zagapova@yandex.ru	Zoya Agapova

Citizen advocacy offices:

Addresses:

1) Mykolayiv, 37-A Karpenka St., apt. 21; (0512) 34-29-67

Operating hours: Monday – Friday, 10 a.m. – 5. p.m.

2) Mykolayiv, 7 Vitrylnyi lane

Operating hours: Tuesday, Thursday, 5 p.m. – 8. p.m.; Saturday, 12 a.m. – 3 p.m.

3) Mykolayiv, 64 Myru avenue

Operating hours: Monday – Friday, 10 a.m. – 6. p.m.; Saturday, 9 a.m. – 12 a.m.

4) Mykolayiv, 75a Striletskoyi Dyviziyi # 295 St.

Operating hours: Monday – Friday, 5 p.m. – 8:30 p.m.

5) Voznesensk, City executive committee

Operating hours: Thursday, 10 a.m. – 4. p.m.

6) Ochakiv, 38 Volodarskoho St.

Operating hours: Thursday, 10 a.m. – 4. p.m.

7) Vradiyivka, 13 Tolstoho St.

Operating hours: Monday – Friday, 9 a.m. – 6. p.m.

During the reporting period 670 clients were serviced¹⁶

Hotline functions from June 2002 in coalition’s office (37-A Karpenka St.)

Telephone: (0512) 34-29-67

Operating hours:

10 a.m. – 5 p.m. (Monday – Friday), 3 consultants

During the reporting period 245 calls were processed¹⁷

Success story: The consumer is always right

Liudmyla Leontieva, who had been injured by the actions of Serhiy Berezniy, a private entrepreneur, turned to the CAO of the Vitryla independent Union, a member of the Mykolayiv Partnership for a Transparent Society Coalition. The woman had ordered an interior door worth Hr 4,761 from this person’s store. However, rather than the high-quality door that she had ordered, Ms. Leontieva received a defective doorframe and some canvas.

Her numerous appeals to a state body, the Mykolayiv oblast department of consumer rights, led nowhere. The department’s specialists refused to do their job, to represent the interests of a consumer in court, since Ms. Leontieva wasn’t doing anything to “entice” them. The workers in this office were either unable nor unwilling to try to persuade or force Mr. Berezniy to voluntarily, that is, without going to court, do his duty by Ms. Leontieva. The Coalition decided to take her case through the courts. Ms. Leontieva’s interests were represented by Ihor Ivanchuk, the director of the CAO. He prepared a claim and attended court proceedings, which dragged out during the course of a year because Mr. Berezniy and his lawyer did not always show up.

The demands of the claim include requiring Mr. Berezniy to compensate Ms. Leontieva Hr 13,725 for material losses and an additional Hr 2,000 for moral damage.

The Municipal Court in the Zavodskiy District of Mykolayiv, under Judge Kvasha, heard the two sides, studied all the materials in accordance with Arts. 12, 14, 15 and 24 of the Law on Consumer Rights, and determined that the claim was legitimate on this basis.

The court determined that the plaintiff had, on Dec. 23, 2002, placed an order N°248 for the manufacture of interior doors with Dveri, a store that belonged to S. Berezniy, and said doors were to be delivered by Jan. 15, 2003. The total value of the order was Hr 4,761. The plaintiff had paid part of the order, in the amount of Hr 2,376, in advance, which was confirmed by receipt N°173 dated Dec. 23, 2002. Despite the contractor’s obligations to complete the contracted work by Jan. 15, 2003, part of the order was only delivered on Jan. 30, 2003, and another part on Feb. 2, 2003. The last part was delivered only on April 10, 2003. During this time, the plaintiff paid an additional Hr 1,300 and Hr 838. Altogether, the plaintiff paid Hr 4,514. For the remaining amount, the plaintiff was given a refund for the value of some minor parts. On closer examination, the doorframes and canvas exhibited defects that were not removed prior to Ms. Leontieva’s turning to the courts. Evidence of the defects was confirmed by a protocol signed by representatives of the Consumer Rights Society.

The court ruled that the defendant had not complied with Art. 12 of the Consumer Rights Law, governing the quality of services and works performed. In accordance with Art. 15, the consumer has the right to withdraw from a contract to perform works and services and to demand compensation for any damages if the contractor does not begin work in a timely manner or does

¹⁶ These numbers reflect the reporting period of May – August 2004

¹⁷ These numbers reflect the reporting period of May – August 2004.

not deliver on deadline. According to Art. 14 of the Consumer Rights Law, for every day of delay over the established norm in removing any defects, a penalty of 1% of the value of the article is attached. The deadline for this particular contract was Jan. 15, 2003. That is, starting from Jan. 15, 2003, until the date the case came up in court, the defendant had held up the removal of defects for a total of 305 days. Thus, as the court determined, the defendant was to pay Hr 4,514 plus a penalty of 1% x 305 days, which added up to Hr 13,725 as material damages. Based on Art. 24 of the Consumer Rights Law, the court can also determine moral (non-material) damages. The plaintiff and her representative declared that the defendant had deceived her, because he had guaranteed the quality of the product. The psychological and physical stress of the plaintiff had an impact on her family and she lost her normal equilibrium as a result of the persistent problem due to great disappointment over the quality of the doors that were installed. For this reason, the court decided that the demand for moral damages was well-founded but could be satisfied with a partial payment of Hr 1,000. At the same time, the defendant was also required to pay court costs worth Hr 145.75.

The court satisfied the claim of Ms. Leontieva by:

1. ruling in her favor from S. Berezniy for material damages Hr 13,725 and compensation of moral damages in the amount of Hr 1,000;
2. ruling in favor of L. Leontieva from S. Berezniy court costs in the amount of Hr 145.75;
3. obligating S. Berezniy to remove the defects from the entire door according to the contract and the list of defects indicated in the protocol signed April 2, 2003, by the Mykolayiv Oblast Consumer Rights Commission.

Despite attempts on the part of the defendant to overturn this ruling, it was upheld. Today, after Mr. Berezniy refused to voluntarily comply with the court decision, his assets were arrested by officials of the Department of Internal Affairs of the Lenin District Justice Department in Mykolayiv.

Success story: The Boulevard grab is off

When time came for Volodymyr Chaika, the mayor of Mykolayiv, to pay up for support during his 2002 election campaign, he did so, not out of his own pocket, but out of the municipal budget and municipal property.

Without any tender or competition, the Mayor gave the right to use budget funds to organize all city holidays, official receptions in the mayor's office, fireworks, local beauty pageants, festivals, and so on, to Hennadiy Zadyrkov and his NGO Kryk, his broadcasting company, TOV NIC-TV, and his paper, Kryk, which was also founded by NIC-TV. Mr. Zadyrkov, a socialist, happened to be a deputy on the oblast council and a member of the Mykolayiv City executive council. But even this was not enough "payback" for Mr. Zadyrkov.

Starting Feb. 1, 2004, the non-profit community organization "The Kryk social movement" began to send commercial propositions to local businesses to the effect that "the organization and carrying out of the reconstruction of Flotskiy Bulvar in the City of Mykolayiv is being undertaken by the social movement Kryk, which has announced a competition among construction organizations to carry out the reconstruction of the boulevard. Kryk plans to sign contracts with sponsors. The work will be carried out by the Elite Design Studio. The value of one tile for sponsors, who will pay the community organization, will be \$150." A similar daily commercial aired from 21:15 to 21:20 on Channel 35, that is, during NIC-TV's broadcasts.

It turns out that Mykolayiv's executive committee had decided with Order N°140 of Jan. 27, 2004, to grant permission to NIC-TV to perform planning and searching services for the reconstruction of a part of Flotskiy Bulvar, a decision that had not been confirmed by a session of the Mykolayiv City Council. Without any tender or competition, the committee gave the right to use and to manage a part of the city's property, Flotskiy Bulvar, to a member of that very

committee, Mr. Zadyrkov, his television company, and his NGO—without regard to the fact that neither the statutes of NIC-TV, nor those of the non-profit organization Kryk allowed for activity such as “the organization and carrying out of the reconstruction of a boulevard.”

Anatoliy Ivanyuchenko, coordinator of the Mykolayiv “Partnership for a Transparent Society: People Against Corruption” regional coalition turned to the Prosecutor General of Ukraine, the Verkhovna Rada Anti-Organized Crime and Corruption Committee, the media, and other NGOs. On April 27, 2004, the Mykolayiv Coalition held a press conference at UNIAN.

After the press briefing, which was devoted to the executive committee’s corrupt, uncompetitive handing over of the reconstruction of Flotskiy Bulvar to the control of a community association called Kryk and NIC-TV, the Coalition also published a series of articles on the illegal actions of the Mykolayiv mayor and his executive committee in Skif, the largest paper in Mykolayiv oblast.

As a result, on May 24, 2004, the Mykolayiv Prosecutor responded in letter N°07-167-04 to the coordinator of the Coalition, Mr. Ivanyuchenko. It said: “Your claim, which reached the Prosecutor General of Ukraine, has been examined by the oblast Prosecutor’s Office. Your aforementioned claim about the carrying out of reconstruction works on part of Flotskiy Bulvar in the City of Mykolayiv has been examined by the City Prosecutor. As a result of this, a protest has been filed with the Mayor of Mykolayiv regarding Order N°140 dated Jan. 27, 2004, of the executive committee of the Mykolayiv City Council ‘On granting permission to NIC-TV to perform planning and searching services for the reconstruction of a part of Flotskiy Bulvar.’”

The illegal, corrupted reconstruction of Flotskiy Bulvar in the City of Mykolayiv was thus stopped. Today, the appropriate commissions of Mykolayiv City Council, together with the municipal departments of architecture and planning are preparing terms for an open, transparent competition for the reconstruction of the boulevard.

SUMY

Regional Coalition Coordinator: Alla Fedoryna

tel.:(0542) 34-07-99

E-mail: afedoryna@ukr.net

Citizen advocacy offices:

Sumy: (0542) 21-03-29, 22-47-29

Krasnopilya: (05459) 5-10-57

Hlukhiv: (05444)222-57

Okhtyrka: (05446) 2-60-67

?	Organization	Address	Telephone	? -mail	Head of Organization
1	Committee of Voters of Ukraine, Sumy oblast organization	5 Kuznechna St., office 3, Sumy, 40030	(0542) 34-07-98	olexij@ukr.net	Oleksiy Zakharchenko
2	Union of Ukrainian Youth	p/o box # 44, Sumy, 40014	(0542) 21-03-29	sum@ukrpost.net	Hryhoriy Sakhniuk
3	Center for regional policy research	2 Horkoho St., room 11, Sumy, 40030	(0542) 21-03-29	lebid@ukrpost.net	Oleh Medunytzia
4	Sumy oblast society for consumers' rights protection	15/18 Chervona squire, Sumy, 40030	(0542) 22-47-29		Liudmyla Ryazanova
5	Agency for social services promotion	87/3 Petropavlivska St., Sumy, 40030	(0542) 26-84-40	spilnota@agencya.sumy.ua	Oleksiy Kuzmenko
6	Regional Organization of Journalists of Ukraine Association	58 Petropavlivska St., Sumy, 40030	(0542) 22-45-72		Lidia Ryzhkova

7	Tax payers association of Ukraine, Regional branch	23/1 Horkoho St, office 7, Sumy, 40030	(0542) 34-00-80	appusumy54@chere.da.net	Nina Kravchenko
8	"Public Control" Sumy regional organization	44 Lushpy Blvd., room 2, Sumy, 40034	(0542) 32-21-57		Oleksiy Shevchenko
9	Sumy market reforms press-club	p/o box # 217, Sumy, 40030	(0542) 34-07-99	sumpk@ukr.net	Alla Fedoryna
10	Sumy city union of patriots of Ukraine	6 Krasna Ploshcha, Sumy, 40030	(0542) 22-26-63		Oleksiy Dubovyk

OKHTYRKA (Mentor site of the Sumy NGO coalition)

Regional Coalition Coordinator: Volodymyr Mandych

Tel: (05446) 2-60-67

e-mail: vlad@ikor.okhtyrka.net

?	Organization	Address	Telephone	? -mail	Head of Organization
1	Committee of Voters of Ukraine (Okhtyrka branch)	19 Yaroslavskoho St., Okhtyrka, 42700	(05446) 2-60-67	vlad@ikor.okhtyrka.net	Volodymyr Mandych
2	Support for Disabled union	19 Yaroslavskoho St., Okhtyrka, 42700	(05446) 2-60-67	vlad@ikor.okhtyrka.net	Volodymyr Mandych
3	Consumers' rights protection organization	29 Chkalova St., Okhtyrka, 42700	(05446) 4-77-30		Olha Martynenko
4	Tax Payers' Association "Shchyt"/Shield	Kharkivska St., Okhtyrka, 42700	(05446) 4-73-34		Tamara Pidberezniak

3 citizen advocacy offices function from June 2002 in the cities of Sumy, Krasnopillya and Hlukhiv:

Addresses and operating hours:

Sumy, 2 Horkoho St., office 11

Telephone: (0542) 22-47-29

Monday – Friday, 10 a.m. – 5. p.m.

2 lawyers

Krasnopillya village

Telephone: (05459) 5-10-57

1 Horkoho St.

Monday – Friday, 10 a.m. – 4 p.m.

1 lawyer

Hlukhiv, 5 Rudchenka Squire.

Telephone: (05444) 222-57

Tuesday, Wednesday, Thursday, 3 p.m. – 6 p.m.

1 lawyer

During the reporting period 760 clients were serviced¹⁸

Hotline stopped functioning since February 2004 by the Coalition's decision

¹⁸ These numbers reflect the reporting period of May – August 2004.

Success story: Tsarenko's no longer tsar

Starting in 2002, Oleksandr Tsarenko, the president of Sumy National Agrarian University, illegally combined his position as president with his elected office as a Sumy deputy to the Verkhovna Rada. During this entire period, the rights of students and teachers began to be violated on a mass scale. Official bribery flourished and student labor was exploited.

This situation was already evident when the Partnership for a Transparent Society program began its work in Sumy. A survey was then carried out among students in all post-secondary institutions in Sumy. According to these, the Agrarian University was the most corrupt in the oblast.

Soon, the CAO of the Coalition operating through the Union of Ukrainian Youth (SUM) received a large number of complaints from students about a variety of abuses on the part of the Administration of Sumy National Agrarian University. Unfortunately, most of the plaintiffs were not willing to openly testify against the Administration. They expressed the fear that they would be put under pressure, and they refused to give their last names, which made it difficult to counteract the negative phenomena at the university.

Local NGOs then decided to take the approach of educational campaigns. At the beginning of 2003, Coalition representatives started to systematically disseminate flyers that told students about their rights. They appealed with complaints and enquiries to law-enforcement bodies. They familiarized the local communities with the illegal activities within the walls of SNAU through the media and the Coalition paper, *Your Right*. This way, through the efforts of the program staff, the issue of total corruption at Sumy National Agrarian University was brought out for judgement before the entire community.

In spring 2004, a merger began between the three universities of the city of Sumy, to form a new university called Sumy National University. But the process was untransparent and biased and this aroused the students to begin a protest. They saw the obvious attempts to infringe on their rights and began an organized resistance to the actions of the administration of the newly-created institution, which was headed by the same Oleksandr Tsarenko, with the strong backing of City Hall. Not having their own officially registered community organization, Sumy students turned to one of the Coalition members, SUM, to launch legitimate acts of protest.

The local government immediately began to fight the student movement. Members of SUM felt enormous pressure, as did members of the Sumy Oblast Committee of Youth Organizations, of which SUM is a member. In particular, Georgiy Sakhniuk, the director of the Coalition's CAO and head of the Oblast Union, personally felt this pressure. SUM, the Center for Regional Policy Studies, the Sumy City Committee of Voters, and the oblast press club began a campaign in support of the students' rights. In particular, SUM members were very careful to make sure that the activities did not have a political tinge, that the students were not used for political aims, and that their activities were organized, disciplined and steadfast in the face of provocations.

In July and August 2004, the dissatisfaction of locals with the behavior of Mr. Tsarenko, his team and the city government reached its peak. Brutal pressure and violence were used against the students. Massive protest actions began in the city of Sumy. Under pressure from the general population, Deputy Tsarenko was forced to step down from his position as president of Sumy National Agrarian University, as well as the position of acting president of the newly unified university. In response to the protests, the Ukrainian president Leonid Kuchma issued a decree halting the merger of the three universities.

Today, Sumy students have their own NGO, the Student Fraternity of Sumy.

Success story: Lebedyn businesses unite

In the town of Lebedyn in Sumy oblast, considerable tension between private businesses and City Hall has been evident for a long time. Nor is this especially exceptional at the stage of development that Ukraine is in today. It's no news in the relations between business and government and it can be explained by the level of corruption among local governments and the level of legal awareness of the businesses themselves.

The Sumy Coalition of NGOs has been observing the activities of Lebedyn businesses for some time. Back in the first year of the PFTS program, the Coalition held an Information Day in Lebedyn. Its agenda included workshops for local entrepreneurs. At this workshop, during a discussion among NGOs, the residents of Lebedyn came to a conclusion that they needed their own community center. The meeting smoothly turned into a founding congress after which a new business association appeared: the Association of Lebedyn Entrepreneurs. It has started to actively work on SME development in the county. A slew of workshops and seminars was held for local business people, including some under the aegis of the Sumy Coalition.

The "Cold War" with the local government continued. More than once, businesses turned to the Coalition's CAO with a variety of problems: groundless "fees," uncleanly sanitary conditions, poor working conditions at the local bazaar, lack of regulation of trade in the city, and many other matters that needed resolution on a daily basis. But these issues were rarely resolved, or were resolved at a snail's pace. City Hall wasn't interested in the complaints of its businesses, and the director of the local bazaar did as he pleased.

In February 2004, the conflict went from cold to hot. The situation became even more tense as abuses of local entrepreneurs began to cross a certain line. Driven to despair, private entrepreneurs wrote an open letter to the Mayor in the Coalition's paper, "Your Right," demanding that he bring some order to business dealings. Thanks to the intervention of the program's staff, a meeting was finally organized between the Mayor of Lebedyn, Oleksandr Lubenskiy, and local entrepreneurs. The entrepreneurs said they were ready to go on strike. The Mayor finally promised to clean things up.

In June, there was a public hearing on the problems of SMEs in the city of Lebedyn organized jointly by the Sumy Coalition and the Association of Lebedyn Entrepreneurs. All these issues were raised and proposals for their resolution were presented. After this a regular dialog was established among the Association, the director of the Lebedyn bazaar and Mayor Lubenskiy. The local paper "Zhyttia Lebedynshchyny" began to regularly publish articles about the problems local businesses were facing. Most of the worst issues are now being resolved.

Success story: When the actors don't act

This story starts with a simple theft. Two mischief-makers broke down the door to the country trailer of Vitaliy Ishchenko, a resident of the town of Okhtyrka. They stole property worth Hr 1,519. Understandably, the owner was not pleased and turned to the appropriate bodies. It was established who had perpetrated the theft, there was a trial, and the thieves were told to pay material and moral damages to their victim.

The execution of the sentence was turned over to Maksym Hmyria, an enforcement officer. But the state official neglected to carry out his duties, either through indifference or because he had an interest in it, and the case went into limbo.

A year went by and the main thief, V. Bondar, had still not begun to pay out his debt, despite the many reminders from the victim to the enforcer. At this point, Vitaliy Ishchenko turned to the Okhtyrka CAO, which is run by Volodymyr Mandych. Here he was given advice and practical assistance. A claim was prepared for the Municipal District Court against M. Hmyria, the government official, for failing to fulfill the obligations of his position.

At a May 11, 2004 meeting, the Okhtryka Municipal District Court, including V. Inchenko, and his secretary, O. Nabokova, reviewed the case and determined that the failure to act on the part of a government executive from the Okhtryka Municipal Department of Justice by the name of M. Hmyria was wrong.

In July 2004, the victim once again turned to the CAO to get practical assistance in writing a claim against a government employee to demand moral compensation from M. Hmyria for failing to carry out his obligation as a government enforcer in the amount of Hr 825. As he saw it, the case had not only cost him money, but also his health and his nerves. The claim was put together and examined in court on Aug. 25, 2004. The court determined to penalize the Okhtryka Municipal Department of Justice Hr 200 in moral damages on behalf of the victim, V. Ishchenko. The state enforcer, M. Hmyria, at that point had already been fired.

C. “Mentoring” Approach – Disseminating the Coalition Model

In order to disseminate the successful anti-corruption NGO model among other communities and to respond to their needs and interest in forming coalitions, the Partnership for a Transparent Society in 2004 started a “mentoring” program, by which the existing more experienced NGO coalitions established partnerships with NGOs in other communities. The idea was that 10 established coalitions will help those NGOs to set up citizen advocacy offices (CAOs), and if possible - create coalitions.

As a result of the mentoring approach, 6 new communities were added to the Partnership project: anti-corruption NGO coalitions were established in Stryi (consisting of 5 NGOs, mentored by the Drohobych coalition), Ternopil (8 NGOs, helped by the Lviv coalition), Shepetivka (6 NGOs, assisted by the Kamianets-Podilsky coalition), Okhtryka (4 NGOs, mentored by the Sumy coalition); and the citizen advocacy offices were opened in Artemivsk (with the help of the Donetsk coalition), and Kobeliaky (with the help of the Lubny coalition).

Some of the success stories from the new coalitions include:

Shepetivka (Kamianets-Podilsky oblast): protecting citizen’s housing rights

The citizen advocacy office in Shepetivka helped a young woman overcome bureaucratic resistance during privatization of the municipally-owned apartment that she was occupying. The officials at the municipal housing maintenance company refused to do the paperwork necessary for the privatization because there was an unpaid utility debt accrued by her family. The problem was that the woman’s parents who were the responsible residents of the apartment passed away and never paid the debt. However, at that time she was underage and therefore, according to the law, could not be held responsible for the debt incurred by her parents. The citizen advocacy office lawyers provided advice to this young woman and helped her to file a request for the debt to be written off, and an appeal to the city council to approve the privatization. As a result of the CAO involvement, the city council allowed the privatization and the debt write-off. The bureaucratic resistance to privatization was overcome and the women’s right to housing protected.

Okhtryka (Sumy oblast): fighting neglect in the local department of justice

A resident of Okhtryka, Mr.A, approached the citizen advocacy office for help after a court decision on his case had not been executed for over a year. The State executive service (SES) is a part of the Ministry of Justice responsible for executing court decisions. Its local offices are notorious for corruption slackness, and neglect resulting in court rulings being ignored for years. In his case Mr.A was supposed to receive compensation for his property that had been stolen as a result of burglary, as well as moral damages. The CAO lawyers helped Mr.A file a court claim against the SES official, and the court ruled that the SES should pay moral damages to Mr.A in addition to the previous overdue payments. The negligent SES official responsible for that case was fired.

Artemivsk (Donetsk oblast): protecting an entrepreneur from unfair competition with a municipal company

A private transit operator asked the citizen advocacy office to help him fight unfair competition from a municipally-owned company. This minibus owner was providing transit services to the citizens under a contract with the city. When his business was beginning to become profitable the city decided to cancel the contract and give the route that he was serving to the municipally-

owned bus company. This decision ran against the contract that was still valid. The CAO lawyer helped the businessman file a complaint with a local office of the Anti-Monopoly Committee. Several articles were published in a local newspaper. After the involvement of the Anti-Monopoly Committee the city called back its illegal decision and the private operator resumed his service.

5. CITIZEN ADVOCACY OFFICES AND HOTLINES

At the beginning of July 2004, 25 leaders and activists from local citizen advocacy offices located in a variety of oblasts gathered in the village of Lazurne, Kherson oblast, to collect and systematize their experience and prepare methodological recommendations for those NGOs who are only beginning to set up a citizen advocacy office under the auspices of their organization.

The workshop “NGO Citizen Advocacy Offices in Ukraine: Experience, Achievements, Standards, and Prospects” was organized by the Kherson oblast Health and Charity Foundation with the support of the Ukraine Citizen Action Network (UCAN, a USAID project), the Partnership for a Transparent Society program (a USAID project), and the “Support for civil rights advocacy centers in Ukraine” project of the International Helsinki Federation and the European Commission.

The seminar lasted a total of three days, but all of the participants were able to feel how the level of professionalism, responsibility and ethics of NGO citizen advocacy offices had grown over the past few years.

Whereas three years earlier, what motivated NGOs to work in citizen advocacy offices was largely emotional, that is, the desire to protect those who had been mistreated, nowadays CAO activists tend to pay more attention to analysis and planning.

When asked what citizen advocacy offices are needed for, the participants of the workshop proposed a number of responses:

- to help people defend their rights;
- to develop the third sector (through the citizen advocacy offices, NGOs become stronger and better known; they are able to gain the confidence of the public and the respect of the government, and to attract more specialists and volunteers to their work);
- to study the problems in their region or in a certain area of law and to find solutions to them.

According to Liudmyla Klochko, the director of the citizen advocacy office of the Kharkiv Civil Rights Group, without such advocacy offices, it’s impossible to defend civil rights. “We must do this,” she says. “If we call ourselves a civil rights organization, then people will come to us sooner or later and we have to set up the rules for being accepted. This isn’t just what we want to see, but what a civil rights organization should and even must do.”

Incentive: Helping people

The Ukrainian Constitution guarantees every citizen access to legal assistance and, in some instances written into law, this assistance is supposed to be provided at no cost. But in reality, to protect your rights through proper legal assistance at no cost is virtually impossible in Ukraine, even for socially unprotected individuals. For one thing, the state doesn’t have enough funding and for another, there is no appropriate law. This year alone, three bills have been drafted. Thus, today Ukraine’s poor can get legal aid only through these citizen advocacy offices—nowhere else. Given that 70% of the country’s population lives below the official poverty line, it becomes clear what role these CAOs play in our country and what kind of burden they carry.

Today, no one knows exactly how many CAOs there are in Ukraine, or how many people they

have been helping every year. But if you consider that through the Partnership for a Transparent Society Program alone, there are 26 such CAOs working in 10 regions (and this is not even a tenth of what there is in Ukraine) and that each of them provides an average of 1,000 services over the course of a year, it adds up to 26,000.

To understand the extent of the work and the scale of the activity of today's CAOs, it is worth starting with a list of the services that they provide. These include informational services, consultations with a variety of specialists, and acting on behalf of a client: requests for information, letters of support, mass campaigns, mediation, representation in court, appealing to the press and international organizations, filing suits before the European Court, and much more.

Some claims prepared by citizen advocacy offices have already been vetted by the European Court, as reported by Natalia Kozarenko and Ivan Melnyk, the directors of citizen advocacy offices in Kherson (Charity and Health Foundation) and Kamianets-Podilsky (PFTS Coalition).

The Kharkiv Civil Rights Group's CAO had a sensational success story to tell. On June 8, 2004, for the first time ever, the European Court recognized a claim prepared by Ukrainians accusing the police of torturing people. Also, dozens of claims filed by people who had not received their entitled salaries were resolved as soon as these were communicated to the European Court on the initiative of citizen advocacy offices.

Citizen advocacy offices are also information and referral services in their regions. They cannot afford to have a visitor go away offended, even if they cannot help the person, for even one unhappy visitor can spoil the CAO's reputation. For that very reason, CAO activists continually expand their databases on all government agencies, local governments, and NGOs who offer services to the general public and inform their clients about them. This encourages greater openness in the society and speeds up the passage of administrative reform.

One example of this kind of information service is three unique guides recently published by the Health and Charity Foundation in Kherson: "Kherson for Pensioners," "Kherson for Youth," and "Kherson for Kids." The Foundation's CAO gathered information about all the government offices and local agencies in the city of Kherson, about all administrative offices, services and departments that service pensioners, young people and children, and about state and municipal programs available to these groups of the population. These guides include the basic laws that guarantee social protection, instructions on how to apply those laws, and even sample applications. Every guide has an entire section devoted to useful advice about how to force the government to respond to appeals. They also contain the addresses and telephone numbers of educational and medical institutions, libraries, movie houses, museums, stadiums, banks, post offices, employment agencies, emergency services, citizen advocacy offices, charitable funds, and other useful organizations, as well as the police and the courts. The guides also contain the addresses and telephone numbers of national government bodies and international human rights organizations.

(The publication of these guides became possible thanks to the support of the SIDA project, "Support for Reform of Public Governance in Ukraine." The Pivden Kherson Association of Journalists, the Institute of Competitive Society in Kyiv, and employees of the Kherson City Council and the State Administration all took part in preparing and producing the guides.)

An open line between the people and those in power

Citizen advocacy offices are a unique instrument for maintaining open lines between citizens and their government. This is where experience in proper relations between individuals and groups of citizens and their governments can be accumulated and disseminated. This is where, every day, human dignity is truly awakened, as people are informed and motivated to protect their own rights.

In our country today, violations of human rights and freedoms can be seen in almost all

government institutions and local administrations. Since the subject of human rights was never taught in Ukrainian schools and universities earlier—and is still not taught today—most people, MPs and officials don't recognize most violations of human rights as violations before the law that can be taken to court. By helping a person defend their rights in court, citizen advocacy offices are also enlightening local citizens and officials, and, to some extent, judges—especially in the regions. In the last 2-3 years alone, pressure from human rights advocates has forced judges in the hinterlands to begin to refer to the Constitution of Ukraine and the European Convention on Human Rights.

Yet another problem is that journalists in the regions don't know enough about human rights and freedoms. They write little and very superficially about this in the press and do nothing to provide a forum for public debate of rights issues. The role of citizen advocacy offices in raising awareness in the media is invaluable. Together with the real life stories (often sensationalistic) that journalists are so fond of and of which there are more than enough to tell in every CAO, the media receive competent commentary and qualified expert opinions from the CAOs. Thanks to this, articles on legal issues are coming out more professionally now, and are thus more useful for civic development.

Last, but not least, citizen advocacy offices are playing a role in determining the issue of the training qualified legal specialists. Every year, hundreds of law students undergo internships at CAOs, gaining unique knowledge and experience that is impossible to gain in any other situation. In addition, they find themselves in an ethically healthy environment, they learn how to engage in civil action, and they see how the philosophy of a civil society works—something that isn't taught in any post-secondary institution in Ukraine.

Citizen advocacy offices and the development of NGOs

The second most important role of citizen advocacy offices, in the opinion of the participants of the workshop under discussion, is the development of the third sector. This is the generalized experience of this group:

“Successful citizen advocacy offices raise the profile of their founders and create a positive image for them.” (It is no wonder that candidates and parties often use these CAOs during elections in order to gain voter support.) Every day, some 10-20 people show up at the CAO, where they get a sympathetic ear and support. Afterwards, these people become ardent fans and promote CAO activities. Some of them become NGO activists themselves. Thus, the third sector is growing and getting stronger.

Specialists who work as consultants in these CAOs are continually learning. They gain new knowledge and experience, which they then disseminate in their own organization, as well as those of their partners. This, too, strengthens the third sector.

A citizen advocacy office is an endless source of intriguing and even sensational stories for the media. This way, NGOs can continually inform the community about their activities in the press. The community CAO makes it possible, on the basis of simple and understandable everyday examples, to show how useful we are, and this means we can influence the feelings and attitudes of people in our regions and constantly attract new supporters.

A successful citizen advocacy office also gets the respect of those in power, which makes it much easier to set up a dialog and have public impact on government decisions. The citizen advocacy office that can help an average of 1,500 individuals a year is a huge force. This means that at least a third of these people, when necessary, can be called upon to help in a mass campaign. The older the CAO, the more people the NGO can get together on short notice for a large-scale event. Government officials understand this very well.

There's yet another reason why citizen advocacy offices can help set up constructive dialog between the government and the CAO. As a rule, officials in different government offices use

these CAOs to lighten their workloads. Nowadays, poor plaintiffs are referred to citizen advocacy offices by oblast administrations, city halls, social services offices, courts, juvenile services, orphanages, and so on. Under these conditions, officials understand all too well that they can't put pressure on rights advocates, because if the CAOs shut down, the flow of unhappy citizens will settle in their offices permanently. Yet, neither government agencies nor local administrations have the resources to provide appropriate specialists to deal with civil rights issues, even when these involve vulnerable groups. In many cities, where the citizen advocacy offices are quite powerful, government officials themselves take the first step to propose cooperation and suggest joint programs. Indeed, they invite CAO specialists to participate in expert and coordinating councils and working groups that are involved in drafting regulatory legislation. This not only helps develop the image of the third sector, but it offers them the opportunity to influence the making of decisions that are important to the community.

There's one final aspect to the influence of citizen advocacy offices on the development of the third sector. As a rule, in mid-sized and large cities the CAOs serve the function of resource centers for NGOs that are just starting up and wanting to open their own CAOs in smaller towns and county seats.

Analytical work

As Kharkiv's Liudmyla Klochko points out, the regular work of a citizen advocacy office provides a certain mass of data that can be analyzed in order to plan further programs. "If, for instance, we see that the people in our town are completely ignorant of something," she says, "we don't have to wait until they all stand in a queue to get information from our CAO. We'll simply publish a booklet and distribute it in places that are convenient for those people."

The experience of workshop participants has shown that citizen advocacy offices are already carrying out considerable analytical work:

- determining which problems visitors raise most frequently and informing government agencies and the media;
- determining which violations of the law most frequently give rise to complaints in different regions, analyzing the reasons, and informing government agencies and the media;
- determining which government bodies are the most frequently complained about by citizens as breaking the law and informing government agencies and the media;
- determining in which regions clients need the most help and what level of assistance they need (Thanks to this kind of research, the CAO of the Kherson oblast Health and Charity Foundation was able to develop and carry out a project to set up a business advocacy office for rural residents in Boryslav county, which was supported by the UCAN project;
- determining which groups of the population most often turn to CAOs;
- determining how the government responds to citizen and CAO appeals;
- determining how many repeat appeals are registered and why;
- determining which rights advocate actions are effective, and which are not;
- determining what flaws in Ukrainian legislation or in its application allow the government to violate civil rights;
- in the process of reviewing the appeals of individuals or groups, continually analyzing national legislation for its conformity to international standards (As an example, the CAOs of the Partnership for a Transparent Society Coalition in the cities of Kherson and Mykolayiv in the spring of 2004 were the first to point out the inconsistency between a Ministry of the Interior Resolution that allowed DAI (State Automobile Inspection)

officers to take away drivers' licenses and the Constitution of Ukraine and the European Convention on Human Rights. This made it possible to run a national advocacy campaign, as a result of which the MIA resolution was dropped).

CAO studies are constantly being used by think-tanks and analytical groups to prepare proposals for improving Ukrainian legislation. Many NGOs also use this research to organize their advocacy campaigns in terms of preparing educational and printed materials. Regional media have been publicizing this research and drawing the attention of the community to the problems being discussed.

When the result is greater than the sum of the activities

In Ukraine today, there are dozens of networks of NGOs which work in a variety of areas and have various specializations. Some of them even belong to more than one network—regional or specialized (for instance, the network of NGOs that defend the rights of SMEs, the network of NGOs that work in the penitentiary system, or the network of youth NGOs).

In the last two years, it has become evident that the most effective network is the one whose unifying element, its “skeleton,” so to speak, is citizen advocacy offices.

Despite the global and somewhat risky nature of its basic aim—preventing and fighting corruption—, this network, the Partners for a Transparent Society Coalition, has managed to consolidate and to pull together the resources of 150 NGOs, to register this union, and to establish clear rules for cooperation in only two years. This was a huge, painstaking task, but it made it possible to break down the barriers that officials were constantly placing before NGOs by referring to Art. 3 of the Law on citizens' associations. This law states: “A community organization is an association of citizens to satisfy and protect their legitimate social, economic, creative, age, national, cultural, athletic, and other common interests.” In trying to stop the activities of citizen advocacy offices who protected victims of corruption, officials maintained: “Citizens' associations can only defend the interests and rights of their own members, whereas charitable foundations can only defend those groups of the populations written in the statute.”

Bringing together people in the Partnership for a Transparent Society Coalition, setting up a network of citizen advocacy offices, and officially formulating the principles of their operation considerably expanded the spheres of activity open to NGOs. It also strengthened their resource base and reduced pressure from government officials on local NGOs.

One very successful network of CAOs was set up by the Kharkiv Rights Advocacy Group under the “Preventing Torture in Ukraine” project (supported by the European Commission) only a year.

These all made the exchange of experience of the participants in this workshop, “NGO Citizen Advocacy Offices in Ukraine: Experience, Achievements, Standards, and Prospects,” that much more interesting. Here are some of the joint activities among citizen advocacy offices that we have put into practice:

1. Exchanging information and experience by sending e-mail lists to members of the network, through bulletins, websites, and through individual correspondence.
2. Providing assistance to partners in gathering information in their region.
3. Helping partners who are looking for sources of information.
4. Exchanging services: consultations, specialist assessments in specific areas; providing volunteers to develop programs or carry out campaigns; providing technical resources (cars, computers, video cameras, photo cameras).
5. Engaging in joint research based on CAOs in different regions.
6. Representing the interests of clients from partner NGOs.

7. Helping in developing and running advocacy campaigns.
8. Disseminating success stories from partner CAOs through independent regional media.
9. Exchanging informational and educational literature published by members of the network.
10. Training personnel for partner CAOs.
11. Developing programs and internships for partners using successful NGOs as a base.

Having a common strategic aim, common values and principles, complementing each other with specific experience, knowledge, and multifaceted human resources, these networks of citizen advocacy offices are capable of creating a synergistic effect, where the result of the network's activities is greater than the sum of the actions of each member.

It is generally accepted that social change becomes possible only then when 20% of the citizenry is ready for such changes and is actively engaged in making them happen.

It is possible to generate numberless wonderful laws and the Verkhovna Rada can even pass them all. But while the general population is neither ready nor aware enough to make use of them, as long as they don't know, don't want to, don't know how to, or don't believe in it—nothing will change.

Citizen advocacy offices are constantly adding to their success in defending civil rights, expanding it, and stimulating others to make use of this experience. Without this work, it is impossible to imagine the evolution of civil society in Ukraine.

6. PUBLIC AWARENESS AND COOPERATION WITH MASS MEDIA

Given the sensitive and highly emotional character of corruption, good public relations, favorable contacts with the media and community outreach/advocacy are essential ingredients in planning and carrying out an anti-corruption program.

Public education is the first step in involving citizens in the life of their community and in creating a participatory culture. Through public education, citizens' attitudes can be changed, they can be informed about specific problems in which they can make a difference and get involved in building a democratic society.

One success of the Partnership for a Transparent Society program was the fact that Ukrainian citizens began talking about corruption. The subject was no longer taboo or relegated to whispers about bribes and graft among friends and family. The majority of Ukrainians believe that corruption is amoral (53 percent), and at the same time, 50 percent of those surveyed in the Partnership's 2004 public opinion poll said that they have given a bribe in the last year.

The annual survey in 2004 also shows that 15 percent of citizens that were surveyed feel that the mass media can be very effective in battling corruption; this is in comparison to 2003, when 10 percent said that the mass media can be effective in combating corruption.

There is no one set of remedies that will solve all corruption problems. Anti-corruption strategies must fit the social, economic and political realities of real communities. For this reason, the Partnership conducted annual surveys in communities to see what each locality considered its priority issue and how citizens developed a dialogue with their local government officials.

And our NGO coalitions realized early on that public education had to be a priority issue if they were to tackle corruption in their communities. Almost every one of the Partnership's coalitions produced its own original publications, in the form of newspapers, informational brochures, leaflets, magazine inserts, and the like.

Many of the coalitions were innovative in their approaches to public education and advocacy, establishing investigative reporting competitions, anti-corruption poster contests, awareness campaigns in grade schools among students and others.

Regional press clubs, a project of the Center for Ukrainian Reform Education, were conducted on a regular basis and featured guest speakers from national NGOs and from the government in Kyiv, as well as representatives of local government in the communities.

Indeed, campaigns in local media are rated high by Ukrainian citizens who were surveyed in 2004, as noted in the table below.

Assessment of the effectiveness of anti-corruption activities by civic organizations (%)

Activity	effective	ineffective	hard to say
Legal information campaigns	73.4	12.9	13.7
Opening citizen advocacy offices	64.4	16.8	18.7
Legal advice hot-lines	61.9	16.3	21.7
Disseminate information about government decisions	55.2	23.1	21.7
Media campaigns	53.5	24.2	22.2
Registering abuse and turning to higher	49.9	30.0	20.1

ups			
Organizing public hearings on government decisions	48.3	27.7	24.0
Expanding dialog with local authorities	46.6	29.4	24.0
Holding regular public hearings on the state of corruption	42.3	31.8	25.9

A. The “Partnership for a Transparent Society” Program Publications

The brochure “Bribery” (in cooperation with Center for Ukrainian Reform Education (CURE). Circulation – 30,000 copies.

The manual “Combating Corruption: a Parliamentarian’s Handbook” (in cooperation with Transparency International Ukraine, Parliamentary Committee on Combating Organized Crime and Corruption and Canadian Parliamentary Center).

The book describes the optimal system of governance and the role of the national parliament in ensuring such governance; determines the problem of corruption and its manifestations; explains causes and possible political, economic and social impacts; dwells on the issue of parliamentary accountability and determines the ways of its observance.

Circulation – 1,000 copies; 55 pages.

The manual “Transparency and Corruption in the System of Higher Education of Ukraine (Materials of the national conference, Lviv, November 21-22, 2002).

The collection contains surveys, articles and publications on corruption in schools of higher education. This manual also summarizes the results of the national conference “Transparency and corruption in the system of higher education in Ukraine”, provides main ideas and recommendations of conference participants.

Circulation – 2,000 copies; 300 pages.

The brochure “Where Corruption is Hidden: Analysis of Normative and Legal Documents”(in cooperation with the Institute for Competitive Society).

The publication contains an analysis of normative and legal acts concerning preconditions for the emergence of corrupt practices on the field of small and medium business regulations.

Circulation – 500 copies; 35 pages.

The manual “Real Stories: How Entrepreneurs Protect Their Rights” (in cooperation with the Eurasia Foundation and CURE).

This collection contains real stories and examples of successful efforts of Ukrainian entrepreneurs in protecting their rights. Materials for the brochure were provided by NGO leaders – the Partnership program participants.

Circulation – 4,000 copies; 80 pages.

The brochure “How to Promote Transparency in Small and Medium Business Regulation”.

This collection is a result of the national conference “How to promote transparency in small and medium business regulation that took place on October 17-18, 2003 in Kyiv. The conference aimed at determining causes of corruption in small and medium business regulation and at promoting more transparent relations between authorities and businesses.

Circulation – 1,000 copies; 104 pages.

The book “Corruption – Corrosion of Power. Social Essence. Tendencies and Consequences. Response” by Mykola Melnyk.

In his comprehensive work the author highlights the most important issues for combating corruption in Ukraine: social essence of corruption, tendencies of its expansion, negative impact and consequences. The author also investigates mechanisms of corrupt relations and gives characteristics of crimes, connected with corruption.

Circulation – 2,000 copies; 400 pages.

Materials of the “Partnership for a Transparent Society” reporting and planning conference, Kyiv, February 6-7, 2004. “Reports. Ideas. Perspectives”.

The collection contains materials and reports of the program’s reporting and planning conference.

Circulation – 1,000 copies; 112 pages.

The brochure of the Parliamentary Committee on Combating Organized Crime and Corruption.

This publication allows a reader to get familiarized with the Committee activities; its goal is to make the functioning of this governmental body more open and transparent.

Circulation – 5,000 copies; 24 pages.

The brochure “Ukrainian Citizen’s Attitudes Towards Corruption and Transparency in Society”.

Short report, based on the results of the Partnership annual anti-corruption public opinion survey, conducted by “Image-Control” research center in April 2004.

Circulation – 1,000 copies; 28 pages.

The brochure “Lessons Learned: Program Experience 2001 – 2004”.

This publication summarizes the anti-corruption program activities in Ukraine during 2001-2004, describes program’s best practices, know-how and lessons learned, reports about its achievements and perspectives of future anti-corruption efforts in Ukraine.

Circulation – 1,000 copies; 104 pages.

The “Partnership for a Transparent Society” also published a quarterly collection “Corruption in Ukraine and World: Research, Reports and Publications”, with the most recent and interesting Ukrainian and international materials on corruption.

Circulation – 1,000 copies; 200 pages.

B. Regional NGO coalitions’ publications and periodicals

The Donetsk NGO coalition:

Main publications:

3 special issues of the bulletin “Podatkovyj vistnyk Donbasu/Donbass Tax Herald” (circulation – 6,000; monthly); monthly economic and law bulletin “Biznes i pravo/Business and law”; leaflets with advertisement of CAO and hotline (circulation – 5,000); brochures “Protection of Entrepreneurs Rights”, “Protection of Consumers Rights”, hundreds of publications in the local press.

The Drohobych NGO coalition:

Main publications:

The brochure “To Assist Small and Medium Businessmen: Questions and Answers”; small informational materials/handouts “Students, Know Your Rights”, “If You Were Stopped By Traffic Police”, “How to Find a Job”, “What Is Transparency Of Local Authorities?”, “Consumer Rights and Their Protection”, “Pensions and Social Security”, “How to Transport Money Across Borders”, “Protection of Cargo Carriers’ Rights”, “How to Draw Up Gift Certificate” (“Protect Yourself From Corruption” series, total circulation – 10,000 copies).

The Kamianets-Podilsky NGO coalition:

Main publications:

Monthly coalition's bulletin "Holos hromady/The Voice of the Community" (circulation – 2,000 copies); local newspaper "Kamianets-Podilsky Visnyk/Kamianets-Podilsky Herald" (circulation – 5,500 copies); monthly magazine "Misto/The City"(circulation – 1,000 copies); manuals on land usage and ownership in the city of Kamianets-Podilsky (circulation – 2,000 copies); on protection of consumers' rights and legal regulation of relations with controlling bodies; collection of regulatory acts of the Kamianets-Podilsky community; leaflet "Effective Usage of Funds in Public Secondary Schools of Kamianets-Podilsky" (circulation – 100 copies); the manual on financial and economic management for headmasters of educational institutions; anti-corruption booklets (circulation – 2,000 copies).

The Lubny NGO coalition:

Main publications:

The weekly informational bulletin "PAR-KAN/The Fence" (circulation – 2,000 copies); weekly newspaper "Volunteer" (circulation – 1,000 copies); a series of booklets "Advice to Consumers", "Your Rights During Arrest", "It is Time to Remember Your Rights"; the manual "An ABC Book for Appellant".

The Luhansk NGO coalition:

Main publications:

The weekly newspaper "Luhanskiye obyavleniya plus/Luhansk advertisement plus" (circulation – 5,000 copies); 4 special editions of "Shakhter/Miner" newspaper (circulation – 4,000 copies); booklets for utilities consumers; booklet about the coalition.

The Lviv NGO coalition:

Main publications:

The fortnightly newspaper "Lviv Region Employers' Association Herald" (circulation – 2,000 copies); brochures "Methodological recommendations to tax payers on protecting their rights from illegal official actions", "Problems of practical application of tax laws" (circulation – 600 copies); hundreds of publications in the local press.

The Mykolayiv NGO coalition:

Main publications:

Manuals "Samples of writs and complaints" (circulation – 10,000 copies); "International mechanisms of human rights protection" (circulation – 600 copies); "Protection of drivers' rights" (circulation – 600 copies); "Once again about the traffic police" (circulation – 600 copies); "The voter's ABC" (circulation – 2,000 copies); the newspaper "VEDO" – 5 thematic issues (total circulation – 25,000 copies).

The Sumy NGO coalition:

Main publications:

The monthly newspaper "Tvoye pravo/Your Right" (circulation – 2,000 copies); brochures "The partnership's sociology"; "The right for information"; "Protection of honor and dignity"; "Legal aspects of entrepreneurial activities: frequently asked questions"; "Your rights during arrest" (average circulation – 200-300 copies of each edition); a series of informational and educational leaflets (monthly, different subjects, average circulation – 200 copies of each).

The Kherson NGO coalition:

Main publications:

2003 annual report of the Kherson coalition (circulation – 500 copies); the weekly newspaper “Vhoru/To the Top” (circulation – 8,500 copies); the monthly newspaper “Vilnyi Vybir/Free Choice” (circulation – 1,000 copies); the monthly newspaper “Byvni/Tusks” (circulation – 1,000 copies); guides “Kherson to Children”, “Kherson to the Youth”, “Kherson to Pensioners” (circulation – 3,000 copies of each edition); the manual “An ABC Book for Appellant” (circulation – 2,000 copies); the brochure “How to Resist Illegal Actions of Controlling Bodies” (circulation – 500 copies); booklets on consumer rights protection (total circulation - 25,000 copies).

The Chernivtsi NGO coalition:

Main publications:

The monthly newspaper “KROK-ZAKHID/Step-West” (circulation – 1,000 copies); advertisement and informational booklet “The Partnership for a transparent Society” (circulation – 1,000 copies); three collections of public opinion surveys “The public against corruption: transparency in society”; the booklet “For a Transparent Society”; a series of anti-corruption promotional materials; leaflets “Where to address if your rights were violated”, “Land Reform”; the brochure “How to Protect Your Own Business”.

C. Press Clubs (numbers reflect reporting period of May – August 2004)

City	Date	Topic	Speakers	Present Journalists	Coverage
Kyiv	July 7, 2004	“Fighting corruption in law-enforcement agencies”	Hryhoriy Omelchenko, <i>Deputy Head of Parliamentary Committee on battling organized crime and corruption</i> , Marta Kolomayets, <i>Chief of Party “Partnership for a Transparent Society”</i> , Hryhoriy Kabanko, <i>Leader of professional union of militia</i> , Serhiy Ovchynnikov, <i>Leader of NGO “Union of drivers”</i>	14- newspapers 4 - TV 5- Radio	TV- 4 Radio - 5 Articles - 8
Chernivtsi	July 20, 2004	“Urgent aspects of fighting corruption: experience of law-enforcement agencies”	Marta Kolomayets, <i>Chief of Party “Partnership for a Transparent Society”</i> , Vladyslav Karduba, <i>Deputy Head of Chernivtsi Department on analysis of effectiveness of law-enforcement activities</i> , Hryhoriy Polkovnikov, <i>Chief of Department of fight against corruption of Ministry of Internal Affairs in Chernivtsi</i>	11- newspapers 5- TV 5 -Radio	TV-11 Radio-9 Articles - 10
Sumy	July 24, 2004	“Corruption in Ukraine. Results of public opinion survey”	Borys Bespalyi, <i>Secretary of Parliamentary Committee on state building and self-governance</i> Marta Kolomayets, <i>Chief of Party “Partnership for a Transparent Society”</i>	11 newspapers 1 Radio 1 TV	TV-1 Radio-1 Articles – 4

D. Partnership Website

The “Partnership for a Transparent Society” website.

The Partnership website is updated on a regular basis. Links with web page of the Parliamentary Committee on Battling Organized Crime and Corruption, CURE (Center for Ukrainian Reform Education) and “Sumy. Business. Law” portal have been established, as well as with web-pages of coalitions of Drohobych, Donetsk, Kamianets-Podilsky, Luhansk, Lviv, Sumy and Kherson. One can download electronic versions of documents and publications, issued by the Partnership program and its regional coalitions; to learn about the latest program events, etc. The website is in Ukrainian and English.

www.prozorist.org.ua

7. TRAINING/EDUCATIONAL ACTIVITIES

A. Trainings – the School of NGO Proficiency.

The “Partnership for a Transparent Society” program united over 150 NGOs, involving several thousand NGO participants. From the very beginning of the program its participants demonstrated their interest and willingness to acquire new knowledge and skills in order to develop their own organizations and to share their experience with others; to be in the vanguard of the intensive of the third sector of Ukraine.

The Partnership program selected training as an effective and interactive method of education, which provides knowledge, skills and abilities, necessary for the development of personality, its place in the organization and society. During the program activities the Kyiv office of the Partnership program alone organized and conducted 36 trainings with the participation of over 800 NGO representatives from the regions. In addition, each coalition also sponsored trainings in their communities. That is why we may talk about several thousands of NGO members, which received new skills and knowledge on various subjects. It should be mentioned that the Partnership for a Transparent Society brought together both powerful and experienced organizations and new members, which joined the project only recently and received professional targeted assistance from their mentors. Training activities covered all communities, where the Partnership program conducted its activities.

Objectives of trainings were different, depending on the topic of the training, but the main goal was to strengthen civil society organizations within the Partnership activities. Professional trainers sought to share their knowledge and to form necessary skills among the NGO leaders for them to make conscious and responsible decisions and actions, directed at the development of their respective NGOs in order to lobby community interests.

The majority of trainings included stages concerning the strategic development and planning of NGO activities. First of all the selection of candidates, responsible for specific spheres of NGO activities, was conducted. The training itself consisted of a two-day (as a rule) intensive

educational course. After the training organizations attempted to apply practically all the skills and knowledge they acquired. For example, the results of the “Local Fundraising” training, conducted by Volyn Resource Center (Rivne) demonstrate the indisputable effectiveness and usefulness of such training: during several months after the training NGO coalitions succeeded in raising funds and resources to the amount of UAH 40,000. In addition, all local coalitions continued receiving materials, property or free services from local businesses, communities and other NGOs for their activities on the partnership basis.

On the request of the deputies of raion councils and the regional NGO coalition of the city of Luhansk, the Partnership for a Transparent Society program organized and conducted three trainings on the social partnership issues, directed at the establishment of effective cooperation between businesses, NGOs and local authorities in resolving local problems. Other trainings provided participants with skills and knowledge on protecting human rights by NGOs, on principles of advocacy activities, on basic ways and methods of relations with the state controlling bodies.

Subjects of trainings conducted included:

- Coalition building;
- Effective functioning of Citizen advocacy offices and telephone hotlines;
- Lobbying and advocacy;
- Anti-corruption CAOs best practices and development of networking;
- Cooperation of civil society organizations, coalitions and lawyers to improve current legislation of Ukraine in the field of human trafficking;
- Adherence to professional and ethical standards in providing free legal assistance;
- Monitoring and protection of the freedom of press and other human rights and freedoms in Ukraine;
- Social partnership. Development of local self-governments;
- Getting ready for an audit. Documentation for an effective management of non-profit organizations;
- Local fundraising;
- Transparency and reporting of NGOs;
- Leadership and decision-making;
- Legal, taxation, and accounting aspects of NGO functioning;
- Strategic planning;
- Effective management of non-profit organizations;
- Writing grants to international donor organizations and funds.

During May – September 2004 within the framework of the “Partnership for a Transparent Society” program six trainings and seminars were conducted with participation of 135 persons.

For example, the training „*Strategic planning*” was aimed at developing skills and providing knowledge, necessary for NGO leaders to make responsible decisions and actions to strengthen their respective NGOs to be able to lobby community interests. With the support of the “Partnership for a Transparent Society” program, the Kherson Regional Health and Charity Foundation organized and conducted the training seminar “*Citizen advocacy offices of Ukrainian NGOs: experience, achievements, standards, perspectives*” in order to summarize and systematize lessons learned and to develop methodological recommendations for NGOs, which are planning to launch a CAO. In October 2004 it is planned to publish a manual on this topic. Kyiv Mohyla Business School leaders conducted an intensive seminar „*Effective NGO management*” with the goal to introduce business-type innovations in modern NGO activities.

The training „*Writing grants to international donor organizations*” was directed at developing such skills as one of the basic needs of civil society organizations. Finally, the Sumy Oblast Committee of Youth Organizations (the member of the Sumy coalition) received a grant from the Polish-American-Ukrainian Cooperation Initiative program to implement a project “*Learning best practices of cooperation between NGOs and local governments in Poland in resolving social problems of communities on the basis of transparency, accountability and citizen empowerment principles*”. The project included the trip to the Polish cities of Lublin, Krasnik, Lezhaisk, Olshtyn, Nidzitze and Gdansk of 30 Partnership program participants (2 groups of 15 persons each) from all Partnership NGO coalitions.

May 27-29, 2004, Zaliznyi Port village, Kherson oblast
Training “Strategic planning”

Trainers: Alla Tiutiunyk (*president of Kherson Regional Health and Charity Foundation*) and Natalia Bimbiraite (*coordinator of the Kherson regional NGO coalition of the “Partnership for a Transparent Society” program*).

Main topics:

- Evaluation of results. SMART criteria. NGO’s own resources: material, human, intellectual. Creating an NGO “inventory card”.
- Action plan development. Plan planning. SWOT analysis.
- Team building. NGO leadership. Development of a team work principles. NGO image and reputation.
- What is advocacy and lobbying. NGO strategic actions to lobby community interests.
- NGO management (building of infrastructure, organizational development plan, writing projects and budgets, budget compliance with project goals, work with personnel, internal and external communications).

July 1-3, 2004, , Lazurne village, Kherson oblast

Training “Citizen advocacy offices of Ukrainian NGOs: experience, achievements, standards, perspectives”

This training seminar was jointly organized by the “Partnership for a Transparent Society” program and the UCAN project. During the training process participants collected and learned about experience of successful CAOs. Participants also analyzed, summarized and developed standards and recommendations in order to avoid typical mistakes in organizing CAO. Based on the seminar results a manual will be published in October 2004. It will contain success stories, expert and psychological commentaries.

July 15 – 16, 2004, Kyiv

Seminar „Effective NGO management”

Trainers: Pavlo Sheremeta (dean-founder of Kyiv Mohyla Business School), Mykhailo Kolisnyk (leader of the School of Finances at Kyiv Mohyla Business School), Olena Maltseva (marketing director of “Maksymum” publishing house and Yaryna Kliuchkovska (PR-manager of METRO Cash and Carry Ukraine).

Main topics of the training:

- Management of modern organization: how to combine novelty and discipline.
- Basics of financial management for non-profit organizations.
- Personal branding for the head of organization.
- Basics of PR for NGOs.
- Establishing partnerships of NGOs and businesses. Business view.

- Radical marketing in non-profit organizations.
- Modern approaches to personnel management. How to win a war for talents?

September 2-3, 2004, Rivne

Training “Writing grants to international donor organizations”

Trainers: Ruslan Kraplych (*Volyn Resource Center*), Oksana Kraplych (*Prince-Beneficiaries Ostrozky Foundation*).

Main topics of the training:

- Sponsor motives
- Understanding the project
- Presentation of your organization
- Determining the problem and needs evaluation
- Goal and objectives
- Project action plan
- Budget
- Expected results and monitoring
- Review of procedures of project submission and consideration. Reasons for project success.

September 13-18, 2004, Lublin, Krasnik, Lezhaisk (Poland)

September 20-25, 2004, Olstyn, Nidzitca, Gdansk (Poland)

Training seminars “Learning best practices of cooperation between NGOs and local governments in Poland in resolving social problems of communities on the basis of transparency, accountability and citizen empowerment principles”.

Poland trip participants visited local NGOs, local self-governments, educational establishments, such as the Young Democracy Foundation, Novy Stav, Happy Childhood (Lublin), city councils, Development Foundation, Community Foundation and Activization School (Nidzitca), NGO Council (Olstyn), Gdansk office of “Gazeta Wyborca” and “Gazeta Olstynska”, Local Democracy Development Foundation (FRDL) in Olshytyn.

Main observations of the study trip participants:

- Better understanding by government of the role and importance of NGOs in the country’s social and economic development. Local governments in Poland financially support NGOs that provide certain social services that used to be the responsibility of government.
- More positive attitude of the government towards NGOs. Government in Poland sees NGOs as partners.
- Legal environment more favorable to the work of NGOs: they are allowed to earn money to support their non-profit (and socially useful) activities, and government is required by law to include cooperation with NGOs in the annual development plans.
- Greater access of Polish NGOs to the international donor funds, especially those offered by the European Union.
- Polish NGOs on average have more experience and better skills: even NGOs in small towns are capable of implementing large-scale and complex projects.
- Polish NGOs set up associations

What was useful:

- New ideas, knowledge and skills:
 - innovative mechanisms of cooperation between government and NGOs
 - running citizen consulting centers
 - running local and regional newspapers
 - principles of setting up loan-guarantee funds
 - programs aimed at saving and supporting traditional crafts to promote employment in rural areas
 - employment consulting centers for the youth.
- New contacts: most of the participants indicated that they will attempt to establish contacts with Polish NGOs for joint projects.
- Useful materials: databases of Polish NGOs, success stories and analytical materials.
- Getting to know each other better: participants of the Partnership for a Transparent Society Program had an opportunity to establish yet closer ties with each other and strengthen the foundation for future cooperation as an informal NGO network.

The main goals of the project include strengthening of Ukrainian NGO network using the Polish experience. The next step is to shape up public attitudes and awareness regarding the effective cooperation between NGOs, authorities and businesses as a crucial element of successful social partnership. That is why it is planned to organize 10 events (press-clubs, roundtables, etc.) and to issue at least 20 publications in mass media in all Partnership coalitions' sites in October and November to highlight Polish experience of the social partnership.

B. Legal Consultations

During the first two years of the project, legal support to citizens was provided only in the regions. Starting in 2004, the Partnership's central office in Kyiv hired a lawyer who began providing consulting services to the victims of several cases involving typical patterns of corruption of government officials. The lawyer provided legal consulting, interacted with the relevant officials and presented cases in court. The purpose of this effort was to create precedents of successful resolution of typical cases involving corruption and publicize them through the national media, thereby encouraging government authorities to take action to prevent similar abuses in future. All these cases involved corrupt public officials and included real estate fraud, illegal confiscation of property, and illegal dismissal of a public school teacher.

Examples of the most significant cases include the following:

1. The Tkachenko case:

This case deals with the depriving of the right for housing of a 76 year old man, whose apartment had been sold by auction for a record-breaking lowest price.

During the reporting period the case has passed the court of appellate jurisdiction, where mistakes of court of the first instance were pointed out. During this period the Partnership lawyer had numerous meetings with representatives of public prosecutor's office, militia, other governmental bodies in order to draw more attention to this case. As a result the advocate succeeded in attracting the prosecutor on Mr. Tkachenko's side during the court proceedings. Today the case is being reconsidered by the court of the first instance. Preliminary consideration of the case makes it possible to believe that the court decision would be made in favor of Mr. Tkachenko.

In addition to the legal support, the Partnership program also attempted to give this story maximum publicity among authorities and general population. In order to achieve such goals, a special program was released concerning this case; also several video reports were demonstrated on “STB” TV channel in the news program “Vikna/Windows”.

2. Dubno charity school case:

This case concerns the destruction of a private school in the town of Dubno in Rivne oblast. There were several trends of development of this case.

The first trend included submission of writs to Dubno department of justice concerning restitution of property; lodging of complaints against inactiveness of state executive officials to the court and oblast department of justice. An important element in this trend is writs of oblast department of justice against Dubno charity school concerning declaration of invalidity of agreements, according to which the property belongs to this school.

During the reporting period the Partnership lawyer achieved through the court decision cancellation of all claims from the executive authorities against the school. Before our intervention, the case was under court consideration for more than three years.

An agreement with the executive authorities was achieved concerning the restitution of the property to the private school. However, when the property was given back to school, it turned out that the substantial part of it had been lost. Therefore there are several court hearings in progress today concerning compensation of the lost property and moral damage.

Another trend dealt with relations between city authorities, private school and law enforcement bodies. During the period of the school’s existence, in order to cause additional pressure on the school master, he was assaulted several times. Despite numerous appeals to the prosecutor’s office, nothing has been done. Only after the program’s intervention, criminal proceedings were finally instituted. A criminal case was also initiated against the mayor for abuse of power.

The Dubno situation was presented in the film, produced with the participation of the program, and informational report for “STB” news program.

3. The case of teachers from Pavoloch village Zhytomyr oblast:

The case concerned the prosecution of a teacher, who protested against numerous violations and abuses of the school master in the process of school administration. Penalties were imposed on this teacher for supposedly violation of the labor discipline; there were several attempts to bring a criminal suit against her, etc. But all illegal decisions were cancelled by the court. Upon our recommendations, suits against the school master were lodged to compensate for moral damages.

In addition to the legal support of cases, the Partnership lawyer provided consultations to individuals and organizations, which sought assistance from the program; also provided necessary support for the legalization of internal procedures (agreements, acts, memorandums, etc); participated in conferences and public hearings.

The lawyer, along with the program’s PR manager, participated in the radio program concerning petty corruption on the “ERA” national radio station.

8. INNOVATION GRANTS

In order to disseminate positive experience and impact of the “Partnership for a Transparent Society” program and to help its participants to reveal their potential, the Partnership introduced

“Innovation grants” program to reward creative ideas of the NGOs that are members of our network. We provided additional resources for innovative activities adding value to the core project work carried out by the coalitions. The Partnership has awarded grants of \$2,000 each. There were 12 grants awarded. Their goal was to promote transparency and to combat corruption in such areas as supplementary funding of secondary public schools, small and medium business regulation, property and land relations, city youth policy, the system of higher education, electoral processes, etc. All the projects were completed by September 29, 2004. Among such projects were:

City: Donetsk

Organization: Donetsk Branch of the Association of Taxpayers of Ukraine

Project: Ensuring the implementation in Donetsk oblast of the Law of Ukraine on Regulatory policy in the area of entrepreneurship

A grant of \$2,000 was awarded to support activities aimed at promoting transparency in small and medium enterprise (SME) regulation in Donetsk oblast by developing a mechanism for implementation of the Law of Ukraine “On regulatory policy.” This project was a part of follow-up activities, resulting from the Partnership national conference “How to promote transparency in small and medium business regulation”.

The project addressed one of the most challenging problems currently facing Ukrainian SMEs – the sabotage by many regional and local authorities throughout Ukraine of the Law “On regulatory policy.” This progressive bill, aimed at ensuring transparency in SME regulation, came into force in 2004, but its actual implementation was generally ignored by local and regional authorities who continued to adopt regulations that were not transparent and without proper public discussion involving businesses and their associations, and without a required cost-benefit analysis of the proposed regulations.

In this project the Donetsk Branch of the Association of Taxpayers of Ukraine monitored the regulatory activities of the regional and local governments in Donetsk oblast, compiled and publicized a directory of regulatory acts affecting SMEs, carried out public hearings to discuss practical ways of public participation in regulatory policy development, and conducted four seminars on the methods of implementation of the Law of Ukraine “On regulatory policy”, covering the whole territory of Donetsk oblast (NGOs and businesses from 21 oblast cities participated in the seminars).

To gain broader public support for the project, the Association involved major stakeholders, both governmental and non-governmental, such as the Department of Economy of Donetsk oblast administration, the Regional Fund for Entrepreneurship Support, and leading business associations. This project became an important effort to prevent corruption in SME regulation in Donetsk oblast.

The novelty of this innovation project was in the urgency of the subject and oblast-wide coverage. The project helped strengthen the role of NGOs in the region, since NGOs became “inspectors and supervisors” of local authorities’ activities in the field of the application of the law. The coalition succeeded in involving new NGOs to become more active in promoting transparency of law implementation.

City: Kamianets-Podilsky

Organization: Center for Educational Policy

Project: Development of a model for transparent and effective management of high schools

To a certain extent this project was a follow-up to the previous innovation project implemented by the Center for Educational Policy last year that dealt with the establishment of a transparent system of supplementary funding for secondary public schools in the city. While the previous project primarily addressed the issue of financial management of schools, the current project dealt with a broader range of school administration issues and endeavored to promote more effective, transparent and participatory methods of school management.

The Center for Educational Policy experts analyzed the experience of two previously established school charity funds in order to perfect the existing model; conducted a survey among 600 parents to learn about their opinions and proposals regarding transparency and openness of parental contributions' usage. It turned out that parents were ready to provide schools with more money if they knew how it was spent. The project included the creation of a consulting group under the auspices of the Center for Educational Policy that provided advice to the schools on such issues as effective administrative and financial management, strategic planning and fund-raising. The group also drafted regulations on charity organizations within educational establishments in the city of Kamianets-Podilsky. Draft regulations were submitted to the city council for consideration.

As a result, the head of city department of education issued a decree with the recommendation to establish such charity funds within secondary public schools throughout the city. As of September 1, 2004 there were seven funds operating in schools; creation of nine additional school charity funds was underway.

The project was supported and partially financed by the city department of education. In addition to improving the quality of school administration and introducing transparent and participatory management methods in several schools, this project institutionally strengthened the Center for Educational Policy that had become a type of a local think-tank specializing in promoting effective, transparent and corruption-free secondary education system in Kamianets-Podilsky.

City: **Kherson**

Organization: **Kherson City Center for Youth Initiatives "Totem"**

Project: **Facilitating input of young people into the participatory development and transparent implementation of youth policy by the city government**

The "Totem" Center accomplished an innovation project, aimed at promoting transparency of local self-government by means of promoting proactive cooperation between city council advisors on youth policy and youth and student activists. The grant helped youth and student activists in Kherson provide input in the development and implementation of the city youth policy.

It was achieved through a series of meetings and roundtable discussions between local youth activists and the city council advisors on youth policy. The independent advisors had been previously selected by the city to help local officials develop policies that better reflected the real needs and expectations of the young people of Kherson. Despite the declared role, their true connection with the young people was questionable, because of the lack of information about the responsibilities and actual work of the advisors. The project helped to bridge this gap and linked advisors to the masses of young activists who were mobilized by the "Totem" youth initiatives center through local universities and youth NGOs.

The project activities included monitoring and media coverage of the work of the youth policy advisors, training seminars and meetings for the advisors and youth activists, survey of young

people's needs and problems that could be addressed by the city government, and a round table for advisors, youth activists and city government officials to evaluate the results of advisors' work and offer recommendations concerning the improvement of this participatory mechanism.

The main achievement of the project lies in the fact that youth policy advisors themselves got involved into the process of dissemination of information on the program and establishment of public relations. Advisors felt that active PR improved their authority and strengthened the institute of youth policy advisors in the system of local self-governance. An effective model for ensuring transparency and inclusiveness during the development and implementation of youth policy by the Kherson city council was established.

City: **Sumy**

Organization: **Sumy Oblast Committee of Youth Organizations**

Project: **Promoting transparency in agricultural land privatization**

The project was aimed at promoting transparency in agricultural land privatization in Krasnopillya, one of the raions (districts) of the Sumy oblast, targeting the remote villages where the residents had no access to qualified legal advice and therefore often did not know how to realize their right to private ownership of land plots. These people often became targets of fraud and corrupt actions by local government officials.

The project involved the advocates of the citizen advocacy office in Krasnopillya and the residents to prepare both sides of the land privatization process for effective interaction during the land privatization process. The goal was to increase the level of legal awareness of land owners and to decrease the number of violations in the field of land distribution and ownership regulations. The project targeted all citizens of the raion, but primarily villagers.

The NGO coalition advocates organized training sessions during which experts from the oblast land department trained local officials on various issues pertaining to land privatization. Then the advocates conducted meetings and lectures in eight towns and villages for hundreds of residents to inform them on how to exercise their right to private land ownership. Additionally, the project supported operation of the citizen advocacy office in Krasnopillya that provided regular advice and consultations to the villagers interested in becoming land plot owners. The organization also established partner relations with the land resources department of Krasnopillya raion state administration, local newspaper "Peremoha", village councils and farmers.

Thus, by enhancing the competence of the responsible officials, by building awareness among the rural residents, and providing regular consultations to the citizens on the requirements and procedures of land privatization, this project significantly contributed to greater transparency and prevention of corruption during land privatization in the Krasnopillya raion of the Sumy oblast.

Project implementation experience strengthened the organization itself, contributed to its professionalism and good reputation, and improved the technique of the mobile CAO organization. Skills and methodologies, acquired during the project implementation will be further used for resolving land privatization and ownership issues, which remain the primary field of organization's activities.

9. MONITORING AND RESULTS

Performance monitoring was one of the skills that our program systemically worked to develop among regional NGO coalitions. Our performance monitoring and measurement system was used not only for the management and reporting purposes of the Partnership for a Transparent Society project itself, but also as a means to teach the NGO coalitions to use monitoring and

evaluation as an important part of managing their own projects. Special attention was given to the systemic changes, i.e. changes in rules and regulations creating a more transparent environment adopted by local and regional authorities under the influence of NGOs.

During the past six months each coalition was requested to submit the following data:

1. *Number of anti-corruption cases* – this indicator shows the overall workload of the citizen advocacy offices and telephone hotlines run by an NGO coalition;
2. *Number of successfully resolved cases* – this indicator demonstrates how successful the coalitions are at resolving specific cases dealing with corruption;
3. *Number of anti-corruption actions* – indicates specific actions by the government officials aimed at preventing corruption or establishing greater transparency government operations;
4. *Number of systemic changes* – captures the most desired results - long-term institutional changes that establish greater transparency and prevent corruption in the public sector.

A. Indicators

Data on indicators for the reporting period of May 1, 2004 – September 29, 2004

Coalition/indicators	May 1, 2004 – September 29, 2004			
	1	2	3	4
Donetsk	209	56	22	0
Drohobych	47	50	60	1
Kamianets-Podilsky	54	26	7	0
Lubny	30	14	6	1
Luhansk	33	38	21	9
Lviv	287	85	10	1
Mykolaiv	235	230	101	0
Sumy	55	23	4	0
Kherson	140	42	6	1
Chernivtsi	56	11	5	7
Total	1146	575	242	20

B. Examples of Systemic Changes Achieved by the NGO Coalitions

Kherson: promoting transparency in the work of the youth policy advisors to the mayor by establishing a system of regular communications and consultations of the advisors with the youth and students leaders in Kherson. The work of the youth policy advisors was made more open and a mechanism was established for the youth leaders to provide input in the development of the city's youth policy and in the implementation of the youth projects funded by the city.

Lviv: establishing a systemic channel of communication between the business leaders of the Lviv oblast and the governor – head of the oblast state administration. The governor agreed to participate in regular meetings of the regional coordination council on entrepreneurship to discuss and resolve issues concerning the interaction of controlling and law enforcement bodies with local businesses.

Chernivtsi: coalition provided input in the city strategic development plan, and such important local legal acts as regulations on municipal land lease, and on contributions of businesses leasing municipal land to the development of the municipal infrastructure. The focus of the coalition's input was on making the regulations more transparent and understandable to businesses.

Luhansk: coalition lobbied the Ministry of Fuel and Energy of Ukraine to develop a legal arrangement that would provide retirement benefits to Ukrainian miners who retired while working at mining companies in Russia. Because Luhank oblast neighbors on Russia, many miners work there, and until this decision those who retired in Russia and returned to Ukraine were not eligible to certain important benefits. Due to the coalition's involvement an appropriate mechanism was established based on the intergovernmental agreement that positively affects thousands of retired miners.

10. COOPERATION WITH UKRAINIAN GOVERNMENT

Over the past three years, the Partnership had difficulty in finding partners on the national level to work with on issues of transparency and accountability. Although the original work plan called for activities on the national level, including the development of a watchdog group and a coordinating board made up of NGOs and government officials, several failed attempts underscored the fact that there is no political will in Kyiv and few government officials are interested in battling issues of corruption, let alone developing a policy agenda.

However, the Partnership was successful in developing a close relationship with the Parliamentary Committee on Combating Organized Crime and Corruption, headed by Deputy Volodymyr Stretovych, who is also the chairman of NISPAC, the Newly-Independent States' Parliamentarians Against Corruption.

Mr. Stretovych's Committee worked closely with the Partnership, endorsing the Partnership's citizen advocacy offices in the regions (March 2003); the Committee also accredited coalition coordinators as representatives of the Committee.

The Partnership was instrumental in helping develop a brochure about the Committee's activities and legislative initiatives, publishing a print run of 5,000 copies. The 24-page brochure has been widely distributed in the regions, through citizen advocacy offices, giving Ukrainian citizens a better understanding of how the Committee works and how to go about filing a complaint. The Partnership CAOs also made the Committee's workload easier, providing legal consultations and advice in the regions.

Other than this profile committee, the Partnership worked closely with the Parliamentary Committee on State-Building and Local Self-Government, the Parliamentary Committee on Industrial Policy and Entrepreneurship and the Parliamentary Committee on Human Rights.

11. COOPERATION WITH DONORS

During the last few months of the program, the Partnership intensified its efforts to introduce its regional NGO coalitions to the donor community, to help them continue their work in the regions after the program close-down.

To this end, the lessons-learned conference in September hosted an information fair, where donors and international development organizations had the opportunity to meet with the regional NGO coalitions, appraise their work and their commitment to the battle against corruption.

Among those who attended the conference and expressed an interest in pursuing a relationship with the Ukrainian NGO coalitions were the US Embassy/Democracy Grants Program, the

European Commission project on the Development of a Civil Society, the Organization on Security and Cooperation in Europe (OSCE), the World Bank, the United Nations, the International Renaissance Foundation, the National Democratic Institute, the Konrad Adenauer Fund, the British DFID, and the C.S. Mott Foundation. In addition, seven of the Partnership's NGO activists were chosen as Open World participants for study tours in the U.S.A.

Cooperation with other USAID Projects

As in the past, the Partnership continued a close working relationship with other USAID projects, such as UCAN, UREP (CURE), the US-Ukraine Foundation and others.

Through the efforts of the Partnership, representatives of each one of the NGO coalitions were able to secure a Polish-American-Ukrainian Cooperation Initiative (PAUCI) grant to visit several cities in Poland and observe the close relations between Polish NGOs and local government officials (See Chapter 7).

Of course, the closest relationship was with the Center for Ukrainian Reform Education, which helped with public information campaigns, TV segments, radio shows and press clubs, both regional and national.

It is important to note that many of our NGOs were able to secure funding for their work from local businesses, from their local governments, including grants and in-kind contributions.

12. FUTURE CHALLENGES

Beyond “Partnership for a Transparent Society” –

Strategic Issues and Options for Future USAID Programs

Introduction

This section outlines some of the strategic issues and options for future USAID programs that are suggested by the experience of implementing USAID's “Partnership for a Transparent Society” in a total of 16 local communities across Ukraine (2002-2004). Separate project technical reports provide a summary of what was done under that program. This section is focused on the future: where might USAID go from here? What are some of the issues and options that DAI project staff has identified as a result of our experience working with coalitions of local non-governmental organizations, private sector organizations and local governments to combat corruption in Ukraine?

This section is divided into two broad sections. First, based on our experience during this period, what are some overall issues and options associated with anti-corruption programs in general? This section is broader in scope and more strategic in focus. Second, what are some of the lessons learned or issues associated with the assumptions and design of the Partnership for a Transparent Society? This section is concerned with the specific approach of the Partnership, and could be described as more focused on tactics.

In both sections, this report raises questions and issues, and often (but not always) offers recommendations and proposals. It is intended to help launch a debate about possible future directions for USAID programs, and suggest an agenda for future work, but not to resolve all issues or provide a definitive blueprint. It is a ‘think piece’ whose purpose is to help inform and advance an ongoing process of USAID deliberations, contributing to that dialogue rather than trying to bring it to an end.

A. Broad Strategic Issues

1.1 Does it make sense to have a separate anti-corruption program, or is it more effective to integrate anti-corruption efforts into other USAID programs supporting specific technical sectors?

Corruption is widely seen as so pervasive in Ukraine that it touches virtually all aspects of citizens' lives. Both citizen surveys and informal consultations and assessments with local organizations underscore the extent to which corrupt practices extend from licensing business to educating children; from access to land to access to basic health services; from managing ordinary errands (such as driving a car) to dealing with extraordinary events (such as registering births, deaths and marriages).

In this environment, one might conclude that USAID anti-corruption activities are likely to be most effective if they are fully integrated into ongoing USAID programs. One argument for this approach is the acknowledgement that 'anti-corruption' is not a defined discipline or sector. The global experience of USAID and other donors indicate that there are no silver bullets, common or established strategies, or clear paths to success. Anti-corruption seems to be a messy and difficult to define program area. A more effective approach might be to have anti-corruption 'embedded' in virtually all sectors, cutting across the full range of USAID activities. In this approach, anti-corruption would be similar to gender or environmental issues: not isolated as a separate (and perhaps somewhat ancillary) activity, but important and pervasive enough to be a part of all USAID programs.

There are several arguments against this position, however. These include the following:

- Effective "integration of cross-cutting themes" is often difficult to achieve. Typically, these cross-cutting themes have no clear ownership or anchor in any particular technical office. They are frequently seen as an unwelcome distraction from primary project objectives and there is the distinct danger of anti-corruption being downgraded to an obligatory bureaucratic box that has to be checked but is seldom embraced.
- Although anti-corruption programs can be difficult to define and challenging to manage, a coherent strategy is both possible and necessary. Spreading anti-corruption across the portfolio presents considerable challenges to managing an effective program. In practice it is difficult to break down organizational barriers and project walls to pursue a coherent anti-corruption strategy with consistent approaches and systematic organizational learning.
- There are specific areas where anti-corruption expertise is required and is unlikely to be found across the mission's portfolio. (For example, these include laws and regulations dealing with conflict of interest laws, public procurement, audit and investigation.) Attempting to integrate anti-corruption into all USAID programs, but having no clear center of anti-corruption expertise, leaves a potentially fatal strategic gap.
- Arguably corruption in Ukraine is so pervasive and damaging to both economic and political development that it deserves the explicit recognition and political support of having a separate and identifiable program that clearly establishes the position of USAID and the USG on this issue.

On balance, a decision to forego a separate anti-corruption program in favor of integrating anti-corruption as a cross-cutting theme could result in no effective USAID presence in this area. This may be appropriate if other donors are picking up the slack or if resource constraints demand a more focused USAID effort, but the choice should be a conscious and deliberate one.

A middle road might be to take one specific sector that is already a high priority for USAID (such as SME development or education) and ensure that there is a robust anti-corruption

component, with adequate resources, technical expertise and clear programmatic objectives. This approach might allow USAID to continue to address corruption issues in a systematic and focused way in one or two sectors, while avoiding the pitfall of a ‘cross-cutting theme’ that is nominally part of all USAID program sectors but not effectively pursued in any one sector.

1.2 What is the appropriate balance between working with the public sector agencies and nongovernmental and private sector organizations?

By design and intention, the Partnership program has focused on building coalitions of nongovernmental and private sector organizations. Although these have sometimes led to collaboration with local government agencies, the main thrust of the program has deliberately been to work outside government structures. Yet this is only one piece of the puzzle. Successful anti-corruption programs demand changes and reforms in government structures, capacities, laws, procedures and regulations.

Part of the rationale for the emphasis on the nongovernmental and private sector organizations was a judgment that there was little prospect of meaningful or significant progress with government agencies. This may be appropriate at various points, and working outside the government can be effective in generating demand for reforms. Ultimately, however, the government cannot be ignored.

There is no formula for determining the appropriate balance between working with and inside the government (for example, on improving regulations and audit procedures) and working outside the government (for example, mobilizing citizen coalitions to insist on transparency of government operations). Developing and pursuing an effective anti-corruption strategy, however, will require working both inside and outside the government, using progress in one area to leverage support and momentum in the other.

1.3 How do we tackle the perceived problem of a lack of political will?

A frequent complaint about corruption is that the government ‘lacks the political will’ to pursue corruption vigorously. It is a mistake, however, to stop at this point. Lack of political will is not an independent variable and inevitable or immutable fact of life. Political will is dynamic and malleable. It can be nurtured and shaped.

Surveys of citizen attitudes toward corruption conducted by the Partnership program have dispelled some initial myths about Ukraine. Overall, citizens do have a pretty clear idea about what counts as corruption, they recognize its negative impact on their lives, and they don’t like it. There is thus a promising reservoir of support for reform measures that can be supported. (There is, however, some worrisome evidence that the younger generation tends to be more cynical about corruption, reluctantly accepting that there is little prospect for change and making pragmatic adjustments to deal with corruption as a necessary evil.)

One achievement of the Partnership program has been to elevate corruption as a problem of public life in selected local communities, legitimize it as an issue for public debate, and help launch a wide range of civil society organizations that are willing to challenge the status quo. This is a foundation which future USAID programs could build upon. To do so, however, would require a more conscious strategy of public information and advocacy that explicitly tackles ‘lack of political will’ as a challenge but not an inevitable and fatal constraint. This strategy should move beyond individual communities and reinforce broader networks of anti-corruption groups.

The culmination of the Partnership program in agreement by the coalitions to continue to work together as a national network is a clear and positive step in this direction. In the future, more

might be done with press and media, professional and business associations, consumer groups, church and religious organizations, academic institutions and independent research centers. To assess these opportunities, a key step would be a careful 'stakeholder analysis' to identify specific groups whose interests are clearly adversely affected by corruption, and then to design a strategy to draw them into a growing coalition that will help change the political dynamics and thus change political will.

1.4 What is the most effective balance and sequence of support to national-level and local-level agencies and organizations?

The Partnership program was largely focused on local communities and local organizations. Only very limited headway was made at the national level, in part because the prospects for success in changing national institutions, procedures and practices were seen as unpromising (particularly in the executive branch).

After assessing the potential value of the National Anti-Corruption Forum and deciding that it was not a promising partner, the Partnership program tried to launch new national-level coalitions, but these efforts were not successful. One reason may be that they were premature. The most effective approach to building coalitions at the national level may be through the established and functioning coalitions at the local level, ensuring that national level efforts are firmly rooted in local constituencies. With the achievements of the Partnership program in 10 communities, and their agreement to continue their association through a network, the time may now be right to revisit a strategy for working at the national level. The foundation may now be in place for launching successful national coalitions, where none existed previously.

Ultimately, however, a robust anti-corruption strategy has to address the challenge of change at the national level. Even with the indifference or outright hostility of the executive branch, there appear to be openings within the national parliament that could be exploited.

B. Programmatic Tactical Issues

2.1 The promise and perils of a 'demand-driven' program.

The Partnership program has deliberately tried to be responsive to local concerns and support locally determined priorities. Although the Partnership identified a 'menu' of six topic areas where coalitions could work, in practice the choices of each communities revealed a wide range of specific activities. The strength of this approach is that the USAID program has benefited from the energy, commitment and dedication of local organizations that have focused on concrete issues with immediate and direct relevant to the lives of their citizens. From problems of transparency in water tariffs to labor rights and land title, the Partnership program has been far from abstract but anchored in real needs of real citizens.

The challenge is that these local efforts are so diverse that it can be difficult to manage them as part of a common program pursuing a common strategy to have a significant and systemic impact. While different communities offer moral support to one another, the story of each community seems unique and distinctive. The future challenge is to build on the individual successes of these local partners to ensure that the whole is greater than the sum of its parts. (The newly formed network of coalition partners is a clear step in this direction.)

2.2 Seeking an effective point of entry.

In addition to responding to local priorities, are there other criteria that might be used in future USAID programs to assess competing opportunities and identify those most likely to result in significant or systemic change? On balance, are programs focused on corruption in education more or less easy to manage and more likely to succeed than those focused on health services?

Are both the health and education systems so complex, cumbersome and rigid that resources are better spent on the municipal legal and regulatory regime affecting business registration? Are issues of land titling more resistant to reform than the behavior of traffic police?

The compilation of success stories from each of the Partnership communities and the individual lessons learned by each of the local coalitions provide a foundation for answering these kinds of questions. The evidence may suggest that there is no single point of entry, but part of a continuing analytic agenda is reviewing the experience of these different communities to see if one might be identified.

2.3 Building more effective partnerships with local governments

The primary focus of the Partnership program has been on the non-governmental community at the local level. In many cases, these local coalitions have established partnerships with local governments to tackle corruption in specific sectors. However, there has been relatively little attention to (and few resources for) creating incentives for local government collaboration.

A future program working at the local level would probably benefit from increased emphasis on strategies and incentives to engage local government authorities in a more systematic way.

2.4 Helping a diverse coalition coalesce and maintain itself.

An important achievement of the Partnership program was bringing together a diverse group of local organizations and individuals who had never previously worked together. In many cases, there was initial skepticism that the coalition would in fact coalesce into a functioning group able to collaborate effectively. Yet this was achieved, even when the initial prospects were not promising.

It is less clear *how* this was achieved. What turned a collection of separate organizations, with their own histories, programs and interests, into a collaborative team? What worked and what did not? What kinds of resources were required? What kinds of efficiencies might be achieved in the future? In sum, what lessons does the experience of the Partnership in building local coalitions at the local level suggest for future USAID programs?

2.5 Assessing the performance of coalitions.

Reports from partner coalitions and other project documents point to several related but distinct roles that coalitions have served. These include:

- Strengthening the institutional capacities of non-governmental organizations;
- Building public understanding of and support for reducing the tolerance for corruption;
- Lobbying and advocating for changes in laws, regulations and procedures;
- Serving as an ombudsman to protect the interests of specific groups; and
- Providing direct assistance to adversely affected groups.

These are not mutually exclusive roles. A coalition partner may do one or more of them. But each function points to a different set of criteria for assessing success and different ways of measuring results. Furthermore, these might not all be equally important. Or some sequencing may be necessary (for example, first launching public education campaigns and only then moving on to lobbying and advocacy.) While the Partnership program built on the strength that comes from responding to local priorities, this flexibility obscures important strategic questions about priorities, sequences and strategic choices. As a result, there were significant challenges in assessing the performance of the coalition partners systematically and consistently. While project staff can readily identify coalitions that are active, imaginative and innovative, these judgments are based on personal experiences, impressions and anecdotes, rather than clear evaluation frameworks.

2.6. Identity problem: NGO development as an end or a means?

Much of the assistance of the Partnership program has been focused on building the capacities of non-governmental organizations (in areas such as leadership skills, fundraising, and financial management). As a result, it sometimes seems as if the Partnership program is fundamentally an NGO development effort, which happens to focus on the problem of corruption, as opposed to one part of an anti-corruption strategy that works with nongovernmental organization as a mechanism.

Absent are other elements of a comprehensive anti-corruption program (such as national legal and regulatory reform, building government financial management and audit capacities, strengthening legal systems and prosecutorial functions), it is easy for the emphasis on nongovernmental organizations to shift from being a means to an end in itself.

2.7 Monitoring impact and disseminating innovations.

Reports by coalition partners present an impressive list of successful activities, each with their own achievements. This is very encouraging, and the enthusiasm of the coalition partners is visible. This impressive compilation of individual success stories is a resource for further analysis to generate basic ‘rules of thumb’ and successful approaches that can be used by future USAID programs and other donors.

If USAID integrates anti-corruption into one or more of its other ongoing programs (rather than launch a new and separate anti-corruption project), these insights could be very valuable. For example, what did the Partnership program reveal about the patterns of corruption in land titling, and how could USAID land privatization interventions take this into account?

Coalition partners also pioneered some intriguing innovations, such as the “Corruption Ambulance” for rapid response to complaints of small businesses, or mechanisms to bring transparency to public school financing. So that these successful experiments are not lost, USAID’s future anti-corruption work could identify the most widely relevant of these innovations and develop a strategy for disseminating them more widely. (The newly formed network of coalition partners could be a vehicle for this.)

TECHNICAL ANNEXES

Chronology of Key Events

Date	Key Milestones
October/November 2001	Office Set-up/Hiring of Staff
December 2001	Site Selection (Donetsk, Drohobych, Kharkiv, Kherson, Lviv, Mykolayiv, Sumy)
January 2002	Coalition-building conference. Start-up of “First Steps” six weeks Action Plan
March 2002	<ul style="list-style-type: none"> - 2002 National Anti-corruption Public Opinion Survey; - Coalition-building activities (trainings, seminars) for newly established coalitions
April 2002	National survey presentations (both at national and regional levels)
May 2002	Official project registration
June 2002	Establishment of regional coalitions’ hotlines and CAOs
July 2002	Project accreditation
August 2002	Signing of an agreement on cooperation with the Parliamentary Committee on Battling Organized Crime and Corruption
September 2002	<ul style="list-style-type: none"> - Production of a handbook for parliamentarians “Combating Corruption”, based on a World Bank/CIDA model; - Anti-corruption CAOs conference in Samara, Russia.
October 2002	<ul style="list-style-type: none"> - “Combating corruption” handbook presentation in Verkhovna Rada of Ukraine; - Coalition-building model presentation during anti-corruption conference in St. Petersburg, Russia - Production of anti-corruption trigger videos;
November 2002	<ul style="list-style-type: none"> - National conference “Transparency and Corruption in the System of Higher Education of Ukraine”, Lviv; - Preparation of materials for the constituent conference of GOPAC (Global Organization of Parliamentarians against Corruption) - Organization and participation in the field session of Parliamentary Committee on Battling Organized Crime and Corruption in Donetsk
December 2002	<ul style="list-style-type: none"> - Site selection for new Partnership coalitions (visits to 11 cities and towns)
January 2003	<ul style="list-style-type: none"> - Partnership annual reporting and planning conference; - Addition of 4 coalitions (Chernivtsi, Lubny, Luhansk, Kamianets-Podilsky)

February 2003	<ul style="list-style-type: none"> - Publication of the book “Corruption in the System of Higher Education of Ukraine” (materials of Corruption in Education national conference); - Coalition-building activities (trainings, seminars) for newly established coalitions.
March 2003	2003 National Anti-corruption Public Opinion Survey
April-September 2003	Monthly brainstorming meeting of organizational committee to prepare a national conference on corruption in SME regulation
May 2003	National public opinion survey on corruption in schools of higher education (requested by the Presidential Coordination Committee on Battling Organized Crime and Corruption)
June 2003	Organization and participation in the field session of Parliamentary Committee on Battling Organized Crime and Corruption in Lviv
August 2003	<ul style="list-style-type: none"> - Production of book “How Entrepreneurs Protect Their Rights”; - Preparation of the analysis of SME-regulating legislation; - Press-clubs on anti-corruption survey in 10 Partnership sites
September 2003	Production of success story videos on the basis of the regional coalitions’ anti-corruption best practices
October 2003	<ul style="list-style-type: none"> - National conference “How to Promote Transparency in SME Regulation”, Kyiv; - Development of SME conference recommendations; - Program presentation at the anti-corruption seminar, Palermo, Italy; - Coalition-building model presentation at the anti-corruption seminar, Mexico.
November – December 2003	Publication of SME conference materials (multimedia CD and handbook)
January 2004	Publication of the newest comprehensive scientific work on corruption “Corruption – corrosion of Power” by M.Melnyk
February 2004	Partnership annual reporting and planning conference
March 2004	National presentation of the book “Corruption – Corrosion of Power”
April 2004	National anti-corruption public opinion survey.
May 2004	Production of handbook on the rights and responsibilities of the Parliamentary Committee on Combating Organized Crime and Corruption, a historic first.
September 2004	<ul style="list-style-type: none"> - Partnership lessons learned conference; - Establishment of a Network of NGOs “Partnership for a Transparent Society”; - Competition for the best anti-corruption poster, co-organized and funded with the CURE; - Publication of a booklet summarizing the 3 years of project experience; - Educational trip to Poland of 30 Partnership coalitions’ representatives.

Award-Winning Anti-Corruption Posters

The Agreement on Cooperation and Establishment of the “Partnership for a Transparent Society” Civil Society Organizations Network

Kyiv

September 10, 2004

We, the coordinators of the regional NGO coalitions, which participated in the “Partnership for a Transparent Society” program during 2001 – 2004,

- Having the intention to continue established cooperation, to preserve and to augment our positive experience, acquired within the framework of the program;
- Realizing the importance of promoting transparency and preventing corruption in the establishment of democracy and civil society development processes in Ukraine,

sign this Agreement and agree upon the following:

1) To establish the “Partnership for a Transparent Society” NGO Network (hereinafter – Network) as an informal, nonpolitical union of civil society organizations for further cooperation

with the goal to promote transparency and prevent corruption in Ukraine;

2) To continue activities of regional NGO coalitions, established within the framework of the “Partnership for a Transparent Society” program after this program is completed;

3) To carry out joint activities and to ensure informational exchange between the members of the Network in order to coordinate efforts and disseminate experience and lessons learned with the goal to reach more significant results in program activities;

4) To adhere to the following **principles** in our activities:

- Network members support democratic values, the rule of law, social partnership, active involvement of citizens in government decision-making processes, transparency of authorities’ actions and their accountability;
- Nonpolitical and noncommercial nature of the Network activities;
- Voluntarism in joining the Network, equal rights for all its members, collegiality in decision-making;
- The Network is open for each and every civil society organization, which shares the commitments and beliefs of Network members; works towards prevention of corruption; and aims to establish and develop a transparent society;
- Favorable and productive partnership of the Network members with all citizens, authorities, mass media and the private sector;

5) Coordination of the Network activities is carried out by authorized representatives of the regional coalitions or other NGO associations, which work in the communities, covered by the Network activities;

6) The Network activities foresee the involvement of volunteers and are financed at the expense of the membership fees of the Network members, charitable contributions of individuals, organizations, grants from donor organizations and other sources, not prohibited by law.

On behalf of the founders of the “Partnership for a Transparent Society” civil society organizations network this Agreement is signed by:

Natalia Bimbiraite - Kherson coalition coordinator

Svitlana Yeremenko - Donetsk coalition coordinator

Tetiana Smoldyryeva - Chernivtsi coalition coordinator

Alla Fedoryna - Sumy coalition coordinator

Volodymyr Velychko - Lubny coalition coordinator

Anatoliy Ivaniuchenko - Mykolayiv coalition coordinator

Dmytro Kalitvintsev - Luhansk coalition coordinator

Ihor Lepioshkin - Kamianets-Podilsky coalition coordinator

Yuriy Tsetnar - Lviv coalition coordinator

Yenhen Shylnyk - Drohobych coalition coordinator