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# STRENGTHENING THE ACCOUNTABILITY AND TRANSPARENCY OF THE LEGISLATIVE PROCESS IN THE WEST BANK AND GAZA PROJECT (BAYAN)

**THE ROLES OF PALESTINIAN CIVIL SOCIETY ORGANIZATIONS IN THE  
LEGISLATIVE PROCESS**

**REGULATORY IMPACT ASSESSMENT TRAINING REPORT**

Phase I: March 11 – 15, 2007

This document was produced for review by the United States Agency for International Development. It was prepared by the BAYAN team of DAI Washington.

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## Executive Summary

The BAYAN project is designed to strengthen the accountability and transparency of the legislative process in West Bank and Gaza. To fulfil this mandate BAYAN provided training on Regulatory Impact Assessments (RIA) for 13 representatives from 4 universities, and 5 civil and private sector organisations from 11 to 15 March 2007 in Ramallah. This training was the first Phase of RIA training and was designed to educate and enable participants to understand the concept of and ultimately produce RIAs. Phase II of the training will be completed by May 2007 and will support the production of real case study RIAs by the participants.

Phase I of the course was designed after a training needs assessment was conducted based on a questionnaire detailing the participants' knowledge, expertise and course expectations (see Annex 1). The needs assessment found that there was little or no knowledge of RIA however the participants were very keen to learn and had a good level of expertise in the legislative-making process. Therefore, the course was designed to:

- ✓ Introduce the concept of Regulatory Best Practice;
- ✓ Introduce the rationale behind RIA;
- ✓ Give participants an understanding of what a RIA looks like;
- ✓ Appreciate and understand how to complete a RIA;
- ✓ Understand how a RIA can be used and benefit their organisation; and
- ✓ Be prepared to produce a case study RIA (Phase II).

Phase I used a variety of training methods including lecturing, presenting, group and individual exercises, role play exercises and group discussions. These methods are detailed in the report. The outcomes from the course evaluation were very positive. The participants felt that the objectives of the training course had been met and that they were fully prepared to work on the course-follow-up in preparation for Phase II of the training course planned for May 2007.

The participants were fully engaged in the training course and had a high level of competency in terms of the legislative making process which assisted in the delivery of the course. Therefore they were able to grasp the concept quickly and understand the benefit that the RIA process can provide in strengthening the legislative process in Palestine.

The feedback received also demonstrated the need and appetite for further and perhaps more specialized RIA related training and support to these organisations to continue the momentum of this training course. Many participants commented that they would begin to use the RIA process in their existing work as well as use it as part of Phase II. They requested further support to assist them in doing this and the BAYAN project agreed to assist them during Phase II. However more sustainable support should be provided to continue the momentum gained from this training course. Recommendations on next steps are provided at the end of this report.

## Introduction

This report gives an account of the delivery of Phase I of the Regulatory Impact Assessment (RIA) Training Course. The training on RIA is part of the BAYAN project: *Strengthening the Accountability and Transparency of the Legislative Process in West Bank and Gaza*. The purpose of the training in RIA is to create a Palestinian capacity to design precise, targeted laws and regulations that achieve policy aims efficiently and effectively with a minimum burden on stakeholders. Phase I of the RIA training was to introduce the concept of RIA and equip participants with the necessary practical tools for drafting pilot RIAs. The result of the training needs assessment for the course is attached in annex I.

### **Phase I**

#### **Phase I Aim**

Impart the concept of RIA and practical analytical tools to allow participants to prepare an RIA.

#### **Phase I Training Goals**

The training goals for Phase I training are based on the feedback from the pre-course questionnaires and consultation with the BAYAN project. At the end of Phase I of the RIA training course:

- (i) Participants will have an understanding of the RIA system and document;
- (ii) Participants will understand the different sections of a RIA and will have basic understanding of how to complete each section;
- (iii) Participants will be able to progress the RIA case study work on the selected policies that are started during the course and develop new case studies if necessary.

## Participants

The main participants for the RIA training course were the Institute of Law at Birzeit University, Law departments from other academic institutions, 4 of BAYAN's CSO partners including one from Gaza. With assistance from USAID, only one of the two Gaza participants was granted permit to attend the training in Ramallah. The participants are all detailed in annex II.

## Course Structure/Timetable

The course structure was designed to be participatory, interactive as well as informative. As the course was meant to teach practical skills in conducting a RIA, the course had a heavy emphasis on group working and workshops that taught and applied these skills.

The course was timetabled over 5 days. The full course timetable and session objectives can be found in annex III.

## Course Delivery

The course structure was not changed. However during the delivery of the course and based on the daily feedback received and consultation with BAYAN's senior management, certain sessions were amended to better suit the needs of the participants. The delivery and any changes for each session are detailed below.

## **General Comments on Course Delivery**

The comments below detail some of the key elements within the delivery of the course.

### ***General Comments: importance of pre-course preparation***

The briefing and design for this course was well informed by the BAYAN senior management who provided the trainer with invaluable input during the design stage. The level of competence of the participants and the relevance of this course for the participants was extremely well suited. There was a clear appetite for the course that was well identified at the stage of designing this course by the BAYAN project.

The good design of the course and the selection process for the participants meant that the course did not differ a huge amount in its delivery compared to its original design. During the delivery of the course there were some minor changes in the session formats, most notably on day five. In all the sessions, the session objectives were either met or exceeded.

### ***General Comments: course delivery management***

The course was attended by the Chief of Party and Senior Legislative Technical Adviser (SLTA) for the BAYAN project. At the end of each day, the course participants were given a questionnaire on the training for the day. After each training day had ended the trainer, Chief of Party and the SLTA analysed the questionnaires and discussed any changes required for the next day, as requested by the participants. In addition during the delivery of the course, the trainer, Chief of Party and SLTA would stay in close consultation for any issues that required amendments to the delivery of the course. This management process ensured the course was delivered effectively and catered to the needs of the participants.

### ***General comments: timing of course***

At the beginning of the course, the participants were consulted on the timetable. It was agreed that the course would start earlier than programmed so that the course could finish earlier each day. It was agreed that the course would begin each morning session at 8.30am so that the course could finish by 3.30pm. Despite the course beginning earlier most days the training still continued to 4pm or later most days due to the discussions of the participants.

During the penultimate day of the course there were some requests from the participants to finish early due to the need to travel home before their permits expire in places such as Gaza or people coming from outside of Ramallah such as Nablus and Jenin. However due to the progress made in the course, this was made possible by a small change. Therefore on the last day the participants finished the course after lunch.

### ***General comments: importance of qualified and competent translator***

The course had a translator which proved to be invaluable. In particular the simultaneous translator coincidentally knew about legislation and the issues being discussed, and therefore her ability to translate was exceptionally high. This was a vital component of the training course and a key element of delivering the course successfully.

# Specific Comments

## Day One – Sunday 11 March 2007

### *Session 0: Introduction: Context Setting, Course Agenda, and Course Expectations*

#### Comments on Course Delivery:

This session met the session objectives. It was able to introduce the participants to the field of Regulatory Best Practice (RBP) and place RIAs within this overall field. The participants were able to see the relevance of RBP/RIA to their own areas of work and interest.

### *Session 1: Introduction to Regulatory Impact Assessment (Plenary)*

#### Comments on Course Delivery:

This session intended to introduce the participants to RIAs, and prepare them for the next six sessions where they drafted a RIA. The session met its objectives.

## Day One to Three – Sunday 11 March to Tuesday 13 March

### **Session 2: Setting the Policy Objective**

### **Session 3: Identifying Policy Options**

### **Session 4: Assessing Impacts**

### **Session 5: Consultations**

### **Session 6: Ensuring Compliance**

### **Session 7: Monitoring & Evaluation**

#### Comments on Course Delivery:

The sessions above went through the process of drafting a RIA based on a case study in Palestine. The case study was chosen after consultation and research with the participants and BAYAN senior management and was based around the issue of pensions for private sector workers.

These sessions started with a 15/20 minute presentation followed by a workshop exercise where the participants drafted a different section of the RIA each session. The participants worked in two groups that were chosen so that each group was fully represented by each type of participant. After each group had drafted their section of the RIA, they would present their draft to all participants. This would be followed by a general discussion on the work of each group, as well as reflections of having drafted the RIA section.

This process proved very successful as the participants enjoyed the mixture of lecturing, group work and inter-active discussions. The combination of learning methods helped to enable the participants to meet the session objectives.

### *Session 2: Setting the Policy Objective*

This is the most important part of the RIA process and also the most difficult. The participants also found this the most challenging session to deal with. However the groups were able to understand the complexities of setting a detailed objective and were very good at detailing broader strategic aims in the policy case study. There was much debate about what the philosophy of the law should be and direction was required to focus on the outcome required. The groups showed very good competence and knowledge of law making in this section of the RIA.

### ***Session 3: Identifying Policy Options***

The groups grasped this concept well and understood the link for a broad strategic goal to not be restricted in the policy options. However there was little evidence of alternatives to regulation and this is a potential development area for the participants.

### ***Session 4: Assessing Impacts***

The groups were very strong in conducting analysis. In particular the two participating economists proved that they are an important resource in drafting RIAs and conducting the economic analysis of impacts. The groups were good at identifying the costs and benefits. Further training should be provided on the economics involved in doing more in depth economic analysis.

### ***Session 5: Consultations***

The Civil Society Organizations and Private Sector Organizations in particular were able to see the added value of the RIA process given the importance of consultation. All participants understood the need for consultations but there was a mixture in understanding the different types of consultations. Again this is an area where more assistance could be provided in the future.

### ***Session 6: Ensuring Compliance***

This was the section of the RIA that was the most appreciated by the participants. However this was an area where the participants would need the most amount of assistance in the future. There was a change in mind-set that appreciated the fact that compliance issues needed to be factored into policy-making at the beginning of the policy-making process, and not as it was dealt with traditionally as an afterthought. This demonstrated the excellent progress by the participants and there was a request for further training in this area.

### ***Session 7: Monitoring & Evaluation***

Like the sections above, the monitoring and evaluating processes were traditionally thought of as part of policy-implementation and not design. There was some appreciation of the need to plan for this early; however more assistance will be required to develop better monitoring and evaluation processes.

### ***Session 8: The RIA Process***

#### Comments on Course Delivery:

This session focused on explaining how institutionally the RIA process can be implemented using international experience. This was intended to be the introductory session for the sessions on day five. However given that the participants had grasped the RIA concept quickly in earlier sessions, this session led to a discussion of the RIA process being implemented in Palestine and hence covered the objectives of session 13 as well.

The session focused on using RIA as an advocacy tool by private sector and civil society organizations. The discussions showed that the participants understood the benefit that RIA could play in their existing and future work.

### **Day Three to Four – Tuesday 13 – Wednesday 14 March**

#### ***Sessions 9, 10, 11, 12: RIA Select Committee (Evaluating Sample RIAs)***

#### Comments on Course Delivery:

These sessions aimed at making the participants view the RIA process from a different perspective. The participants played the role of scrutinizers of a real RIA taken from the UK. The participants worked in two different working groups. The exercise used a marking sheet with set questions to answer for each section of the RIA. The participants first marked the RIA individually and then afterwards agreed to a joint group mark. Then each group presented their marks and gave justification for their agreed mark.

This process enabled the participants to appreciate mistakes made when drafting a RIA and cement their understanding of what should be required when drafting a RIA. There were discussions on which mark each section of the RIA should obtain within the two working groups. Then each group would be required to justify their marks in a plenary session.

This session checked the participants' understanding and expectations of the detail within a RIA. The participants acknowledged that this process assisted them to understand the theory and practical drafting they had been doing in earlier sessions. They also commented on how this complimented the other sessions as now they were viewing the RIA as a decision-maker or customer and not a policy-drafter. Therefore they understood more the relevance of having the RIA. For instance when conducting the sessions in Day 5, the participants were better able to evaluate their own work having played the role of scrutinizer during this session.

### **Day Five – Thursday 15 March 2007**

#### ***Session 13: RIA in the Palestinian Context***

#### ***Session 14: RIA Training Phase II***

#### ***Session 15: RIA Training – next steps and close***

#### Comments on Course Delivery:

Given that the participants had made better progress with the topic than was expected, and the need to finish early given transport and border permit issues, the day was redesigned.

Session 8 had already met the objectives of session 13. And given the good progress of the participants in understanding about RIA, greater emphasis was given on ensuring the participants began Phase II of the training.

Therefore Session 13 was changed to set the task of drafting the first sections of the pilot RIA for Phase II. The pilot RIA was chosen after a brainstorming session with the participants on possible RIA pilot topics. Each participant provided suggestions on possible issues that could be used to develop a RIA as part of Phase II. These were voted on and the participants agreed to work on the issue of Children's Rights as it was something that had materials and studies already from the IoL and would therefore be easier to work on than a new topic which will require more research and initial work. The participants then worked in two groups and were set the task of drafting the first section of the RIA, given the importance of having this clear before drafting the rest of the RIA.

This session was extended into session 14 which provided the participants, again working in groups, to give feedback on their first drafts. These drafts were then discussed in a group and the groups were given feedback and guidance on improving this draft. The session was completed by guidance on the timetable for Phase II in agreement with the participants. The arrangements for Phase II were:

The participants agreed to work on two RIAs in two virtual working groups. Each group had a lead person from IoL to co-ordinate the activity. One RIA will focus on the actual law. The other RIA will focus on an issue the law is trying to address. The timetable for the next phase is as follows:

- I. **April 1** Following RIA sections completed: Title of Proposal, Purpose and Intended Effect, and Policy Problem.
- II. **April 15** RIA Framework/skeleton complete. Data collection begun.
- III. **May 1** RIA First Draft Completed.
- IV. **Mid-May (estimated) RIA** Phase II Training and consultations.

The BAYAN project agreed to not only provide assistance with the development of these RIAs, but also with any other RIAs the participants may draft taking into account all USAID vetting requirements.

Phase I of the training was then closed.

## Course Outcomes

The course met its training objectives and also provided some other outcomes as well. These are detailed below:

- ✓ The course provided the opportunity for different institutions to network.
- ✓ The course provided the opportunity for different institutions to collaborate.
- ✓ The course provided the opportunity for institutions to use the skills taught in their existing work.

- ✓ The course provided participants with the encouragement to begin Phase II and produce a document that can be used as an example of advocacy and analysis by independent organisations.

Furthermore feedback from participants throughout the week was excellent. For example, Mr. Ibrahim Al Shikaki, Research Assistant at the Economic Policy and Research Institute (MAS) emailed BAYAN after the training stating, *“The RIA training was one of the most beneficial courses I’ve participated in, and the rest of my colleagues agree with me. The idea of RIA is crucial for the Palestinian legislative system, and for MAS where I work it is imperative that we benefit the utmost from such training. I spoke with my colleagues at work and we are discussing applying part of the RIA process in studies concerning Palestinian laws.”* In addition, the Director of the IoL later commented to BAYAN that his staff returned from the training raving that it was one of the best trainings they had ever attended and had recommended to the Director that IoL should begin to adopt the RIA as a useful tool and also training others in RIA.

Participants thought the training was essential for Palestine and would be useful to promote the work of their organization and enhance the Palestinian policymaking process. At the close of the training participants from some organizations related how they planned to utilize the RIA process in projects their organizations were currently involved in or considering and were brainstorming how RIA training manuals and courses could be developed to further benefit the Palestinian legislative community. For instance:

- ✓ MAS commented that they would use the RIA process for developing analysis of issues they are currently working on;
- ✓ The IoL said that they will produce RIAs on studies that they are currently being asked to conduct;
- ✓ PFI stated that they will produce RIAs on topics that they are currently advocating for amendments.

The participants asked BAYAN to provide guidance and assistance and also provide further resources to assist them in producing the RIAs. There was also a suggestion to help design a RIA training course for universities to teach.

## **Recommendations**

The course showed that there is a clear appetite and need for RIA in Palestine. The different uses of RIA were noted by the participants. They commented on how it can help to improve the scrutiny and advocacy of policies and laws, as well as assist organisations with their everyday work as well. It should also be noted that the ability and competency of the participants was high. This assisted in the course interactions and delivery being completed at a faster rate than average and with high quality debate.

Given the feedback and discussions with the BAYAN project and participants here are some recommendations on RIA in Palestine:

- ✓ *Build local capacity* - Provide RIA training similar to this course for more private sector and civil society organisations in Gaza.

- ✓ *Provide more in-depth training* to participants from the current training in the specific components of an RIA including, assessing impacts, consultations, ensuring compliance and monitoring and evaluation
- ✓ *Build local training capacity* - Provide RIA training to organizations to assist them in developing courses to train on RIA in Palestine.
- ✓ *Build local training capacity* – Provide mentoring and training with an overseas institution on RIA.
- ✓ *Equip local capacity with tools* – Design and distribute resources that assist in drafting RIAs e.g. website, RIA manual.
- ✓ *Specific guidance and mentoring* – Provide specific guidance and mentoring on the development of specific RIAs in Palestine.
- ✓ *Cross-fertilize RIA learning* – Provide a regional or international conference on the implementation and use of RIA. This may also help to launch the RIA concept in Palestine.

Phase I of this RIA training was designed to introduce and enable participants from strategic organisations about better regulation and RIA. Phase II is designed to consolidate this learning through the actual practice of producing some real RIAs. The process of producing the RIAs will be to mold the participants into a group of RIA practitioners. The RIAs themselves will be real outputs that can be disseminated to other organisations to show their benefit and use. This will help raise the awareness of the benefits of RIA and hence may create a demand for them. Therefore, the recommendations above are in anticipation of some demand being created at the end of Phase II of this training course. Greater thought should be given to how to continue the momentum gained in this training course to the benefit of the Palestinian legislative processes and wider.

# **Annex I: Training Needs Assessment for Regulatory Impact Assessment Training**

## **Introduction**

The training on Regulatory Impact Assessment (RIA) is part of the BAYAN project: *Strengthening the Accountability and Transparency of the Legislative Process in West Bank and Gaza*. The aim of the BAYAN project is to work with Palestinian civil society organisations (CSOs) and address their lack of necessary skills to;

- ✓ Strengthen their ability to monitor the performance of the legislature and government;
- ✓ Disseminate pertinent information in a timely and effective manner to the public; and
- ✓ Participate effectively in the legislative process.

## **Purpose of RIA Training**

The purpose of the training in RIA is to create a Palestinian capacity to design precise, targeted laws and regulations that achieve policy aims efficiently and effectively with a minimum burden on stakeholders. The training in RIA will establish a framework for CSOs to more effectively participate in the policymaking process and to hold their elected officials accountable for policy decisions.

Palestinian participants will be able to justify a chosen policy by:

- ✓ Analysing the impact a proposed law will have on all sectors and considers a full range of government interventions; and
- ✓ Evaluating their costs and benefits.

## **RIA Training Course Participants**

The training course has been designed for staff from the Institute of Law BirZeit University (IoL) and other select Palestinian law schools as well as members from some CSOs. The IoL, is often asked to research, draft, amend, and analyse legislation for the Palestinian Legislative Council (PLC), CSOs and international organisations. The IoL also holds a database of all Palestinian laws, past and present.

The IoL has established offices under its Research Department including the Legislative Support Office and the recently established, Law and Society Office. It will establish a Law and Economy Office in 2007. The BAYAN project will support the IoL in these developments to strengthen its ability to provide legislative research, drafting and training services to the broader legislative community. As part of its support, BAYAN has recently completed a feasibility study for the establishment of a Palestinian legislative research and training unit. Therefore, the RIA training participants will come from IoL professionals involved in the current IoL developments as well as representatives from other select Palestinian law schools and CSOs who have asked for RIA capacity building.

## **Participant Criteria**

Participants for this training course require fulfilling the following criteria:

1. Belong to either the IoL, a select Palestinian law school or CSO that has an interest in the legislative making process in Palestine.
2. Belong to a body whose benefit from the RIA training will help meet the strategic objectives of the BAYAN project.

3. Is involved in the drafting/scrutiny of Palestinian laws and policies as part of their role in their organisation.
4. Has a professional interest to learn about the RIA methodology to assist them in fulfilling their current or future role.
5. Has little or no knowledge about RIA.

### **Participant Training Needs Assessment**

The potential participants for the RIA training were sent a pre-course questionnaire to obtain their expectations and needs. Each potential participant was sent a letter, with background information about RIA and the questionnaire<sup>1</sup>. The questionnaire revealed the following information about the potential participants:

- ✓ *All potential participants were from relevant academic institutions, CSOs or the IoL that met the participant criteria above.*
- ✓ *None of the potential course participants have ever been involved in completing RIAs before and have little or no knowledge about doing them.*
- ✓ *Participants understood from the pre-course letter about the importance and potential added value of RIA and were keen to learn more to fulfil their role.*
- ✓ *Nearly all of the potential participants have experience in the Palestinian law making process e.g. through drafting laws through to scrutinising policies.*

In addition the potential participants gave the following suggestions<sup>2</sup>:

- ✓ *I would like to receive publications about RIA, that describe the experiences of other countries that actually use it.*
- ✓ *An example of a Palestinian legislation that turned out to be inefficient, or created a wrong policy would be great as an example of how Palestinians could use RIA.*
- ✓ *It might be useful at the end of the course to conduct a simulation, in which the participants in the course would pretend to be a committee planning for a legislation, and then to use RIA as a tool. This will provide us with the skills, in addition to the information that we will learn from the course.*
- ✓ *I believe that, concentrating of the practical examples concerning the Palestinian status will be very useful in understanding this course.*
- ✓ *Many practical examples will be very important in achieving the purposes of this course.*
- ✓ *We hope to give us live examples related to how we can make and studying the regulatory impact for the law. And how we can explain it in law making process.*
- ✓ *To be introduced to modern samples in other countries. To know in which possibilities, faces the Regulatory Impact Assessment is applicable on the Palestinian status/area. To focus on comparative methods and experiences in practical way.*

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<sup>1</sup> Pre-Course letter, RIA Background document and questionnaire are attached in Annex A.

<sup>2</sup> The full responses to the pre-course questionnaire are attached in Annex B.

- ✓ *Giving practical cases.*
- ✓ *I think it's crucial to evaluate the first day of training and adjust whatever problems that may occur in (method of training, material, work groups, language problems, etc).*
- ✓ *The need to focus on issues of good governance and its impact and how to access it. /Found practically on the ground for the application of the policy-making State legislatures applied.*
- ✓ *I think that the most important thing that will make the project achieve success is that we have to make sure that our ideas can be applied on ground and to make sure of the mechanism of convincing the government and the decision makers of our ideas, thoughts, and beliefs.*

In addition to the feedback from the pre-course questionnaire, the RIA training course has been designed in close consultation with the BAYAN project to ensure that it will meet the training needs and expectations of the course participants.

### **RIA Training Course Methodology**

The RIA training course methodology has been constructed to meet the needs and expectations of the course participants as detailed above. It has been designed to be conducted into two phases. The first phase will concentrate on giving participants the knowledge and tools to understand and conduct an RIA. This understanding shall then be consolidated in phase two where participants will be given help in producing their own RIAs. This approach will meet the course participants' needs for an interactive and contextualised training course.

### **Phase I**

#### **Phase I Aim**

Impart the concept of RIA and practical analytical tools to allow participants to prepare an RIA.

#### **Phase I Training Goals**

The training goals for Phase I training are based on the feedback from the pre-course questionnaires and consultation with the BAYAN project. At the end of Phase I of the RIA training course:

- (iv) Participants will have an understanding of the RIA system and document;
- (v) Participants will understand the different sections of a RIA and will have basic understanding of how to complete each section;
- (vi) Relevant participants will be able to progress the RIA case study work on the selected policies that are started during the course and develop new case studies if necessary.

#### **Phase I Training Agenda by Session**

Phase I will be conducted for five days beginning 11 March. The training agenda has been designed with consideration to the feedback above. It includes the following elements:

- ✓ The use of Palestinian Case Studies;
- ✓ International experience of RIA;
- ✓ RIA Samples from different countries;
- ✓ Simulation exercise for scrutinising a RIA;
- ✓ A tailored mixture of theory and practice within the training course agenda.

The elements above have been used to develop the training agenda for the RIA training course. This agenda will be reviewed before the training course. And again it will be reviewed continuously during the training course to make any necessary changes that meet the needs of the participants.

## Annex II: List of trainees for Regulatory Impact Assessment Training

S/R	Organization	Name	Titles
1	<b>MAS</b>	Mr. Ibrahim Al Shikaki	Research Assistant
2	<b>PICCR - WB</b>	Sami Jabareen	Legal researcher
3	<b>Sharek – (Gaza)</b>	Fatma Ashour	Legal unit Coordinator
4	<b>Al-Najjah 'University</b>	Dr.Ali Sartawi	Dean of Faculty of Law
5	<b>Al-Quds University</b>	Munir Nusaibah	Lecturer and (coordinator for the Human Rights clinic)
6	<b>AAUJ - Arab American University</b>	Ahmad Abu Zeineh	Instructor - (Arab American University of Jenin)
7	<b>IOL - Legislative Support Program</b>	Fayez Bikerat	Program Head (Legal Researcher)
8		Mahmoud Musa Dodeen	Legal Researcher
9		Mahmoud Fayyad	Legal Researcher
10		Mahmoud Tayseer Alawneh	Legal Researcher
11	<b>IOL - Legislative support Program</b>	Haya Haj Ahmad	Research Assistant
12	<b>PFI - Palestinian Federation of Industries</b>	Rafi Salahat	Policy Department Manager and Legal Advisor
13	<b>AMAN Coalition</b>	Nida' Hinaiti	Project Coordinator

## Annex III: Training Course Agenda and Session Objectives

### BAYAN Project: Regulatory Impact Assessment Training Course Phase I March 11<sup>th</sup>- 15<sup>th</sup>, 2007, City Inn Hotel

Day	8:30 –10:30 am	10:30– 11:00 am	11:00–1:00 pm	1:00–2:00 pm	2:00pm-4:00pm
<b>Day 1 (Sun)</b>	Introduction: <i>Context Setting, Course Agenda, Course Expectations</i> 1. Introduction to Regulatory Impact Assessment (Plenary) <b>Handouts:</b> 1. Session power-point slides 2. RIA Example.	<b>B R E A K</b>	2. Case Study: Setting the Policy Objective ( <i>Working Groups</i> ) <b>Handouts:</b> 1. Session power point slides 2. RIA Case Study Information and Worksheet 3. Handout on policy problems & symptoms	<b>L U N C H</b>	3. Case Study: Identifying Policy Options ( <i>Working Groups</i> ) <b>Handouts:</b> 1. Session power-point slides 2. RIA Case Study Sheet.
<b>Day 2 (Mon)</b>	4. Case Study: Assessing Impacts ( <i>Working Groups</i> ) <b>Handouts:</b> 1. Session power-point slides 2. RIA Case Study Sheet		5. Case Study: Consultation ( <i>Working Groups</i> ) <b>Handouts:</b> 1. Session power-point slides 2. RIA Case Study Sheet 3. Consultation worksheet 4. Stakeholder Analysis worksheet		6. Case Study: Ensuring Compliance ( <i>Working Groups</i> ) <b>Handouts:</b> 1. Session power-point slides 2. RIA Case Study Sheet 3. Questions to ask on Compliance
<b>Day 3 (Tues)</b>	7. Case Study: Monitoring & Evaluation ( <i>Working Groups</i> ) <b>Handouts:</b> 1. Session power point slides 2. RIA Case Study Sheet		8. The RIA Process <b>Handouts:</b> 1. Session Power-point slides 2. Example International Cases		9. RIA Select Committee (Evaluating sample of RIAs) ( <i>Working Groups</i> ) <b>Handouts:</b> 1. Session Power-point slides 2. Example RIAs
<b>Day 4 (Wed)</b>	10. RIA Select Committee Participating in Select Committee ( <i>Working Groups</i> ) <b>Handouts:</b> 1. Same slides as for session 9.		11. RIA Select Committee Participating in Select Committee ( <i>Working Groups</i> ) <b>Handouts:</b> 1. Same slides as for session 9.		12. RIA Select Committee Discussion on Select Committee ( <i>Working Groups</i> ) <b>Handouts:</b> 1. Session Power-point slides.
<b>Day 5 (Thur)</b>	13. RIA – in the Palestinian Context <b>Handouts:</b> 1. Session Power-point slides. 2. Palestinian Legislative Process		14. RIA Training Phase II <b>Handouts:</b> 1. Session Power-point slides. 2. Palestinian Case Studies		15. RIA Training – next steps and close <b>Handouts:</b> 1. Phase II timetable 2. Training Course Questionnaire

## **Training Course Agenda: Phase 1 (5 days)**

### **Day One – Sunday 11 March 2007**

#### **Introduction: *Context Setting, Course Agenda, Course Expectations***

- Session Objectives:
- By the end of this session, participants should be able to:
- Understand the rationale for the course in relation to the BAYAN project;
  - Understand the course agenda and expectations;
  - The importance of the course for Palestinian legislative process;

- Key Learning Points:
- The current BAYAN project
  - The reason for RIA training in Palestine under the BAYAN project
  - The relevance of RIA for the course delegates
  - The course agenda and expectations.

#### **1. Introduction to Regulatory Impact Assessment (Plenary)**

- Session Objectives:
- By the end of the session participants should be able to:
- Define RIA and its key principles
  - Give international experience of RIA;
  - Appreciate the role of RIA in improving policy and law making; and
  - Identify the main sections of a Regulatory Impact Assessment; and the broad objectives of each section; and
  - Through viewing an example of a completed RIA, appreciate the nature of the final submission which forms the basis of ministerial sign-off of an RIA;

- Key Learning Points
- What is RIA?
  - What are the principles of RIA?
  - The 9 (non-sequential) sections of an RIA
  - The importance of each section
  - The key facets of each stage
  - The characteristics of the final published product
  - The relevance of RIA for the course delegates

#### **2. Setting the Policy Objective**

- Session Objectives:
- By the end of the session participants should be able to:
- Describe the key stages of defining the objective: identifying the purpose and problem identification/clarification processes for problem analysis
  - Demonstrate ability to conduct problem analysis

#### Key Learning Points

- Problem identification and clarification
- Problem analysis and evaluation

### **3. Identifying Policy Options**

#### Session Objectives:

By the end of the session participants should be able to:

- Identify various options to a given policy/regulatory problem;
- Justify your initial selection of options; and
- Begin to understand how you will justify your final recommendation

#### Key Learning Points:

- What is an option?
- Steps in identifying options associated with a regulation/policy
- Alternatives to regulation
- Justification of the initial options chosen
- RIA as an iterative process

### **Day Two – Monday 12 March 2007**

### **4. Assessing Impacts**

#### Session Objectives:

By the end of the session participants will be able to:

- Appreciate the dimensions of impact- social, environmental and economic, direct and indirect, negative and positive;
- Appreciate the need measure significance of impact;
- Appreciate and begin to apply techniques for measuring impact;
- Identify all groups that will be affected by a policy proposal; and
- Appreciate the likely impact of a proposal on vulnerable and marginalized groups.

#### Key Learning points

- Calculate cost benefit using market values
- Economic valuation techniques where economic value do not exist
- Techniques for measuring social environmental impacts where economic technique can not be applied
- Discounting
- CBA does not address distributional aspects of new legislation
- Stakeholder analysis
- Prioritisation of the distribution of impacts

### **5. Consultations**

#### Session Objectives:

By the end of this session, participants should be able to:

- Appreciate the relevance and scope of consultation in the RIA process;

- Conduct a stakeholder analysis for consultation purposes; and
  - Appreciate the importance of feedback to stakeholders consulted.
- Key learning Points:
- Benefits of consultation
  - Scope of consultation
  - Key features of consultation
  - Stakeholder analysis
  - Feedback

## **6. Ensuring Compliance**

- Session Objectives:
- By the end of the session participants should be able to:
- Describe different compliance and enforcement approaches and select appropriate approach to a given situation;
  - Appreciate and articulate costs associated with regulation compliance and enforcement; and
  - Appreciate how the level of sanctions can affect the level of compliance

- Key Learning Points
- Enforcement approaches and methods
  - Sequencing of the compliance measure
  - Costs of enforcement
  - Different types (impacts) of sanctions
  - Accountability for Enforcement
  - Shifting the risk

## **Day Three – Tuesday 13 March 2007**

## **7. Monitoring & Evaluation**

- Session Objectives:
- By the end of the session participants should be able to:
- Appreciate the importance of monitoring and evaluation of a regulation;
  - Appreciate the approach to monitoring and review; and
  - Appreciate the importance of including a sun set clause in the policy proposal.

- Key learning points:
- Why monitor?
  - Approach to Monitoring
  - Evaluation techniques
  - Sun set clause in policy proposals

## **8. The RIA Process**

Session Objectives:

By the end of the session participants should be able to:

- Appreciate the difference between the RIA process and document;
- Appreciate the complex and multi-uses of the RIA document within the process; and
- Begin to understand how to use the RIA within the Palestinian context.

Key learning points:

- What is the RIA process?
- What is the RIA document
- How can the RIA be used in the legislative making process?
- How can the RIA process be used in Palestine

## **9. RIA Select Committee (Evaluating Sample RIAs)**

The RIA Select Committee is a simulation exercise designed by DAI. The participants will play the role of evaluators of a sample of RIAs who will sit as a Select Committee. They will compare their observations and discuss the strengths and weaknesses of the RIAs. The aim will be to agree on a final mark based on an evaluation tool designed by DAI.

Session Objectives:

By the end of the session participants should be able to:

- Participate in the RIA Select Committee simulation;
- Give comments on each RIA they have evaluated; and
- Appreciate the importance and use of RIAs in practice.

Key learning points:

- What RIAs look like in practice
- What are good and bad parts of RIAs
- Practical tips and varieties in completing RIAs
- Understanding how to complete RIAs

## **Day Four – Wednesday 14 March 2007**

### **10, 11, 12. RIA Select Committee (Participating in and Discussion on Select Committees)**

Session Objectives:

By the end of the session participants should be able to:

- Appreciate what RIAs look like in practice;
- Appreciate the what good and bad sections of RIAs are like from international examples; and
- Appreciate the importance and use of RIAs in practice.

Key learning points:

- What RIAs look like in practice
- What are good and bad parts of RIAs
- Practical tips and varieties in completing RIAs
- Understanding how to complete RIAs

## **Day Five – Thursday 15 March 2007**

### **13. RIA in the Palestinian Context**

Session Objectives:

By the end of the session participants should be able to:

- Appreciate the plans and ideas for using RIA in Palestine;
- Appreciate what steps will be needed to achieve this; and
- Appreciate the benefits of using RIA in Palestine.

Key learning points:

- Understand how RIA could assist the legislative process in Palestine.
- The methods for institutionalizing RIA in Palestine
- Understand role and benefit of RIA in Palestine

### **14. RIA Training Phase II**

Session Objectives:

By the end of the session participants should be able to:

- Appreciate the Phase II of the RIA training;
- Choose a Palestinian case study to begin developing into a RIA; and
- Begin planning how the RIA will be developed.

Key learning points:

- Understand Phase II of the RIA training course.
- Understand the need to identify a good case study to develop into a RIA
- Understand the importance of planning the development of the RIA

### **15. RIA Training – next steps and close**

Session Objectives:

By the end of the session participants should be able to:

- Appreciate Phase I of the RIA training;
- Demonstrate the achievement of Phase I training goals; and
- Understand their role and tasks in Phase II.

Key learning points:

- Understand Phase I of the RIA training course.
- Understand Phase II of RIA training course.
- Understand the importance of planning Phase II of RIA training course.
- Understand the importance and relevance of the RIA training course to their role.