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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 FINAL REPORT
(PHASE I & II): FEBRUARY AND MAY 2008.**

June 2008

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 legislative process in West Bank and Gaza. As part of its mandate, BAYAN provided training on Regulatory Impact Assessments (RIA) for officials in the Palestinian Authority (PA) Ministries from 10 to 14 February 2008 (Phase I) and 18 to 21 May 2008 (Phase II) in Ramallah. This report evaluates the training in both Phases and gives recommendations on future training needs and possible activities. Phase I of the RIA training introduced the concept of RIA and equipped participants with the necessary practical tools for drafting pilot RIAs. Phase II of the training aimed to provide support, guidance and training in the development of Case Study RIAs. It also gave the RIA participants a greater understanding of how to use a RIA, and begin assisting them to impart their basic understanding of RIA.

This RIA training course is the second that has been conducted in West Bank and Gaza. The first was conducted in 2007 to universities and civil society organisations. In the 2008 training a member of the 2007 training was used to assist in the delivery of the training to the PA. Mr. Ibrahim Shikaki from Palestine Economic Policy Research Institute MAS assisted in the delivery of the training course. This was to help build some local capacity and expertise in RIA for the sustainability of RIA in Palestine.

Phase I of the course gave an introduction to RIA and began the process of drafting some pilot RIA case studies. Phase II of the course was designed after an assessment and feedback of Phase I. After Phase I the RIA participants were responsible for developing the pilot RIA case study they began in Phase I of the training. Some guidance, mentoring and support was provided by Mr Shikaki in between Phase I and Phase II to help with the development of RIA case study. Feedback was also given by the RIA participants and BAYAN project after which Phase II of the training was conducted. The training included:

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

Phase II used a variety of innovative training methods including lectures, presentations, 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 now fully understood RIA and were in a position to begin discussions within their offices about the implementation of RIA. In fact one participant from the Office of the President requested assistance from the training course in drafting a RIA for a real policy he was dealing with on the last day of the training.

Introduction

This report gives an account of the delivery of Phase I and Phase II of the Regulatory Impact Assessment (RIA) Training Course as part of the BAYAN project: *Strengthening the Accountability and Transparency of the Legislative Process in West Bank and Gaza*, and gives recommendations for future RIA training needs. 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 introduced the concept of RIA and equipped participants with the necessary practical tools for drafting pilot RIAs. Phase II was to continue this learning and understanding of RIA through developing and using RIA case studies.

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:

- (ii) Participants will have an understanding of the RIA system and document;
- (iii) Participants will understand the different sections of a RIA and will have basic understanding of how to complete each section;
- (iv) 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 II

Phase II Aim

Provide support, guidance and training in the development of Case Study RIAs.

Phase II Training Goals

The training goals for Phase II training are based on the feedback from participants and the results from their case study work after Phase I as well as the ongoing coaching from the BAYAN project following Phase I. The goals have been reviewed by assessing the progress and challenges faced by the participants after Phase I. In consultation with the BAYAN project team the appropriate mix of trainings, consultations and mentoring have been included in Phase II. The ultimate goal is for participants to have the ability to perform regulatory impact assessments. At the end of Phase II of the RIA training course:

- (v) Participants will be able to develop RIAs for Palestinian draft laws and policies with little guidance or support;
- (vi) Participants will have an understanding of how to use the RIA to draft, amend and challenge proposed laws and policies;
- (vii) Participants will be able to impart their basic level of understanding about the RIA process to colleagues and other CSO members.

Participants

Participants for the two training courses came from the Office of the President, Ministries of Social Affairs, Telecommunications, Justice and Labor, The Center for Human rights (Shams), Diwan EL fatwa Wal Tashree', Paltrade, Juhoud for Community Development, Ta'awon for Conflict Resolution, and the Association of Palestinian Local Authority (APLA). In total 15 participants attended both the training courses. These are all detailed in annex 1.

Course Structure/Timetable

Phase I was designed for 5 days. Phase II was timetabled over 4 days. The full course timetables and session objectives can be found in annex 2.

Course Delivery

The course structure was not changed however during the delivery of the course 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 the continuity of course participants

Most of the course participants from Phase I attended Phase II of the training. This made the delivery of the course much easier and enabled the successful delivery of the course.

General Comments: course delivery management

The course was attended by members of the BAYAN project each day. In addition translated materials were distributed each day. During each day the course participants were asked for feedback about the course and if any changes were required. These requests were then discussed and accommodated if possible. 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 both courses the participants were consulted on the timetable. There was broad agreement to stick to the time table set. There was a request to finish early during the courses due to child care needs for a number of the course participants. Therefore an agreement was made between the course participants and trainer that if all the course material is covered and the training is delivered at a faster pace, then this will be possible. In the majority of days this was possible and the course delivery was not effected.

General comments: importance of continuity of qualified and competent translator

Phase I & II of the course had the same translators. The translators also translated the presentations and documents into Arabic. This helped the communication of some of the complex issues that were presented and discussed.

Specific comments on Phase I

Day One – Sunday 10 February 2008

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

Comments on Course Delivery:

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

Session 1: Introduction to Regulatory Impact Assessment (Plenary)

Comments on Course Delivery:

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

Day One to Three – Sunday 10 to Tuesday 12 February 2008

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 three case studies in Palestine. The case studies were chosen after consultation with the course participants who worked in three groups. The three case studies were:

- 1) Regulation of Kindergartens
- 2) Policy on Student Loans
- 3) Amendments to the Judicial Law

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. 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.

These sessions were conducted with both trainers facilitating the working groups and discussions in English and Arabic.

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. It explained how RIA is used in practice in government. This was appreciated by the PA officials who could see its relevance and potential benefits.

Day Three to Four – Tuesday 13 – Wednesday 13 February 2008

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.

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:

The participants worked well and completed the course earlier than scheduled on this day.

There was a discussion on the use and benefit of RIA. There was scepticism from participants about whether RIA could be implemented in the Palestinian context without buy-in and support from Ministers and the Cabinet. However it was recognised that it would benefit policy makers who currently make laws with little analysis of the impacts, and that this is one of the main reasons for the laws failing or not being implemented.

The course delegates also agreed to continue work on their case study RIAs and work with Mr Shikaki in Palestine before the start of the second phase.

Course Outcomes

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

- ✓ The course built on the first training course in 2007 by building local training capacity.
- ✓ The course provided the opportunity for different members of the PA to meet and network and collaborate on their work.
- ✓ The course provided the opportunity for PA members to use the skills taught in their existing laws and regulations.
- ✓ The course provided participants with the encouragement to begin Phase II and produce a document that can be used as an example of better law making.

Feedback from participants throughout the week was excellent. Participants thought the training was useful and they looked forward to the second phase of training.

Specific comments on Phase II

Day One – Sunday 18 May 2008

Session 1: Introduction to Phase I: Course Agenda, Course Expectations, Update on RIA Case Study

Comments on Course Delivery:

This session met the session objectives. It explained to the participants the plans for the training course and expectations from the participants.

Session 2 & 3: RIA Case Study Planning and Preparation for Role Play Exercise

Comments on Course Delivery:

This session was intended to introduce the participants to the Role Play Exercise. It sought to teach them about the participation required from them and give them the time to prepare fully for the next day.

Each participant assumed the role of a different stakeholder in the policymaking process, for example, Ministry of Social Affairs official, representative of legislative drafting office, or PLC member.

Guidance was provided in Arabic orally and in written form, which helped the preparations that the participants did for the exercise.

Day Two – Monday 19 May 2008

Session 4, 5 & 6: Role Play Exercise

Comments on Course Delivery:

The role play exercise was conducted throughout the day. The participants were fully engaged in the simulation exercise, and enjoyed the day. In particular the RIA participants commented that the following were the most important parts of the training

day:

- *The interactive nature of exercise*
- *The ability to assume different roles and understand different uses of the RIA*
- *The context of the role play exercise being in Government, which they understand.*

It was recognized that this exercise helped to convert the understanding of RIA from ‘theory into reality’.

Day Three – Tuesday 20 May 2008

Sessions 7 & 8: RIA Case Study Workshop

Comments on Course Delivery:

The final scheduled session of day two of the training course was scheduled to take part at the end of day two. However given the success and time it took to complete the role play exercise, this session was moved to day three.

In sessions 7 and 8 each of the three working groups exchanged their pilot RIA case studies and spent time critiquing it. They were able to identify gaps in the RIAs and suggest ways for improving them. They also saw the benefits and disadvantages of each proposal. This was possible due to their recent experience of using the RIA in a role play exercise. They could now understand what is required within a RIA and what the benefits are of conducting one.

Session 9: RIA Presentation Preparations

Comments on Course Delivery:

The course participants were asked to prepare presentations that consolidated all their learning in Phase I and Phase II of the RIA training. This was partly for them to demonstrate their learning, but also for the course participants to demonstrate their teaching potential and ability to promulgate the message of RIA within their institutions.

The course participants were asked to answer the following four questions in their presentations and they worked in pairs to deliver them:

- What is RIA?
- How to do RIA?
- The lessons you aim to implement in your work place
- Your thoughts on the use and benefits of RIA

Day Four – Wednesday 21 May 2008

Session 10: RIA Presentations

Comments on Course Delivery:

At the start of the final day, the course participants were tasked with doing final preparations on their presentations as set in session 9. However the participant from the Office of the President requested assistance from the other trainees on drafting a RIA for a law that he is working on in relation to the retirement of security services personnel.

This demonstrated the effective network that had developed and the benefits they saw in the RIA system, within their everyday work.

Session 11: RIA Presentations and training close

Comments on Course Delivery:

The RIA participants presented very well. They showed a good understanding of RIA and how to use it, as well as the benefits of using it in Palestine. They had detailed understanding as well as broad strategic understanding as well.

The course was closed earlier than programmed but was successfully delivered with many of participants requesting further training.

Phase II Course Outcomes

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

- ✓ The course enthused participants to use RIA in their every day work.
- ✓ The course produced a group of RIA converts in different Ministries.
- ✓ The course helped to produce local capacity to deliver further training in the future
- ✓ The course produced an additional draft RIA at the request of the Office of the President

Phase I & II Course Feedback

- It helps towards better analysis.
- Adoption of a practical method of analysis helps to understand the legislation better
- It provided us with the ability to make necessary observations and adopting correct legal forms
- It helped us towards collective thinking and better practical solutions
- How to analyze the problems raised Scientifically
- How to consult with partners and relevant institutions as well as delivering the idea to officials
- RIA will be applied to all ministry systems in collaboration with colleagues trying to streamline idea

Recommendations and Conclusions

The participants of the 2008 course had some similar thoughts and recommendations to those who attended the 2007 course. The first training course was given to CSOs and Universities to help in their advocacy and law making roles. The second training was to Ministries. Both found the training and the concept of RIA vital to Palestine. Both felt there should be further training and support to help embed RIA into Palestinian law making. Both also felt there should be a central body to help coordinated and facilitate the spreading of RIA

The results of the 2008 training courses have been;

- The training courses have resulted in the development of local trainers in RIA - who can train in Arabic and who may be used by DAI in other Middle East countries. Already they may be used in Bahrain on a UNDP mission in June 2008.
- The training has been highlighted at two OECD conferences in Amman and Istanbul as pioneering RIA in the MENA region
- The participants wanted immediate support in RIA after the training - some CSOs (MAS) wanted help setting up an RIA unit and the Office of the President wanted help during the course to draft a RIA for a real issue
- The training has resulted in some pilot RIAs being developed
- The training has also resulted in two sets of peers who can help spread RIA in Palestine

Here are some recommendations for RIA in Palestine:

- ✓ Support is provided to those already trained in RIA to:
 - conduct RIA in their institutions (interventions: Mentoring, Support and On the Job training)
 - further more detailed training (e.g. in economic analysis)
 - study mission to a place that already conducts RIA (e.g. UK)
- ✓ Further training using existing people who have been trained on the first courses:
 - To other CSOs and NGOs
 - To other Ministry Officials
 - To Ministers and Parliamentarians
- ✓ Help set up a RIA unit and system in Palestine:
 - In a CSO like MAS to support government
 - In a central agency for instance the President's Office to help institutionalise RIA

Final Remarks

The RIA training courses have been a success. They have delivered skills to conduct RIAs and also to train in RIAs. They have also successfully introduced RIA to Palestine. However, this can be quickly lost if further assistance is not given to help embed RIA within the law making system in Palestine. There is an appetite for this, and the need has been recognised, however support is required to actualize this demand.

The training has been innovative within the MENA region and the fruits of this training course will be used elsewhere in the Arab world. There are now Arabic trainers, materials and manual on RIA. These should not be lost and should be used to further develop the goals in Palestine.

Annex I: RIA Phase I &II Participants List

S/N	Institution Name	Participant Names	Title
Ministries			
1	Ministry of Justice	Reem Abu Rub	lawyer, Legal Unit
		Suha Elaian	lawyer Assistant, Legal Unit
		Amal Abu Soboh	lawyer, Legal Unit
2	Diwan Al-Fatwa Wal Tasree'	Odeh Omar Ahmad Irikat	Legal Advisor
3	President's Legal Office	Shadi Ayyad	Lawyer (Head of Legislation Dprt)
4	Ministry of Social Affairs	Khuloud Abdel Khaleq	Head of Legal department
		Nadi Shawawreh	Legal Assistant
5	Ministry of Labor	Rasha Amarneh	Head of Legal Unit
6	Ministry of Telecommunications	Nafez Barakat	Legal Advisor
		Jumanah Abd Rabuh	Legal Researcher
CSOs			
West Bank			
7	Ta'awon	Shadi Zein Eldeen	Director
8	Human Rights and Democracy Participation center "SHAMS"	Yaser Malaysheh	Program Officer
9	Juhoud for Community Development	Sonia Makhloof	Head of Advocacy Unit
10	Association of Palestinian Local Authority (APLA)	Maher Zahayka	Legal Advisor
11	Paltrade	Mahmoud Siaj	Trade Policy Officer

Annex II: Training Course Agenda and Session Objectives

Regulatory Impact Assessment Training Agenda (Phase I)

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 members of the Palestinian legislative community and address their lack of necessary skills to;

- Design precise targeted laws and regulations;
- Participate effectively in policymaking processes; and
- Disseminate pertinent information in a timely and effective manner to the public.

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 also 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 consider a full range of government interventions; and
- evaluating policy costs and benefits.

RIA Training Course Participants

The training course has been designed for technical staff from PA Ministries, the Office of the President and the Cabinet Office as well as members from some CSOs.

Participant Criteria

Participants for this training course require fulfilling the following criteria:

1. Belong to the legal or technical staff of a PA Ministry, Office of the President, Cabinet Office, or a select CSO that has the duty to develop legislation or 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.

RIA Training Course Methodology

The RIA training course methodology has been constructed to meet the needs and expectations of the course participants. Meetings were held with the legal staffs from the Office of the President, Cabinet Office and various Ministries to assess the needs of their office and their experience and

skill levels. The training 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 previous RIA training in Palestine, consultation with the BAYAN project and applicable PA institutions. At the end of Phase I of the RIA training course:

- (viii) Participants will have an understanding of the RIA system and document;
- (ix) Participants will understand the different sections of a RIA and will have basic understanding of how to complete each section;
- (x) 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 February 10, 2008. 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.

BAYAN Project: Regulatory Impact Assessment Training Course Phase I
February 10-14, 2008, City Inn Hotel
Training Course Agenda and Session Objectives

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

Training Course Agenda: Phase 1 (5 days)

Day One – Sunday 10 February 2008

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 11 February 2008

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

- Key learning Points:
- appreciate the importance of feedback to stakeholders consulted.
 - 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 12 February 2008

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 13 February 2008

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 14 February 2008

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.

Phase II

Phase II Aim

Provide support, guidance and training in the development of Case Study RIAs.

Phase II Training Goals

The training goals for Phase II will be reviewed after Phase I has been completed. However it is envisaged that following the completion of Phase II of the RIA training:

- (xi) Participants will be able to develop RIAs for Palestinian draft laws and policies with little guidance or support;
- (xii) Participants will have an understanding of how to use the RIA to challenge proposed laws and policies;
- (xiii) Participants will be able to impart their basic level of understanding about the RIA process to colleagues and other CSO members.

Phase II Training Agenda

Phase II of the training agenda will be based around support, guidance and training for the participants to develop their own RIA case studies. This will begin in Phase I, Session 14 of the training agenda. After Phase I the participants will be consulted as to what support, guidance and training they will require to complete their RIA case study.

Timing of Training

The timing of the training is as follows:

Phase I – 10-14 February 2008

Phase II – to be completed by 1 June 2008.

RIA Training Course Output

The RIA training course will use the production of RIA case studies by the participants as the vehicle for learning about RIA and its' use.

Final Remarks

The approach being used in this RIA training course is an innovative project that will build capacity within the PA and CSOs to design effective targeted legislation and for CSOs to participate in the process and thus strengthen the transparency, accountability and participatory nature of the legislative process in Palestine. This training needs assessment is based on initial consultations with the BAYAN project and the potential course delegates. Given the innovative nature of this project, it may be changed to reflect the needs of the course participants during training in order to meet the training course goals. This will only be done after discussion and approval of the BAYAN project.

Phase II: Regulatory Impact Assessment Training to Strengthen the Legislative Process in West Bank and Gaza

Background

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 Palestinian Authority officials and to develop effective policies and 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 its costs and benefits.

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 concentrated on giving participants the knowledge and tools to understand RIA and how to develop 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 II

Phase II Aim

Provide support, guidance and training in the development of Case Study RIAs.

Phase II Training Goals

The training goals for Phase II training are based on the results from the participants and ongoing coaching from the BAYAN project following Phase I. They have been reviewed by assessing the progress and challenges faced by the participants after Phase I. In consultation with the BAYAN project team the appropriate mix of trainings, consultations and mentoring have been included in Phase II. The ultimate goal is for participants to have the ability to perform regulatory impact assessments. At the end of Phase II of the RIA training course:

- (xiv) Participants will be able to develop RIAs for Palestinian draft laws and policies with little guidance or support;
- (xv) Participants will have an understanding of how to use the RIA to draft, amend and challenge proposed laws and policies;
- (xvi) Participants will be able to impart their basic level of understanding about the RIA process to colleagues.

Phase II Training Agenda by Session

Phase II will be conducted for four days beginning 18 May. The training agenda has been designed with consideration to the feedback from Phase I. It includes the following elements:

- ✓ The use of Palestinian Case Studies;
- ✓ International experience of RIA;
- ✓ RIA Samples from different countries;
- ✓ Simulation exercise for utilising 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 Phase II of 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.

BAYAN Project: Regulatory Impact Assessment Training Course Phase II
May 18th – 21nd, 2008 - Training Course Agenda and Session Objectives
Venue: Best Eastern, Ramallah

Day	(8:30am Registration) 9.00 –10:30 am	10:30– 11:00 am	11:00–1:00 pm	1:00–2:00 pm	2:00pm-4:00pm
Day 1 (Sun)	1. Introduction to Phase II: <i>Course Agenda, Course Expectations, Update on RIA Case Study</i> Handouts: 1. Session power-point slides 2. RIA Case Study 3. RIA Checklist.	B R E A K	2. RIA Case Study Planning and Preparation for Role Play Exercise <i>(Working Groups)</i> Handouts: 1. Session power point slides 2. Role Play Exercise Information 3. Planning Guidance Tool	L U N C H	3. RIA Case Study Planning and Preparation for Role Play Exercise <i>(Working Groups)</i> Handouts: 1. Session power-point slides 2. RIA Case Study Preparation Guidance.
Day 2 (Mon)	4. Role Play Exercise <i>(Working Groups)</i> Handouts: 1. Session power-point slides 2. Role Play Exercise Instructions		5. Role Play Exercise <i>(Working Groups)</i> Handouts: 1. Session power-point slides 2. Role Play Exercise Instructions		6. Role Play Exercise and Reflections <i>(Working Groups/Plenary)</i> Handouts: 1. Session power-point slides 2. Role Play Exercise Instructions 3. Questions to reflect on exercise
Day 3 (Tues)	7. RIA Case Study Workshops <i>(Working Groups)</i> Handouts: 1. Session power point slides		8. RIA Case Study Workshops <i>(Working Groups)</i> Handouts: 1. Session Power-point slides		9. RIA Case Study Workshops – Presentation Preparations <i>(Working Groups)</i> Handouts: 1. Session Power-point slides
Day 4 (Wed)	10. RIA Case Study Workshop Presentations (Plenary) <i>(Working Groups)</i> Handouts: 1. Session power point slides.		11. Future of RIA - discussion <i>(Plenary)</i> Handouts: 1. Session power point slides.		12. BAYAN project update and training close <i>(Plenary)</i> Handouts: 1. Session power point slides.

Training Course Agenda: Phase II (4 days)

Day One – Sunday 18 May 2008

1. Introduction: Course Agenda, Course Expectations, Feedback on the RIA Case Studies

- Session Objectives:
- By the end of this session, participants should be able to:
- understand the course agenda and expectations;
 - the importance of the course for Palestinian legislative process;
 - demonstrate the challenges and learning participants have in producing the RIA Case Studies;
 - begin understand the challenges in improving the Case Studies in Phase II.

- 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.
 - Experience of RIA participants in drafting RIA case study e.g. learning points, challenges, etc.

2. RIA Case Study Planning and Preparation for Role Play Exercise (Working groups)

- Session Objectives:
- By the end of the session participants should be able to:
- understand the role play exercise;
 - understand what improvements are required of the RIA case study to facilitate the role play exercise;
 - demonstrate tasks that need to be completed before the role play exercise.

- Key Learning Points
- Recap on what is RIA
 - Recap on what are the principles of RIA?
 - Recap on the 9 (non-sequential) sections of an RIA
 - The importance of each section of the RIA in the RIA case study
 - The improvements required in the RIA case study
 - The uses of the RIA and its relevance for the course delegates

3. RIA Case Study Planning and Preparation for Role Play Exercise (Working groups)

- Session Objectives:
- By the end of the session participants should be able to:
- Demonstrate improvements in the RIA case study;
 - Be prepared for the Role Play Exercise;
 - Show fuller understanding of how to draft a RIA.

- Key Learning Points
- The shortfalls of the RIA Case Study drafts to date
 - The improvements required to draft a better RIA

Day Two – Monday 19 May 2008

4, 5 & 6. Role Play Exercise and Reflections

The three sessions on day two have the same objectives and key learning points.

- Session Objectives:
- By the end of the session participants will be able to:
 - appreciate the different uses of the RIA;
 - appreciate how to use the RIA as an advocacy tool;
 - the standard a RIA needs to reach in order to be an effective tool for advocacy; and
 - different methods of using the RIA with different audiences.

Key Learning points

- The important points that a RIA needs to cover in order to be used as an advocacy tool
- The importance of knowing who the RIA audiences are
- Knowing how to address each audience with the RIA
- Understand the level of detail required in a RIA

Description:

The participants will be involved in a role play exercise. The exercise will demonstrate how to use the RIA with participants having different roles such as PLC members, Ministers, Government officials, President's office, political party representatives, private sector bodies, Civil Society Organizations, Press, legislative drafters from the executive and legislative branches, and the general public. They will use their case study RIA to try and change legislation through meetings and dialogue through the exercise. At the end of the exercise the participants will reflect on their experiences of playing the different roles and using the RIA.

Day Three – Tuesday 20 May 2008

The three sessions on day three have the same objectives and key learning points.

7, 8 & 9. RIA Case Study Workshops and Presentation Preparations

- Session Objectives:
- By the end of the session participants should be able to:
 - Develop a more advanced RIA than in Phase I;
 - appreciate the different techniques in developing a RIA; and
 - appreciate the importance of viewing the RIA from different perspectives in order to improve it.

Key learning points:

- RIA is an iterative process
- RIA has different uses
- RIA has different audiences
- RIA is a useful tool for strengthening the legislative processes in Palestine

Description:

Following from the session in day two, the participants will identify and improve the case study RIA. After having used the RIA in the role play exercise they will have identified areas of weakness that will need further development. Ongoing assistance will be provided during these workshops. The groups will also develop a presentation that shows their understanding and any key learning that they have obtained from the sessions in the training.

Day Four – Wednesday 21 May 2008

10. RIA Case Study Workshop Presentations

Session Objectives:

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

- Understand the common learning points from each group in developing the case study RIA;
- Develop a more advanced RIA than in Phase I;
- appreciate the different techniques in developing a RIA; and
- appreciate the importance of viewing the RIA from different perspectives in order to improve it.

Key learning points:

- RIA is an iterative process
- RIA has different uses
- RIA has different audiences
- RIA is a useful tool for strengthening the legislative processes in Palestine

Description:

The participants will give the presentations they produced on day three in this session and discuss them.

11. Future of RIA – discussion

Session Objectives:

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

- Understand how RIA can be implemented in Palestine;
- Discuss different options for RIA in Palestine e.g. a centre of excellence model that can champion RIA, where such a model should be housed, and what support would be needed for such a model from BAYAN, etc; and
- Give recommendations of how RIA can be rolled out in Palestine.
- Discuss next steps for BAYAN RIA training and technical assistance

Key learning points:

- The application of RIA in Palestine
- Possible support from BAYAN project
- Challenges in implementing RIA in Palestine
- Benefits of RIA in Palestine

12. BAYAN Project update and training close.

Session Objectives:

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

- Understand the future of the BAYAN project and its' potential involvement with RIA roll out;
- Understand their role in developing RIA in their institutions; and
- Develop RIA in their institution and disseminate best practice on developing RIA.

Key learning points:

- BAYAN project and future of RIA
- Develop RIAs for Palestinian draft laws and policies with little guidance or support
- Understanding of how to use the RIA to draft, amend and challenge proposed laws and policies
- Impart their basic level of understanding about the RIA process to colleagues and other CSO members

RIA Training Course Output

The RIA training course will use the production of RIA case studies by the participants as the vehicle for learning about RIA and its' use.

Final Remarks

The approach being used in this RIA training course is an innovative project that will build capacity within the PA and CSOs to challenge and hence strengthen the transparency, accountability and participatory nature of the legislative process in Palestine. This training needs assessment is based on initial consultations with the BAYAN project and the potential course delegates. Given the innovative nature of this project, it may be changed to reflect the needs of the course participants during training in order to meet the training course goals. This will only be done after discussion and approval of the BAYAN project.