

THE COE PROJECT

PROMOTING CIVIL PARTICIPATION IN DEMOCRATIC DECISION-MAKING IN UKRAINE

WHO ARE WE?

We are a Council of Europe project that helps create an environment for stronger civil participation and citizen engagement in the decision-making process at the local and national levels in accordance with the Council of Europe standards and international best practices.



OUR GOALS ARE TO HELP:

- improve the legislation for effective civil participation and civil society development;
- improve the mechanisms of citizens and NGO impact on decision-making;
- establish communication between NGOs, citizens and local authorities;
- build up NGO capacity to advocate for changes and engage with public authorities in the decision-making process.

WHAT HAVE WE ACHIEVED IN JUNE-AUGUST 2019?

★ **Conducted** 2 workshops from the series of the Academy follow-up workshops “Civil participation: elements for strengthening the engagement between public authorities and community” – in partnership with the Kyiv City Council’s Centre for Public Communications and Information and Kyiv Civic Platform:

- *‘Learn how to influence budget: finally, something else than participatory budgeting’*
- *‘Public Spaces & Civic Engagement’*

★ **conducted a 4 day Summer Advocacy School: Doing analysis, facilitating and implementing changes** with a view to enhancing advocacy and communication competences of the activists in Luhansk and Donetsk oblasts, where we:

- ***exchanged** experience with the city council of Lviv and jointly studied the importance of participatory budgeting as an effective tool of civil participation;*
- ***explored experience** of digital transformation in municipal governance – Ukrainian smart city Drohobych, especially in open data, e-participating, fighting corruption and efficient use of new types of governance, in particular, block chain, and shared this experience with the participants;*
- ***ensured** a clearer understanding of those basic notions which related to the analysis of politics, so that activists can further provide individual consultations and inform persons making decisions on the interests and values of their communities;*
- ***found out** how authorities and the public should interact when new and controversial decisions are developed and agreed upon;*

• ***found out** how to promote civic projects towards authorities and ensure gender equality in the work of NGOs;*

★ **started working** with Dunayivtsi Amalgamated Territorial Community with regard to the development of the community's charter and a package of regulatory legal acts introducing and governing the use of civil participation tools;

★ **conducted working meetings and consultations** in Dunayivtsi, created a working group and started expert work on the development of a package of documents for a qualitatively new level of civil participation in local public life and management of local affairs, inclusive and participatory community development;

★ together with the alumni of the Academy of Civil Participation, met with Ms. Maryna Honda, Deputy Head of Kyiv City State Administration, senior officials and management of structural units of the KCSA and communal enterprises. The Academy alumni, representatives of civil society institutes, and experts **presented** to the authorities the developed pilot social services for youth and children with disabilities (proposals to city policies were developed by the Academy participants in May this year), suggested and discussed possible ways of their pilot implementation in Kyiv in the partnership and cooperation with the KCSA;

★ **conducted a workshop** 'Public Spaces & Civic Engagement' with a view of the development of the Guidelines for engaging citizens and NGOs in the process of designing and creation of public spaces at municipal level;

★ **started conducting a monitoring study** as to the implementation of the National Strategy for the Promotion of Civil Society Development in Ukraine during 2016-2019;


★ **made an overview of the best practices of introducing e-petitions** at the municipal level in Europe and provided recommendations to Lviv City Council;


★ **Advocating changes to CMU Regulation no. 1150 to simplify and facilitate the process of the state registration of the municipal charters;**

★ **Advocating changes to the Law of Ukraine 'On Local Self-Government in Ukraine' in part concerning civil participation and local democracy.**



WHOM DID WE WORK WITH?

 Public authorities
in Lviv, Dunayivtsi
and Drohobych

 Civic activists, NGOs
and representatives
of local business

 International
and national
experts

WHERE DID WE WORK ?



OUR ACHIEVEMENTS

WORKSHOP 'LEARN HOW TO INFLUENCE BUDGET: FINALLY, SOMETHING ELSE THAN PARTICIPATORY BUDGETING'

► ORGANISED IN PARTNERSHIP WITH THE KYIV CITY COUNCIL'S CENTRE FOR PUBLIC COMMUNICATIONS AND INFORMATION AND KYIV NGO PLATFORM



25 June 2019

The first of the series of practical Academy follow-up workshops "Civil participation: elements for strengthening the engagement between public authorities and community" – entitled 'Learn how to influence budget: finally, something else than participatory budgeting' where the participants, together with experienced trainers learned about:

- *how and whom to address in the KCSA for a project or an idea to be successfully implemented;*
- *how one can effectively influence the solution of current issues of the city;*
- *how the budget of Kyiv is formed and how proposal to city targeted programmes can be submitted.*

The seminar was practical, so, as the result, every participant had a ready sequence of specific successful steps that would lead to the implementation of an idea or a project in cooperation with the city authorities and the partners.

The event was organised by Kyiv Civil Platform and the Council of Europe Project 'Promoting civil participation in democratic decision-making in Ukraine' with the support of the Communication and Information Centre, the Finance Department of the KCSA and the Public Communications Department of the KCSA.

OLEKSII KOVALENKO, the national expert, sharing his impressions after the conducted workshop:

- ✓ Honest, new, open and not fancy! The main value of such an event is learning from each other, all together: public officials, civic activists and international organisations! Thanks to all the participants, your ideas and projects are incredible, thanks to true professionals and leaders of change for honesty and knowledge! ✓



THIRD INTERNATIONAL UKRAINE REFORM CONFERENCE



2-5 July 2019

In Toronto, Canada, **Third International Ukraine Reform Conference**, organised by Canada and Ukraine, took place. This year conference was devoted to expert discussion of reforms progress in Ukraine, achievements preservation and ensuring further reforms implementation in Ukraine.

The national expert of the Council of Europe project **MAKSYM LATSYBA** participated in the conference and shared his impressions:

- ✓ The international conference in Toronto is a great way to make sure we are on the same page when it comes to reforms assessment in Ukraine. Government representatives of the EU states, Canada and the USA expressed their support of the strengthening of Ukrainian democracy and market economy. International partners quite clearly outline the main priorities of reforms in Ukraine, in particular: fighting corruption, judicial reform, completion of decentralisation, economic deregulation and foreign investment protection. It was also emphasised, that civil society development and protection of civic activists and journalists from attack should be supported. Ukrainian government officials and civil activists, as well as international donors and experts participated in the conference. It provided an opportunity to make new initiatives and projects for the deepening of reforms in Ukraine and economic modernisation. ✓

SUMMER ADVOCACY SCHOOL:

Doing analysis, facilitating and implementing changes for activists from Donetsk and Luhansk oblasts



4-7 July 2019

A 4-DAY INTENSE PROGRAMME WHICH HELPED TO:

- increase the competence level of activists in the preparation of analytics and recommendations to self-government authorities;
- develop skills on the organisation of advocacy campaigns and structuring communications;
- answer the following questions:

1. *What is a policy, cycle of policy development and different participation levels?*
2. *How should authorities interact when developing policies and when should the public be involved?*
3. *What motivates activists to influence policies (decisions of authorities in certain spheres)?*
4. *What are the obstacles and opportunities in the process of policy development in given spheres?*
5. *How should proposals to policies be positioned, if they are analysis based and opinions of the target audience differ?*
6. *What prevents politicians from using analytics?*
7. *How should recommendations be communicated so that they are taken into account?*

OLGA KOVALENKO, the national expert of the Council of Europe project:

Efficient cooperation with the authorities requires from activists the skills of analysing draft decisions of the officials, preparing their expert recommendations and successfully substantiate them with a view to implementing the proposals. At the moment, the analytical and reform heart of Ukraine is in Kyiv, and in small cities, activists are working on "everything": from collecting humanitarian aid to investigations and anti-corruption. Activists in the regions face difficulties from the very first steps due to complex architecture of the authorities and the decision-making system, the understanding of which requires special knowledge. Therefore, the idea of the School for analytics and advocacy is to provide the activists with the necessary tools which can be used in order to bring their proposals and recommendations with the use of the officials' language, for them to be active participants of the process of policies development, to monitor and control their implementation, perhaps, to become co-implementers, and for the experience of open city councils and examples of successful advocacy campaigns could motivate and inspire, that changes are made by small groups of people and anyone who wants them, can do it.



➔ On 4 July

the participants studied the experience of city councils in involving the citizens in the decision-making, combatted the stereotype that authorities were "closed", and studied the models of city councils open for cooperation.

When visiting Lviv city council, Yurii Lukashevskyi, head of the 'Council Secretariat' of Lviv city council, shared his experience of introducing tools of civil participation in Lviv: 'The transparency of the city council's work is ensured through uploading information on the official website, draft decisions, covering agendas, online streaming of the deputies commissions. In general, it is important to understand, that from the variety of civil participation tools, each tool should be applied for a specific objective. When it is necessary to understand, what people or public authorities think, it is time for public hearings, if there is a project - participatory budget, if there is a decision proposal - e-petition, and so on.'

The experience of Drohobych demonstrated that progressive changes are possible even in small cities, provided there is political will. The participants witnessed what SmartCity is, when there is:

- *a mobile app;*
- *WiFi zones;*
- *information sensor panels;*
- *informing through email;*
- *"Smart Citizens" training;*
- *block chain in preschool education;*
- *and many other platforms for interaction with the public.*

In 2017, Drohobych joined the Open Data Charter and has been actively implementing its provisions. The city has already been recognised as a SmartCity and a Smart-Community. The city mayor, Taras Kuchma stated: 'In order to overcome corruption, there are 3 ways:

- *lead the corruption;*
- *apply coercive methods;*
- *create conditions when corruption is no longer possible - and this is the way the city of Drohobych has chosen.*

Therefore, Drohobych city council has made all possible data open, so that people rely on facts, rather than rumours.'



➞ On 5 July

the participants dived, together with Piotr Kazmerkevycz, trainer and instructor in the field of state politics and analysis of state politics, international expert of the Council of Europe project, into studying the possibilities for public engagement in the development of policies at the local, regional and national level; promotion and protection of interests through strategic analysis - the role of the public in the development of policies; consensus reaching and taking other opinions into account when developing policies. Mr. Piotr said that the development of

specific and convincing recommendations was only the initial stage for an analytic. When the general proposal is accepted, public authorities may ask for evidence supporting the proposal. And it is such request that gives an opportunity to provide the elaborated proposal, protect broad social interests and at the same time build up trust for yourself, as an irreplaceable partner in the improvement of policy development at the local and, possibly, further at the state level.



➔ On 6 July

trainers of the Summer School told about the strategies of advocacy campaigns organisation and successful cases.

Olga Hvozdk, the project expert, told the participants about her experience of developing a civic project #TraintToMariupol, aiming at a better railway connection between Kyiv and Mariupol. 'At the moment, thanks to our joint effort, 'Ukrzaliznytsia' has launched a train from Kyiv to Mariupol, with 2 hours less travel time', - told Olga about her experience.

The project expert **Natalia Chornohub** shared her experience of founding the first park in Ukraine, harmoniously combining all elements of comfortable public space, taking interests of different groups of visitors into account, and, most important, it was created with the active participation of the community in cooperation with the authorities through government-civic platform for engagement. 'No one can

any longer remember how ill kept and dangerous it used to be several years ago. Our example inspires other communities in Ukraine for changes', - Natalia believes.



Oleksii Kovalenko, having on his own example of organising advocacy campaigns, showed that while one campaign may succeed, another fails, told about the first zoo-lesson in Ukraine and 4000 children learning about humane treatment of animals.

And the project expert **Iryna Titarenko** told what was necessary to know

when doing advocacy. Communications are an integral part of advocacy, where communication measures go parallel to the advocacy itself. Communication strategy and communication plan will be made in accordance with the main target audiences of the advocacy campaign, messages being accordingly different for each of them.

SOME RECOMMENDATIONS FROM TRAINERS:

- *In order to carry out an idea, you need to remain firm in your decision.*
- *Form a team of people ready to drive the idea.*
- *Engage specialised experts in the team, who can work on technical solutions of reaching the objective.*
- *Analyse and determine who of the officials is an ally for you, and who is the boss when it comes to decision-making.*
- *Use different communication channels.*
- *Develop creative messages, for instance: 'Kyiv-Brussels: 5 hours. Kyiv-Mariupol: 19 hours. Volodymyr Borysovych, we know how to make Mariupol closer!'*
- *Engage bloggers and opinion leaders in your work.*
- *Provide people with a clear mechanism on how they can join your initiative.*
- *Believe that you can do more!*

➔ On 7 July

participants of the Summer School deepened into the studying of gender approach in the work of NGOs for the support of local initiatives, as an element of cooperation with the authorities. This is one of key issues in building effective communication at all levels. On the last day of the Summer School, Iryna Suslova, member of parliament of the 8th convocation, former deputy chairperson of the Subcommittee on Gender Equality and Non-Discrimination of the Verkhovna Rada Committee on Human Rights, National Minorities and Interethnic Relations, co-founder of the NGO 'Lustration Committee of Ukraine', told the participants about the specificity of the gender approach in their activities in more detail.

According to the results of the Summer Advocacy School: Doing analysis, facilitating and implementing changes there was prepared a practical **manual** for civic activists.



— FEEDBACK OF THE PARTICIPANTS: —

'Trainers have practical experience and knowledge, and the contents corresponds to the announced goals of the summer school. I would like to especially point out the topics: cases of advocacy campaigns, effective communication. I will now review the plan of my own advocacy campaign within the project for the provision of integrated social services in the city of Mariupol and the ATC.' - *Rozalia Hakh from Mariupol.*

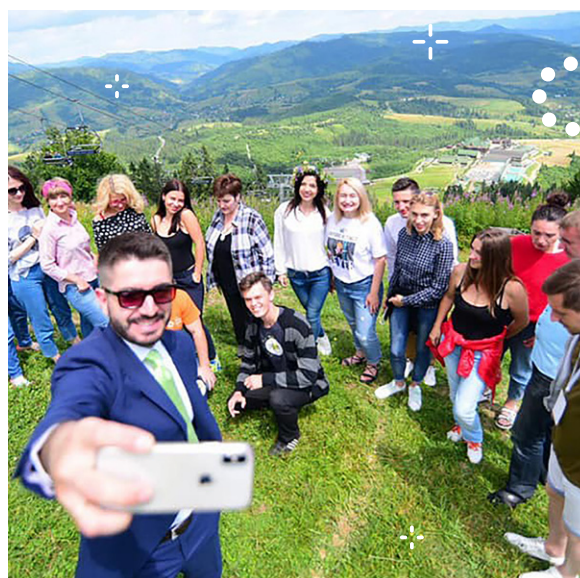
'Real professionals. Interesting, useful, effective. I learned about stakeholder analysis. And I will engage all those interested in order to solve an issue (for advocacy). Example of cases inspired big steps in terms of youth policy advocacy in Sievierodonetsk. I have already created a group chat in one of the messengers for development of recommendations and making changes in the city programme "The Youth of Sievierodonetsk", financing enlargement. On 15 July we plan to hold the first meeting with the organisations working with the youth.' - *Kyrylo Dubrovin, Sievierodonetsk.*

'The training was very useful, with a profound approach to studying how important tools of democracy work. Moreover, it was accompanied by practical examples of successful cases. All trainers were top. Everything was organised perfectly. Special thanks for the Carpathians!' - *Maryna Romantsova, Kramatorsk.*

'Top professionals with very useful case and theoretical background. The intensity of the training process could be lowered, for better understanding, pondering and discussions. I realised that the most important, what is to be taken into account, is the interest and impact of all possible participants of the process of advocacy, knowing how to find 'weak spots' in them, the need to make a portrait of every participant, to develop a set of the AC measures. But, first of all, it is necessary to take into account if the matter is on the agenda at all, and whether it will get attention. I have been trying to provide impact on the introduction of digital democracy tools in general and, particularly, to facilitate the development of small and medium enterprises in the city. However, due to the authorities being in a way closed, the public and business - inactive, fearing to speak out loud about themselves, though they strive for changes, only a small part of what was intended could be realised. So, I will keep working on it. My next step will be engaging the public, business and the authorities in open support, for the creation of a map of communal property, and business in particular - to found an effective business association." - *Oleksandr Tsakhniv, Selydove, Donetsk oblast.*

'A very strong team of trainers, who presented their material in the most interesting and comprehensible way. The lectures was about the topic I needed in my further work on projects. Organisation could hardly have been better. Thank you very much for combining so many different activities within such a short period. We managed to get a lot of new knowledge and impressions. It would be also interesting to hear more about effective communications. I got a lot of new knowledge, however cases on the preparation and implementation of advocacy campaigns, stakeholder's analysis and effective communication were the most useful for me. It was also useful to hear the success story of Drohobych city council. This small, but successful city can become a very good example for self-government authorities in my region.' - *Mariia Makarovych, Kramatorsk.*

LEARNING THROUGH ACTION:



FIRST STEPS IN POLITICS



6 July 2019

Senior Project Officer Volodymyr Kebalo, together with project experts, held a training on civil participation for Ukrainian students of the 1st-4th year within the Summer School 'First Steps in Politics' organised by the Council of Europe Project "Reform of the electoral practice in Ukraine" in partnership with Democracy Reporting International.

OLEKSII KOVALENKO, the national expert:

–It is always interesting to work with the youth. You never know what to expect. At first they seem to be average students, but as soon as the communication starts, every time I realise what an incredible intellectual potential our country has. The express interactive training "Civil Participation" organised by Volodymyr Kebalo and conducted together with the national expert team, is a total immersion in the atmosphere and philosophy of city policies, where involvement of the modern youth in the process of making and adopting decisions fully reveals the demand for tools of direct democracy: here, now and today!

Teamwork on the determination of current issues, as well as ways of solving them with the use of civil participation tools was the first block of tasks. The teams coped with in the best way. I was particularly impressed by the skill of practical application of this or another participation tool in given real life situations! If it was about cleaning and arranging a leisure area, they went on to use a petition, if they wanted to fix student library, they decided to hold a student council meeting, prepare a resolution and a request to the rector of the university, if it was necessary to decrease the effect of passive smoking on other people's health, they would introduce innovative smoking boxes, placing them in public places of the city, with the use of the public budget. Systemic approach of the teams to the solution and the logics of the decision-making - they were incredible. And the projects presented by the participants relating to the most pressing issues, such as environment, healthcare, communications, prove, that the students are up to date when it comes to community needs and know well what is needed for sustainable development of the society.

Assessment of work results was the second block. The teams had to convince the panel members, who according to the format were representatives of the local authorities, the university president and a member of parliament, that their projects should be implemented. The participants dealt with this task very well too. All stakeholders were involved in the decision-making process: a request on an area at the university to the president, with indication of suggested measures,



the initiative on a water feature should be dealt with through a draft decision of local deputies and provision of funds from the local budget, a draft public budget should be submitted to the city executive authorities, legislative initiatives addressing passive smoking should be referred to the member of parliament. A group of students acted as independent arbitrators. They needed only several minutes to study the guiding principles of consultations with the public, analytical memos and studies conducted by the Council of Europe experts in Ukraine with regard to the national and local tools of participation, in order to professionally assess the work results of their colleagues.

An hour dealing with the world of modern, active youth went by very fast. Professional, modern, competent, keeping up with the community's life pace and high-performing in their decision - this is what I believe future Ukrainian politicians should look like! 🚀



COOPERATION WITH DUNAYIVTSI ATC AND PUBLIC STARTED



5 July and **5 August 2019**

Dunayivtsi city amalgamated community is one of the largest in Ukraine: there are fifty villages, which joined the small city. The management of the local council is ready to work with the public. This is obvious from, in particular, two victories in the competition 'Best practices of local self-government' in sections related to local democracy.

The launching meeting of the national experts of the Council of Europe project Ihor Abramyuk and Maksym Lukiniuk with the representatives of the local authorities, experts and the public on 5 July 2019 was aimed at discussing the need to develop and to practically implement the tools of civil participation in the amalgamated community, the best possible approximation of the legal and practical framework with the local peculiarities, conditions and priorities of the community.

The meeting was attended by managers and employees of the city council (mayor, secretary, manager, lawyers, economic experts) and representatives of the public (a member of the Council of Entrepreneurs and a member of the Youth Council).

It was decided to adopt a comprehensive approach:

- to develop and adopt the community Charter with all necessary appendices;
- to discuss approaches;
- to agree upon the schedule.

MAKSYM LUKINIUK, the national expert of the Council of Europe project, said:

- ✓ Charter of the territorial community will set forth the procedures for community participation in the decision-making process by local self-government authorities. In particular, the submission of a local initiative for consideration by the city council, conducting public hearings and general meetings, initiating e-petitions, conducting public expertise. ✓



➔ On 5 August

the development of the Charter of Dunaivtsi city territorial community and provisions on the mechanisms of civil participation was launched. Expert support of this project was provided by the Council of Europe Project 'Promoting civil participation in democratic decision-making in Ukraine'.

Project experts Ihor Abramyuk and Maksym Lukinyuk participated in the first official meeting of the working group for the Charter development. The working group included:

- *managers, deputies and experts of the city council;*
- *starostas of one of the starosta okruhs;*
- *civil activists and representatives of the local business.*



At this meeting, a package of regulatory acts to be developed by the working group was approved in the minutes, as well as main aspects of the regulation of local democracy tools in an amalgamated territorial community were discussed in detail.

PRESENTATION OF PILOT SOCIAL

for handicapped children
and youth with disabilities
in the city of Kyiv

Alumni of the Academy of Civil Participation, civil society representatives, experts presented their work results to Deputy Head of Kyiv City State Administration and senior management representatives of structural units of the KCSA, with regard to introduction of new social services for handicapped children and youth in the city of Kyiv:



16 July 2019

- ➔ attendance of children with disabilities (assistant of a child/young person with a medium and heavy form of handicap);
- ➔ a social workshop, where youth with disabilities above 18 can work, where workplaces are well-protected, and in cooperation with the business, they will be trained for employment on the open labour market of the city;
- ➔ training social flat 'On the way' - social adaptation and preparation to independent living of the youth with disabilities in the city;
- ➔ accommodation with support for youth the with disabilities above 18.

The experts emphasised that due to the Law of Ukraine 'On Social Services' coming into force on 1 January 2020, the organisation of the provision of social services pertains to the competence of local self-government authorities, which are also in charge of the organisation of basic and other social services.



SERHIY KURYANOV, NGO "Social Synergy", participant of the Academy of Civil Participation and an initiator of introducing new social services for children and youth with disabilities in Kyiv, told:

- With the support of the project, we met with the Deputy Head of the KCSA, M. Honda. As the results of the meeting, an interagency working group was established, to comprise representatives of the initiative group from among the Academy alumni. Moreover, it is planned to analyse and prepare draft changes to the special city programme and the Kyiv Development Strategy with regard to social order of new social services in NGOs until 2020. The following financial support is critically important:
 - a) training teams that will be providing the determined new types of social services;
 - b) political support for working with the deputies and the specialised commission of the Kyiv City Council.

WORKSHOP

"Public Spaces & Civic Engagement"



1 August 2019

The objective of the expert workshop was studying the experience and best practices of citizens and NGOs engagement in the processes of creating of municipal public spaces and developing guidelines on citizens' engagement in the process of designing and creation of public spaces. The

legislation of Ukraine does not provide a definition of the term "public space" or "space for public", nor mechanisms or procedures for public engagement in the process of designing, creating or reconstructing public spaces.

THE WORKSHOP PARTICIPANTS STUDIED:

- ★ *the Council of Europe standards of civil participation in the decision-making,*
- ★ *national and international best practices of public spaces & citizen engagement,*
- ★ *worked on the development of guidelines on citizens and NGOs engagement in the creation, designing and reconstruction of parks, small parks, river embankments and coastal areas, streets, areas adjacent to houses;*
- ★ *based on the guidelines, recommendations as to the legal regulation of this matter at the national and local levels.*

Attended by **52 PARTICIPANTS FROM 11 CITIES,**

an elected member of the Verkhovna Rada, representatives of the Ministry of Regional Development, self-government authorities.



As a result, 4 cities showed interest in implementing workshop results, namely, the guiding principles of public engagement in the creation in the creation of public spaces (Poltava, Rivne, Nikopol, and Drohobych).

The expert workshop was also attended by Saba Pipia, Deputy Head of Municipal Service for Environmental Protection of Tbilisi City Council (Georgia), invited by the Council of Europe Office in Ukraine. There is now a municipal park being built in Tbilisi, and a the participation mechanism is to be established. It is important for Ukrainian and Georgian colleagues to learn from each other and get acquainted with the modern practices of cooperation between authorities and the public, inter alia:

- ➔ *which creative forms of engagement should be used, so that locals attend the meetings,*
- ➔ *at which stage should the park be designed together with the residents,*
- ➔ *how to take all wishes into account and, most importantly, how to make the engagement process easy, so that it is appealing for the residents to speak up.*

Mr. Saba also visited the Heavenly Hundred Park, Natalka park, admiring the beauty and good planning of those areas.

OLEKSII KOVALENKO, the national expert, said:

- It is not possible to achieve development and high quality of life, if the residents are not involved in the making of the most important decisions which concern them. Good democratic governance, a model of public governance, is based on the powers of the local self-government being carried out in close cooperation with the public and all stakeholders with a view to increasing the quality of life of the citizens and community development, when a human being is in the centre of all democratic institutions and processes.



NATALIA CHORNOHUB, the national expert of the project, shares her impressions:

- The workshop, conducted at the national level, confirmed our expectations of the chosen topic being current and on time. At this event, the participants learned that they were not alone in building a dialogue between local self-government authorities and initiative residents, NGOs, that there are best European practices helping to engage the community in creating public spaces, there is both Ukrainian and international experience of participation. During the event, the participants recalled numerous attempts of recent years to develop recommendations on how to engage the public, but neither of them was successful, as there was no interested team, who would bring the project to the stage of amending the legislation. Ukrainian legislation does not provide a definition of a 'public space', as there is neither an obligation to engage the community in the creation and designing of public spaces. It is therefore necessary to amend the respective provisions of urban regulations, constructions rules and regulations. With an expert team, support both from the authorities and the public, we believe that the project will be successfully implemented. And in a few years, our community will finally get the right to arrange the space as it wishes.





22 August 2019

Working group of Lviv City Council on the improvement of the mechanisms of e-petitions governance in Lviv. Senior Project Officer Volodymyr Kebalo and the international expert Quintin Oliver prepared an overview of international standards and best practices of e-petitions at the municipal level in Europe, and recommendations for the improvement of the system of e-petitions in Lviv.

After receiving a respective request from Lviv City Council, planning to improve the procedure of submitting and reviewing e-petitions, the experts of the Council of Europe Project 'Promoting civil participation in democratic decision-making in Ukraine' made an overview of best international practices and provided some recommendations:

OVERVIEW OF E-PETITION SYSTEMS IN EUROPE

[LINK](#)

DISCUSSION PAPER ON E-PETITIONS FOR LVIV CITY COUNCIL

[LINK](#)

The project will further study international practices of civil engagement, participation tools, more intensely.

WORKING ON THE CHARTER OF THE TERRITORIAL COMMUNITY OF DROHOBYCH

Drohobych is one of the leaders of introducing e-governance making the residents life easier.

The City Charter was adopted in 2009, however, despite recent and successful

digital transformation initiatives, the legal framework requires an overhaul.

Therefore, according to the agreement between the Council of Europe Office in Ukraine and Drohobych City Council, the project experts are providing support in the development and approval of the updated and enhanced Charter of Drohobych. The chapters and appendices of the Charter will govern the following matters:

- *rights, duties and guarantees of the territorial community residents;*
- *forms of participation of the residents in the management of local issues;*
- *interaction of local self-government authorities with other actors;*
- *public control over the functioning of local self-government authorities and their officials;*
- *principles of the territorial community development and environmental protection;*
- *public space and its significance for the territorial community;*
- *the use of gender oriented approach in the planning of territorial community development;*
- *the reporting of local self-government authorities and their officials to the community;*
- *openness and transparency in the activities of local self-government authorities and officials;*
- *the service and career planning of a municipal official.*

MONITORING STUDY

as to the implementation of the National Strategy for the Promotion of Civil Society Development in Ukraine during 2016-2019.

The Council of Europe Project 'Promoting civil participation in the democratic decision-making in Ukraine' in cooperation with the Agency for Legislative Initiatives launched a monitoring study as to the implementation of the National Strategy for the Promotion of Civil Society Development in Ukraine during 2016-2019.

Deputy Head of the Agency, Uliana Poltavets informed that the study design had already been developed, a number of interviews conducted, and documents of the national level analysed. Oblasts where the study will be conducted at the regional level were selected, and necessary documents related thereto has been analysed.

OLEKSANDR ZASLAVSKYI, Director of the Analytical Department of the Agency for Legislative Initiatives, commented the first study results:

- ▮ The National Strategy for the Promotion of Civil Society Development in Ukraine has not become an effective and independent tool of public policy in the relevant sphere, since it does not have independent financing and is being implemented sporadically without implementation criteria or concrete authorities/persons in charge. Although reports show that almost all of the planned measures have been implemented, with the impact indicators lacking, it is very difficult to assess how the developed proposals, conducted trainings/studies and information campaigns eventually influence the civil society environment. At the same time, measures envisaging concrete steps by the government remain unfulfilled, namely, adoption of the developed draft laws. ▮

ADVOCATING CHANGES TO CMU REGULATION NO. 1150

CMU Regulation no. 1150 'On Approval of the Regulations on the State Registration of Charter of Territorial Communities' is currently complicating the process of registering charters of

territorial communities by territorial agencies of the Ministry of Justice.

Clause 1-1 of the Regulation stipulates that documents shall be accepted and issued through centres for the provision of administrative services. However, there is no explanation of how documents should be transferred from Centres for Provision of Administrative Services to justice agencies and back, which creates the first obstacle in the registration for lawyers of local self-government authorities.

Clause 2 of the Regulation also envisages that the following documents should be submitted for registration of the charter: charter of the territorial communities in 2 copies; decision of the representative body of local self-government on charter approval; minutes of the plenary meeting of the representative body of local self-government where the decision to register the charter was taken. This means, that the city council has to approve two separate decisions, one on the approval of the charter, and another one on the registration of the charter. This provision also

complicates the process as LSG not always know about it and adopt only one decision on the approval of the charter. Thus, justice agencies refuse to register the charter, as the submitted documents are incomplete. The LSG must also provide the whole minutes of the meeting, and not just an abstract from it, containing decisions on the adoption and the registration. Since there are about 100-150 matters dealt with at a council session, the preparation of the minutes delays the submission of documents for registration for 2-3 more weeks, sometimes even for a month.

Therefore, the experts of the Council of Europe Office prepared amendments to Regulation no. 1150 making the registration of a charter of territorial community easier, in particular:

1. adding the terminology on the ATC charter to the Regulating, as at the moment it does not govern the registration of ATC charters;
2. provision of a possibility of obtaining and issuing documents through justice agencies;
3. simplification of the list of documents submitted by LSG for charter registration;
4. mandatory check of the Charter text in terms of compliance with the Constitution and the laws;
5. specify the actions of registers during the registration of charters and their deadlines.

ADVOCATING CHANGES TO THE LAW OF UKRAINE 'ON LOCAL SELF-GOVERNMENT IN UKRAINE'

Civil participation in local public matters and community management do not exclusively concern (ir) regular elections, when citizens elect the authorities. The Constitution of Ukraine guarantees systemic participation in the management of state and local authorities for the citizens, as well as sets forth the forms of such participation.

The Verkhovna Rada of Ukraine has adopted a number of legislative acts specifying the procedure of carrying out the stipulated rights, as well as broadened the forms and mechanisms of civil participation. Thus, in particular, the right to freely receive information on the activities of state and local authorities, free access to all sessions of local self-government authorities, possibility to address authorities with e-petitions, submit local initiative, conduct public hearing and general meetings of citizens and so on, are guaranteed.

However, **SOME PROVISIONS OF THE LAW OF UKRAINE 'ON LOCAL SELF-GOVERNMENT OF UKRAINE', IN TERMS OF THE MECHANISMS OF PARTICIPATORY DEMOCRACY IN LOCAL SELF-GOVERNMENT ARE NOT GOOD ENOUGH.** The analysis of the practice of using civil participation tools reveals the following main problematic issues:

- *lack of a clear regulation of mechanisms of local civil participation in the legislation for local self-government;*
- *provision of requirements for local self-government authorities to introduce the mechanisms of civil participation exclusively in charters of territorial communities;*
- *lack of defined framework requirements to the decisions of local self-government authorities, the mechanisms of local civil participation at the local level in terms of their initiating, implementation and review procedure (lack of the list of issues to be settled in the decisions of local self-government authorities concerning the mechanisms of civil participation);*
- *provision of obligatory requirements for local self-government authorities to register charters of territorial communities in justice agencies;*
- *lack of the list of issues to be settled in the charter of a territorial community;*
- *imperfect mechanism of using e-petitions in local self-government authorities (there is a requirement of reviewing an e-petition which received a prescribed number of signatures on a local council session within 10 days)*

With a view to creating a favourable legal environment for the implementation of the mechanisms of civil participation, the Council of Europe national experts have developed outline amendments to the Law of Ukraine "On Local Self-Government in Ukraine" and other legislative acts, namely:

- *in the Law of Ukraine 'On Local Self-Government in Ukraine', to stipulate requirements to legal regulation of mechanisms of civil participation by local self-government authorities;*
- *to envisage that the detailed procedure of initiating, conducting and applying mechanisms of civil participation shall be governed by local self-government authorities in the charters of territorial communities or special decisions of local councils;*
- *define the list of issues that must be settled in decision of local self-government authorities on the mechanisms of civil participation and charters of territorial communities;*
- *define the list of issues that must be settled in the charter of a territorial community.*

The effectiveness of legal regulation, the quality of rules and procedures must ensure the development of participatory democracy, which is more than important in terms of decentralisation.

THE ADOPTION OF A NEW LAW WITH ENHANCED PROVISIONS ON CIVIL PARTICIPATION WILL CONTRIBUTE TO THE DEVELOPMENT OF CIVIL SOCIETY AND CIVIL PARTICIPATION IN THE DECISION-MAKING AT THE LOCAL LEVEL. IT WILL PROVIDE FOR EFFICIENT COOPERATION BETWEEN LOCAL SELF-GOVERNMENT AUTHORITIES AND MEMBERS OF TERRITORIAL COMMUNITIES, THUS INCREASING THE CITIZENS' TRUST TO AUTHORITIES.

IN SEPTEMBER-DECEMBER 2019 WE PLAN TO:

- *in partnership with the UNDP project "Civil Society for Enhanced Democracy and Human Rights in Ukraine" implement the Academy of Civil Participation in Zhytomyr for the city council and NGOs;*
- *complete the monitoring of the implementation of the National Strategy for the Promotion of Civil Society Development, present and discuss the results, provide recommendations to the further creation and maintenance of an enabling environment for civil society in Ukraine;*
- *contribute to the improvement of the national legislation concerning civil participation and NGOs according to the Council of Europe standards and best practices;*
- *continue working in pilot communities, in particular on the completion of the development of legal acts expanding the opportunities for civil participation in the decision-making process, transparency of the local councils activities, implementation and improvement of efficient mechanisms of participation and interaction in such cities as Drohobych, Lviv, Ternopil, Dunayivtsi;*
- *exchange experience and best practices of civil participation: national and international experience. In particular, we will arrange the exchange of Ukrainian experience with the municipality and community of Tbilisi, take part in the participatory incubator within the World Forum for Democracy in 2019 in Strasbourg;*
- *further strengthen the organisational capacity and competences of Roma NGOs in Donetsk oblast as to the advocacy of changes, interaction with the authorities and the public;*
- *further support to and partnership with the 'Kyiv Civil Platform' NGO and 'Centre for Public Communication and Information' of Kyiv City Council.*
- *implement further modules and training initiatives of the Academy of Civil Participation;*
- *implement events dedicated to the role of NGOs in the context of digital and direct democracy, conflict resolution.*

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FOR FURTHER INFORMATION

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- ☑ Civil Society Division
- ☑ Democratic Governance Department
- ☑ Directorate General of Democracy
- ☑ Council of Europe

PROJECT 'PROMOTING CIVIL PARTICIPATION IN THE DEMOCRATIC DECISION-MAKING IN UKRAINE'



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