

INFORMATION BULLETIN

BUREAUCRAT



PUBLIC ADMINISTRATION REFORM – towards a new quality of public administration



Reform areas and tasks

Research conducted by the Organization for Economic and Co-operative Development and the SIGMA Programme* shows that in recent decades developed countries have not only adjusted governments' organization structures to new circumstances, but have purposely used changes as a method of enhancing effectiveness of public administration. Changes in the system and structure of governance, decentralization, and increased openness and transparency serve to meet the growing expectations of citizens. Governments of the OECD member countries have revised approaches to public services by reducing the state's involvement in those types of economic activity that can be carried out by the private sector without the state's interference and

by strengthening the participation of the private sector in the provision of public services. Such changes help to ensure functional specialization and to focus on clients' needs.

Since the declaration of Ukraine's independence, the organizational framework of public administration machinery has undergone around 350 transformations. Regrettably, the administrative reform that was carried out in 1999 and consequent unsystematic changes have failed to ensure complete transformation of the system of executive government bodies according to European standards. The reason is that the reorganization of executive bodies was implemented without prior definition of their functions.

At present, Ukraine faces the need to reform its public administration system in order to provide high quality public services according to European standards. A Concept on Public Administration Reform addressing the above-noted issue is being developed by a task force** chaired by the Minister of Economy.

The concept clearly defines the principles of organization and functioning of public administration bodies, in particular: rule of law and legitimacy, openness, neutrality, proportionality, effectiveness, accountability, and responsibility.

* The SIGMA Programme is a joint initiative of the OECD and the EU that provides expert support and recommendations to the European Commission and beneficiary countries regarding the compliance of their public administration systems with the requirements for the EU membership.

** The task force includes representatives of the office of the Verkhovna Rada of Ukraine (Ukraine's Parliament), the Secretariat of the Cabinet of Ministers, the Ministries of Economy, Finance, Regional Development and Construction, and Justice, the Main Department of the Civil Service, the Institute of State and Law named after V. M. Koretskyi under the Academy of Sciences of Ukraine, the Center of Institutional Development, the Center for Political and Legal Reforms, the Association of Cities and Communities of Ukraine, and the Foundation of Assistance to Local Self-Government.

ISSUE CONTENTS:

PUBLIC ADMINISTRATION
REFORM

STREAMLINING
PUBLIC SERVICES

INTERVIEW WITH EXPERTS

CIVIL SERVICE NEWS



According to the draft Concept on Public Administration Reform, reform should encompass the following:

- 1) Ensuring the stable and effective organization and functioning of executive government by means of institutional separation of political and administrative functions;
- 2) Establishing a professional, politically neutral and open civil service by means of a separation of political positions from civil service positions, through the implementation of legal mechanisms aimed at the protection of civil servants from illegitimate political influence, and the introduction of an open competitive for entry to the civil service and process for career promotion;
- 3) Creating a system of capable local self-government through the decentralization of decision-making powers and resources;
- 4) Strengthening the status of private persons in relation to public administration bodies through fair legal regulation of administrative procedure, the introduction of new organizational forms and quality standards for administrative services, and improvement of legal protection for private persons in their relations with the public administration; and
- 5) Ensuring the accountability of the public administration to political authority and society, and promoting public participation in governance.

INFORMATION BULLETIN „BUREAUCRAT“

Project Manager: Tetyana Kovtun
Editor: Fayna Kozireva
Proofreader: Natalia Kanivets
Preparation of materials: Valentyna Afanasyeva, Iryna Chupryna, Dmytro Chupryna, Fayna Kozireva
Index of publication: 91644
Founder and publisher: Center for Adaptation of the Civil Service to the Standards of the European Union
Distributor: DP „Presa“
Circulation: 500 copies
Order: №
Number and date of issue: # 9-10 (86-87) May 30, 2009
Address of the editorial board, publisher: 01601, Kyiv, Prorizna st. 15, tel. 278-36-50
Address of the manufacturer: OOO Konus-Yu, 01011, Kyiv, Panas Myrnyj st. 26, of. 210. Tel. 254-29-31
Certificate of the state registration of media: KB № 14433-3404PR from 24.09.2008
Certificate of the subject of publishing: DK № 3280 from 17.09.2008
Certificate of the state registration of manufacturer: DK 096557 from 04.11.1999
 © 2009, Center for Adaptation of the Civil Service to the Standards of the European Union

E-mail: center@gov.ua
www: center.gov.ua

Publication (Ukrainian version) is prepared with the support from the „Technical Support to Public Sector Reforms in Ukraine“, financed by the Danish Ministry of Foreign Affairs

Recommendations of the SIGMA Programme

Experts of the SIGMA Programme have performed an assessment of the draft Concept of Public Administration Reform. In their opinion, general objective of the reform should be refined by focusing on several specific reachable goals.

The experts emphasized the importance of focusing on European principles of governance that will provide a better understanding of the ultimate objectives of the reform.

According to SIGMA experts, an assessment of eventual costs and the availability of resources for the implementation of reforms should be carried out, especially in light of the current financial and

economic crisis. The need to elaborate a strategy for the training of the human resources capable of implementing the conceptual ideas of the reform was also emphasized.

Involvement of stakeholders in the preparation of the draft concept was highly praised by the experts, as this can serve as a valuable input substituting the „command“ administrative culture with a culture aimed at the provision of services, innovation, the achievement of results and increased accountability. It is the public consensus that is capable of ensuring the integrity and sustainability of reforms.

The undertaking of serious commitments related to regulatory reform and quality service delivery was noted as a positive achievement. These spheres will play an important role in ensuring the rule of law and in increasing trust to words public administration.

The experts again stressed the absence of a competitive, merit-based system of entry into the civil service and for promotion — necessary as a starting point for the establishment of a professional civil service. Reform of the civil service and its adaptation to European standards is critical for the success of public administration, in general. Therefore, a new law on the civil service is considered an essential component of reform. It was also noted that a comprehensive analysis of each administrative procedure with the purpose of its ultimate simplification should also be one of the reform goals. In addition, more attention should be paid to reforms at the local level.

In the process of setting a general organizational and legal framework for the public administration system, it is important to strike a balance between management autonomy and political/administrative accountability. Clear organizational and legal solutions are required to prevent voluntarism, on the one hand, and to ensure necessary flexibility by decision-making in management, on the other hand.

*It could be learned from the experience of the OECD member countries that an effective and sustainable governance system includes the legal and institutional framework that restricts a number of government bodies' types, provides them with clear legal basis and justifies all possible exceptions. Attention should be drawn to the detailed study of the functions that shall be performed by a specific authority and organizational components designed to promote the optimal policy implementation in a particular sphere.***.*

In their report, the experts also point out that the change of political and administrative culture is more important than the reform of organizational and legal framework. A general conclusion from the assessment of the SIGMA Programme is that reaching broad consensus on main areas of reform and the means of implementation remains a priority task. ★

*** See: *Sigma Paper 43: Organising the central state administration: policies and instruments* (GOV/SIGMA(2007)7).



REGISTER OF PUBLIC FUNCTIONS and systematization of public services

Horizontal functional review as an instrument of reform

The exercise of public powers requires functioning public authorities that are given responsibility for performing particular public functions. The management of economic, social and cultural development, the protection of national security, etc., are among the most important functions of public administration.

Social and political transformations in society lead to changes in public functions with the emergence of new functions and the removal of outdated and excessive ones. Chaotic processes in redistributing functions among public authorities can result in duplication of functions and in the creation of the gaps that impair thus overall performance of the public mechanism prompting the need to implement reforms.

Functional reviews are the main instrument for the development of proposals on how to regulate the system and structure of public administration. Their results provide an opportunity for the development of proposals on the distribution of functions between ministries and other central executive government bodies, between central and local authorities, and allow for an elaboration of a new structure for public bodies.

Many countries with transitional economies have successfully used this instrument for the implementation of administrative reform — Poland, The Russian Federation, The Baltic States, Tajikistan among others.

Two main types of functional review are distinguished — vertical and horizontal.

Vertical functional review is an instrument used to analyze the functioning of executive authorities that focuses on particular bodies or their grouping in a specific public administration sphere, connecting the functions determined to the resources invested.

Horizontal functional review is an instrument used to analyze the functioning of the whole system of executive bodies for evaluating excessiveness and duplication in their functions and responsibilities. Such a review enables the detection of problems and the development proposals for reforming and/or regulating the structure of central executive government bodies, in particular, through the establishment, reorganization or liquidation of certain bodies and changes in their subordination, profile and coordination.

In 2008, a comprehensive horizontal functional review of executive government bodies was carried

out in Ukraine. Based upon the results, of the review a register of public functions was compiled.

The register of public functions is an electronic database of the functions performed by executive authorities containing information about:

- *The legal act that introduced each function;*
- *The authority which is responsible for the execution of each function;*
- *The type of function (legal regulation, control and supervision, property management, etc.); and*
- *The sphere of function (intellectual property, taxes, etc.).*

The register provides an opportunity to determine zones of functional responsibility and zones of overlap in the areas of responsibility of various authorities.

Additional options for using the register of public functions include the following:

- *Expertise aimed at testing whether changes in the system of executive power bodies were justified;*
- *Assessment of the quality of administrative services provided by the state; and*
- *Basis for the endorsement of new provisions about executive power bodies.*

Based upon the register, it was concluded that the existing structure of executive government is characterized by a variety of organizational and functional statuses of executive authorities and the lack of connection between the functions or authority's name and its respective status in the system of executive power. An inappropriate combination of functions which conflict with each other was observed in almost all central executive government bodies. A combination of normative and legislative regulatory activity with the provision of administrative services or with control and supervision is a typical example of combination of functions. The existing structure is focused up on administrative convenience rather than up on the needs of consumers received particular services.

Streamlining of public services

Satisfaction of citizens needs the protection of their rights and freedoms fully depends on the quality of public services being provided by public authorities. At present, the system of public services delivery is extremely complicated for end consumers. In order to



receive a service, it is often necessary to address various authorities at the same time, thereby overloading the procedure and making it less transparent and

potentially more expensive for the consumer.

Enhancing the effectiveness of public administration implies, first of all, the streamlining of public services. There is a need to keep a single record of all of the services provided by public authorities. This is also important in view of the need to systematize paid public services.

Regrettably, a range of negative trends has been observed in the sphere of paid administrative services. They include the absence of quality standards and clear criteria for determining whether a service shall be provided on a paid basis or free of charge; the imposition of mandatory services; an expansion of the list of paid services, drastically increased fees for services, etc. Inadequate measures taken to regulate the above-noted problems have resulted in chaotic processes evolving in the sphere of paid services and the lack of control over the use of payments received.

According to an order of the Cabinet of Ministers of Ukraine dated 25.02.2009 # 251-p „On Measures to Streamline the Provision of Public Paid Services”, a functional review was conducted with the purpose of determining the paid public services provided by bodies central executive government and bodies local self-governments.

The analysis revealed that most of the paid services provided by central executive bodies and subordinate enterprises, institutions and organizations were not public services. In other words, they were not related to the exercise of the public administration and to the protection and realization of human and citizens' rights and freedoms. They belonged to economic activity and could be regulated by free market mechanisms rather than instruments of public administration. At the same time, a substantial share of paid services consisted of informational and consultative services that were artificially singled out into separate services. For example, public authorities often required a fee for the issue of forms or the explanation of legislative provisions within the sphere of their competence.

In order to streamline the provision of public services, in particular, paid services, a register of public and administrative services was compiled on the basis of the register of public services.

The register of public and administrative services is an electronic database of public and administrative services that is used for the registration of services and the development of proposals on improving the procedure of their provision on both paid and cost free basis.

As present, the register contains information about the name of a public service; the legislative framework for its provision; the government body providing the service, and the size of the fee (in the case of services provided on a paid basis).

Detailed information or an abstract from the register of public and administrative services can be from the Center for Adaptation of the Civil Service to Standards of the European Union by phone (+ 38 044) 278-36-50 or by e-mail fr@center.gov.ua

The register contains open and accessible information about public and administrative services. According to the Status of the Register of Public and Administrative Services that was endorsed by government resolution 27.05.09 # 532, the Main Department of the Civil Service of Ukraine is the keeper of the above-noted register, while the Center for Adaptation of the Civil Service to Standards of the European Union — administrator.

Proposals serves as its the streamlining of the system and structure of executive government

Based upon the implemented functional review, proposals respecting streamlining of the system and structure of executive government were developed. A functional principle for the creation of government bodies was taken as a basis for the suggested model.

NEWS

May 29, 2009 Ukrainian-French round table „Ukraine's Integration to the EU: New Opportunities and Challenges”

May 29, 2009 TAIEX workshop on exploring EU legislation

May 28, 2009 Workshop „Actual Issues in the Practice of Applying Legislation on Civil Service and the Fight against Corruption”

May 27, 2009 Resolution of the Cabinet of Ministers of Ukraine # 532 dated 27.05.09 „On the Approval of the Status of the Register of Public and Administrative Services”

May 25, 2009 6th Forum „State and Business — Partners” with the participation of the President of Ukraine

May 23, 2009 All-Ukrainian working meeting on the issues of social and economic development of rural settlements under the chairmanship of the Prime Minister of Ukraine

May 20, 2009 Conference „Fair Competition — Milestone for Free Economic and Social Development”

May 19, 2009 6th All-Ukrainian Congress of Quality „Quality as a National Idea of Ukraine”

May 14—16, 2009 17th Annual conference of the Network of Institutes and Schools of Public Administration in the Central and Eastern Europe (NISPAcee) „State and Administration in the Changing World” (Budva, Montenegro)

May 14, 2009 A scientific conference „Challenges and Opportunities of Implementing E-governance in the Conditions of the Crisis” within the framework of the „Day of E-governance”

May 13, 2009 12th All-Ukrainian scientific conference „Youth, Education, Science, Culture and National Self-Awareness in the Conditions of the European Integration”

May 11—15, 2009 42nd plenary session of GRECO that approved a report on the implementation of GRECO anticorruption recommendations by Ukraine (out of 25 recommendations, 7 were implemented and 18 — partly implemented)



A model for central executive government bodies which includes four types of institutions is being proposed:

- Ministries (their status is regulated by the enacted Law of Ukraine „On the Cabinet of Ministers of Ukraine”);
- Other central bodies of executive power and state agencies;
- Independent regulators (subordinated to the Verkhovna Rada of Ukraine); and
- Bodies of special competency (subordinated to the Cabinet of Ministers of Ukraine).

It is recommended that a comprehensive list of functions for each type of executive government body be applied.

The system of central executive bodies should be formed on the basis of ministries that are to play a

leading role in the implementation of public policy. Ministries have to formulate public policy and to engage in normative and legal regulation. In order to improve their performance, it is recommended that to political and administrative functions and positions within ministries be separated as soon as possible.

Independent regulators should perform the following functions: setting prices and tariffs for certain types of services and goods in the sphere of natural monopolies and related markets, and ensuring a balance between the interests of consumers, monopoly companies, and the state in the process of decision-making.

The new structure will provide for a clear classification and delegation of powers between executive bodies, for the unification of their organizational and functional profiles, and the removal of duplicate functions. ★

Ivica EZDENCI

EFFECTIVE REFORMS REQUIRE strategic objectives and the coordination of actions



Ivica EZDENCI, an expert of the European Commission on the preparation of a detailed Twinning Project for the Main Department of the Civil Service of Ukraine, a former Deputy Minister of Justice and Minister for Administrative Management and Local Self-Government of

Serbia; President of the Executive Committee of Serbia's Association of Civil Servants; and a consultant of the European Commission, the Council of Europe, the SIGMA Programme, the United Nations Development Program (UNDP), and the World Bank on jurisdiction, legal reform and local self-government.

— How do you assess the progress of administrative reform and civil service reform in Ukraine?

I have had a series of meetings with representatives of the top and medium rank of civil servants and the stakeholders interested in the reform, and have some remarks on the situation. Since 2006, when the SIGMA Programme carried out governance assessment in Ukraine, the situation has not improved significantly,

and in some fields has even deteriorated. In particular, the political support for such reforms has substantially reduced. Obviously, it is very hard to implement any changes without a respective framework in the form of adopting a new law of Ukraine on the civil service.

Since reforms in Ukraine are often based on provisions of the legal acts issued by various authorities, a certain inconsistency exists respecting the content of reform and suggested measures. It creates competition between various ministries and serves as an obstacle for the effective implementation of reforms. For instance, different measures are taken by various state authorities in a somewhat fragmented mode without the vision of a common strategic goal and the presence of effective horizontal coordination. Competencies and functions have to be distributed with consideration for the relations within the whole system so that excessive duplication can be avoided.

— In your opinion, is there any effective mechanism to improve the image of the reform, and its competitiveness against other issues? Or, is this issue not on the agenda compared to other political problems?

A communication strategy targeting citizens and other stakeholders who are involved in the process is an effective mechanism. As a matter of fact, reforms are very painful and not attractive for politicians since they do not bring immediate political advantage. Therefore, the reforms need to be pushed through. ★



Kristaps SOMS

The state's attention should be focused up on the PERFORMANCE OF PRIORITY FUNCTIONS



Kristaps SOMS is a consultant with the planning unit the Department of Policy Coordination of the State Chancellery of the Republic of Latvia, an expert of the project „Technical Support to Public Sector Reforms in Ukraine”, and an expert on functional reviews in the Republic of Latvia.

He provides expert support to the Center for Adaptation of the Civil Service to the Standards of the European Union in carrying out a functional review of the authorities working in the sphere of social protection. The purpose of the review is to improve the system of social service provision.

ing out a functional review of the authorities working in the sphere of social protection. The purpose of the review is to improve the system of social service provision.

— Mr. Soms, please tell us what are the functions of your department, its role in the State Chancellery and in the process of reforming the state machinery?

The Department of Policy Coordination has several spheres of activity. First of all, human resources development, in other words, human resources policy and everything related to that. In particular, we closely cooperate with the Ministry of Finance and other ministries. The second sphere is coordination of public policy. We are a central link coordinating everything related to policy documents. We analyze how the system functions: how a document enters the system, its place in the system, the essence of a document, whether it is needed, whether it solves a problem that has been already addressed, whether it is a new global policy and whether it necessarily proposes appropriate actions. A third general activity sphere is that we are among the departments assisting the Prime Minister in his work. This includes execution of his special commissions, analysis of information for the public sector, etc.

Implementation of a functional review is now an urgent issue in Latvia, and it is carried out in Ukraine as well. We have economic problems, and we have a clear intention to review what the state does and whether it acts properly. In the conditions of reduced budgetary allocations, it is extremely important to focus the state's attention on the execution of priority functions.

A functional review was previously carried out in Latvia. The first attempt was undertaken at the end of the 90s with the support of the World Bank. This issue has subsequently been repeatedly discussed, with a series of relevant measures taken.

Now we are dealing with this issue again. We have analyzed our own experience, the problems encountered and the experience of other countries, namely in Russia and those states where we have participated in functional reviews as experts. On the basis of those conclusions, a new system and approach to functional reviews have been introduced. This approach was approved by the Government in late January 2009, with an audit initiated in March.

— To what extent does the system of functional review in Latvia differ from the one used in Ukraine?

Generally, the core of functional reviews is the same. The main principles are invariable — excessive/duplicate functions and institutions are examined. For instance, if one or similar functions (accounting, IT-infrastructure) are executed in several bodies, obviously, they can be combined without considerable damage to their performance. On the whole, one should focus on the functions that can be maximally centralized. The question is whether each small institution requires its own bookkeeping system or separate system of administration, or whether these functions should be centralized or delegated to the private sector.

We are now going through an intense decentralization process. Many public functions can be performed by the private sector more effectively and cost effectively, and we tried to incorporate these observations into the methodology of the functional review.

During the functional review, not only the place of each function, but also the authority where it should be performed is examined. We are reviewing several options on how a function can be performed.

First, one should look how a particular function is implemented and where it can be centralized or decentralized (delegated to the regions) in the public system or into the private sector. Second, the innovation is that we consider whether a certain function is ultimately needed. It may have become redundant because the total number of functions has grown in recent decades without analyzing whether existing functions were needed and economically justified. For example, it might be more rational to let control functions be self-regulated, where market mechanisms work. Such functions will be removed from the list of public functions. Third, we consider whether a particular function can be delegated to the private sector or to the local level. For instance, a private medical organization certifies doctors. Such functions may be detected in the process of a functional review and revised.

— Functional reviews have been repeatedly implemented in Latvia. To what extent did they facilitate administrative reform and improve the quality of public administration? How can this be assessed?

Regrettably, it is hard to give an unequivocal assessment. There is no doubt that functional reviews were an important step in the implementation of public administration reforms. For example, the first functional review helped to reduce the number of ministries. That was a transition from the Soviet administration style to a democratic one, and functional reviews played an important role in this process. This was an instrument for the implementation of necessary changes.

During the assessment, it was also necessary to take into account other factors, such as accession to the European Union. In Latvia, there was a need to adopt EU standards, and, therefore, the state system and the functions performed by the state had to be adjusted to EU standards. New functions, in particular, those related to EU foundations or to other requirements related to quality control emerged. In other words, a functional review served as only one component of public administration reform. The whole complex of factors should be taken into account.



— *In your opinion, to what extent will the completed functional review promote administrative reform in Ukraine?*

The work that has been accomplished is very considerable progress. Experts have highly praised the new ideas that have been brought forward from the review as they are very progressive and meet the standards of the advanced world.

A functional review provides a basis for justifying: why we do what we do and what advantages we have, and generally facilitates the removal of redundant functions. I do not claim that this instrument should be universally applied, but it gives answers to many questions and helps to look at the system as a whole.

— *How will the completed functional review promote the decentralization of public administration?*

It cannot be said that a specific function should be centralized or delegated to regions or the private sector. There is a need to look from the point of view of the system and its general functioning. To some extent, the review was an attempt to look for functions that could be delegated to the regions. Experts gave their opinions on which functions could be delegated and which should not. Centralization is essential when a function is related to a large number of consumers. Let's consider the function of price regulation. If we delegate price regulation to each department these departments will set their own norms — thus establishing a barrier when there are various requirements in different places. Such functions should remain at the central level, creating the same framework for all institutions.

In the process of a functional review, we look from various angles, analyze from different starting points, and then one can tell that the function, for example, is too centralized, that it should be moved closer to a consumer, etc.

— *How long may implementation take from the results of functional reviews, and how strong may the resistance be to that process?*

Above all, there should be respective political will. In Latvia, all political decisions are made on the level of the Cabinet of Ministers. In other words, the whole process has three components. Initially, an expert assessment is carried out. Its results are forwarded to the commission that includes not only experts, but also senior public servants, state secretaries of ministries, and representatives of non-governmental organizations, namely, of the confederation of employers and trade unions. Based upon the results of debates in the commission and discussion with various stakeholders, proposals are introduced to the Government. And then a decision of the Government determines the extent to which results of the accomplished functional review are implemented and which deadlines are set.

It is impossible to complete all our initiatives without a political decision because of the resistance on the part of certain ministries and institutions. Therefore, an expert has to give independent evaluation followed by a broader discussion. The Government's decision is then made based upon the results — whether to implement or not, or whether it is actual at present day.

— *In your opinion, what are the prospects for Ukraine?*

The documents I used for my expert assessment were adequate, and the ideas expressed in them corresponded to international experience, in particular, to the system of Latvia and European systems. If you manage to implement these recommendations, this would be a considerable step ahead for Ukraine. On our part, we are always glad to help you in achieving these goals. ★

Performance analysis for THE SYSTEM OF SOCIAL SERVICES

Good governance implies the provision of high quality social services — a set of various measures to assist certain social groups and individuals who are involved into complicated life circumstances and require external assistance.

Within the framework of implementing the concept on reforming the system of social services, the resolution of the Cabinet of Ministers of Ukraine # 1052-p dated 20.07.08 endorsed the Action Plan for the period to 2012 including a sectoral functional review of authorities working in the sphere of labour and social security. The purpose of the Action Plan is to improve the management structure for the system of social services with the help of the completed register of public functions.

According to the methodology of conducting vertical and sectoral functional reviews, a questionnaire-passport of all the functions performed by the above-noted bodies is the main document used to determine the functional workload of executive and local government bodies. The questionnaire-passport contains information about the legal framework for the

function's performance, the structural units and human resources involved, the system of reporting on the function's performance, deficiencies and problems and the maintenance that is necessary in the view of implementers. Qualitative and quantitative analysis of questionnaires-passports and additional surveys serve as a basis for a final report.

Experts from the Centre for Adaptation of the Civil Service to Standards of the European Union and the Ministry of Labour and Social Policy, together with external experts, have developed questionnaires-passports that are being completed by the Ministry of Labour and Social Policy and departments of labour and social security within oblast state administrations.

Based upon the results of the completed functional review, proposals for the streamlining of the sphere of social services and the development of a network of social services with consideration of the characteristics and needs of various categories of clients will be elaborated. In the long run, this will provide an opportunity to improve performance of the system of social services and to bring it in line with consumer needs. ★



Improving the Programming, Planning and Implementation of Twinning Projects

The new approach to identifying Twinning projects has been taken for the first time. Its novelty stems from Resolution No 868 of the Cabinet of Ministers of Ukraine (CMU), which was passed on 1 October 2008 and named as 'On Amending the Procedure for Organisation of Work on Preparation and Implementation of Twinning Projects in Ukraine' (hereinafter – Resolution No 868).

Resolution No 868 regulates the process of identifying Twinning projects. It sets out a clear deadline for when a public authority should submit a project proposal to receive EU technical assistance within the framework of the Twinning tool — 1 March of each year. The resolution also named the Main Department of the Civil Service of Ukraine (MDCSU) as the responsible government body for: informing public institutions about opportunities to receive EU technical assistance within the framework of the Twinning tool (till 1 February); collecting project proposals, analysis, evaluation and summarising them; preparation of a list of project proposals and submission for review and approval to the Ukrainian Part of the EU-Ukraine Cooperation Committee (till 1 April) and the Twinning Programme Coordination Group (TPCG). The MDCSU has the Center for Adaptation of the Civil Service to the Standards of the European Union (Center) attached to it, which acts as the Twinning Programme Administration Office (PAO).

To properly initiate and develop Twinning projects, the PAO with the support of the EC-Tacis project 'Implementation of Twinning Operations in Ukraine' (ITO), provided consultations and held a training seminar on 11 February 2009 for representatives of central executive bodies interested in initiating Twinning projects for their institutions.

As a result of applying the new approach, this year 14 public institutions submitted 15 project proposals. Is this many or few? It is difficult to assess since this is the first year in which the proposals were subject to strict deadlines. But one fact can be stated and that is Ukrainian public institutions seized upon the opportunity.

The submitted project proposals concern harmonisation of Ukrainian legislation and standards to the European in the field of energy, education, agriculture, medical assistance, telecommunications, promotion of small and medium-size business, technical regulation and consumer policy, informing the public, protection and rational use of land, intellectual property rights, financial and criminal penitentiary systems, and others.

The PAO/ITO analysed and evaluated the submitted project proposals, including the public institution's ability to implement the proposed project concept. The evaluation was conducted on the base of well-defined criteria (see the Diagram).

It is important also to note that during the evaluation, the PAO has had preliminary consultations with the EC Delegation to Ukraine (ECD) regarding each submitted project proposal.

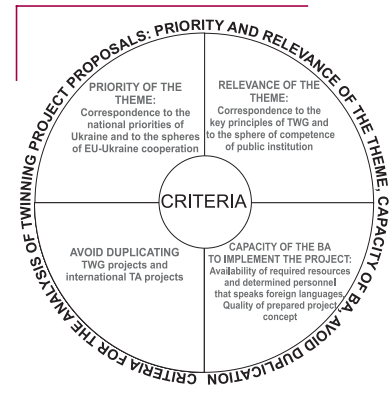
After the evaluation, the project proposals were submitted for consideration to the Thirtieth Meeting of the Ukrainian Part of the EU-Ukraine Cooperation Committee which took place under the chairmanship of K. Yeliseyev, Deputy Minister of Foreign Affairs of

Ukraine on 17 April 2009. Thirteen proposals were approved pending that the committee's observations are taken into consideration when revising the project proposals. It was recommended to refine the proposals before their final approval and pay particular attention to the following requirements:

- Ensuring that the public institution has the capacity to implement the planned Twinning project (in particular, regarding provision of premises, equipment and personnel) and providing appropriate guarantees;
- Appointing a responsible division;
- Preparing a fundamental analysis of the existing technical assistance projects in order to avoid duplication of activities and dissipation of resources, and
- Defining the expected results of the project in a clear and concise way.

A final decision as to which project proposals this year will be approved and included in the Twinning Work Plan and Twinning Pipeline, will be made by the TPCG at the sixth meeting, which is planned for June 2009. Representatives of the ECD, the Coordination Bureau for European and Euro-Atlantic Integration of the Secretariat of the CMU, the Ministry for Foreign Affairs, the National Contact Unit at the Ministry of Economy and the MDCSU/Center/PAO will take part in this meeting. For those concepts that will be approved as parts of the Work Plan, the ECD will allocate appropriate financing and preparation of the project documentation will commence.

Therefore, work on selecting Twinning project proposals is still ongoing this year. Not all public institutions managed to submit their project proposals just as not everyone managed to provide ample information regarding their institutions, their capacity to implement the Twinning project as well as about existing and planned projects of international technical assistance. Perhaps, they require more expertise, experience or persistence. But the fact that this year public institutions were active to initiate Twinning project proposals is indisputable. It is without a doubt that the experience they acquired this time around will aid them to improve the quality of their project proposals with regard to complying with the eligibility criteria. ★



The project is funded by the European Union

Publication (English version) is prepared with the support from the EC-Tacis Implementation of Twinning Operations in Ukraine Project

The project is implemented by Human Dynamics Consortium

