

UKRAINE

CIVIL SOCIETY NEEDS TO BE ACTIVE AND PROACTIVE

President V. F. Yanukovich expressed Ukraine's intent to join the OGP in September 2011, right after the global initiative was launched. Like other countries in the post-soviet region, Ukraine set great store by joining the OGP; this is an important step both for its image internationally and its domestic goals. Building democratic institutions, making government more accountable and transparency are aspirations Ukraine holds as a means of furthering its development agenda. The initiative is seen as having the potential to facilitate the transition to democracy, and, among other things, to increase the cooperation between government institutions and the public in making and implementing policies 'This is a good opportunity to change the nature of governance from being closed to open,' says Olesya Arkhypska, Head of the National e-Governance Centre.

The processes leading up to the formal submission of the

National Action Plan in April 2012 were highly volatile; this was a period in which civil society organisations were learning to become more organised and were finding creative ways to bring their knowledge and influence to bear through strategic advocacy – locally and internationally. Government held consultations in late December, soliciting inputs from citizens through its extensive and established network of civic councils. These are organisations that have traditionally advised government at the local level.

'In reality, these are not independent organisations but are filled with local administrators, state research institutions and NGOs affiliated to government agencies.'

Oleksii Khmara, President of Transparency International Ukraine explains. The '400 or so submissions' government claimed to receive

through public discussions in the regions and through the government portal were vehemently opposed and rejected by the Civic Partnership, a coalition of 50 CSOs that had been excluded from the consultations. 'We realised this was pseudo-consultation and the government was avoiding a meaningful dialogue and critique. Furthermore, we couldn't support the plan that didn't reflect the real needs of the Ukrainian state. On reflection, Olesya admits government saw the consultations and the ensuing draft document as a formal and bureaucratic process involving commitments that were too general and mostly declarative.'

CIVIL SOCIETY ACTION

In response, open letters signed by prominent civic activists in Ukraine were sent to the President and Prime Minister. The Civic Partnership also solicited the support of international

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organisations, such as the World Bank, UNDP, and the Soros Foundation in Ukraine to facilitate a dialogue with government. What followed was a four-month-long advocacy campaign within Ukraine, regionally and with international actors, including the OGP Steering Committee and international media. The Partnership embarked on its own path of preparing an alternative or shadow Action Plan that adhered to OGP requirements. It organised fresh consultations – round tables, open spaces, workshops – involving more than 500 active organisations throughout Ukraine. The Civic Partnership created a webpage (www.toro.org.ua/ogp/), which was regularly updated with information about activities at national and local levels. 'Local authorities were actively involved and from members of the Partnership they learned how to hold proper consultations with citizens,' says Oleksii. The final document, produced jointly by Partnership members and government took on board 80%

of the suggestions made by civil society. It was adopted at a national round table moderated by the Prime Minister and attended by 150 prominent civic activists. Drafts that started out vague and unspecific were transformed into documents with measurable actions, with deadlines and designated executive authorities. 'We finally managed to shape the conditions for a dialogue, which has been beneficial to both sides,' Oleksii adds.

ROAD TO IMPLEMENTATION

Once the Action Plan had been approved and presented at the April 2012 OGP Summit in Brazil, it took the Government more than two months to set up the Coordination Council, which was made up of 30 or so members and included representatives of broader civil society: think tanks, journalists in independent media, and organisations working on transparency, accountability and

advocacy. Further time was spent on the approval processes. The first meeting of the Coordination Council took place in September 2012. 'Nearly six months were wasted after the Action Plan was approved. Hardly any real work was done in that period,' says Ivan Presniakov of the Ukrainian Institute for Public Policy. From the government's perspective, the Council is a forum where

'civil society has a real voice, but it's a relationship that is evolving. It's too soon to fully evaluate the partnership.'

says Oleysa. For civil society, weaknesses have already started to emerge, testing the true meaning of cooperation. Two major flaws in the OGP implementation process have become evident: the difficulty of developing a meaningful dialogue with stakeholders and of finding the

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necessary funding. Members of the Civic Partnership have reservations regarding the membership of the Council, pointing out that there are many more members from government bodies than from CSOs. Furthermore, the 'powers of its Secretariat are considered too broad, and the day-to-day supervision of the Council is too minimal to ensure its proper functioning,' says Ivan. Government also appears to have a legacy of middle-level civil servants who are resistant to change, lack sufficient capacity and don't always understand the CSO environment. This is hindering the establishment of effective platforms for meaningful dialogue. While there is more political will than before, resources are lacking for the infrastructure. 'Funds for the introduction of e-Government are insufficient, particularly for the software development envisaged in the Action Plan,' explains Oleksii.

EMERGING LESSONS

There is much to be learnt from the process thus far. Firstly, Oleksii advocates that civil society become much more professional when communicating with government.

'If our expertise is to be utilised optimally, we need to be much more knowledgeable about the issues.'

Secondly, it should be appreciated that this is a long process and that transformation, especially given the history of Ukraine, takes time. The NGO community also needs to be more open to partnership with government. 'We cannot be weak and passive. If we sleep, the country will sleep' is Oleksii's message. He feels government should be smarter in using civil society – its 'pro-bono' expertise can enhance the quality of engagement and support the

development of plans and strategies. Ultimately, Open Government is chiefly about creating a platform for communication between government and its citizens. 'Our focus on openness and partnership as well as consistent advocacy was and continues to be essential to changing the traditional approaches of government,' Oleksii stresses.

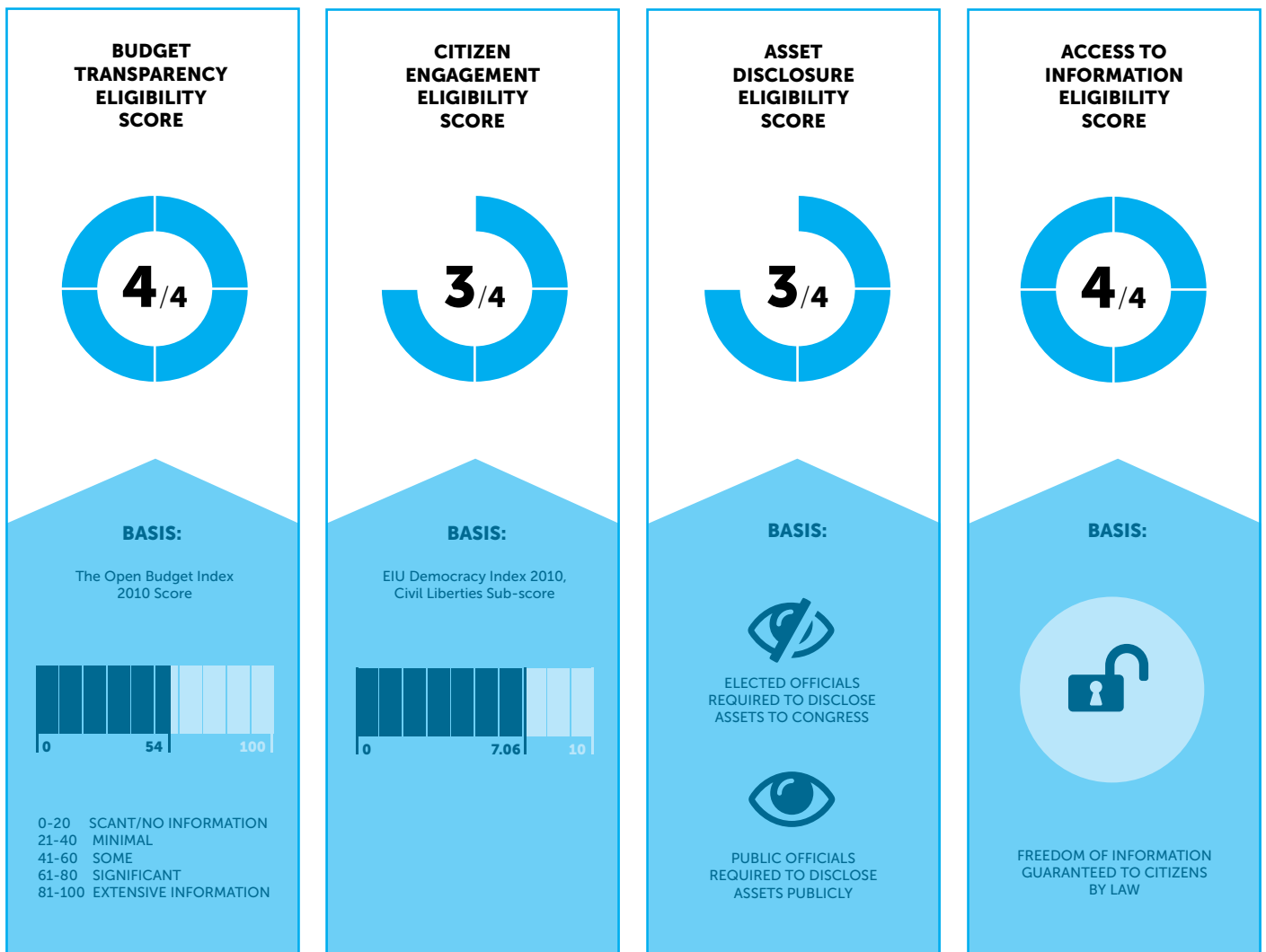
📧 For more information or to get in touch with one of the people interviewed, please e-mail nvaart@hivos.nl.

OGP MEMBER SINCE:
April 2012

CURRENT STAGE:
1st Action Plan

OGP SITE:
<http://www.toro.org.ua/en/ogp/>

UKRAINE OGP ELIGIBILITY DATASHEET



TOTAL OGP ELIGIBILITY SCORE: **14/16**