



**PROJECT DOCUMENT**

**Ukraine**

**Project Title:** Rada za Evropu: Capacity-Building in Support of the Verkhovna Rada of Ukraine

**Project Number:**

**Implementing Partner:** Verkhovna Rada of Ukraine (VRU; the Parliament of Ukraine)

**Start Date:** 1 June 2016      **End Date:** 31 May 2018      **PAC Meeting date:** 3 June 2016

**Brief Description**

The overall objective of the project is to strengthen the capacity of the VRU to produce quality legislation and monitor its implementation, including legislation pertaining to the implementation of the EU-Ukraine Association Agreement, to fulfil its constitutional prerogatives and to serve as a model and a driving force for reforms.

**Contributing Outcome (UNDAF/CPD, RPD or GPD):**

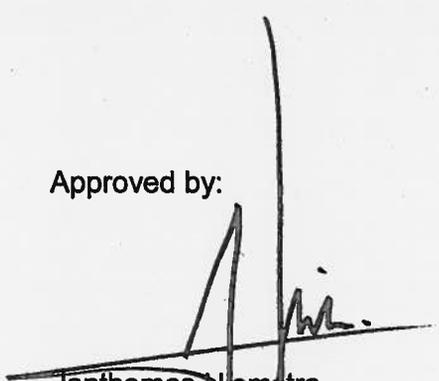
UNDAF Outcome 3.2: More effective and accountable public institutions respond to the needs of all persons within the jurisdiction of Ukraine, especially the most vulnerable

**Indicative Output(s):**

CPD Output 5: Capacity of national and local authorities and CSOs to promote human rights, access to justice and rule of law and to increase transparency and accountability developed

<b>Total resources required:</b>	<b>1,449,275 USD</b> (or 1,300,000 EUR as of June 2016 exchange rate, 0.897)	
<b>Total resources allocated:</b>	<b>UNDP TRAC:</b>	
	<b>EUD:</b>	<b>1,465,614 USD</b>
	<b>Donor:</b>	
	<b>Government:</b>	
	<b>In-Kind:</b>	
<b>Unfunded:</b>		

Approved by:



Janthomas Nemstra  
UNDP Country Director

Date: 30/6/16

## I. DEVELOPMENT CHALLENGE

Following the events on Maidan in late 2013 and early 2014, which led to the ousting of President Yanukovich and the Government of PM Azarov, early parliamentary elections were held on 26 October 2014. The elections took place in the aftermath of the annexation of the Crimea peninsula (Autonomous Republic of Crimea) by the Russian Federation in March 2014, as well as in the context of the ongoing conflict in certain areas of Ukraine's easternmost Luhansk and Donetsk oblasts. The early parliamentary elections were preceded by the presidential elections in May 2014, in which Petro Poroshenko was elected as the President of Ukraine.

Parties which have a pro-European "orientation" and which had supported the Maidan protests won 288 seats in the VRU. Although constitutionally the VRU has 450 members, the current Parliament numbers only 422 MPs, as elections could not be held in single-seat constituencies in Crimea and Sevastopol, as well as in certain areas of the Donetsk and Luhansk oblasts.

Due to poor party discipline, weak consolidation of political parties (which operate in parliament as parliamentary groups or "fractions") and frequent floor crossing, the composition of and seat allocation in the VRU has been fluid. The Petro Poroshenko Bloc (BPP) is the biggest faction, originally with 132 seats, which has subsequently grown to 145. The People's Front, the party of the previous Prime Minister Arseniy Yatseniuk, followed with 82 seats (now 81). Yuriy Boyko's Opposition Bloc, which is mostly composed of members of former President Yanukovich Party of Regions, is the third largest with originally 29 seats (now 43 seats). Lviv mayor's Andriy Sadovyi's Self Reliance Union (Samopomich), the Radical Party of Oleh Lyashko and the Fatherland Party of former Prime Minister Yulia Tymoshenko gained 33 seats (now 26), 22 (now 21) and 19 seats respectively. Two other groups which formed fractions from among MPs elected as non-affiliated members are Revival (23 seats) and People's Will (19 seats). The remaining number of non-affiliated "independent" MPs is still high – 44 (from originally 96 in total) - in this convocation of the Parliament. 56% of the MPs were elected for the first time in 2014.

The new Parliament is more gender inclusive compared to its previous convocations, with 51 (12%) women members, the highest number in the history of independent Ukraine. Women's representation in the VRU puts the Ukrainian Parliament in the 114th place in the ranking of 189 world's parliaments, and is less than one half of the average proportion of women members in European parliaments (25%).

The VRU exercises the powers detailed in the Constitution of Ukraine. Chapter IV of the Constitution of Ukraine (Articles 75 to 101), adopted in 1996 with amendments of 2004, 2010, and 2014 describes in detail the composition, competences, and organizational set-up of the VRU. The other key legal sources framing the functioning and the institutional relations of the VRU include the Law on the Status of the People's Deputy of Ukraine, the Law on Rules of Procedure of the VRU, the Law on the Committees of the VRU, the Law on Citizens' Appeals etc. as well as the VRU Decree on the Structure of the Secretariat of the VRU and the Order of the Speaker of the VRU "On approval of the Statute of the Secretariat of the VRU". Other internal resolutions, for instance the Legislative Workplan of the VRU, can also play a significant role in the Rada's agenda setting and in promoting reform of the legislative procedure (e.g. by requiring the introduction of impact assessments relevant to legislation-making).

A new reform-oriented Rada leadership has been in place since late 2014. The Rada is headed by Speaker Parubiy, who replaced Speaker Groyzman when the latter was appointed Prime Minister in April 2016. Speaker Parubiy, had served as First Deputy Speaker since 2014. The reform leadership of the Rada has made important advances in identifying weak points in the functioning of the institution as a legislative, representative and oversight body. Some key pieces of the legislative reform agenda have been achieved, including the first vote on amendments to the Ukraine's Constitution on decentralisation, and first steps have been taken on structural reform to the administration of the VRU. In 2015, the VRU requested the support of the European Parliament to undertake a Needs Assessment Mission of the Ukrainian legislature, in view of developing a strategic parliamentary reform plan. The mission was led by former EP President Pat Cox, supported by UNDP through a senior parliamentary reform expert, and presented its findings

and recommendations in February 2016, which were subsequently accepted and endorsed by the Rada.

The VRU continues to function on an ad hoc "crisis solving" basis, managing a heavy workload while trying to respond to emerging legislative priorities. Frequently, the traditional roles of governmental majority and opposition appear to be blurred, with little party group discipline and coalition solidarity, making parliamentary business unpredictable and subject to attempts of manipulation. The culture of parliamentary debate is still to be developed, and the conduct of parliamentarians during plenary sessions is frequently subject to criticism by the media and public. According to multiple opinion surveys, public trust in the VRU is low.

During the first year of the current convocation of the VRU, 4745 drafts laws/bills were registered, with 91.5% of all bills registered by MPs; 7.1% by the Government and 1.4% by the President. 58 out of 68 (or 85%) of draft laws/bills registered by the President were adopted; 110 out of 337 (or 33%) of bills registered by the Government were adopted and only 14% of the bills registered by MPs were adopted. Parliament has difficulty in drafting laws of high quality laws and in making clear and pertinent amendments to legislation introduced by government and presidency. The proportion of government bills adopted is unusually low by international comparison, which may reflect weaknesses throughout the end-to-end legislative path.

Stress is usually made on the adoption of a bill as soon as possible, without sufficient investigation of potential weaknesses or future regulatory or financial impact. This situation is not helped by line Ministries, which sometimes carry out their respective legislative initiatives from the concept stage to consideration in Parliament in a hasty manner. In the course of 2015, 283 laws were adopted. This attests to the phenomenon of 'legislative inflation', exacerbated by the underdeveloped gap analysis, impact assessment and EU law implementation mechanisms.

There is an overall lack of coordination of the legislative agenda, with the Cabinet of Ministers playing a more limited role in proposing and supporting bills through the legislative process than is the case in most European parliaments. Individual MPs' legislative propositions tend to crowd out a coherent legislative agenda, often resulting in multiple uncoordinated proposals.

The commitment of the VRU to adopt the Needs Assessment Mission recommendations in their entirety, which provides a comprehensive approach to resolving key challenges facing the institution, creates a solid framework for parliamentary strengthening, within the context of Ukraine's Association Agreement with the European Union.

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## **II. STRATEGY**

The VRU plays a pivotal role in the implementation of Ukraine's reform agenda, including the EU-Ukraine Association Agreement. This essential role of the VRU in the reform process is becoming increasingly visible to Ukraine's international partners as well as to its general population. It is therefore crucial that the VRU is strengthened and equipped with the tools and capacities it requires to fully exercise its constitutional role in this crucial period of reform and democratic consolidation. This becomes particularly necessary when the legislative burden is set to increase in connection with the full implementation of the Association Agreement from 2016 onwards.

As noted in the adopted Needs Assessment mission report, the VRU's effectiveness can be improved through rationalisation of parliamentary business procedures, including management of the parliamentary voting calendar, clearer definition of committees' responsibilities, and harmonization of the work of the committees with the plenary, so that committee deliberations are consistently taken into account in draft legislation. The "streamlining" of the VRU processes will contribute to "gradual approximation" under the EU-Ukraine Association Agreement.

A strategic plan for the development of the Secretariat, as a chapter of the to-be-developed VRU Reform Strategy, will permit capacity development and the most effective use of the Secretariat's human resource capital. The structure of the Secretariat should be assessed in order to allow

rationalisation of its structure, elimination of any duplicating or redundant functions, and ensuring the most efficient delivery of support to parliamentary processes and responsibilities. The Secretariat and the Speaker's Office and staff of VRU Committees will benefit from capacity-building support partnerships with national parliaments in Europe and other relevant countries as well as with the European Parliament, through which knowledge and best practices can be shared.

Ukraine's adherence to the Open Government Partnership provides an opportunity to benefit from international best practices in parliamentary transparency and communication, through the implementation of the Open Parliament Plan, adopted in early 2016 as part of the global open parliament network, and an Open Data portal for the Parliament which will provide data on Parliament's activities in accessible formats. This will provide:

- A more systematic approach to assure public engagement in parliamentary processes.
- Two-way communication with the public to enhance understanding and image of the institution.

UNDP has several decades of experience supporting parliamentary strengthening internationally, and has worked with over 100 parliaments. At the present time UNDP works with more than 60 parliaments across the world, focusing particularly on areas pertinent to Ukraine including institutional strengthening, support to dialogic processes between different parliamentary groups, strategic plan development, and support to parliamentary communication and transparency. UNDP has access to

In addition to its work on the key Open Parliament initiative, UNDP has been extensively engaged with the VRU for a number of years, including through supporting various sector committees, in particular the Anti-Corruption Committee, the Committee on Human Rights, National Minorities and International Relations, the Social Policy Committee, Health Committee, Environment Committee and the Committee on State Building and Self-Governance. In 2013, UNDP helped introduce a methodology for how to conduct civic anticorruption expert assessments of draft legislation, which was introduced within the Expert Council under the Parliamentary Committee. UNDP is also an active partner of Ukraine's Chapter of the Global Organization of Parliamentarians against Corruption (GOPAC) and the affiliated Anti-Corruption Action Centre (ANTAC). In 2012, UNDP worked together with the National Democratic Institute (NDI) to support the establishment of the cross-party group "Equal Opportunities", committed to furthering gender equality.

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### III. RESULTS AND PARTNERSHIPS

#### *Expected Results*

**Project Output:** Strengthened capacity of the VRU to produce quality legislation and monitor its implementation, including legislation pertaining to the implementation of the EU-Ukraine Association Agreement, to fulfil its Constitutional prerogatives and to serve a model and a driving force of the reforms.

**Activity 1. Supported changes of the parliamentary procedures and processes, setting the frame for improving and monitoring the quality of legislation in substance and in form, including in the context of the AA implementation**

**Activity 1.1. Streamlined regulatory framework on legislative process and parliamentary business processes, taking into account gender issues, including development of a dedicated statute on legislative process, management of the legislative agenda and parliamentary calendar, improved roles of Parliament Committees, improved coordination with the Executive in an 'end-to-end' legislative process as well as rationalised and more**

**effective parliamentary oversight processes (Law on "Rules for Procedures of VRU", Law on "Committees of VRU", etc)**

Activity 1.1.1 Establish an international support group for legislative planning, through a consolidated partnership between the VRU, the European Parliament and European national parliaments

Activity 1.1.2 Gather international best practices on legislative agenda-setting and parliamentary business planning from EU MS parliaments as well as with the European Parliament and pilot a model tailored to the needs of the Verkhovna Rada

Activity 1.1.3 Design a new legislative business workflow model based on European and international best practices, and formulate regulatory amendments necessary for its effective implementation

Activity 1.1.4 Streamline in the new legislative business workflow model activities of the Ombudsperson aimed at protection and promotion of human rights

Activity 1.1.5 Support to the optimisation of the number of Committees in the VRU in line with the Government policy structures and following best EU and international MS practices (thematic division, proportional distribution of seats, etc)

Activity 1.1.6 Introduce/reinforce specified roles for the Budget Committee, the European Integration Committee, the Constitutional Committee and the Anti-Corruption Committee, in the legislative business workflow, in order to ensure compliance of parliamentary business with the budgetary framework, the Association Agreement commitments, Ukraine's commitments under financial support instruments (IMF, WB, EU etc.), constitutionality and the national Anti-Corruption agenda

Activity 1.1.7 Design a system for categorisation of priority/critical legislation (e.g. ordinary legislation, "organic laws", constitutional amendments, etc), in order to simplify the procedure of adoption of laws; find workable solutions to decrease the number of private members' draft laws in accordance with best international practices;

Activity 1.1.8 Organize consultations/feedback/opinion exchange with key VRU stakeholders (Speaker's Office, Secretariat, Conciliation Board) on the new legislative business workflow model

Activity 1.1.9 Develop implementation timeline and modalities for the new legislative business workflow model and facilitate its launch

Activity 1.1.10 Advise on practical solutions for countering abuse of 'proxy voting' and follow up of MP attendance

**Activity 1.2. Strengthened monitoring capacities for legislative quality and implementation of the VRU Legislative Plan and recommendations of the NAM report and Roadmap**

Activity 1.2.1 Provide expert support to the establishment of a Legislative Plan Working Group comprised of key representatives of the Speaker's Office, the VRU Secretariat, fractions and Secretariats of the Committees and organize regular process of consultations/feedback/opinion exchange/mediation regarding implementation of the Legislative Plan's provisions between the Working Group and the National Reform Council, Administration of the President of Ukraine, Cabinet of Ministers of Ukraine, civil society experts etc.

Activity 1.2.2 Engagement of external expertise to coordinate Working Group activities and development of an implementation and monitoring process

Activity 1.2.3 Establishment of a logical framework / critical path and progress monitoring system including a process for regular reporting to the Speaker and the Conciliation Board

Activity 1.2.4 Monitor progress on the Legislative Plan's instruments

Activity 1.2.5 Develop a system for the Secretariat prioritising, planning and receiving validated expert opinion on legislation pertaining to the Ukraine's commitment under AA (in line with the AA Implementation Action Plan approved by the CMU) as well as their constitutional compatibility and budget neutrality.

Activity 1.2.6 Arrange at least 10 hearings on priority thematic areas (comprehensive and evidence based policy discussions), between the VRU Committee on European Integration, VRU committees relevant to the topic, Government Office of European Integration, relevant line ministries and agencies, independent experts and stakeholders (with possible participation of members of relevant EP committees and EU Commission DGs)

Activity 1.2.7 Support a system of regular external monitoring to assess the progress of the implementation of the NAM recommendations, overall VRU reform and institutionalisation/sustainability of the process

**Activity 2. Strengthened the Secretariat (including Speaker's Office and Committee staff) to enable it to provide effective, non-partisan services to the VRU and MPs**

**Activity 2.1 Drafted and adopted, in an inclusive process, a strategic development plan to facilitate the evolution of the Secretariat to meet the needs of a contemporary democratic parliament**

Activity 2.1.1 Establish a Secretariat strengthening advisory group, which should include representatives from the Speaker's Office, the Secretariat, Committees' Secretariats, and support from the European Parliament and selected EU MS parliament secretariats

Activity 2.1.2 Support development of a comprehensive Human Resources strategy for the Secretariat, including strategic training, career development, appraisal system etc, based on international best practices

**Activity 2.2 Gender-sensitive capacity-building events organized on priority topics for the Secretariat of the VRU, and gender-sensitive capacity-building support provided to selected units/staff of the Secretariat**

Activity 2.2.1 Conduct a gender-sensitive assessment of capacity development needs of the Secretariat staff (including senior management, Speaker's office), based on institutional strategic development objectives

Activity 2.2.2 Plan and organize capacity development events on key strategic development priorities within the adopted strategic development plan, through trainings of trainers (ToTs) and specifically in-service training

Activity 2.2.3 Organised a line of specialised trainings on European Integration/AA policy, legal approximation, regulatory and financial impact assessment (in complementarity and building upon the trainings delivered by the FEAO project), prevention of gender discrimination, development of women leadership, targeting Scientific and Analytical Divisions, Legal divisions and VRU Committees (designated AA focal points in each committee)

**Activity 3. Greater transparency of the VRU and more consistent communication and dialogue with the population assured**

**Activity 3.1 Open Parliament Plan adopted and implemented to assure transparency of parliamentary processes, on the basis of international best practices in parliamentary transparency communication in line with Ukraine's adherence to the global Open Government Partnership**

Activity 3.1.1 Support adoption and implementation of the Open Parliament agenda, including through joint VRU – Civil Society Organisations (CSOs) small grants contracted in accordance with UNDP rules and procedures

Activity 3.1.2 Develop and implement a strategy for Access to Information on VRU including information on MPs, on parliamentary inquiries, on committee work etc. with a focus on effective use of information and communication technology to underpin an Open Parliament

Activity 3.1.3 Assure transparency of parliament's financial accounts through development and implementation of a system of publication of parliament's financial data (expenses, budget performance, procurement processes, etc.), based on international best practice of parliaments

Activity 3.1.4 Design and implementation of Open Data portal for the Parliament providing data about the Parliament's activities in appropriate, readily accessible formats (improved data search and processing on the VRU's web-resources, e-petitions and interlinks with other platforms that collect information on the Parliament's performance), including through procurement of software and trainings

**Activity 3.2 A communication plan for the VRU is developed assuring that public awareness on parliamentary activities is increased and two-way communication with public enhanced.**

Activity 3.2.1 Gather information on public and key informant perceptions of parliament through survey / focus groups, forming the basis for development of a parliamentary strategic communication plan as well as providing input into the parliamentary reform priorities

Activity 3.2.2 Develop and support implementation of the VRU Communication Strategy and Action Plan based on best practices in European and other effective parliaments

Activity 3.2.3 Facilitate 2 VRU pilot communication campaigns both in Kyiv, the capital city, and in regions of Ukraine, ensuring transparent communication on the progress of the Legislative Plan and implementation of the NAM report's recommendations

Activity 3.2.4 Provide expert support to development of a branding strategy for the institution

Activity 3.2.5 Design, test, implement and evaluate instruments for public engagement into legislative processes, notably modern web and social media tools (on-line-platform of VRU)

### ***Resources Required to Achieve the Expected Results***

UNDP shall be responsible for the overall management of the project, primarily with regard to the responsibility for the achievement of the outputs (results), impact and objectives. UNDP will delegate managerial duties for the day-to-day running of the project to the International Project Team Leader, selected by UNDP through a competitive and transparent selection process. The project will work in close partnership with the European Parliament (notably a number synergy/joint activities with the EP Capacity building programme) within the framework of support provided through the implementation of the recommendations of the NAM.

The International Project Team Leader will be supported by two locally recruited long-term experts (Parliamentary Development Expert and Capacity-Building Expert) and a project associate.

The project will be granted limited capacity premises at the VRU (to host at least 3 experts), and will rent an office for the rest of the team and temporary short term experts.

Procurement of any equipment, needs of which will be identified during the project, will be done in accordance to the provisions of the Annex II General Conditions to the contract. 5 sets of the office computer workstations (laptop, monitor, docking station, keyboard and mouse), printer, fax, copy machine and furniture will be procured for the project team to implement the Action activities.

## ***Partnerships***

The present project has been developed in close consultation with the various assistance providers and has been designed to be complementary to already existing parliamentary support activities provided.

### ***Government-led reform initiatives***

The President of Ukraine has created a number of new advisory institutions: The National Council of Reforms, the Advisory Council of Reforms, and the Executive Committee of Reforms. Additionally, an International Advisory Council of Reforms was also created. These organs are tasked to unite representatives from government, Parliament, civil society and international community to plan and implement reforms in different spheres.

In addition, in March 2015 the President created the Constitutional Commission tasked with preparing the amendments to the Constitution of Ukraine. The Commission, chaired by the VRU Speaker at the time, first convened in April, formed working groups and set up a work plan. The commission was tasked to develop an agreed version of constitutional amendments which are to be submitted by the President to the Parliament for formal review and adoption by, ultimately, a qualified majority of 300 votes or more. There is a general consensus that constitutional amendments should give more powers to local authorities (as opposed to the present highly "centralised" structure of the governance exercised through state administrations at the regional and district level) and should diminish political influence on and integrity in the justice sector.

Within the VRU, the aforementioned Legislative Support Plan for Reforms in Ukraine has been developed under the leadership of the Speaker. The plan provided for the creation of seven Working Groups, with Action Plans in each priority area. Under the Plan, 488 pieces of legislation were expected to be adopted or amended by the end of 2017, out of which 100 are entirely new, including constitutional amendments.

With regards to the institutional reform of the Parliament itself, the Rada leadership has been supporting a comprehensive reform initiative, including the modernization of parliament and strengthening capacities of MPs and staff, which was also addressed in the Cox report.

### ***Civil society initiatives (indicative list)***

The "Reanimation Package of Reforms" (RPR) is one of the most visible groups of experts, which was established on the basis of the demands and achievements of the Maidan revolution. This group was especially effective in advocating for anti-corruption legislation and legislation on access to information. RPR was also actively engaged in development of the bill # 1591 "On amendments to some laws of Ukraine to ensure openness and access to information on the activity of Verkhovna Rada of Ukraine, its committees and people's deputies of Ukraine" to make Parliament more open.

OPORA CSO has been monitoring the Parliament since 2013. In particular, it created and runs the RADA web-site which provides accessible and well-structured information about MPs, tracks MPs' votes and analyses their speeches. Civil Network OPORA is one of primary signatories of Declaration on Parliamentary Openness and is active in advocating for better parliamentary transparency.

The CHESNO civic movement was formed in 2011 to monitor the integrity of parliamentary candidates. Currently, the movement advocates greater transparency of the VRU and MPs' asset

and income data. It analyses financial declarations of MPs and Secretariat staff, as well as efficiency of MPs support staff.

The "Laboratory for Legislative Initiatives" is one of the Ukrainian think-tanks contributing to the development of a democratic political culture in Ukraine. Founded in 2000, the Laboratory is known for publishing the expert magazine "Parliament" and delivering a training programme for young leaders "Ukrainian School of Political Studies" (funded by the Council of Europe). In November 2014, the Laboratory launched a training programme for a number of young newly elected MPs on the basics of parliamentarianism, the state budget, and reform issues. The group comprises of 25 young MPs with various backgrounds in journalism, civil society, and former graduates from the Ukrainian School of Political Studies. The programme of the Laboratory is funded by the International Renaissance Foundation. Most members of this group are united under the umbrella of the "Euro-optimists" caucus.

### *EU assistance*

The assistance to the VRU fits well in the "bigger picture" of the EU support to Ukraine's governance and justice sector reforms. Since 2014 the EU has supported a number of concrete measures for the short and medium term to help stabilise the economic and financial situation in Ukraine, assist with the transition, encourage political and economic reforms and support inclusive development. The EU is both currently and since the country's independence the biggest international donor to Ukraine.

In mid-2014 the European Commission established the Support Group for Ukraine. The Support Group concentrates and coordinates the resources and expertise of the European Commission in order not just to monitor but also to assist Ukraine in the implementation of the Association Agreement and, crucially, in undertaking the deep and systemic reforms that will be necessary if the country is to draw maximum benefit from a closer relationship with the EU. This is the first time such a Support Group has been established for any country outside the borders of the EU.

In response to the urgent need to mobilise considerable assistance to help stabilise the country, in 2014 the Commission approved a €365 million Special Measure (in grants). Past support to Ukraine included support for infrastructure development in the areas of energy, transport, environment, border management. Since the signature of the Association Agreement and given the need for systemic reforms, attention now turns to broader governance issues.

Assistance was thus focussed addressing short-term economic stabilisation needs, and in-depth reforms in the context of the Association Agreement/Deep Comprehensive Free Trade Area through support to improved public finance management, anti-corruption, public administration, budget transparency, judicial and constitutional reform and electoral legislation.

The "Rada za Evropu" project (Phase 1) implemented (until end of 2015) by the Laboratory of Legislative Initiatives aimed at raising EU related awareness of the Members of Parliament of Ukraine - especially of the Association Agreement implementation and the EU-Ukraine cooperation - through preparing analytical reports and materials and organizing a number of informative roundtables. The core activities of the first generation of Rada za Evropu will be integrated and continued in the present project.

Additionally, the project will consolidate and further develop the network of experts in EU legislation in synergy with the project "Support for the Implementation of the EU – Ukraine Association Agreement", which will support the Government Office for European Integration (GOEI) in their strategic and coordinating role in the AA implementation, notably in driving key and cross-cutting areas such as legal approximation, translation of EU legislation, development of EU/AA knowledgeable human resources, as well as communication to the public.

### Assistance by other international organisations and donors

The USAID-funded “Responsible, Accountable and Democratic Assembly” (RADA) legislative strengthening programme, running between November 2013 and November 2018, is an “extension of the USAID PDP and PDP-2 programmes. Until 2008, USAID supported the “Parliamentary Development Program” (PDP) implemented by the University of Indiana. From 2008 till 2013, USAID supported PDP-2. The RADA program has three main objectives: (1) improved representation in the legislative process; (2) expanded role of citizens in monitoring the work of Parliament; (3) strengthened role of legislature in providing independent oversight of the executive branch.

The main activities of the RADA program under the first objective includes the creation of model district MP offices, the creation of a European information research centre for MPs, conducting trainings (for MPs, MP aides and parliamentary group staff), organizing regional issue-based press tours and press briefings. Under the second priority the program organizes civic education campaigns, CSO lobbying and advocacy campaigns, and workshops for youth. Under the third priority the program plans to develop training manuals on analysing the state budget and local budgets, conduct orientation programs for new MPs, improve the law on parliamentary procedure, pilot committee hearings using shadow reports by CSOs, and conduct a parliamentary internship/trainee program. Local CSO partners of the RADA Program include the Laboratory of Legislative Initiatives, Internews Ukraine and the civic network OPORA.

The Gesellschaft für Internationale Zusammenarbeit (GIZ) is funding two projects which are aimed at promotion of reforms in public finances and decentralization. In addition, GIZ has plans to cooperate with a number of parliamentary committees to build their capacities in anti-corruption, interaction with civil society etc. One of the GIZ projects is implemented by the Westminster Foundation for Democracy and is entitled: “Establishment of a Finance and Economic Analysis Office (FEAO) in the Verkhovna Rada of Ukraine”. The FEAO would have two core functions: a) The provision of expert advice on the approximation of Ukrainian legislation to the EU acquis in the areas of economy and finance. b) The provision of financial analysis through standard products and on demand requests to members in simple and user-friendly formats. The FEAO provides access to EU experts to provide useful comments on Ukrainian economic legislation and financial analysis to the following parliamentary committees:

- Budget Committee
- Economy Committee
- Anti – Corruption Committee
- Anti – Monopoly Committee
- Industrial Development Committee
- Entrepreneurial Committee
- Energy Committee
- Local Self-government Committee
- Tax and Revenue committee
- European Integration Committee

Other international organisations and institutions are planning support to the VRU, including the Canadian Parliamentary Centre. A number of parliaments in European and other countries have long-standing relationships with the Verkhovna Rada, which frequently involves exchanges and visits, but are rarely aimed at in-depth reform of parliamentary structures, mechanisms and procedures. Members of the Verkhovna Rada also participate regularly in international

parliamentary forums, including the Parliamentary Assembly of the Council of Europe, the OSCE Parliamentary Assembly and other multilateral parliamentary groupings.

***Risks and Assumptions***

The following assumptions would be needed for the smooth progress of reforms:

- Changes in the parliament continue to be led by a reform-oriented leadership;
- The Secretariat has the capacity and readiness to enhance its institutional reform expertise;
- A Board on Reform, comprising of representatives from across the political spectrum functions efficiently and there is general understanding of reform priorities amongst leaderships of the VRU parliamentary groups;
- Support to the Verkhovna Rada from different international actors is effectively co-ordinated to ensure maximum synergy and efficiency
- Political support for a reform agenda and commitment continues in the context of the EU-Ukraine Association Agreement
- Recommendations of the NAM report as adopted by VRU Resolution 4219 are implemented fully and systematically by the VRU through a long-term VRU Reform Strategy;
- Conditions exist for enhanced and rationalised collaboration with other state institutions (executive and judiciary powers).

Certain risks may delay or derail the process of implementation:

- Early elections could distract attention from the reform agenda and could result in a less reform-oriented composition of parliament during the implementation period of the project;
- Lack of ownership from the Ukrainian side which could be associated with changes of leadership and political composition of the VRU;
- General fatigue among MPs with reforms within the parliament;
- Resistance to change administrative structures and processes within the Secretariat;
- Availability of resources within VRU and partner parliaments.

***Stakeholder Engagement***

The main beneficiary of the project will be the VRU of Ukraine as an institution, Committees and the Secretariat as important bodies within the legislature, as well as MPs and staff members individually. Other beneficiaries will be the Cabinet of Ministers of Ukraine as a body responsible for legislative drafting and expertise, executive branch agencies that frequently interact with parliament, as well as civil society organizations engaged in parliamentary monitoring. Ultimately, beneficiaries will be the citizens and voters of Ukraine, who will be better able to hold their elected representatives to account, and will be represented more honestly and effectively.

The project will rely on the European Parliament to establish partnerships with EU MS parliaments within the European Union (and beyond where appropriate) in order to establish capacity development partnerships to support project objectives (the specific national parliaments to be involved will be determined according to expertise in the project objective areas and capacity to provide expert support to the VRU).

<b>Project objective 1</b>	<b>To support changes of the parliamentary procedures and processes, setting the frame for improving the quality of legislation in substance and in form, including in the context of the AA implementation</b>
Target groups	Direct: Speaker's Office of the VRU, Conciliation Board, Secretariat of the VRU, NAM Task Force created through VRU Resolution 4219, Committees of the VRU (in particular Budget Committee, the European Integration Committee, Constitutional Committee and the Anti-Corruption Committee), MPs  Indirect: Government of Ukraine, Administration of the President of Ukraine, National Reform Council, Ukraine in general

<b>Project objective 2</b>	<b>To strengthen the Secretariat (including Speaker's Office, Committee staff) to enable it to provide effective, non-partisan services to the VRU and MPs</b>
Target groups	Direct: all divisions of the Secretariat of the VRU, VRU Committees' Secretariats, Speaker's Office  Indirect: MP's of the VRU, Ukraine in general
<b>Project objective 3</b>	<b>To assure greater transparency of the VRU and more consistent communication and dialogue with the population</b>
Target groups	Direct: Civil society organizations, citizens of Ukraine, MPs and Secretariat of VRU (especially its Press Service and Information Division, RADA TV channel, VICHE magazine and Golos Ukrainy daily)  Indirect: media

***South-South/East-East and Triangular Cooperation (SSC/TrC)***

This Project will actively utilize the East-East and Triangular Cooperation. The Project will establish an international support group for legislative planning through a consolidated partnership between the VRU, the European Parliament and other relevant national parliaments such as Poland, Czech, etc. The Project will facilitate gathering international best practices on legislative agenda-setting and parliamentary business planning from EU Member States Parliaments as well as with the European Parliament. The Project will establish an advisory group for strengthening the Secretariat, which will get support from the European Parliament and selected EU Member States and other parliament secretariats.

***Knowledge***

The Project envisages developing knowledge products by codification of experiences and lessons learnt in the parliamentary development area. This will include but not limited to the documents from the study visits to the selected EU Member States Parliaments, the assessment of capacity development needs of the Secretariat staff, and others.

All visibility and communication activities will be implemented in line with relevant provisions of the EU-UNDP agreement and the Joint Visibility Guidelines for EC-UN Actions in the field. This shall include, but not be limited to, press releases and briefings, reports, seminars, workshops, events, publications, websites and any promotional items. Seminars/workshops and events funded solely under this project will have an EU flag prominently displayed that is the same size or larger than any other flags/logos present. All publications produced under this project shall have the EU logo displayed as the same size or larger than any other logos and include the disclaimer: "This publication has been produced with the assistance of the European Union. The content of this publication do not necessarily reflect the views of the European Union." The communication plan of the project will be approved by the Communications Manager of the EUD.

***Sustainability and Scaling Up***

The sustainability of the project results will be ensured by implementation of a number of inter-related activities. Thus, a new legislative business workflow model developed based on European and international best practices will be adopted to ensure effective legislative process and parliamentary business processes after the project completion. The new system for the Secretariat's prioritising, planning and receiving validated expert opinions on legislation pertaining to the Ukraine's commitment under AA will enable strengthening the monitoring capacities for legislative quality and implementation of the VRU Legislative Plan. The implementation of the Open Data portal for the Parliament providing data about the Parliament's activities will ensure transparency of parliamentary processes.

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## **IV. PROJECT MANAGEMENT**

### ***Cost Efficiency and Effectiveness***

This Project will become an integral part of one of the pillars of UNDP Ukraine Programme, namely Democratic Governance and Reforms. It will utilize the existing Country Office capacity and resources to the extent possible and will leverage activities and partnerships with other initiatives/projects, such as Democratization, Human Rights and Civil Society Development Programme, Support to the Office of the Ombudsperson, Enhancing Transparency and Integrity, and others.

### ***Project Management***

A project office will be established in Kyiv. Activities will take place in Kyiv and in Ukraine's regions as provided by the project's work plan. The project will be granted limited capacity premises at the VRU (to host at least 3 experts), and will rent an office for the rest of the team and temporary short term experts.

The Project Team Leader is responsible for day-to-day management of the project. The Project Team Leader's prime responsibility is to ensure that the project produces the results specified in the project document, to the required standard of quality and within the specified constraints of time and cost.

The Project Team Leader will be internationally recruited and will be supported by two locally recruited long-term experts (Parliamentary Development Expert and Capacity-Building Expert) and a project associate.

The project team will also receive support from the UNDP Programme Analyst which will ensure the project compliance with implementation, reporting, monitoring and evaluation requirements. The Programme Analyst will provide coordination support to the project and act as a UNDP focal point vis-à-vis EUD on all the issues pertaining to the implementation of the project. The UNDP Communication team will ensure the project news are reflected on the UNDP web-site and disseminated among UNDP media partners. The Democratic Governance Advisor of the UNDP Country Office provides substantive advice with regard to implementation, project monitoring and assurance and knowledge management and ensures alignment, coordination and synergies wherever possible with other programme activities of the CO as well as those of UN agencies.



## V. RESULTS FRAMEWORK

**Intended Outcome as stated in the UNDAF/Country [or Global/Regional] Programme Results and Resource Framework:**

UNDAF Outcome 3.2: More effective and accountable public institutions respond to the needs of all persons within the jurisdiction of Ukraine, especially the most vulnerable

**Outcome indicators as stated in the Country Programme [or Global/Regional] Results and Resources Framework, including baseline and targets:**

CPD Output 5: Capacity of national and local authorities and CSOs to promote human rights, access to justice and rule of law and to increase transparency and accountability developed

I: # of CSOs projects in the area of human rights, support to vulnerable groups and citizen participation supported B: 60 CSOs projects supported to-date T: 2012 - at least 50 CSOs projects 2013- 2016 – TBD

**Applicable Output(s) from the UNDP Strategic Plan:** SP Outcome 2: Citizen expectations for voice, development, the rule of law and accountability are met by stronger systems of democratic governance

**Project title and Atlas Project Number:** Rada za Evropu: Capacity-Building in Support of the Verkhovna Rada of Ukraine

EXPECTED OUTPUTS	OUTPUT INDICATORS	DATA SOURCE	BASELINE		TARGETS		DATA COLLECTION METHODS & RISKS
			Value	Year	2017	FINAL	
Output 1. By 2018, the Verkhovna Rada of Ukraine is able to produce quality legislation and monitor its implementation <sup>1</sup> to fulfil its Constitutional prerogatives and to serve a model and a driving force of	Extent (on scale from 0 to 4 <sup>2</sup> ) to which the Parliament has improved its administrative and human resources capacities required to discharge its mandates in relation to law-making, oversight and representation (IRRF output indicator 2.1.1.A) <sup>3</sup>	Sources from parliament itself (e.g. administrative records) as well as other published national statistics and/or media reports, reports from independent oversight bodies and civil society/NGO groups with interest in performance, as well as observations from other UN agencies and partners	1	08/2016	3 (2017)	4 (2018)	Annual desk review of data sources by project board, UNDP and its partners

<sup>1</sup> including legislation pertaining to the implementation of the EU-Ukraine Association Agreement

<sup>2</sup> Rating scale: 0 = UNDP is not building capacity of parliament, 1 = capacity has not improved, 2 = capacity very partially improved, 3= capacity partially improved, 4=capacity largely improved

<sup>3</sup> UNDP Integrated Results and Resources Framework (IRRF) indicator 2.1.1.a. is a corporate indicator of UNDP. It monitors the results of UNDP's support for Parliaments to enable these to perform their core functions more effectively. Citizen's expectations for voice, development and accountability will be better met by improved performance of Parliaments. Measuring progress in a comparable way across countries is challenging as UNDP's support in this area may also focus on one institution or body over another and each country may follow slightly different models. Hence to support COs to track progress on the basis of best practice learned from across a range of country contexts, a standardized set of functions have been identified: law-making, oversight and representation. These functions have been set on a comparable qualitative rating scale (from 0 to 4) to track progress in a standardized way but flexible to context and differences in model and ambition.

the reforms	Progress towards strategies and plans for the VRU <sup>4</sup>	VRU Strategic development plan; Open parliament plan; VRU Communication Strategy and Action Plan	0 points	06/2016	3 points	7 points (2018)	Desk review of VRU strategies and plans by UNDP
	% of actions in the Strategic development plan of the Secretariat that have been largely implemented	Annual desk review of level of implementation of actions in Strategic development plan	0%	06/2016	30% (2017)	100% (2018)	Collection and analysis of evidence for implementation of Strategic development plan by UNDP
	% of actions in the Open parliament plan that have been largely implemented	Annual desk review of level of implementation of actions in Open parliament plan	0%	06/2016	30% (2017)	95% (2018)	Collection and analysis of evidence for implementation of Open parliament plan by UNDP
	% of actions in the Action Plan of the VRU's Communication Strategy largely implemented per year	Annual desk review of level of implementation of actions in VRU Communication Action Plan	0%	06/2016	30% (2017)	95% (2018)	Collection and analysis of evidence for implementation of VRU Communication Action Plan by UNDP

Gender rating: 2

<sup>4</sup> Scale from 0 to 11: a) Strategic development plan for the VRU Secretariat drafted: 2 points, b) Open parliament plan drafted: 2 points, c) Communication Strategy for VRU drafted: 2 points; d) Action Plan for VRU Communication Strategy drafted: 1 point; e) New legislative business workflow model based on European and international best practices designed: 1 point; f) regulatory amendments necessary for business workflow model designed: 1 point; g) system for categorisation of priority/critical legislation designed: 1 point; h) Human Resources strategy for the Secretariat in place: 1 point

## VI. MONITORING AND EVALUATION

In accordance with UNDP's programming policies and procedures, the project will be monitored through the following monitoring and evaluation plans:

Monitoring Plan					
Monitoring Activity	Purpose	Frequency	Expected Action	Partners (if joint)	Cost (if any)
<b>Track results progress</b>	Progress data against the results indicators in the RRF will be collected and analysed to assess the progress of the project in achieving the agreed outputs.	Quarterly, or in the frequency required for each indicator.	Slower than expected progress will be addressed by project management.	VRU	
<b>Monitor and Manage Risk</b>	Identify specific risks that may threaten achievement of intended results. Identify and monitor risk management actions using a risk log. This includes monitoring measures and plans that may have been required as per UNDP's Social and Environmental Standards. Audits will be conducted in accordance with UNDP's audit policy to manage financial risk.	Quarterly	Risks are identified by project management and actions are taken to manage risk. The risk log is actively maintained to keep track of identified risks and actions taken.	VRU	
<b>Learn</b>	Knowledge, good practices and lessons will be captured regularly, as well as actively sourced from other projects and partners and integrated back into the project.	At least annually	Relevant lessons are captured by the project team and used to inform management decisions.	VRU	
<b>Annual Project Quality Assurance</b>	The quality of the project will be assessed against UNDP's quality standards to identify project strengths and weaknesses and to inform management decision making to improve the project.	Annually	Areas of strength and weakness will be reviewed by project management and used to inform decisions to improve project performance.	VRU	
<b>Review and Make Course Corrections</b>	Internal review of data and evidence from all monitoring actions to inform decision making.	At least annually	Performance data, risks, lessons and quality will be discussed by the project board and used to make course corrections.	VRU	
<b>Project Report</b>	A progress report will be presented to the Project Board and key stakeholders,	Annually, and at the end of the		VRU	

		<p>consisting of progress data showing the results achieved against pre-defined annual targets at the output level, the annual project quality rating summary, an updated risk long with mitigation measures, and any evaluation or review reports prepared over the period.</p>	<p>project (final report)</p>	
<p><b>Project Review (Project Board)</b></p>	<p>The project's governance mechanism (i.e., project board) will hold regular project reviews to assess the performance of the project and review the Multi-Year Work Plan to ensure realistic budgeting over the life of the project. In the project's final year, the Project Board shall hold an end-of project review to capture lessons learned and discuss opportunities for scaling up and to socialize project results and lessons learned with relevant audiences.</p>	<p>Bi-annually</p>	<p>Any quality concerns or slower than expected progress should be discussed by the project board and management actions agreed to address the issues identified.</p>	<p>VRU</p>

## VIII. MULTI-YEAR WORK PLAN <sup>56</sup>

EXPECTED OUTPUTS	PLANNED ACTIVITIES	Planned Budget by Year				RESPONSIBLE PARTY	PLANNED BUDGET	
		Y1	Y2	Y3	Y4		Funding Source	Amount
By 2018, the Verkhovna Rada of Ukraine is able to produce quality legislation and monitor its implementation to fulfill its Constitutional prerogatives and to serve a model and a driving force of the reforms	<p><b>Activity 1: Supported changes in parliamentary procedures and processes, setting a framework for improving and monitoring the quality of legislation in substance and in form, including in the context of the AA implementation</b></p> <p>Activity 1.1. Streamlined regulatory framework on legislative process and parliamentary business processes, taking into account gender issues, including development of a dedicated statute on, legislative process, management of the legislative agenda and parliamentary calendar, improved roles of Parliament Committees, improved coordination with the Executive in an 'end-to-end' legislative process as well as rationalised and more effective parliamentary oversight processes (Law on "Rules for Procedures of VRU", Law on "Committees of VRU", etc)</p> <p>Activity 1.2. Strengthened the monitoring capacities for legislative quality and implementation of the VRU Legislative Plan and recommendations of the NAM report and Roadmap</p>	15,886	31,722	15,836		VRU, UNDP	71200 International Consultants 71600 Travel 71300 Local Consultants 74200 Audio Visual&Print Costs 72100 Contractual Services-Companies	63,444 68,004 55,295 11,148 66,890
		65,808	132,391	66,783			TOTAL	264,781

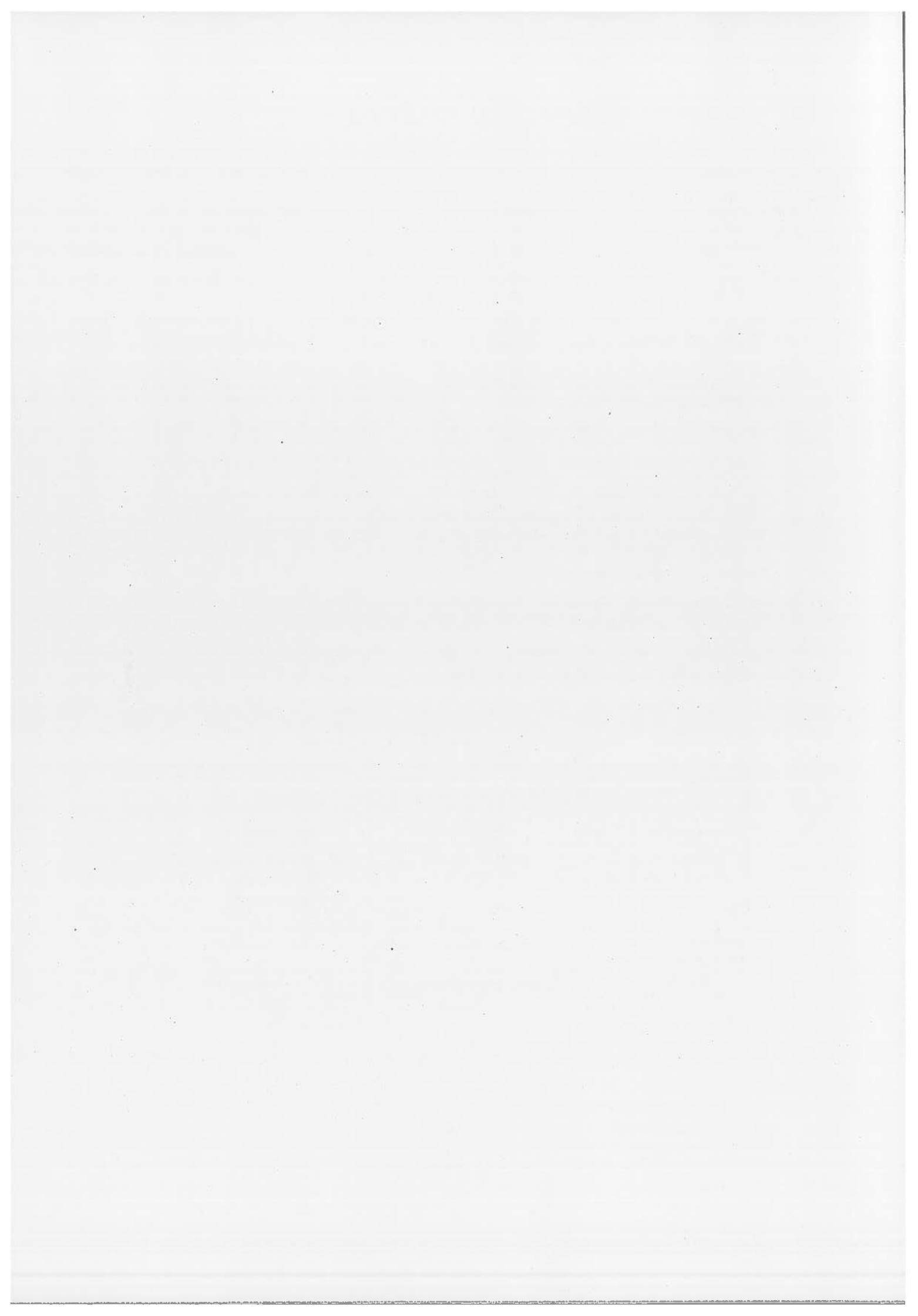
<sup>5</sup> Cost definitions and classifications for programme and development effectiveness costs to be charged to the project are defined in the Executive Board decision DP/2010/32

<sup>6</sup> Changes to a project budget affecting the scope (outputs), completion date, or total estimated project costs require a formal budget revision that must be signed by the project board. In other cases, the UNDP programme manager alone may sign the revision provided the other signatories have no objection. This procedure may be applied for example when the purpose of the revision is only to re-phase activities among years.









## VIII. GOVERNANCE AND MANAGEMENT ARRANGEMENTS

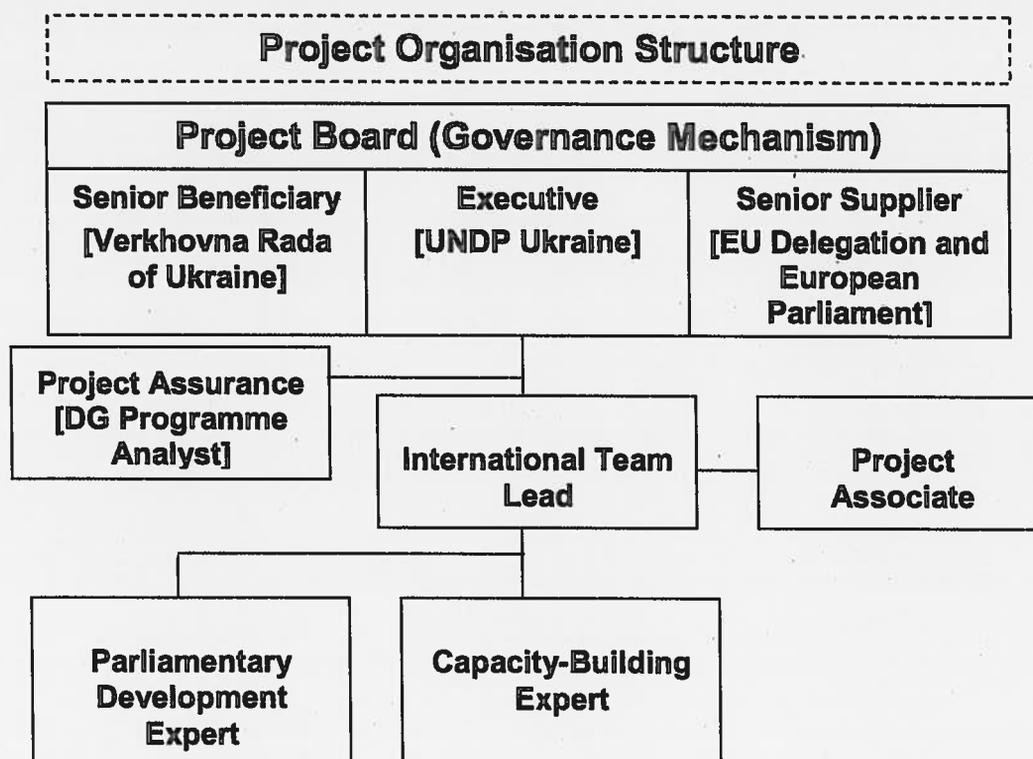
UNDP shall be responsible for the overall management of the project, primarily with regard to the responsibility for the achievement of the outputs (results), impact and objectives. Similarly, UNDP will be accountable to the Project Board (PB) / Steering Committee (SC) for the use of resources. UNDP will delegate managerial duties for the day-to-day running of the project to the Project Team Leader, selected by UNDP through a competitive and transparent selection process. The project will work in close partnership with the European Parliament (notably a number synergy/joint activities with the EP Capacity building programme) within the framework of support provided through the implementation of the recommendations of the NAM.

The project will receive overall guidance and strategic direction from the PB/SC. The Project Board/Steering Committee is the group responsible for making on a consensus basis management decisions for a project when guidance is required by the Project Team Leader. Project reviews by this group are made at designated decision points during the running of a project, or as necessary when raised by the Project Team Leader.

This group consists of four institutional members:

- Executive (Grant Beneficiary) - role represented by UNDP Ukraine;
- Senior Supplier (Contracting Authority) represented by the Delegation of the European Union to Ukraine (EU Delegation) that provides guidance regarding the technical feasibility of the programme, contractual issues and use of programme resources; in assessing the programme activities, the EU Delegation consults with, and can invite other European Union institutions as appropriate;
- Senior Beneficiary (Recipient), represented by the VRU of Ukraine and other recipients. The European Parliament will be the fourth institutional member of the Project Board.

The Project Board (Steering Committee) will meet every 6 months to assess the progress and grant its approval to the project's interim reports.



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## **IX. LEGAL CONTEXT AND RISK MANAGEMENT**

### **LEGAL CONTEXT STANDARD CLAUSES**

#### **Option a. Where the country has signed the Standard Basic Assistance Agreement (SBAA)**

This project document shall be the instrument referred to as such in Article 1 of the Standard Basic Assistance Agreement between the Government of (country) and UNDP, signed on 18 March 1993. All references in the SBAA to "Executing Agency" shall be deemed to refer to "Implementing Partner."

### **RISK MANAGEMENT STANDARD CLAUSES**

#### **Option b. UNDP (DIM)**

1. UNDP as the Implementing Partner shall comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS.)
2. UNDP agrees to undertake all reasonable efforts to ensure that none of the [UNDP funds received pursuant to the Project Document are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via [http://www.un.org/sc/committees/1267/aq\\_sanctions\\_list.shtml](http://www.un.org/sc/committees/1267/aq_sanctions_list.shtml). This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.
3. Consistent with UNDP's Programme and Operations Policies and Procedures, social and environmental sustainability will be enhanced through application of the UNDP Social and Environmental Standards (<http://www.undp.org/ses>) and related Accountability Mechanism (<http://www.undp.org/secu-srm>).
4. The Implementing Partner shall: (a) conduct project and programme-related activities in a manner consistent with the UNDP Social and Environmental Standards, (b) implement any management or mitigation plan prepared for the project or programme to comply with such standards, and (c) engage in a constructive and timely manner to address any concerns and complaints raised through the Accountability Mechanism. UNDP will seek to ensure that communities and other project stakeholders are informed of and have access to the Accountability Mechanism.
5. All signatories to the Project Document shall cooperate in good faith with any exercise to evaluate any programme or project-related commitments or compliance with the UNDP Social and Environmental Standards. This includes providing access to project sites, relevant personnel, information, and documentation.

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## **X. ANNEXES**

1. **Project Quality Assurance Report**
2. **Risk Analysis.**
3. **Project Board Terms of Reference and TORs of key management positions**





#	Description	Date Identified	Type	Impact & Probability	Countermeasures / Mitigation response	Owner	Submitted, updated by	Last Update	Status
1	Early elections could distract attention from the reform agenda and could result in a less reform-oriented composition of parliament during the implementation period of the project	June 2016	Political	P = 3 I = 4	The Project envisages a number of capacity development activities directed at the VRU staff that are appointed (not elected)	Project Manager	Project Manager	June 2016	
2	Lack of ownership from the Ukrainian side which could be associated with changes of leadership and political composition of the VRU	June 2016	Strategic	P = 3 I = 3	Regular engagement into the project activities various stakeholders and beneficiaries will maintain proper level of ownership	Project Manager	Project Manager	June 2016	
3	General fatigue among MPs with reforms within the parliament	June 2016	Organizational	P = 3 I = 3	Innovative tools and methods applied in the project and resulted in concrete project outputs will overcome fatigue, if exists	Project Manager	Project Manager	June 2016	

4	Resistance to change administrative structures and processes within the Secretariat	June 2016	Organizational	P = 2 I = 2	Shared experience and best practices of other developed countries will result to positive opinion about the required changes	Project Manager	Project Manager	June 2016	
5	Availability of resources within VRU and partner parliament	June 2016	Financial	P = 2 I = 3	The project will advance towards allocation of necessary financial resources	Project Manager	Project Manager	June 2016	

