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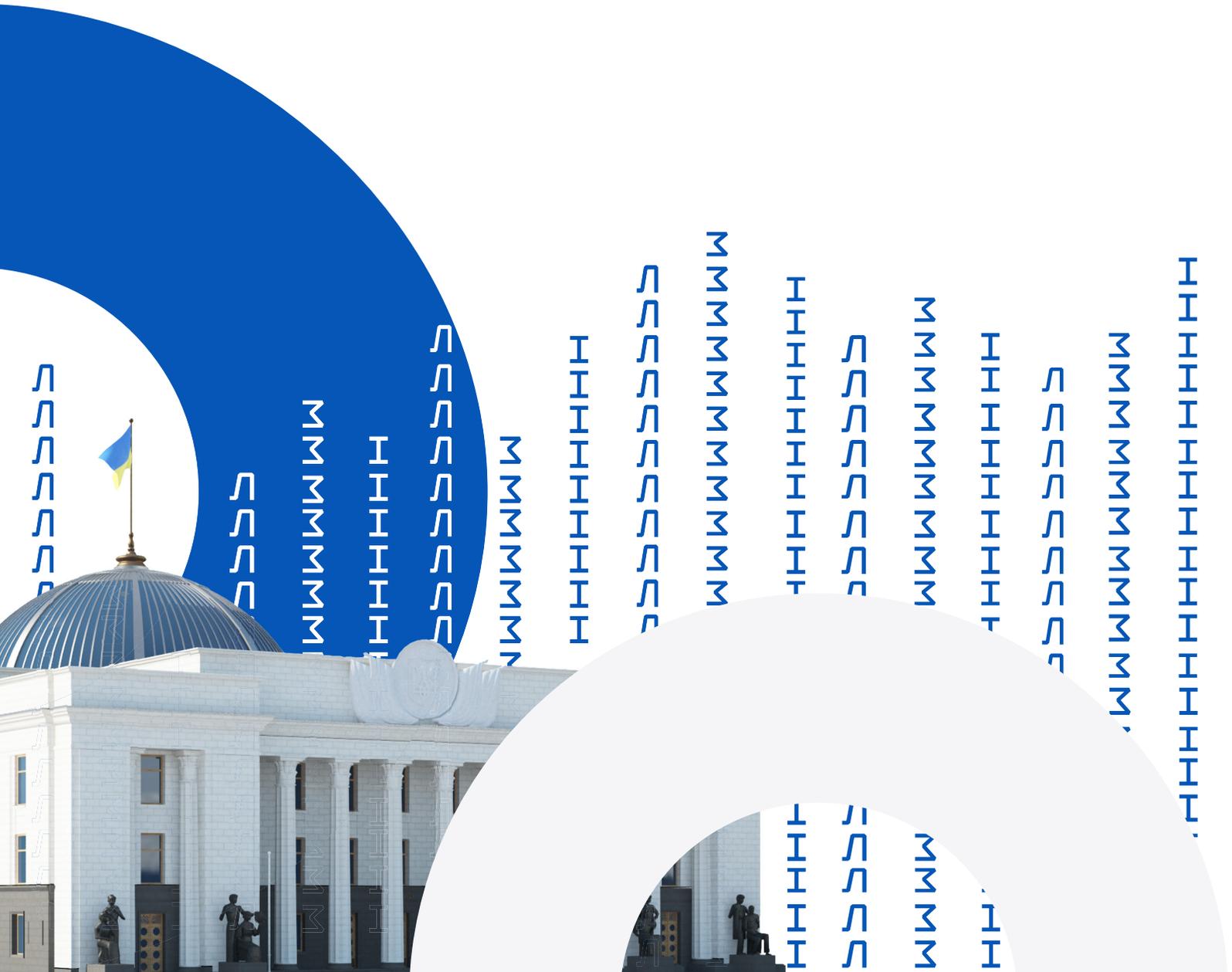


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Cooperation Between Parliamentary Committees and Non-Governmental Organisations in Ukraine



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List of Abbreviations

NGO — Non-governmental organisation

MP — Member of Parliament

NLA — Normative legal act

SAs — State authorities

OECD — Organisation for Economic Cooperation and Development

PACE — Parliamentary Assembly of the Council of Europe

IPU — Inter-Parliamentary Union

OGP — Open Government Partnership

PCI — Public Consultation Index

UNPD — United Nations Development Programme, an agency within the United Nations system

VRU — Verkhovna Rada of Ukraine

Foreword

Open and effective governance is impossible without active engagement between state institutions and the public. Such cooperation fosters greater transparency in decision-making, ensures government accountability, and contributes to the development of policies that address the real needs of society. The involvement of non-governmental organisations (NGOs) in the legislative process is an important practice enshrined in Council of Europe documents, the EU-Ukraine Association Agreement, and other international treaties.

Parliamentary committees, as key actors in the legislative process, play a significant role in conducting public consultations around the world, including in Ukraine. Committees employ various forms of cooperation with society, thereby upholding democratic governance. Even amid the full-scale war, the committees of the Verkhovna Rada continue to engage with the public. However, the interaction between committees and non-governmental organisations, as well as the impact of the full-scale war on this process, remain under-researched.

This study sets out to explore several questions:

- How is cooperation between non-governmental organisations and parliamentary committees organised in Ukraine?
- How are openness and inclusiveness ensured during cooperation between parliamentary committees and non-governmental organisations?
- How can new¹ non-governmental organisations initiate cooperation with the committees of the Verkhovna Rada?

The research was conducted by Ukrainian and Canadian scholars. It covers both international and Ukrainian practices of public engagement with parliamentary committees. The study examines mechanisms and formats of cooperation, indicators for assessing its effectiveness, characteristics of NGOs necessary for effective collaboration with parliamentary committees, as well as the challenges faced by Ukrainian NGOs and the committees of the Verkhovna Rada due to the full-scale invasion.

¹ In this study, new non-governmental organisations are understood as those that have not previously had experience of cooperation with Parliament but seek to establish such engagement.

Research Summary

1. Cooperation Amid War and Overall Assessment of Engagement

Despite the drastic changes caused by Russia's full-scale invasion, cooperation between the committees of the Verkhovna Rada and non-governmental organisations was promptly resumed in the first half of 2022. Both sides — the committees and NGOs — generally assess the current state of cooperation positively. Parliamentary representatives note that NGOs provide support to the committees in most areas of their activity. In turn, NGOs appreciate the committees' openness to dialogue, their willingness to consider proposed amendments, and their prompt responses to NGO requests.

2. Key Barriers and Limitations to Cooperation

From the perspective of parliamentary committees, the most common challenges include: (1) insufficient resources within NGOs (human, financial, organisational), (2) the need to coordinate a large number of requests, and (3) the political or ideological bias of some NGOs, which is perceived as a risk to the objectivity of the consultation process. NGOs, for their part, point to: (1) a lack of systematic cooperation, (2) the absence of standardised communication channels and interaction procedures, (3) the presence of political barriers to advocating for change, and (4) the overload of committee secretariats. A conceptual issue lies in the tendency of each side to interpret challenges as solely external, which complicates the development of a shared vision for optimising cooperation.

3. Process of Selecting Organisations and Criteria for Engagement with Committees

In most cases, the initiative for cooperation originates from NGOs, which approach the committees. Committees themselves initiate cooperation when there is a need for broad discussion of draft legislation (usually triggered by the potential public response to the adoption of a draft law) or when expert support is required. The initiation of cooperation takes place through both official channels and informal communication. Decisions on involving certain non-governmental organisations in committee work are made based on several different approaches and criteria, which are not formally established and may vary across different parliamentary committees. The main selection criteria include: (1) **Expertise** (existing research or stakeholder engagement); (2) **Reputation and experience** of the organisation (experience working with other state authorities or parliamentary committees, cooperation with key international organisations such as the Council of Europe or the United Nations); (3) **Organisational resilience and institutional capacity** (experience of operating during a crisis period such as the full-scale invasion, readiness for long-term project engagement); (4) **Previous positive experience of cooperation with the organisation**. An analysis of international experience shows that similar criteria are used in other countries, particularly Canada and Poland, where parliamentary committees actively cooperate with think tanks and stakeholder associations.

4. The Role of Horizontal Links in Cooperation Between NGOs and Parliamentary Committees

Horizontal links — informal contacts between NGO representatives and Members of Parliament or committee secretariat staff — play a significant role in initiating and sustaining cooperation. These connections increase the likelihood of organisations being involved in consultations or working groups. Such links can be developed through: (1) participation in committee events; (2) organising events to which committee representatives and MPs are invited; (3) submitting expert proposals to committees via official communication channels. When engaging in discussions and commenting on committee decisions, NGOs should go beyond simply identifying problems and instead offer clear solutions. This approach allows committee representatives to more quickly assess the organisation's expertise and constructiveness. Strengthening horizontal links between NGOs and building coalitions increases the likelihood of effective cooperation with the committees of the Verkhovna Rada, as it enables: (1) the involvement of experts from various fields; (2) new organisations to gain experience and establish contacts with parliamentary representatives; (3) better coordination of financial and human resources.

Methodology

The aim of the study is to describe the process of cooperation between the committees of the Verkhovna Rada and non-governmental organisations, and to establish a list of characteristics that NGOs should meet to be effectively involved in cooperation with Ukraine's parliamentary committees.

The research, conducted by a group of scholars from Ukraine and Canada, consists of: (1) an analysis of international experience in cooperation between parliamentary committees and non-governmental organisations, and (2) an empirical section on cooperation between the committees of the Verkhovna Rada and non-governmental organisations. The empirical section was carried out through a survey and in-depth interviews with representatives of the Verkhovna Rada committee secretariats and non-governmental organisations engaged in cooperation with these committees.

The purpose of the in-depth interviews was to identify: (1) practical differences between various formats of NGO cooperation with parliamentary committees; (2) approaches to stakeholder representation in the decision-making process; (3) formal and informal criteria for selecting non-governmental organisations for cooperation with the committees of the Verkhovna Rada; (4) possible criteria for assessing openness; and (5) criteria for evaluating the effectiveness of cooperation between parliamentary committees and non-governmental organisations.

A total of 13 in-depth interviews were conducted: 11 with representatives of non-governmental organisations and 2 with representatives of parliamentary committees — the Committee on Education, Science and Innovation, and the Committee on State Building, Local Governance, Regional Development and Urban Planning.

A questionnaire consisting of four sections was developed for the survey of parliamentary committee secretariats. The purpose of the survey was to identify: (1) the prevalence of cooperation with NGOs; (2) the extent to which different formats of cooperation are used; (3) existing criteria for selecting NGOs for cooperation with the committee; and (4) an assessment of the effectiveness of cooperation using an adapted methodology developed by the UNDP (for more on the effectiveness assessment, see section 5.2). A total of 13 Verkhovna Rada committee secretariats took part in the survey.

A four-section questionnaire was developed for surveying parliamentary committee secretariats. The aim of the survey of NGOs cooperating with parliamentary committees was to determine: (1) the frequency of cooperation with Verkhovna Rada committees; (2) the prevalence of different formats of cooperation; (3) the perceived accessibility and openness of the Verkhovna Rada committees; and (4) the effectiveness of cooperation based on the adapted UNDP methodology (see section 5.2 for further details on the effectiveness assessment). Responses were collected from 16 non-governmental organisations.

As part of the study, an analysis was conducted of the regulatory framework governing cooperation between non-governmental organisations and the committees of the Verkhovna Rada. This included a review of national legislation requirements regarding public

participation in the decision-making process, as well as an overview of Ukraine's international obligations in this area (see *Annex 3*).

The international experience is based primarily on generalised data without delving deeply into the specifics of each country. The experience of the following countries was analysed:

- **Canada,**
- **Poland,**
- **Serbia.**

In addition to the analysis of individual countries, aggregated data from **OECD member states** and the **Inter-Parliamentary Union (IPU)** were used to gain a broader understanding of international trends. Sources of information included **open-access online resources**, expert consultations, and written comments from experts and **parliamentary representatives from Canada, Estonia, Poland, and Kosovo**. The study does not aim to provide an exhaustive account of each case but instead focuses on the key aspects relevant to the scope of this study.

1. Organisation of Cooperation Between Parliament and Non-Governmental Organisations

Parliaments worldwide perform three core functions: to represent citizens' interests, pass laws, and monitor the actions of the government. They perform a legislative function as in addition to introducing legislation on their own, they have the power to amend, approve or reject government draft laws.

Parliamentary Committees are universally found in parliaments across the world. A parliamentary committee is a group of parliamentarians appointed by one chamber (or both chambers, in the case of joint committees in a bicameral parliament) to undertake certain specified tasks. Committees offer a setting which facilitates detailed scrutiny of draft legislation, oversight of government activities and interaction with the public and external actors. A significant part of parliamentary work is now conducted in committees rather than in the parent chamber. The parent chamber either refers matters to committees, or empowers the latter to choose issues to examine. Committees are also an entry point for citizens' involvement in parliamentary business.

1.1. Organisation of Cooperation Between Parliament and Non-Governmental Organisations

Public engagement can take many forms and can be conducted either directly with individual community members or through organised groups. It encompasses the various processes and activities through which parliament connects with the community – to inform, educate, communicate, consult and involve. Experience globally shows that public engagement consists of 5 stages.

- ▶ Stage 1 — **Information** — keeping the public updated about Parliamentary business (tv, radio, websites, social media). This is a one-way process of communication in which the public plays a passive consumer role of government information. It covers both on-demand provision of information and “proactive” measures by the government.
- ▶ Stage 2 — **Education and Promoting Participation** — increasing understanding of Parliaments and their work, the key principles involved (for example, separation of powers) how they can be influenced, engagement opportunities.
- ▶ Stage 3 — **Communication** — establishing channels for interaction (i.e. webcasting).
- ▶ Stage 4 — **Consultation** — actively seeking the opinions of interested and affected groups, building on collective knowledge to inform parliamentary work. Consultation

is the primary means for the public to be heard by parliaments. It is a two-way flow of information, which may occur at any stage of policy or regulatory development, from problem identification to evaluation of existing regulation. It is based on the prior definition of the issue for which views are being sought and requires the provision of relevant information, in addition to feedback on the outcomes of the process. In most cases, there is no obligation to take the views of the audience into consideration when amending plans, making decisions or setting directions. In most consultation meetings, decision — makers commit only to receiving the testimony of participants and considering their views. This level of participation can refer to for example, public consultations on draft legislation or consultative bodies on technical questions such as health policies. Many different types of consultation are possible, and at different stages of the legislative process.

Consultation increases the level of transparency and the quality of lawmaking by:

- Bringing into the discussion the expertise, perspectives, and ideas for alternative actions of those directly affected;
 - Helping regulators to balance opposing interests;
 - Identifying unintended effects and practical problems;
 - Providing a quality check on the administration's assessment of costs and benefits;
 - Identifying interactions between regulations from various parts of government;
 - Enhancing voluntary compliance.
- Stage 5 — **Participation** — when the public is given the opportunity and the necessary resources (e.g. information, data and digital tools) to collaborate during all phases of the policy-cycle and can include formulation of regulatory objectives, policies and approaches, or in the drafting of regulatory texts. Engagement establishes a partnership-based relationship between citizens and governments. The public actively engages in defining the process and content of policymaking. Like consultation, engagement is based on a two-way interaction, but it acknowledges equal standing for citizens in setting the agenda, proposing policy options and shaping the decisions — although the responsibility for the final decision or policy formulation in many cases remains a prerogative of public authorities. **Participation** is usually meant to facilitate implementation and improve compliance, consensus, and political support. Petitions are the most common tool of participation, with over half of Parliaments globally having a Petitions Committee. Citizens assemblies and juries are gaining in prominence, and they consist of a group of community members chosen to be demographically representative to provide recommendations to a Parliament Committee.

1.2. The Role of NGOs in Cooperation with the Committees of the Verkhovna Rada

Non-governmental organisations, or NGOs, play a significant role in the legislative process and in providing analytical support to the Verkhovna Rada of Ukraine. NGO involvement

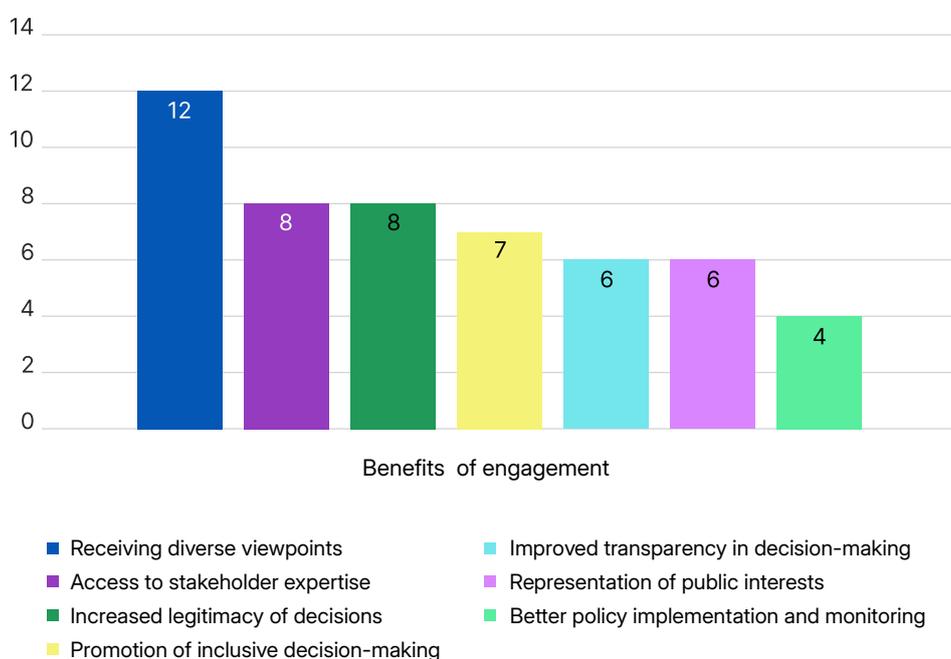
is not limited to participating in discussions on draft laws but extends to a broad range of activities — from organising events for committees to providing expert assessments and conducting training session.

Involvement of NGOs in the development of draft laws together with Verkhovna Rada committees. Non-governmental organisations and parliamentary committees most often cooperate during the consideration of draft laws. NGOs contribute their knowledge, resources, and expertise in specific policy areas, which helps committees better understand the nature of problems and the needs of citizens. According to both NGOs and committee representatives, NGO expertise plays an important role in the legislative process, particularly during the refinement of draft legislation.

Organisation of joint events. NGOs are actively involved in organising events for committees. These may include roundtables to discuss committee activities and collect information on existing issues that require legislative changes. In addition, NGOs may take the initiative in organising events to advocate for their own interests. In such cases, the events serve as platforms where NGOs express their positions and propose amendments to existing draft laws.

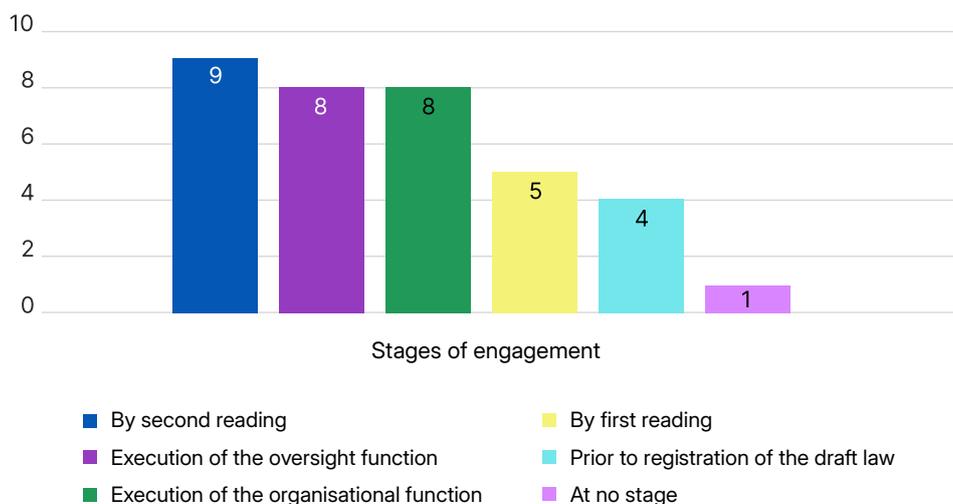
Enhancing professionalism and training. NGOs and Verkhovna Rada committees often organise joint events aimed at enhancing the professionalism and competencies of participants in the legislative process. Training sessions, seminars, and other educational events help improve the skills and knowledge of those directly involved in the development of legislation.

**Benefits of Stakeholder Engagement
(Position of the Committees of the Verkhovna Rada)**



Disclaimer: The information presented in the chart is based on the results of a survey conducted among the committees of the Verkhovna Rada of Ukraine. Secretariat representatives had the option to select multiple responses (multiple choice); the maximum possible number of selections for any single response option was 13. Twelve out of thirteen respondents selected the option "Receiving diverse viewpoints".

Stages of Stakeholder Engagement (Position of the Committees of the Verkhovna Rada)



Disclaimer: The information presented in the chart is based on the results of a survey conducted among the committees of the Verkhovna Rada of Ukraine. Secretariat representatives had the option to select multiple responses (multiple choice); the maximum possible number of selections for any single response option was 13. Nine out of thirteen respondents selected the option "By the second reading".

1.3. Assessment of Cooperation Between Parliamentary Committees and NGOs: Perspectives of Both Sides

Both the committees of the Verkhovna Rada of Ukraine and non-governmental organisations express positive views on the quality of current cooperation. Committee representatives emphasise that active engagement with NGOs not only allows them to consider the interests of various social groups but also brings in valuable expertise that significantly enhances the quality of legislative initiatives.

The possibility of multi-level support to committees from NGOs. According to committee representatives, a key factor in the effectiveness of cooperation is the ability of NGOs to provide a comprehensive approach that supports various areas of committee activity. In most cases, it is the large number of NGOs willing to cooperate that ensures this comprehensive support. For instance, cooperation with international organisations grants access to European practices and approaches, which is especially important in the context of Ukraine's integration into the EU. At the same time, the expertise of Ukrainian NGOs helps to adapt these approaches to national realities.

Constructiveness and risk reduction. In assessing the cooperation, committees highlight its constructive nature. Respondents note that taking NGO positions into account contributes to the development of balanced and effective draft laws. Moreover, the transparency and openness of committees in working with the public reduce the risk of public distrust and promote better acceptance of adopted decisions. Thus, cooperation with NGOs not only strengthens the legislative capacity of the committees but also fosters the development of a more inclusive and effective legislative framework.

The assessment of cooperation between the committees of the Verkhovna Rada of Ukraine and non-governmental organisations, from the perspective of the latter, highlights

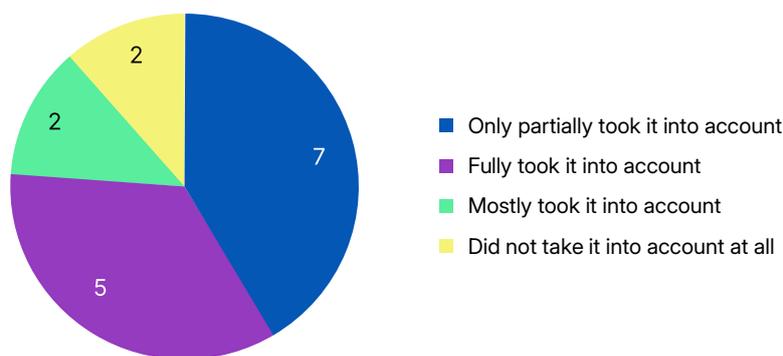
several key advantages and positive aspects that underscore the effectiveness of this engagement.

Committee responsiveness to public requests. Positive aspects of cooperation are reflected in the committees' willingness to respond to requests from non-governmental organisations. NGO representatives note that communication initiatives often originate from the organisations themselves, but committees, in turn, actively engage in the interaction, ensuring the transparency and openness of the processes. Participants emphasise that formats such as working groups or public consultations are effective tools for incorporating a broad range of proposals.

Openness of committees to NGO proposals. According to NGO representatives, committees often demonstrate openness to cooperation, which creates opportunities for NGOs to influence legislative processes. A particularly important factor is the committees' willingness to take expert opinions into account and to invite organisations to collaborate in various formats. Most NGOs note that cooperation with the committees has allowed them to present proposals for legislative amendments, which were incorporated into the final versions of draft laws.

Despite these achievements, NGO representatives point to the need for more systematic cooperation. In particular, they emphasise the need to formalise interaction mechanisms, which would help avoid risks of deteriorating cooperation and increase the effectiveness of joint work. Nevertheless, even with certain shortcomings, the interaction between committees and NGOs is considered constructive and beneficial for both parties, as it contributes to better alignment of legislation with the needs of society.

To What Extent Did the Decisions Adopted by the Committee as a Result of Cooperation With Your Organisation Take Your Information and Expertise into Account?



Disclaimer: The information presented in the chart is based on the results of a survey conducted among non-governmental organisations. NGO representatives had the option to select only one response. A total of 16 respondents were surveyed.

1.4. Challenges in Cooperation

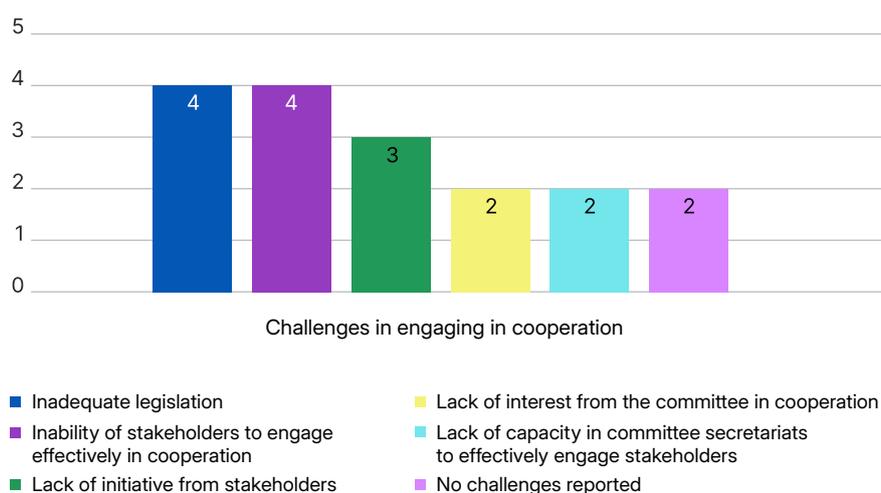
Challenges identified by the Committees of the Verkhovna Rada

- 1. Mismatch in the expertise level of NGOs.** One of the main problems mentioned by committee representatives is the insufficient professionalism of some NGOs.

Organisations often claim expertise across various areas but are unable to provide high-quality expert support. As a result, committees are forced to spend additional time and resources to find competent partners.

- 2. Difficulties in coordination and integration.** Another challenge is the complexity of coordinating activities among numerous NGOs. According to respondents, committees often receive requests from multiple organisations working in similar fields. This significantly complicates partner selection and may lead to inefficient use of resources in addressing a single issue.
- 3. Lack of resources.** Not all NGOs have the necessary resources to provide the full level of support required by committees. Interview participants stress that some organisations lack not only expert capacity but also financial or logistical capabilities. This hampers the organisation of joint events such as roundtables or off-site sessions. Committee representatives noted that they expect a comprehensive approach from partners but often face situations where a single organisation cannot deliver the full range of required services.
- 4. Political bias.** Another challenge is the political or ideological bias of some NGOs. Committee representatives point out that such bias may affect the objectivity of NGO assessments. From the perspective of the committees, some organisations represent the interests of narrow groups, which may conflict with the needs of a broader audience or national priorities.
- 5. Impact of martial law.** The impact of martial law should also be highlighted. It has limited the ability to hold in-person events such as roundtables or off-site sessions. This forces committees to shift to online formats, which, on the one hand, enables broader participation but, on the other, complicates the establishment of personal connections.

**Challenges in Engaging Stakeholders in Cooperation
(Position of the Committee of the Verkhovna Rada)**

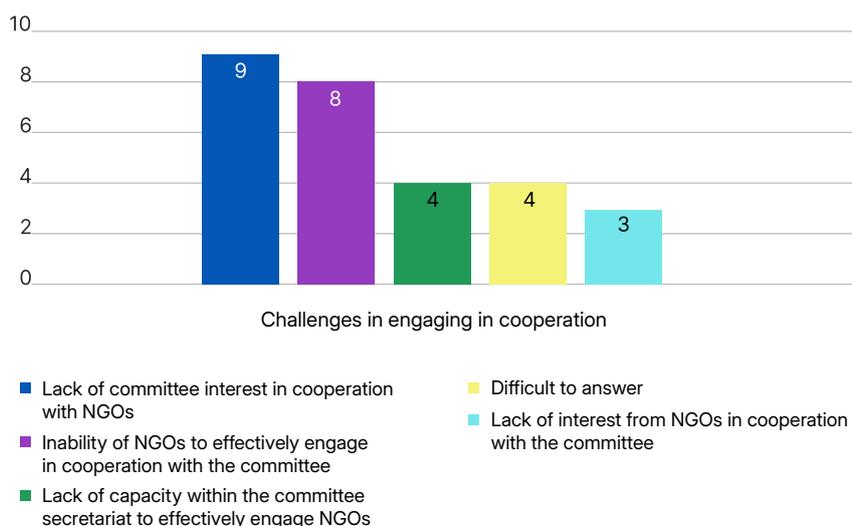


Disclaimer: The information presented in the chart is based on the results of a survey conducted among the committees of the Verkhovna Rada. Secretariat representatives had the option to select multiple responses (multiple choice); the maximum possible number of selections for any single response option was 13. Four out of thirteen respondents selected the options "Inadequate legislation" and "Inability of stakeholders to engage effectively in cooperation."

Challenges identified by NGOs

1. **Lack of systematic engagement.** NGOs frequently point to the absence of systematic cooperation with committees. The lack of mechanisms for long-term interaction forces NGOs to constantly initiate contact themselves, which requires significant resources.
2. **Limited access to information.** NGOs note difficulties in accessing information about events, meetings, and committee initiatives. This problem has been exacerbated by information restrictions related to martial law, limiting their ability to respond in a timely manner or initiate cooperation.
3. **Overloaded secretariats.** Due to the workload of committee secretariats, communication with NGOs and the processing of their proposals are delayed. This slows down procedures and creates a perception of ineffective interaction.
4. **Unbalanced working groups.** Sometimes, working groups are formed with an imbalance in favour of certain categories of participants, such as academics or large organisations. In such cases, committees receive strong expertise but only from a single perspective, which significantly reduces the quality of outcomes.
5. **Political barriers.** Political priorities and constraints affect the pace of cooperation. For example, NGOs cite insufficient support for radical reforms due to political uncertainty.
6. **Difficulty in evaluating effectiveness.** The absence of clear indicators for assessing the results of cooperation is also problematic. NGO representatives note that the success of engagement is often judged by subjective criteria such as the number of accepted proposals or the level of support for a draft law among discussion participants.

**Challenges in Engaging Stakeholders in Cooperation
(Position of Non-Governmental Organisations)**



Disclaimer: The information presented in the chart is based on the results of a survey conducted among non-governmental organisations. NGO representatives had the option to select multiple responses (multiple choice); the maximum possible number of selections for any single response option was 16. Nine out of sixteen respondents selected the option “Lack of committee interest in cooperation with NGOs”.

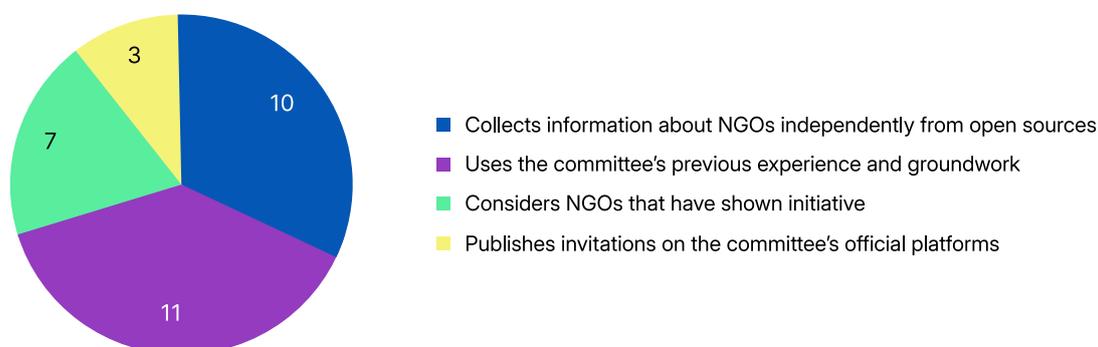
When comparing the perspectives of the committees of the Verkhovna Rada and non-governmental organisations, three major conceptual — not merely technical — divergences in the understanding of the causes of challenges and appropriate mechanisms for cooperation can be identified.

1. **Tendency to attribute problems to external factors.** Both committees and NGOs tend to locate the source of problems in their counterpart rather than acknowledging their own limitations. Parliamentary representatives emphasise the lack of professional expertise, limited resources, or political bias on the part of NGOs. In contrast, NGOs point to opaque procedures, the absence of systematic interaction, and the overload of committee secretariats. This makes it difficult to establish a shared framework for addressing issues, as each side focuses on the perceived shortcomings of the other.
2. **Centralisation vs openness.** Committees highlight the difficulty of coordination due to the large number of organisations that approach them. At the same time, NGOs report limited access to information about committee activities. It is possible that the lack of a clear approach to publicising committee work contributes to the disorganised influx of NGO requests. Both sides point to the consequences of the same core problem — **the lack of a systematic approach to communication.**
3. **Political context.** Political bias is recognised as a challenge by both sides but interpreted differently. Committee representatives criticise some NGOs for lobbying narrow interests. NGOs, in turn, refer to political barriers on the part of the committees, including reluctance to address “unpopular” topics and avoidance of radical reforms.

1.5. The Process of Initiating Cooperation

The process of initiating cooperation between non-governmental organisations (NGOs) and the committees of the Verkhovna Rada of Ukraine is multifaceted and depends on two main factors: the proactivity of NGOs and the openness of the committees to engagement.

What Does the Committee Do When There is a Need to Engage NGOs in Cooperation



Disclaimer: The information presented in the chart is based on the results of a survey conducted among the committees of the Verkhovna Rada. Secretariat representatives had the option to select multiple responses (multiple choice); the maximum possible number of selections for any single response option was 13. Eleven out of thirteen respondents selected the option “Uses the committee’s previous experience and groundwork”.

NGOs are usually the ones who initiate cooperation, actively approaching committees with proposals or requests. As NGO representatives note, the first step often involves informal contact, whereby civil society actors leverage existing personal connections to offer support in a specific committee initiative. This is typically followed by a formal request in the form of an official letter addressed to the committee chair or secretariat. This practice almost guarantees cooperation, as it engages both informal and formal channels. At the same time, committees may also initiate cooperation, particularly when an issue requires broad public discussion or expert evaluation.

Ways of Initiating Cooperation

One of the most common methods for initiating cooperation is through **public events**. NGO representatives note that these events often serve as a starting point for building engagement. Event participants have the opportunity to express their positions and propose specific amendments or initiatives.

Official letters and proposals are another key tool. NGOs frequently send their proposals to committees, often supported by their own analytical materials or research. In most cases, committees already have established contacts in specific thematic areas. For instance, organisations may approach committees with recommendations for improving legislation. In response, committees consider these proposals and invite experts to join working groups for detailed review of the initiatives.

Memoranda of Cooperation are also a widely used mechanisms. While working with committees, NGOs may sign a memorandum to ensure stable collaboration. These agreements help both parties to clearly define their commitments and expectations, contributing to a more structured approach to cooperation.

Standards of openness and inclusiveness for witnesses

Sejm and Senate committees do not select witnesses to be heard in the committee forum. Stakeholders apply to the Secretariat of a given committee to participate in its meetings. If they are accepted (and if there are no specific contraindications — then they are accepted), then they are automatically invited to all subsequent committee meetings. This is how the principle of openness and inclusion works. Lobbyists also have the right to participate in the work of Sejm committees, which is provided for in the Rules of Procedure of the Sejm. But interestingly — registered lobbyists do not have the right to participate in the work of Sejm subcommittees, i.e. temporary bodies that are selected from among committee members to work on a given, single legislative project. The Subcommittee ends its work with a Report, which it submits to the Chairman of the Committee. But then there is no substantive discussion in the parliamentary committee.

1.6. Determining the Need for Cooperation

To understand the cooperation between committees and the public, it is important to clarify the rationale used by committees when deciding whether to initiate public discussion. Nearly every committee, as well as the Verkhovna Rada as a whole, processes a substantial number of registered NLAs each year. Committees also face a shortage of human resources to address all matters in full. Therefore, not every registered draft law is opened for public discussion, and committees have to decide when and how to involve civil society.

Representatives of both the Verkhovna Rada committees and NGOs highlight the following factors:

- 1. Potential for public outcry.** One key criterion in favour of involving the public is the **reputational risk** associated with a draft law and the overall **political sensitivity** of the topic. Involving NGOs in the discussion and development of such draft laws helps to mitigate potential negative consequences. NGOs also confirm that committees typically prioritise for discussion those projects that generate significant public interest or controversy.
- 2. Existing political response.** A major factor in deciding whether to involve NGOs is public backlash to the initial version of a draft law. Often, collaboration — particularly within working groups — occurs between the first and second readings, which allows committee representatives to gauge public reaction to the first version of the draft. Committees note that highly controversial draft laws which provoke widespread negative attention or even public outrage require broad public discussion. These discussions help not only to reduce risks of negative responses, but also to ensure transparency and the rationale behind decisions.
- 3. Initiative from stakeholders.** Another important factor is proposals submitted directly by NGOs or other stakeholders. Committees often consider initiatives that are supported by credible international or Ukrainian partners.
- 4. Complexity and scale of issues.** According to NGO representatives, committees also consider the scope and complexity of the issue under discussion. Initiatives that span multiple sectors or require more in-depth research are typically submitted for discussion with NGOs.
- 5. Selectivity and systematic approach.** On the other hand, NGOs emphasise that there is often a lack of a systematic approach to selecting which draft laws are discussed. In their view, committees sometimes base their selection on the current political agenda or the interests of individual MPs, which may affect the quality and representativeness of the process. As civil society representatives point out, this approach risks leaving important issues unaddressed while less significant initiatives are prioritised.

2. Existing Criteria for Stakeholder Selection and Practical Implementation of Inclusivity

A key question associated with public consultation is who precisely should be consulted? The definition of the “interested party” or the term mostly used — “stakeholder” — is a standard definition used by many organisations and public authorities. This definition is broad. Stakeholders may have different interests in the decision-making process, even in different stages of the decision-making.

The Council of Europe defines the principles of inclusiveness, openness, and transparency as essential for establishing effective cooperation mechanisms between public authorities and civil society. It emphasises that decision-making processes must be open to the participation of all stakeholders to ensure the consideration of diverse perspectives, and the development of balanced policies aimed at addressing pressing societal needs².

The Council of Europe’s principles — such as non-discrimination, inclusiveness, and accountability — underscore the importance of involving all segments of society, including vulnerable groups, in the decision-making process. This ensures that adopted decisions are not only effective but also legitimate in terms of public perception.

In this context, further analysis of inclusivity criteria and stakeholder selection mechanisms presented in this study is key to building a transparent and effective system of engagement. Consideration of an organisation’s expertise, experience, and reputation — as well as its readiness for long-term cooperation — directly aligns with the principles of the Council of Europe. An inclusive approach, supported by practical solutions, enables the development of higher-quality legislative initiatives that address the real needs of society.

The following provisions are aimed at substantiating and improving approaches to stakeholder engagement in legislative work, thereby directly supporting the implementation of democratic governance principles as defined by the Council of Europe.

The global consensus is that **there is no single preferable approach** to selecting stakeholders for consultation. Some consultations may be geared toward specific audiences. In other situations, participants might be selected based on technical or local knowledge, subject-matter expertise, or the level of impact of the proposed legislation on their activities. In developing a comprehensive work plan for regulatory consultations, officials should

2 Code of Good Practice for Civil Participation in the Decision-Making Process.

consider the contributions of individuals with a wide variety of backgrounds, perspectives, and expertise. The extent of the involvement of participants will depend on their level of interest, the extent to which decisions are likely to directly or indirectly affect them, and their potential to make a meaningful contribution to the decision-making process.

Selecting stakeholders most affected by a particular issue or proposal appears to be the “default” criterion used by Parliaments worldwide. However, research shows that selecting stakeholders to participate in public consultation is not well defined by any legal act. Countries like Canada and Estonia have somewhat more precise approaches documented, but in terms of a rigorous approach there are few examples. The selection of witnesses at Committee meetings is largely at the discretion of Committee leadership based on their prior knowledge of key stakeholders relevant to the issue. Some Parliaments however are requesting Expressions of Interest to attend Committee meetings. (*For more on international experience in selecting criteria for stakeholder engagement, see Annex 2*).

2.1. Key Criteria for Selecting NGOs for Cooperation — Position of the Committees

Expertise

Committees consider a sufficient level of expertise as the primary criterion for initiating cooperation. An NGO's expertise may be demonstrated through publications, research, and studies within its area of activity. Expertise also includes the NGO's ability to collect and process data. This requirement stems from the need to ensure high-quality analysis of legislative initiatives, to adapt them to the real needs of society, and to account for various nuances that may arise during law implementation. Such an approach guarantees a higher-quality recommendations. While publications, events, and studies are important indicators of expertise, committees typically identify it through direct cooperation.

Experience and Reputation

NGOs with long-standing cooperation with committees or successfully implemented projects in a relevant field are more likely to be engaged. In some cases, organisations may submit reference letters or reports confirming their previous experience, which may include participation in working groups, analytical studies, or the development of recommendations that were taken into account in legislative initiatives.

Institutional capacity is also an important key criterion. Committees assess an NGO's ability to work across all stages of the legislative cycle — from drafting to monitoring implementation. A proven track record of cooperation with other public authorities is important. Prior collaboration with government agencies is one of the most common criteria and is not unique to Ukrainian practice. For instance, analysts at the Library of Parliament in Canada maintain a database of civil society representatives who have worked with parliamentary committees. This database serves as the main source for selecting civil society participants for the Canadian Parliament.

Relevance to the Committee's Mandate

Committees note that alignment between the organisation's activities and the committee's field of competence is also an important criterion. This ensures the involvement of organi-

sations that understand the specifics of the sector and are directly related to the regulated issues.

When comparing the criteria identified by committees with those applied in other countries, only minor differences can be observed. Despite the absence of established “stakeholder registries” such as those used in Poland, the committees of the Verkhovna Rada also retain information on potential stakeholders — including contact details, area of activity, and leadership structure. The criteria described above have neither been fixed nor formalised; instead, they are based on the accumulated experience of committee secretariat staff over many years. The lack of clearly defined stakeholder selection criteria — particularly concerning expert communities — is a common feature observed to some extent in parliaments around the world.

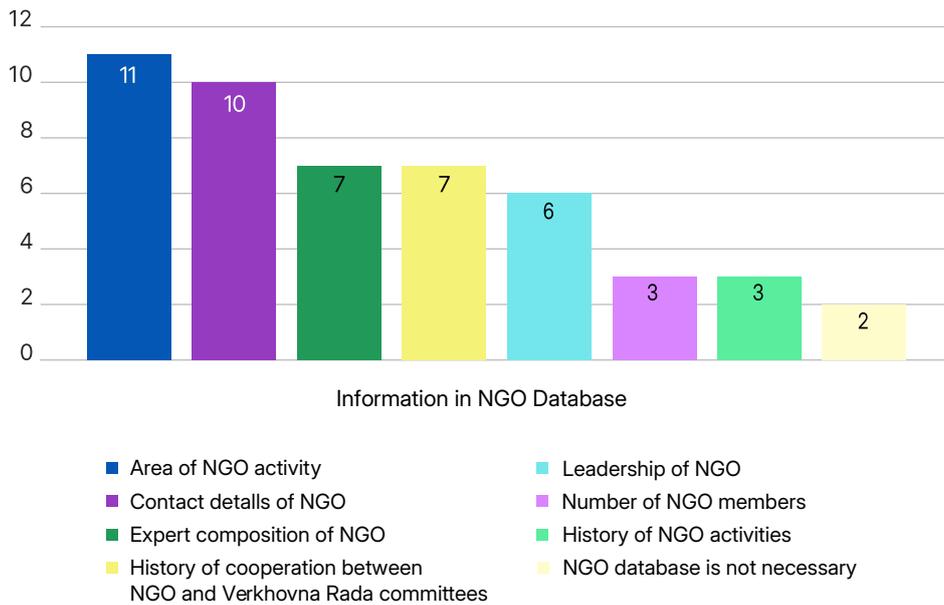
Committee witness selection in Canada

Committees have the power to “send for persons, papers and records” to gather information. Standing committees often need the collaboration, expertise and knowledge of a variety of individuals to assist them in their studies and investigations. Usually, these persons appear willingly before committees when invited to do so.

Witness selection may be carried out in different ways. Generally, witnesses are proposed by individual committee members. The committees may also invite potential witnesses to indicate their interest in appearing. The selection is often delegated to the subcommittee on agenda and procedure, subject to ratification by the main committee. In addition, groups and individuals who are aware of a forthcoming study by a committee may give notice of their interest in appearing. Any citizen or organisation interested in sharing their opinion in person or by videoconference regarding a study being carried out by a committee may request to appear before it by sending an email to the committee clerk. The individual or organisation must indicate in the email their specific interest and area of expertise in relation to the study. The clerk will then forward the request to appear to the committee members. The committee will evaluate the requests and draw up the list of witnesses based on committee practice. It is important that this interest to appear be communicated as quickly as possible because committees typically establish the list of witnesses at the start of their study.

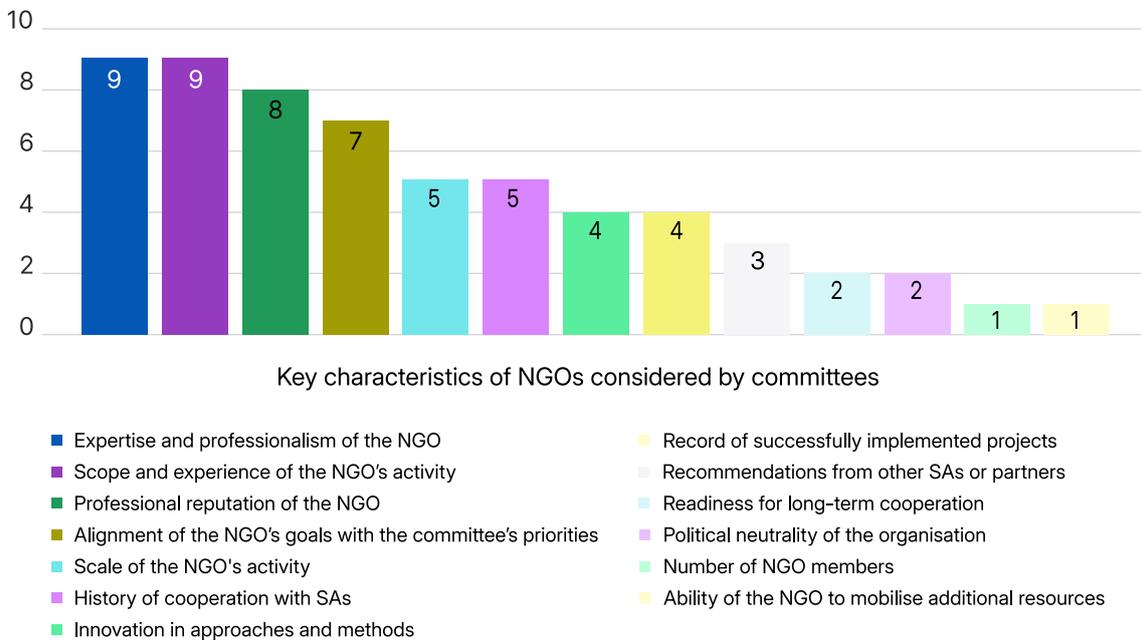
*In terms of relying on **pre-existing lists of organisations as potential witnesses**, the selection of witnesses is undertaken entirely by Members of Parliament. If requested, the Library of Parliament analysts assigned to each committee will provide input on recommended witnesses for Members’ consideration, but they do so base the instruction they receive from the committee. The library does maintain a database of information on each person who has appeared as a witness for administrative purposes (such as Name, Title, Organisation, Address, email/phone number), but in no way is it used to evaluate/rate/rank or make any other value judgements of those that have appeared before a committee, nor is this information shared with members of the committee without permission of the witness.*

Information That Should Be Included in an NGO Database (Position of Committees)



Disclaimer: The information presented in the chart is based on the results of a survey conducted among the committees of the Verkhovna Rada. Secretariat representatives had the option to select multiple responses (multiple choice); the maximum possible number of selections for any single response option was 13. Eleven out of thirteen respondents selected the option "Area of NGO activity".

Key Characteristics of NGOs Considered by Committees During the Selection Process for Cooperation



Disclaimer: The information presented in the chart is based on the results of a survey conducted among the committees of the Verkhovna Rada of Ukraine. Secretariat representatives had the option to select multiple response options (multiple choice); the maximum possible number of selections for any single response option was 13. Nine out of thirteen respondents selected the options "Expertise and professionalism of the NGO" and "Scope and experience of NGO's activity".

Committee witness selection in Poland

Normally, Sejm and Senate committees do not call or question stakeholders as witnesses. They simply allow interested entities to participate in committee meetings with the prior consent of its chairman. However, there is an institution of "public hearing" in Polish law, the procedures of which are very formalised. The problem is that government institutions and parliamentary committees use the public hearing procedure very rarely due to the fact that it is not in the interest of the Project Proposer to organise frequent public hearings because only critics of a given project and possibly the media participate in them — which may consequently lead to the abandonment of work on a given legislative project.

As regards the use of pre-existing lists of potential witnesses, these are the so-called "social partners" — representative employers' organisations and trade unions that are nominated to the platform for dialogue with the government called the "Social Dialogue Council". Members are formally nominated by the President of the Republic of Poland. Currently, there are several such organisations and the government is obliged to consult with them on legislative initiatives that fall within the competence of these organisations. Parliamentary committees also use experts from these organisations. In addition, there are a large number of other NGOs that are active and have been known as competent in their field for many years or are active in the media, so they usually have no problem with including them on the list of entities invited to meetings of Sejm and Senate committees.

2.2. Key Criteria for Selecting NGOs for Cooperation — Position of NGOs

General criteria

NGOs recognise the importance of the same criteria used by the Verkhovna Rada committees: expertise, reputation and experience. These factors determine the level of trust in organisations and their ability to influence policy-making. The expertise of organisations that provide high-quality analytical materials allows them to be taken into account due to their in-depth knowledge of the sector. The reputation of an NGO depends on its previous activities, transparency of funding, and participation in significant projects

NGOs acknowledge the importance of the same criteria used by the committees of the Verkhovna Rada of Ukraine: expertise, reputation, and experience. These factors determine the level of trust in organisations even under difficult circumstances. The components of stable NGO operations include:

- **Institutional sustainability:** To achieve long-term effectiveness, it is important for NGOs to have clear internal procedures, a well-formed team of professionals, and established management mechanisms. Organisations with these characteristics are capable of consistently participating in the legislative process and providing high-quality expert support.
- **Long-term cooperation:** Committees prefer organisations willing to participate in all stages of legislative work, including not only the drafting of legislative initiatives but also supporting their implementation and evaluating the effectiveness

of adopted decisions. This approach builds trust in NGOs and ensures continuity in legislative outcomes.

- **Ability to adapt to crisis conditions:** The capacity to respond quickly to new challenges and offer relevant solutions in changing circumstances is a critical component highlighted by NGOs. At the onset of the full-scale invasion, some organisations shifted the focus of their work and continued informal cooperation with committees, particularly by providing expert assessments. This enabled the continuation of engagement between organisations and the Verkhovna Rada during a time when formal cooperation had largely ceased.

Readiness for stable engagement extends beyond the internal organisation of NGOs. It also entails a long-term process of building trust with committees, which requires transparency in operations and effective resource management. This approach is key to establishing long-term partnerships between organisations and legislators.

NGO reputation. An organisation's reputation is not always based solely on its own activities. NGOs that cooperate with influential international organisations — such as the Council of Europe or the United Nations — gain an additional advantage through their association with well-known donors. Such affiliations increase the level of trust committees place in these organisations and enhance their chances of being involved in key initiatives.

Solutions, not just criticism. NGOs emphasise the importance of offering concrete and practical solutions to problems, as this is fundamental to effective cooperation with committees. Practical solutions provide not only analytical support but also significantly ease the burden on legislators, helping to reduce the workload of committees.

- **Problem identification:** One of the main tasks of NGOs is to identify current challenges and analyse their root causes. Organisations with experience in this area can accurately pinpoint problematic aspects of legislative initiatives, helping to prevent potential errors during the drafting phase.
- **Proposing solutions:** Developing detailed recommendations is the next step after identifying problems. NGOs provide options for amendments or additions to draft laws that contribute to achieving the desired outcomes. Such proposals significantly reduce the analytical burden on MPs and support the high-quality preparation of legislative drafts.

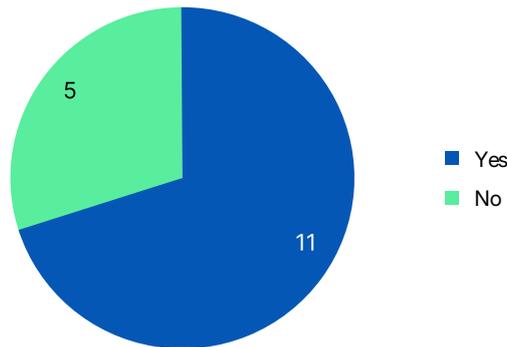
The practical approach adopted by NGOs enables meaningful dialogue with committees and the development of a shared vision for solving urgent issues. Organisations that offer not only criticism but also concrete solutions earn greater trust and are more frequently engaged in cooperation.

The Importance of Personal Connections and Institutional Memory

As in other countries examined, the selection of stakeholders is typically conducted and approved by Members of Parliament. Critics of this approach argue that it carries the risk of turning public consultations into interactions with only “convenient organisations”; however, this remains the most common practice. For this reason, personal acquaintance with MPs or committee secretariat staff is often crucial for securing cooperation with committees and plays a decisive role in establishing productive collaboration. Building trust-based relationships helps NGOs communicate their ideas and proposals more effec-

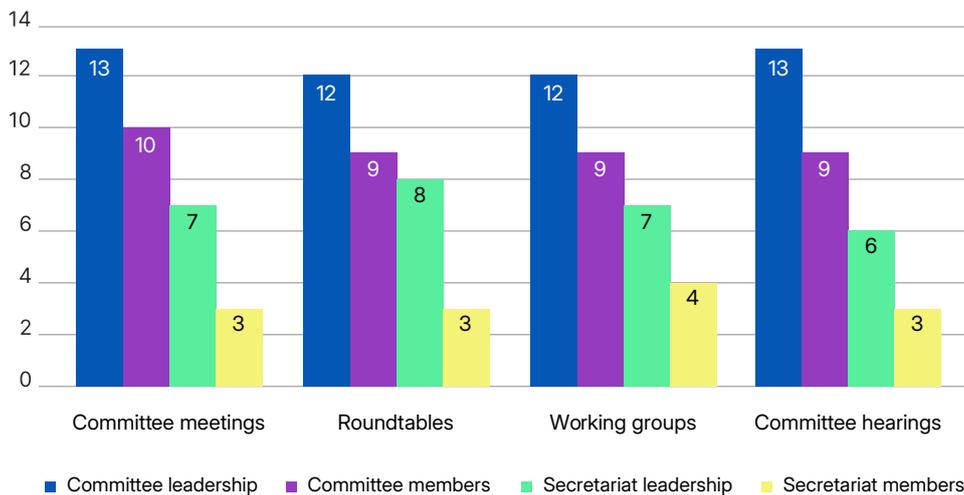
tively. Typically, before submitting formal requests, organisations arrange informal meetings to preliminarily discuss key aspects of cooperation. This approach reduces the risk of proposal rejection and enables more flexible discussion of contentious issues. In addition, personal connections facilitate access to decision-making processes, as MPs and committee representatives are more likely to trust organisations they have previously worked with. This creates an additional platform for dialogue and enhances the effectiveness of engagement.

Do NGOs Have Representatives in Public Councils at State Institutions, Enterprises, Ministries, or Other Committees of the Verkhovna Rada?



Disclaimer: The information presented in the chart is based on the results of a survey conducted among non-governmental organisations. NGO representatives had the option to select only one response option. A total of 16 respondents were surveyed.

Who Within the Committee Makes the Decision to Involve NGOs in Cooperation?



Disclaimer: The information presented in the chart is based on the results of a survey conducted among the committees of the Verkhovna Rada. Secretariat representatives had the option to select multiple responses (multiple choice); the maximum possible number of selections for any single response option was 13.

3. Overview of Cooperation Formats and Their Specialisation

Examining the formats of cooperation between the committees of the Verkhovna Rada of Ukraine and non-governmental organisations is crucial for improving the legislative process. Despite the existence of certain regulatory frameworks, there is currently no clear distinction between formal and informal formats of engagement (*for detailed regulatory differentiation of cooperation formats, see Annex 3*). This can lead to confusion about when and how to engage different formats to achieve the best results.

Current legislative acts, including the Laws of Ukraine “On the Committees of the Verkhovna Rada of Ukraine” and “On Lawmaking Activity”, provide for a range of cooperation tools, such as parliamentary hearings, roundtables, working groups, and public consultations. However, these acts do not consistently delineate the procedures for implementing these formats, leaving gaps in practical application. Formats such as individual consultations or informal expert discussions, although frequently utilised in practice, remain outside the scope of formal regulation.

Understanding the specifics of each format and ensuring proper regulation would help establish a more structured approach to engagement between committees, the public, and expert communities. In turn, this would enhance the effectiveness of legislative work, as each format offers unique advantages and can be applied to address specific tasks.

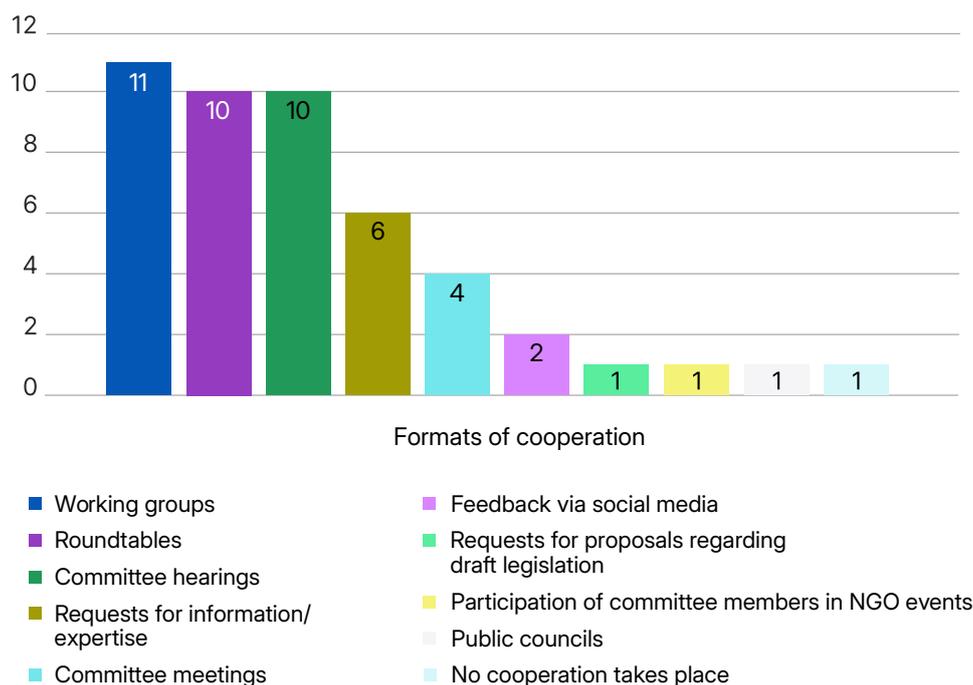
Stakeholders vary in terms of their status, level of organisation, representation, and capacities to participate meaningfully in the consultation process. The OECD maintains that consultation methods need to reflect differences in stakeholder access to resources and opportunities to express their views to the government and that a diversity of channels for the communication of these views should be created and maintained.

“A wide spectrum of consultation tools should be used to engage a broad diversity of stakeholders within the population.” (OECD)

3.1. Most Popular Formats of Cooperation Between the Committees of the Verkhovna Rada of Ukraine and Non-Governmental Organisations

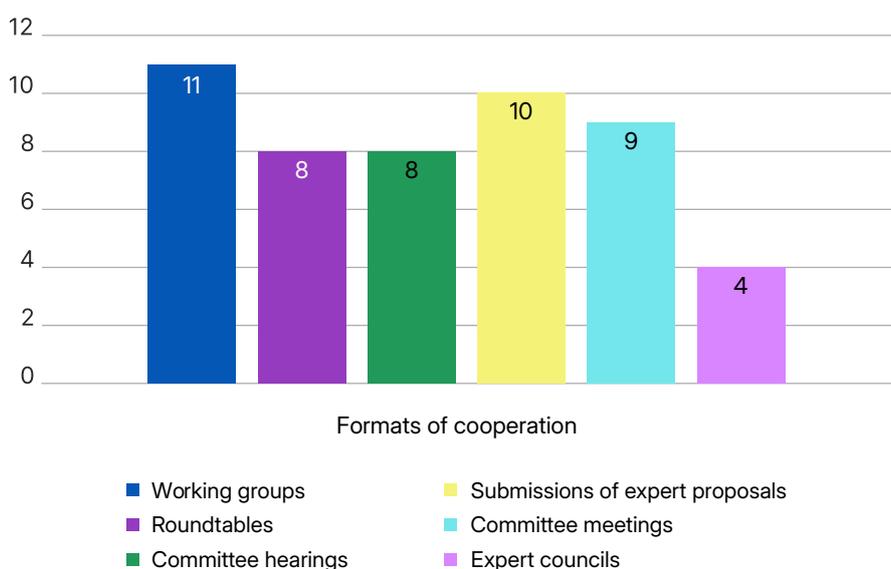
Cooperation between the committees of the Verkhovna Rada of Ukraine and non-governmental organisations takes place in various formats. The most popular are working groups, roundtables, and submissions of expert proposals by NGOs. Each of these formats has specific features, advantages, and challenges.

Most Popular Formats of Cooperation (Position of Committees of the Verkhovna Rada)



Disclaimer: The information presented in the chart is based on the results of a survey conducted among the committees of the Verkhovna Rada of Ukraine. Secretariat representatives had the option to select multiple responses; the maximum possible number of selections for any single response option was 13. Eleven out of thirteen respondents selected the option "Working groups".

The Most Common Forms of Cooperation (The Position of Non-Governmental Organisation)



Disclaimer: The information presented in the chart is based on the results of a survey conducted among non-governmental organisations. NGO representatives had the option to select multiple responses; the maximum possible number of selections for any single response option was 16. Eleven out of sixteen respondents selected the option "Working groups".

Working Groups

According to both committee and NGO representatives, working groups are the most effective and popular format of cooperation. The main advantage of this format is the focused collaboration of a small team on a single issue (typically the refinement of draft legislation). Working groups may involve a wide range of stakeholders, including experts, representatives of specialised organisations, academics, and civil society activists.

According to one respondent, “in working groups, you can directly voice proposals that will be taken into account in the final version of the draft law”. Another advantage of working groups is the flexibility of the format. Participants can be added during the process depending on emerging challenges or needs. For example, a committee may decide — mid-meeting — to expand the composition of a working group and invite additional experts.

The secretariats of the committees of the Verkhovna Rada of Ukraine view working groups as a key format for producing high-quality legislative documents. The main goal of working groups is to refine draft laws, incorporate expert recommendations, and prevent unconstitutional provisions. By involving specialists from various fields, working groups provide a comprehensive analysis of each aspect of legislative initiatives. This format allows consideration not only of formal requirements but also of specific issues that hold practical significance for society.

Overall, the perception of working groups as the most effective form of cooperation (shared by both Verkhovna Rada committees and NGOs) is in line with global best practices. For instance, a survey of civil society organisations in Kosovo found that the most effective method of public consultation is direct stakeholder involvement through participation in working groups (41.1% of respondents), followed by stakeholder meetings (22.5% of respondents), with only 17.8% preferring interaction through online platforms.

Roundtables

According to respondents, roundtables are the second most popular format of cooperation. This format is often used to discuss a broad range of issues and to collect opinions and ideas from various stakeholders. As noted by respondents, roundtables are typically organised to gather information, identify problems, or present draft laws — processes that subsequently influence legislative priorities.

Committee representatives view roundtables as an important tool for drawing attention to socially significant issues. Committees use this format to facilitate communication with the public and to identify challenges requiring legislative solutions. During such events, stakeholders are able to express their views and contribute to shaping the legislative agenda. At the same time, roundtables help build public trust in the work of committees due to the openness of the discussion process. Roundtables **can also serve as one of the best opportunities to establish connections between a committee and a non-governmental organisation**, as these events involve both substantive discussion and networking.

However, roundtables also have limitations. Some NGOs criticise them for being ineffective. NGO respondents noted that **roundtables often focus on general topics without producing concrete conclusions, making it difficult to use the gathered information in follow-up actions**. Additionally, during martial law, the ability to hold such events is significantly constrained due to the requirement for in-person interaction, which is difficult to replicate in an online format.

Submissions of Expert Proposals by NGOs

Submissions of expert proposals represent another important format of cooperation that enables effective responses to specific challenges. NGOs often reach out to Members of Parliament with proposals to improve legislation. The popularity of this format is explained by the speed of its implementation: the NGO submits its findings, comments, and proposals to the committee, which may then proceed to consider them.

These submissions serve as a rapid-response mechanism to pressing issues faced by committees. They allow NGOs to flag important matters directly to MPs, facilitating the timely incorporation of their views into the legislative process. However, **the effectiveness of this instrument largely depends on the MPs' willingness to engage in dialogue and the efficiency with which the committee processes the NGO's proposals.**

Submissions of expert proposals often serve as a foundation for further work on draft laws. For instance, non-governmental organisations send analytical notes to MPs, which are then taken into account during the preparation of documents in working groups. **In some cases, MPs themselves initiate contact with NGOs, requesting their expert proposals.**

Other Formats

Among other formats of cooperation, notable examples include field meetings, individual consultations, and the involvement of experts in subcommittees. Field meetings serve as an important tool for directly gathering information from regional stakeholders and for establishing contact with them. Consultations, in turn, allow for the discussion of highly specialised issues in a less formal setting, which facilitates consensus-building among various parties.

- **Field Meetings**

Field meetings are a significant format of cooperation that fosters the involvement of local experts and enhances interaction with regional stakeholders. This format enables committees of the Verkhovna Rada of Ukraine to work directly on the ground, obtain timely information about regional issues, and engage local representatives in discussions on important matters.

Serbia: Mobile committee hearings

In Serbia, mobile committee hearings are codified in parliamentary procedural rules. As of the end of 2021, the 19 committees of the National Assembly of Serbia have held 40 hearings outside parliament in cities around the country. These field hearings happen alongside regular parliamentary hearings; to help committees better understand the topics they are examining by consulting local stakeholders. To encourage impartiality and openness, hearings are always hosted in public buildings such as village halls or schools. In one prominent example, a mobile hearing on agricultural subsidies in 2014 was held in an area that was hard to reach following major floods in Serbia. Despite this challenge, all committee MPs and staff took part in the discussion, along with between 20 and 30 community members. The members of the public in attendance stressed the increased need for agricultural insurance since the floods had not only ruined crops and vastly diminished mobility but also displaced wild animals

by reducing their food supply. These concerns had not been raised in the committee before. As a direct result of the hearing, all committee members (including government MPs) voted unanimously against the government's proposal for budget cuts.

- **Individual Consultations**

Individual consultations represent an informal, non-regulated format of engagement that allows for in-depth cooperation with experts on specialised topics. These consultations often involve collaboration with so-called penholders — experts with deep subject-matter knowledge who are responsible for drafting the technical elements of legislation. Through such engagement, committees receive detailed expertise and targeted recommendations, enhancing the overall effectiveness of their work.

- **Committee Hearings**

Despite being listed among the popular cooperation formats by committees in *survey responses*, committee hearings were not mentioned by any *interviewee*. This may be due to a lack of clarity in the definition of "committee hearings", which may be confused with participation in standard committee meetings.

Committee hearings

*Committee hearings are the most common and well-established form of consultation worldwide, during which parliamentarians meet with the public to listen to and inquire about pressing issues. Among all the parliaments surveyed in the international experience review, 72% use committee hearings for legislative consultations and 65% for oversight purposes. **Hearings are public meetings focused on a specific legislative proposal**, where stakeholders and interest groups can present their feedback. Politicians may also request that these groups submit written materials and data as part of the hearing process. Hearings are formal in nature, with limited opportunities for dialogue or debate among participants, and are therefore usually supplemented by other consultation mechanisms.*

While hearings are generally open to the wider public, their accessibility depends on: (1) the time and location of the hearing, (2) the size of the venue and the number of invitations distributed. Open hearings facilitate personal contact, enabling dialogue between authorities and stakeholders, as well as among different stakeholder groups. However, a key drawback is that hearings are typically one-off events, which may not be accessible to all interested parties. Additionally, the simultaneous presence of many groups with differing views can make it difficult to discuss complex or emotionally charged issues, complicating the collection of empirical data.

*Parliaments vary in their approaches to conducting hearings. Half of the respondents reported having held **field hearings**, with parliamentary committees visiting local communities to hear their concerns. The onset of the COVID-19 pandemic in 2020 accelerated the adoption of remote and hybrid hearings, allowing members of the public from distant locations to participate in consultations and present their views to MPs.*

3.2. Shortcomings of Existing Formats and Challenges in Their Application

Limited Effectiveness of Public Events

Many public formats — such as roundtables, parliamentary hearings, or public consultations — often demonstrate limited effectiveness due to the lack of mechanisms for implementing the outcomes of these discussions. The absence of a designated responsible actor, clear deadlines, or political will often result in these outputs remaining purely declarative. As a result, trust and motivation to participate in such formats — both among civil society and Members of Parliament — are diminished over time.

Misuse of Public Events for Grant Fulfilment

Some NGOs use participation in events as a way to fulfil grant requirements, which often undermines the quality of discussion. Rather than aiming to achieve actual legislative changes, the focus shifts to formally meeting certain conditions or simply holding the event. Consequently, the outcomes of such cooperation are either minimal or entirely absent, as producing substantive results was never the true objective.

Need for a Permanent Platform

One of the most significant challenges is the absence of a permanent platform for information exchange between NGOs and parliamentary committees. Currently, information about planned events (such as roundtables) is often posted only on specific pages of the parliament or committee websites and is not always easy to find. This leads to situations where even interested NGOs may miss announcements in time and thus lose the opportunity to participate. The creation of a permanent platform or centralised communication channel — such as an email list, events calendar, dedicated portal, or messaging group — would help establish systematic information exchange and ensure timely engagement of all stakeholders.

4. Changes in Cooperation Between the Committees of the Verkhovna Rada and NGOs Following the Start of the Full-Scale Invasion

4.1. General Changes

With the onset of the full-scale invasion, the working formats of the Ukrainian Parliament underwent significant changes. For example, the role of the Conciliation Council increased, its meetings were closed to the public, discussions of draft laws during plenary sessions were suspended, and information about plenary sessions became restricted³. For approximately six months after the invasion began, Parliament operated in this more closed format. Although the work of the Verkhovna Rada eventually returned to a more familiar model, information restrictions remained in place for a considerable time. Understandably, all these constraints affected the work of parliamentary committees, including their cooperation with stakeholders.

Following the start of the full-scale war, communication between Verkhovna Rada committees and non-governmental organisations underwent notable changes. Specifically, a hybrid meeting format was introduced. Some committees created messenger groups (e.g. WhatsApp or Telegram), which facilitated the prompt sharing of information and the collection of proposals.

The increased use of online meetings enabled broader stakeholder engagement. For instance, some committees conducted all their meetings via Zoom. NGO representatives also highlighted the effective use of cloud-based services for document sharing. For example, work on a draft law was carried out in an online document, where all involved parties could leave comments on the text and respond to each other's suggestions. This use of information technology allowed for more transparent storage and exchange of information.

Martial law has completely transformed the nature of cooperation. Holding official events in the government quarter became a challenge due to the need to ensure a safe environment in the absence of shelters. Meetings held outside the government quarter continued in their usual format, but the realities of martial law necessitated shifting part of the committee work into online environments.

³ Military Parliamentarism: Features of the Work of the Verkhovna Rada of Ukraine under Martial Law.

4.2. Restrictions on NGO Activities and Their Impact on Criticism of Government

With the outbreak of the full-scale war, martial law significantly affected the activities of non-governmental organisations. Limited publication of meeting agendas — or their complete absence — created serious challenges for NGOs in performing their oversight functions.

*In terms of specific procedures, there are no special rules beyond what is captured in the applicable statutes at present. However, the **House** can at any time make changes to its rules and practices, either permanently or temporarily, to adapt to situations that affect its operations, and it can do the same for committees.*

*A recent example of this occurred during the COVID pandemic, when the **House** adopted temporary measures (some of which later became permanent) to allow proceedings of the House and its committees to be conducted virtually or in hybrid fashion.*

The start of the full-scale war prompted NGOs to revise their approach to criticising the activities of the Verkhovna Rada and its committees. It is important to note that this shift was made in the interest of maintaining national unity. Rather than issuing public criticism, NGOs focused on building a constructive dialogue with committees through both formal and informal communication channels. This approach helped avoid unnecessary conflict escalation and preserved working relationships between NGOs and committees.

At the same time, respondents expressed differing views regarding the extent of self-censorship by NGOs in the media space. While many organisations limit their public criticism, they actively communicate their concerns to government representatives, thereby maintaining their ability to influence decision-making. Self-censorship should not be seen as silence but rather as an adaptive mechanism in wartime conditions. A distinctive feature of communication between NGOs and committees during this period has been a decrease in public statements and an increase in closed consultations and dialogues. This reflects both a need to preserve trust and a desire to avoid reputational risks. Public criticism is viewed as a last resort — a tool of influence employed only when other means of communication have proven ineffective.

4.3. The Uniqueness of the Ukrainian Experience and Comparison with International Practices

Ukraine stands out among contemporary European democracies as a country that has functioned under conditions of full-scale war for more than three years while striving to preserve democratic institutions and principles of governance. Despite the availability of mechanisms (present in many other countries as well) to restrict parliamentary and NGO activities during crises, the committees of the Verkhovna Rada have continued efforts to ensure active NGO participation in decision-making discussions. International experience shows that parliaments often face challenges in maintaining transparency and public engagement during times of crisis. For example, in Canada, special legislation introduced during the COVID-19 pandemic granted the government expanded powers; however, these changes were still subject to parliamentary oversight. In Estonia, the parliament

operated under a simplified procedure, minimising the number of hearings and shortening the time required for decision-making.

The example of the Government in Poland from 2015–2023 is instructive as regards challenges in the functioning of Parliament in a democratic system with an authoritarian government in power. The Polish Government is obliged by law to consult all parties affected by a law, but the Government's clear majority in Parliament reduced the need to win over social actors as many were perceived as enemies.

Public consultation was largely bypassed by introducing legislative initiatives through MPs as such initiatives do not require regular consultation mechanisms and therefore exclude experts and the public. The quick passage of major laws reduced the time available for meaningful consultation.

During the COVID-19 pandemic, many laws were not consulted in advance and the Prime Minister could even dismiss members of the Council for Social Dialogue composed of trade unions and employers. Poland chose not to be a member of the Open Government Partnership (OGP).

The Sejm's Bureau of Research (BAS) provides analytical support but has been progressively streamlined to reflect the political will of the majority; the quality of its expertise has declined, and it no longer issues key studies.

The Government has also taken the summoning of Ministers to the Sejm less seriously. Committees can invite experts to hearings, if a Bill is introduced by an individual MP, the summoning of experts must be supported by a majority of MPs. The Government used this procedural rule to limit the invitation of experts close to the Parliamentary opposition.

The number of Sejm Committees exceeds the number of Ministries, but most ministries have only a single oversight Committee.

However, in the context of armed conflict, the situation becomes significantly more complex. The experience of Northern Ireland in the second half of the twentieth century illustrates the risks of using martial law to restrict civil rights and evade transparency. During the Troubles (1969–1998), emergency measures were introduced that severely curtailed democratic freedoms. In contrast, the Ukrainian Parliament has managed to preserve active public engagement despite the imposition of martial law. This is evidenced by the continued work of parliamentary committees with non-governmental organisations, which persist in submitting proposals and participating in consultations. Even amid restricted access to Parliament and heightened security measures, committees have made extensive use of online tools to engage experts and civil society representatives.

5. Assessing the Effectiveness of Cooperation

The effectiveness of cooperation between the committees of the Verkhovna Rada of Ukraine (VRU) and non-governmental organisations is a key factor in achieving high-quality legislative outcomes. This process involves engaging NGOs in the discussion and development of legislative initiatives, as well as ensuring that their recommendations are reflected in the final versions of draft laws.

Drivers of Effective Public Consultation

A law or directive mandating public consultation will help ensure consultation takes place. But the examples of Estonia (see below) and Bhutan highlight the influential role of non-binding strategy documents, jointly developed with civil society, to guide Parliament's engagement with civil society.

A country's **aim of becoming an EU member state** (and the associated requirement to comply with a wide range of open government best practices, including consultation practices) can be a major inducement to improving public consultation. Almost all OECD countries have entrenched stakeholder engagement in their law-making process by establishing and expanding the formal requirements to consult on new laws and regulations.

Level of citizen awareness of consultation opportunities — even in countries which utilise advanced consultation techniques, awareness levels for these tools among the public can be low or suboptimal. The biggest challenge to consultation in Brazil for example was inadequate public awareness of consultation opportunities and how they can be accessed.

According to current surveys:

- **21% of Ukrainians are well aware of (or have been involved in) participation in public councils or open meetings of authorities.** Another 44% of Ukrainians have heard that this is possible but do not understand how to participate in it.
- **11% of Ukrainians are well aware of (or have been involved in) participation in the development of regulations.** Another 39% of Ukrainians have heard that this is possible, but do not understand how to participate in it.
- **30% of Ukrainians are well aware of (or were involved in) creating petitions.** Another 49% of Ukrainians have heard that this is possible but do not understand how to participate in it⁴.

⁴ Social Cohesion and Civic Engagement in Times of War.

The most recent UNDP Global Parliamentary Report shows that only 4% of Parliaments surveyed had evaluation indicators in place for their public engagement, and these were usually in high-income countries. And even where there is systematic monitoring, it tends to focus on administrative processes (for example, attendance registers) rather than the **impact** of the consultation.

There is no single unified approach to evaluating public consultations. Most existing methodologies focus on the occurrence of consultations and quantitative indicators — such as the number of stakeholders engaged or the number of comments and proposals submitted. However, it is rare for assessments to focus on the actual impact of consultations on the quality of the outcome. One method of evaluating effectiveness is the Public Consultation Index (PCI), developed by UNDP⁵. For the purpose of this assessment, we adapted this tool to evaluate cooperation.

This subsection presents two perspectives: how non-governmental organisations and committees **perceive and understand effective cooperation and how they assess the quality of that cooperation**.

5.1. What Does Quality Cooperation Mean for the Committees of the Verkhovna Rada and NGOs?

From the perspective of the committees of the Verkhovna Rada, effective cooperation is characterised by the **ability to gather a full spectrum of views from a diverse range of stakeholders**. Committees engage with sectoral associations, think tanks, activists, and other actors, which allows for a comprehensive assessment of the potential impact of proposed legislation. The main objective of this approach is to prevent public backlash against laws that may be disconnected from real societal needs. Effectiveness is assessed based on how broadly stakeholders were involved and whether their positions were reflected in the final draft of the legislation. Committees consider cooperation successful when it leads to the development of balanced regulatory acts that consider the interests of the majority.

Transparency of the process is also a key priority for committees. This is reflected in the careful consideration of NGO comments and proposals, as well as in the clear documentation of the outcomes of working group discussions. Committees aim to ensure that every participant's input is either taken into account or, at a minimum, reasonably addressed — which helps reduce the risk of criticism from the public or experts.

From the perspective of non-governmental organisations, the effectiveness of cooperation is **viewed through the lens of the outcomes** they can achieve in working with parliamentary committees. One of the main criteria of effectiveness for NGOs is the extent to which their recommendations influence the content of draft laws. NGOs consider cooperation to be effective if their comments are reflected in the final document and if there is transparent feedback throughout the process of reviewing proposals. Participation in working groups is also considered an essential element, as it allows NGOs to have a direct impact on the development of legislative initiatives.

5 Assessing Public Participation in Policy-Making Process.

Equally important for NGO representatives is that cooperation **should not be limited to formal meetings**. They emphasise that events must lead to tangible outcomes rather than serving as mere formalities. For example, consultations or discussions are considered effective only when they result in legislative changes or influence policymaking. NGO representatives also stress the importance of open communication with committees, which enables prompt resolution of contentious issues and clarification of positions.

Thus, the effectiveness of cooperation between Verkhovna Rada committees and NGOs is grounded in mutual transparency, broad stakeholder engagement, and a focus on practical outcomes. For committees, it is an opportunity to create high-quality legislative initiatives that reflect the needs of society; for NGOs, it is a means of influencing decision-making processes in a way that serves the public interest.

The Example of Bhutan — A Strategy for Parliament and Civil Society Cooperation

Like Estonia, Bhutan is an example of where the most influential guidance for Parliament's engagement with civil society is based on a strategy and not a legally binding regulation. While not addressing some of the detailed questions in this research study, it is the Strategy's visible commitment to cooperation with civil society and recognition of its important contribution to Parliamentary transparency and accessibility that must be highlighted.

"Parliament and Civil Society Organisations — A Strategy Document", developed jointly by Parliament and civil society, aims to promote collaboration between the Parliament of Bhutan and Bhutanese civil society through the establishment and strengthening of channels already defined by Parliament in its 5-year **Strategic Development Plan (SDP)**. The focus of the collaboration is on the areas of legislation, representation and oversight through Civil Society Organisation (CSO) participation in roundtable discussions, committee meetings/consultations, public hearings, petitions and an annual Parliament-CSO meeting.

The respective committees and secretariats are identified as focal points for inviting engagement with relevant CSOs through established channels based on the agendas, dates and timing of parliamentary sessions. The mechanisms aim to ensure that stakeholders are properly engaged with to enable robust discussions and ensure that decisions are properly monitored.

Parliament's SDP for **2019–2023** emphasises **creating an open, transparent and participatory legislative process** in line with the Sustainable Development Goals (SDGs) to:

- *Develop effective, accountable and transparent institutions at all levels;*
- *Ensure public access to information and protect fundamental freedoms;*
- *Ensure responsive, inclusive, participatory and representative decision making at all levels.*

Indicators of successful cooperation

*The Strategy commits to capacity building for both Parliament and civil society to engage effectively in each of these identified channels and includes the following set of indicators (**quantitative**, not qualitative) measuring the success of this collaboration:*

- *Increased correspondence between Parliament and CSOs;*

- *Increased participation of CSOs in the Parliamentary committee meetings;*
- *Efficient Parliament Information Management System incorporated, and Focal Persons identified;*
- *Increased number of written submissions to Parliament/ representatives of constituencies (MPs);*
- *Parliament-CSO meet conducted annually;*
- *Increased engagement of CSOs through digital engagement platform.*

The Strategy is also honest about the challenges of Parliament-CSO collaboration: The limited compatibility between Parliament and CSO can be explained by their different mandates, roles and responsibilities, operational structures and management. Different objectives and aims mean that this incompatibility is an enduring problem manifest in all past attempts and efforts to cooperate and collaborate. Similarly, the operational management and budget structures differ considerably between the two, which means that the nature of cooperation differs among local, district and national actors. This is exacerbated by prejudices, perceptions and the limited understanding of each other's important roles, which adversely affects the ability to cooperate".

5.2. Assessment of Cooperation Effectiveness

To assess the effectiveness of cooperation between the committees of the Verkhovna Rada and stakeholders, we used the Public Consultation Index (PCI) developed by UNDP as the basis for our methodology. This index consists of six components: (1) Accessibility, (2) Openness, (3) Effectiveness of the public consultation process, (4) Accountability, (5) Diversity of participants/Inclusiveness, (6) Public engagement/interest. In our study, we did not apply all variables of the PCI but operationalised them into four evaluative statements:

Statement 1 — During the consideration of the draft law, all stakeholders were engaged in the consultation process.

Statement 2 — During the consideration of the draft law, the majority of stakeholders' comments/proposals were considered.

Statement 3 — During the consideration of the draft law, stakeholder engagement had a positive impact on the quality of the draft law.

Statement 4 — During the consideration of the draft law, the Committee provided comprehensive feedback on the reasons for accepting or rejecting the proposals and comments submitted by stakeholders.

A total of 3 committee secretariats of the Verkhovna Rada and 16 non-governmental organisations participated in this part of the survey. Respondents were also asked about the formats in which discussions took place. All statements were rated by both the Verkhovna Rada committees and NGOs on a scale from 1 to 5, where "1" indicated complete disagreement with the statement, and "5" indicated complete agreement. The effectiveness of cooperation was assessed by calculating the average score across all received ratings.

The evaluation of one Verkhovna Rada committee secretariat carried the same weight in the calculations as the evaluation of one non-governmental organisation because: (1) both committees and NGOs are considered individual experts with equal access to informa-

tion about consultations on specific draft laws; (2) NGOs may hold differing positions (and therefore assessments) during the consultation process and thus cannot be treated as a single “party” to the consultations. As a result of this approach, the aggregated opinion of NGOs carried more weight than that of the committees. Overall, committee ratings were generally — though not always — higher than those of NGOs.

As a result, we were able to analyse 9 draft laws:

Draft Law Number	Statement 1	Statement 2	Statement 3	Statement 4	Average Score
10337 of 13.12.2023	3,75	3,75	4,5	4,5	4,13
7520 of 05.07.2022	3,67	3	3,67	4	3,58
12089 of 03.10.2024	3,67	2,67	3,67	4	3,5
4254 of 23.10.2020	4	3,33	4	3,8	3,78
6401 of 07.12.2021	4,4	4	4	4	4,1
6504 of 05.01.2022	4	4	4	3,25	3,81
8030 of 13.09.2022	3,17	2,67	4,16	2,67	3,17
0901 of 29.08.2019	3,86	3,63	4	3,5	3,75
10392 of 08.01.2024	3,57	3,57	4	3,33	3,62
Average Scope per Statement	3,74	3,36	3,98	3,65	3,68

Disclaimer: All scores in the table are based on the responses of the secretariats of the Verkhovna Rada committees and non-governmental organisations. The meaning of each statement in the table was explained at the beginning of this subsection.

The results of the effectiveness assessment of cooperation between the committees of the Verkhovna Rada of Ukraine and non-governmental organisations indicate an overall positive perception of the process. Average ratings range from 3.17 to 4.13, suggesting a relatively stable level of stakeholder engagement and consultation outcomes. **The highest overall score was awarded to Draft Law No. 10337 of 13.12.2023, “On Honest Lobbying”.** Its rating (4.13) demonstrates a high level of effective cooperation with stakeholders during its preparation. Conversely, the lowest rating was assigned to Draft Law No. 8030 of 13.09.2022, “On Preschool Education”, which received a total score of 3.17. For all draft laws, cooperation was carried out across 4 formats (working groups, roundtables, committee meetings, and submissions of expert proposals). Notably, the lowest scores were recorded for the criterion related to the incorporation of stakeholders’ comments, highlighting a shortfall in providing comprehensive feedback after consultations.

It is important to note that the scores were assigned by representatives of both NGOs and parliamentary committees. Accordingly, the scores for Statement 3 (positive impact of stakeholder engagement on the quality of the draft law) may be somewhat biased. Overall,

the effectiveness of cooperation across the nine draft laws evaluated is assessed as high. However, significant challenges remain. For example, the provision of comprehensive committee feedback on the acceptance or rejection of proposals received slightly lower scores, indicating a lack of transparency. The relatively small variation in ratings across different draft laws demonstrates a stable approach to cooperation but may also suggest a somewhat formulaic process that does not always account for the specifics of individual initiatives.

Checklist of Criteria for Selecting Non-Governmental Organisation for Effective Cooperation with the Committees of the Verkhovna Rada of Ukraine

This section presents key criteria for non-governmental organisations seeking to establish effective cooperation with the committees of the Verkhovna Rada of Ukraine. The checklist is based on information collected through surveys and interviews with representatives of VRU committees and NGOs. The purpose of this section is to provide clearer guidelines on the characteristics and capacities that committees expect to see in potential partner organisations. The checklist is intended to help NGOs assess their readiness for cooperation with the Verkhovna Rada.

1. Relevance to the Committee's Area of Activity (High Priority)

- **Does the NGO's activity align with the committee's main topics and objectives?**

Explanation: To be considered for cooperation, an NGO's area of activity must correspond to the committee's field of competence.

2. Professionalism and Expertise (High Priority)

- **Does the NGO have proven experience in the relevant field?**

Explanation: Experience is a key indicator of an organisation's ability to address complex issues within a sector. It reflects the organisation's capacity to implement projects, understand specific challenges, and offer well-founded and effective solutions.

- **Does the NGO represent the interests of a specific community (for stakeholder organisations)?**

Explanation: Representing the interests of a community ensures that real needs and problems, which may be underestimated at the state level, are taken into account. NGOs act as intermediaries between committees and the public, bridging legislative processes and those affected by decisions.

- **Does the NGO have the capacity to conduct high-quality analysis (for think tanks)?**

Explanation: Think tanks can conduct research and offer evidence-based recommendations, enabling committees to make informed decisions that take potential risks into account.

- **Does the NGO have publications demonstrating its expertise in the field?**

Explanation: Publications reflect the organisation's level of expertise and its ability to effectively communicate ideas to a broader audience.

3. Organisational Capacity (Medium Priority)

- **Is the NGO willing to engage in long-term cooperation within a specific topic area?**

Explanation: The process of developing certain solutions or addressing specific issues through legislation can be prolonged, lasting months or longer. Therefore, it is important for committees that all involved organisations are prepared for active, long-term cooperation.

- **Does the NGO have sufficient resources to carry out joint tasks?**

Explanation: Resources — including human, technical, and financial — are the foundation for implementing any initiative. An organisation with adequate resources can perform tasks efficiently and on time.

- **Is the organisation capable of responding promptly to committee requests?**

Explanation: In the crisis conditions of martial law, the speed of response can be crucial. The organisation must be ready to adapt its activities to new challenges and the evolving needs of the committee.

- **Who are the organisation's donors, and does it participate in large-scale projects?**

Explanation: The presence of donors and participation in major projects serve as indicators of trust from international or local partners. This also confirms the organisation's financial stability and its ability to effectively handle complex tasks.

4. Communication Capacity (Medium Priority)

- **Is the NGO able to effectively communicate the results of its cooperation with the committee?**

Explanation: Transparency in communication is key to building trust between the committee, the organisation, and the public. This includes regularly informing stakeholders about achievements, challenges, and successes through media outlets, reports, or other communication channels.

5. Previous Experience of Cooperation with Public Authorities (High Priority)

- **Does the NGO have experience working with government bodies or participating in parliamentary hearings?**

Explanation: Institutional memory is an important factor in initiating cooperation. Experience of working with public authorities indicates that the organisation is

familiar with government procedures and mechanisms and serves as a sign of expertise and professionalism. It also reduces the risk of delays or misunderstandings during the cooperation process.

6. Proactiveness (High Priority)

- **Does the NGO initiate cooperation and independently propose ideas and activities?**

Explanation: Proactiveness demonstrates the organisation's readiness to actively engage in cooperation without waiting for external requests. For example, an NGO may organise events such as roundtables or training sessions that address the needs of the committee or independently initiate the development of recommendations for improving legislation. Such actions enable more efficient use of resources and ensure a proactive approach to addressing current issues. Moreover, organising events and inviting committee representatives serves as a platform for building horizontal links.

7. Partnership Network (Low Priority)

- **Does the organisation have established connections with other NGOs or international organisations?**

Explanation: Coalitions of organisations hold much greater value for committees than individual NGOs, as they can bring together experts from various fields and possess greater resources and capabilities for public communication. Partnerships also help new or younger organisations establish and strengthen connections with Members of Parliament and committee secretariat staff.

Recommendations

Recommendations for the Committees of the Verkhovna Rada of Ukraine:

1. Establishment of an NGO database:

In the conditions of martial law, it is crucial to ensure prompt interaction between parliamentary committees and non-governmental organisations. Creating a unified database of such organisations would allow committees to quickly identify suitable partners. This database should include information on the NGO's area of expertise, contact details, projects they have participated in, and their geographical representation. It would enhance the transparency of cooperation and improve the effectiveness of NGO involvement in the development and evaluation of legislative initiatives.

2. Active informing of NGOs about committee events:

To ensure the timely and comprehensive involvement of NGOs in the decision-making process, committees should introduce systematic communication about planned events, hearings, consultations, the establishment of working groups, etc. This can be achieved through electronic mailing lists, informational newsletters, or the integration of a dedicated section on committee websites. Such practices would not only strengthen public trust but also expand NGO participation in the shaping of public policy.

3. Implementation of the Law on Public Consultations:

On 17 October 2024, the President of Ukraine signed the Draft Law "On Public Consultations", which will enter into force one year after the end of martial law. Most NGOs expressed positive views regarding this law; however, one of its main shortcomings is that its implementation is not mandatory for the committees of the Verkhovna Rada. Practical implementation of this law is crucial for ensuring the transparency and legitimacy of the legislative process. The law envisages the creation of a stakeholder database, various forms of public consultations, and rules for their conduct. Public consultations will help incorporate public positions, avoid potential risks of non-compliance with laws, and improve legislative quality. Committees should ensure the systematic and mandatory conduct of such consultations and report on the consideration of submitted proposals. Moreover, it would be advisable to introduce not only a monitoring system for public consultations but also a system for their evaluation (See *Annex 1: Questions for the Evaluation of Public Consultations*).

Recommendations for Non-Governmental Organisations:

1. Development of horizontal links:

To enhance the ability of NGOs to be engaged and influence public policy at the level of Verkhovna Rada committees, it is important to build horizontal connections with representatives of public authorities, particularly Members of Parliament and

committee secretariat staff. Informal ties and established trust are among the most common reasons for initiating cooperation.

2. Formulating constructive proposals instead of criticism:

One of the main challenges in NGO interaction with government structures is the tendency to focus solely on criticising decisions without offering alternative, practical solutions. To more effectively influence legislative processes, NGOs should submit clear proposals for amendments to committee projects, supported by factual evidence, analytical data, and international experience. This will not only increase the likelihood of NGOs being engaged but will also reduce the workload of the Verkhovna Rada Secretariat.

3. NGO Cooperation:

Cooperation among NGOs enables more efficient use of available resources, the organisation of larger events, and a greater influence on public policy decisions. Joint efforts enhance trust in the proposals submitted to committees and help avoid duplication of activities.

Annex 1

Questions for the evaluation of public consultations

The evaluation of public consultation should determine (I) the quality of the information and advice collected; (II) the extent to which the results have been integrated into the regulatory initiative; and (III) the degree to which the consultation process itself was effective, these dimensions of evaluation can be turned into a practical tool with the following list of questions.

Planning/Preparation

- Was the consultation purpose-driven? Was the purpose, aims, and desired outputs of the exercise clear?
- Was there a clear reason for people to participate?
- Was the rationale for choosing this particular type of exercise clear and appropriate?
- Was financial assistance made available to ensure the participation of stakeholders with inadequate resources?
- Were parameters established at the outset? Were the agenda and the consultation process negotiable?
- Were all parties involved early enough to become familiar with all the elements of the exercise, in order to make a proper contribution?
- Did the parties assist with the design of the consultation process?
- Was there a clear understanding of the expectations of all parties?
- Was it consistent with the Government's political imperatives?
- Were key players trained in the skills required for effective consultation?
- Were other Government departments (provinces and municipalities) with an interest in the issue consulted? Was there agreement on the approach?

Process/Delivery

- Was a stakeholder analysis conducted to ensure that the appropriate participants were selected?
- Were all persons with a legitimate interest in the issue (and therefore the outcome of the participation exercise) clearly identified? To what extent did the participation reflect the segments of society affected by the issue?
- Were the mandates of participants clear? Was the right balance achieved between participant acting as representatives and participants acting in an individual capacity?
- Was enough effort made to attract the right participants?

- Was everyone's role in the process clear?
- Did affected or interested parties participate voluntarily?
- Were all parties who could contribute to or were affected by the results of the consultation involved? Was it inclusive rather than exclusive? Was the size of the group manageable?
- Was the group of participants actually representative (and did it remain so during the course of the exercise)?
- Was there mutual respect for the perspectives of all participants and their legitimacy?
- Was there acceptance of the diverse values, interests and knowledge of the parties involved?
- Were there enough people involved, with the appropriate level of skill and understanding, in setting up and running the exercise, and handling the outputs?
- Was the process flexible?
- Was the exercise well organised and managed on a practical level?
- Was there a sufficient time to conduct the consultations properly? Were there realistic deadlines?
- Were there enough suitable facilities and equipment to meet the needs of the exercise?
- Were the values of openness, honesty, trust and transparency evident and upheld?
- Were independent, neutral facilitators used when necessary?
- Were the decisions made (or conclusions drawn) consistent?
- Did the process build on lessons from previous consultations?
- Was enough good quality information available, at the right level of detail, in a usable format? Was adequate information provided to ensure the best possible inputs?
- Was there sufficient shared understanding of essential concepts and terms by all parties?
- Was information readily shared? Were discussion papers distributed ahead of time?
- Was feedback solicited from participants throughout the process? Was it acted upon?
- Was there adequate publicity? Did the exercise bring a significant amount of constructive media attention to the issues?

Outcome

- Were the participants competent to contribute satisfactorily to the exercise?
- Were the ideas put forward during the consultation innovative, and useful? Did something new come out of the consultation?
- Did the consultation produce credible information useful to decision makers?

- Were better specific decisions made as a result of the exercise?
- Was an information management plan in place to handle and provide an objective analysis of the information received?
- Was there a sense of shared ownership of the process and the outcome?
- Was stakeholders/parties' mutual understanding enhanced?
- What was the impact of the consultation on the relationship between the public sector and stakeholders and on the relationships among stakeholders?
- Was there a commitment to implement and monitor the outcome of the consultations?
- Was a public consultation the best way to obtain the results?
- Was the consultation worth the effort expended?

Follow up

- Were participants informed of the results of the exercise, including how their specific inputs impacted any final decisions?

In conducting a final evaluation of the process and results of the consultations, officials should ask the following questions:

Answer Options: Yes Not applicable (when the respondent does not know the answer or the question falls outside their area of competence)

- Were the views received what you anticipated?
- Was the method effective in engaging different groups and individuals?
- Did those consulted feel the process was worthwhile?
- Did the methods suit the objectives?
- If more than one method was used, what were the advantages and disadvantages of each?
- Were the quantitative and qualitative information, response rate, and representative sample anticipated?
- Was the timetable clear and adhered to? If not, why not??
- Was enough time allowed for input?
- Was relevant information made available to the appropriate participants?
- Was the information easy to access, relevant to the consultation, produced in plain language, easy to understand, and available in other languages and formats?
- Was the process adequately budgeted for?
- Were the supporting materials effective? For example, did the consultation document encourage informed deliberation and dialogue? Was the information easy to access, clear, and objective?
- Did you follow up with those consulted, and was that input used?

Annex 2

Questions for Selecting Stakeholders to Speak at Committees

The OECD suggests that the criteria for stakeholder selection combine impact, organisational credibility and ability to add value to the consultation process.

Suggested criteria for selecting stakeholders to engage in consultation:

- **Sector of origin**
 - Public sector
 - Private sector
 - Non-profit sector
 - Concerned individuals
- **Legitimacy**
 - Numbers, comparative size
 - Proportion of the domain they represent
 - Mandate from constituents to act on their behalf
 - Internal cohesion/cohesiveness
 - Record/outputs to date
- **Resources**
 - Knowledge of policy substance and process
 - Finances
 - Physical assets
 - People
 - Leadership and experience
 - Status (with government and with others)
 - Information and research capacity
- **Policy capacity**
 - Knowledge and capacity to articulate
 - Capacity to synthesise and influence
 - Strategic capacity (setting goals and developing the means to accomplish them)
 - Capacity to form and mobilise coalitions
- **Reputation/Credibility**
 - Organisation
 - People

- *Outputs*
- *Processes*
- **Membership characteristics**
 - *Demographic profile*
 - *Psychographic profile⁶*
- **Organisational structure**
 - *Management*
 - *Influencers*
 - *Internal committees*
 - *Linkages*
- **Geographic scope**
 - *Local, regional, provincial, national, international*
- **Financial**
 - *Financial stability*
 - *Autonomy in determining the use of financial resources*
- **Prior commitment and engagement on the issue being addressed**
- **Participation barriers**
 - *Costs*
 - *Conflict of interest*
 - *Political agendas*
 - *Availability/timing*
- **Main issues/Interests**
 - *Short term*
 - *Long term*
- **Extent of impact**
 - *Directly affected*
 - *Indirectly affected*
 - *Possible/general interest*

⁶ Psychographics, or psychographic segmentation, involves dividing a particular community into groups based on shared psychological characteristics, such as personality traits, values, interests, and lifestyle.

Annex 3

Regulatory Framework for Cooperation Between Stakeholders and the Committees of the Verkhovna Rada of Ukraine

The legislative process in European countries is conducted with regard to the requirements of Article 11 of the Convention for the Protection of Human Rights and Fundamental Freedoms, adopted in 1950: "Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests."

The rights of citizens to participate in governance and to access information about parliamentary activities are enshrined within the framework of international human rights (Articles 19 and 21 of the Universal Declaration of Human Rights) and in the international standards and norms of democratic parliaments, which have been adopted by the global parliamentary community.

In July 2002, participants of the multilateral meeting organised by the Council of Europe in Strasbourg adopted the "Fundamental Principles on the Legal Status of Non-Governmental Organisations in Europe". For the first time, these principles systematised the main European standards in this area and articulated the principles of the relationship between civil society and public authorities:

- The participation of competent and responsible NGOs in the process of formulating public policy enhances the applicability of legislation and the soundness of government decision-making. Therefore, NGOs should be encouraged to participate in governmental and quasi-governmental mechanisms for dialogue, consultation, exchange of views, and the search for solutions to public issues. This participation is distinct from, and does not replace, the role of political parties.
- Such participation should neither guarantee nor exclude government subsidies, contracts, or donations to individual NGOs or their groups.
- The government should not view consultation as a means to absorb NGOs into accepting governmental priorities, nor should NGOs perceive it as a trap to negate or abandon their own goals and principles.
- Governmental bodies may work with NGOs to achieve public policy objectives, but they should not seek to control or subordinate them.
- When drafting primary and secondary legislation that affects the status, funding, or fields of activity of NGOs, governments must consult with NGOs.

Guarantees for each citizen's participation in decision-making processes at various levels of government are established by the International Covenant on Civil and Political Rights.

Another key international document is the Aarhus Convention, which sets out minimum requirements for public participation in environmental decision-making, specifically through access to information and the submission of comments on environmental matters.

The importance of public participation has been recognised in numerous Council of Europe documents. For example, on 1 October 2009, the Conference of International Non-Governmental Organisations of the Council of Europe adopted the Code of Good Practice for Civil Participation in the Decision-Making Process. One of the objectives of the Code of Good Practice is to serve as a relevant and effective tool for non-governmental organisations at all levels — from local to international — in their dialogue with parliaments, governments, and public authorities.

The Parliamentary Assembly of the Council of Europe (PACE) regularly highlights the importance of public participation for democracy. In its Resolution No. 1746 (2010) "Democracy in Europe: Crisis and Perspectives", PACE calls on member states to establish representative and consultative processes and structures open to every resident of the country. Governments are thus encouraged to create opportunities for the constructive involvement of interested members of the public in consultation processes during policy development and decision-making.

The **Association Agreement** between Ukraine and the European Union contains provisions relating to civil society institutions.

Particularly, according to Article 299 of the Association Agreement, to support dialogue encompassing sustainable development aspects of trade relations between the Parties, each Party shall establish a Domestic Advisory Group on sustainable development, comprising independent representative civil society organisations, including employers' and workers' organisations, non-governmental organisations, and other stakeholders.

According to Article 421 of the Association Agreement, the Parties shall promote the involvement of all stakeholders, including social partners and civil society organisations, in the implementation of reforms in Ukraine and in the cooperation between the Parties under this Agreement.

Chapter 26 of Title V of the Association Agreement is dedicated to cooperation on civil society matters. In particular, the Parties shall foster civil society cooperation, aiming to achieve the following objectives:

- Involving civil society organisations in the implementation of this Agreement, including its monitoring, and in the development of EU-Ukraine bilateral relations.
- Ensuring better awareness and understanding of the European Union in Ukraine, including its values, functioning, and policies.
- Ensuring better awareness and understanding of Ukraine in the EU Member States, including its history and culture.
- Promoting the process of institution-building and consolidation of civil society organisations, including, inter alia, through advocacy, informal communication, visits, and seminars.
- Enabling the familiarisation of Ukrainian representatives with the process of consultation and dialogue between social and civil partners in the EU, with a view to integrating civil society into the policy process in Ukraine.

According to Article 469 of the Association Agreement, the Parties shall promote regular meetings of representatives of civil society, in order to keep them informed of the implementation of this Agreement and to gather their input for the implementation process.

On 5 February 2016, Ukraine joined the Declaration on Parliamentary Openness. The main purpose of this initiative is to ensure the transparency of parliamentary activities and to engage citizens in parliamentary processes.

Scope:

- **Promoting a culture of openness:** Parliamentary information belongs to the public, except for restrictions established by law.
- **Making parliamentary information transparent:** Parliament shall commit to actively publishing information about its activities.
- **Easing access to parliamentary information:** Parliament shall ensure that information is broadly accessible to all citizens on a non-discriminatory basis through multiple channels, and the information should be presented in a manner understandable to a wide audience.
- **Enabling electronic communication of parliamentary information:** Parliamentary information shall be released online in an open and structured format that allows citizens to analyse and reuse it using the full range of technology tools.

In order to create favourable conditions for the implementation of the Declaration on Parliamentary Openness and to improve the quality of Ukrainian parliamentarism, the Action Plan for the Implementation of the Declaration on Parliamentary Openness was approved by the Order of the Head of the Verkhovna Rada of Ukraine No. 47 of 5 February 2016. This Action Plan provides for specific measures aimed at improving public access to information about the work of Parliament, its committees, temporary commissions, and individual Members of Parliament, as well as establishing mechanisms for public participation in the legislative process (such as participation in committee meetings, online commenting on draft laws, etc.).

According to Recommendation **CM/Rec(2018)11** of the Committee of Ministers of the Council of Europe to member States on the need to strengthen the protection and promotion of the civil society space in Europe, member States should ensure timely and open public discussions in the fields of policy development and legislative initiatives, especially when such policies or draft laws may affect public interests.

Overall, Ukrainian legislation reflects the minimum requirements for public participation in the decision-making process on matters of significant public interest.

Article 38 of the Constitution of Ukraine guarantees citizens the right to participate in the administration of public affairs. Key mechanisms for exercising this constitutional right include mechanisms of participatory democracy, which provide for the direct active involvement of the people, territorial communities, and civil society organisations in the governance of state affairs.

According to the Law of Ukraine "On the Principles of Domestic and Foreign Policy", the main principles of Ukraine's domestic policy in the area of developing civil society institutions include:

- affirming civil society as a guarantee of the democratic development of the state;
- strengthening interaction between public authorities, local self-government bodies, and citizens' associations, and introducing public oversight of government activities;
- ensuring the independent operation of citizens' associations and strengthening their influence on the adoption of socially important decisions;
- creating conditions for broad representation of citizens' interests in representative government bodies;
- conducting regular consultations with the public on important issues of public and state life;
- holding nationwide and local referenda as effective forms of popular expression of will and public participation in making socially important decisions.

Citizens' rights and the rights of their associations to directly influence the activities of public authorities are also guaranteed by the Laws of Ukraine "On Civic Associations and Non-Governmental Organisations", "On Information", "On Access to Public Information", "On Citizens' Appeals", "On Trade Unions, Their Rights and Guarantees of Activity", "On the Principles of State Regulatory Policy", and others.

Ukrainian legislation defines the forms of citizens' influence on the activities of public authorities, including:

1. The right to submit proposals or comments to public authorities in the manner prescribed by law (Article 40 of the Constitution of Ukraine; Laws of Ukraine "On Civic Associations and Non-Governmental Organisations").
2. The right to information and the right to obtain public information held by public authorities, according to the procedure established by law (Laws of Ukraine "On Information", "On Access to Public Information", "On Civic Associations and Non-Governmental Organisations").
3. The right to submit electronic petitions to the President of Ukraine, the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine, or local self-government bodies through the official website of the respective body or via the website of a civic association collecting signatures in support of the petition (Law of Ukraine "On Citizens' Appeals").
4. The right to participate in the drafting of normative legal acts issued by public authorities, particularly those concerning important matters of public and national life, in accordance with legislation (Laws of Ukraine "On Civic Associations and Non-Governmental Organisations", "On Trade Unions, Their Rights and Guarantees of Activity", "On the Principles of State Regulatory Policy").
5. According to the Law of Ukraine, "On the Principles of State Regulatory Policy in the Sphere of Economic Activity", citizens, business entities, their associations, research institutions, and consultative-advisory bodies established at public authorities and local self-government bodies representing the interests of citizens and business entities have the right to:

- submit comments and proposals regarding published drafts of regulatory acts and participate in open discussions on issues related to regulatory activities;
- be involved by regulatory authorities in preparing regulatory impact analyses, expert opinions on regulatory impact, and measures for monitoring the effectiveness of regulatory acts;
- independently prepare regulatory impact analyses of draft regulatory acts developed by regulatory authorities, monitor the effectiveness of regulatory acts, and submit comments and proposals based on the results of such monitoring to the regulatory authorities or bodies authorised to decide on the revision of regulatory acts;
- receive from regulatory authorities, in response to duly submitted requests, information regarding their regulatory activities (Law of Ukraine "On the Principles of State Regulatory Policy").

The recently adopted Law of Ukraine "On Law-Making Activity" defines the participants in law-making activities, including stakeholders, as outlined in Article 4 of this Law. These stakeholders include: citizens of Ukraine; foreigners and stateless persons who are legally present on the territory of Ukraine; civic associations, trade unions and their associations, creative unions and their associations, charitable and religious organisations; associations of local self-government bodies, bodies of self-organisation of the population; non-profit associations, business entities and their associations, employers' organisations and their associations, professional self-governing bodies, and self-regulatory organisations.

The Law also stipulates that stakeholders participate in law-making activities in accordance with the Constitution of Ukraine, this Law, laws concerning public consultations, lobbying and lobbying activities, as well as other laws of Ukraine.

According to the Laws of Ukraine, "On the Rules of Procedure of the Verkhovna Rada of Ukraine", "On the Committees of the Verkhovna Rada of Ukraine", and "On Law-Making Activity", the following **forms of interaction between the committees of the Verkhovna Rada** and the public can be identified:

1. Parliamentary hearings in the Verkhovna Rada, in which representatives of civic associations, research institutions, members of the public, and the author (initiator) of an electronic petition may be invited to participate, provided they have expressed their wish to attend and submit a corresponding application to the committee organising the hearings no later than five days before the event. The committee preparing the parliamentary hearings forms the list of invited persons, the procedure for conducting the hearings, and the order of speakers. The list of invited persons and the procedure for conducting the parliamentary hearings must be submitted for approval to the Chairman of the Verkhovna Rada of Ukraine no later than three days before the hearings take place (Article 235 of the Rules of Procedure of the Verkhovna Rada of Ukraine).
2. Open committee hearings on reports, statements, and other information submitted by state bodies and officials to the Verkhovna Rada of Ukraine (excluding information with restricted access) are conducted with the aim of discussing drafts of the most important legislative acts, assessing the effectiveness of the implementation of adopted laws and other acts of the Verkhovna Rada within the

committee's field of competence, obtaining comprehensive information on issues under consideration, studying and discussing these issues in detail, and involving a broad range of the public in the determination of state policy and the development of a democratic society (Article 29 of the Law of Ukraine "On the Committees of the Verkhovna Rada of Ukraine").

3. Establishment of working groups for the preparation of draft acts of the Verkhovna Rada on issues discussed at committee meetings, as well as for drafting committee decisions, recommendations, and conclusions. These working groups may include staff of research institutes and educational institutions, authors of draft legislative acts, and other specialists, with their consent (Article 15 of the Law of Ukraine "On the Committees of the Verkhovna Rada of Ukraine").
4. Organisation of roundtables, conferences, and other events, provided that their conduct does not contradict Ukrainian legislation (Article 42 of the Law of Ukraine "On the Committees of the Verkhovna Rada of Ukraine").
5. Within the limits of the funds allocated in the expenditure estimate for the exercise of the powers of the Verkhovna Rada of Ukraine, initiating the conclusion of contracts for scientific and informational research, drafting, revising, and expert examination of draft laws, as well as engaging specialists on a contractual basis to participate in the work of working groups (Article 15 of the Law of Ukraine "On the Committees of the Verkhovna Rada of Ukraine").
6. Requesting civic associations to submit proposals regarding draft laws (Article 15 of the Law of Ukraine "On the Committees of the Verkhovna Rada of Ukraine").
7. Studying public opinion, reviewing citizens' appeals, appeals from civic associations, and the results of nationwide referenda, as well as considering any proposals indicating the need to adopt new legislative acts or amend existing legislation, and, if necessary, preparing relevant draft acts and submitting them for consideration by the Verkhovna Rada of Ukraine (paragraph 11 of Article 16 of the Law of Ukraine "On the Committees of the Verkhovna Rada of Ukraine").
8. Public consultations on analytical documents (Green Papers, impact assessments), concepts, and drafts of normative legal acts (Articles 21, 27, 29, and 45 of the Law of Ukraine "On Law-Making Activity").
9. Appeals (proposals, comments⁷) from citizens, reports, and other information published, including by non-governmental organisations, at the stage of legal monitoring of normative legal acts (Article 68 of the Law of Ukraine "On Law-Making Activity", and Article 3 of the Law of Ukraine "On Citizens' Appeals").

7 A proposal (comment) is a citizen's appeal that expresses advice or recommendations regarding the activities of state and local self-government bodies, deputies at all levels, and officials, as well as opinions concerning the regulation of social relations and citizens' living conditions, and the improvement of the legal framework of state and public life, as well as the socio-cultural and other spheres of state and public activity.