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A FOCUS ON PROFESSIONALISM

National public administrations usually form around the economic interests of a given country in order to support the priorities focused upon raising the standards of living for citizens. This thought is shared by developed countries and is of critical importance for Ukraine especially in light of the current period of economic recession. The present times are not ones solely to be focused upon losses, rather, they provide us with a unique opportunity to focus upon changes that can be introduced to ameliorate the situation. Success on this front hinges upon the high level of professionalism present within the public sector — a level which at present remains inadequate to meet reform needs and priorities. It is imperative that public officials be able to demonstrate the effectiveness and efficiency of their decisions and further their readiness to formulate and implement necessary policies.

Traditionally, the Ukrainian civil service has been seen as a stable employer — one that is able to ensure a guaranteed and legitimate salary and associated social benefits as well as provide a stable career for civil servants (unfortunately, this is not the reality for senior civil servants at present). Despite offering its advantages, challenges in recruiting relevant professional employees into the public sector from the Ukrainian labour market abound.

These challenges require fundamental changes aimed at improving the professional skills and qualifications of civil servants in the context of a modern European public administration space.

We consider the **adoption of new civil service legislation**, in the first place a new draft law of Ukraine “On Civil Service”, as being critical as a foundation to equip the public sector with the principles, behavioural standards and working procedures that it requires to flourish and grow.

We are committed to **enhancing the social status of civil servants** as presently civil servants are in a position of disadvantage as it relates to labour negotiations with the state as employer. Thus, it is vitally important to establish well-defined material security and human resource management standards for employees in the performance of their public duties and functions.

Further, the approach to the **professional development of civil servants requires fundamental change**. The current approach should be moved away from academic study to that of equipping civil servants with the practical knowledge and skills they require in order to perform their duties and functions. Training focused upon the workplace necessary has to be the driving force of the training, re-training and professional development system for civil servants in Ukraine.

Last but certainly not least, in order to ensure the success of a wide range of social and economic reforms, it is critical that we work to develop a senior civil service corps that is full of **strong leaders** capable of moving forward the reform agenda.

The above-noted issues represent the focus of the Main Department of the Civil Service of Ukraine’s efforts in 2008 — a year marked by the 90th anniversary of the Ukrainian civil service. It is my pleasure to invite you to peruse this Public Report for your information.



T. Motrenko
*Head of the Main Department
of the Civil Service of Ukraine*

SECTION I. FURTHER DEVELOPMENT OF CIVIL SERVICE LEGISLATION

1. Reforming the civil service base (draft law of Ukraine “On Civil Service” (new version))

In 2008, the Main Department of the Civil Service of Ukraine (MDCS) continued its challenging work in elaborating and endorsing **a new edition of the draft law “On Civil Service”**. The need for a new edition of the Law is set out in a number of policies and legislative acts issued by the President and the Cabinet of Ministers of Ukraine beginning in 2004. In particular, these acts consist of the Government Action Program “Ukrainian Breakthrough — for People, not for Politicians”, the Program of Development of the Civil Service of Ukraine for the years 2005–2010, the EU-Ukraine Action Plan for 2008 and the Concept of Civil Service Legislation Development in Ukraine.

A previous edition of the draft law was withdrawn at the end of 2007 in connection with the expiration of the Verkhovna Rada of Ukraine of the fifth term in office. The Main Department of the Civil Service of Ukraine renewed its work on improvements to the draft legislation at the beginning of 2008.

The newest edition of the draft law has been continually reviewed and revised with the ministries of justice, economy, finance, labour and social policy of Ukraine. Experts from the SIGMA Programme also provided their comments and remarks to this latest iteration.

The consultations revealed differing drafting approaches between the MDCS and the Ministry of Justice regarding the fundamental provisions of the draft law.

The Ministry of Justice insisted on the non-partisan status of deputy ministers otherwise “it interferes with the principle of unity of command of ministry”. From the Ministry of Justice’s perspective, the main related regulating act should be the draft law “On ministries and the central executive authorities” prepared by the Ministry. At the same time in this

draft, positions of state secretaries are absent but first deputy minister and deputy ministers are defined as civil servants. According to the draft law “On ministries and the central executive authorities”, a minister has all political and administrative powers, manages human resources and the civil service within a given ministry.

The MDCS does not share this approach. Mentioned policies and legal acts envisage introduction of the State Secretary of the Cabinet of Ministers of Ukraine and state secretaries of ministries, as well as status of deputy ministers as politicians.

The updated draft law “On Civil Service” will be introduced to the Government of Ukraine by the end of June 2009.

2. Enhancing civil servants’ professional ethics (draft law of Ukraine “On Integrity of Public Officials”)

According to the Recommendations of the Committee of Ministers of the Council of Europe the Ethic Code of Civil Servants has to fulfill the gap between general principles of behavior set up in legislation and behavioral rules in different routine circumstances. The Ethic Code should reduce the level of uncertainty and provide recommendations on good behavior in complex situations.


The 32nd GRECO Plenary Meeting held in Strasbourg from March 19-23, 2007 recommended the development of a new model code of conduct for public officials (Code of Ethics) for Ukraine. Such a code consists of increasing awareness respecting the proper performance of duties and associated behaviours, behavior in particular as it relates to raising awareness regarding possible corrupt practices, conflicts of interest and inappropriate service to public.

The draft law “On Integrity of Public Officials” emerged in response to the above-noted recommendations. This law was prepared by a joint team of drafters which included representatives from the MDCS, the Ministry of Justice, the State Committee for Television and Radio Broadcasting of Ukraine, and the Kyiv National University of Internal Affairs.

The draft law was approved at a meeting of the Cabinet of Ministers of Ukraine and introduced to the Parliament on April 9, 2008. On October 1, 2008, the Parliamentary Committee on State Building and Local Self-Government recommended to the Verkhovna Rada of Ukraine to pass the draft law “On Integrity of Public Officials” (reg. # 2362) through first reading.

The noted draft law is included into the agenda of 3rd session of the Verkhovna Rada of Ukraine.



 Discussion roundtable on civil service legislation and conflict of interest on December 5, 2008

Short summary of the draft law “On Integrity of Public Officials”

The draft law lays down general rules and requirements respecting public officials’ behaviour which should be followed during the performance of official duties and be evaluated by the public related to integrity, impartiality and efficiency.

The draft law defines the terms “benefits”, “immediate relatives”, “integral behaviour”, “conflict of interest”, “gift”, and “private interest”.

Persons empowered to execute the state’s functions should keep to a set of principles, in particular, to ensure priority of citizens’ rights and freedoms, to strengthen public trust, to promote impartiality, to avoid unlawful decisions and orders, and to perform service in efficient and transparent manner.

A separate section of the draft law is dedicated to restrictions in use of official positions. It is prohibited for the persons in power to use official positions for their own or affiliated peoples’ private interests and needs.

The draft law presupposes the obligation of civil servants/applicants for a position to inform decision-making supervisors of relevant authorities or the authorized central executive agency responsible for civil service management about circumstances that can lead to a conflict of interest.

According to the draft law, unjust acts and decisions approved in consequence of conflict of interest are subject to can-

cellation by the relevant authority or empowered official, otherwise they shall be nullified by the court.

Behaviour with integrity presupposes public officials are forbidden from receiving gifts directly or indirectly from legal or physical persons for decisions, activities or inactivity for their interests related to their performance function as public officials or 3rd persons with a public official’s assistance.

Public officials must inform supervisors about contraventions to the legal provisions respecting the activity or inactivity of other civil servants within their place of employment within a given authority. Public officials cannot be fired or prosecuted for providing information respecting the unlawful activity or inactivity of other civil servants.

Ethics commissions are to be created within public authorities and legal persons under public law with a 5-year term of mandate according to the law. They can consist of not less than 5 public officials who are in employment relations with relevant public authority. Commissions act on a continuing basis with commissioners perform their duties additionally to main functions.

Violation of provisions of the law leads to disciplinary, administrative or criminal measures against a public official according to legislation of Ukraine.

3. Managing conflict of interest in the civil service (draft law of Ukraine “On Conflict of Interest in the Civil Service and the Service in Local Self-Government Bodies”)

Further to the Government Indicative plan of legislative drafting for 2008, the MDCS drafted and introduced to the Cabinet of Ministers of Ukraine a draft law “On Conflict of Interest in the Civil Service and the Service in Local Self-Government Bodies”.

The draft law seeks to introduce the term “conflict of interest” in legislation, to consolidate general rules for preventing and managing conflict of interest in the sphere of public officials’ activity, and to establish a basis of responsibility for violations against such conflict of interest rules.

The draft law “On Conflict of Interest in the Civil Service and the Service in Local Self-Government Bodies” was reviewed and supported in general at a joint roundtable, organized by the MDCS and the Council of Europe on December 5, 2008.

At the same time, the Ministry of Justice questioned the relevant of drafting a law of Ukraine “On Conflict of Interest in the Civil Service and the Service in Local Self-Government Bodies” asserting that the issue is sufficiently addressed in present Ukrainian legislation. The ministry further asserted that the draft law did not comply with the Convention for the Protection of Human Rights and Fundamental Freedoms and the judicial practice of the European Court of Human Rights

because violation against principle of legal certainty and can lead to a breach of the legal rights of people.

Despite the above-noted challenges, the draft law was endorsed by the ministries of economy, internal affairs and finance of Ukraine, and introduced for consideration to the Cabinet of Ministers of Ukraine on December 29, 2008.

4. Drafting of other legal acts

One of priorities of MDCS activity is the drafting of legal acts deriving from the Concept of development of civil service legislation.

In 2008, the Main Department of the Civil Service of Ukraine elaborated 60 drafts of legal-normative acts. Among them, 9 laws of Ukraine, 36 resolutions and 14 orders of the Cabinet of Ministers of Ukraine.

Twenty-seven (27) legal acts drafted by MDCS were approved (19 resolutions and 8 orders of the Cabinet of Ministers of Ukraine), including 2 state goal-oriented programs.

The legal acts drafted by the MDCS and approved by the Government of Ukraine include the following projects:

- Resolution of the Cabinet of Ministers of Ukraine “On introducing changes to the Programme of civil service development for years 2005–2010” # 776 dated 03.09.08, which supplemented the Programme with expected results and optimized its tasks and arrangements for the years 2008–2010;
- Resolution of the Cabinet of Ministers of Ukraine “On approval of the State Programme of the training, re-training and professional development of civil servants in the area

Roundtable discussion on civil service legislation and conflict of interest held by MDCS and the Office of the Council of Europe in Ukraine on December 5, 2008

Key civil service draft laws were debated during a roundtable held by the MDCS and the Office of the Council of Europe in Ukraine at the beginning of December. During this event, presentations included recommendations on the institutionalization of the senior civil service corp elaborated by the SIGMA Program as well as GRECO Evaluation Team Experts' opinions on managing conflict of interest in GRECO member-states, in addition to an expert opinion on the draft law "On Civil Service" prepared through the initiative of the "Support to Good Governance: Project against Corruption in Ukraine" managed by the Council of Europe.

Participants of the roundtable adopted recommendations on the further elaboration of the draft laws "On Civil Service" (new version), "On conflict of interest in the Civil Service and the Service in Local Government Bodies".

Further improvement of the draft law "On Civil Service" should be focused on the implementation of key priorities crucially important for the building of modern, professional, non-partisan, and accountable civil service that is able to functioning effectively within a democratic and constitutional state. Those priorities are:

1) Separation of political and administrative positions. The institution of the permanent personnel manager has to be put in place through the introduction of the position of state secretary. The state secretary would perform functions respecting:

- the appointment and dismissal of all civil servants in the public authority;
- the personnel management of whole corps of civil service according to rules approved by the authorized central executive agency on civil service management;
- ensuring consistency and continuity in the authority's activity during times of political transition, including providing assistance to new political leaders in the transition process.

The state secretary represents a post which cannot be fired for political reasons.

2) Rule of law. The key objective is the protection of the professional activity of civil servants from the impact of political or private interests through legal mechanisms. Those mechanisms must allow civil servants the opportunity to perform their duties in professional and ethical manner — independent of the subjective will of supervisors or other external factors. Principal mechanisms include:

- Direct subordination to the civil service manager not to the political head of the authority;

- Setting/fixing a significant portion of civil servants' salary in legislation, with a consequent reduction in the bonuses provided further to the discretionary decisions of supervisors;
- Detailed guidelines for civil servants on how to proceed in cases of receipt of unlawful orders from supervisors, with clear sanctions for the violation of such guidelines;
- Appeals respecting the assignment and dismissal of civil servants in all categories.

3) Professionalization of civil service. Open competition for all positions within the civil service, including senior administrative ones, should be widely recognized. The law has to make provision for the mechanism of open competition with appropriate safeguards for ensuring the integrity of the open competitive process. The law should consider the ongoing education and professional development of civil servants over the course of their careers as both a right and an obligation.

4) Responsibility of civil servants. Disciplinary liability for violations against legal and ethical provisions should be established. In order to achieve this objective, the law must contain:

- A limited set of disciplinary faults;
- A list of disciplinary penalties;
- Defined procedures for disciplinary investigation;
- An appeal process for disciplinary decisions.

5) Attractiveness of civil service. The law needs to lay the necessary foundation for fundamental changes aimed at stimulating movement into the, in particular, the transparent and equitable provision of benefits for all civil services:

- The base pay for civil servants should represent between 80 to 90 per cent of their overall salary;
- Bonuses for professional qualifications not envisaged in a job description should not be established, while bonuses for professional qualifications included in the description should be included into the base pay;
- Opportunities for ongoing career and professional development should be provided through the introduction of an entirely new classification system;
- Civil service pensions should be based on merit and cannot be linked with the payment structure of present civil servants. The civil service should not be seen as attracting those nearing retirement age for the sole purpose of receiving a special civil service pension.

of European and Euro-Atlantic integration of Ukraine” # 974 dated 05.11.08. The State programme is targeted to building up a critical mass of professionals within public authorities equipped with skills and knowledge in European and Euro-Atlantic integration and who are competent to perform duties at central, regional and local levels. Implementation of this State programme will create an effective system of training, re-training and professional development for those professionals;

- Resolution of the Cabinet of Ministers of Ukraine “On amending the Paragraph 2 of the resolution of the Cabinet of Ministers of Ukraine # 641 of 11 August 1995 “On Implementation of the Article 13 of the Law of Ukraine “On Civil Service” # 1135 dated 27.12.08 regarding the procedure for declaring civil servant incomes in the case of maternity or sick leave.

Of note are the significant draft resolutions of the Cabinet of Ministers of Ukraine “On the Council of heads of human resources of central executive government bodies” and “On approval of the preparatory procedure of masters of public administration with a major in civil service”.

On the basis of international experience, a Council of heads of human resources of central executive government bodies has been newly established to promote the sharing of best practices among practitioners and to support proposals to the Government on development of a legal basis for human resources management in public authorities. The Council will become important instrument for the implementation of the Ukraine Civil Service Human Resource Management Reform Project established jointly by Canada and Ukraine.

During the 2008 period, experts of the Main Department of the Civil Service of Ukraine prepared seven conclusions to draft laws that were elaborated by Members of Parliament and introduced to the Verkhovna Rada of Ukraine. They include: the draft law “On introducing changes to the Law of Ukraine “On Charity and Charitable Institutions” regarding the prevention of corrupt practices by public officials responsible for making decision on licensing issues (registered # 3108 dated 03.09.08, Member of Parliament Mr. O. Novikov); “On introducing changes to certain legislative acts of Ukraine regarding aggravation of the penalty for corrupt practices, introducing restrictions on the continuance in office in public authorities for persons convicted of bribes” (registered # 3255 dated 03.10.08, Member of Parliament Mr. O. Novikov); “On particularity of state control over incomes, property and expenses of persons empowered to execute state functions” regarding civil servant disclosure of information regarding their

Conflict of interest — the entanglement of a public official’s private interests with professional obligations that can influence objectiveness and impartiality of decision making, activity or inactivity when performing duties. /Article 1 of the draft law “On Conflict of Interest in the Civil Service and the Service in Local Self-Government Bodies”/

To manage conflict of interest properly it is necessary to create a piece of legislation that ensures the observance of the principle of behavioural integrity by civil servants when performing duties and functions. In particular, it is important to develop and implement:

- relevant criteria and behavioural standards that encourage integrity;
- effective procedures of threats disclosure for integrity of public officials, in particular, clear definition of circumstances that can lead to conflict of interest;
- internal and external reporting mechanisms that ensure public control and the implementation of policy for conflict of interest management at the institutional level;
- mechanisms of conflict management to define who and in what cases should declare a conflict of interest, what procedures of avoidance of conflict of interest should be;
- relevant sanctions for violations against the rules to ensure the personal responsibility of public officials.

Resolution of the problem of conflict of interest does not merely lie in the sphere of legislation. It is necessary to introduce institutional changes, to establish a sustainable management culture and to provide educational training for public officials.

direct relatives with the aim of controlling their declarations of incomes and expenses (registered # 1429 dated 24.01.08, Member of parliament Mr. P. Zhebrivskyi); “On Introducing Changes to certain laws of Ukraine” regarding granting civil service status to health care workers, educators and scientists (registered # 1451 dated 28.02.08, Member of Parliament Mr. V. Pylypyshyn); “On Introducing Changes to the Law of Ukraine “On Fighting Corruption” regarding restrictions for civil servants (registered # 1120 dated 06.12.07, Member of Parliament Mr. S. Miroshnychenko), and draft law “On Introducing Changes to the Law of Ukraine “On Fighting Corruption” regarding special anti-corruption restrictions for civil servants and persons empowered to perform state functions (registered # 1081 dated 30.11.07, Member of Parliament Mr. S. Mischenko). ■

SECTION II. MODERNIZATION OF THE STATE EXECUTIVE MACHINERY

5. Implementing horizontal functional reviews of central executive authorities and compiling public functions register

The Main Department of the Civil Service of Ukraine conducted complex horizontal functional review of central executive authorities during the 2008.

The complete system of Ukrainian legislation (codes, laws, decrees of the President, resolutions and orders of the Cabinet of Ministers of Ukraine) has been analyzed using the services and support of the Pro-Gramma consulting company. As a result of these efforts, a register of the public functions of sixty-three (63) central executive government bodies has been compiled. This register contains 8792 entries, following the exclusion of all redundant functions and duplicate functions. MDCS plans to update this register on an ongoing basis.

The Register of public functions is an electronic database of functions performed by executive authorities and contains information about:

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

The Register provides the possibility of defining zones of functional responsibility, overlap in the sphere of impact of different authorities and the mapping of their functional organization. Proposals for improvement of the system and structure of central executive government bodies and their regulation will be developed on the basis of the compiled Register.

Operational usage of the Register is possible for the execution of orders of the Cabinet of Ministers of Ukraine for the implementation of public administration reform, i.e. the feasibility and rationality of re-subordinating certain executive authorities, changes in the coordination procedure by members of Government, and the quantification of personnel needs of central executive authorities, governmental bodies or structural units.

Functional review is an instrument used to analyze and assess the effectiveness of the functioning of executive government, in general, and certain executive authorities, in particular. This instrument is aimed at defining problem areas in the activities of state administration with the aim of identifying mechanisms for the resolution of challenges.

Two main types of functional reviews are distinguished — vertical and horizontal. Vertical functional review is an instrument used to analyze the functioning of executive authori-

ties that focuses on particular bodies or their grouping in a particular sphere, connecting the functions determined to the resources invested.

Horizontal functional review is a tool used to analyze the functioning of the whole system of executive government for evaluating redundancy and duplication in powers and functions in respective economic spheres and fields of public administration. On the basis of such a review, challenges associated with the functioning of the whole system of executive government are revealed, with associated proposals for reform and/or regulation of the structure of government bodies offered.

Functional review of the system of preparation and implementation of the European Football Championship final in 2012 in Ukraine

Functional review of the system of preparation and implementation of the European Football Championship finals in 2012 in Ukraine serves as an example of the usage of the methodology for practical tasks.

Twenty-five (25) central and seven (7) local executive authorities, and six (6) self-government bodies were involved in this functional review. Based on the results, the MDCS prepared a report which has been introduced to the Cabinet of Ministers of Ukraine. This report outlines the delegation of responsibility between interested parties, the status of inter-agency coordination, the status of the National Agency for the preparation and implementation of the European Football Championship final in 2012, the institutional and personnel provisions necessary to support the preparatory process, the main challenges as well as recommendations on how to introduce improvements/adjustments.

Further to discussion of the report, the MDCS developed the # 1063 of 03.12.08 resolution of the Cabinet of Ministers of Ukraine on approval of the model regulations of oblast state administration divisions (department) on issues respecting the preparation and implementation of the European Football Championship finals in 2012 in Ukraine.

Register of public functions will serve as a basis for carrying out a number of other functional reviews in 2009, i.e. the Ministry of Labor and Social Policy of Ukraine, and the Ministry of Regional Development and Construction of Ukraine.

6. Developing proposals for improving the system and structure of central executive authorities

On the basis of horizontal functional review and the compiled Register of public functions of sixty-three (63) central executive authorities, proposals on improvement of the sys-

tem and structure of central executive authorities have been developed. This recommended structure consists of three types of executive authorities, such as:

- Ministries;
- Independent regulators; and
- Other central executive authorities: state services and state agencies.

Each type has an exceptional number of functions, in particular:

- A ministry is responsible for public policy development and legal regulations;
- An independent regulator is responsible for establishing prices and tariffs for particular services and goods;
- A state service is responsible for providing administrative services and supervisory functions; and
- A state agency is responsible for managing property.

It is expected that functional separation will resolve internal conflicts within an authority and help to clarify its mission, i.e. to reinforce the role of ministries as the centers for policy development and to avoid the overloading of ministries with other administrative and technical issues. This functional separation will also help to reduce the duplication of functions and promote a more coherent system of executive authorities.

7. Refining services of the Main Department of the Civil Service of Ukraine

The MDCS has continued to refine the organization of its activity under a quality management system according to ISO standard 9001:2001.

An observation audit of the quality management system in the central apparatus and within territorial administrations was conducted in April 2008. The results of this audit established compliance with the quality management system according to ISO standard 9001:2001. At the same time, recommendations on the improvement of linkages between process owners in the central apparatus and within the territorial administrations were developed.

These recommendations were reflected in a newly approved edition of Regulations of MDCS and its territorial administrations. Changes to a number of internal rules were introduced (rules of for the preparation and delivery of meetings, organization management within the central apparatus of the MDCS and its territorial administration, conducting public events). All processes were renewed.

These changes helped to improve services, executive discipline and self-identification of structural units and territorial administrations in the general context of MDCS activity.

Internal audits were conducted in the central apparatus and within the territorial administrations during the November to December 2008 period to serve as the basis for the next observa-

tion audit in 2009. Serious difficulties were not detected at the end of the audits. Zakarpattia, Kharkiv, Rivne, Dnipropetrovsk, Zaporizhzhya and Chernivtsi territorial administrations demonstrated the best measures of a quality management system.

The Cabinet of Ministers of Ukraine approved the Programme on introducing quality management systems in bodies of executive power in May, 2006. The yearly Action Plan for this Programme is approved by joint order of the MDCS and the State Committee on Technical Regulation and Consumer Policy of Ukraine.

According to the Action Plan for 2008, the MDCS with support from the Ukrainian Quality Association organized seminars on introducing a quality management system for authorized persons from central executive authorities in December 2008. One hundred and twenty-four (124) civil servants from categories I–IV took part in these seminars. Study groups were split into two groups based upon functional responsibilities and the previous experience of participants. They studied practical approaches to building and continually improving quality management systems within central executive authorities.



The MDCS, the State Committee on Technical Regulation and Consumer Policy of Ukraine and the Ukrainian Quality Association jointly developed a Guide on application of ISO 9001:2001 “Quality Management System. Requirements” for central executive authorities. The Guide is intended to serve as a roadmap for the effective elaboration and improvement of quality management systems within public bodies.

8. Conducting the all-Ukrainian competition “Friendly Administration”

The all-Ukrainian competition “Friendly Administration” was initiated in 2008 under the initiative of the MDCS supported by the Government of Ukraine.

The aim of the competition is to benchmark best practices in executive authorities best practices on interaction with the public, on the provision of administrative services, and the building of a positive civil service image. Central and local executive authorities are participants of the competition.

The competition was held through four nominations in 2008. They include:

- Central executive authorities;
- Central executive authorities with local administrations;
- The Council of Ministers of the Autonomous Republic of Crimea, the oblast, and the Kyiv and Sevastopol state administrations; and
- Local state administrations in rayons within oblasts, the Autonomous Republic of Crimea, and the cities of Kyiv and Sevastopol.

Information about the competition, guidelines and F.A.Q. were posted on the official web-site of the MDCS under the banner All-Ukrainian Competition "Friendly Administration".

Eighty-seven (87) per cent of potential participants submitted applications to the MDCS (508 application forms received). On the ground informational campaigns on the part of the MDCS' regional administrations assisted in achieving such a successful response rate. In particular, all state administrations from Poltava, Kherson, Cherkassy, Rivne, Dnipropetrovsk, Odessa, Vinnytsia, Chernihiv, Kharkiv, Mykolaiv, Ivano-Frankivsk, Zhytomyr oblasts and rayons, and the rayon state administrations in the cities of Kyiv and Sevastopol took part in the competition.

At the same time, eight (8) rayon state administrations out of 20 in Khmelnytsk, nine (9) out of 18 in Sumy, eleven (11) out of 20 in Zaporizhzhya, and six (6) out of 11 in Chernivtsi participated in the competition.

The Organizational Committee received approximately 2500 evaluation lists from consumers of executive authorities. A special expert group reviewed the application forms of participants.

The winner of the competition will be announced in the beginning of 2009.

9. Distributing services of the Main Department of the Civil Service of Ukraine closer to the end-clients in regions

In 2008, the MDCS organized three meetings with heads of territorial administrations with the aim of providing organizational assistance in the performance of their work and duties.

Representatives of the MDCS visited territorial administrations to participate in regional seminars on the civil service held around the country.

Each quarter, the MDCS evaluates the activity of territorial administrations. During the year, internal audits of the quality management system were conducted in every territorial administration.

In 2008, a mechanism for rating the evaluation of territorial administrations was developing. Testing of the mechanism was undertaken on the basis of the results of the first nine months of work of the administrations.

Territorial administrations developed on the ground partnerships with local state administrations and self-government bodies in the area of implementation of public policy in the sphere of the



Events of the MDCS territorial administrations

civil service. For example, the MDCS has signed agreements on cooperation with individual oblast state administrations and oblasts councils (Dnipropetrovsk, Donetsk, Kirovograd and Chernivtsi). Moreover, a joint action plan on cooperation between the MDCS and the Kherson state administration was approved. All heads of MDCS territorial administrations are participants in coordination councils on civil service issues. These councils were created by all oblast state administrations and the Council of Ministers of the Autonomous Republic of Crimea. Nearly all heads of MDCS territorial administrations participate in collegiums of the oblast state administrations.

In 2008, the MDCS provided continuous consultations to the cadre services of executive authorities and local self-government bodies. Such consultative assistance was provided to 2579 recipients.

MDCS territorial administrations were intensively involved in the campaign on the introduction of the quality management system according to ISO standard 9001:2001 related to the activities of executive authorities and regional self-government bodies. Among the governmental bodies were created 57 working groups and coordination councils on issues of quality management in which individuals from MDCS territorial administrations are represented.

Territorial administrations have continued to work out agreements on cooperation with self-government bodies. In 2008, in the framework of previously signed agreements, MDCS territorial administrations interacted with 719 local self-government bodies. During the year, 504 agreements were signed (as compared with 215 in 2007), while an additional 154 agreements were extended.

Those agreements address the provision of consultative assistance on issues of personnel management, the delivery of communication events (seminars, trainings, roundtables), the development and promotion of informational materials on the performance of civil service among self-government bodies, the monitoring of public opinion, the provision of assistance in introduction of the system of civil servants registration "Kartka" ("Cadre") etc.

Partnership between MDCS territorial administrations and self-government bodies helps them to improve organizational and personnel management and to reinforce the effective and efficient work of self-government public officials. ■

SECTION III. IMPLEMENTATION OF MODERN HUMAN RESOURCES MANAGEMENT PROCESSES AND PROCEDURES IN THE CIVIL SERVICE AND IMPROVEMENT OF CIVIL SERVANTS' PROFESSIONAL CAPACITY

10. Establishing the Ukrainian Civil Service Human Resources Management Reform Project

The Government of Ukraine and the MDCS are working towards the establishment of a modern and professional public service to meet European norms for public administration. In response to a request for advisory support and expertise in civil service reform, the MDCS jointly with the Canadian International Development Agency developed the Ukrainian Civil Service Human Resources Management Reform (UCS-HRM) Project. The project was actively designed during the 2008 period. The overall goal of the UCS-HRM Project is to support Ukraine's efforts in developing an accountable and transparent civil service that is in line with European (SIGMA/OECD) norms through targeted reforms of the central government human resources management system.

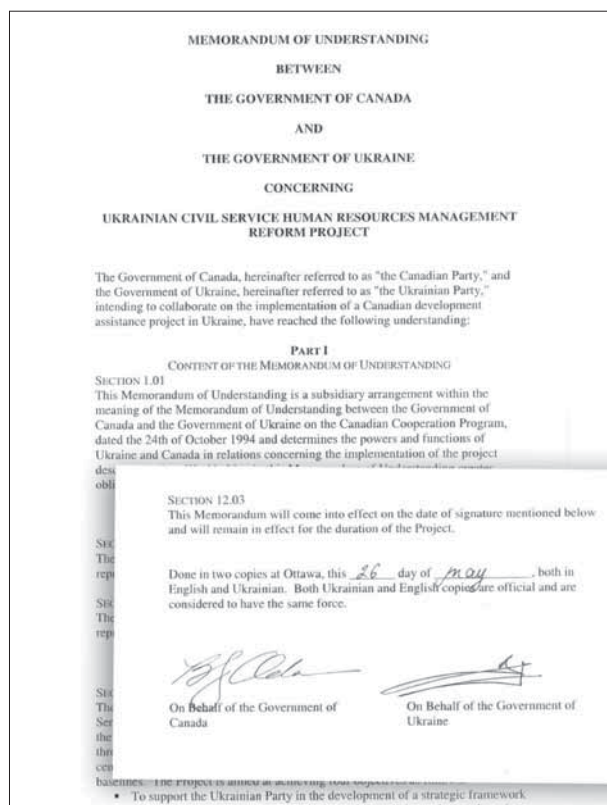
This Project was formalized further to a Memorandum of Understanding signed between the Government of Canada and the Government of Ukraine concerning the Ukrainian Civil Service Human Resources Management Reform Project during the official Presidential visit to Canada on May 26, 2008 in Ottawa.

Project implementation is aimed at achieving the following objectives as outlined in the Memorandum of Understanding:

- To support the Government of Ukraine in the development of a strategic framework and in the reform of national legislation, public policies and procedures in order to enhance the efficiency of human resources management in the system of the civil service of Ukraine;
- To support the development and integration of consistent and effective processes and procedures of human resources management based upon principles of political neutrality, transparency, meritocracy and equality (including gender equality) into the Ministries and other central bodies of the executive branch of Ukraine;
- To enhance the capacity of the MDCS of Ukraine and the human resources units of separate central bodies of the executive branch to effectively implement human resources management processes and procedures in a sustainable, transparent and politically neutral manner; and
- To develop and institutionalize sustainable human resources management training and mentoring.

The UCS-HRM Project consists of three key components, namely:

- **Leadership Development and Training** aimed at assisting the Main Department of Civil Service in the establishment of a



Memorandum of Understanding signed between the Government of Canada and the Government of Ukraine concerning the Ukrainian Civil Service Human Resources Management Reform Project

competent cadre of civil service leaders in support of civil service reform in Ukraine through leadership competency profile development, training needs assessment and the piloting of leadership and management development programs;

- **Supporting a Professional and Sustainable Civil Service** through the development and integration of consistent and effective processes and procedures for human resources management in the areas of classification, comparative salary analysis, assessments in hiring and promotion, human resources information, monitoring and reporting on the political neutrality and efficiency of hiring and promotion, and annual performance evaluation; and
- **Strengthening Governance and Infrastructure** by working to enhance the capacity of the Main Department of Civil Service and selected government bodies' human resources units to lead reform of the central government human resources management system through targeted interventions aimed at establishing accountability and effective communication respecting human resources management reform.

A technical mission of senior officials from the MDCS, the Secretariat of the President of Ukraine and the Secretariat of the Cabinet of Ministers of Ukraine to Canada took place to acquaint officials with Canadian experience and to substantially support project design. Through a host of missions to Ukraine in 2009, Canadian project advisors conducted a number of consultations on human resources management issues with the representatives of central executive authorities in Ukraine.

Following the missions, a series of analytical documents were developed collaboratively and approved by project parties, including an Overview of the human resources management system in the Ukrainian civil service and the Human Resources Management Strategic Framework. Based on these documents, a Project Implementation Plan for the fall 2008–2011 was developed and approved by the Project Steering Committee at the end of August, 2008.

11. Establishing a nation-wide system for civil servant professional education

In 2008, the MDCS continued to refine the system of training, re-training and professional development for civil servants and servants of self-government bodies.

Taking into account the needs of public and self-government bodies, a State order for the preparation of a master's program in public administration has been executed.

Civil servants and self-government officials may obtain a Master's degree in Public Administration (1,5 years in duration on a full-time basis and 2,5 years in duration on the basis of distance education) at the National Academy of Public Administration under the Office of the President of Ukraine, and a Master's in Civil Service at fifteen (15) institutions of higher education (one year in duration on a full-time basis and one year and ten months in duration on the basis of distance education).

The National Academy of Public Administration under the Office of the President of Ukraine accepted 842 applicants for the course of Master in Public Administration in 2008 (as compared with 935 applicants in 2007). In 2008, 1151 applicants were accepted for the course of Master in Civil Service (as compared with 1100 in 2007).

Over the course of the year, 2491 individuals obtained Masters' degrees majoring in Managing Social Development, Public Administration and Civil Service. This figure represents 0,68 per cent of the total number of civil servants and self-government officials. Faculties of Public Administration have prepared 19,258 specialists for public authorities since 1996 (5,1 per cent of the total number of civil servants and self-government officials).

The MDCS' efforts to introduce transparent market relations in the sphere of professional education for civil servants was focused on the objective of reducing costs for the preparation of specialists and improving the quality of educational services being provided. Network of high educational institutions those prepare Masters in Civil Service was extended up to 15.



 Public Forum held to discuss the Human Resources Management Strategic Framework for the Ukrainian Civil Service on June 24, 2008

In an attempt to introduce in-service training as part of the system of professional education for civil servants, the MDCS initiated the qualification of training as a tool for professional development and education. This initiative was supported by Resolution of the Cabinet of Ministers of Ukraine in December, 2008.

12. Conducting the all-Ukrainian competition "Best Civil Servant"

In 2008, the MDCS with support of the Government of Ukraine, established the annual all-Ukrainian competition "The best civil servant".

The purpose of the competition is to increase the professionalism, openness and institutional capacity of the civil service through the sharing of best practices of the most promising civil servants.

The key objectives of the competition are to identify encourage the most professionally-promising civil servants in the area of career advancement and development; increased the number of highly skilled specialists, in particular youth, working within central and local executive authorities; promoting increased efficiency in administrative service delivery to citizens with the aim of improving public opinion respecting the image of the civil service, and recruiting high-professional managers to work in executive authorities.

The competition took place on the basis of nominations for the awards of "Best specialist" and "Best leader" over the course of three rounds of competition in the following periods: March–April, May–June, and September–November.

Nearly five thousand civil servants from central executive authorities and their territorial administrations, from public bodies of the Autonomous Republic of Crimea and local state administrations from all regions took part in the Competition.

Fifty-two (52) civil servants took part in the third and final round of the Competition. The largest proportion of winners were civil servants from categories: VI (16 civil servants), VII (17 civil servants), V (13 civil servants) and IV (6 civil servants). Fifty-nine (59) per cent of the total number of winners were from the "up to 35 years" age bracket.

On December, 9, 2008, an awards ceremony took place at the National Philharmonic of Ukraine to name and recognize the winners of the all-Ukrainian competition “The best civil servant”. The MDCS wishes to congratulate all participants in the third round for their participation in the Competition.

The winners of the all-Ukrainian competition “The best civil servant” in 2008 year are:

- the “Best specialist” — Ms. Oksana But, main specialist of department of organizational work of Gulyaypillya rayon state administration in the Zaporizhya oblast;
- the “Best leader” — Ms. Olena Shapran, director of Desnyanskiy Center of social services for family, children and youth in the district of Kyiv.

Winners and laureates of the competition for “Best specialist” and the “Best leader” were awarded diplomas and cash prizes. In addition, they have been invited to serve as members of the MDCS Collegium for a one-year term.



 Awards ceremony recognizing the winners of the all-Ukrainian competition “The best civil servant”

On proposal of the Central Committee of State Employees Union of Ukraine for the participants of the third round of the Competition, additional nominations were introduced: “Pride of the Trade union” and “Youth are the Future of the Trade Union”. The chief of the budgetary department of the financial division of the Poltava rayon state administration in

the Poltava city, Ms. Viktoriya Molodetska, and the main legal consultant from the legal department of the Donetsk oblast state administration, Mr. Serhij Potockiy, were awarded the above-noted awards.

This Competition has provided a new direction for the development of the system of training and re-training of civil servants by seeking to identify and support the most highly-skilled specialists, by creating a new corporate culture, by promoting a positive image for civil servants and for the civil service as a whole. By resolution of the Cabinet of Ministers of Ukraine, civil servant participation in the annual all-Ukrainian competition “The best civil servant” is considered as form of qualification development.

13. Conducting the all-Ukrainian sports contest among teams of civil servants from the Autonomous Republic of Crimea, the oblasts, and the Kyiv and Sevastopol city state administrations

In 2008, the MDCS jointly with the Ministry of Ukraine for Family, Youth and Sport organized an all-Ukrainian sports and athletics contest among the corps of the civil service of the Autonomous Republic of Crimea, the oblasts, and the Kyiv and Sevastopol city state administrations.

This all-Ukrainian sports and athletics contest served to positively influence a corporate and physical health culture among civil servants with the broader objective of becoming a physically healthy Ukrainian nation.

The first and second stages of the competition of the all-Ukrainian sports and athletics contest were held from January–April and April–May 2008. Over thirty thousand civil servants (1822 teams) took part in the first stage of the sports and athletics contest. In the second stage — over 9 200 civil servants (558 teams). Final competitions of tenth (X) all-Ukrainian sports and athletics contest took place from September 30 to October 4, 2008 in Alushta, Crimea.

As a result of team competitions, the Khmelnytsk oblast team took first place among all team competitors demonstrating a high level of sporting skill and preparedness. ■

SECTION IV. FORMATION OF NEW INSTITUTIONAL CAPACITY IN THE CIVIL SERVICE SYSTEM

14. Creating the Center for Adaptation of the Civil Service to the Standards of the European Union

A strategic course focused upon Ukraine's integration into the European Union placed the issue of the adaptation of public administration to the European standards as a key priority. The gap between the administrative capacity of state machinery and political will serves as a fundamental barrier to the path towards integration. It is imperative that Ukraine's public administration operate effectively in order to ensure alignment with and greater movement towards EU standards, principles and norms.



On June, 4, 2008, the Cabinet of Ministers of Ukraine re-named the Center for Civil Service Institutional Development under the MDCS the Center for Adaptation of the Civil Service to the Standards of the European Union, and further, expanded the services to be provided by the Center, as well as its responsibilities and powers.



Beyond seeking to provide a clearer reflection of the actual tasks and functions being performed by the Center through the name change, this recasting sought to stimulate broad institutional reform within the Ukrainian public administration reaching further in terms of administrative reform and reform of the human resources management system in the civil service.

In accordance with the approved Statute, the Center is responsible as follows for:

- 1) drafting of public policy proposals, legal drafting in the field of public administration, adaptation of public administration to the standards of the EU, as well as promotion of the usage of key institutional instruments in Ukraine: Twinning, TAIEX and SIGMA;
- 2) provision of scientific, expert, informational and analytical, methodological, organizational and other services to support the preparation and implementation of programs and measures in the abovementioned sphere;

- 3) raising the level of professionalism of civil servants and self-government officials, in the first place those whose occupy positions in categories I–IV, followed by other specialists;
- 4) providing consultative support to public bodies, distributing legal, scientific and other information regarding public administration and adaptation of Ukrainian public administration to the standards of the EU, in particular the use of key institutional instruments in Ukraine;
- 5) within the scope of the Center's powers, promoting further cooperation between Ukraine and the EU, providing consultative, methodological and monitoring support respecting the activities of executive authorities related to their commitments to execute Ukraine's obligations before the EU and other international organizations.

Several new priorities have been identified for the Center's activities. They include participating in the reform of public administration as part of its adaptation to EU standards, promoting the use of mechanisms for EU institutional support including Twinning, TAIEX and SIGMA in Ukraine, monitoring reform of the civil service and public administration as it adapts to the standards of the EU, participation in bilateral cooperation between Ukraine and the EU, supporting the move towards the increased professionalism of civil servants, promoting increased societal awareness of aspects of European integration in Ukraine, and enhancing scientific and practical research capacity focused upon improvement of the civil service and public administration in Ukraine. Center's functions as the Twinning Programme Administration Office are enforced.

The strengthening of expertise and analytical capacity and the formation of a Center for Administrative Reform were defined as priorities for the Center's activity in 2009.

Further activity of the Center will be focused on implementation of the following:

- Development of civil service legislation and preparation for its implementation through:
 - Finalization of the draft law of Ukraine "On Civil Service" (new version) and its introduction to the Cabinet of Ministers of Ukraine;
 - Drafting legal acts, in particular secondary legislation to support implementation of the draft law of Ukraine "On Civil Service" (new version);
- Communication with the public with the aim of informing of informing them through:
 - The publication of informational and analytical materials, presentations;
 - The issuance of printed materials on the functioning and development of the civil service;
- The development of a unique IT infrastructure for the civil service system through the creation of a national

data base of electronic personal files for civil servants and public officials of local self-governments, including a system for tracking and posting civil service vacancies;

- Strengthening capacity for the adaptation of national legislation to align with legislation of the European Union in executive authorities through:
 - the application of institutional development instruments Twinning, TAIEX and SIGMA and oversight of the activity of the Twinning Programme Administration Office;
 - the promotion of the adaptation of the civil service to the standards of the European Union;
 - institutionalization and development of a network of policy analysis groups in central executive authorities; and
- Continual improvement of the system and structure of central executive authorities through the mechanism of implementing updating of the public functions registry.

15. Establishing the School of Senior Civil Service

On October, 27, 2008, the MDCS founded the School of Senior Civil Service following a decision of the Government. Formation of the School is focused upon the following strategic tasks: consolidation and development of the senior corps of the civil service (the professional group of civil servants occupying positions in categories I and II), building capacity to ensure sufficient and capable leadership for civil service and public administration reform, ensuring consistency in management approach across the civil service, as well as promoting readiness within the senior civil service ranks to respond to emerging challenges in the process of societal transformation and the European and Euro-Atlantic integration of Ukraine.



■ Round table discussion on short and middle term priorities in the activity of the School of Senior Civil Service, December 3, 2008

The School of Senior Civil Service will perform institutional functions similar to those present within other democratic states, including:

- providing professional orientation/development and advise to newly appointed senior civil service leaders;
- serving as a fertile ground for the exchange of experiences and skills between senior managers — promoting a new Ukrainian administrative culture and tradition;
- continually responding to the evolving needs of the senior civil service by working to equip them with the skills and experience necessary to meet new challenges and opportunities arising from the globalized world and the local environment.

As the first step (in November–December 2008 period) official registration of the School took place furnishing it the status of a public institution accountable to the MDCS. Further, a budget account was established for the School within the State Treasury of Ukraine.

In December 2008, the School organized a series of roundtables with the purpose of discussing its short- and medium-term priorities for action, including an assessment of the educational needs of senior civil servants.

On December, 3, 2008, a draft of Concept of the School for Senior Civil Service activity was presented at a roundtable involving directors of departments of executive authorities and international experts. International experience on the function of similar training institutions in France and Canada was presented to Ukrainian participants. During roundtable, participants exchanged opinions on the future activity of the School, outlined the educational needs of civil servants (Categories I and II), including details respecting the best forms of educational activity.

On December 8, 2008, a similar roundtable discussion took place with the heads of central executive authorities and international experts.

Over a two month period, candidates for the positions of trainers at the School were identified. Those candidates were selected from a number of Ukrainian and foreign specialists with relevant successful experience in civil service operation. The selected candidates will begin to develop pilot training courses on the basis of priorities identified at the roundtable discussions held in December.

A financial provision for the School's activity was established through a new budgetary program "Organization of preparation and implementation of the trainings programs and measures on development of higher corps of civil service" as part of the State Budget of Ukraine for the year 2009. The total amount this new budgetary program consists of 1, 250, 000 UAH.

Within the project "Support of civil service reform in Ukraine" (assistance from the Government of Ireland implemented through the UN Development Programme) a selection process was undertaken to identify an international adviser — a training institution from EU member-countries — contracted to provide technical support in the development of the School.

16. Approving the State Programme for the training, re-training and professional development of civil servants in the area of European and Euro-Atlantic integration of Ukraine

On June 4, 2008, the Government of Ukraine approved the Concept of the State Programme for the training, re-training and professional development of civil servants in the area of European and Euro-Atlantic integration of Ukraine for the years 2008–2011.

According to the Concept, the MDCS developed a draft of the related State Programme. Specialists from ministries, the National Academy of Public Administration under the Office of the President of Ukraine, the International Renaissance Foundation, the Razumkov Center for Economic and Political Research, the Polish-Ukraine Foundation of Cooperation and the NATO Cooperation Office were involved in developing the Programme.

The development of this State Programme is of primary importance given the difficulties in implementing the program in the 2004–2007 period. The previous program did not address actual needs, and experienced weak co-ordination of central and local public bodies over the course of implementation. In addition, the approach to the linguistic preparation of civil servants and public officials of local self-governments proved insufficiently centralized.

On November 5, 2008, the Cabinet of Ministers of Ukraine approved the State Programme for the training, re-training and professional development of civil servants in the area of European and Euro-Atlantic integration of Ukraine for the years 2008–2011.

The purpose of the Programme is to ensure a sufficient core of specialists within public and local self-government bodies capable of competently executing tasks at central, regional and local levels, as well as to support the establishment of an effective system for the training, re-training and professional development of said specialists.

Solving new approach is being proposed to address issues related to implementation of the Program, namely: involving all possible interest groups in the development of the Program, de-monopolization of the implementation of the Programme (broadening the circle of Programme implementers to include educational institutions and NGOs as much as possible), establishing a competition for Programme funds, ensuring maximal flexibility and responsiveness of the Programme, targeting specific groups' need through specialization and a focus on practical application and content.

In support of this new approach, it is planned that a number of measures will be implemented as part of the Programme or independently in support of the Programme, in particular:

- improvement of the system training for civil servants and local self-government officials;
- needs assessment to identify training priorities for public authorities and local self-bodies;
- the development of qualification requirements for positions, including specialized requirements for knowledge of foreign languages;
- the drafting of a list of positions which require knowledge of official languages of EU and NATO member-countries;
- defining the structure, scope and content of training, retraining and professional development, the potential list of donors to support such MDCS activity in collaboration with the ministries of education and science, foreign affairs and defense of Ukraine;
- development of educational programs for each target group by institutions selected on an competitive basis;
- publication of educational and methodological manuals, digests of legal acts and compilation of libraries for selected educational institutions;
- advanced study of English, French and German languages for specialists; and
- extension of cooperation between higher educational institutions in Ukraine and countries — members of the EU and NATO financed from international technical assistance and other sources.

The MDCS is responsible for co-ordination of Programme implementation, as well as implementation of the tasks and measures carried out within the framework of the institutional development tools Twinning and TAIEX.

The key feature of the new approach in the preparation and implementation of the Programme is the active involvement of representatives from civil society in all stages of planning, implementation, monitoring and evaluation of the Programme to ensure maximum efficiency.

It is expected that the introduction of this Programme will contribute to the development of human potential which is critical for the realization of Ukraine's strategic course towards European and Euro-Atlantic integration. It is projected that one third of the total number of civil servants and local self-government officials will undergo training and capacity building within the framework of the Programme by 2011 (estimated at approximately 112,700 persons).

The MDCS is currently in the process of preparing the Action Plan for Programme implementation in 2009. The next step consists of forming a coordinating council which shall consist of representatives from the relevant public authorities and civil society institutions. The first meeting of this council will take place at the beginning of 2009.

17. Implementing Twinning, TAIEX, and SIGMA European institution building instruments in Ukraine

Twinning, TAIEX and SIGMA institution building instruments are effective mechanisms for the approximation of Ukrainian public administration to the standards of the European Union. They played an important role in the accession of

Central and Eastern European countries to the EU, and in the improvement of the quality of public administration in those countries.

Cooperation between civil servants of Ukraine and EU member states promotes not only development in the sphere, where a project is implemented, but also changes in the awareness of Ukrainian civil servants, their attitudes towards civil service, which are sometimes defined by the conventional post-Soviet administration rather than by advanced achievements of the world community.

In 2008, measures were assumed on **quality improvement and improvement of coordination of the use of institution building instruments**, directed on the more effective realization of their potential.

In 2008, the Twinning Programme Coordination Group held three meetings with the participation of the top management of the Vice-Prime Minister Office of Ukraine, the MDCS, representatives of the ministries of foreign affairs and economy of Ukraine, and officials of the Delegation of the European Commission to Ukraine. The procedural issues respecting the use of the Twinning instrument, appropriate programming and an updated Pipeline of Twinning projects, as well as further efforts to stimulate collaboration with public bodies were discussed at these meetings.

The implementation of Twinning, TAIEX and SIGMA institution building instruments was the object of permanent attention of the Ukrainian part of the Ukraine–EU Cooperation Committee. The state of implementation of the institution building instruments as it related to public administration and administrative reform issues in the mentioned Committee were examined during the 11th meeting of the Committee on November 20, 2008.

Efforts on the best use of Twinning and TAIEX potential contributed to the development of their legal regulation in Ukraine.

In 2008, attention was paid to setting norms and improving procedural issues related to the use of Twinning instrument. The MDCS under the support of the TACIS project “**Implementation of Twinning Operations in Ukraine**” developed a practical guidelines and Methodological Recommendations on Using the Twinning Instrument in Ukraine, a internal guideline for the Twinning Programme Administration Office procedures, a handbook on Twinning projects monitoring and regulations on the monitoring of preparation of Twinning projects in Ukraine, as well as practical recommendations for Resident Twinning Advisers. The overwhelming majority of these documents were discussed by experts — including representatives of public bodies and international organizations and were approved by MDCS order. It is planned to translate the mentioned methodological base in the near future and to distribute it among countries covered by the European Neighborhood Policy through TAIEX events in order to exchange best practices and to discuss means for further improving procedural issues related to the use of the Twinning instrument.

On October 1, 2008, the Cabinet of Ministers of Ukraine approved a resolution “On amendment to the Procedure of the organization of the work for the preparation and implementation of Twinning projects in Ukraine”. A draft resolution was developed by the MDCS within the protocol decision of the Ukrainian part of the Ukraine–EU Cooperation Committee. A decision was made to adopt a systematic approach to annual programming and the regular monitoring of Twinning projects. The realization of this approach in practice will serve to promote these projects and help them to meet the national priorities for reform of the public sector.

Such work was performed in the field of application of the TAIEX instrument in Ukraine. In April 2008, the Cabinet of Ministers of Ukraine approved the order on the preparation and fulfillment of the Plan of involving the external assistance of the European Commission within the framework of TAIEX. Under the approved Order, the MDCS conducts monitoring of the use of the TAIEX instrument. The introduced systematic approach of the use of the mentioned instrument and the identified mechanism for its preparation, as well as fulfillment of Plan commitments consisting of external assistance from the European Commission within the framework of TAIEX and the cooperation of executive bodies in this process are being led by the MDCS and its activities.

In order to execute the respected Order, the Ukrainian part of the Ukraine–EU Cooperation Committee approved the Plan on July, 18, 2008 which consists of external assistance from the European Commission within the framework of TAIEX for the second half of 2008, including 166 proposals from forty-six (46) public authorities.

In addition, the MDCS together with the National Agency of Ukraine on the Preparation and Organization of the Euro–pean Football Championship 2012 processed proposals from public bodies on TAIEX operation in the field of training of the personnel involved into the preparation of Euro-2012 and pre–pared a plan consisting of eight TAIEX measures.

Implementation of Twinning Projects

The Pipeline of Twinning projects in Ukraine as of the end of 2008 included thirty-three (33) projects. The Work Plan included twenty-seven (27) projects:

- **Nine (9) projects** in the spheres of energy regulation, civil aviation, norms and standards, competition, accreditation, space, internal financial control, transport and internal affairs, — **at the stage of implementation;**
- **Three (3) projects** in the spheres of transportation, justice and gas market regulation, — **at the stage of Twinning contract drafting;**
- **Three (3) projects** in the spheres of investments, civil service and food safety, — **at the stage of call of proposals;**
- **Nine (9) projects** in the spheres of energy, customs, monetary policy, financial control, environment, administrative

justice, civil service, statistics and municipal infrastructure, — **at the stage of Twinning Fiche preparation;**

- **Three (3) projects** in the social sphere, external audit as well as social and labor policy, — **at the stage of Terms of references preparation.**

With the purpose of **strengthening the institutional capacity of public bodies** for the effective use of Twinning and TAIEX instruments the Twinning Programme Administration Office conducted a number of trainings. In particular, a seminar “Implementation and monitoring of Twinning projects”, a seminar-conference “Feature of application of the order on preparation and fulfillment of the Plan of involving external assistance from the European Commission within the framework of TAIEX, approved by resolution of the Cabinet of Ministers of Ukraine dated April, 9, 2008 # 316”, a conference related to preparing the draft Plan for involving external assistance from the European Commission within the framework of TAIEX for the second half of 2008, a conference related to the external assistance of the European Commission within the framework of TAIEX in the field of training personnel involved into the preparation of Euro-2012 and a training on quality improvement for the preparation and implementation of Twinning projects in Ukraine.

The widespread experience gained from the realization of Twinning projects attracted the special attention of the Government of Ukraine. On September 25–26, 2008, the MDCS and the Twinning Programme Administration Office, with the support of the Cabinet of Ministers of Ukraine



 Second Annual Conference for the Black Sea Region Countries on Twinning Operations, September 25–26, 2008, Kyiv

and European Commission, held the Second Annual Conference for the Black Sea Region Countries on Twinning Operations.

The conference intended to contribute to: the strengthening of cooperation between Black Sea Region Countries (Azerbaijan, Armenia, Georgia, Moldova and Ukraine), the formation of professional community and network of civil servants and the stimulation of the exchange of experiences and best practices in the field of administrative and institutional reform through the use of institution building instruments.

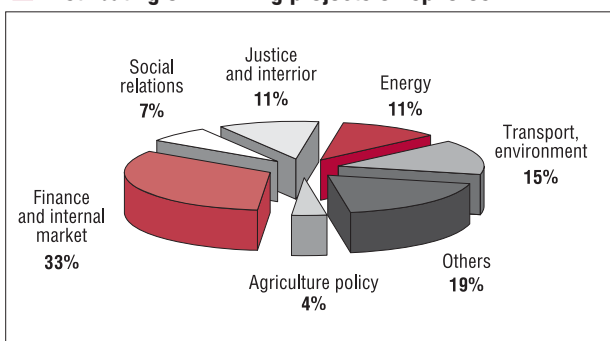
Senior officials of the Government of Ukraine, the European Commission and its Delegations to Ukraine and countries of the Black Sea Region, the SIGMA Programme, representatives of the European Court of Auditors, the National bureaus on EU assistance coordination, Administrative offices of the Twinning Programme in the countries of the Black Sea Region, public bodies of the mentioned countries, national contact points on Twinning instrument from Turkey, Germany, Poland, Morocco, ambassadors of the EU countries and countries of the Black Sea Region, key stakeholders of Twinning projects in Ukraine and countries of the Black Sea Region took part in the conference.

A new institution building instrument of European Commission, SIGMA, was presented to the participants of the event, which in 2008 became available for countries of the European Neighborhood Policy.

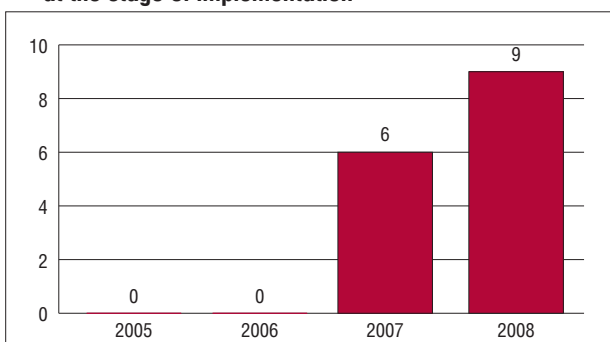
A presentation of research of the European Court of Auditors in the EU countries took place at the conference, concerning the quality and efficiency of the use of the Twinning instrument and its influence on modernization of public administration and ensuring of democratic principles of administration.

The participants of the conference developed recommendations on the approach of programming and the identification of Twinning projects, possible support tools for key institutions involved in the use of the instrument, as well as proposals respecting the monitoring, evaluation and audit of Twinning projects.

Distributing of Twinning projects on spheres



The number of public bodies with the Twinning projects at the stage of implementation



Examples of Twinning projects being implemented in Ukraine

The Twinning project **“Harmonization of the Legislation and Standards of Ukraine with EU Norms in the Field of Civil Aviation”** is being implemented by the State Aviation Administration of Ukraine of the Ministry of Transport and Communication of Ukraine and a consortium that includes the Ministry for Transport, Infrastructure, Tourism and the Sea of France and the Civil Aviation Office of Poland. The project is working towards the harmonization of Ukrainian legislation on the safety of civil aviation to meet the requirements of the Joint Aviation Authorities of the European Union, as well as providing for the implementation of harmonized legislative procedures by the aviation sector of Ukraine in the context of the creation of a joint aviation space with the EU. Successful implementation of the project will enable the extension of trade relations with EU countries in practice and open new air transit corridors under the conditions of flight safety, which will have a positive influence on the quality of life of all citizens of Ukraine. The project will be completed in 2009.

The first two-year Twinning project in Ukraine **“Regulatory and Legal Capacity Strengthening of Energy Regulation in the National Electricity Regulatory Commission of Ukraine”** will be completed in April 2009. The development of an effective chart of social tariffs for electricity consumption for the population is an important component of the project. This chart will take into account the best European experience consisting of consideration of the prime prices of electricity, on the one hand, and the level of social support by the state for population, on the other hand, in the calculation of tariffs. Such an approach will

enable the provision of transparency and stability in the method of establishing tariffs for industry and the Ukrainian population. Presently, this method is being trial piloted at the regional level and will be introduced across the Ukrainian territory.

The Twinning project **“Strengthening of Standardization, Market Surveillance, Metrology and Legal Metrology, Conformity Assessment and Consumers Policy in Ukraine”** is one of the first projects started by the European Commission in Ukraine. It became a logical continuation of the cooperation between Ukraine and the European Union in the field of the creation of favorable terms for Ukraine’s integration into the internal EU market through the movement of regulatory and administrative practice in conformity with international and European standards. Project realization was initiated in 2007 and will be completed in September 2009. Its main objective is support of the Ukraine–EU Action Plan in its proper part and of the Action plan for preparation of the Agreement on Conformity Assessment and Acceptance of Industrial Products (ASAA). This agreement will allow for the extension of commodity turnover between Ukraine and the EU through the cancellation of the additional testing or certification of products and mutual acceptance of conformity assessment of a number of goods. Aligning domestic regulatory practice to EU standards will support general quality improvement of products in Ukraine, in particular as it relates to safety and health for the population, as well as support improvements in the Ukrainian economy for the production of goods, provision of services and consumer protection.

Attracting the external assistance of the European Commission within the framework of the TAIEX instrument

In 2008, the number of TAIEX applications from public authorities of Ukraine submitted for examination to the European Commission increased. Accordingly, the total number of TAIEX events initiated and hosted by Ukraine rose by 13 per cent as compared with 2007. This rise serves as an indication that there is increased knowledge and interest within central executive authorities in Ukraine respecting the use of this institution building instrument.

Over the course of 2008, 362 representatives from Ukrainian public authorities became beneficiaries of thirty (30) TAIEX events both, abroad and in Ukraine, that were held in fields such as:

- Freedom, security and justice (5 events);
- Internal market (10 events);
- Transport, environment and energy (7 events);
- Agriculture, food safety forms (8 events).


However, in spite of the increase in applications received from Ukrainian public authorities, there was a reduction of up-

take of the TAIEX instrument in Ukraine in 2008. Problems related to the uptake of the TAIEX instrument by Ukrainian public authorities are as follows:

- Insufficiently high qualitative-level of preparation of TAIEX application forms by public authorities resulting in delays in processing and the return of applications for future re-submission with much administrative effort on the part of the Twinning programme Administrative Office;
- Nearly half of TAIEX applications forms received respecting study visits to EU countries lacked sufficient justification and rationale as to the need for the requested advisory support and assistance. This lack of rationale effectively prevented the MDCS from being able to submit proposals to the representative Office of the European Commission in Ukraine;
- Insufficient rigour in analysis on the part of central executive bodies in the preparation of TAIEX applications as it related to assess current undertakings in the sphere in questions (i.e. potential duplication/overlapping with Twinning projects or other types of technical assistance of the European Commission).

In drafting the Plan of Involvement of European Commission's External Assistance in the Framework of TAIEX for the first half of 2009, the MDCS took into account events planned in the Plan for the second half of 2008 and as well as those under consideration by the Delegation of the European Commission to Ukraine or the European Commission as well as events which were planned by the European Commission for 2009.



 Conference on implementation of the Plan of Involvement of European Commission's External Assistance in the Framework of TAIEX for the second half of 2008, July 25, 2008, Kyiv

In 2009, the MDCS plans to strengthen capacity of executive authorities in Ukraine to make use the TAIEX instrument.

In spite of the above-mentioned problems and limited uptake in realizing the potential of TAIEX in the country, Ukraine occupies one of the leading places respecting activities em-

ploying the instrument among the countries for which this instrument is accessible.

Ukraine's achievements were recognized by the European side during the Annual Meeting for the Institutional Building Instruments conducted on May 2008 in Brussels by the Directorate General for Enlargement of the European Commission and "Europe Aid" for National Contact points for the Twinning and TAIEX instruments.

During this meeting, the general review of achievements and prospects for involving external assistance from the European Commission were presented within the framework of the TAIEX instrument among countries where the European Commission pursues its European Neighborhood Policy. For the second year, Ukraine occupies the first place in terms of the volume of participants in TAIEX events, second place in terms of the number of initiated events and second place in terms of the number of events realized in the country.

Use of SIGMA institution building instrument in Ukraine

In 2008, the European Commission made a decision to use the SIGMA instrument (Support for Improvement of Governance and Management) in countries where the European Neighborhood Policy applies. As a result of this decision, Ukraine received access to expert assistance from the SIGMA program in support of reform of the system of public administration.

On February 6, 2008, the MDCS held consultations with the management of the SIGMA program with respect to further engagement of this program in Ukraine.

TAIEX for Ukraine's citizen

Today one of the most actual problems for Ukraine and the international community is the area of human trafficking with the purposes of the sex trade, the illegal use of bodily tissue and organs etc. Within the TAIEX framework, a **Seminar on Combating Trafficking in Human Beings** was held on June 23–24, 2008 with the participation of representatives from the public bodies and non-governmental organizations of Ukraine. The primary objective of the event was the development of a mechanism for international coordination on the prevention of human trafficking, improvement of cooperation on the criminal pursuit of persons involved in this type of crime, as well as cooperation concerning the defense and reintegration of victims in society associated with human trafficking. As a result of discussion, seminar participants identified ways to improve current Ukrainian legislation aimed at counteracting human trafficking.

From October 20 to October 25, 2008, an study visit within the TAIEX framework of Institute of legislation of the Verkhovna Rada of Ukraine was paid to Republic of Bulgaria with the aim of **studying the scope of the legislative framework and general normative anti-discriminatory practices**. The need for this visit was premised on the reality of the present tension within Ukrainian so-

ciety resulting from growing negative statistics related to human rights violations in the area of gender equality as well as those connected with migration and racial and ethnic associations.

A study of the best practices of EU countries will promote resolution of this problem, especially the recent practices of transition countries which recently reformed their organizational legislative sphere in protecting against discrimination. The experience gained from the educational visit to the Republic of Bulgaria will help to develop the National Strategy for the prevention of discrimination and protection in all spheres of public life the Ukraine's citizens, hopefully resulting in the drafting of changes to national legislation.

On the initiative of the Ministry of Environmental Protection of Ukraine, within the framework of TAIEX instrument, a seminar on **studying on EU experience in the field of anthropogenic accidents** was organized on November 25, 2008. There was a great need for this seminar in light of the consequences of the ecocatastrophe in the Kerch channel. Recommendations provided by EU experts during the seminar helped the Ukrainian side to define optimum steps for the liquidation of these ecological consequences.



 Bob Bonwitt, Head of SIGMA

On September 23–26, 2008, management and experts of the SIGMA program visited Ukraine. During which a number of meetings with the member of parliament of Ukraine, MDCS's representatives, ministries of economy and justice, Antimonopoly committee and nongovernmental organizations of Ukraine were held. As a result of the visit project propositions in the field of civil service and public procurement were determined.

In September 2008, experts from the SIGMA program provided analytical comments to the draft Law of Ukraine “On Civil Service” (registration # 1400 dated 01.22.08). In December 2008, as part of a roundtable organized by the MDCS and the Council of Europe, program experts provided further input aimed at improving and strengthening the draft Law of Ukraine “On Civil Service” (new version) and the draft Law of Ukraine “On Conflict of Interest in the Civil Service and the Service in Local Self-government Bodies”.

18. Institutionalizing and developing policy analysis groups within ministries and other central executive authorities

Building civil servant capacity for policy analysis and evaluation is an important part of the professional development of the civil service. This necessity is explicitly identified in the Concept on the adaptation of the Ukrainian civil service to the standards of the European Union. Policy analysis capacity presupposes an ability to conduct an analysis of present challenges and to define pressing problems, an ability to identify causes of said problems and related consequences, an ability to evaluate present results and to propose possible courses of action, an ability to identify and develop alternatives and options aimed at resolving specific problems or challenges.

The present system of professional education for civil servants is inadequate to meet the needs of democratic governance. Civil servants have limited opportunity to obtain the practical skills they require to perform their duties and functions through in-service training, in particular as it relates to policymaking and co-ordination.

Policy analysis groups have been employed as a tool for addressing this gap. The establishment of such groups is a priority of the MDCS.

Policy analysis groups have been established to increase the efficiency of public policy planning, development and co-ordination within the system of central executive authorities and further to increase the efficiency of public administration in accordance with the standards of the EU.

Policy analysis groups are established as temporary creative teams consisting of civil servants from the II–IV categories. Every group takes part in series of in-service trainings during which participants learn and develop policy papers as well as draft governmental acts. Through this interactive learning, participants are able to develop concrete skills in policy analysis and the delivery of public consultations with relevant stakeholders on the basis of practical policy work.

In the 2007–2008 period, seven policy analysis groups were formed within central executive authorities within the framework of the research entitled “Strengthening the institutional capacity of central executive authorities in policy making within the context of the creation of a concept for the establishment of a training and consultative — the Center for the development of the senior corps of the civil service”.

Analytical papers (green and white papers), prepared by members of the policy analysis groups, received positive reviews from international trainers-advisors as well as among a wide circle of stakeholders which took part in public consultations and discussions around key policy issues.

Another positive result arising from the functioning and presence of policy analysis groups in the 2007–2008 period is the consequent improvements in horizontal co-operation between central executive authorities. Intensive participation through trainings and planned discussions related to policy paper development contributed to the building of greater con-

During the above-noted (2007–2008) period, policy analysis groups developed analytical papers including the following: “Building the National Bank of Ukraine on the basis of independent, open and transparent activity” (National Bank of Ukraine), “Creation of minimum supplies of oil and oil products” (Ministry of Fuel and Energy of Ukraine), “Improvements in tax information exchange” (State Tax Administration of Ukraine), “Increasing safety for sources of ionizing radiation in Ukraine” (State Nuclear Regulatory Committee of Ukraine), “Increasing the level of corporate management in joint-stock companies and ensuring of investors’ rights” (Securities and Stock Market State Commission), “Improving the system of border crossings in Ukraine for persons and transport vehicles” (State Border Service of Ukraine) and “Identification of the optimal ways for minimizing the number of detainees in custody, and observance of norms for detention procedures in Ukraine” (State Department for the Execution of Punishment of Ukraine).



 Discussions involving policy analysis groups in the 2007–2008 period

sensus and dialogue between representatives from the range of central executive authorities.

In November 2008, research work entitled **“Development of a network of policy analysis groups in the system of central executive authorities of Ukraine”** was initiated. This research is being led by the state enterprise known as the Institute of Sociology of the National Science Academy of Ukraine — specifically their “Center of Social Expertise”.

The main feature of policy analysis groups’ activity in the 2008–2009 period will be the focus upon issues related to preparing to implement the Agreement on Association with the EU, in particular regarding creation of a free trade zone between Ukraine and the EU. The task of the policy analysis groups will be that of developing sectoral strategies aimed at fulfilling Ukraine’s commitment within the framework of future Agreement. These strategies will need to clearly define actions and steps required to implement the Agreement and take into account the present legal foundation, obligations and needs in terms of resources (financial, human and institutional). Participants of policy analysis groups will present their strategies drafts and discuss them with the representatives from the Ukrainian business community as well as other relevant stakeholders.

In December 2008, on the order of the Vice-prime Minister of Ukraine, the MDCS established ten (10) policy analysis groups to work on sectoral policy issues related to Ukraine’s future Agreement on Association with the EU. Three (3) additional groups were engaged in the development of policy priorities related MDCS function, namely: reform of the classification system in connection with the civil service compensation system; introduction of the approaches for the annual performance

evaluation of civil servants’ activities and reform of the system of professional development for civil servants.

The groups consist of representatives from different central executive authorities and are lead by deputy heads from selected central executive bodies. Representatives of the National Bank of Ukraine, the Secretariat of the Cabinet of Ministers of Ukraine, and eighteen (18) central executive authorities are taking part in these policy analysis groups. Every group is comprised of seven (7) to eleven (11) participants. There is a total of approximately one hundred and thirty (130) civil servants who will participate in this cycle of the policy analysis groups initiative.

The first activity for newly created groups **consisted of a launch conference related to organizational aspects for the activity of policy analysis groups in the 2009 year**. This conference took place on December 26, 2008 in the premises of School of Senior Civil Service and was chaired by the Head of the MDCS.



 Launch conference related to organizational aspects for the activity of policy analysis groups in the 2009 year, December 26, 2008

In 2009, it is planned that a series of educational events and public consultations will be conducted for these newly created policy analysis groups. Trainings cover key elements of the policy analysis development process, including: procedures for policy development and co-ordination; the practice of democratic governance; problem definition and policy analysis methods; formulation of policy objectives and results, the building of policy logical framework; evaluation and identification of policy alternatives, policy implementation, etc.

The results of these policy analysis groups’ policy efforts will be presented to the Ukrainian part of the Committee on Co-operation between Ukraine and the European Union. ■

SECTION V. INTRODUCTION OF E-GOVERNANCE PROJECTS

19. Building telecommunication infrastructure for the MDCS' central apparatus and territorial administrations

A powerful computer network with a high level of reliability serves as the basis for the telecommunications infrastructure present within the MDCS. This network unites over one hundred and twenty (120) modern computers and thirteen (13) servers. All employees of the central apparatus of the MDCS have access to a modern computer including access to center e-mail. At the level of the MDCS' territorial administrations, there is a ninety-three (93) per cent penetration rate of computer equipment. In addition to the above-noted infrastructure, one hundred and twelve (112) civil servants within the central apparatus have an access to the Internet.

IP-phone technology is one of the most widespread instruments supporting the increase of efficiency in communication within large organizations. The introduction of this technology within MDCS headquarters has generated considerable financial savings and improved the quality of administrative processes by helping to accelerate decision-making processes. In 2008, the first stage of constructing a computer-integrated corporate IP-network was completed within the central apparatus of the MDCS. As a result, required equipment has been upgraded for everyday work usage (servers for IP-telephone management, servers for videoconferences, videophones, etc.).

The IP-telephone system has allowed for the transfer of vocal and video information between employees within MDCS headquarters, and has also for the possibility of virtual conferences through the use of a system of video- and audio-conferences.

Leading modern technologies were used in equipping the conference premises of the School for Senior Civil Service on the sixth floor of the MDCS headquarters. As a whole, the educational complex consists of conference halls, educational/training rooms, a resource center as well as auxiliary premises. The conference facilities are able to accommodate a maximum of one hundred and ninety participants.

Modern audio-visual systems and facilities are in place to ensure the delivery of high-quality events (including, meetings, press-conferences etc.) on MDCS premises. Such events have even included special foreign dignitaries and invited guests. The conference facilities have offer many unique advantages as a result of the presence of leading technology including effective presentations formats, the capability to handle multiple languages through simultaneous translation, etc. The technology is extremely advanced and even allows the use of differing languages through simultaneous translation between main and subsidiary meeting rooms/halls in the conference facility. All events are audio and video recorded with a database of such

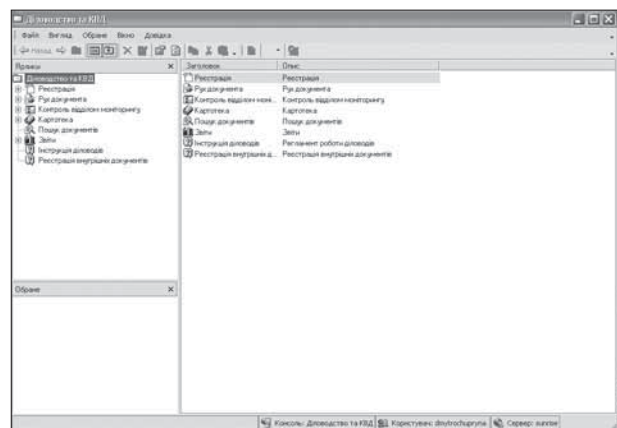
recordings maintained at the MDCS. In addition to the noted audio technology, video technology allows the MDCS to display images of meeting participants onto the large display screen located in the main meeting hall for ease of viewing and listening. This video technology is maximally flexible and allows for its creative use in all gatherings and events. This technology includes a "system of cold light" which was installed in the MDCS with the aim of providing a high-quality visual survey of events which take place in the conference hall. All meeting/educational rooms of the School of Senior Civil Service are equipped with interactive wall-mounted boards, projectors and computers to support efficient training and learning processes.

20. Introducing of e-workflow

With the understanding that computer-integrated information systems, in particular systems of electronic workflow, allow for the possibility of generating internal efficiency in work processes the MDCS implemented a pilot project to introduce e-workflow between its central headquarters and its territorial administrations in Dnipropetrovsk and Odessa oblasts, as well as between the MDCS and the Secretariat of the Cabinet of Ministers of Ukraine in 2008.

Integration of the workflow with the Secretariat of the Cabinet of Ministers of Ukraine was implemented in offline mode with the use of a workstation of subscriber points of SITS (the special information telecommunication systems of executive authorities) through a document exchange center and a special application to support the different systems of electronic workflow, synchronizes reference books and provide for the protected exchange of electronic documents.

The programme "Megapolis.Workflow" was installed on every workstation within the MDCS by the end of 2008. Almost two hundred (200) documents on average are processed by the system daily. This new technology has enabled the central apparatus to effectively employ e-workflow technology in 2009 in their day-to-day activities.



Main window of the programme "Megapolis.Workflow"

21. Upgrading web-resources

The development of in-house web-resources has been a key focus and priority of MDCS activity over the last five years. The value of these web-resources has grown exponential on the basis of greater uptake and usage on the part of citizens in Ukraine who continue to make greater use of the internet.

In 2008, the MDCS oversaw the operation of official external and internal websites, the “Kartka” informational system as well as database servers. The content and structure of official external website of the MDCS was regularly updated to provide ongoing information about MDCS activity to Ukrainian citizens as well as beyond Ukrainian borders, to provide civil servants with relevant information, as well as to keep MDCS personnel as well as other relevant civil service stakeholders informed of relevant activities and undertakings.

In September 2008, twenty-seven (27) sub-sites were developed by the territorial administrations of the MDCS, which were subsequently linked into and incorporated into the MDCS portal. Access to these sub-sites was organized through a GEO-informational interface. This interface independently allowed MDCS territorial administrations to provide information services which were relevant to the specific needs/requirements of the specific region.

In 2008, the site for the Center for the adaptation of the civil service to the standards of the European Union was re-designed — allowing for greater and more in-depth content which is more tightly oriented towards the needs of the MDCS’ target audiences. A section on TAIEX projects was expanded to include a schedule of events, a chronology of basic activities as well as contact information for responsible persons initiating TAIEX seminars. In addition, a new website section entitled “Library” was developed. This section of the site posts analytical materials of relevance for experts in the area of public administration. Further, a section entitled “History of the civil service of Ukraine” was populated with copies of key documents and materials related to events which commemorated the 90th anniversary of the civil service in Ukraine.

In 2008, the MDCS developed foreign-language versions of its web-site with the objective of sharing and disseminating

information among relevant stakeholders and interested parties on a more global level.

22. Using information and telecommunication technologies for human resource management in the civil service

Advances in computer technologies have had an impact on the evolution of information systems. These changes have precipitated the development of new information systems within the Ukrainian civil service to capture the breadth of human resources management information. The key development in this area relates to the creation of the “Kartka”(Card) system — which was launched in 1995 as a transition from manual record keeping to automated data gathering and consolidation intended to compile a database containing information for civil servants from categories I–III within the MDCS.

Expansion of functional possibilities of the system and creation on its basis of the unique database of civil servants of all categories are begun in 2005 in accordance with the Program of the Civil Service of Ukraine Development for the years 2005–2010.

In 2008, the MDCS continued to improve the “Kartka” system — the prototype of the future electronic database for civil servants’ personnel files. A network module of the system was released in May 2008. This updated version provided the possibility for 9-DS report forms to be completed and compiled by an unlimited number of public authorities. These advances will allow for greater qualitative and quantitative analysis of civil servant information on the basis of electronically compiled information.

As of December 2008, approximately seventeen (17) per cent of civil servants from I–III categories, from bodies that provide realization of plenary powers of the President of Ukraine, the Verkhovna Rada of Ukraine and the Cabinet of Ministers of Ukraine, had their information inputted into the “Kartka” system; thirty-six (36) per cent from within public authorities; eighty-seven (87) per cent from within state committees and other central executive authorities equivalent in status to state committees; as well as seventy (70) per cent from within central executive authorities. A one hundred (100) per cent population rate was attained within ministries, central executive authorities with the special status, and local state administrations.

Over the course of the year, the MDCS worked constantly to support the professional development of specialists in central and local executive authorities and local self-government bodies in the area of human resource management — related to this professional development is capacity building in the area of populating and using the “Kartka” database of civil servant personnel files being developed.

In April 2008, practical seminars were conducted for representatives from central executive authorities. Among the reviewed issues were the use of the system “Kartka” for human resource management within public bodies. In September 2008,



View of the main page of the MDCS territorial administrations sub-site

a regional seminar entitled “Conduct of computer account of the electronic personal files of civil servants of I–VII categories, use of its information according to power of respected executive authority, administration and storage of information for a united computer system “Kadry” was conducted in Simferopol. Representatives of the Verkhovna Rada and the Cabinet of Ministers of Ukraine, ministries, state committees and rayon state administrations of the Autonomous Republic of Crimea took part in this event.

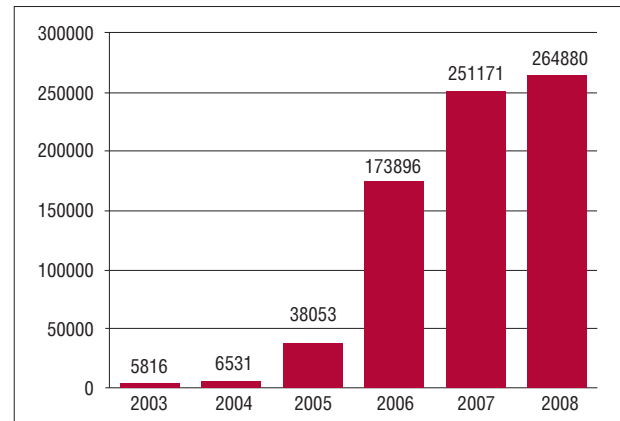
The introduction of information and communication technologies has substantially expanded the reporting and monitoring capabilities within central executive authorities as well as provided human resources department personnel with new tools for their work. The next steps involve continued modernization of the system in both technical and methodological terms. Ultimately, there is a desire to development a new centralized system for the management of human resources information related to civil servants across the civil service, including the level of local self-government.

The “Kartka” system has served as an important foundation in the development of this more comprehensive National database of electronic personnel files for civil servants and servants of local self-government.

Introduction of this National database will help establish a centralized and comprehensive source of electronic data related to the personnel files for civil servants. In addition, the National database will: allow for the use of unique actual reference

books, provide the possibility of utilizing interactive services (central sources for posting and searching vacancy announcements etc.), afford access to information respecting civil service performance and personnel information via the civil service web-portal.

 **Evolution of total amount of personnel files for civil servants stored by the MDCS**



Creation and introduction of this National database is one of the key priorities for the MDCS on a nation-wide level. This database is set out as part of the changes to the Program of development of the civil service for 2005–2010 approved in September 2008.

SECTION VI. PREVENTING CORRUPT PRACTICES IN THE CIVIL SERVICE AND THE SERVICES IN LOCAL SELF-GOVERNMENT BODIES

23. State of fight against corruption: adherence to anti-corruption legislation in executive authorities

The MDCS aggregates the reports of central and local executive authorities on fulfilling the requirements of the Law of Ukraine "On Struggle against Corruption". In spite of the activities of executive authorities aimed at the prevention of corrupt practices, there remains much work still to be done according to 2008 data.

Six thousand two hundred and twenty four (6,224) protocols on corrupt practices were filed with courts in 2008, among which 3,199 protocols were related to civil servants (broken down as follows: civil servants of I–II categories — 15, II–IV categories — 1,358, V–VII categories — 1,826, and officials in local self-government bodies — 2,173).

In 2008, the number of the protocols, according to which a legal decision was made, amounted to 5,732, including those related to civil servants — 2,930, among whom those of I–II categories — 7, of III–IV categories — 1,252, of V–VII categories — 1,671, and local government officials — 2,055. Following respective court judgments, criminal proceedings were instituted against four (4) civil servants (each of these civil servants are from the V–VII categories) as well as three (3) officials in local self-government bodies.

In 2008, an administrative penalty was imposed on 4,745 officials, among whom more than half (2,419 persons) were

civil servants, and more than a third (1,785 persons) were officials in local self-government bodies.

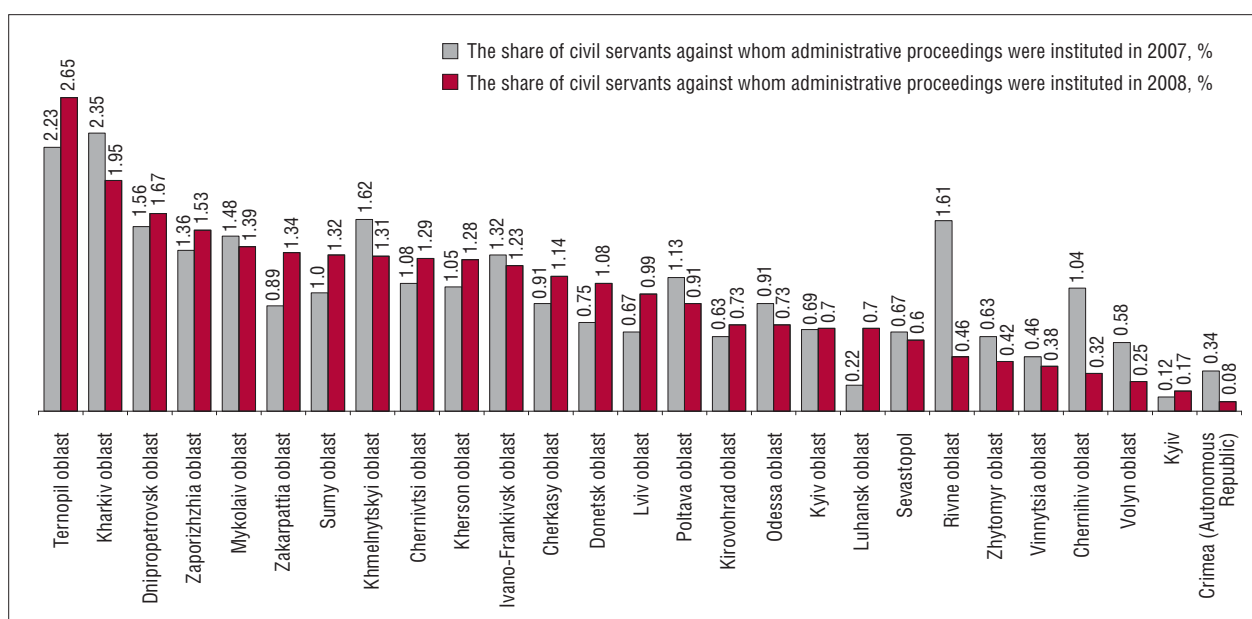
In 2008, the number of civil servants with closed administrative cases under legal decisions numbered 923 persons in total, among whom 462 were civil servants and 251 were officials in local self-government bodies.

The biggest share of civil servants, who were held administratively liable from among the total number of civil servants, was observed in Ternopil oblast (2.65 per cent) and Kharkiv oblast (1.95 per cent), with the lowest recorded figures in the Autonomous Republic of Crimea (0.08 per cent) and the city of Kyiv (0.17 per cent) (see diagram below for additional information). These statistics point to continued challenges related to combating corruption. Overall, in Ukraine, the share of civil servants against whom an administrative proceedings was instituted constitutes 0.91 per cent of the total civil service population (as compared with — 0.88 per cent in 2007).

The share of civil servants in categories I–II against whom administrative proceedings were instituted, in their general number in Ukraine constitutes 0.17 per cent, of III–IV categories — 5.98 per cent, V–VII categories — 0.55 per cent.

Corrupt practices are significantly noted among civil servants in categories III–IV, in particular as it relates to the positions of deputy heads of oblasts, Kyiv and Sevastopol city state administrations, heads of local state administrations, heads and deputy heads of departments and independent units within ministries and other central executive bodies, heads of departments, units, services of oblast, Kyiv

The share of civil servants against whom administrative proceedings were instituted in 2007 and 2008



and Sevastopol city state administrations, and other positions with equal status.

On the whole, the share of civil servants in I–IV categories against whom administrative proceedings were instituted as a percentage of the general civil service numbers in Ukraine grew from 4.79 per cent in 2007 to 5.47 per cent in 2008; significantly exceeding the respective share of civil servants of the V–VII categories against whom administrative proceedings were instituted (in 2007 — 0.57 per cent, in 2008 — 0.55 per cent).

24. Improving legislation on counteracting and preventing corruption — an essential prerequisite for its systemic eradication

One of the priority tasks of the MDCS is the development laws for preventing corrupt practices and submission of recommendations for the improvement of existing legislation. In 2008, the MDCS developed and submitted drafts of anticorruption laws to the Verkhovna Rada of Ukraine and the Cabinet of Ministers of Ukraine as detailed below:

- The draft Law of Ukraine “On Integrity of Public Officials” (the draft Law has been included into the agenda of the third legislative session of the Verkhovna Rada of Ukraine of the sixth convocation);
- The draft Law of Ukraine “On Introducing Changes to the Law of Ukraine “On Service in Local Self-government Bodies”. This draft Law aims to increase the level of liability of local government officials for abuse of the Law of Ukraine “On Struggle against Corruption” and of the Oath of local self-government officials. Article 12 of the Law of Ukraine “On Service in Local Self-government Bodies” will be supplemented with a new norm, in concordance with which the local self-government officials will not have a right to fulfill actions, provided in Article 1 (definition of corruption and corrupt actions) and Article 5 (special restrictions concerning civil servants and other public officials directed at preventing corruption) of the Law of Ukraine “On Struggle against Corruption”. In addition, the draft Law provides for expulsion from the service in local self-government bodies in case of a refusal of an official in a local self-government body to swear an oath or case of an abuse of the oath. At its meeting on November 19, 2008, the Parliamentary Committee on State Building and Local Self-Government recommended to the Verkhovna Rada of Ukraine to assume this draft Law as a basis in the first reading of the mentioned draft Law. The draft Law has been included into the agenda of the third legislative session of the Verkhovna Rada of Ukraine of the sixth convocation;
- 3 draft resolutions and 1 draft order of the Cabinet of Ministers of Ukraine that provide for:
 - Formation of an deliberative body headed by the Prime Minister of Ukraine with a view to assisting to the Cabinet of Ministers of Ukraine by providing authority to prevent corruption;
 - Matching of separate provisions of the Order of maintenance of personnel files of civil servants in executive bodies;
 - Fixing of a new date for the transfer of analytical information to the Main Department of the Civil Service of Ukraine: to August 1st and to February 1st (previous dates — to August 15th and to February 15th), that enables the MDCS to increase time for processing of the mentioned information (the resolution is accepted by the government);
 - Introduction of the quarterly direct telephone hotlines “Society Against Corruption” with the participation of the heads of the of the Main Department of the Civil Service of Ukraine, the Ministry of Internal Affairs, the Security Service of Ukraine, the Ministry of Justice, the Ministry of Regional Development and the State Tax Administration with the objective of ensuring openness and transparency in the activities of executive bodies (this resolution has been accepted by the government).

25. Training of public officials on the issues of preventing corruption — important factor of counteracting corruption

An increase of legal knowledge of civil servants and local self-government officials is one of the effective measures for the prevention of corrupt practices.

As a government contractor, the MDCS organized advanced training for civil servants and officials in local self-government bodies who were charged with organizing activity on preventing corruption at the premises of the Kyiv National University of Internal Affairs. This activity was planned in the Program of Civil Service Development for 2005–2010.

In 2008, five hundred and ninety-six (596) civil servants in central and local executive authorities and local self-government bodies were charged with organizing activity on preventing corruption (compared to 585 in 2007). Among them, two hundred and eleven (211) persons belonging to categories I–IV, and 385 — to categories V–VII (in 2007, there were 267 and 318 persons respectively, in the above-noted categories).

The MDCS examined the performance of those civil servants who received advanced training (planning, internal training, elaboration of measures for the prevention of corrupt practices within a government body), as a part of comprehensive inspections on adherence to the Laws of Ukraine “On Civil Service” and “On Struggle against Corruption”, as well as other legal acts on the civil service and anti-corruption.

26. Special verification of the data, which is submitted by candidates in senior positions — one of the key stages in the selection of senior civil servants

By orders of the Head of the Secretariat of the President of Ukraine and the Minister of Cabinet of Ministers of Ukraine, since 2002, the MDCS in cooperation with the Ministry of Interior Affairs, the Ministry of Education and Science, the State Tax Administration, and the Security Service of Ukraine, has been conducting mandatory special verifications of the data, which is submitted by candidates for the positions of civil servants, and appointments or endorsement of appointments which are made by the President of

Ukraine or the Cabinet of Ministers of Ukraine. Certificates with results of mandatory special verifications are submitted to the Secretariat of the President of Ukraine and the Secretariat of the Cabinet of Ministers of Ukraine.

A total of two hundred and fifty-two (252) special verifications of data submitted by candidates to the civil service were undertaken in 2008.

Inconsistencies were revealed in the data of 235 persons, or 93.3 per cent of submitters of data. These inconsistencies were related to the following:

- Income declaration (84.5 per cent);
- Occupying leadership positions in subjects of management (36.9 per cent);
- Being held criminally (9.9 per cent) or administratively (5.2 per cent) liable for corrupt practices;
- Education certificates (2.0 per cent).

Examples of revealed inconsistencies in the data, that have been submitted by candidates to the civil service

Example 1. In 2000, a criminal case was opened by the public prosecutor's office against a candidate for the position of deputy head of oblast administration for the offence stipulated by part 2 of Article 148-5 of the Criminal Code of Ukraine (financial fraud). In October 2006, the above mentioned case was closed on the basis of Paragraph 1, Article 7 of the Procedural Criminal Code of Ukraine (Procedure of exempting from liability and penalty following a change in circumstances).

In 2008, a criminal case was opened by the Tax Police of the State Tax Administration against the mentioned candidate for the offence stipulated by part 3 of Article 212 of the Criminal Code of Ukraine (tax evasion). The case concerns the civil servant's member as deputy head of the board of an Open Joint Stock Company. In 2008, criminal proceedings were closed by the investigating authority of the Tax Police of the State Tax Administration on the basis of Paragraph 2, Article 6 of the Procedural Criminal Code of Ukraine (due to the absence of corpus delicti).

The above mentioned data was not indicated by the candidate in the papers submitted for special verification.

Furthermore, the individual declared income that did not correspond with factual data.

Example 2. In 2003, a criminal case was opened by the public prosecutor's office against a candidate for the position of the head of rayon administration for the offence stipulated by part 2 of Article 364 (misuse of office) and part 1, Article 222 (financial fraud) of the Criminal Code of Ukraine.

The rayon court condemned the candidate in 2003 to imprisonment for three (3) years. In accordance with Article 69 (milder penalty as specified in the law) and Article 75 (exempting from penalty with probation) of the Criminal Code of Ukraine, the individual was exempted from service of sentence with a probationary period of one

year without the right to change place of residence. A rayon court ruled in 2004 to exempt the individual on the basis of Article 408-1 of the Procedural Criminal Code of Ukraine (Procedure of exempting from penalty with probation after end of the probationary period).

Information about the above-mentioned conviction was not indicated by the candidate for the position of the civil servant in the papers submitted for special verification.

In addition, the individual declared income that did not correspond to factual data. At the same time, this individual was a founder of an agricultural private enterprise and the head of a country union.

Example 3. In 2006, an administrative report of an incident of corruption, which is envisaged in Paragraph "g", part 3, Article 5 of the Law of Ukraine "On Struggle Against Corruption" (illegal priority for individual and juridical persons by drafting and passing the normative legal acts and resolutions), was drawn up with regard to a candidate for the position of head of rayon administration. A court ruled to impose a fine of UAH 255.

The above mentioned data was not indicated by the candidate for the position of civil servant in the papers submitted for a special verification.

Example 4. A candidate for the position of the head of rayon administration provided a copy of a higher education diploma among the papers submitted for special verification. The submitted diploma was not awarded to this candidate by the indicated institute of higher education cited as the National Technical University. This diploma was awarded to another individual and was subsequently lost by this person. There were, in fact, no students who graduated in the indicated year with a second higher education students from this university.

The documents of office inquiry were sent to the appropriate legal institution.

Proposals submitted from heads of local executive bodies at the oblast level demonstrated that in some cases candidates for senior positions in the civil service were selected without a comprehensive review of their ethical, business and professional qualifications.

With the purpose of improving of control and inspections work within the territorial administrations of the MDCS, a workshop was conducted at the central office of the MDCS for deputy heads of territorial administrations on September 30, 2008. The improvement of regulatory legal basis on civil service and preventing corrupt practices among civil servants, the practice of inspecting territorial units of the MDCS, the procedures of office inquiry and the participation of territorial units of the MDCS in its holding and other issues were considered during this workshop.

27. Comprehensive inspections of executive authorities — an instrument to improve their performance

In 2006, the Cabinet of Ministers of Ukraine approved by its resolution the Comprehensive Program of Preventing of Offences for the years 2007—2009. In 2008, in support of the Program's implementation, the MDCS in cooperation with the Ministry of Internal Affairs, the State Tax Administration, the Security Service of Ukraine, the State Department of Ukraine on the Enforcement of Penalties, and the Office of the Prosecutor General conducted five comprehensive inspections. In particular, these check-ups on compliance to legal requirements in the laws of the civil service and in struggle against corruption were held in the Ministry for Environmental Protection of Ukraine, the Ministry of Health of Ukraine, and in the executive bodies and local administrations in Kirovograd and Sumy oblasts.

The results of comprehensive inspections held in the Ministry for Environmental Protection of Ukraine and the Ministry of Health of Ukraine were considered at meetings of the MDCS Board. The results of the comprehensive inspection in Kirovograd oblast were examined at a joint sitting of MDCS Board and the Kirovograd Oblast State Administration.

These comprehensive inspections were accompanied by the provision of methodological and consultative assistance and support on a broad range of issues that were related to organizing the functioning of public authorities (workplans, control, circulation of documents, etc.) and meeting the requirements of civil service legislation (admission to civil service, maintenance of personnel files, awarding of bonuses, certification, etc.).

Indications of violations of restrictions by civil service set in the Article 16 of the Law of Ukraine "On Civil Service" and Article 5 of the Law of Ukraine "On Struggle against Corruption" (the participation of civil servants in the activities

of corporate bodies) were exposed during comprehensive inspections conducted in the executive bodies. The appropriate documents were sent to bodies for anticorruption activities.

As a result of comprehensive inspections, the MDCS' Board recommended the leaders of executive authorities assume effective measures for the removal of the exposed violations. Materials of the Board are submitted to the Secretariat of the President of Ukraine and the Secretariat of the Cabinet of Ministers of Ukraine, to central and local executive bodies, and as necessary to other legal institutions for their follow-up.

With the purpose of removal of violations, found out during comprehensive inspections, and as implementation of the proper Board's decisions the MDCS holds control inspections. In 2008, such inspections were undertaken in the executive bodies of the Kirovograd oblast and of the city Kyiv, in the Ministry of Transport and Communication and Ministry of Agrarian Policy of Ukraine.

The Cabinet of Ministers of Ukraine implemented a unique approach to organizing the activities for preventing corruption within the executive bodies. By administrative order, the deputy head of an executive body, the head of structural subdivision and a specialist have to be appointed responsible for the coordination, organization and implementation of activities on preventing corruption within their institutions. The distributing of functions and duties has to be represented in the resolution on subsection and in the functions' instruction. It determines the legal liability of concrete civil servants, who cooperate with specialists holding inspections, including liability for authenticity and plenitude of the information given for inspection.

28. Hotline "Society against Corruption" — an additional channel of information exchange in counteracting corruption

In 2008, the MDCS in cooperation with the Ministry of Internal Affairs, the Security Service of Ukraine and the State Tax Administration ran two hotlines "Society against Corruption". During their operation, citizens and journalists posed 47 questions. These measures were carried out on fulfilling the Plan of measures on realization of Conception of counteracting corruption in Ukraine "On the Way to Integrity" for the period to 2010, ratified by the Cabinet of Ministers of Ukraine.

Upon initiative of the Main Department of the Civil Service of Ukraine the first such hotline was run on September 22, 2005. Over the 2005—2008 period, seven such hotlines took place during which citizens and journalists posed two hundred and thirty-one (231) questions.

Hotlines provide citizens with an opportunity to receive information regarding:

- The procedures for the submission of income declarations for civil servants and officials in local self-government bodies;
- The forms and methods of exercising control over the activities of public authorities and public officials with regard to their observance of the laws of Ukraine “On Civil Service”, “On Struggle against Corruption” and other anticorruption laws;
- Improvements of anticorruption legislation on the basis of international experience and other anticorruption issues.

The MDCS proposed to the Government to introduce such a hotline in the Club of the Cabinet of Ministers of Ukraine with the participation of heads of the MDCS, the Ministry of Internal Affairs, the Security Service of Ukraine, the Ministry of Justice, the Ministry of Regional Development and the State Tax Administration of Ukraine.

The MDCS further suggested charging the heads of executive authorities with responsibility for posting a banner



 Hotline “Society against Corruption”, September 18, 2008

“Preventing corrupt practices” on their official institution websites. The Cabinet of Ministers of Ukraine supported the MDCS’ recommendation and issued an instruction to executive authorities to follow suit in raising awareness of practices intended to combat corruption. ■

SECTION VII. INCREASING OPENNESS AND TRANSPARENCY

29. Functioning of plural and advisory bodies on civil service issues

The Board of the Main Department of the Civil Service of Ukraine is a permanent consultative and advisory body, which was founded with the purpose of finding coordinated solutions to issues within the MDCS' competence in the spirit of collegiality and open discussion related to all spheres of the institution's activities.



 An extended meeting of the board of the MDCS, April 3, 2008

In 2008, the winners of the all-Ukrainian competition “The Best Civil Servant” were included as serving members to the Board for the first time, including: the director of Desnyanskiy Center of social services for family, children and young people in the district of Kyiv, O. Shapran, and the main specialist of the department of organizational work of the Gulyaypillya rayon state administration from Zaporizhya oblast, O. But.

Over the reporting period, the Board of the MDCS held seven (7) meetings, including an extended meeting attended by representatives of central executive authorities and local self-government bodies. The resumes of branch agreement between the Central Committee of the Labour Union of employees of public institutions of Ukraine and the Main Department of the Civil Service of Ukraine and the concluding of a new agreement were discussed at the joint meeting with the Central Committee of Labour Union. The results of comprehensive inspections of the compliance to requirements of the Laws of Ukraine “On Civil Service” and “On Struggle against Corruption” as well as other legal acts on civil service and prevention of corruption in executive bodies and local administrations of Kirovograd oblast were discussed at the joint meeting of the MDCS Board and the Kirovograd oblast state administration.

Other meetings of the Board reviewed the following issues: basic medium-term priorities for scientific research and applied developments in the field of the civil service; results of comprehensive inspections of the compliance to requirements of the

Laws of Ukraine “On Civil Service” and “On Struggle against Corruption” as well as other legal acts on the civil service and prevention of corruption in the Ministry of Health of Ukraine; the use of European institution building instruments Twinning and TAIEX in Ukraine; and the Strategy of international cooperation of the MDCS for the period 2009—2011, etc.

Information about the issues reviewed according to agenda and the resolutions made by Board meetings were sent to the Secretariat of the President of Ukraine, the Cabinet of Ministers of Ukraine, and to the people's deputies who were Board members. Materials respecting priority issues in the civil service were posted on the official website of the MDCS.

In order to implement particular decisions of the Board, the recommendations regarding improvement of the civil service and the services in local self-government bodies, measures to prevent corrupt practices in public authorities and local self-government bodies were sent to central and local executive bodies.

The Public Council of the Main Department of the Civil Service of Ukraine, founded in 2004, acts as an independent, permanent consultative and advisory body to the MDCS. The aim of the Public Council is provide for the participation of civil society in the development of the civil service as it works to approximate itself to European standards of public administration. Representatives of the Public Council also serve as MDCS Board members.

A meetin of the Public Council was held in 2008. The draft Conception of the “State Program of the Training, Retraining and Professional Development of civil servants in the area of European and Euro-Atlantic integration of Ukraine for the period 2008—2011” was discussed at this meeting.

Under the guidance of the MDCS, public expert groups under the territorial administration units of the MDCS shall be formed in 2009 in the Autonomous Republic of Crimea, oblasts, and the cities of Kyiv and Sevastopol. One of the functions of these consultative and advisory bodies (public expert groups) will be an examination of the efficiency of resolutions drafted and passed by the MDCS.

30. Expertise and public consultations in key areas of Main Department of the Civil Service of Ukraine activity

An important element of democratic governance is an openness in the government's work which allows citizens the possibility to take part in the process of policymaking. In recent years, the MDCS has actively public consultation in the development of important policy recommendations related to the reform of the civil service in Ukraine.

In March 2008, the MDCS initiated a public debate entitled “Conception of the “State Program of the Training, Retraining and Professional Development of civil servants in the area of Europe-

an and Euro-Atlantic integration of Ukraine for the period 2008—2011”. The Departments of the Civil Service in the Autonomous Republic of Crimea, and within the oblasts of Dnipropetrovsk, Poltava, Sumy and Ternopil were involved in the public debate.

On March 25, 2008, a roundtable entitled “Step to European and Euro-Atlantic integration of Ukraine through the prism of professional preparation of civil servants” was organized. Representatives of international organizations and diplomatic representatives from foreign states in Ukraine, the Government of Ukraine, the Secretariat of the President of Ukraine, the Secretariat of the Cabinet of Ministers of Ukraine took part in the roundtable.

In 2008, the MDCS initiated a series of roundtables with the representatives of civil society institutions on the basis of the general theme: “The role of the civil service in the increasing the competitiveness of the country”. The first roundtable was organized in July 2008 with editor-in-chiefs and directors of the leading Ukrainian mass media outlets on the subject: “The role of the civil service in increasing the competitiveness of the country: through the public’s eyes”.

A second roundtable took place in October 2008 on the subject: “Civil service and business: responsibility and cooperation”. The purpose of this event was to determine concrete steps for bringing the civil service and Ukrainian business closer together to promote the competitiveness of country on a global scale. The roundtable involved the participation of representatives of from business, non-government organizations, the civil service, and public institutions. The following issues were discussed during the roundtable:

- Officials and businessmen: allies or opponents?
- Reform of the civil service as an instrument for the improvement of the business climate in Ukraine;
- Influence of business-associations on administrative decisions. Is the bureaucracy ready to delegate authority to non-governmental organizations?

In 2009, the MDCS plans to continue its dialogue with non-governmental institutions across Ukraine. It is planned that an edition of the methodical manual on practical experiences in conducting consultations with non-governmental organizations shall be published as a result of the round-tables hosted. This manual will be used in the preparation of master’s degrees related to “Civil Service” and the implementation of professional programs for the training of civil servants and public servants from local self-government bodies.

31. Ukrainian civil service 90th anniversary — promotion of national administrative tradition

A professionalization of the civil service requires the creation of new professional corps — a cadre of professionals who are proud of their Ukrainian origin, who know their mother language and customs, and are familiar with the history of their people. Knowledge and appreciation of a country’s historical experience

helps to instill patriotism, a sense of conviction, and a sense of the desired future path. In relying on the rich experiences of our predecessors — we impact the present and mold the future. This recognition of one’s historical past is of particular significant for Ukraine — as it struggles to consolidate democracy and to move forward in its development as a nation-state.

There has been a gap in historical research related to the formation of the institution of the Ukrainian civil service. The MDCS initiated a major historical research project with the aim of documenting this historical development process — recognizing that this information had the potential to be instructive for the future development and consolidation of the contemporary Ukrainian civil service. Further to this research, historical documents demonstrated that the path towards the development of a professional civil service in Ukraine was a unique and meaningful one. They substantiated that a national tradition of public administration — as separate from political administration — did, in fact, exist in previous centuries. This tradition was evident in analyzing the documents related to the first laws passed under the Ukrainian State headed by Hetman Pavlo Skoropadskiy. In 1918, the foundations were already being laid for a Ukrainian modern civil service. The 90th anniversary of the Ukrainian civil service institution was determined on the basis of this foundational level framework from 1918. Recognition of this historically significant event was further supported by the President of Ukraine and the Government of Ukraine.

In commemoration of this significant historical date, a photo-documentary exhibition entitled “History of the Civil Service in Ukraine” took place on June 23, 2008 on the “Day of the Civil Service” in the Central public archive-museum of literature and art of Ukraine (Sofia Kyivska). This exhibition consisted of originals of the most interesting historical document, information posters providing reproduction copies of major historical documents, photos and portraits of statesmen who held superior administrative positions within the civil service at different historical times, and illustrations of objects which bore a relationship to the history of the Ukrainian civil service in Ukraine. A photo-documentary expositions were organized in the premises of Secretariat of the Cabinet of Ministers of



Ceremonial opening of a photo-documentary exhibition entitled “History of the Civil Service in Ukraine”. June 23, 2008

Hetman Pavlo Skoropadskiy is the founder of the contemporary Ukrainian civil service

During the first months of the existence of the Ukrainian State, many laws were ratified by the Hetman, which established a legal basis for the creation of the institution of the civil service.

In accordance with Law “On the Solemn Vow of Governmental Officials and Judges and an Oath of Soldiery on Adherence to the Ukrainian State” from May 30, 1918, all governmental officials who were on government service in civil departments, and also those persons who entered this service, were obliged to make a solemn vow. In particular, it was expressly indicated that in the case of withdrawal of persons from making a solemn, the individual would not be accepted into the civil service, and those, who already were civil servants, would be dismissed.

The text of solemn vow of civil servants was: “I hereby solemnly promise to serve the true Ukrainian State, to acknowledge its state power, to execute its laws and to guard its interests and welfare with all my might”.

In spite of exceptional nature of the power of the hetman within Ukraine, the state was determined as a greatest valued imperative. Government officials and judges swore an oath to the state, not to the Hetman.

With the aim of organizing and of structuring staff, Hetman P. Skoropadskiy signed the Law “On Regular Structuring, Maintenance of Servants in Central Government Institutions of Civil Departments

This law effectively became the legal framework for regulating relations between the state and employees, for establishing interdepartmental prerogatives and priorities, including human resources aspects such as compensation, pensions, privileges, etc. At this point in Ukrainian history, the legislation established an important model for the management of personnel in ministries and departments.

All officials of ministries were divided in 10 officials. The first (I) class consisted of the head of government, the second (II) — ministers, the third (III) — deputy ministers, the fourth (IV) — directors of departments, so on and so forth down to the tenth (X) class which was established for trainees. This law also established the pension for civil servants. The head (premier), ministers, and their deputies were assigned a pension from the 1st class. The pension system had a total of seven (VII) classes

The classification of positions and their qualifying grades and linkages to compensation for officers were introduced by orders of the heads of departments. A law set out the precise structure for the classification system and the accompanying annual salaries.

For example, in accordance with the classification table of positions of civil servants in senior and central public authorities, senior specialists and specialists teams who consisted on average from 2 to 5 persons in every ministry were assigned to highest grade of positions. These individuals were engaged in development of draw laws and internal normative documents for ministries and departments. The general civil service cad-

re within the central machinery consisted of officials with I-III grades who along with trainees executed all everyday routine work.

This document also regulated the terms of business trips of public servants. The law also detailed the terms of financial support and everyday provisions for superior officials.

The passing of the Law “On Order of Appointing of Persons to Governmental Service” from July 24, 1918 was extremely important. Under this law, only the Hetman appointed persons to the positions of first (I) and second (II) classes (including chairpersons of the Council of Ministers, ministers, the public secretary and the public inspector). For positions from the third (III) class, candidates were appointed by order signed by the Hetman and the relevant minister and established by the public secretary's signature. Positions from the fourth (IV) class were assigned under order signed by the Hetman and the relevant minister (including directors of departments, separate administrations, main administrations, and senior specialists). Candidates for positions in third (III) and fourth (IV) classes were required to pass attestation and be approved at a meeting of the Council of Ministers. Solely after government approval were candidates allowed to occupy positions in the civil service. Civil servants from the fifth (V) class (including vice-directors of departments, main departments, officials for special missions, chief accountants, and senior specialists) were appointed according to an order of the relevant minister following approval by the Hetman on the basis of a list of candidates with official descriptions and recommendations. Officials from the sixth (VI) class were appointed by the relevant minister directly (including chiefs of sections, officials for special missions, specialists, and senior accountants) without without the requirement for more senior approval. Substitutions related to positions from the seventh (VII) class and lower were regulated by an order established directly by the relevant minister within individual departments. Dismissals from the civil service related to all classes took place following the same procedures established for appointments.

The law also established a procedure for disseminating public information regarding appointments to the civil service. Orders on appointments for positions in the first (I) to fourth (IV) classes were published in a “Public Herald”. The “Public Herald” also contained orders on appointments for positions from the seventh (VII) class and lower. The Department of the State Office maintained official lists (forms) of public servants from the first (I) and second (II) classes. Information related to appointments for officials in provinces and districts were also published in local print media.



Ukraine, parliamentary committees, and within regional state administrations with the participation of the territorial administrations of the MDCS. A Museum of Civil Service of Ukraine was also opened on the premises of the MDCS — where at present — photocopies and originals of historical documents provide an overview of the establishment and development of the civil service in Ukraine.

On occasion of the 90th anniversary of the establishment of the civil service in Ukraine, a host of other public events were held across Ukraine. On June 19, 2008, a press-conference for central and regional mass-media took place in the Ukrainian national agency of news “Ukrinform”. In the autumn of 2008, roundtables were organized within scientific institutions with masters degrees majoring in “Civil service” — culminating in a final theoretical and practical conference “The civil service of Ukraine in historical context: problems related to formation and development”.

Another logical step in the study of historical sources of national administrative tradition in different historical ages became the research work “History of the civil service in Ukraine”, that was conducted by the Institute of History of Ukraine of National Academy of Sciences of Ukraine on the order of the MDCS in September 2008. An editorial team of twenty-four (24) leading Ukrainian researchers, including fifteen (15) Ph.Ds and nine (9) Candidates of historical sciences processed a host of documentary evidence with the aim of documenting the chronology of Ukrainian public administration beginning from Kyivan Rus and continuing consecutively through each historical stage from the Halychina-Volhynia State to the Great Lithuanian principedom, the Rech Pospolita, the Army of Zaporizhzhia, the Ukrainian People's Republic, the Ukrainian State, governance on Ukrainian lands as a part of the Russian and Austrian-Hungarian empires, royal Romania, public administration in the Ukrainian Soviet Socialist Republic and, finally, to the civil service in independent Ukraine.

This work will serve as a foundation for subsequent developments around this theme, in particular, the continuation of research work and the compilation of a two-volume monograph on the history of the civil service of Ukraine. This research shall be an invaluable source of historical public administration documentation for future Ukrainian researchers.

32. Printed publications on the issues of adaptation of civil service to European Union standards

For nearly four years, the Main Department of Civil Service of Ukraine has published the “Herald of Civil Service of Ukraine” — a professional journal for civil servants, heads of public enterprises, institutions and organizations. The “Herald” is also a special scientific edition in the field of “public administration”.

In 2008, four issues of the journal were published. Materials about modern experience and method of approaching



Journal for civil servants "Herald of the Civil Service of Ukraine"



Re-designed the series "Library of the young civil servant" and the bulletin "Bureaucrat"

of establishing the civil service system, priority directions of training of civil servants, operating legislative and normatively legal documents on issues of civil service were printed at the pages of the journal. A number of publications covered experience and views of research workers, officials of public bodies and local executive authorities, on the issues of erecting of certain branch or sphere of governance.

Beginning with the third issue in 2008, a new heading "Information technologies in the civil service" has been added to the journal. News regarding the field of information technology, materials about the automation of management processes, the introduction and functioning of "Electronic governance", international experience in the field of IT in civil service have been included in this section of the journal.

The second issue of the “Herald of Civil Service of Ukraine” was devoted to the 90th anniversary of the introduction of the civil service. The sources of national administrative tradition in Ukraine provide valuable lessons in the present and offer direction for the future development of the civil service. This issue explores topics related to the historical civil service traditions which continue to be relevant for the contemporary Ukrainian civil service.

A noticeable step in 2008 involved changes in the visual design of journal — changed intended to update the publication on the basis of the latest trends and developments.

The total number of printed copies of the “Herald of Civil Service of Ukraine” in 2008 was 25,750 copies. There has been a gradually increase in the total number of subscribers to the publication in recent years.

The **Report on MDCS activities** for 2007 was published as per the annual tradition at the beginning of 2008.

In 2008, the Center for Adaptation of the Civil Service to the Standards of the European Union under the MDCS continued to issue publications on issues related to the civil service, administrative reform and the development of institutions to support European integration. The total amount of editions in this period was increased by one publication to twelve (12).

The readership of the above-noted publications consists of politicians, civil servants of central and local executive authorities, centers for the retraining and professional development of servants of public authorities and local self-government bodies, leaders of state enterprises, institutions and organizations, scientists etc.

Key publications of the Center include: the bulletin “**Bureaucrat**” (a periodical), the series “**Library of the young civil servant**”, and translations of **Policy Briefs** of the Organization for Economic Cooperation and Development (OECD).

These publications have gradually become a powerful source of information in the field of civil service development. They provide a wide spectrum of information about present and prospective development in the Ukrainian civil service, and attempt to highlight European principles and best practices within countries of the Euro-Atlantic region. They help to establish an important foundation in building greater a broader analytical and information base necessary for policy development in Ukraine as the country transitions its public administration in close alignment with European standards.

Subjects of the bulletin “Bureaucrat” have included reform of public administration, adaptation of the civil service to the standards of the European Union, improvements and use of the mechanisms and instruments of the European Union such as Twinning, TAIEX and SIGMA in Ukraine, efforts to increase professionalism of civil servants, sharing of scientific research and their potential practical applications as they relate to improving the civil service and public administration, in particular, key modern civil service practices and lessons learned from developed democracies around the world.

A translation of SIGMA Program publications related to the administrative system was initiated within the series “Library of the young civil servant”. Two issues were published in 2008: “Management of public policy: key players” and “Secretariat of government: coordination of public policy and management of changes in the personnel of Cabinet”.

In addition, four OECD Policy Briefs were translated and subsequently published in 2008: “Paying for Performance: Policies for Government Employees”, “Public Sector Modernization: Changing Organizational Structures”, “Cutting Red tape: National Strategies” and “Managing Government Ethics”. As well, a scientific documentary collection of materials was prepared and presented devoted the 90th anniversary of the Ukrainian civil service. ■

SECTION VIII. INTERNATIONAL COOPERATION IN THE CIVIL SERVICE SPHERE

33. Bilateral relations with partner countries

In 2008, the MDCS completed the long-term process of concluding agreements of bilateral international cooperation in the field of the civil service and public administration including **six (6) intergovernmental and nine (9) interdepartmental agreements on cooperation**.

In 2008, the MDCS concluded **four (4) agreements** with public institutions in the field of the civil service: intergovernmental agreements with the Republic of Azerbaijan and the Government Canada and interdepartmental agreements with the Republic Poland (a second agreement, due to changes in the subject of relations and expansion in the spheres of cooperation) and with Italian Republic.

On May 22, 2008, during an official visit to Ukraine, the President of the Republic of Azerbaijan signed an Agreement on cooperation between the Government of Ukraine and the Government of Republic of Azerbaijan in the sphere of civil service development which came into effect on December, 17, 2008 after the conclusion of internal procedures.



 Ceremony of signing the Agreement on cooperation between the Government of Ukraine and the Government of Republic of Azerbaijan in the sphere of civil service development, May 22, 2008

The purpose of this Agreement is to establish and subsequently consolidate cooperation between Ukraine and the Azerbaijan Republic on issues of civil service and public administration. Among directions of cooperation are exchange experience of reformation and legal regulating of civil service; features of passing service in public authorities; personnel management on central and regional levels; creation, introduction and functioning of the information systems and technologies of HR-management; fight against corruption in civil service; regulation of ethics norm of behaviour of civil servants, etc.

During a state visit of the President of Ukraine to Canada, a Memorandum of Understanding between the Government of

Canada and the Government of Ukraine concerning the Ukrainian Civil Service Human Resources Management Reform Project was signed on May 26, 2008. The purpose of the noted Memorandum is to serve as a legal framework for Canadian technical assistance in the area of civil service reform.

The Canadian project is focused upon promoting transparent and accountable public administration in Ukraine through the provision of advisory support in reforming the central government human resources management system. The MDCS is the key beneficiary and partner of this CIDA Project. This Canadian Project will run for four years and will be implemented by the Canadian Bureau for International Education (CBIE).

On March 28, 2008, a Agreement of Cooperation in the Sphere of Civil Service Development and Administrative Reform between the MDCS and the Head of the Chancellery of the Head of the Council of Ministers of the Republic of Poland was signed. The priority of the Agreement consists of studying Polish experience in the system of civil service recruitment and training for senior government officials in the civil service.

On the basis of this Agreement, the Polish partner initiated implementation of joint project "Improvement of the personnel management system in civil service of Ukraine". Within the framework of project, an educational visit on the part of a Ukrainian delegation took place to the Republic of Poland with the purpose of studying best practices and aspects of reform and modernization of the civil service as well as issues of personnel management in the civil service in the November–December 2008 period. It is expected that within the framework of the project, Polish specialists will be engaged to provide expertise and external input in the development of strategic documents and the delivery of seminars at the newly formed the School of Senior Civil Service under the MDCS.

On June 11, 2008, a Memorandum of Understanding on cooperation in the sphere of civil service between the MDCS and the Department of civil service of the Council of Ministers of the Republic of Italy was signed. The purpose of the Memorandum is to support an increase in: the efficiency of activity of public bodies in Ukraine, the professional level of civil servants and the transition to European and international quality standards in the civil service. A plan consisting of bilateral events for the 2008–2009 period was developed and finalized with the Italian partner in support of the effective implementation of the Memorandum's regulations. At the end of 2008, the MDCS made a request to the Italian side to provide information, analytical materials and normative documents on the ethics norms of behaviour for civil servants from the Republic of Italy, as well as career development and promotion in the civil service and systems of compensation for civil servants.

An effort was made to solidify a center of excellence within the MDCS to benefit from inputs from the international community. Organizationally speaking, there are several organizational subunits within the MDCS which are engaged in international activities. These units include: the unit for international cooperation and European integration within the department for policy analysis and civil service strategy development and the Center of Adaptation of the Civil Service to the Standards of European Union under the MDSC. The School of Senior Civil Service under the MDCS also began take on responsibility for aspects of the MDCS' international cooperation strategy (including training programs, the organization of events with the participation of foreign partners, cooperation with similar foreign training schools).

The establishment of this center of excellence prompted the development of further bilateral relationships with a host of countries.

For example, a reference plan of events for 2008 was submitted as part of a meeting with the General Director of the General Directorate for Administration and Civil Service of the **French Republic** by the Head of the MDCS on March 28, 2008 in Kyiv. This plan was submitted within the framework of the Memorandum of Understanding between the MDCS and the General Directorate for Administration and Civil Service of the French Republic signed on December 1, 2006.

From June 29 to July 5, 2008, a Ukrainian delegation led by a Deputy Head of the MDCS took part in an educational visit to the French Republic. Several meetings and negotiations were conducted during this visit with representatives of leading institutions in the French Republic which are engaged in the selection and training of civil servants. The Ukrainian delegation visited the Institute of Public Administration and Economic Development (IGPDE) of the Ministry for the Budget, Public Accounts and the Public Service (Vincent), the Institute of Regional Administration (IRA, Lille) and the National School of Administration (ENA, Paris).

On December 19, 2008, Ukrainian delegation led by the Head of MDCS took part in the conference of the European Public Administration Network (EUPAN) in Paris on the invitation of the General Director of the General Directorate for Administration and Civil Service of the French Republic.

During the visit, the parties reached agreements for the preparation of the signing of a new intergovernmental agreement on cooperation in the field of civil service and administrative reform between Ukraine and the French Republic. The drafting of mentioned agreement has been initiated. The signing of this intergovernmental agreement is planned in 2009.

In April 2007, the First Deputy Head of the MDCS consulted with the Ministry of Interior, Public Order and Decentralization of the Hellenic Republic on the signing of a Memorandum on Cooperation in the Sphere of Public Administration and Administrative Reform between the Ministry of Interior of the Hellenic Republic and the MDCS. Cooperation Memorandum in the field of civil service and administrative reform.

By the state on December 2008 the draft Memorandum, the main developer of which is the MDCS, is adjusted with the Cabinet of Ministers of Ukraine, the Ministry of Foreign Affairs of Ukraine and with the Greek side. It is planned to sign that a Memorandum will be signed in the first half of 2009. This cooperation is very important as the Republic of Greece is responsible for coordination the activity of the working group on the issue of institutional development and proper administration of the Organization of the Black Sea Economic Cooperation, where Ukraine presently represented by the MDCS. The conclusion and further implementation of measures within the framework of the Memorandum will promote an exchange of experience for the coordination of activities of the working group considering intentions of Ukraine to purchase the status of coordinator country of the Working group after ending of the authority of the Republic of Greece in April 2009.

Cooperation within the framework of Agreement between the Government of Ukraine and the Government of the **Kingdom of Denmark** regarding technical support to public sector reforms in Ukraine was signed on September 10, 2007 — initiating a two year technical assistance project. Within this framework, Ukraine is able to access assistance in the following areas:

- Finalization of a new edition of the Law of Ukraine “On Civil Service” with the purpose of its passage in the legislature; elaboration of the concept and draft Law of Ukraine “On Managing Conflict of Interest in Civil Service” and legal acts for the realization of these law drafts;
- Recommendation and adoption of the developed by the MDCS “Conception of a national database of electronic personnel files of civil servants and officials in local self-government bodies;
- Methodological support in the reform of the civil servants' training system;
- Methodological support in carrying out functional reviews, ensuring that assessments reach desired results, and the development of a draft system and structure for executive bodies;
- Support for the functioning of policy analysis groups and the implementation of SIGMA recommendations.


A ceremonial signing of trilateral project document “Support to civil service reform in Ukraine” between the MDCS, the **Government of Ireland** and the United Nations Development Program took place on October 25, 2007 in Kyiv — which became the official start date of the project. Main project components include support for the adoption of a new edition of the Law of Ukraine “On Civil Service”, conducting assessment of the state of public administration in Ukraine by SIGMA experts, and building the capacity of the MDCS for the development and delivery of trainings for civil servants.

An important component of the project in 2008 was the carrying out a training needs analysis for senior civil servants. As a result of this assessment, a package of services in the

area of training will be developed to be delivered at the School of Senior Civil Service.

In November 2008, a Ukrainian delegation led by a First Deputy Head of the MDCS visited Ireland. During the visit, working meetings and consultations were conducted with representatives of higher corps of officials of the civil service and experts involved in the Civil Service Modernization Program of Ireland.



 Ceremony of signing the Memorandum of Understanding on cooperation between the MDCS and the Civil Service Department of the Council of Ministers of Republic of Italy, June 11, 2008

In September 2008, the Head of the Council of Civil Service of the **Republic of Armenia** invited the MDCS to sign a Memorandum of Understanding between the respective organizations. The MDCS supported this suggestion. The Armenian partner is in the process of preparing a draft Memorandum. The Council of Civil Service of the Republic of Armenia took the interest in the studying of Ukrainian experience in introducing a Code of Ethics for civil servants and in other issues related to the functioning of the civil service. The Ukrainian side is interested in strengthening cooperation with Armenia — as it shall preside over the Organization of the Black Sea Economic Cooperation in 2009.

34. Participation in international organizations related to public administration and civil service

Among the main innovations of the Strategy of International Cooperation of the MDCS for 2009—2011 is the task of **the expansion of Ukraine's representation and the consolidation of its role in international organizations** which are engaged into the development of civil service and public administration. In the first place, this relates to the Working group of institutional development and the proper administration of the Black Sea Economic Cooperation Organization (BSEC) and the Committee of Public Administration of the Organization for Economic Cooperative and Development, and, further, Ukraine's membership in the European Institute of Public Administration (EIPA) and its observer status in the European Public Administration Network (EUPAN).

As a result of visits of the Ukrainian delegation in the autumn of 2006 to the OECD, Ukraine's effort to be assigned permanent observer status in the **Public Governance Committee of the OECD** was initiated. Participation in the work of this Committee will give Ukraine access an international exchange of best practices in the field of public administration on issues related to human resources management, the prevention of conflict of interests, of the provision of an accountable and transparent civil service, e-governance, etc. The OECD committee serves as a key instrument for the work of the Directorate for Public Administration and Territorial Development of the OECD. Participation in the Committee's work will afford Ukraine an opportunity to gain valuable experience necessary to support its present efforts in reforming the civil service and the administrative system. Furthermore, participating in this Committee's work will help to legitimate Ukraine's presence and participation within the international community — helping to promote the country's future foreign policy objective of European integration.

The granting of valuable membership in the OECD will enable to build the system of civil service and public administration in Ukraine considering the best practices used in the OECD countries. The Membership in this organization will promote to extend relationships with foreign partners within the framework of other international organizations, the member of which is Ukraine, as majority of them is the valuable members of the OECD.

In February 2008, Ukraine was granted permanent observer status in the Committee. A Deputy Head of the MDCS took part in the 37th and the 38th sessions of Committee which were held accordingly in April and October, 2008. At the 37th session, Ukraine was presented as a new observer. At the 38th session of Committee, a representative from Ukraine provided a report on the state, challenges and trends in the Ukraine's public sector modernization, as well as a summary of the key results and plans for the future development of the civil service and public administration in Ukraine. The leadership of the Committee's secretariat supported Ukraine's recommendation to undertake an evaluation of the public administration system in Ukraine.



 The conference of the European Public Administration Network (EUPAN) in Paris, December 19, 2008

In order to regulate the MDCS' participation in the OECD Committee's work, the MDCS developed the draft resolution of the Cabinet of Ministers of Ukraine "On addition of point 5 into the list of central executive bodies responsible for assuming obligations concerned with the Ukraine's membership in international organizations". This recommendation was approved by the Government.

Ukraine cooperates actively with the Black Sea Economic Cooperation Organization. The issue of civil service institutional development is one of priorities of this organization. This issue was identified as of primary importance by the **Working group on institutional renewal and good governance of the BSEC Organization** formed two years ago by the Council of Ministers of Foreign Affairs of member-states of this organization.

In March and October 2008, a representative of the Center for Adaptation of the Civil Service to the Standards of the European Union under the MDCS took part in meetings of the working group in Turkey. Ukrainian achievements in the field of public administration system modernization were presented at the October meeting of the group. Ukraine submitted an application to be granted status as the coordinator of the working group for the 2009 to 2011 period — a presentation of Ukraine's vision and proposal for future activities of the group shall be made at the next meeting of the working group.

It is expected that Ukraine's coordination of the above-noted working group at an international level will enable the country to effectively use the mechanisms of the BSEC Organization to increase its scope of influence and reach in the Black Sea region in promotion of Ukrainian national interests.

Cooperation with UN structures is focused upon the creation of a basis for the initiation of joint work focused upon civil service reform in Ukraine. In 2008, the MDCS worked towards deepening its cooperation with UN structures. Cooperation with the UN has largely taken place within the framework of the project "Support to the civil service reform in Ukraine". In particular, a project team was assembled jointly with a meeting of the Supervisory board taking place to establish the basic direction of project activities in line with MDCS needs and priorities.

Realization of the project "Civil Service Institutional Development and Modernization" remains one of the main priorities of cooperation of the MDCS with international financial institutions. The MDCS is working towards having this Project included within the reference investment Program of the **World Bank** for the 2010 fiscal year on the basis of consultations in 2007. The MDCS is presently waiting for feedback from the World Bank as to future prospects in this area.

At the same time, the MDCS submitted proposals to the Ministry of Economy of Ukraine for the inclusion of proposals within the Reference plan as part of the general Plan of cooperation with international financial organizations for 2009. The MDCS also informed the Ministry of Economy and the Cabinet of Ministers of Ukraine about its readiness to take part in the

revision of the project portfolio of the European Bank of Reconstruction and Development in Ukraine in 2009.

Cooperation with **NATO** is realized within the framework of fulfilling the Special Plans Ukraine-NATO, the State Program of the training, re-training and professional development of civil servants in the area of European and Euro-Atlantic integration of Ukraine. On February 29, 2008, the Head of the MDCS held a working meeting with the Head of the NATO Liaison Office in Ukraine and the Head of the Program of professional training of civil personnel of the NATO Liaison Office in Ukraine. As a result of this meeting, both parties agreed to arrange future cooperation, in particular, in the field of the training, re-training and professional development for government officials in the area of European and Euro-Atlantic integration. The Head of the MDCS subsequently submitted proposals to the Special Plan Ukraine-NATO for 2009 to the Ministry of Foreign Affairs of Ukraine.

35. Implementation of international technical assistance projects

In 2008, the MDCS was the beneficiary of three international technical assistance projects, namely:

- project "Technical Assistance to Public Sector Reforms in Ukraine" (this project is financed by the Government of Denmark);
- project "Support to civil service reform in Ukraine" (is implemented jointly with the United Nations Development Program in Ukraine under financial support from the Government of the Republic of Ireland); and
- project "Ukraine Civil Service Human Resources Management Reform Project" (this project is financed by the Government of Canada).

In addition, the Center for Adaptation of the Civil Service to the standards of the European Union under the MDCS serves as the beneficiary of the project "Implementation of Twinning Operations in Ukraine" (ITO). The Center further performs the function of the Twinning program Administrative office.

The Project "**Technical Assistance to Public Sector Reforms in Ukraine**" is being implemented within the framework of the Agreement between the Government of Ukraine and the Government of the **Kingdom of Denmark** regarding technical support to public sector reforms in Ukraine. In 2008, the project received international expertise from EU countries in support of the priority directions of the MDCS, in particular, related to legal drafting of the law on the civil service, the conducting of functional inspections, and the coordination of a network of policy analysis groups.

Project experts provided input to the draft law "On Civil service" (new version) and "On Conflict of Interest in the Civil Service and the Service in Local Self-government Bodies". The project also carried out an analysis of the system of training and professional development for civil servants in

Ukraine and provided recommendations on the formation of new approaches in the development of such system. In addition, international trainers and experts worked with the policy analysis group to promote quality improvements in their policy development work.

The project further conducted an expert evaluation of the methodology and results of horizontal functional reviews of executive bodies conducted by the MDCS in 2008.

The project's major contribution to the creation of an electronic base of the personal files for civil servants was the organization of an study visit of the MDCS officials to the Republic of Lithuania during which a Ukrainian delegation was able to familiarize itself with the principles of building and implementing a similar information system within another civil service.

The Project **"Support to civil service reform in Ukraine"** is being implemented on the basis of an Agreement between the Government of the Republic of **Ireland** and the United Nations Development Program respecting technical assistance to the Government of Ukraine for civil service reform and a Memorandum of Understanding between the Government of Ukraine and the United Nations Development Program on the support to Reform of Civil Service System within the framework of Administrative Reform.

The general purpose of project is to provide assistance to the administrative reform program of the Ukrainian government — focused upon achieving more transparent and effective public administration. The reform program is based upon European Union civil service principles and upon the priorities set out in the Civil Service Development Program of Ukraine for 2005–2010.

In 2008, project activities were largely focused upon providing assistance in the formation of the School of Senior Civil Service at the MDCS. Project experts along with MDCS specialists studied the experiences of similar institutions in other countries and prepared analytical materials on the concept for the formation and future activity of the School. The statute of the School was developed on the basis of this analytical work with an order subsequently signed formalizing the arrangement.

Project experts had an opportunity to consult with the potential target audience for the School (civil servants from the I–IV categories) as to their desires, needs and expectations related to potential training to be provided through the School, including the form of the future trainings. On the basis of these consultations, a reference program for the School's work was developed as well as a list of courses to be developed for newly-appointed civil servants, potential syllabuses for such courses and suggestions related to future trainers.

In the 2008 period, the groundwork was laid for the future involvement of an experienced training institution from the EU. This training institution is scheduled to begin provided advisory support and expertise in 2009.

Another priority of project related to building additional capacity within the MDCS in order to support administrative re-



 The conference entitled "State management reform in Ukraine — experience, challenges, risks", June 5, 2008

form in Ukraine. With this purpose, the project coordinated the involving of SIGMA experts to discuss different aspects of the civil service reform, in particular issues related to the prevention of conflict of interest.

In addition, the project experts were actively engaged as part of the MDCS' functional reviews of central executive authorities, which were conducted with the aim of developing recommendations for the regulation of the system and structure of central executive bodies in Ukraine.

The **"Ukrainian Civil Service Human Resources Management Reform Project"** — a collaborative project with the Canadian International Development Agency — is being implemented within the framework of a Memorandum of Understanding between the Governments of Ukraine and **Canada** signed on May 26, 2008. The project will support Ukraine's efforts in developing an accountable and transparent civil service to meet European Union standards of public administration. A Project Implementation Plan covering the November 2008 to October 2011 was approved by the Canadian Minister of International Cooperation in October 2008.

The Canadian project is focused upon provided support in reforming the civil service human resources management system. Reform direction to be supported by the Project is set out in the "Strategic Framework for Human Resources Management" developed in 2008 by jointly the MDCS and the Canadian project. Three policy analysis groups have been established by the MDCS to support implementation of the above-noted Strategy, focused upon:

- reform of the classification system and its linkages to the compensation system for civil servants;
- developing new approaches and methods for the annual performance evaluation civil servants' activities;
- reform of the system of professional training for civil servants.

It is expected that the efforts of the policy analysis groups in collaboration with the Canadian project will result in the development of new, transparent and efficient procedures for human resources management, in particular as it relates to



 Discussion of the Human Resources Management Strategic Framework, June 24, 2008

the first two policy analysis groups. In the case of the third policy analysis group, it is expected that policy development efforts will support the formation of a senior corps of civil service leaders through the development and implementation of leadership competency profiles through various human resources management processes.

The project **“Introduction of Twinning Operations in Ukraine”** has been under implementation since September 2006 with support from the European Union on the basis of the Ukraine–EU Action Plan, the European Neighborhood Policy and a number of normative acts of the President of Ukraine and the Cabinet of Ministers of Ukraine.

The project is aimed at developing Ukraine’s ability to make the most of assistance from the European Union, in particular, through the Twinning instrument. The task of

the project is to support the preparation and management of the Twinning program in accordance with the rules and procedures of the European Commission by strengthening the institutional capacity of the Twinning Program Administration Office (PAO) and the contact persons for Twinning projects within ministries and other beneficiary bodies.

In 2008, within the framework of the project and jointly with the PAO, multiple comments and propositions were submitted in order to improve project documents at every stage in the preparation and implementation of Twinning projects, educational events were conducted for representatives from ministries and other public bodies, contact persons, and employees of the PAO. A total of eight (8) public events involved approximately nine hundred (900) participants were supported.

In June 2008, the project financially supported a working visit of the PAO delegation to Rabat, Morocco. The purpose of the visit was to facilitate an exchange of experience in the field of institutional development, in the use of European Commission instruments Twinning and TALEX, in becoming acquainted with practical experiences and lessons learned in the preparation, implementation and monitoring of Twinning projects.

In November 2008, an educational tour of the PAO delegation to the Slovak Republic was supported for the purpose of studying Slovakian experience in introducing a decentralizing system for European Union project management.

In support of building Twinning participant capacity, the project prepared eight (8) methodological manuals for publication. ■

SECTION IX. FINANCIAL PROVISION OF THE MAIN DEPARTMENT OF THE CIVIL SERVICE OF UKRAINE

36. Budgetary allocation performance

In 2008, financing for the MDCS was projected at 70.1 million in budgetary provisions within the state budget's general fund set out within four budgetary programs: "Management and Functional Administration of the Civil Service" (UAH 24.7 million), "Training of civil servants of the V–VII categories and professional development of civil servants of the I–IV categories and officials of public bodies and local executive bodies in the struggle against corruption" (UAH 35 million), "Provision for Civil Service Institutional Development" (UAH 7.5 million) and "Applied research and development in the civil service field and to support the adaptation of the civil service to the standards of the European Union" (UAH 2.9 million). The Center for the Adaptation of the Civil Service to the Standards of the European Union under the MDCS was responsible for the realization of final two programs noted above.

More than a half of the monies within the first budgetary program were directed towards salaries (54.9 per cent; wage fund 18.97 per cent of the total volume of program financing). Other expense items included major repairs (6.22 per cent), public utilities (3.46 per cent), payment for transportation services (3.41 per cent), the purchase of equipment (2.87 per cent), and communication services (2.15 per cent).

As a result of the last year, the budgetary program was underfunded by an amount of UAH 357.4 thousands. In addition, UAH 22.57 thousands in funds remained unspent from central bodies and UAH 27.1 thousands from local MDCS administrations — subsequently returned to the budget.

A program for the granting of masters degree in Civil Service and advanced training for officers from public bodies and local executive bodies on anti-corruption was implemented on the basis of state contracts with fifteen institutes of higher education, including the National Academy of Public Administration under the President of Ukraine and the Kyiv National University of Internal Affairs.

In the 2008 calendar year, accounts related to services contracts with the above-noted institutes of higher education were

not closed. Total liabilities for services rendered amounted to UAH 3,773.3 thousands. In addition, the sum of unused funding consisted of UAH 1,248.8 thousands.

A total of UAH 7.2 million in expenditures (or 96.1 per cent of the total volume of allocated budgetary financing) was spent within the Civil Service Institutional Development Program budget.

A total of UAH 2.3 million (or 80.1 per cent of the total volume of the allocated budgetary provisions) was spent on applied research and development in the civil service field and to support the adaptation of the civil service to the standards of the European Union.

37. Creation of a safe and healthy working environment under the Collective Agreement

A number of activities were undertaken in 2008 in order to improve the labour conditions for MDCS employees. First, all the major repairs of the court facade of the main building and outbuilding was completed. The court facade of the outbuilding was provided with external insulations in order to prevent heat loss from the building. With the aim of increasing the reliability of the building's power supply, the cable input was replaced. The replacement of the cable input helped to provide stability in the operation of building equipment.

Renovations of the stairs and stair landings were made, a lean-to stable for weather conditions was installed, a place for smoking is equipped, a lift gate was installed in order to organize the parking lot for leaseholders and employees etc.

In 2008, the wage fund was increased by 46.2 per cent as compared with the previous year for employees in the MDCS' central office and territorial administrations. Overall, this increased amounted to UAH 13.3 million. In spite of the impact of the world financial crisis, salary expense items managed to be financed completely. Average monthly wage details are cited in the following table. ■

■ Average monthly salary for employees of the Main Department of the Civil Service of Ukraine in 2008 (thousands UAH)

| | Central office | | | Territorial administrations | | |
|---------------------------|----------------|--------|------------|-----------------------------|--------|------------|
| | 2007 | 2008 | % Increase | 2007 | 2008 | % Increase |
| Head of department | 5398.0 | 7815.4 | 44.8 | 3610.0 | 5341.0 | 47.9 |
| Deputy Head of department | 4339.9 | 6484.8 | 49.4 | 2970.0 | 4343.0 | 46.2 |
| Head of unit | 3911.8 | 5458.5 | 39.5 | 2250.0 | 3222.0 | 43.2 |
| Sector supervisor | 3087.9 | 4381.3 | 41.9 | 1460.0 | 2416.0 | 65.5 |
| Main specialist | 2195.4 | 3489.8 | 58.9 | 1180.0 | 1884.0 | 59.7 |

PRIORITIES FOR 2009

Priorities of civil service development define and approve in the Policy of MDCS annually.

Policy of the Main Department of the Civil Service of Ukraine for 2009

Mission of the Main Department of the Civil Service of Ukraine: creation of conditions for further development of a professional civil service — increasing the social status of civil servants according to European standards.

Priorities of the activities of the Main Department of the Civil Service of Ukraine:

- development of civil service legislation and preparation for its introduction;
- ensuring integrity of the civil service;
- introduction of modern practices and technologies for human resources management into the civil service system;
- building of new institutional capacity for civil servant professional training and the development of a senior civil service corps;
- development of integrated infrastructure for a civil service information system;
- reform of the system of central executive authorities and enhancement of the system's institutional capacity for the adaptation of national legislation to EU norms.

Implementation priorities are guided by the following principles:

- legality and rule of law;
- orientation towards the needs of customers;
- openness and transparency;
- movement towards and adherence of standards from the European administrative space.

We implement the above-noted priorities through:

- the development of legal acts for the improvement of civil service management, in particular, focused upon support for the political neutrality of civil servants;
- the management of conflict of interest in the civil service and the services in local self-government bodies, including the introduction of a normative act on ethical behaviour;
- anticorruption activities within the civil service the services in local self-government bodies;
- interaction with the public on issues related to the function and development of the civil service;
- the development of new approaches for the merit-based evaluation of civil servants' activities;
- reform of the system of classification and subsequent linkages to the system of compensation;
- the development of the School of the Senior Civil Service, the modernization of existing institutions and the creation of a competitive environment in the sphere of the provision of professional training services for civil servants;
- the introduction of modern information technologies as part of the system of civil service management, in particular, design the National database of electronic personnel files for civil servants and officials of local self-government, a system of integrated e-workflow, improvements in web-resources and the use of IP-technology;
- the use of Twinning, TAIEX, and SIGMA European institution building instruments in Ukraine and the continued development of a policy analysis network;
- the introduction of proposals to the Government of Ukraine for improvements in the structure and system of executive authorities based on a developed List of functions; and
- increased bilateral international cooperation and the enhancement of Ukraine's role within international organizations. ■

Informational edition

PROFESSIONAL CIVIL SERVICE: What has been done and what is next?

Public report on the main results of the activities of the
Main Department of the Civil Service of Ukraine in 2008

Under the general edition of Timofiy Motrenko
Compiler and editor-in-chief — Andriy Vyshnevsky
Editors — Vitaliy Baev, Larissa Bezo

Writing — Andriy Marusov

Translation — Vitaliy Baev, Valeriy Khomych
With participation of Serhiy Kucheruk, Dmytro Chupryna

Consultations for certain paragraphs by Valentyna Afanasyeva (§§ 5—6 sec. II), Oksana Anfilova (§ 35 sec. VIII), Vitaliy Baev (§ 3 sec. I, § 32 sec. VIII), Valentyna Balanyuk (§ 4, sec. I), Lyudmyla Baydokha (§§. 36, 37 sec. IX), Andriy Bega (§ 18 sec. IV, §. 35 sec. VIII), Vasyl Belmeha (§ 17 sec. IV), Yaroslav Berezovskyi (sec. VIII), Antonina Bondarenko (§ 30 sec. VII), Volodymyr Dounaev (sec. V), Denys Kalachov (sec. VIII), Yuliya Kozak (§ 9 sec. II, § 12 sec. III), Faina Kozyreva (§ 32 sec. VII), Serhiy Kucheruk (§ 7 sec. II, §§ 19—22, sec. V), Nataliya Kyrychenko (§ 17, sec. IV), Vladyslav Luts (§ 33 sec. VIII), Tymofiy Motrenko (sec. Priorities 2009), Oleksandr Myzika (§ 2 sec. I, §§ 23—28 sec. VI), Yevhen Nihay (§ 33 sec. VIII), Zoya Pariy (sec. IX), Ruslan Perun (§§ 33—35 sec. VIII), Yuriy Pizhuk (§§ 8—9 sec. II, § 12 sec. III), Vasyl Ralko (§ 8 sec. II), Anna Ruda (§§ 16, 17 sec. IV), Oleksandr Sayenko (§ 14 sec. IV), Yuriy Schepotko (§§ 19—22, sec. V), Lina Sergiyeva (§ 11 sec. III), Oleksandr Shevchenko (§§ 30, 32 sec. VII), Svitlana Sklyarenko (§ 34 sec. VIII), Mariya Stetsyuk (§§ 1, 3 sec. I), Ihor Tytovslyi (§ 29 sec. VII), Eleonora Velishayeva (§ 29 sec. VII), Yuliya Yanchenko (§ 32 sec. VII), Ihor Yaremchuk (§§ 36, 37 sec. IX), Yuriy Yurchenko (§ 2 sec. I, §§ 23—28 sec. VI), Edward Zakharchenko (§ 15 sec. IV), Dmytro Zemtsev (§ 11 sec. III)

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Prorizna Str. 15, Kyiv, 01034, Ukraine; tel. (044) 278-3650, fax (044) 278-3644
<http://www.center.gov.ua>; e-mail: center@center.gov.ua
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