

COULD LOBBYISM BE VOID OF CORRUPTION?

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How to Prevent the Devolution of Parliamentary Democratic Governance into the Pork-Barrel Politics

Ukrainians, like any other people, have gained a unique experience of building a democratic political system in their country.

Over the years of Ukrainian independence, the nation’s political regime used to repeatedly shift from authoritarianism to democratic governance and back. The level of corruption characterizing domestic political elites, however, has not undergone significant transformations. As a matter of fact, the experience of parliamentary democracy has left a bitter-sweet taste: non-transparent allocation of public money to electoral districts that usually favored loyal MPs’ districts has led to greater dispersion of political corruption. Subventions to local budgets served as a suitable mechanism of this. In such a way, MPs with access to public funding were in effect buying the support of their constituencies.

In their turn, the constituencies have conceded to view such non-transparent allocation processes as manifestations of MP loyalty, if successful. Thus, public funds for school and hospital renovations, road maintenance and patching allocations are now being viewed as MP delivery on their electoral promises. But essentially, it is a form of constituency buyout in the case when these allocations are not part of the national public policy agenda.

In the United States, this phenomenon is called “pork-barrel politics”: the appropriation of government spending for localized projects secured solely or primarily to bring money to a representative’s district. This type of politics is intended to benefit constituents of a politician in return for their political support, either in the form of campaign contributions or votes. ▶



Ivan Sikora: "Our methodology will help setting MP agendas for their constituency districts. It aims at meeting of voter expectations and implementation of local priorities".

A related aspect of political corruption is also manifested at the national level: MPs usually support certain draft laws in exchange for beneficial to them earmarking in the State Budget. Not surprisingly, most of such particular purpose earmarks then enter in the election promises list of incumbent MPs.

During the presidency of Viktor Yanukovich some MPs used to receive payments of up to UAH 100 million district allocations in return for «appropriate» voting. State budget money showered, in particular, on electoral districts of Pshonka Jr., former Speaker Volodymyr Lytvyn and several heavyweight members of the Party of Regions who largely represented eastern Ukrainian political and economic circles. The scale of the State Budget funding volumes of certain constituency districts was impressive: after the Revolution of Dignity some oblasts of Ukraine get less money than those selective districts.

The Ukraine's civil society has just recently acknowledged that the problem of pork-barrel politics is real. Up until now Ukrainian experts, activists and journalists lacked a comprehensive methodology that would allow them to analyze concrete MP actions aimed at dealing with constituency problems.

The Open Society Foundation developed such a methodology. It is an unbiased approach toolkit for assessment of MP activities in terms of contribution to solving constituency problems.

It provides for rigorous evaluation of MP delivery on MP election promises. It assesses the risks of political corruption and facilitates the advancement of MP policy agendas consonantly with constituency priorities.

This methodology focuses on the following inquiry areas: (a) What is the price an MP pays in return for specific State Budget money flows to his/her district; (b) Does s/he delivers on own election promises; (c) What instruments s/he uses to address and deal with constituency problems; and last but not least (d) Does s/he takes strides to mitigate the risks of political cor-

ruption, manifested in parliamentary faction switching/defections; selective voting and clandestine deals to lay hands on public funding; conflict of interests; overpricing of certain services; ignoring of priority issues, etc.

Thus, the instrument comprises the criteria to assess WHAT an MP does to facilitate constituency problem solving and in WHAT WAY does s/he do that. Are these activities in sync with constituency interests and priorities? What problems could be solved locally and what problems call for action on the national level?

We are glad to offer a new comprehensive and rigorous assessment methodology to those who wish to evaluate the work of MPs. During training sessions in 8 Ukrainian cities in June-July 2016, we presented this instrument and first results yielded by its application. We thank those MPs who are devoted to the virtue of social responsibility concept and agreed to test the methodology in their electoral districts. They were not afraid of criticism of their work.

As a result of our efforts, we strive to render MP activities more transparent. This will make our elections a true contested democratic selection of leaders capable of solving constituency and district problems. This will undoubtedly have its positive effect on the quality of parliamentary representation in Ukraine.

Now community experts and activists, journalists and MP aides as well as local council representatives have a tested instrument facilitating local policy agenda setting and priority determination for MPs. A constant scrupulous analysis of MP work is an integral part of political culture and voter education. Educated voters are the principal guardians of democratic governance while experts and community activists serve as their knowledgeable lieutenants.

*Sincerely,
Ivan Sikora,
«Public Monitoring of the Allocation of Electoral
District Funds» Project Leader,
Expert on Budget and Anti-Corruption*

About “Public Monitoring of the Allocation of Electoral District Funds” Project

The project «Public Monitoring of the Allocation of Electoral District Funds» is designed primarily to equip Ukrainian activists–NGO members, journalists, experts and citizen activists–with instruments of civic oversight over the State Budget expenditures in order to prevent political corruption.

Why is it important? It often happens in Ukraine that some constituency districts of selected MPs or regions constituting the electoral base of a ruling party are furnished with excessive bonuses compared to other territories. It transpires through a budget line entitled «social and economic development», for instance, or some other. Generous capital expenditures are often used by political parties for vote buying or acquiring the loyalty of local elites to a designated MP.

Within the framework of the project we developed and tested a methodology aimed at democratic strengthening and increase of voter influence on MP policy agendas. We conducted local trainings and established contacts with MPs representing a selected number of electoral districts. Upon request of training participants we initiated the Agenda of Ukrainian MPs without Political Corruption Risks Partnership.

We developed a methodology that facilitated creating a priority list of local problems and issues. This instrument contains elaborates on the succession of steps to be made by constituencies and MP aides while setting up the MP’s public policy agenda. In particular, based on the structuring (classification) of problems using the principle of subsidiarity (problems should be resolved at the level whereat they occur) we identified and formulated a set of problems that require funding from the State Budget and an MP intervention. In-depth analysis of documents that affect regional and local development (strategies, programs, budgetary documents, etc.), the experts and the public’s then developed a top 10 priority issues lists for pre-selected model districts.

Assessment of MP activities comprises 5 consecutive steps:

1. Problems of constituencies / constituency districts. Forming the public policy agenda: analyzing documents on regional and local development; reviewing budgets and annexes with listings of capital renovation and reconstruction objects, capital construction plans and planned spending on these items. Reviewing open sources, mass media publications on socially important issues, results of investigation reports, expert evaluations and assessments, etc. The next step is assessment of the problems in terms of scale, salience and importance. Total points received for each of the three assessment criteria will allow to prioritize problems for the public policy agenda. We ask the following questions: “Are MP activities really important for me as a voter and the resident of the district?” and “Could the problem be solved at the local or regional levels without an intervention of an MP?”.
2. Assessment of MP agenda looks into the correspondence of election promises with post-election activities. Along with the election promises we evaluate MP periodic reports.
3. Assessment of MP readiness to public consultations on the inclusion of socially important issues into MP agenda. The purpose of these consultations is achievement of complete compliance of the public and the MP agendas. An MP should work in the interest of voters and engage in solution of problems that are impossible or difficult to solve locally.
4. Assessment of MP’s contribution to solving the constituency problems. WHAT did the MP do for that? We assess the contribution of an MP to

addressing constituency problems in different areas. Did MP use all available tools to solve the problem? We also assess the degree of problem solving (from the inclusion on the MP agenda and deciding to address it to the implementation of the decision and its evaluation). We analyze the tools available to MPs (the right of the legislative initiative, parliamentary interpellations and inquiries, initiating committee and parliamentary

hearings, voting, public participation in reviewing problems of the constituency, work of the government agencies and local governments, other actions taken by the MP to address the problem).

5. HOW did the MP solve the problem of the constituency? We may assess the risks of political corruption and to warn the MP of them.

About the Agenda of Ukrainian MPs without Political Corruption Risks Partnership

JOIN US!

The participants of the training session «How to cooperate with the MP to address the problems of the constituency and how to evaluate his/her contribution to their solution?» in eight Ukrainian cities expressed their interest in continuing cooperation and practical application of knowledge and skills received during the training.

We invite the interested citizens to unite around the Agenda of Ukrainian MPs without Political Corruption Risks Partnership in order to encourage MPs to become more responsible, accountable and integral, and try to make the spending from the state budget more rational, equitable, efficient and effective.

The purpose of the Partnership is to strengthen the capacity of the civil society to influence the agenda of MPs, to assess the contribution of MPs in solving local problems and enhancing of the public oversight over the risks of political corruption in parliament.

The Memorandum (bit.ly/NoCorrupt) is open for joining not only by civil society activists and journalists, but also by other MPs, as well as members of local, rayon and oblast councils.

Why is it important to work together?

- We assess the contribution of an MP to solving constituency problems and determine the risks of political corruption.
- Together, we form the public policy agenda consisting of top 10 priorities of the constituency.

- We join forces for evaluation of the MP agenda.
- We conduct public consultations to include the issues that are on the public agenda on the MP agenda.
- We collectively assess the contribution of the MP in the resolution of the problems identified in the public policy agenda. We assess the MP lobbying activities and whether he/she manages to avoid the risks of political corruption.
- We disseminate findings and inform the public about the results of the public monitoring and evaluation.
- We keep up to speed and track the status of resolution of the problems included on the MP agenda.
- We share experience, improve organizational and practical approaches that underpin the Partnership.
- We extend the Partnership's anti-corruption activities to other constituencies.
- We provide methodological, advisory, informational and organizational support of the Partnership through expertise of the Open Society Foundation analysts.

JOIN US via the link:

bit.ly/JoinOSF

The text of the Memorandum is available on the website of the Open Society Foundation in the «Events» section.

Political Corruption: the Seven Vices

What are the seven vices of political corruption? How should an MP lobby for funding from the state budget to solve local problems without running the risks of political corruption? Can MP make a significant contribution to solving local problems?

RISKS OF POLITICAL CORRUPTION:

- Unsubstantiated boosting of costs of problem resolution through agreement with certain service providers for kickbacks.
- Conflict of interests: the object of lobbying is an instrument of problem resolution and is connected to MP's or MP-related persons' entrepreneurial activities (business partners, relatives or campaign sponsors).
- Shadow or non-transparent lobbying (to present a fait accompli). MP message to the voters is that the money for the problem solution object will be attributed solely due to the MP actions. In this situation the voters are confronted with an accomplished fact - «MP managed to find the money for problem resolution...» and so on. There is no discussion whether this object is among the priorities on the public agenda or whether there were alternatives for problem resolution. Thus a situation where the voters are offered the solution of the problem through financing certain objects which were not on the public agenda and were not discussed in advance bears features of political corruption.
- The practice of lobbying related to «faction switching», i.e. the switch from one parliamentary party faction to another to obtain financing for the objects located on the territory of the electoral district. In fact, such strategy applied by an MP may lead to a major political crisis if used on a broad scale.

- Lobbying without «faction switching» relates to the fact of manipulation voting: a voting contrary to the faction decision or election promises in exchange for funding of certain objects in the constituency.
- Embellishing own contribution to problem resolution. It embraces the appropriation of contributions of other actors (e.g., the government, rayon state administrations or local governments) to problem resolution. This manipulation may be a part of the electoral campaign or be included in periodic MP reports.
- Overlooking (ignoring) problems on the public policy agenda or failure to act on them. Instances of such behavior are frequently of corrupt nature (agreement with third parties on non-intervention) or simply reflect incompetence of MP/MP aides.

The Agenda of Ukrainian MPs without Political Corruption Risks Partnership has already been launched. It aims at strengthening the capacity of civil society to influence MP agendas, assessing the contribution of MPs to resolution of local problems and enhancing public oversight of the risks of political corruption in the Parliament.

Join the Partnership by signing the Memorandum. You can contribute to the formation of a list of top problems and objects to be included on your representative's agenda in the Parliament.

We are sure that the WAY the lobbying is done is very important both in terms of MP reputation and his/her credibility. Details DO matter. Our methodology can prevent bad practices of previous years, when the lion's share of subsidies from the state budget were allocated to support the constituencies of MPs from the Party of Regions thus tarnishing the young Ukrainian democracy with pork barreling.

Seven Vices of Political Corruption

The Assessment Follows Consultations with MPs on Problem Issues of the Public Policy Agenda

1 Unsubstantiated Boosting of Costs



2 Conflict of Interests / Providing Public Resources for Corrupt Rent Extraction



3 Shadow Lobbying



4 Switching Party Faction in Parliament



5 Manipulated Voting



6 Appropriating Others' Successes in Problem Resolution



7 Ignoring Public Policy Problems



Specific Characteristics of the Volyn Constituency District No. 19

This mining and agricultural electoral district is located near the border with Poland. Its problems are quite traditional and include unemployment and wage arrears to miners, poor road infrastructure and unfinished construction, uncomfortable border controls and bad environment.

Consultations with voters, experts and the constituency MP regarding the top 10 large-scale, urgent and important issues and objects to the constituency are essential. These consultations and an agreed upon public policy agenda of the MP are the necessary steps towards the formation of action plans closest to the needs of the voters and the prevention of the risks of political corruption.

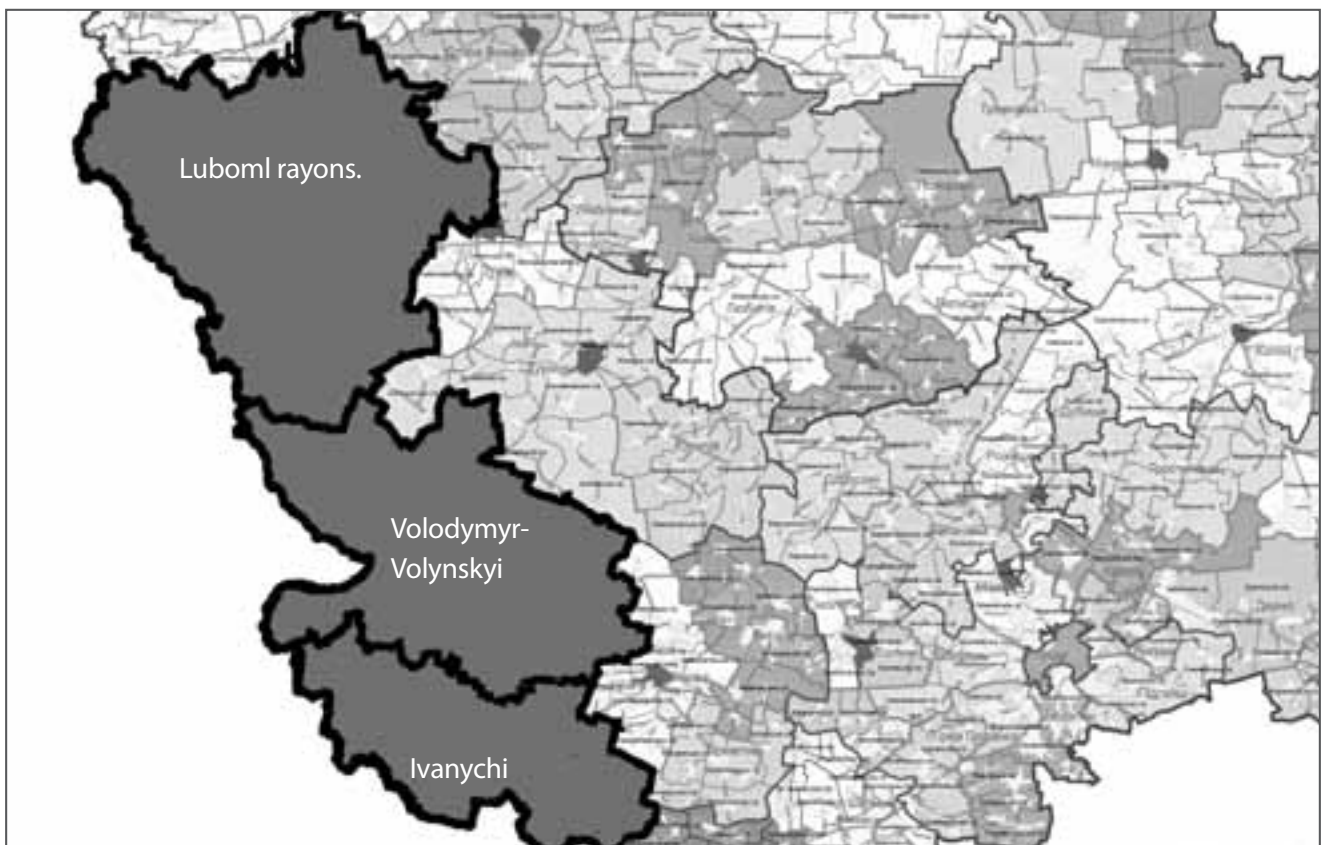
THE PASSPORT OF THE CONSTITUENCY DISTRICT:

Constituency District No.19 includes the cities of Volodymyr-Volynskiy and Novovolynsk, Ivanychi and Luboml rayons. Volodymyr-Volynskiy is the centre of the electoral district. The estimated number of voters in the constituency is 144,487. The total number of polling stations: 222.

- Volodymyr-Volynskiy has several industrial enterprises. A Military base is stationed here.
- Novovolynsk is a coal mining town, the largest in the constituency. The issues of coal mining enterprises

and timely payment of wages are key to the Novovolynsk agglomeration.

- One third of the population in the constituency is employed in the agriculture. Agricultural business here is characterized by low efficiency and lack of sufficient processing enterprises.
- Both rayons in the constituency are located at the border. Residents benefit from local border traffic, run petty commerce, which contributes to solving of the employment issue.



IHOR GUZ



Member of the Ukrainian Parliament of convocation VIII. Selected in a single-member constituency district No.19. A member of the party and the faction «Popular Front (Narodnyi Front)». Deputy Chairman of the

Foreign Affairs Committee of the Verkhovna Rada of Ukraine. Member of the Inter-Faction Deputy Group «Defense of the Coal Industry.»

Ihor Guz's election program contained no explicit promises to solve specific problems of the constituency. Among the voter-related promises the program mentioned «supporting Volyn soldiers combating in the East the Russian invaders and committing to request the Parliament to provide soldiers and families of the perished soldiers with necessary privileges and benefits» and to provide «the families of ATO soldiers with solid fuel for private houses free of charge.» Besides that the candidate promised to «return to state ownership of the enterprises and other assets pocketed by oligarchs through corruption schemes.» The MP draws attention to the need to «actively implement the energy efficiency program and switching to alternative fuels.»

The MP periodic activity report is published in open sources and mentions solving local problems (primarily focusing on coal mining problem issues

but also promoting inclusion of the 'Module' factory in Blahodatne village on the list of investment objects of the Volyn Oblast State Administration and cancellation of the decision to shut the elementary education school in Ruda village, etc.).

The MP report states that due to his efforts in 2015 the constituency received state funding in the amount of UAH 5.2 million plus UAH 12 million in 2016 for the objects on the district's terrains.

The methodology developed by the OSF takes into consideration problems and objects of the highest priority only, those included in the top 10 constituency list. The list contains top problem issues of the scale, salience and significance. Problems and objects not included in the top 10 are not evaluated despite the declaration and confirmation of the MP contribution to their resolution.

Voter confidence in the MP is the most important factor for MP activities. A clear statement of top 10 problems and objects for the district is a step towards formation of priorities in MP activities at the local level (including in the area of capital investments) and an evidence of due awareness of issues that may not require public funding but call for MP response through use of oversight powers.

More information about the top 10 problems and objects in the constituency No.19 and the method of their selection is available on the website of the Open Society Foundation: www.osf.org.ua (sections: Policy Analysis and Events).

TOP 10 PROBLEMS AND OBJECTS IN THE VOLYN CONSTITUENCY DISTRICT NO. 19

Problem 1. «Arrears of wages to miners» remains important for many years. At the beginning of 2016 the debt was UAH 30 million. As of July 2016 the debt was still growing due to arrears at coal mines Nos1, 9, 10 and «Buzhanska».

Problem 2. «Construction of the coal mine No10 «Novovolynska» by the state enterprise «Volyn-vuhillya» (estimated capacity is 900,000 tons per year, expected to create 1,500 new jobs, estimated value of UAH 2,3 billions).

The «miners' problem» (problems 1 and 2) stood urgent for voters in the constituency and thus was included in the agenda of both the MP and the Volyn Oblast State Administration.

Problem 3. «Poor transport infrastructure and road network» is linked to the object «Improving access to the Ukrainian-Polish border region through renovation of the highway of state significance M-07 «Kyiv-Kovel-Yahodyn» on sections 487 + 500-496 + 500, km 496 + 500-505 + 286 (Lyuboml rayon, starting at Lyuboml intersection to the restricted area of the international automobile checkpoint «Yahodyn»)». Estimated project cost is UAH 50 million. Another important object related to this problem is the road T-03-02 «Pishcha - Shack - Lyuboml - Volodymyr-Volynskyyi- Pavlivka - Horohiv - Berestechko - Kozyn - Kremenets.» The above issue has long been pressing for constituency residents who benefit from the local border traffic. The question of repairing this road, which is a transit for three rayons and two towns in the constituency, is constantly on the agenda of MP Guz, according to the information provided by his staff.

Problem 4. «Unfavorable ecologic situation and the negative environmental impact of industrial and utility companies producing solid waste» is presented with the objects «Construction and reconstruction of solid waste landfills» in Lyuboml and neighboring villages (worth UAH 2.5 million), Novovolynsk (Stara Lishnya of Ivanychi rayon, estimated cost of the third stage is UAH 7.1 million) Ivanychi (UAH 1.8

million), periodic emissions of pollutants into the air by industrial enterprises in Novovolynsk.

Residents of the city have recently appealed to the MPs asking to solve the problem of systemic mass pollutions which create an unbearable stench in the city. According to the information provided by the MP staff, he currently analyzes the causes of the problem and is preparing to use available tools to find the solution to it.

Problem 5. «Violations of land and town planning legislation, protracted and illegal construction, land acquisition and development» is presented with the object «Completion of 44-apartment building for the military servicemen in Volodymyr-Volynskyy.» Ihor Guz made several public statements on this issue both in parliament and in the media, and forwarded relevant MP requests. According to the MP staff, he established cooperation with Petro Sahanyuk, the mayor of Volodymyr-Volynskyyi, to address the issue with joint efforts. Now the MP is preparing an appeal demanding to bring to justice the officials of the Defense Ministry who delay the use of funds for the completion of the building.

Problem 6. «Poor quality of housing and utility services (supply of heating, natural gas, hot and cold water for private consumers and public organizations, deterioration of water supply and drainage systems, high probability of accidents)». Solving the problem is designed by the object «Capital repair of external water supply systems of the Southern water intake of Novovolynsk» (with diameter 426 mm and length of 6 km (commissioned in 1963, the state of deterioration is 100 per cent)). Estimated cost of the project is UAH 21.2 million. This priority issue is relevant to the local community and is included onto the agenda of Novovolynsk local authorities.

The team of Ihor Guz, however, disagrees with such presentation of the problem. In their view, the issue is not limited to water utilities in Novovolynsk but also includes installation of meters by the Volodymyr-Volynskyyi private joint stock company «Volynhaz». The MP opposes illegal installation of

the communal meters (installed on the apartment blocks). In addition, according to the Guz staff, «the issue of quality of utility services is not quite typical for the problems routinely addressed by the MP. Their proper provision is a duty of the Housing Department of the City Council.» On the one hand, such a public debate is healthy as it allows for moving forward on problem resolution. On the other hand, let's have a look at the methodology: top 10 issues of the district must be exactly those corresponding with the public policy agenda and most urgent, be of large scale and important for a great share of the voters in the constituency district, and such that may not be solved exclusively at the local level.

Problem 7. «Long waiting lines and low capacity of customs crossings «Yahodyn-Dorohusk «and «Ustyluh-Zosyn» and control over the use of funds provided by the European Union for the repair of the checkpoint «Ustyluh-Zosyn» (EUR 5 million). The solution of this problem depends on the increased capacity of the customs crossings «Yahodyn-Dorohusk» and «Ustyluh-Zosyn». Similarly to the third problem above, this question is important for constituency residents who benefit from the local border traffic.

Monitoring the use of funds for the repair of the checkpoint «Ustyluh-Zosyn» is one of the continuing MP focus areas. In order to draw attention to this issue, he sent an MP appeal to Head of the State Fiscal Service Roman Nasirov, spoke at a briefing in the Parliament and arranged a press tour to the checkpoint «Ustyluh-Zosyn» with support of the RADA Program. According to the information of the MP Guz staff, the issue of the increased capacity of the Volyn border crossings and opening of new crossing checkpoints is a priority for the MP.

Problem 8. «Improper implementation of energy saving and energy efficiency technologies in public and housing infrastructure objects, replacement of natural gas with alternative renewable fuels, the delay in the use of costs of international institutions for energy efficiency projects» is presented with the object «Reconstruction of the boiler facility in Zhovtneve village (Blahodatne) with the installation of 5 MW solid fuel boilers». Implementation of the project will affect about three thousand people of different social groups.

However, as the MP Guz team explained, the replacement of gas boilers for alternative fuel boilers in the rayon is part of the state program, thus there were no major reasons for the intervention of the MP. At the same time, as part of renovations in 2015 and 2016, made at the expense of subventions from the state budget, Guz assisted with insulation of educational and cultural institutions in the area, thus improving heat preservation. Also Ihor Guz opposed the Government's decision to suspend the Government program of compensation for the insulation of buildings.

Problem 9. «Unemployment and shadow employment» is presented with the object «Taking measures to create new jobs in the Novovolynsk and Zhovtneve village (Blahodatne) by completing the construction of the factory of packaging materials in Zhovtneve».

Problem 10. «Unsatisfactory situation and the lack of quality health care, educational, social and cultural services» represented by the object «Completion of the construction of reception premises in the Ivanychi central hospital» (worth UAH 2.4 million).

Apart of this problem, Ihor Guz paid attention to solving other medical sphere problems of the constituency. In particular, in 2015 he managed to arrange UAH 360 thousand to repair the infectious diseases department of the rayon hospital in Volodymyr-Volynskyi. Also in February 2016 the MP visited the Ivanychi rayon hospital to seek a solution to employee payments of 40% indexation by 2015 in consultation with the hospital personnel. The MP is actively engaged in education sphere, working to protect the secondary education schools in remote villages. Shut down schools along with the home learning can dramatically worsen the level of education provided in the district. According to the MP team, the problem of schools' closure is the most urgent in the area of education for most of the constituency voters. This issue remains open for discussion, especially that the presented methodology allows to seek problem resolution through differentiation of problem components, their costs and resolution stages.

LET`S MINIMIZE THE RISKS OF POLITICAL CORRUPTION AND FORM THE MP AGENDA TOGETHER

Consultations with MPs, including involvement of local activists - participants of the Agenda of Ukrainian MPs without Political Corruption Risks Partnership provide an opportunity to bring MP agenda as close as possible to the public needs. Such consultations will highlight the most press-

ing issues relevant to the constituency in the election district and render MP activity more transparent. Together, MPs and their constituencies will define problems and objects that call for public funding or require the intervention of the MP exercising oversight authority.

TRAINING «HOW TO COOPERATE WITH THE MP TO ADDRESS THE PROBLEMS OF THE CONSTITUENCY AND EVALUATE HIS/HER CONTRIBUTION TO THEIR RESOLUTION?» 25-26 JULY 2016, VOLODYMYR-VOLYNSKYI

Publicity of the MP agenda and public oversight of his/her activities is the way to lobby issues without running the risks of political corruption. This conclusion was made after reviewing the methodology of assessment of the MP contribution to solving local problems and possible risks of political corruption, developed and presented by the Open Society Foundation in Volodymyr-Volynskyi.



The tools of public oversight of the activities of the Members of Parliament were presented to participants from Volodymyr-Volynskyi, Novovolynsk, Lyuboml and Ivanychi. Local community representatives learned how to work with the methodology presented by the Open Society Foundation and together with the experts discussed priority policy issues in different spheres of public life in the constituency district No. 19.

The Agenda of Ukrainian MPs without Political Corruption Risks Partnership was successfully launched.

The methodology of the training was developed by **Serhiy Pantsyr**, Director of the Centre for Social Partnership and Lobbying of the Kyiv Mohyla Academy, **Lesya Shevchenko**, President of the Open Society Foundation, and **Ivan Sikora**, Project Leader, Expert on Budget and Anti-Corruption Policies.

Significant Challenges of the Constituency District No.97 in the Kyiv Oblast

The problems of this district in Kyiv agglomeration are quite significant and diverse. A notable characteristic are the facts of large-scale land fraud, thriving illegal businesses of sand excavation. Housing and utility services and the transport infrastructure are inadequate for development goals of cities of Berezan and Brovary. The region suffers from

environmental disasters, including waterlogging of cities. Consultations involving voters, experts and the MP on the composition of top 10 large scale, salient and important issues and objects in the constituency are essential for the formation of the agenda of the Member of Parliament that matches the needs of the constituency.

THE PASSPORT OF THE CONSTITUENCY DISTRICT:

Constituency District No. 97 includes the cities of Brovary, Berezan and Baryshivka rayon (rayon center is the town of Baryshivka). Brovary city with a population of over 100 thousand residents is the center of the constituency. Brovary is the second largest city (after Bila Tserkva) of the Kyiv oblast. The electoral district has 176,559 voters and stations 135 polling stations.

Brovary is one of the economic centers of the Kyiv region with developed industry and transport links. The city is going through a residential «construction boom». However, there is a problem with the employment of the population. Large

industrial enterprises are either closed down or do not work at full capacity (for example, the Brovary factory of powder metallurgy). The private enterprise «Coca-Cola Beverages Ukraine Ltd» is the largest enterprise in the district with 100% foreign capital ownership.

According to various estimates, about 30,000 of Brovary residents commute daily to Kyiv to work or study. Therefore, a transport infrastructure is essential to the development of the district.

The district is characterized by a high concentration of residents in urban settlements and a large proportion of the rural population.



PAVLO RIZANENKO



Pavlo Rizanenko is the Member of Ukrainian Parliament of convocation VIII. He was elected in a single-member constituency district No. 97. Rizanenko is a member of the parliamentary faction the «Petro Poroshenko Block».

- He serves as a Deputy Head of the Special Commission of the Verkhovna Rada of Ukraine on Privatization.
- Rizanenko also chairs the Subcommittee on Securities, Stock Market, Rating Agencies and e-Commerce of the Parliamentary Committee on Financial Policy and Banking.

MP Rizanenko's election program contained no distinct promises to solve specific problems of his constituency. There are several general intentions mentioned that relate to his electoral district, including «restoring production capacity», «return of land, enterprises and mineral resources illegally seized by officials», and the promise of «maximum implementation of renewable energy resources and energy-saving technologies» as part of national energy security program.

Periodic MP activity reports are available in the open sources and include several references

to the local problems (mainly focused on the issue of illegal transfer of land of the state enterprise «Radio Broadcasting Center», exclusion of the state-owned breeding farm «Ploskivskiyi» from the list of objects banned for privatization, restoration and replacement of support poles on electricity substations in Zazymya village of the Brovary rayon, etc.).

The methodology developed by the OSF takes into consideration problems and objects of the highest priority only, those included in the top 10 constituency list. The list contains top problem issues of the scale, salience and significance. Problems and objects not included in the top 10 are not evaluated despite the declaration and confirmation of the MP contribution to their resolution.

Voter confidence in the MP is the most important factor for MP activities. A clear statement of top 10 problems and objects for the district is a step towards formation of priorities in MP activities at the local level (including in the area of capital investments) and an evidence of due awareness of issues that may not require public funding but call for MP response through use of oversight powers.

More information about the top 10 problems and objects in the constituency No.19 and the methodology of their selection is available on the website of the Open Society Foundation: www.osf.org.ua (sections: Policy Analysis and Events)

TOP 10 PROBLEMS AND OBJECTS IN THE CONSTITUENCY DISTRICT NO. 97 IN THE KYIV OBLAST

Problem 1. «Violation of land and urban planning legislation» is presented with the object «The lands of the state enterprise «Radio Broadcasting Center», 94.6 hectares» (estimated market value of this land is UAH 200 million). The court issued an impound warrant on lands appropriated illegally as a security guarantee for potentially non-payable credits amounting to UAH 280 million in the «Mykhailivskyi» bank that later on went bankrupt. Pavlo Rizanenko

initiated the field meeting of the Parliamentary Special Commission on Privatization on the premises of the «Radio Broadcasting Center» to scrutinize the actions of state authorities in this case. According to the information from public sources, the Brovary Radio Broadcasting Center has proper documents confirming ownership rights only for 38 of the 115 hectares of these lands. Another 77 hectares, according to the law, should be under the jurisdic-

tion of the Brovary local community. This land plot in Brovary is particularly valuable given the long-term «construction boom» and shortage of land for development projects. The problem thus concerns illegal alienation of land, which is to be returned to its rightful owner, the local community.

Problem 2. is specific and localized. It is presented with the object «Solving the problem of waterlogging in the Stare Misto district and Mikrorayon II residential district of Brovary». This dangerous environmental situation is the consequence of backfilling of drainage channels caused by disorganized construction and lack of proper household sewage and rainwater systems. This issue is a priority for the community and is included on the agenda of the Oblast State Administration and the local council.

In 2013 MP Rizanenko sent several requests to the Brovary City Council concerning this problem. Local officials replied that the city program «Prevention and elimination of the consequences of waterlogging in Brovary for 2012-2015» was approved by the City Council. The council then earmarked funding for development of design estimates on prevention and mitigation of waterlogging and construction of a collector-drainage network. However, so far no project was developed, according to the MP's staff.

Problem 3. «Poor quality of housing services (unsatisfactory technical conditions and obsolescence of a large part of water and sewage systems)» is presented by the object «Reconstruction of the sewage processing plant located on the lands belonging to the Krasyliv village council of the Brovary rayon, Kyiv oblast, with an increase in capacity from 22 000 to 37 000 m³». The total cost of the object is over UAH 137 million.

Pavlo Rizanenko sent an MP inquiry to the Ministry of Regional Development and the Kyiv Oblast State Administration regarding the financing of this project by the State Regional Development Fund. The responses from the Administration and the Ministry suggest that the Brovary City Council has submitted inappropriate documents on this project to the Interregional Commission. Thus the funding allocation will become possible only starting 2017.

Problem 4. «Low efficiency and competitiveness of enterprises, unemployment, unfavorable business climate for entrepreneurship, creation of the new and modernization of the existing economic sectors» which was presented during the first phase of the assessment with the object «Restoring the state breeding farm «Ploskivskiyi»». This company employed more than 500 employees. The Economic Court of the Kyiv oblast initiated bankruptcy proceedings for this farm (case B8/04912 as of May 3, 2012).

Pavlo Rizanenko's legislative initiative aimed at privatizing the company and dividing its land into shares. Will this decision create new jobs in the village? Will it lead to the attribution of a more efficient private owner? The issue remains open for further discussion. Participants of the training in Brovary also suggested drawing attention to the restoration of the Brovary powder metallurgy plant as one of the ways to create new jobs.

Problem 5. «Unfavorable ecologic situation and the negative impact on the environment» is represented by two objects: «Development and reconstruction of water supply and sanitation systems to provide the residents with quality potable water (Berezan and the Baryshiv rayon)» and «Resolving the problem of a landfill near Berezan». The first object includes projects such as «Construction of extra sewer pipelines in Baryshivka village for the amount of UAH 1.2 million» and «Reconstruction of the sewage pumping station No.10 in Berezan for the amount of UAH 1.4 million». Pavlo Rizanenko contributed to solution of this problem. In particular, in cooperation with the RADA program he initiated a public discussion in Berezan on the issue of landfill, including a discussion with officials. As a result, the prosecutor's office paid specific attention to the issue of illegal waste dump. Following MP Rizanenko inquiry, the Ministry of Finance of Ukraine in June 2016 included construction of extra sewer pipelines in Baryshivka (for completion of works) in the draft amendments to the State Budget for FY 2016 with earmarked funding of UAH 1,240 thousand and reconstruction of the sewer pumping station No.10 in Berezan for UAH 1,496 thousand.

Considering the urgency of solving the transport infrastructure and road network problems for greater Kyiv agglomeration, the two objects related to solving this problem in two largest cities of the constituency were defined as two separate problems that call for special attention of the MP.

Problem 6. «Capital repair and reconstruction of two sections of the Kyivska Street in Brovary». The capital repair of the two segments of the Kyivska Street, a central road which runs through the town, is complicated in view of the big-scale construction of residential high-rises along it. The construction is nearly completed and will soon increase the traffic load on the street. The problem is included on the public agenda and on the agenda of local authorities.

Problem 7. «Construction of a bypass road in Berezan». Bad local roads for heavy trucks is one of the most urgent problems of city traffic. The problem is exacerbated by the fact that the strategic international road M-03 - St. Petersburg - Kyiv - Kharkiv - Rostov-on-Don and a railway run through the city. Construction estimates for a bypass road across railroad tracks was completed earlier at the expense of the local budget. The cost of construction is over UAH 61.3 million. Despite the plans to begin construction of the road at the expense of the oblast budget, there was no substantial progress so far. The problem remains a priority for the MP.

Problem 8. «Poor social infrastructure (education, health care and culture facilities)» is pre-

sented with the object «Reconstruction of the kindergarten «Malyatko» in Semenivka village of the Baryshiv rayon in the Kyiv oblast (worth UAH 9.4 million)» and a shortage of schools and pre-schools in Brovary.

However, according to the information from the MP Ryzanenko's team the kindergarten renovation project was submitted for funding to the State Fund for Regional Development. But the construction documents contained no proper graphics which caused its exclusion from the competition for the current year.

Problem 9. «Poor condition of public facilities (objects of welfare and recreation)» is presented with one of the most expensive projects submitted by the Brovary local authorities for financing to the State Fund for Regional Development, namely the «Reconstruction of the central city park (called the Victory Park) in Brovary» (worth UAH 18.2 million). Despite a big scale of the project and its importance for Brovary residents, the estimated value is questionable. The facility is quite controversial and requires oversight of the MP in terms of efficiency and expediency of spending both state and local budget costs.

Problem 10. «Violation of the environment legislation and illegal business activities» is presented by the object «Illegal sand extraction in Pohreby and Pukhivka villages». This urgent topic is long included on the public agenda and remains the subject of close attention of the oblast council members.

JOINT FORMATION OF THE MP AGENDA AS A WAY TO MINIMIZE THE RISKS OF POLITICAL CORRUPTION

Holding public consultations on approval of the MP agenda is the opportunity to highlight and publicly discuss the most pressing issues in the

electoral district. It is a possibility to discuss problem solutions with potential funding from the State Budget and need of the MP intervention.

TRAINING «HOW TO COOPERATE WITH THE MP TO ADDRESS THE PROBLEMS OF THE CONSTITUENCY AND HOW TO EVALUATE MP CONTRIBUTION TO THEIR SOLUTION?»

4-5 JULY 2016, BROVARY

During a two-day training representatives of local communities of Brovary, Berezan, Velyka Dymierka and Kalynivka studied the tools of public oversight over the activities of the Members of Parliament. The experts – **Serhiy Pantsyr**, Director of the Center for Social Partnership and Lobbying of the Kyiv Mohyla Academy, OSF President **Lesya Shevchenko** and **Ivan Sikora**, “Public Monitoring of the Funding Allocation to Electoral Districts” Project Leader and an expert on the budget and anti-corruption policy – provided participants with mechanisms for evaluating the work of the MP on the basis of the OSF-developed methodology. Public activists, members of local councils and journalists



discussed top 10 problems and objects of the constituency No. 97, which should be included on the agenda of MP Pavlo Ryzanenko.

Transparent process of the MP agenda formation and public oversight over her or his activities is the way to lobby issues without running the risks of political corruption. This conclusion is based on the results of the training in Brovary.

All activists interested in these issues may express own positions on the priorities of MP Pavlo Ryzanenko’s work by joining the Agenda of Ukrainian MPs without Political Corruption Risks Partnership.

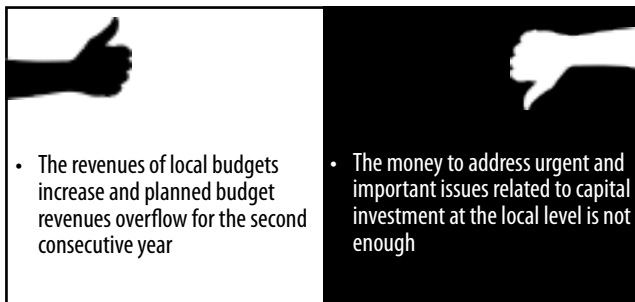
Coming up in the next issue of the Project Bulletin:

- Ukrainian examples of the “pork barrel politics”
- Why is it important for the MP to consult with voters about own MP agenda?
- How to prevent and reduce the risks of political corruption in the activities of the MP?

Top 10 problems and objects for 5 model constituencies, including Kyiv, Chernihiv, Zakarpattya, Luhansk and Kharkiv regions.

Why, despite fiscal decentralization and increased local revenues, important local problems cannot be solved solely through local budgeting?

ON THE SPECIFICS OF FISCAL DECENTRALIZATION, OR THE PUZZLE FOR VOTERS



Why does the role of the oblast state administrations, the Government and MPs as lobbyists of the State Budget line items to solve problems at the local level swell?



What are subventions from the State Budget for capital investment being spent on?



Why change the priority of the capital investment from the State Budget at the local level and what can be the role of the MP here?

An opportunity for all public activists to oversee the activities and influence the priorities of the MP transpires from the OSF-developed methodology

Join the Agenda of Ukrainian MPs without Political Corruption Risks Partnership

Details available on the OSF website

www.osf.org.ua

(in the sections «Events» and «Policy Analysis»)

The information is also available upon request by e-mail:

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RADA: RESPONSIBLE, ACCOUNTABLE, DEMOCRATIC ASSEMBLY



The mission of the Open Society Foundation is to promote the values of the open society by influencing the agendas of public policy and finances. For almost 15 years, experts of the Open Society Foundation have monitored and analyzed the activities of the Verkhovna Rada of Ukraine in terms of implementation of the election promises by political parties and MPs represented in the Parliament.

The Project «Public Monitoring of the Funding Allocation to Electoral Districts» aims at improving MP integrity, transparency and accountability by informing the voters about instances of lobbying for funding for their constituencies.

More information on the Project is available at Open Society Foundation web site
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