



Challenges and Opportunities for Citizen Engagement in Kyiv

Mapping Study into Entry Points for Citizens' Engagement in Policymaking in Kyiv

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1. Methodology

The purpose of this study is to discover the opportunities and obstacles for citizen engagement at various stages of decision making by government bodies in Kyiv.

The goals of the study:

- to identify the citizen entry points to the policy-making process at its various stages;
- to identify all the legal requirements for citizen engagement in the decision-making process in Kyiv;
- to assess the decision-making process and its entry points and to explain how the procedures work in practice and whether the legal requirements are fulfilled.

To illustrate the study results, we have reviewed two examples: the decision making about the reconstruction of Kontraktova Square, and the decision making about the Kyiv budget.

Methodologically, the study consisted of two parts: document analysis and a qualitative sociological study. The analyzed documents included laws and other regulations, websites of government bodies, social and traditional media.

The qualitative sociological study involved 6 in-depth interviews with representatives of public government bodies and the civil society. 2 of them work as directors of different Kyiv City State Administration (KCSA) departments, 2 used to work at the KCSA at rank-and-file positions or to consult KCSA officials and are currently involved in KCSA projects on civil grounds. 3 of the respondents have organized or participated in the process of citizen engagement in decision making about the reconstruction of Kontraktova Square, and 3 have participated in decision making about the Kyiv budget.

2. Citizen entry points to the policy-making process

2.1. The matrix of civil participation

The Code of Good Practice for Civil Participation in the Decision-Making Process, which was adopted at the Conference of International Non-Governmental Organizations of the Council of Europe on October 1, 2009, distinguishes 4 levels of citizen engagement in the decision-making process: information, consultation, dialogue, partnership. The Code also distinguishes 6 stages of political decision making: agenda setting, drafting, decision, implementation, monitoring, reformulation.

The table below visualizes the mechanisms of different levels of civil participation at different stages of the political decision-making process in Kyiv, as provided by national and local regulations.

		Stages of political decision making					
		Agenda setting	Drafting	Decision	Implementation	Monitoring	Reformulation
Levels of Participation	Partnership	- Consultative, advisory and other supplementary bodies	- Consultative, advisory and other supplementary bodies	- Consultative, advisory and other supplementary bodies - Participative budget	- Competitions for non-governmental organizations - Consultative, advisory and other supplementary bodies - Public control in the landscaping and beautification sphere - Population self-organization bodies	- Population self-organization bodies - Consultative, advisory and other supplementary bodies - Public expert analysis	- Consultative, advisory and other supplementary bodies
	Dialogue	- Assemblies of residents at their place of residence - Public Council - Consultations with the public	- Public Council - Consultations with the public	- Open plenary meetings	- Consultations with the public	- Public Council - Consultations with the public - Open committee meetings and plenary meetings	- Consultations with the public
	Consultation	- Public hearings - Citizen appeals	- Open committee meetings	- Open plenary meetings	- Consultations with the public	- Public hearings - Citizen appeals	- Consultations with the public

		<ul style="list-style-type: none"> - Electronic petitions - Contact Center 1551 - Personal meetings - Public receptions of Kyiv City Council members - Consultations with the public 	<ul style="list-style-type: none"> - Public hearings with the public - Population self-organization bodies 			<ul style="list-style-type: none"> - Contact Center 1551 - Consultations with the public - Public reporting 	
	Information	<ul style="list-style-type: none"> - Publication of information at official websites and in printed media - Peaceful rallies - Distributing information through mass media 	<ul style="list-style-type: none"> - Publication of information at official websites and in printed media - Peaceful rallies - Distributing information through mass media 	<ul style="list-style-type: none"> - Publication of information at official websites and in printed media - Distributing information through mass media 	<ul style="list-style-type: none"> - Publication of information at official websites and in printed media - Peaceful rallies - Distributing information through mass media 	<ul style="list-style-type: none"> - Requests for public information - Publication of information at official websites and in printed media - Peaceful rallies - Distributing information through mass media 	<ul style="list-style-type: none"> - Publication of information at official websites and in printed media - Peaceful rallies - Distributing information through mass media

2.2. Agenda setting

Information. To realize civil participation in agenda setting at the information level, government bodies ensure that their work is public and that civil society organizations have opportunities to engage in advocacy and spread their ideas.

The KCSA, the majority of its structural departments, and the Kyiv City Council have official websites, as well as social media pages, mostly on Facebook.

Government bodies are obliged to publish the information about their organizational structure, mission, functions, responsibilities, key tasks, areas of work and financial resources; the regulative basis of their activities; the list of services provided by these bodies and the conditions for obtaining them; the mechanisms and procedures of civil participation; the address, phone numbers and emails of the government body, its head, deputy heads, as well as the heads of structural departments. In addition, at their websites and the Unified Government Web Portal for Open Data, government bodies have to publish the standard set of open data determined by the Cabinet of Ministers decree.

To actualize certain issues and put them on the agenda, representatives of the civil society use their right to publish in mass media, organize peaceful rallies and other public events. To quickly provide answers to these advocacy measures, the KCSA regulations allow for accelerated approval of draft orders which are issued in response to publications in mass media.

Consultation. At the level of consultation, the citizen entry points to agenda setting are public hearings, citizen appeals, electronic petitions, local initiatives, the Contact Center 1551, personal meetings, public receptions of Kyiv City Council members, and consultations with the public.

Public hearings allow citizens to submit certain questions for the consideration of government bodies. They can be initiated either by government bodies or by initiative groups of citizens (provided that they collect 100 to 500 signatures in support, depending on the level at which the public hearing is held). An announcement about a public hearing has to be published at the KCSA website and in the municipal newspaper Khreshchatyk; the Kyiv City Council Secretary is responsible for the announcement. The minutes of a public hearing are published within 10 days. Proposals made at public hearings must be considered by local self-government bodies, and the initiator of each hearing has the right to be present when the proposals from the hearing are being considered by the City Council. The public must be informed about the results of the consideration by publishing the decisions in the Khreshchatyk newspaper and on the Kyiv City Council website; however, the deadline for these publications is not set.

Citizens have the right to appeal to government bodies with comments, complaints, proposals, statements or requests in written or oral form by phone, at personal meetings, by mail or online. In addition, appeals can be submitted through the Contact Center 1551. All the appeals must be considered within a month, and then the person who submitted the appeal must receive a reply.

One of the types of appeals is participation in personal meetings of citizens with KCSA officials. It is mandatory for officials to hold regular meetings. The hours and the phone numbers for appointments are published at the KCSA website. In addition to personal meetings, officials also regularly hold direct phone lines. Kyiv City Council members also meet with citizens by appointments. Each council member has the right to have one public reception whose maintenance is funded from the budget. Both

councilors and their assistants can receive citizens there. The information about the work of councilors' receptions is published in the Khreshchatyk newspaper and is available on the Kyiv City Council website.

Electronic petitions are one of the types of citizen appeals. They are submitted to the Kyiv City Council through its website or third-party websites. If a petition does not collect 10,000 votes within 3 months, it is considered as an ordinary citizen appeal; if it does, then there is a special procedure. A petition is considered by the corresponding structural departments of the KCSA and Kyiv City Council committees; then, within 10 days after a petition collects the required number of votes, the mayor has to give an answer about their support for or justified rejection of the petition. The answer must be published at the Kyiv City Council website within a day. The procedure for the submission and consideration of electronic petitions also involves a special procedure for participation and control by petition authors over the implementation of their petitions.

The local initiative mechanism involves bringing a certain issue to the consideration of the Kyiv City Council. For this, an initiative group of at least 5 people must inform the city council about starting the collection of signatures in support of an initiative. Then they need to collect 1,000 signatures within 30 days. A local initiative may or may not contain a draft of a council decision which is proposed for consideration. The initiative group must be notified about all the stages of the consideration of the initiative in the Council, and its representative has the right to be present and speak at all the meetings where the initiative is considered, including plenary sessions of the City Council. Information about the decision must be published in mass media and on the Kyiv City Council website.

Consultations with the public are conducted both as public discussions and as public opinion studies. Public discussions include conferences, seminars, forums, public hearings, roundtables, assemblies, interviews and other TV and radio broadcasts, online conferences, telephone hotlines, as well as "interactive communication in other contemporary forms." Public opinion studies include sociological surveys, analysis of mass media materials and analysis of citizen appeals. The plan for conducting public consultations is determined at the beginning of the year and published on government websites, as well as in mass media; however, unplanned consultations can also be held if needed. The mandatory elements of public discussions include publishing information about conducting a discussion, ensuring the representation of social population groups, taking into account the results of discussions in decision making, and publishing the results of discussions, the decisions made, their justification and the information about taking into account the submitted proposals in mass media and on government websites. The period of conducting a public discussion must be at least 1 month. All the submitted proposals or comments have to be recorded, studied and analyzed, and then the generalized suggestions and comments are submitted for the consideration of a government body.

Dialogue. At the level of dialogue, the forms of public participation in agenda setting are the general assembly of residents by their place of residence, the public council, and certain forms of public consultations which involve two-way dialogue, such as conferences, seminars, forums, roundtables, discussions, dialogues.

The general assembly of residents at their place of residence can be initiated either by government bodies or by civil initiative groups. Any decision of the general assembly signed by over 100 participants is mandatory for the Kyiv City Council's consideration.

The Public Council of the KCSA is a permanent body whose members are representatives of various civil society organizations. The Public Council's decisions are of recommendatory nature for the KCSA, while the consideration of its proposals is mandatory. Any KCSA decision made as a result of considering Public Council

proposals must be communicated to the Public Council and announced on the KCSA website within 10 days. The registration for participation in the constituent assembly where the composition of the Public Council is formed is open for various NGOs which function in Kyiv. Of all the participants of the constituent assembly, the assembly elects up to 35 members of the Public Council. The time and location of the assembly, as well as the procedure for registering to participate in it, are published 45 days in advance on the KCSA website. The sessions of the Public Council are open, and announcements about them are published on the KCSA website.

Partnership. At the level of partnership, citizens can participate in agenda setting through consultative, advisory and other supplementary bodies of the KCSA. These bodies include commissions, coordination councils, councils, interdepartmental work groups, work groups and organizational committees. These bodies are created by KCSA decrees, and some of their members can, by agreement, be representatives of various institutions and organizations, including civil society organizations.

2.3. Drafting

Information. At the level of information, the mechanisms of civil participation in drafting are the same as at the stage of agenda setting. However, at this stage, the requirements from government bodies specifying the types of information that must be public are different.

According to the regulations, all draft regulatory orders of the KCSA must be published on its website no later than 20 days before the order is issued. The person who drafted the order is responsible for its publishing. Similarly, the draft regulatory decisions of the Kyiv City Council, prepared by KCSA departments, must be published at its website no later than 20 days before the decision is considered at a plenary session. When an order about issues related to people with disabilities is being prepared, its draft must be sent to city organizations and unions of people with disabilities.

According to the Kyiv City Council regulations, the information about the time and location of its plenary sessions, their agendas, and scanned copies of the decisions and the accompanying materials must be published at the Council's website at least 7 days, and in exceptional cases at least 1 day before the session.

Consultation. Similarly to the information level, at the consultation level at the drafting stage, the same civil participation mechanisms are used as at the stage of agenda setting, namely public hearings and consultations with the public. However, in this case they are about a specific concept or draft decision rather than about general problems.

At the drafting stage, another special format of public hearings is used – public hearings about taking into account the public interests in drafting city planning documents at the local level. As a part of this procedure, in addition to the public hearing itself, there is a public discussion for at least a month, when suggestions for the published draft of city planning documents are collected.

At the drafting stage, consultations with the public about renaming streets or other toponyms, as well as about draft regulatory acts are mandatory. These consultations are conducted for a month by voting and submitting suggestions via a special page on the KCSA website. According to the procedural regulations, other questions which concern the city population's interests or have important socio-economic significance for city development, including questions about construction, can also be put up for public discussion by a decision of the KCSA head.

During the preparation of drafts to be considered by the Kyiv City Council, they are reviewed by its commissions. Representatives of the media and citizens have the right to be present and speak at the meetings of these commissions. The information about commission meetings is published on the City Council website no later than 2 days in advance. The meetings are also broadcast live on the same website, and within 7 days after the meetings their minutes are also published there.

Population self-organization bodies have the right to submit proposals to the local budget draft and the development programs.

Dialogue. At the level of dialogue, civil participation at the drafting stage can be carried out through the same mechanisms as at the stage of agenda setting: the Public Council and consultations with the public.

According to the KCSA regulations, scientists, other professionals, and representatives of citizen unions can be involved in drafting orders.

Partnership. At the level of partnership, citizens can participate in drafting by working as members of consultative, advisory and other supplementary bodies of the KCSA.

2.4. Decision

Information. According to KCSA procedural regulations, regulatory orders must be published in the Khreshchatyk newspaper and uploaded to the Administration's website within 5 days.

According to the Kyiv City Council procedural regulations, access to its meetings is free by registration at the Council website. The first 60 people to register can be present at the meeting. Council meetings are broadcast online at its website. Minutes, transcripts, decisions and voting results with councilors' names are also published at the website, and the decisions are published in the Khreshchatyk newspaper.

Consultation and dialogue. At the decision-making stage, civil participation at the level of consultation and dialogue is represented by the possibility to be present and vote at plenary sessions of the City Council.

Partnership. At the level of partnership, civil participation in decision making is possible through membership in consultative, advisory and other supplementary bodies of the KCSA, for example, competition commissions during competitions for public service positions or competitions for providing passenger transportation services at general-use bus lines.

Another mechanism for partnership at the stage of decision making is participative budget. With this instrument, people can submit projects. The projects undergo expert analysis at corresponding structural departments of the KCSA, and then they are ranked by a public online vote; the projects that win the vote receive funding from the Kyiv budget. The participative budget process is supervised by the participative budget commission, which includes representatives of the civil society elected by public online vote. The Provisions for the Participative Budget of the City of Kyiv also provide a special procedure for participation and control by authors of the winning projects over their implementation.

2.5. Implementation

Information. At the stage of policy implementation, the important elements of open information are the online systems Open Budget (visualization of planned and actual budget revenue and spending), Transparent Budget (information about all transactions and the use of budget money), and ProZorro (public procurement).

Consultation and dialogue. At the stage of policy implementation, civil participation at the level of consultation and dialogue involves various formats of consultations with the public, such as conferences, seminars, forums, roundtables, meetings with the public, dialogues, discussions.

Partnership. At the level of partnership, in addition to the participation in the work of consultative, advisory and other supplementary bodies, citizens can participate in the process of policy implementation through competitions for NGOs, as well as through public control.

Competitions for NGOs provide financial support from the Kyiv budget to implement projects developed by NGOs as a part of implementing city target programs. Thus, these competitions delegate to NGOs the functions of executive government bodies. Each competition has its own rules of participation. In 2018-19, Kyiv held a competition for projects developed by youth and children's NGOs, a project competition titled "Civil Perspective: Transparent Government and Active Community," a competition for projects and programs in the sphere of local self-government development, a competition for selecting NGOs which were given financial support from the budget as a part of implementing the Social Partnership city target program.

At the stage of policy implementation, government bodies can delegate some of their responsibilities to citizens. An example of this are public landscaping and beautification inspectors, who can be given the power to inspect and write reports about violations in the beautification of cities, towns and villages. Another example is population self-organization bodies, to whom the local council can delegate some of its powers.

2.6. Monitoring

Information. At the monitoring stage, there are certain requirements for public reporting by government bodies. For example, according to the KCSA regulations, the annual report on the results of its activities is posted on its website and in municipal mass media. The Kyiv City Council website publishes reports by councilors and council factions. In addition, the website also publishes the annual reports about budget implementation and the programs of economic and social development, the quarterly information about budget implementation, reports about tracking the results of regulatory acts. The website can also publish information about the implementation of city target programs, but it is not done for all city target programs.

Another instrument of civil monitoring are requests for public information. Citizens have the right to address government bodies and receive information of public nature from them. Requests can be submitted in different formats: in spoken or written form, by mail, fax, email, phone. The government body is obligated to provide an answer or a justified rejection within 5 days. If needed, the deadline for considering a request can be prolonged to 20 days.

Consultation. At the level of consultation, civil monitoring can be executed through citizen appeals and complaints, as well as through public hearing of reports.

The mechanism of citizen appeals, which is realized, among other ways, via the Contact Center 1551, personal meetings and public receptions of councilors, allows to collect complaints and suggestions which signify about problems in policy implementation and help to fix these faults. Government bodies have to generalize and analyze the information they receive through these channels in order to adjust their activities.

According to the Kyiv City Council's regulations, the mayor has to report about his or her activities in office at an open meeting with citizens at least once a year. Every year, as well as any time by demand from population self-organization bodies or citizen assemblies, if the minutes of the assembly are signed by at least 100 participants, Kyiv City Council members have to provide reports about their work. The information about the time and location of reporting is published on the Kyiv City Council website no later than 7 days before the event.

One of the forms for hearing out reports by government bodies are public hearings. According to the Kyiv Statute, public hearings about the issues within the mayor's and the City Council's competence must be held at least once a year. In addition, the subjects of public hearings may include reports by local government officials, as well as municipally owned companies, institutions and organizations.

Dialogue. The monitoring at the dialogue level is carried out by participating in Kyiv City Council commission meetings and the plenary sessions of the Council itself, where city officials report about their work. For example, if a commission demands it, but at least once a year, the heads of KCSA structural departments have to report about their work. In addition, the Kyiv City Council's budget commission reviews the information about the course of implementation of the budget and the program of economic and social development every quarter. In turn, the City Council approves a report about the implementation of the budget and the program annually.

The Public Council also has powers in the field of monitoring. In particular, it carries out the public control over whether the KCSA takes into account the suggestions and comments from the public, whether it ensures the transparency and openness of its activities.

Partnership. At the level of partnership, in addition to participation in consultative, advisory and other supplementary bodies of the KCSA, public monitoring can be carried out through public expert analysis. This mechanism gives civil unions the opportunity to audit the activities of an executive government body. An organization needs to apply to do the expert analysis, and then, within 7 days, the government body has to issue an order to carry out the expert analysis and provide all the documents that are requested. In addition, the organization that carries out the expert analysis has the right to participate in the corresponding body's consideration of its results. The provided suggestions have to be taken into account in decision making, and for this purpose the government body must develop a corresponding plan of measures. The results of the expert analysis, as well as of the consideration of its suggestions, have to be published on the website of the involved government body.

In addition, Kyiv has the procedure for the participation of population self-government bodies in carrying out the quality control of renovations in residential buildings. First, they have the right to give suggestions and approve the renovation plans. Second, these bodies have the right to inform the procurers of a renovation about violations during its implementation, which is the basis for reevaluating the quality of the completed work and returning the money for improper execution.

2.7. Reformulation

At the stage of reformulation, there are the same citizen entry points to policy making process as at the previous stages. At the level of information, these are public information, interaction with the media and other advocacy instruments used by civil society organizations. At the level of consultation and dialogue, there are various procedures for appeals and formats of meetings, as well as consultations with the public. At the level of partnership, as at the other stages, there is a possibility for civil participation in the work of consultative, advisory and other supplementary bodies of the KCSA.

3. Evaluation of the process of policy making and citizen entry points

3.1. Policy-making process

The main document that determines the orientation of Kyiv's development is its strategy. The city strategy can serve as the basis for developing sectoral strategies or concepts, for example, the general plan, the concept for communal sector management, the concept for the development of cycling infrastructure. The next level are the city target programs, which determine the funding for certain projects and structural departments of the KCSA. If citizens are informed about the hierarchy of plans, then specific decisions by government bodies as a part of implementation of these plans will not be unexpected for them.

According to KCSA officials who are responsible for the development and implementation of the strategy, the strategy, the city target programs and the budget are coordinated. However, the representatives of other structural departments and the civil society do not see the connection between them or say that it works poorly. There are cases when actions by government bodies contradict the principles written in the city strategy. One of the respondents gave the example that even despite the existence of a corresponding city target program, government bodies have problems with understanding the action plan whose realization will lead to the realization of the goals written in the strategy.

According to one of the respondents, to fully implement all the city target programs, the government needs 8-9 times more funding than is actually available. The reason is that the sectoral planning, strategizing and prioritization are not of sufficient quality. As a result, the decisions about funding for projects are "intuitively" made by the top management of the city.

According to one of the KCSA officials, the majority of departments do not fulfill their main function – to form the government policies in the corresponding sector. If a department makes policies, it is an exception rather than the rule. The reasons for this that were mentioned are insufficient resources, competencies, proposals from citizens. The outcome is that city management is unsystematic, tactical rather than strategic.

According to the respondents, the problem is the insufficient level of coordination between the work of different KCSA departments. Draft orders linger at the stage of approval by different stakeholder departments for too long. A representative of the civil society said that sometimes she learned about certain actions by a communal

company more quickly than the department which formally supervised the company. An effective way to resolve this problem, according to the respondents, is to organize regular meetings involving the actual implementers of each project.

3.2. Citizen entry points

The citizen entry points exist at all stages and levels of decision making. The highest number of entry points are at the first stage, the agenda setting. There is a whole range of methods which citizens can use to appeal to government bodies or to submit a certain issue or proposal for consideration.

At the drafting stage, citizen engagement is mostly provided at late phases, when the draft has already been made and has undergone the approval by interested structural departments within the KCSA. This considerably complicates the civil society's options to affect the draft systematically rather than just in individual aspects.

Sometimes there are cases when government bodies formally carry out their obligations to engage citizens in the approval of decisions which have de facto already been made. For example, in the past several years there have been a few cases which experts characterize as attempts to falsify or artificially complicate access to public hearings. The first case was the public hearing about the construction of the shopping mall above the Heroiv Dnipro subway station; not everyone who wanted to participate in the hearing was allowed to participate at the beginning. The second case was the public hearing about increasing public transportation fees, which was basically held outside the city in the territory of a bus depot that was very hard and took a very long time to reach by public transportation.

One of the factors that reduce the effectiveness of civil engagement in the form of public meetings, working groups and sessions is the low quality of moderation, lack of professional independent facilitation of these events, and lack of understanding of the reasons behind the need for facilitation among some officials.

Representatives of the KCAS say that determining the public needs through Kyiv City Council members is a generally effective method. However, according to them, the councilors' work is not always systematic. On the one hand, they defend the interests of their district in order to be re-elected, and they do not always think about the interests of the whole city in complex. On the other hand, not all councilors do the work in the areas where their districts are located, or in the sectors which they deal with as members of their commissions. Given these factors, the corrections they suggest for draft decisions are sometimes unsystematic.

Government bodies mostly fulfil the requirements to publish all the necessary information at their official websites. Some structural departments publish even more information online than is formally required. However, civil society representatives say that this information is not always comprehensible for people who do not have the professional knowledge.

At the stage of policy implementation, citizen engagement is mandatory only at the level of information, so it is carried out only if there is political will on the part of the responsible officials. One of the barriers to civil participation in policy implementation is the lack of transparency at this stage and the lack of clear time management, that is, of fixed deadlines for carrying out certain actions. The information about the progress in project implementation has to be obtained by public information requests or through personal contacts, which is time-consuming for both sides. It would be useful if the official website had a list of projects which are currently being implemented, with details about the status and deadlines for carrying out different tasks within those projects. In addition, it is also important that working documents are open, both at the drafting stage and by publishing the already approved documents.

According to activists, it is a widespread practice when a civil initiative is fully or partially supported by a government body, but is implemented very slowly. The possible reasons for such actions, according to the respondents, are the lack of motivation on the part of officials to change the existing state of affairs and to implement projects in which they see no opportunities for corruption. According to the respondents, media support campaigns could accelerate the implementation of projects. In turn, implementation lags occur because of the need to go through various bureaucratic procedures, such as preparing all the necessary documents or allocating land plots. Sometimes lags happen due to the lack of coordination between different structural departments of the KCSA or communal companies, when the implementation of a certain project requires the integration of the work which they used to do separately. Civil activists give examples when the administration was pressured to make decisions which were impossible to implement within the determined deadlines.

Such mechanisms of civil participation as public expert analysis, local initiative and public control in the sphere of beautification are relatively rarely used in Kyiv. The most frequently used forms of consultations with the community are those which involve organizing open public events.

The most effective citizen entry point to the policy making process, according to the KCSA officials, are appeals to the relevant structural departments, which are the main handlers of budget funds. In turn, civil society representatives believe that the most effective methods are appeals to councilors and media campaigns. Councilors can bring a certain issue up for the consideration of the corresponding Kyiv City Council commission. Investigations, particularly investigations of corruption, and public rallies are the most widely covered in the media. The best outcome can be achieved if both of these methods, appeals to councilors and media campaigns, are combined.

In general, government bodies meet the formal requirements to use those civil engagement mechanisms which are mandatory. These mechanisms are mostly at the levels of information and consultation. However, at the dialogue and partnership levels, decisions about whether to engage citizens are mostly up to the government bodies themselves, which makes them less systematic. The use of these forms of citizen engagement depends on the personality of the responsible official.

3.3. Resources

The KCSA structure includes a Department of Social Communication and the Office for Information Support and Access to Public Information, which are responsible for the administration of the official website and social media pages, communication with citizens and mass media, and for providing access to public information. At the same time, a selective analysis of the staffing tables of other structural departments of the KCSA showed that they have no dedicated offices, sectors or other departments officially responsible for public communication and citizen engagement.

The problem is the low labor compensation which does not correspond to the responsibilities that lie on the officials: someone who earns 5,000-8,000 hryvnias a month works with projects involving 5 million to 11 billion hryvnias. In view of this, it is hard to ensure that the personnel are properly qualified.

One of the problems, according to the respondents, is the low “processing capacity” of the Kyiv city council. The number of decisions which can be properly processed by councils, given their limited time resources and lack of compensation for their labor, is low. One of the options for solving this problem is to pay for the work of

councilors or to create district councils and delegate a some of the Kyiv City Council's responsibilities to them.

KCSA departments also have limited "processing power," that is, the number of projects that can be managed at the same time. According to the respondents' assessment, the city government bodies do not have an effective project management system. No single person is responsible for a certain project; instead, there is a responsible official at each level of the hierarchy, which negatively affects the efficiency of work. To solve this problem, the administration practices involvement of third-party professionals as civil advisors. These people accompany the city projects in progress in order to accelerate their way through various bureaucratic procedures; they also horizontally coordinate the work of different structural departments at the level of implementers. The advisors say that this work for them is an opportunity realize themselves in the professional and civil field. However, the lack of formal powers and responsibilities can negatively affect the possible development of a conflict of interest.

3.4. Obstacles

One of the obstacles for the high-quality citizen engagement in the policy-making process, according to the respondents, is low level of awareness. On the one hand, not everyone understands the system of government organization and the distribution of responsibilities. On the other hand, their wishes and suggestions are not always justified. Sometimes suggestions from different people are contradictory and fail to take into account the needs of different social groups. In turn, the task of government bodies is to make complex decisions which would satisfy the interests of the whole community. These decisions can contradict a certain proposal from an individual or a group of people who are biased and advocate for a decision to be made in their interests. Similarly, NGOs represent themselves and their members rather than society as a whole. In view of this, when government bodies consider any civil proposals, they need to analyze them to find out whether they correspond to the interests of the whole city community. One of the mechanisms that can help to do this is the involvement of experts in a certain field.

According to the respondents, the involvement of residents is the most effective in the form of meetings organized by territory, at the level where residents have shared problems. The respondents recommend to create channels of communication between citizens and city government bodies at the level of neighborhoods or areas within 20-30 minutes from home, because residents are interested in civil participation in the development of territories precisely at this scale.

One of the reasons for low-quality engagement, according to the respondents, is the low level of trust in the society. The increasing distrust is affected by the extrapolation of suspicions of corruption to all officials, as well as conflicts that happen in the city, particularly around illegal construction. This distrust becomes the reason for new conflicts, the presumption of bad intentions and difficulties with establishing a constructive dialogue between the sides.

In order to strengthen citizen participation, the respondents recommend to introduce civil education programs, including in secondary schools, and to improve the systems for informing city residents based on user experiences. In addition, it is important to create a friendly physical environment in administrative buildings, instead of the hostile environment we have today. An example of positive change in this direction is the reconstruction of the first floor of the Kyiv City Council building on 26 Khreshchatyk Street.

3.5. Gender aspect

The available instruments of citizen engagement in decision making are not gender-sensitive. City government bodies treat city residents as a homogenous category and do not approach the civil participation processes from the perspective of improving the equality of involvement of men and women.

One of the civil society representatives said that she constantly experiences sexism from KCSA officials, as well as biases because of her hair color. She said that officials respond to her proposals differently depending on whether she attributes them to herself or to her male colleague who actually is not an author of the proposals.

4. The example of the Kyiv budget

4.1. Entry points to the budgeting process

To affect the agenda setting regarding the Kyiv budget, citizens can use all the standard methods for submitting proposals to sectoral departments and other structural divisions of the KCSA. They are the main managers of budget funding and they submit budget requests which serve as a basis for the draft decisions about the budget.

In order to approve the key areas and indicators of the future budget project, the KCSA submits the draft decision about the key areas of the budget policy of the city of Kyiv for the next year by May 15 every year. This draft decision is reviewed by the budget commission and approved by June 30 at a plenary session of the city council.

In addition, the city organizes a participative budget every year, and its results are used to include funding for the winning projects in the draft budget.

In the second half of the year, the KCSA submits the draft decision about the budget and the draft decision about the economic and social development program to the Kyiv City Council. After this, a KCSA representative presents them at a plenary session of the Kyiv City Council and answers the questions from councilors; the drafts are discussed and then accepted for consideration. Then the drafts are reviewed in several rounds by Kyiv City Council commissions and refined at the KCSA. At plenary sessions of the Kyiv City Council, the draft is first adopted as the basis, and then adopted completely. The decisions are published at the official websites of the Kyiv City Council and the KCSA.

The quarterly information about budget implementation is published at the Kyiv City Council website. In addition, the planned and actual revenue and spending is visualized in the Open Budget online system, the information about all transactions that use the budget money is published in the Transparent Budget system, and the information about all the public purchases for budget money is published in the ProZorro system.

The annual report about the implementation of the budget and the economic and social development program are prepared by the KCSA, approved by the Kyiv City council and published at the latter's website.

4.2. Evaluation of entry points to the budgeting process

According to some representatives of the civil society, both the budget itself and the budget process are not completely understandable for them. Although the information is public and available at official websites, it is difficult to understand.

The public budget is an effective method of civil participation in the budget process at the level of partnership; however, this mechanism distributes only a small percentage of the budget funding. In turn, citizen engagement in drafting the decision about the distribution of the rest of the budget is much less effective.

According to one of the KCSA officials, the lack of entry points at the stage of determining the priority of projects which will receive funding is one of the main drawbacks of the existing budget process. The only entry point today is the possibility to propose certain changes to the draft budget through councilors when the draft is reviewed in the Kyiv City Council. However, this only allows to introduce some isolated changes rather than systemic changes. At the same time, sometimes the main managers of the budget funds are able to basically sabotage these decisions at the stage of implementation.

The budget procedure regulations which are now being developed in Kyiv are supposed to introduce the publication and public discussion of the budget requests from the main managers of the budget funding. According to the respondents, such engagement is insufficient, because when a budget request is formed, then the decision about the selection of certain projects is basically already made. Instead, citizen engagement had better be introduced at an earlier stage: at the stage of setting the priorities which will serve as the basis for budget requests. Another solution could be to create a register of investment projects. If the list of projects submitted for obtaining budget funding is determined beforehand, it will be predictable and can become the subject of public discussions.

The principles of the prioritization of city projects for obtaining budget funding are currently incomprehensible for representatives of the civil society. According to them, some decisions are not well-founded. They suppose that the criterion of project selection can be the electoral benefit for the top city officials, which does not always match the priority needs in improving the quality of life for city residents. In addition, civil society representatives draw attention to the existence of a number of journalistic investigations which reveal possible conflicts of interest in the implementation of the projects selected by the government bodies.

5. The example of the reconstruction of Kontraktova Square

5.1. Entry points to the process of decision making about the reconstruction

The Kontraktova Square is one of the main squares in Kyiv and the center of Podil, one of the most well-known historical neighborhoods in the city. The issue of reconstruction of the square first appeared on the agenda in 2009, when the KCSA

head, Leonid Chernovetsky, issued the first order about its reconstruction which involved erecting the monument to Petro Mohyla, building the Geste complex and the Magistrate. This decision was criticized in the research and activist circles. To design alternative scenarios for the square's development, the Ukrainian office of the Heinrich Boll Foundation organized a workshop titled "Kontraktova Square: The Scenarios of Development" at the CANactions festival in 2012.

In 2013, the KCSA Department of City Planning and Architecture conducted a public opinion survey about the functional purpose of the Kontraktova Square. As a result of the study, creation of a comfortable pedestrian/cycling space was determined as the priority scenario of development.

Based on this study, as a part of implementing the new Strategy of Development of Kyiv, the KCSA head Oleksandr Popov passed the KCSA order about developing the Concept for the Preservation and Rehabilitation of the Historic Environment "Original Kyiv" in Podil and Dnipro Hills. The concept was developed in the same year, and the reconstruction of the Kontraktova Square was one of the project ideas in it. In late 2013, the order to reconstruct the square and erect a monument to Petro Mohyla, build the Geste complex and the magistrate was cancelled. One of the reasons for this decision was the public criticism of this project against the background of the conflict around the reconstruction of Hostynnyi Dvir, which is located in the Kontraktova Square, and its transformation into a shopping mall.

In January 2015, the Podil District Administration initiated the drafting of the reconstruction project for one of the parks in the Kontraktova Square, which was full of kiosks at the time. This work was actively covered in a specially created Facebook group. It involved local residents, NGOs and the owners of the kiosks located in the park. After several public discussions, a coordination council was created in March, which included representatives of different stakeholders. The council had to develop a detailed architectural plan and approve the legal aspects of the projects.

Meanwhile, in February 2015, the head of the KCSA Vitaliy Klychko signed the order to reconstruct the fountain in a different park on the square. When the park was surrounded with a construction fence, the neighborhood community organized a protest on the same day and knocked the fence down, because the decision about reconstruction was made without civil participation. Within the following week, there were public discussions involving the head of the district administration and a meeting of the main stakeholders with the head of the KCSA; as a result, the idea of reconstruction was abandoned.

In a few days after this, the head of the KCSA issued an order to conduct a closed architectural flash competition to determine the best concept for organizing the public space in the Kontraktova Square. After this, the coordination council which was developing the project to reconstruct one of the parks in the square was terminated.

Third-party experts were involved in developing the competition tasks, and the competition commission included representatives of two NGOs and the University of Kyiv-Mohyla Academy which is located in the square. During the competition, there was a public presentation and an exhibition of the competing projects, where everyone had the opportunity to vote for the project they liked the most. The results of the vote were recommendatory for the jury who determined the winner of the competition.

In 2017, car traffic was closed off in the Kontraktova square, and the park with kiosks was reconstructed according to a project which was designed in coordination with the project that won the competition. The same year, the authors of the winning project started to draft the preliminary design of the reconstruction. This process involved four public discussions initiated by the collective of authors and supported by the Podil District Administration, which had started earlier to conduct open weekly meetings about the reconstruction process. As a result of the public discussions, the corresponding changes were introduced to the preliminary design, and then the project was submitted for expert analysis.

At the same time, since 2016, the government worked on preparing the project of complex reconstruction of the Kontraktova Square tram line and the tram stop. As a part of the preparation, the KCSA issued and published several orders, but there was no citizen engagement in consultations, dialogue or partnership during the project development. Nevertheless, one of the NGOs that worked in this sector, as well as the authors of the project that won the competition, managed to submit their suggestions for the reconstruction project, which were partially taken into account. In the early 2019, the KCSA issued an order to carry out the reconstruction, whose start is planned for late spring. At the moment of this research, the working project which will be used for the reconstruction has not been published.

5.2. Evaluation of entry points to the process of decision making about the reconstruction

The process of working on the reconstruction of the Kontraktova Square has lasted for 10 years already, but the reconstruction itself has not started yet. In this period, 19 different KCSA orders related to this process were issued. Some of them completely and dramatically changed the direction of the work. Such changes were mostly linked to replacements of the KCSA heads; however, in the early 2015, the Kyiv city government bodies initiated three different unrelated processes without any change in the KCSA leadership.

On the other hand, the process of producing the decision about the reconstruction of the square is an example of successful civil protests and public criticism which led the KCSA to reject the construction of a monument to Petro Mohyla, the Geste complex and the Magistrate; as well as the reconstruction of the fountain in one of the parks.

The interviewed civil society representatives say that it is unclear to them why the process of implementation of the project that won the competition is taking this long. At the same time, the respondents engaged in this process explain that the reason is that different territories of the Kontraktova Square are managed by different communal companies which find it difficult to arrive at a shared complex decision.

According to one of the respondents, at first more than four public discussions of the preliminary design of the reconstruction were planned. Each of the discussions was dedicated to one of the aspects of the reconstruction project. At first the discussions concerned those aspects which were the responsibility of the authors of the winning project. But when the time came to discuss the issues which are the responsibility of one of the city's communal companies, the discussions had to be cancelled, because no representatives of this communal company came to them.

One of the factors of the success of these public discussions was the involvement of a professional facilitator in the moderation of the events. This allowed to prevent the discussion from sliding into unconstructive directions because of conflicts between the participants.

6. Conclusions

The study discovered that Kyiv has mechanisms of civil participation at all levels and at all stages of the policy-making process. The use of some of these mechanisms is the duty of government bodies; these mostly include the responsibility to ensure publicity and transparency, and to consider suggestions and appeals from citizens. The use of the rest of the civil participation mechanisms is not mandatory and is up to the

officials; these mechanisms, in particular, include the majority of the tools for dialogue and partnership between government bodies and the civil society.

The majority of these civil participation mechanisms actually function in practice. However, the procedures for applying some of them are rather complex. Sometimes there are cases when artificial obstacles to citizen participation are created. One drawback is that at the drafting stage, the majority of entry points involve discussing or submitting suggestions to a project which has already been developed. The transparency of the implementation of the already adopted policies also needs to be improved.

The very process of policy making also needs to be perfected. It can be improved by increasing the motivation and labor compensation of KCSA officials, refining the process of strategizing and planning, and strengthening the coordination and collaboration between different structural departments in the city administration.