

Administrative Procedure in Action: Implementation of the Law of Ukraine 'On Administrative Procedure' in the Public Administration System

This publication provides an analysis of the current state of one of the areas of public administration reform — the implementation of the Law 'On Administrative Procedure'.

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The introduction of an administrative procedure [has long been](#) a necessity.¹ Until 2022, Ukraine remained the only European state without a law on administrative procedure (except for Russia, which is not a benchmark for democratic governance). All areas of interaction

¹ The need to adopt legislation regulating administrative procedures in Ukraine was outlined back in 1998 as a component of the Concept of Administrative Reform, the aim of which is, in particular, to form a system of public administration that meets the needs and demands of the people, to create conditions for the exercise of citizens' rights and freedoms, and to provide them with a wide range of public and administrative services.

between the state and citizens or businesses were regulated by different rules (special laws, decrees, instructions, etc.). The introduction of an administrative procedure was driven by the need to address a [number of issues](#), such as:

- the absence of several important individual rights in relations with public administration (e.g., the right to be heard and to access case materials, the right of an interested party to participate in proceedings, etc.);
- the dominance of departmental interests and predominantly subordinate regulation of procedures;
- inconsistent approaches across different areas of public administration;
- inefficiency of many procedures (particularly appeals) or a complete lack of regulation (e.g., regarding the early termination of administrative acts).

The necessity of adopting and applying the Law 'On Administrative Procedure' (LAP) is also driven by the [OECD/SIGMA European Principles of Public Administration](#), particularly Principle 17, which states that the right to good administration is upheld, among other means, through administrative procedure. Full implementation of this Law is a requirement of the European Union, and its swift introduction into the practical activities of civil servants is an important element of the European integration process. The EU emphasised the importance of this step in its annual reports on Ukraine's progress within the Enlargement Package in [2023](#) and [2024](#). The LAP implementation is one of the requirements of the [Ukraine Facility Plan for 2024–2027](#). Its implementation is expected to help reduce corruption risks in public administration, increase public trust in the state, and improve the functioning of the business environment. The introduction of the LAP, modelled after similar acts in other countries, aims to ensure the right to good administration enshrined in Article 41 of the [Charter of Fundamental Rights of the European Union](#) and to bring public administration in Ukraine closer to modern European standards and practices.

The implementation of an administrative procedure that is user-friendly and understandable for citizens and businesses is one of the tasks of the [Public Administration Reform Strategy for 2022–2025](#) (hereinafter — the Strategy) under the High-Quality Services and User-Friendly Procedures pillar. Adoption and implementation of the Law 'On Administrative Procedure' are defined as priorities for the development of administrative services and procedures.

The key **tasks** for implementing this area of the Strategy related to administrative procedures are:

- › introducing an administrative procedure and aligning regulatory legal acts with the Law 'On Administrative Procedure';
- › conducting training for civil servants and increasing public awareness of a general administrative procedure.

Progress of the reform in achieving these tasks is assessed using the following **indicators**:

- › the share of draft laws necessary for the implementation of the Law submitted to the Verkhovna Rada of Ukraine: 80% in 2023, 90% in 2024;
- › the share of civil servants who need training on the new principles of administrative procedure and have undergone such training: 20% in 2022, 40% in 2023, 60% in 2024, 80% in 2025.

State of Play and Progress of Reform

The implementation of the tasks outlined in the Strategy began with the drafting and adoption of the Law '[On Administrative Procedure](#)' on 17 February 2022.² The Law was signed by the President in June 2022 and **entered into force on 15 December 2023**.

This event marked the start of the process of aligning existing legislation with the LAP provisions.³ Upon completion of this harmonisation process, by the end of 2025, the Cabinet of Ministers of Ukraine must inform the Verkhovna Rada of Ukraine about the status of implementation of the Law 'On Administrative Procedure'.

- › Drafting Legislation and Aligning the Existing Laws with the Law 'On Administrative Procedure'

By June 2023, the government was required to submit proposals to Parliament for aligning legislative acts of Ukraine with the LAP. By December 2023, it was to take measures to adopt and/or update regulatory acts of executive authorities to comply with the new rules, ensuring they took effect simultaneously with the Law '[On Administrative Procedure](#)'.⁴

² The Ministry of Justice worked on [draft law No. 3475](#). Representatives of the Secretariat of the Cabinet of Ministers of Ukraine, ministries, other central executive authorities, the judiciary, experts and specialists from the EU Delegation to Ukraine, the German Foundation for International Legal Cooperation, experts from the SIGMA Programme and the project Support to Comprehensive Reform of Public Administration in Ukraine (EU4PAR).

³ Paragraph 8 of the Final and Transitional Provisions of [the Law 'On Administrative Procedure'](#).

⁴ Ibid.

To achieve this, [experts analysed](#) about 400 laws related to various aspects of administrative procedures.⁵ In October 2023, draft law No. 10161 was registered in Parliament, aimed at aligning legislation with the LAP. A year later, the Verkhovna Rada of Ukraine adopted [Law No. 4017](#), which amended **196 legislative acts**. As a result, [the 2023 Strategy Implementation Report](#) declared that the target **indicator for this task had been achieved**. The 2024 Strategy Implementation Report is not publicly available.

The process of harmonising legislation with the LAP is accompanied by several challenges:

- 1. As of mid-2025, full implementation of the LAP has not yet been achieved.** The European Commission 2024 Report on Ukraine noted that by the end of 2025, Ukraine must achieve **full** implementation of the Law ‘On Administrative Procedure’, including harmonisation of sectoral and implementing legislation and aligning digital procedures with the Law. However, a number of legislative acts still require alignment with the provisions of the LAP, particularly in the areas of taxation, customs, land regulation, citizen appeals, and administrative offences. Draft laws concerning some of these changes are still awaiting consideration in Parliament.⁶ The government is expected to report on the status of LAP implementation by the end of 2025. Although, there are reasonable doubts that **full** harmonisation of legislation with the LAP will be achieved within the established timeframe. These doubts are further reinforced by the fact that the [Public Administration Reform Roadmap](#) envisions certain steps regarding LAP implementation to be carried out throughout 2026.
- 2. Some state authorities are attempting to exempt themselves from the scope of the LAP regulation, arguing that their areas of competence fall under exceptions.** [The 2023 SIGMA Monitoring Report](#) contains information about initiatives in Ukraine aimed at removing public institutions from the scope of the LAP regulation. In public discourse, such [attempts have been discussed](#) in relation to the State Environmental Inspectorate, the Antimonopoly Committee, the State Tax Service, and the Ministry of Internal Affairs.⁷ These initiatives are not supported by the SIGMA Programme, whose representatives maintain that special legislation (instead of the LAP) [should apply](#) only in exceptional cases, justified by the specifics of a particular administrative field.⁸ [The European Commission expressed](#) similar concerns, particularly regarding the State

⁵ [289 days to go: how ministries and government agencies are preparing to implement administrative procedures](#). Public administration reform. 2023.

⁶ For example, [draft Law No. 11082 ‘On Appeals’](#) and [draft Code of Ukraine on Administrative Offences No. 11386](#).

⁷ [One year with the Law ‘On Administrative Procedure’](#): key findings from experts. Public administration reform. 2024.

⁸ [Public Administration in Ukraine: Assessment of Compliance with Public Administration Principles](#). SIGMA. December 2023. P. 10.

Tax Service.⁹ Ukrainian experts share this view, [emphasising](#) the need to extend the application of the Law ‘On Administrative Procedure’ to a *significant portion* of the powers of executive authorities (though certain exceptions should apply depending on the specific functions).

3. **The technical aspect of implementing the LAP in digital procedures requires improvement.** Effective application of the LAP requires ensuring proper information interaction between public electronic registers. However, the current system of interaction does not meet the requirements of full interoperability.
- › Training and Raising Awareness of Civil Servants on the Implementation of the Law ‘On Administrative Procedure’ in Their Respective Authorities

The Strategy stipulates that at least 20% of civil servants requiring training on LAP implementation should complete it each year, with the overall rate reaching 80% by the end of 2025.

[During 2022](#), **2,168 civil servants** and **709 local self-government officials (a total of 2,877 persons)**¹⁰ underwent relevant training at the Ukrainian School of Administration and regional professional development centres. The [2022 Strategy Implementation Report](#) claims this **indicator was met**. However, the report presents the target value and actual performance using different units of measurement. This makes it impossible to clearly determine whether the reported number of trained individuals corresponds to the target of 20% of the total number of civil servants who required such training.

In 2023, the National Agency of Ukraine on Civil Service [developed](#) and approved 12 training programmes on administrative procedures for civil servants and local self-government officials.¹¹ The number of civil servants, local self-government officials, and employees of Administrative Service Centres who underwent relevant training **exceeded 4,400 persons**. According to [the 2023 results](#), the necessary Strategy performance indicator **was achieved** (90% reported against the required 40%).¹² This time, the report included the actual number of individuals needing training in 2023.

Additionally, civil servants can take online courses and training. The Zrozumilo! platform hosts an online course titled [‘General Administrative Procedure’](#), a [handbook for civil servants](#), and

⁹ [Report on Ukraine for 2023](#). European Commission. 2023. pp. 19–20.

¹⁰ [Public Administration in Ukraine: Assessment of Compliance with Public Administration Principles](#). SIGMA. December 2023. P. 10.

¹¹ Report on the implementation in 2023 of the Strategy for Public Administration Reform in Ukraine for 2022–2025. P. 43.

¹² *Ibid.* pp. 20, 26.

[train-the-trainer programmes](#) for offline and online training on a general administrative procedure (**60 trainers**¹³ were trained by the end of 2023).¹⁴

Also, there is a dedicated [information portal](#) that offers answers to over 200 frequently asked questions about applying the LAP and provides document templates, checklists, and other practical materials.

A social media group titled '[Administrative Procedure: Professional Community](#)' was created for representatives of state authorities involved in the general administrative procedure and LAP implementation, allowing practitioners and scholars to exchange opinions and experiences regarding LAP application.

Despite satisfactory reporting indicators, certain challenges persist for the effective implementation of the LAP in terms of training:

1. **Insufficient quality and comprehensiveness of training materials.** A [survey](#) of central executive authorities (CEAs) on their readiness to apply the LAP, conducted between December 2024 and January 2025, showed that 59% of respondents noted the need for staff training, 40% required assistance in developing templates and standard documents, and 35% needed expert advisory support. Category A civil servants were the most knowledgeable about the provisions of the LAP. Though nearly half of the surveyed Category B and C civil servants had yet to fully understand the details. Respondents indicated the need for additional clarification of the essence of administrative procedure principles, particularly those of proportionality, reasonableness, formality, the presumption of legality of actions, and the requirements of individuals.
2. **Not all civil servants are adequately informed about the LAP implementation in their respective authorities.** The CEA [survey](#) showed that more than 50% of respondents could not say whether their institution had begun the adaptation of legislation to the LAP, and over 70% were unaware of whether their institutions had identified the list of regulatory legal acts to be aligned with the LAP. This indicates a need to improve institutional awareness and internal communication regarding the implementation of the LAP in central executive authorities.

¹³ Report on the implementation in 2023 of the Strategy for Public Administration Reform in Ukraine for 2022–2025. P. 20.

¹⁴ For example, training courses are conducted within the framework of the project Support to Comprehensive Reform of Public Administration in Ukraine (EU4PAR) and the USAID Hoverla project in partnership with the Higher School of Public Governance.

The survey is not representative (due to uneven distribution of respondents by type and level of state authorities), but it demonstrates general trends in the readiness of civil servants to apply the LAP.

› Public Awareness of Administrative Procedures

One of the tasks of the Strategy is to raise citizens' awareness of the general administrative procedure. However, there are no indicators to track progress on this task. Citizens can participate in training on the [Zrozumilo!](#) Platform. In 2024, [more than 22,000 persons](#) completed this online course. Also, the [information portal](#) contains useful materials explaining the LAP provisions and their practical value for citizens and businesses. Nevertheless, the lack of indicators makes it impossible to assess progress in fulfilling this task.

Recommendations

The current state of implementation of the Public Administration Reform Strategy for 2022–2025 regarding the enforcement of the Law 'On Administrative Procedure' is largely satisfactory, with most tasks either fully completed or in progress. However, further reform efforts require the following measures:

1. Minimising cases where state authorities are exempt from the Law 'On Administrative Procedure', particularly those performing public service functions. The non-application of LAP provisions to certain public institutions sets a precedent that undermines the role of the LAP in the public administration reform. The use of special legislation instead of the LAP may still exist, but additional justification is required on a case-by-case basis.
2. Ensuring full implementation of the LAP by aligning tax, customs, land legislation, the Law of Ukraine 'On Appeals of Citizens', and the Code of Ukraine on Administrative Offences with its provisions and by adopting subordinate regulatory legal acts necessary for the implementation of the LAP and Law [No. 4017](#).
3. Introducing amendments to current legislation to address the application of the LAP in automated procedures to ensure full realisation of the principles of efficiency and formality, particularly regarding e-interaction between information systems, technical implementation of complex procedural mechanisms (e.g., leaving applications without progress), and applicant access to case files.
4. Improving the quality of training materials for civil servants undergoing professional development on administrative procedure. Optimisation should focus on:
 1. clarifying the essence of LAP principles and terminology;

2. resolving potential conflicts between the LAP and special laws;
3. analysing specific practical cases and addressing possible ambiguities in LAP interpretation;
4. technical aspects of using information systems within administrative procedures.
5. Enhancing awareness among civil servants, particularly categories B and C, regarding the application of LAP provisions.
6. Intensifying the implementation of the LAP in state authorities, while providing clear guidance to their staff on the essence and algorithm of such implementation.
7. Expanding public outreach campaigns to raise awareness about the significance and practical value of the LAP for citizens when applying to state authorities.