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Assessment of Legislation in the Field of Local Self-Government and Regional Development for the Period 2019–2025

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Contents

List of Abbreviations

VRU — Verkhovna Rada of Ukraine

MSED — Main Scientific and Expert Department of the Secretariat of the Verkhovna Rada of Ukraine

MLD — Main Legal Department of the Secretariat of the Verkhovna Rada of Ukraine

Charter — European Charter of Local Self-Government

AFU — Armed Forces of Ukraine

CMU — Cabinet of Ministers of Ukraine

Committee — Committee of the Verkhovna Rada of Ukraine on the Organisation of State Power, Local Self-Government, Regional Development and Urban Planning

Ministry — Ministry for Development of Communities and Territories of Ukraine

NLA — Normative Legal Act

RSA — Regional State Administration

LSG bodies — Local Self-Government bodies

President — President of Ukraine

DSA — District State Administration

TC — Territorial Community

ASC — Administrative Service Centre

CEBs — Central Executive Bodies

Executive Summary

The assessment of legislation is an important component of the legislative process. It makes it possible to identify shortcomings and gaps in legislative acts, assess their impact on various aspects of public life and respond promptly to change. In addition, analysing the practical implementation of laws enables the establishment of a dialogue between the legislator and stakeholders, which is essential for taking their positions into account where further amendments to legislation are required.

European countries widely apply legislative assessment in the process of drafting and improving legislation, through the methodology of post-legislative scrutiny (PLS).[1]

At the same time, in Ukrainian practice, the attention of Members of Parliament is primarily focused on the fact of adopting legislative decisions, while the capacity of legislation to achieve its declared objectives and the effectiveness of its application largely remain without proper evaluation.

The key actor in the preparation of laws in the field of local self-government and regional development is the Committee of the Verkhovna Rada of Ukraine on the Organisation of State Power, Local Self-Government, Regional Development and Urban Planning (hereinafter — the Committee). The primary subject of analysis within this study is the laws adopted by the Verkhovna Rada of Ukraine from August 2019 to June 2025 inclusive, as well as draft laws for which the Committee was designated as the main committee responsible for preparation and preliminary consideration.[2] The assessment of laws in the field of local self-government and regional development was carried out in two dimensions: effectiveness of application and legal analysis.

An analysis of the effectiveness of the application of legislation should determine whether the objectives of a law have been achieved as a result of its implementation. However, the formalistic approach to drafting explanatory notes to draft laws, as well as failure to comply with the requirements established by the Rules of Procedure of the Verkhovna Rada of Ukraine regarding their mandatory components, in most cases makes it impossible to define quantitative or qualitative effectiveness criteria and to unequivocally assess whether the analysed laws have achieved their stated objectives.

The results of the survey of representatives of LSG bodies regarding the effectiveness of current legislation made it possible to identify both positive outcomes and challenges requiring further regulation:

- **Under the 'Administrative-Territorial Structure' area**, the completion of the formation of territorial communities received a generally positive assessment. At the same time, shortcomings of this process include the factual incapacity of certain communities to function effectively, the amalgamation of communities based on political considerations and the institutional weakness of district councils. In addition, due to the consequences of military aggression, the administrative-territorial structure requires further adjustment, and the methodology for determining the capacity of communities requires revision.

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1 PLS refers to the evaluation of the effectiveness and impact of laws after their adoption, enabling conclusions to be drawn as to whether laws have achieved their objectives and whether further improvement is warranted.

2 The list of analysed laws is provided in Annex 1 to this study.

- **Under the 'Planning for the Recovery and Development of Communities' area**, the assessment of the effectiveness of legislative regulation depends on the territorial and security characteristics of communities. Communities that have experienced temporary occupation and are subject to regular shelling do not consider the development of strategic recovery and development documents to be a priority. At the same time, communities that have not experienced temporary occupation and operate in relatively safer conditions are working on drafting or updating strategic documents, although they face the need to secure additional funding for this purpose.
- **Under 'The Institution of Starostas' area**, legislative regulation received predominantly positive feedback among surveyed representatives of LSG bodies. At the same time, there is a need to develop a more flexible approach to determining the size of starosta districts and the functional responsibilities of starostas. In addition, it is important to define professional qualification requirements for starostas to ensure the proper provision of services to residents within starosta districts.
- **Under the 'Inter-Municipal Cooperation and International Territorial Cooperation' area**, a key challenge is the limited capacity to fulfil contractual obligations, primarily due to challenges caused by russian aggression, the reorientation of objectives and tasks, local budget deficits and the volatility of legislation, in particular budgetary and tax legislation. As regards international cooperation, it is premature to assess the effectiveness of the application of the relevant Law,[3] as it entered into force only in June 2024.

During the study, several issues requiring further legislative regulation were also identified:

- achieving an optimal distribution of powers both between LSG bodies and executive authorities and between LSG bodies at different levels;
- determining a well-founded territorial basis for the activities of LSG bodies and executive authorities to ensure the accessibility and proper quality of public services provided by such bodies, considering current challenges;
- the methodology for forming capable TC requires modernisation;
- difficulties in developing comprehensive spatial development plans for territories.

The legal assessment of the selected laws, based on an analysis of the texts and accompanying documents to the draft laws, revealed a number of shortcomings that negatively affect law enforcement and the achievement of the objectives of legislative regulation:

- **lack of clarity in wording, as well as the use in the texts of laws of concepts and terms that are not defined at the legislative level or are evaluative in nature:** such shortcomings were identified in 7 out of 13 reviewed laws. This increases the likelihood of incorrect application of legislation and creates a need for additional instructions and clarifications;
- **inconsistency with other laws and international obligations:** in 10 out of 13 reviewed laws, provisions were identified that could potentially be declared unconstitutional by the Constitutional Court of Ukraine, and in 7 out of 13 cases, provisions were identified that contradict other laws and/or international obligations.[4] This creates legal uncertainty and complicates the practical application of legislative provisions;

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[3] On International Territorial Cooperation of Ukraine: Law of Ukraine No. 3668-IX of 24.04.2024.

[4] For further details, see Annex 1 to this study.

- **delays in the adoption of necessary NLAs and untimely amendments to other NLAs:** for only 4 out of 13 analysed laws were secondary acts adopted within the prescribed time limits. In addition, in 10 out of 13 cases, the accompanying package of documents did not contain a list of the necessary NLAs, and in 5 out of 13 cases, it was impossible to assess compliance with the deadlines for adopting the required secondary legislation.

Thus, the issues identified during the study indicate the need to revise existing approaches to the legislative process, improve the preparation of accompanying documentation to draft laws and ensure proper coordination among all stakeholders — state authorities, LSG bodies and civil society — in assessing the practice of application of laws.[5]

[5] Specific recommendations are set out in the 'Recommendations' section.

Introduction

In European countries, legislative assessment is an integral component of the legislative process. It makes it possible to evaluate the achievement of stated objectives, identify shortcomings and unintended consequences and introduce well-founded amendments to legislation to enhance its effectiveness. In Ukraine, however, the assessment of the practical application of legislation is not yet a widespread practice. The absence of a systematic approach to legislative assessment complicates the timely identification of problems in the implementation of legislative provisions and reduces the overall effectiveness of law-making activities.

From August 2019 to June 2025 inclusive, the VRU adopted a number of laws in the field of local self-government and regional development aimed at continuing the decentralisation process. Not all of these laws have been analysed in terms of their practical application. At the same time, in the context of the ongoing war, communities face new challenges — including temporary occupation, demographic change, large-scale destruction and limited financial resources — which in turn necessitate a prompt and high-quality review of legislation in the field of local self-government and regional development.

The purpose of this study is to analyse selected laws in the field of local self-government and regional development adopted between August 2019 and June 2025 inclusive and to assess their practical implementation.

The key research questions are:

- which factors influence the quality and effectiveness of legislative provisions;
- to what extent the adopted legislation meets the needs of territorial communities;
- how improving communication between the legislator and LSG bodies can contribute to enhancing the legislative process and increasing the effectiveness of the application of laws.

A distinctive feature of this study is the combination of a legal assessment of legislation, based on defined indicators,[6] with empirical data obtained through in-depth interviews with representatives of communities operating under different conditions, both with experience of temporary occupation and without such experience.

Although in Ukraine the requirement to conduct legislative assessment will enter into force only after the termination of martial law, the analysis carried out has made it possible to formulate recommendations for improving legislation that can already be applied at this stage. The findings of the study may be useful for legislators and representatives of LSG bodies both in improving current legislation and in developing more effective solutions in the field of local self-government in the future.

[6] The criteria for selecting the laws are described in the 'Methodology' section.

Methodology

The study was conducted in two stages: desk research stage and an empirical stage. This approach enabled a comprehensive analysis of legislation in the field of local self-government and regional development, covering both the legal assessment of laws and the specific features of their practical application.

The desk research stage included a review of approaches to legislative assessment in European practice and in Ukraine, which made it possible to identify key indicators for analysing laws:

- whether the explanatory note defines the objective of the law and whether it is possible to assess the achievement of that objective;
- consistency between the text of the law and its subject matter of regulation;
- clarity of the wording of the provisions of the law (including their comprehensibility for representatives of LSG bodies);
- consistency of the provisions of the law with the Constitution, other laws and Ukraine's international obligations.

The laws selected for analysis met the following criteria:

- they were adopted by the VRU between August 2019 and June 2025 inclusive;
- the Committee was designated as the main committee responsible for the preparation of the relevant draft laws;
- the law has entered into force;
- the primary scope of the law concerns issues related to the administrative-territorial structure, local self-government or regional policy.

The period covered by the legislative analysis spans from August 2019 to June 2025. Legislation adopted after June 2025 was not analysed in this report.

Law No. 1120-IX,[7] the purpose of which was to regulate certain aspects of the activities of military-civil administrations, meets the established criteria. However, it was not included in the analysis, as its provisions are currently not being applied.[8]

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[7] On Amendments to the Law of Ukraine 'On Military-Civil Administrations' Concerning the Regulation of Certain Issues of Organisation and Activities of Military-Civil Administrations': Law of Ukraine No. 1120-IX of 17.12.2020.

[8] Pursuant to Part 9, Article 4 of the Law of Ukraine 'On the Legal Regime of Martial Law', in connection with the establishment of military administrations of settlements, the powers of military-civil administrations of such settlements terminate on the day the respective military administration commences the exercise of its powers. On 24.02.2022, in accordance with Presidential Decree No. 68/2022, region, district and Kyiv City military administrations were established on the territory of Ukraine.

The empirical stage of the study consisted of semi-structured in-depth online interviews with village, settlement and city mayors who have held office for more than four years. To consider the specific challenges faced by communities, the sample included representatives of three de-occupied communities (Chernihiv region (2), Sumy region (1) and two communities without experience of temporary occupation (Ternopil region)).[9]

The interviews focused on the practical experience of applying legislation in the field of local self-government, both in general and across specific areas: reform of the administrative-territorial structure, planning for the recovery and development of communities, the institution of starostas, inter-municipal cooperation and international territorial cooperation. The interviews were conducted in November–December 2024. The results of the interviews are presented in the study in a generalised form.

[9] The results of the interviews are presented in this study as case studies illustrating the challenges faced by individual Territorial Communities during the full-scale invasion of Ukraine by the russian federation. These results are not representative of territorial communities across the whole of Ukraine, as they were obtained through qualitative interviews rather than a full-scale sociological survey.

Chapter I

Legislative Assessment: General Approach and Specific Features of its Application in Ukraine

1.1. The Role of Legislative Assessment in the Legislative Process

Legislative assessment is an integral part of the legislative process, ensuring feedback between the legislator and the sphere of impact of legislative acts. Depending on the country and context, this process may be referred to as evaluation of legislation,[10] post-legislative scrutiny[11] or ex-post impact assessment[12] . In some Parliaments, elements of legislative assessment may be incorporated into broader parliamentary oversight or control procedures without being singled out as a separate procedure.

The format and quality of legislative assessment depend on a number of factors:

- the institutional capacity of public authorities;
- the level of coordination between Parliament and Government;
- communication, cooperation and openness among stakeholders;
- available financial and human resources;
- the political situation in the country, among others.

[10] Evaluating laws, policies and funding programmes // European Commission: An official website of the European Union.

[11] Post-legislative Scrutiny — The Government's Approach // House of Commons, 2008. 24 p.

[12] Evaluation and ex-post impact assessment at EU level // European Parliament / Better Law-Making in Action Briefing, September 2016.

Legislative impact assessment is one of the elements of the better regulation policy,[13] aimed at achieving maximum effectiveness and performance of public policies and legislative decisions. In accordance with the European Union's decision-making practice, the policy cycle covers all stages 'end-to-end': planning and assessing potential consequences, drafting and adopting decisions, their implementation and application, as well as monitoring and evaluation of results.

At the initial stage of developing a legislative initiative, an explanatory note is prepared, setting out an assessment of the impact of the legislative proposal on various sectors and social groups, as well as the results of consultations with key stakeholders. Thus, the preparation of an explanatory note to a draft law is regarded as a stage that ensures — and verifies — compliance of the legislative proposal with the principles of better regulation. It makes it possible to develop and adopt evidence-based decisions, the effectiveness and performance of which are substantiated. In addition, the explanatory note provides information on the objective of the initiative and defines the procedure and indicators for monitoring and evaluating the effectiveness of its implementation, should it be adopted. Therefore, the basis for conducting legislative assessment is formed even before the legislation is adopted.

The structure of legislative assessment is flexible rather than universal. Each country organises this process in its own way, depending on the political context, legal framework and the level of interaction between Parliament and Government, among other factors. Countries also formalise this procedure differently in legislative acts — in constitutions, rules of procedure, final provisions of a specific law and other instruments.

Although there is no universal structure, the European Commission, in its 'Better Regulation Toolbox'[14], identifies the following key rules for evaluation:

- clarifying the purpose of the evaluation and defining its scope — what exactly the evaluation will deliver;
- the intervention logic (that is, the changes proposed by the draft law/law): a summary of the expected outcomes and the objective of the legislative proposal (draft law);
- identifying evaluation questions: these should correspond to the established objectives of the legislative proposal (draft law), its expected outcomes, and cover the issues raised by stakeholders;
- points of comparison: evaluation questions are recommended to be formulated in a way that corresponds to — or at least is comparable with — the questions raised during the prior impact assessment of the legislative initiative, that is, before the adoption of the law;
- data collection for evaluation: it is important that the assessment be based on objective data and evidence, as well as the positions of stakeholders. Evidence *(of the effectiveness and performance of the approach proposed by the draft law/law)* may derive from multiple sources. These may include both quantitative data (statistical data, surveys) and qualitative data (positions of interested stakeholders, academic articles and expert commentary). Reliable and substantiated data are necessary to describe problems, to gain a genuine understanding of their consequences and to analyse both the anticipated and the actual impact of decisions.

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[13] Better Regulation // European Commission: An official website of the European Union.

[14] 'Better regulation' toolbox 2023. Chapter 6 — How to carry out an evaluation and fitness check // European Commission, 2023. 66 p.

In the handbook 'Parliamentary Innovations through Post-Legislative Scrutiny',[15] the Westminster Foundation for Democracy (WFD) outlines **key approaches to legislative assessment**:

- effectiveness assessment: whether the law has achieved its objective, how the provisions of the law have addressed the problem and how effective those provisions are, among other aspects;
- legal assessment: the existence of the necessary secondary legislation for the implementation of the law's provisions, the consistency of the legislation with other laws and the presence of legal ambiguities, among other factors.

For high-quality legislative assessment, WFD recommends taking into account the following principles:

- legislative assessment cannot be carried out too soon after a law has entered into force;
- monitoring and evaluation should be conducted based on clearly formulated questions and defined methods of data collection;
- the outcome should be a report on the implementation of the legislation, accompanied by recommendations for its improvement.

When conducting a legislative assessment, it is important to consider available human and financial resources. Assessing all existing laws is neither realistic nor rational. Therefore, it is advisable to select laws for assessment on the basis of defined criteria. Such criteria may include the need to measure the progress of a reform, the priorities identified by parliamentary committees, a request from the public or a specific community, the significance of a law in terms of its socio-economic impact and its implications for the rights and freedoms of citizens.

Although it is common practice to conduct legislative assessment three to five years after a law has begun to be applied, in certain circumstances it is advisable to carry it out at an earlier stage. This applies to laws related to emergency situations, those adopted under accelerated procedures or those affecting the rights and freedoms of citizens. In addition, the need for early assessment may arise where there is evidence of negative legislative impact, high-profile events, public pressure or the necessity to revise legislation due to political changes, the adoption of other laws and similar factors.

The scope of legislative impact assessment depends on its purpose. The assessment may cover an entire law, individual structural elements of a law or several laws regulating a particular field. In some cases, legislation that has expired or whose validity is nearing its end is also assessed to consider its positive outcomes and negative consequences in the future. As a rule, the results of the assessment are presented in a report. However, legislative assessment and the preparation of a corresponding report are not ends in themselves.

> For example, in **Croatia** there is a Law on 'Better Regulation Policy Instruments',[16] which is applied in the process of drafting and developing laws and other normative acts, as well as in monitoring their implementation. The assessment of normative acts is conducted based on a decision of the competent authority, a conclusion of the Government or the Sabor (Parliament), as well as in cases specifically defined by this Law. The Sabor may, by its conclusion, instruct the Government to carry out an assessment of normative acts relating to a law in force and set a deadline for conducting such an assessment.

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[15] Parliamentary innovation through post-legislative scrutiny // WFD. Published on 27 June 2023.

[16] Zakon o instrumentima politike boljih propisa. 2023 // ZAKON HR.

In **Canada**, post-legislative assessment for Parliament is conducted by the Standing Joint Committee for the Scrutiny of Regulations on the basis of a parliamentary decision (at the beginning of each session, the Senate of Canada and the House of Commons of Canada adopt a decision granting the committee the relevant powers) and the Statutory Instruments Act.[17] Following its assessment of a normative act, the committee prepares a report in which it may propose the full or partial revocation of an act of a public authority.

Assessment is one of the stages of the legislative process and should serve as a prerequisite for further action aimed at improving legislation or identifying alternative instruments for addressing identified problems. Another purpose of assessment is to establish dialogue between Parliament, Government and stakeholders. Such communication contributes to the development of more effective approaches to resolving issues that may arise in the practical application of legislation.

1.2. Legislative Assessment in the Ukrainian Context and the Role of Parliament

High-quality legislative assessment should be based on the work carried out prior to the adoption of a law — when it is still a draft law — including the explanatory note, the stated objective, the indicators for measuring its achievement and the analysis of the draft law's impact. The key institution responsible for such work is the Verkhovna Rada of Ukraine. As the sole legislative body of Ukraine, the VRU considers and adopts laws, which may be initiated by Members of Parliament, the Cabinet of Ministers of Ukraine or the President. For each draft law, a main committee is designated in accordance with the subject matter of the legislative initiative. The main committee accompanies the draft law from the moment of its registration through to the adoption of the final decision — including its preliminary analysis, preparation for consideration by the VRU and further revision, as required.

The legislative procedure defined in the Rules of Procedure of the VRU,[18] inter alia, provides that:

- all draft laws must be accompanied by an explanatory note containing a justification of the necessity for adopting the draft law, information on its objective and a brief summary of the legislative proposal, its expected consequences and the positions of stakeholders, among other elements (Part 1, Article 91);
- if the implementation of the provisions of a draft law requires amendments to other laws, this must be provided for in the 'Transitional Provisions' section of the draft law or in a separate draft law submitted simultaneously. The draft law must be accompanied by a list of laws and other normative legal acts that must be adopted or revised to implement its provisions in the event of adoption (Part 8, Article 90);
- a draft law is subject to preliminary consideration by the main committee, after which a conclusion is adopted on the advisability of including it in the agenda of a session of the VRU. The conclusion of the main committee is accompanied by expert opinions of the committees responsible for budgetary matters, anti-corruption issues and compliance of legislation with Ukraine's international legal obligations in the field of European integration (Part 3, Article 93);

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[17] Statutory Instruments Act. 1985 // Government of Canada.

[18] On the Rules of Procedure of the Verkhovna Rada of Ukraine: Law of Ukraine No. 1861-VI of 10.02.2010.

- prior to the first reading, all draft laws must undergo scientific examination and, prior to subsequent readings, legal examination, which is to be ensured by the relevant structural units of the Secretariat of the VRU (Part 2, Article 103).

Thus, the explanatory note should provide information on the objective and the potential consequences of adopting a draft law, while expert opinions should ensure a comprehensive analysis of the text of the draft law and prevent the adoption of provisions that may lead to legal uncertainty or contradictions, entail corruption risks or create an excessive financial burden.

The Rules of Procedure of the CMU establish more stringent requirements for explanatory notes to draft laws compared to those applicable to draft laws initiated by Members of Parliament. However, explanatory notes to both Government-initiated and MP-initiated draft laws do not meet the above-mentioned European standards[19] of better regulation in terms of legislative impact assessment, indicators and the period for monitoring the results of the implementation of a law.

Gradually, legislative impact assessment is gaining relevance among Ukrainian parliamentarians. As early as 2022, the Agency for Legislative Initiatives developed a Handbook on Legislative Impact Assessment,[20] which provides a detailed description of the key elements and practices for implementing this methodology. This analytical tool makes it possible to assess a legislative initiative in three dimensions:

- the objective and justification for the necessity of adopting the legislative initiative;
- contextual analysis and identification of the problem that the legislative initiative seeks to address;
- impact assessment, that is, the anticipated effect of the proposed action.

The assessment of a legislative initiative at the stage of its development may serve as a basis for defining effectiveness criteria during the monitoring and evaluation of the implementation of a law after it has entered into force.

In 2023, Parliament adopted the Law of Ukraine 'On Law-Making Activity',[21] which will enter into force after the termination of martial law. This Law requires that, prior to the consideration of a draft law, an assessment of its impact on social relations be conducted and, after the law enters into force, that legal monitoring be carried out. The results of the impact assessment of a draft law, including the definition of legal monitoring methods and the criteria (indicators) for conducting such monitoring, must be set out in the explanatory note to the draft law.

Committees of the VRU are expected to play an important role in the assessment of laws. In particular, pursuant to Part 1, Article 14 of the Law of Ukraine 'On the Committees of the Verkhovna Rada of Ukraine', the oversight function of committees includes, inter alia, analysing the practice of application of legislative acts in the activities of public authorities and their officials in matters falling within the committees' remit, as well as preparing and submitting relevant conclusions and recommendations for consideration by the VRU.

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[19] In addition to the standards mentioned above, an important document is also the 'Better Regulation' Toolbox.

[20] Handbook on Legislative Impact Assessment // Agency for Legislative Initiatives. Published on 27.12.2022.

[21] On Law-Making Activity: Law of Ukraine No. 3354-IX of 24.08.2023.

As in European practice, **the Law provides for the following features of legal monitoring**:

- the possibility of selecting the laws in respect of which legal monitoring will be conducted, taking into account the social significance of the law and its impact on human and citizens' rights and fundamental freedoms;
- determination of the scope of legal monitoring — including an NLA, individual structural elements of selected NLAs or sets of NLAs or their individual structural elements regulating a selected sphere of social relations (to identify the consistency of their implementation);
- the mandatory use of reliable data for conducting legal monitoring, including reports of state authorities, local self-government bodies and their officials prepared on the basis of law; the results of parliamentary and committee hearings; disaggregated statistical data; judicial practice; academic research; reports and other information published by international organisations, non-governmental organisations and political parties; reports prepared following public consultations; citizens' appeals; and other sources, including open sources, containing information necessary for legal monitoring;
- preparation of a report based on the results of legal monitoring, containing proposals and recommendations.

This Law establishes that **legal monitoring consists of two components**:

- **assessment of the effectiveness** of implementation: determining the stage of implementation of a law, its effectiveness and identifying both the intended and unintended impact on those affected by its provisions. As a rule, this is conducted three years after the law enters into force;
- **legal assessment:** determining whether secondary NLAs were adopted in a timely manner, whether they comply with the law and identifying the existence and substance of decisions of the Constitutional Court of Ukraine and/or other courts concerning the law. This is conducted no earlier than one year after the law enters into force (unless otherwise provided by the NLA itself).

Thus, the conduct of legal monitoring will contribute to improving the quality of legislation and transform the legislative process into an 'end-to-end' policy cycle, in which the first stage involves impact assessment and the determination of the need for legislative regulation.

Since the 'end-to-end' legislative process implies that, in addition to considering draft laws, Parliament also analyses the implementation of adopted laws, sufficient institutional capacity of the VRU (including organisational, methodological and financial support) as well as coordination between the VRU and the CMU are essential. This is also emphasised in the Roadmap on Internal Reform and Capacity-Building for the Verkhovna Rada of Ukraine,[22] which, in the section on improving the legislative process, recommends:

- approving an 'end-to-end' legislative process concept based on greatly enhanced coordination between the originators of the legislative proposals (Members of Parliament, the President and the Cabinet of Ministers of Ukraine);

[22] Report and Roadmap on Internal Reform and Capacity-Building of the Verkhovna Rada of Ukraine // compiled by T. Tashtanov. September 2015 — February 2016. 89 p.

- strengthening preliminary examination of draft laws by submitting to the relevant committee of the VRU a so-called 'white paper' (an analytical document describing the problem and substantiating the legislative proposal);
- ensuring that the staffing needs of committees and their needs for expertise are subject to regular review and provided with the necessary resources.

Chapter II

Assessment of the Effectiveness of Legislation in the Field of Local Self-Government

2.1. Overview of the Committee's Legislative Activity

The Committee of the Verkhovna Rada of Ukraine on the Organisation of State Power, Local Self-Government, Regional Development and Urban Planning is the main committee whose remit includes, inter alia, the drafting, consideration and support of draft laws in the fields of local self-government and regional development.

The Committee currently comprises 27 Members of Parliament. Within its structure, 15 subcommittees[23] have been established, including:

1. the Subcommittee on Elections, Referendums and Other Forms of Direct Democracy;
2. the Subcommittee on Administrative-Territorial Structure and Local Self-Government;
3. the Subcommittee on Administrative Services and Administrative Procedures;
4. the Subcommittee on Regional Policy and Local Budgets, among others.

The main tasks of the Committee include conducting legislative work in accordance with matters falling within its remit, preparing and carrying out preliminary consideration of issues assigned to the powers of the VRU and performing oversight functions.

The Committee's remit includes the following matters:

- legislative regulation of the organisation and conduct of elections and referendums;
- the administrative-territorial structure of Ukraine;
- the organisation and activities of local executive authorities;

[23] On the Establishment and Determination of the Subject Matter of the Subcommittees of the Committee on the Organisation of State Power, Local Self-Government, Regional Development and Urban Planning: Decision of the Committee of the Verkhovna Rada of Ukraine on the Organisation of State Power, Local Self-Government, Regional Development and Urban Planning of 3.11.2021.

- the principles of local self-government and bodies of self-organisation of the population;
- civil service and service in LSG bodies, among others.[24]

Legislative regulation of issues related to local self-government extends beyond the exclusive responsibility of the respective Committee and intersects with other policy areas, such as financial and tax policy, education and healthcare. However, this Committee plays a central role in drafting legislative acts that define the foundations of the functioning of local self-government and regional development.

An analysis of statistical data[25] on the number of adopted NLAs indicates that, as of the end of 2024, during the IX convocation of the VRU, the Committee acted as the main committee in the preparation of 260 adopted acts: 205 resolutions and 55 laws. According to this indicator, the Committee ranked fifth among the 23 parliamentary committees, demonstrating its active role in shaping legislation.

An analysis of the resolutions adopted by the VRU by thematic area showed that a significant proportion of them (28%) concerned the resolution of technical and legal matters, in particular the adoption of draft laws at first reading and their referral for revision or for a repeat reading. Almost one third of the resolutions (28.85%) related to issues of administrative-territorial structure, such as changing or establishing the boundaries of settlements and their renaming.

Representatives of LSG bodies interviewed expressed differing views regarding the overall effectiveness of legislation in the field of local self-government and the work of the Committee. More positive assessments were expressed by representatives of communities that had personal interaction with individual members of the Committee and were able to convey their views on the effectiveness of specific legislative acts.

One of the positive aspects highlighted by representatives of LSG bodies was the overall continuation of the decentralisation process, even under martial law and despite the introduction of certain restrictions (for example, on the administration of local taxes and fees and the transfer into private ownership of municipally owned land, including agricultural land). Respondents noted that legislation concerning local self-government is not always a priority for Parliament at present. Nevertheless, several issues important for communities have been regulated at the legislative level. In this context, respondents referred to the expansion of the powers of starostas and the rules for their appointment under martial law, international cooperation and the use of humanitarian assistance.

At the same time, village, settlement and city mayors also emphasised several shortcomings in the legislative process that negatively affect the effectiveness of the application of laws. For example, some representatives of LSG bodies consider that legislative initiatives are adopted without prior examination and due consideration of the position of local self-government. In the view of the heads of de-occupied communities, legislators do not always possess sufficient information about the actual situation regarding the needs of frontline and de-occupied territorial communities. As a result, the needs and challenges of such communities are not always properly considered when drafting legislation.

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[24] On the List, Numerical Composition and Subject Matter of the Committees of the Verkhovna Rada of Ukraine of the Ninth Convocation: Resolution of the Verkhovna Rada of Ukraine No. 19-IX of 29.08.2019.

[25] Documents by Main Committee of the Verkhovna Rada of Ukraine (All Committees, IX Convocation) // Verkhovna Rada of Ukraine: Official Web Portal of the Parliament of Ukraine.

Village, settlement and city mayors assess the speed of legislative decision-making differently. In the opinion of some representatives of de-occupied communities, the pace of adopting laws is insufficient to ensure a timely response to current challenges. At the same time, an opposite view was also expressed:

> *"The only issue is that some decisions are adopted so quickly that you do not have time to process them. Draft decisions are introduced that you are unaware of, and then you find out that they have already become law — so there is a problem here."*

Village, settlement and city mayors also stress that, in most cases, the financial and economic justification accompanying draft laws is prepared in a formal manner and does not include an assessment of the risks of potential additional burdens on local budgets. Furthermore, no comparison is made between the expected outcomes of implementing legislative initiatives and the financial resources required for their implementation. Such practice — when local budgets are insufficient to ensure the implementation of legislative provisions — may result in the risk of non-compliance or merely formal compliance, thereby reducing the effectiveness of adopted laws:

> *"The explanatory note states: "No expenditures from the State Budget". We must calculate not only the State Budget, but also the consolidated budget, because this is the country's overall resource, which today is directed towards survival, towards preserving the country."*

2.2. Reform of Administrative-Territorial Structure

During the current convocation of the VRU, considerable attention has been devoted to the legislative regulation of issues in the field of **administrative-territorial structure**. Although the decentralisation process began as early as 2014, as of the beginning of 2020, 1,029 amalgamated territorial communities had been established in Ukraine, while more than 6,000 territorial communities remained unamalgamated.[26]

To **complete the formation of territorial communities**, Law No. 562-IX[27] was adopted in April 2020, granting the CMU the authority to determine the territories of communities and their administrative centres. According to the surveyed representatives of local self-government, the time allocated up to that point for voluntary amalgamation had been entirely sufficient. Therefore, the adoption of this Law became a logical continuation of the decentralisation process.

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[26] 1029 Amalgamated Territorial Communities with a Population of 11.7 Million People Established in Ukraine // Ukrinform. Published 13.01.2020.

[27] On Amendments to Certain Laws of Ukraine Regarding the Determination of the Territories and Administrative Centres of Territorial Communities: Law of Ukraine No. 562-IX of 16.04.2020.

At the same time, during the implementation of this Law, not all of its requirements were fulfilled. Representatives of LSG bodies identified the following main aspects that negatively affected the effectiveness of its implementation and the decentralisation process overall:

- some communities were amalgamated 'manually', without due consideration of their capacity;
- during the amalgamation of communities, population size and territorial accessibility to services and resources for residents of remote settlements were not always adequately considered.

As a result, some of the newly established small communities proved to be incapable of functioning effectively (due to limited human and financial resources).

> *"They do not even have people in that community — there is simply no one to employ. People come from other towns just to work somewhere, so... in the end, 80% of the budget goes on maintaining the administrative apparatus. Such a community cannot exist, do you understand?"*

Another issue related to the administrative-territorial structure was the creation of new raions and the formation of governance bodies at the regional and subregional levels pursuant to Law No. 1009-IX.[28] The need to regulate this matter was driven by changes in the administrative-territorial structure and the necessity to improve the effectiveness of governance. However, according to representatives of LSG bodies, the implementation of the provisions of this Law did not effectively resolve all problems in the activities of DSAs. The following issues remain problematic:

- a non-optimal distribution of powers both between LSG bodies and executive authorities and between LSG bodies at different levels;
- interaction between LSG bodies at the basic level and both raion councils and DSAs remains extremely limited and ineffective.

> *"At present, I do not know of a single community that you could ask — there is absolutely no cooperation with the districts, and they have no capacity there, no functions, no powers. Well, the only thing is that during martial law, they are being used more actively. But I do not know — perhaps it would have been necessary to focus either on communities or on districts."*

In this regard, village, settlement and city mayors referred to the need to liquidate district councils, with the functions they perform potentially being integrated into regional administrations or transferred directly to communities. This would make it possible to optimise expenditure on maintaining these structures and strengthen the capacity of communities to respond promptly to changes without involving authorities at the district level.

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[28] On Amendments to Certain Laws of Ukraine Regarding the Streamlining of Certain Issues of Organisation and Activities of Local Self-Government Bodies and District State Administrations: Law of Ukraine No. 1009-IX of 17.11.2020.

The next stage in regulating the administrative-territorial structure was the adoption of Law No. 3285-IX[29] in October 2023. This Law established the **procedure for the formation, liquidation, determination and alteration of the boundaries of territorial units, their classification into different categories and their naming and renaming**, among other matters. The Law received a positive assessment as a timely and relevant step in the development of legislation in the field of administrative-territorial structure.

Thus, the adopted laws concerning the reform of the administrative-territorial structure have, to a certain extent, addressed pressing issues. However, according to representatives of the surveyed communities, there remain situations in which certain communities cannot function independently, and therefore, a review of the current administrative-territorial structure is required. When determining the territories of communities, it is necessary to consider not only voluntary willingness, but also actual capacity supported by sufficient financial resources. Moreover, the methodology for forming capable communities itself requires revision.

2.3. Planning for the Recovery and Development of Territorial Communities

An integral component of a systematic approach to shaping regional policy is the development of strategic documents for regional development. In July 2022, Law No. 2389-IX was adopted, which, inter alia, divided the documents defining state regional policy into two components: strategic planning documents of state regional policy — including the State Regional Development Strategy, regional development strategies and development strategies of territorial communities — and implementation documents of state regional policy (action plans for the implementation of the aforementioned strategic documents and programmes for the economic and social development of territories).

Although the drafting of this Law began prior to the full-scale invasion, its further development also considered the need to define a distinct approach to the recovery and development of territories affected by the negative consequences of armed aggression against Ukraine. To this end, the concept of 'recovery territories' was introduced, for which regional and territorial community recovery and development plans were established.

However, according to the head of one of the de-occupied communities, the use of the term 'recovery' for territories that continue to be affected by military aggression is not entirely appropriate. In such conditions, the key concepts are 'resilience' and 'survival', as the immediate priority for these communities is to ensure the basic needs of residents rather than full-scale recovery.

> *"There is no unified approach, because no one knows what to do with this territory. Well, if no one knows what to do with it, then it should not be called a "recovery territory" or something similar. It should be a territory of resilience."*

[29] On the Procedure for Resolving Certain Issues of the Administrative-Territorial Structure of Ukraine: Law of Ukraine No. 3285-IX of 27.08.2023.

Obstacles to the high-quality development of strategic recovery and development documents for certain communities include systematic shelling, demographic changes and the absence of a clear state policy regarding de-occupied, frontline and border territories. As demonstrated by the experience of one frontline community, any strategic documents developed under martial law have a limited period of relevance due to the constantly changing situation.

> *...we started and finished (drafting the development strategy), and we will not continue for now. Over three years, we probably started drafting the strategy three times: twice we rewrote it completely, and the third time we realised that... In 2022, there was one vision; in 2023 — another; and in 2024, we understand that there can be no vision at all until the war ends.*

In practice, this leads to a formalistic approach to the preparation of strategic documents. For some communities, drafting such documents is a forced step, driven by the need to have them in place to attract funding. This highlights the gap between the real needs of communities under current conditions and the requirements of strategic planning, which ultimately reduces the effectiveness of the application of legislative provisions.

At the same time, representatives of LSG bodies that have not experienced temporary occupation have a different experience of developing strategic documents. They noted that work on drafting or updating development strategies is ongoing. However, this process requires the mobilisation of additional financial resources to reduce the burden on local budgets. The need to involve partners in the development of strategic documents was also mentioned in the context of ensuring their compliance with European standards.

> *They [international partners], first, told us that they want to help when this community recovery project is being drafted, when the development strategy is being prepared — that they want to help us align it with certain European standards, so that the strategy is readable in Europe and clearly understood.*

The Law provides that, when developing regional development strategies, due account must be taken of the development strategies of territorial communities, which in turn must reflect the priorities defined in regional development strategies. However, as noted by representatives of certain communities, these requirements are often disregarded in practice. In some cases, regional development strategies may be shaped based on subjective priorities influenced by the relationships between village, settlement or city mayors and the regional administration. Such an approach not only violates the established legislative provisions but also reduces the overall effectiveness of strategic planning.

> *The region asked us to take their vision into account. But the region does not always have a clear vision. You understand how this works — if, for instance, a city mayor is not particularly favoured by the head of the regional administration — hypothetically speaking — then, of course, that region will receive very little attention in the strategy. More attention will be given to territories that are more "interesting" or where the mayor is more "accommodating".*

2.4. The Institution of Starostas

Another area to which the VRU devoted considerable attention was the **improvement of legislative regulation of the institution of starostas**:

- in July 2021, Law No. 1638-IX[30] was adopted, which, inter alia, amended the procedure for nomination to the position of starosta and the requirements concerning the size of starosta districts;
- in July 2024, Law No. 3870-IX[31] regulated the procedure for appointing starostas under martial law, the possibility in certain situations of appointing acting starostas, the reduction of the minimum population threshold for starosta districts in communities with low population density and several other issues.

Legislative regulation of the institution of starostas received predominantly positive feedback from the surveyed representatives of communities. Among the positive aspects noted was the possibility of appointing acting starostas and replacing starostas in the event of their mobilisation.

At the same time, village, settlement and city mayors emphasised that there can be no universal approach to organising starosta districts and defining the powers of starostas. These issues primarily depend on the specific characteristics of a particular community. For example, a representative of one border community noted that, in conditions of constant population migration and an unstable security situation, difficulties arise in determining the optimal structure of starosta districts. Representatives of LSG bodies operating in more stable security conditions did not report significant difficulties in implementing legislative provisions related to the functioning of the institution of starostas. Therefore, to ensure the effectiveness of the institution of starostas under different conditions, legislative regulation should allow sufficient flexibility to take local specificities into account.

> *“The specifics of border areas, the specifics of central regions, the specifics of mountainous territories — we understand that they are entirely different. The same applies to the approach to forming those districts.”*

Representatives of LSG bodies expressed differing views regarding the minimum size of starosta districts. At the same time, Law No. 3870-IX has already clarified that, when establishing starosta districts, historical, natural, ethnic, cultural and other factors influencing the socio-economic development of such districts and the respective territorial community must be taken into account. In addition, territorial accessibility to the centre of a starosta district must not exceed seven kilometres.

In the view of village, settlement and city mayors, the amendments concerning the procedure for appointing starostas — the requirement to take into account the results of public consultations regarding candidates — have a positive impact on the effectiveness of their work. As representatives of LSG

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30 On Amendments to Certain Legislative Acts of Ukraine Regarding the Development of the Institution of Starostas: Law of Ukraine No. 1638-IX of 14.07.2021.

31 On Amendments to the Law of Ukraine ‘On Local Self-Government in Ukraine’ Regarding Improvement of the Legal Regulation of the Institution of Starostas and Their Activities under Martial Law: Law of Ukraine No. 3870-IX of 17.07.2024.

bodies noted, a joint decision on the nomination of a starosta fosters a sense of responsibility among residents for their choice, which improves cooperation. Even though these amendments will enter into force only after the termination of martial law, some communities already practise conducting surveys through 'village assemblies' or focus groups to select candidates for the position of starosta.

> *"Of course, a starosta is not a magician. But if I appoint them single-handedly, there will inevitably be more questions addressed to them. Whereas if it is our shared decision, I believe it will be better for the starosta. There will be stronger public support, because you nominated them — now stand behind them, organise community clean-ups and other initiatives. And we, for our part, will provide support."*

In the view of village, settlement and city mayors, the primary task of starostas is to ensure the provision of essential services (for example, administrative and social services) to residents within starosta districts. To this end, it is important that starostas possess certain professional skills, specifically in the field of service provision. However, not all starostas have the necessary knowledge and experience to perform these functions. In addition, since starostas are predominantly based in their respective districts, they often remain isolated from the rest of the LSG bodies' administrative apparatus.

> *"For example, our ASC and social services department invite starostas for training, because they fall out of the process. In that sense, perhaps there would be no point in holding public hearings and elections... that is, the most popular person becomes starosta, but if he cannot properly read and write, cannot correctly prepare a certificate and may cause problems for people — that is the other side of the coin."*

Thus, according to community representatives, the approach to selecting candidates should strike a balance between public support and ensuring that starostas possess the necessary qualifications to perform their functions effectively.

2.5. Inter-Municipal Cooperation and International Territorial Cooperation

One of the areas that remained in the focus of the legislative work of the Committee during the current convocation of the VRU was cooperation between territorial communities within Ukraine, as well as international territorial cooperation.

In January 2023, Law No. 2867-IX[32] was adopted, introducing several amendments to the regulation of **inter-municipal cooperation**. This Law enabled communities to join existing cooperation agreements and to combine different forms of cooperation. Despite the legislator's intention to streamline the organisation of cooperation between communities, representatives of LSG bodies pointed to significant difficulties arising in the application of its provisions.

[32] On Amendments to the Law of Ukraine 'On Cooperation of Territorial Communities' Regarding the Streamlining of Certain Issues of Cooperation of Territorial Communities: Law of Ukraine No. 2867-IX of 12.01.2023.

> *Accordingly, the Law is intended to encourage local self-government to develop a new strategy of cooperation and coordination, but in my view, it is overly complicated and bureaucratic... We have to go through this procedure — drafting the project, obtaining approval from the executive committee, then adopting decisions at the session — and in reality, it takes a very long time.*

Excessive regulation of the organisation of inter-municipal cooperation created a significant administrative burden, which was particularly tangible for smaller communities with limited human resources. The complexity of cooperation procedures became even more pronounced in large-scale projects involving a considerable number of communities. Village, settlement and city mayors noted that, in practice, cooperation between communities is often based not on formal procedures and strict application of legislative provisions, but rather on personal contacts, trust and shared interests.

To simplify the procedure for organising cooperation between communities — specifically by clarifying terminology, adapting the procedure for initiating and organising cooperation to the specific features of martial law and states of emergency and refining the requirements for cooperation agreements — the VRU adopted Law No. 4425-IX in May 2025.[33]

In addition to cooperation between communities within Ukraine, **international territorial cooperation** is becoming increasingly relevant. In view of the importance of European integration processes and the need to involve international partners in the recovery of affected territories, appropriate legislative regulation is required. In April 2024, Law No. 3668-IX[34] was adopted, establishing the legislative framework for organising inter-territorial and cross-border cooperation. Although the Law formally entered into force, as of December 2024, not all necessary secondary legislation had been drafted and adopted by the Ministry for Development of Communities and Territories of Ukraine (the Ministry). According to one of the surveyed representatives of LSG bodies, the delay was caused by the reorganisation of the Ministry[35] and personnel changes within the Government.

The absence of secondary legislation delayed the commencement of the communities' work in concluding agreements on international territorial cooperation in accordance with the provisions established by the Law. Although it is premature to assess the effectiveness of the adopted Law, representatives of LSG bodies expressed concerns regarding potential risks in its practical application, highlighting in particular the following:

- **the excessive complexity** of organising international territorial cooperation may negatively affect the capacity of small communities to participate, as such communities generally lack relevant experience and sufficient financial and human resources. These challenges are particularly acute for communities that experienced temporary occupation and are overcoming the consequences of military action on their territories. In this regard, such communities require comprehensive support in organising all processes, as well as the ability to ensure an adequate level of remuneration for specialists involved in international cooperation projects;

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[33] On Amendments to Certain Laws of Ukraine Regarding the Development of Cooperation of Territorial Communities: Law of Ukraine No. 4425-IX of 13.05.2025.

[34] On International Territorial Cooperation of Ukraine: Law of Ukraine No. 3668-IX of 24.04.2024.

[35] Until September 2024, the Ministry for Development of Communities, Territories and Infrastructure of Ukraine functioned.

- **the lengthy process of agreeing on cooperation agreements** with the Ministry. The 30-day period established by the Law for approving draft agreements on international territorial cooperation significantly limits the ability of communities to implement international cooperation initiatives in a timely manner;
- **insufficient staffing capacity** of RSAs and the Ministry to coordinate international cooperation projects, which may lead to delays in the conclusion of relevant agreements;
- **insufficient standardisation of memoranda** on international cooperation, which, according to the head of one community, may limit the ability to monitor the terms of concluded agreements, although it also provides a degree of flexibility that communities are currently using in practice.

2.6. Other Issues Affecting the Effectiveness of the Application of Legislation and Requiring Further Regulation

One of the main obstacles to the effective exercise of powers, according to representatives of LSG bodies, is the non-optimal distribution of competences between LSG bodies and executive authorities. This complicates the understanding of areas of responsibility at different levels of government and negatively affects the financing of certain sectors. In the view of LSG representatives, enhancing the effectiveness of their work requires not only a clear delineation of powers but also the introduction of financial mechanisms that would enable them to perform their functions in line with the needs of communities.

> *“In general, local self-government is underfunded in terms of delegated powers. The Law on Local Self-Government is not financed, although it provides for delegated powers from the state, which are supposed to be funded 100 per cent from the State Budget. Yet we are not transferred 100 per cent of the funds for the delegated powers that the Government has assigned to us as local self-government.”*

Representatives of LSG bodies emphasised that the powers of local self-government are constantly expanding, leading to increased expenditure against the backdrop of limited local budgets. Under such conditions, it becomes necessary to determine which actions are prioritised, as there are often insufficient resources to fulfil all obligations established at the legislative level.

At present, state subventions allocated for local needs are channelled through regional state administrations, which creates a risk of funds being distributed in a ‘manual mode’ depending on subjective factors rather than the objective needs of communities. Therefore, among representatives of LSG bodies, there is a view that this approach should be revised and that state subventions should be transferred directly to the accounts of local self-government budgets. This would enable LSG bodies to plan their expenditure more effectively and, accordingly, perform their functions more efficiently.

Among other important decisions awaited by communities since June 2024 is the signing by the President of the Law enabling LSG bodies to **provide financial and material support to the security and defence sector** during martial law or a state of emergency (Draft Law No. 9559-d[36]). According to the head of one community, this situation potentially creates risks of liability for certain village, settlement and city mayors for decisions to provide assistance to the AFU.

Another issue raised by representatives of LSG bodies concerns the inability to comply with the requirements of the Law of Ukraine 'On Regulation of City Planning Activity' regarding the mandatory development of **comprehensive spatial development plans for territories by 1 January 2025**. In general, representatives of LSG bodies positively assessed the idea of developing such plans but emphasised several obstacles that may arise:

- the high cost of developing comprehensive plans in the context of limited local budgets;
- the lack of professional experts within communities whose involvement is necessary to ensure compliance with established standards and technical requirements;
- demographic changes and extensive destruction, which complicate the understanding of the development prospects of certain communities.

To address this situation, representatives of LSG bodies expect the adoption of Draft Law No. 12283,[37] which proposes postponing the mandatory development of comprehensive spatial development plans until 1 January 2028. As of early 2026, the draft law is being prepared for its second reading.

Among other issues affecting the effectiveness of LSG bodies and requiring additional legislative regulation, village, settlement and city mayors referred to the need to **revise the voting procedure of local councils** concerning decisions on the gratuitous transfer of municipally owned land plots into private ownership. Currently, under the applicable legislation (Law No. 1423-IX[38]), such decisions may be adopted only if supported by two-thirds of the members of the local council. As noted by one community representative, this requirement is practically unachievable. The difficulty lies in the fact that a significant number of local councillors have relinquished their mandates due to restrictions on travel abroad, which complicates the process of securing the necessary majority for adopting such decisions.

> *"But requiring two-thirds of the votes — that was an absurd decision regarding land. Two-thirds in the Verkhovna Rada means amendments to the Constitution. Is land for a community equivalent to the Constitution? Listen, this is a routine matter. Yet we cannot secure two-thirds of the votes because councillors are relinquishing their mandates after the decision was taken that they are not allowed to travel abroad."*

[36] On Amendments to Certain Laws of Ukraine Regarding the Expansion of the Powers of Local Self-Government Bodies to Support the Security and Defence Sector of Ukraine: Draft Law of Ukraine, Registration No. 9559-d of 30.08.2023.

[37] On Amendments to Certain Laws of Ukraine Regarding the Extension of the Validity Periods of Spatial Planning Documentation: Draft Law of Ukraine, Registration No. 12283 of 03.12.2024.

[38] On Amendments to Certain Legislative Acts of Ukraine Regarding Improvement of the Governance System and Deregulation in the Field of Land Relations: Law of Ukraine No. 1423-IX of 28.04.2021.

Village, settlement and city mayors also referred to potential **risks of communities losing their project implementation capacity**, particularly in the context of engaging qualified specialists to work on international projects. To prevent such risks, communities see the need to introduce mechanisms for additional remuneration for these specialists. Such an approach would help retain highly qualified personnel and encourage their active participation in international programmes. As the interview results indicate, communities are already resorting to alternative ways of providing additional payments to such specialists, but these mechanisms are temporary and not always effective. Representatives of LSG bodies consider it advisable to regulate this issue at the legislative level. In this context, Draft Law No. 10284[39] of 24 November 2023, which provides for the creation of conditions for granting financial incentives to specialists within the framework of international project activities, appears promising. As of early 2026, the draft law is being prepared for its second reading.

2.7. Challenges in Assessing Legislation in the Field of Local Self-Government

The assessment of the effectiveness of legislation should determine whether the objective of a law has been achieved as a result of its implementation, and to what extent the actual results of applying the adopted legislative provisions correspond to the expectations of the legislator. The primary source of information for understanding the objective and expected outcomes of legislative initiatives is the explanatory note, which should define the goals and tasks of adopting the legislative act and provide a forecast of its socio-economic and other consequences.

However, an analysis of the explanatory notes to the reviewed laws has shown that the **objective is often formulated in such a way that determining the degree of its achievement appears impossible**. The main problems in the formulation of objectives that complicate effectiveness assessment include:

- **the use of generic wording** such as *'addressing legislative shortcomings', 'resolving existing legislative inconsistencies', 'expanding powers', 'granting a right at the legislative level', 'clarifying a term'* and similar phrases. Such formulations describe the general purpose of legislation rather than clearly defining its objectives. In some cases, where the objective is formulated in this manner, the mere adoption of the law may be considered as the achievement of the stated objective;
- **objectives aimed at influencing processes that are also affected by other factors** not necessarily related to the core subject of the law, such as *'preventing the imbalance of local budgets'* or *'increasing the effectiveness of regional policy'*. In such cases, it is difficult to assess the effectiveness of a specific law, as it is impossible to isolate its impact on these processes from other factors beyond the scope of the law.

Village, settlement and city mayors also drew attention to the uncertainty or lack of clarity regarding the objectives of certain adopted laws. This was mentioned in the context of discrepancies between the objective declared in the explanatory note at the drafting stage and the final text of the adopted law.

[39] On Amendments to Certain Laws of Ukraine Regarding the Stimulation of Participation of State Authorities and Local Self-Government Bodies in the Implementation of International Technical Assistance Programmes and Projects and Cross-Border Cooperation: Draft Law of Ukraine, Registration No. 10284 of 24.11.2023.

> *I rarely understand — and have rarely encountered — a case where the explanatory note sets out the genuine objective of a draft law… This is a tradition of the Ukrainian Parliament; there is little one can do about it. One has to read the text of the draft law itself, because even the comparative table may sometimes not correspond to it.*

Forecasts of socio-economic consequences in the reviewed laws were also, in most cases, formulated in a way that makes it **impossible to derive criteria for assessing the effectiveness** of the legislation's implementation. Among the typical shortcomings that complicate proper assessment are the following:

- **substituting a forecast with a justification for the adoption of the law**, where the forecast merely reiterates arguments in favour of adopting the draft law — stating that it *'will enable'* or *'will contribute to'* achieving the defined objective;
- **the use of evaluative judgments**, such as *'**significant** savings of state funds are expected'* or that the adoption of the law *'will ensure **proper** functioning'*. The absence of numerical or qualitative indicators makes it impossible to assess whether the expected results have been achieved;
- **vague wording**, such as *'certain administrative services'* or *'certain executive authorities'*. This limits understanding of the scope of the law's impact on specific sectors or processes;
- **an indirect link between the law and the projected changes**, for example, *'impact on regional development'*, preventing *'loss of state governability under martial law'*, or contributing to *'counteracting corruption and strengthening the rule of law'*. In such cases, the provisions of the law only indirectly affect the achievement of the expected outcomes.

Another issue identified during the study is the inclusion in the texts of laws of provisions that **do not correspond to the objective defined in the explanatory note: this situation was observed in 6 out of the 13 analysed laws**.[40] The inclusion of provisions unrelated to the core subject matter of a law[41] is often linked to the legislator's intention to respond swiftly to emergency situations.

Although such cases do not pose a direct threat to the implementation of provisions related to the main subject of regulation, this practice creates an opportunity to regulate certain matters legislatively without prior analysis, thereby complicating the subsequent assessment of the effectiveness of the legislation.

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[40] For details, see Annex 1 to this study.

[41] For example, the Law of Ukraine No. 1009-IX of 17.11.2020 'On Amendments to Certain Laws of Ukraine Regarding the Streamlining of Certain Issues of Organisation and Activities of Local Self-Government Bodies and District State Administrations' contains provisions amending the Laws of Ukraine 'On Central Executive Bodies' and 'On the Cabinet of Ministers of Ukraine', relating respectively to the powers of the First Deputy Minister and the appointment of a member of the CMU.

Chapter III

Legal Assessment of Legislation in the Field of Local Self-Government

3.1. Clarity of Wording and the Practical Applicability of Legislative Provisions

To ensure the effective implementation of legislation, one of the key conditions is the use in NLAs of clear wording and concepts that allow for unambiguous interpretation. This minimises the risk of divergent interpretations of legislative provisions and facilitates their practical application.

An analysis of the texts of laws in the field of local self-government revealed violations of the principle of legal certainty: **ambiguous wording was identified in 7 out of the 13 reviewed laws**.[42] For example, **certain terms are used that are not defined at the legislative level and are evaluative in nature**. Such an approach complicates the uniform interpretation of provisions. One of the parameters for determining the administrative centres of territorial communities is the term *'developed infrastructure'*. However, the legislation does not provide clarification as to which specific facilities or indicators qualify as features of developed infrastructure. Another example concerns the characteristics of settlements, such as *'predominantly compact development'*, *'predominantly homestead-type development'*, or *'compact place of residence'*, yet the laws do not specify parameters for determining compliance with these characteristics. Such cases may lead to the application of legislative provisions based on subjective assessments, which in turn may result in divergent approaches to their implementation.

Village, settlement and city mayors also noted that in their work, they frequently face the need for clarifications and methodological guidance on the application of legislation. Representatives of LSG bodies indicated that in such situations they usually turn to associations of LSG bodies, which provide general recommendations, guidance materials and individual consultations. In addition, methodological support is provided through international projects, within which informational materials are developed. The high level of expertise of these organisations contributes to strengthening the capacity of communities to implement new provisions. However, such recommendations on the application of legislation are informal in nature, while responsibility for the correct application of the law rests solely with the LSG bodies.

[42] List of laws is provided in Annex 1 to this study.

> *First and foremost, we delve into the legislation ourselves, because we are the ones who must work with it. And we are the ones accountable for it — not the body that provided the clarification. It bears no responsibility for that clarification. The signature is that of the mayor, the secretary, the deputy, the accountant.*

Therefore, the existence of unclear provisions in laws, combined with limited human resources in the legal departments of LSG bodies — particularly in smaller communities — complicates the proper application of legislation. There is often insufficient time and professional expertise to conduct an in-depth analysis of legislative amendments, while understaffed legal services in many communities increase their reliance on external consultations and guidance.

3.2. Consistency of Legislation with the Constitution, Other Laws and International Obligations

The Constitution of Ukraine has the highest legal force. Therefore, all laws and other NLAs must comply with it. If laws or other legal acts do not comply with the Constitution, they may be declared unconstitutional and cannot be applied.

As of June 2025, there were no registered constitutional submissions before the Constitutional Court of Ukraine challenging the analysed laws.[43] At the same time, this does not exclude the possibility that constitutional submissions may be considered by the Court in the future.

In their opinions and comments, the Main Scientific and Expert Department (MSED) and the Main Legal Department (MLD) provide assessments of the texts of draft laws and recommendations regarding necessary amendments, where applicable, including indications of potentially unconstitutional provisions. However, the consideration of such recommendations is not mandatory and may depend on the will of the initiators of the draft law.

An analysis of the opinions of the MSED and the MLD concerning the reviewed draft laws showed that **most of them (10 out of 13) contained provisions considered inconsistent with the Constitution**. Specifically, this concerned the following main aspects:

- **inconsistency between the powers established by the legislative initiative and those defined in the Constitution**, such as granting the Government the authority to determine the territories of territorial communities and their administrative centres, or assigning settlements to the category of cities, towns or villages by a decision of the Verkhovna Rada of Ukraine;
- **the use of terms in a meaning different from that defined in the Constitution**, for example, *'territorial community'* used to denote an administrative-territorial unit.

Adopted laws must also be consistent with international obligations, particularly in the context of European integration processes. Compliance of laws with international standards and obligations is a necessary condition for Ukraine's integration into European structures. In accordance with the rules established by the Rules of Procedure of the Verkhovna Rada of Ukraine, all draft laws, after registration, are referred to the Committee on Ukraine's Integration into the European Union for an expert opinion regarding their compliance with Ukraine's international obligations in the field of European integration.

[43] List of laws is provided in Annex 1 to this study.

However, for 6 out of the 13 reviewed draft laws, opinions regarding compliance with European integration obligations were not published on the VRU website. The only draft law whose opinion explicitly referred to the existence of Ukraine's international obligations was Draft Law No. 9450[44] on international territorial cooperation. The European integration review identified several inconsistencies in this draft law, in particular differences in the interpretation of the concept of *'cross-border cooperation'* and the granting of powers to central executive bodies to organise and coordinate international territorial cooperation projects. It was therefore emphasised that these provisions do not comply with the philosophy of the European Outline Convention on Transfrontier Co-operation. The Committee on Ukraine's Integration into the European Union recommended that the draft law be revised, considering these comments. However, these recommendations were only partially taken into account, which may create risks in the practical application of this Law and potentially necessitate further amendments in the future.

In addition to obligations in the context of European integration, Ukraine also has international obligations in the field of local self-government. The key international legal instrument for Council of Europe member states is the European Charter of Local Self-Government (Charter), which Ukraine ratified[45] in 1997. Therefore, all laws relating to the field of local self-government must comply with the principles enshrined in the Charter.

At the same time, the laws on local self-government reviewed during the research contain provisions that contradict the Charter. According to the analysis of the texts of the laws and the opinions of the MSED and the MLD, **almost every second law (7 out of 13) includes provisions that do not comply with the principles enshrined in the Charter**. Among the key principles that were not duly considered are the following:

- the right of LSG bodies to define their own internal administrative structures in accordance with local needs;
- prior consultation with communities in the event of changes to territorial boundaries.

In addition to compliance with the Constitution and international obligations, the coherence of legal provisions is also essential. Inconsistencies between new legislation and existing norms may complicate the practical application of laws by LSG bodies.

Situations arise where different laws establish divergent requirements. Specifically, this concerns the development of recovery and development plans for territorial communities, which in certain cases must be aligned with another document — the comprehensive recovery programme. This requirement is set out in the relevant Procedure[46] adopted in connection with Law No. 2389-IX.[47] At the same time, the Law of Ukraine 'On Regulation of City Planning Activity'[48] provides that a comprehensive recovery

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[44] On Amendments to Certain Laws of Ukraine Regarding Improvement of the Participation of Local Self-Government in Interterritorial and Cross-Border Cooperation: Draft Law of Ukraine, Registration No. 9450 of 03.07.2023.

[45] On Ratification of the European Charter of Local Self-Government: Law of Ukraine No. 452/97-VR of 15.07.1997.

[46] On Approval of Procedures on the Recovery and Development of Regions and Territorial Communities: Resolution of the Cabinet of Ministers of Ukraine No. 731 of 18.07.2023.

[47] On Amendments to Certain Legislative Acts of Ukraine Regarding the Principles of State Regional Policy and the Policy of Recovery of Regions and Territories: Law of Ukraine No. 2389-IX of 09.07.2022.

[48] On Regulation of City Planning Activity: Law of Ukraine No. 3038-VI of 17.02.2011.

programme does not constitute urban planning documentation, is not mandatory, and is developed by decision of the LSG body. As a result, in practice, LSG bodies face uncertainty as to which documents must be developed to comply with legislative requirements. This not only creates confusion and complicates administrative processes but also increases the risk of inefficient use of time and resources.

Representatives of LSG bodies also point to the existence of inconsistencies between certain laws. In such situations, it is the LSG bodies that adopt decisions and bear responsibility for selecting the legal provisions to be applied. One approach to determining which provisions to follow is to rely on the date of adoption of legislative acts. As a rule, more recent laws are considered more relevant, even where existing provisions in other laws remain formally in force but are not aligned with them. Representatives of LSG bodies noted that they tend to avoid applying outdated provisions, even if they have not been formally repealed. In addition, village, settlement and city mayors emphasised that the level of liability for non-compliance with legislative provisions is also taken into account. If failure to comply with a particular norm does not entail significant liability — or entails none at all — such provisions may be disregarded.

> *“First, one should rely on the most recent legislation. Secondly, one must consider liability. If, so to speak, non-compliance with a certain norm entails only minor liability or no liability at all — well, you understand that people will act in whatever way is most convenient.”*

Thus, inconsistencies between laws create conditions in which officials of LSG bodies make decisions based on their own interpretation, hoping to avoid legal consequences. However, under such circumstances, the risk of divergent interpretations by different decision-makers remains, which negatively affects the practical implementation of legislative acts.

3.3. Determination of the List of Required Secondary Legislation for the Implementation of Laws and the Timeliness of their Adoption

For the effective implementation of adopted laws, it is often necessary to ensure the timely adoption of secondary legislation to enable their execution, as well as the introduction of amendments to related laws in force. This task is significantly facilitated where the law itself or the accompanying documents to its draft contain a clearly defined list of secondary legislation to be adopted or amended, identify the bodies responsible for their preparation and adoption, and set deadlines for completing these tasks. Such an approach helps ensure that all necessary legislative changes are taken into account for the effective and timely implementation of the law’s provisions.

The analysis of accompanying documents (Part 8, Article 90 of the Rules of Procedure of the VRU) relating to the reviewed laws showed that **in most cases (10 out of 13), no list of acts to be adopted or amended was provided**. In addition, it is common practice for the section ‘Final and Transitional Provisions’ of a law to establish a general obligation to bring other normative legal acts into conformity with the adopted provisions within a specified period.

Overall, the analysis of the timeliness of adoption or amendment of other normative legal acts showed that, as of the end of 2024, **in 5 out of 13 cases, it was impossible to assess compliance with the prescribed deadlines**. The main reasons for this were requirements to bring acts at the level of local councils or LSG bodies into conformity, the implementation of which is difficult to assess due to the large number of necessary checks, as well as the absence of clearly defined deadlines for the adoption of the relevant documents.

At the same time, according to the interviewed representatives of LSG bodies, the process of aligning local NLAs with the provisions of new laws is generally perceived as a standard procedure that does not usually cause significant difficulties. Where the adoption of a law requires amendments to local-level NLAs, such changes are typically introduced gradually, in line with the practical application of the new provisions.

> *“Some things are done along the way. For example, if a law does not have a retroactive effect, until we encounter this normative document in our work, we do not go into it. There is simply not enough time to revise everything... So, we work only with what directly affects us now, and what will happen in the future — we deal with it when the time comes.”*

Such an approach makes it possible to avoid additional administrative burdens on the legal departments of LSG bodies. At the same time, it may result in situations where the updating of local-level documents is neither comprehensive nor timely, particularly in the context of frequent legislative amendments and limited staffing capacity.

In addition, representatives of LSG bodies emphasised problems related to secondary legislation, the drafting and adoption of which fall within the competence of the Government. They noted that delays in the adoption of such acts slow down the practical implementation of legislation. The analysis of the adopted laws confirms this issue: **out of the 13 laws examined, secondary legislation was adopted within the prescribed time limits in only four cases**.

Village, settlement and city mayors also pointed out that even after the necessary secondary acts are adopted, questions remain regarding their practical application. According to one representative of an LSG body, secondary legislation often distorts or restricts the core ideas of the primary legislation. Its complexity and inconsistency create additional difficulties in interpretation, which leads to the need for numerous clarifications. These clarifications frequently contradict one another and further complicate the process of application.

> *“Sometimes the secondary legislation completely undermines the very ideas of the law. Sometimes it narrows the rights granted by the law. Sometimes it is drafted in such a way that it is impossible to understand, and then there are constant clarifications — and then further clarifications from different actors involved in the process.”*

Chapter IV

The Role of LSG Bodies in Shaping Legislation

Taking into account the positions and practical experience of representatives of LSG bodies is advisable both at the stage of drafting legislative initiatives concerning the functioning of local self-government and at the stage of analysing the implementation of adopted laws.

Village, settlement and city mayors noted that they have the opportunity to engage in the legislative process; however, the effectiveness of their influence largely depends on their level of initiative and the existence of personal contacts with Members of Parliament. In their view, interaction with the respective Committee is more structured and effective than engagement with other VRU committees. Certain MPs actively involve representatives of territorial communities in their constituencies in discussions of legislative initiatives.

In addition to personal contacts between village, settlement and city mayors and MPs, there are other avenues through which LSG bodies may influence the legislative process. At the same time, each of these avenues has both advantages and certain limitations that affect their effectiveness.

All-Ukrainian associations of LSG bodies play an intermediary role between territorial communities and the legislator: they analyse draft laws at the preparation stage and collect feedback from communities regarding difficulties in the practical application of legislation. Membership of territorial communities in such associations enables them to formulate comprehensive proposals that reflect their needs. This is particularly important for smaller communities, which often have limited resources and insufficient administrative capacity to independently advocate for their interests.

Village, settlement and city mayors generally assess the activities of such associations positively; however, they point to the need to strengthen the effectiveness of their influence on the legislative process. Some representatives of LSG bodies expressed reservations regarding the limited impact of associations, noting that their activities sometimes appear formal in nature or are primarily focused on supporting the official position of the authorities rather than advocating for the interests of local self-government. In their view, effectiveness would be higher if there were better coordination among all-Ukrainian associations and greater alignment of their positions.

> *We, as communities, still have a lot of homework to do. We have four associations of local self-government, and because they are not sufficiently united, it sometimes happens that the legislator either manipulates the situation, or simply finds it difficult to understand, or chooses whom to engage with — today it is convenient to support the position of one association, tomorrow of another. I believe it would be very beneficial if our associations of local self-government could also speak with one voice.*

Another instrument of interaction between communities and the legislator, mentioned by representatives of LSG bodies, is **feedback platforms** used by the Committee. This includes the electronic resource for LSG bodies.[49] Surveys conducted through such platforms make it possible to take into account the views of local self-government. At the same time, as noted by LSG representatives, the effectiveness of such surveys depends on the level of engagement and professional competence of participants. Therefore, it is important to involve not only village, settlement and city mayors, but also specialists who directly work with the relevant issues and legislation.

Public events, including **specialised forums and round tables**, also serve as one of the mechanisms for interaction between representatives of territorial communities and legislators. According to the respondents, such events are useful for discussing issues and identifying necessary directions for change. However, as village, settlement and city mayors noted, the effectiveness of these events is often diminished by the insufficient level of professional expertise among participants and the absence of concrete decisions following the discussions. In some cases, the involvement of LSG representatives appears to be more formal than substantive, yielding no tangible outcomes.

> *I am referring to communication — to the fact that we are not being asked. I know they hold many forums and various meetings. There is a lot of that, but I do not see anything concrete.*

At the same time, despite the existing communication mechanisms between LSG bodies and the legislator, the views of community representatives on legislative initiatives and the effectiveness of adopted laws are not always considered. As village, settlement and city mayors observed, this may be linked to political factors and to the limited capacity of the Committee to exert real influence on final legislative decisions.

> *In reality, I repeat, much depends on politics. Unfortunately, when we submit proposals, they are rejected not because they are unreasonable, but because of a political stance on a particular issue.*

[49] Platform for Consultations with Local Self-Government Bodies: website. (operates in a test mode).

Thus, in the view of LSG representatives, strengthening the influence of local self-government on the legislative process requires establishing systematic and high-quality communication between communities and the legislator, as well as improving coordination among profile associations. This would enable a better reflection of the needs of communities and a more prompt adaptation of legislation to current challenges.

> *“We are all working in difficult conditions, and there is always some “but” that prevents something from being done. At the same time, honestly, we are all human — people here on the ground, and people there at the central level. Therefore, I truly hope that communication will be constructive, that we are on the right path, that we will listen to one another, and that when problems arise, we will seek solutions rather than those to blame. That would be the path towards an ideal society.”*

Recommendations

Although the requirements for conducting impact assessments of draft laws and legal monitoring of the implementation of adopted laws will only enter into force after the termination of martial law, certain parliamentary oversight measures can already be undertaken to positively influence the implementation of laws and improve the quality of legislation. The application of the recommendations set out below — both to legislation in the field of local self-government and to the legislative process more broadly — would create preconditions for conducting legal monitoring of laws adopted prior to the end of martial law, thereby ensuring a more systematic approach to improving legislative regulation.

What legislators can do:

- **conduct assessments of the potential impact of draft laws and analyse the resource capacity of communities (financial, human, infrastructural, etc.)**. This would make it possible, at the stage of preparing legislative initiatives, to identify potential risks and constraints, as well as to establish target indicators whose future achievement could serve as benchmarks for assessing the effectiveness of legislative regulation;
- **take into account the results of expert reviews** of draft laws (legal, financial, European integration-related, etc.), thereby ensuring consistency with the Constitution of Ukraine and other laws, and avoiding vague wording and legal inconsistencies;
- **provide for mandatory monitoring and evaluation of effectiveness for the most significant laws** by including such a requirement in the final provisions, with clearly defined responsible bodies and timeframes for conducting the assessment;
- **establish systematic collection and exchange of statistical data necessary for evaluating the implementation of legislative provisions** by improving cooperation between the Parliament, the Government, central executive bodies (CEBs), LSG bodies and other stakeholders. Such cooperation should include analysis of indicators reflecting the situation both before and after the adoption of laws, thereby ensuring an objective assessment of their effectiveness;
- prior to the entry into force of the Law of Ukraine 'On Public Consultations', **ensure timely information-sharing with interested parties** regarding legislative initiatives at the drafting and implementation stages, and **involve stakeholders (LSG bodies, businesses, civil society organisations, etc.) in discussions** of legislative provisions and the results of their implementation. This would make it possible to consider real needs at the local level and reduce the risk of adopting provisions that are difficult or impossible to implement in practice.

What LSG bodies can do:

- obtain membership in all-Ukrainian associations of local self-government bodies and actively participate in their work, thematic events and surveys concerning relevant legislative initiatives;
- **strengthen communication between representatives of local self-government bodies and legislators, contribute to monitoring and post-legislative scrutiny, and introduce monitoring and evaluation of the implementation of legislation at the local level** (including the collection of statistical data, surveys of residents, etc.). This would make it possible to identify problems at an early stage and inform legislators accordingly. Even in the absence of formal requirements for legal monitoring, identifying challenges at the local level and communicating this information to legislators would enable a timely response to difficulties arising in the application of legislation;
- **promote the professional development of LSG officials**, in particular legal advisers.

What CEBs can do:

- **establish systematic collection and exchange of statistical data necessary for evaluating the implementation of legislative provisions** by improving cooperation between the Parliament, the Government, CEBs, LSG bodies and other stakeholders. Such cooperation should include analysis of indicators reflecting the situation both before and after the adoption of laws, thereby ensuring an objective assessment of their effectiveness.

Annex 1

Indicators for the Assessment of Legislation in the Field of Local Self-Government

№	Title	Definition of the objective and possibility of assessing its achievement (based on the explanatory note)	Consistency of the text of the law with the subject matter of regulation	Clarity of wording and practical applicability (based on MSED and MLD opinions)	Consistency with the Constitution, other laws and international obligations of Ukraine (based on MSED and MLD opinions)	Identification of laws and other NLAs requiring amendment or adoption and timeliness of relevant actions
562-IX	On Amendments to Certain Laws of Ukraine Regarding the Definition of the Territories and Administrative Centres of Territorial Communities	The objective states that implementation of the Law would enable make it possible to complete the formation of capable communities and establish districts in accordance with European requirements and standards. However, such requirements and standards are not specified. The objective uses generic wording describing the general purpose of regulation (*'to grant a right at the legislative level'*).	The text of the Law corresponds to the subject matter of regulation.	The Law contains evaluative concepts such as *'developed infrastructure'* and *'as a rule, located closest to the geographical centre'.*	The Law grants broader powers to public authorities than provided for by the Constitution: the Government may determine the territories of communities and their administrative centres. The provisions are inconsistent with the Law of Ukraine 'On Local Self-Government in Ukraine'.	No list of laws or other NLAs requiring amendment was provided. The Final Provisions required the CMU to submit a draft law on the establishment of districts within three months; however, the issue was ultimately regulated by a Resolution of the VRU.
1009-IX	On Amendments to Certain Laws of Ukraine Regarding Streamlining Certain Issues of Organisation and Activity of Local Self-Government Bodies and District State Administrations	The explanatory note to the draft Law is not available on the official website of the Verkhovna Rada of Ukraine.	The Law includes provisions that go beyond the declared subject matter of regulation, including amendments to the Laws of Ukraine 'On Central Executive Bodies' and 'On the Cabinet of Ministers of Ukraine'.	No ambiguous wording identified.		No list of laws or other NLAs requiring amendment was provided. Secondary NLAs were adopted in a timely manner.

№	Title	Definition of the objective and possibility of assessing its achievement (based on the explanatory note)	Consistency of the text of the law with the subject matter of regulation	Clarity of wording and practical applicability (based on MSED and MLD opinions)	Consistency with the Constitution, other laws and international obligations of Ukraine (based on MSED and MLD opinions)	Identification of laws and other NLAs requiring amendment or adoption and timeliness of relevant actions
943-IX	On Amendments to Certain Legislative Acts of Ukraine Regarding Optimisation of the Network and Functioning of Administrative Service Centres and Improvement of Access to Administrative Services Provided in Electronic Form	The objective is formulated by thematic areas with defined tasks, allowing assessment of whether it has been achieved. However, generic wording is used (*'clarification of a term', 'granting powers'*). The forecast refers to *'significant savings of state funds'* without quantification, preventing precise evaluation.	The text was substantially revised before second reading, introducing changes that affected the full consistency of the final text with the stated objective.	The Law contains terms not defined at the legislative level, such as *'Diia Centre'*.		No list of laws or other NLAs requiring amendment was provided. Not all secondary legislation was adopted in a timely manner.
1025-IX	On Amendments to Article 60 of the Law of Ukraine 'On Local Self-Government in Ukraine' Regarding Ensuring Compliance with Guarantees of Local Self-Government and Protection of Its Economic Foundations	The objective is formulated in such a way that implementation of the Law can only partially influence its achievement (*'preventing the imbalance of local budgets'*). The description contains problematic wording, such as '*increasing the efficiency of tax payment*', which is a factual process and not directly measurable as a legislative objective.	The text of the Law corresponds to the subject matter of regulation.	No ambiguous wording identified. Implementation depends on the adoption of relevant decisions by LSG bodies.		No list of laws or other NLAs requiring amendment was provided. The Law does not require adoption of other NLAs, except for alignment of local-level NLAs by LSG bodies.
1258-IX	On Amendments to Article 59-1 of the Law of Ukraine 'On Local Self-Government in Ukraine' Regarding the Regulation of Conflict of Interest in the Activities of Local Council Members and Village, Settlement and City Mayors	The objective uses generic wording describing the general purpose of legislative regulation (*'resolving existing legislative inconsistencies'*). The forecast refers broadly to *'contributing to counteracting corruption and strengthening the rule of law'*, the achievement of which cannot be assessed in a measurable manner.	The text of the Law corresponds to the subject matter of regulation.	No ambiguous wording identified.		No list of laws or other NLAs requiring amendment was provided. The Law does not require adoption of additional NLAs.

№	Title	Definition of the objective and possibility of assessing its achievement (based on the explanatory note)	Consistency of the text of the law with the subject matter of regulation	Clarity of wording and practical applicability (based on MSED and MLD opinions)	Consistency with the Constitution, other laws and international obligations of Ukraine (based on MSED and MLD opinions)	Identification of laws and other NLAs requiring amendment or adoption and timeliness of relevant actions
1638-IX	On Amendments to Certain Legislative Acts of Ukraine Regarding the Development of the Institution of Starostas	The objective is formulated in general terms (*'improving the legal regulation of the institution of starostas for its further development'*), which describe the overall purpose rather than measurable outcomes.		The Law contains terms not defined at the legislative level, such as *'public consultations'*. Among the powers of starostas, a control function is established; however, neither the legal force nor the format for taking starosta decisions into account is defined.		
2259-IX	On Amendments to Certain Laws of Ukraine Regarding the Functioning of the Civil Service and Local Self-Government During Martial Law	The objective is formulated in such a way that its achievement does not depend on the effectiveness of implementation but is formally achieved through adoption of the Law (*'regulating specific aspects of exercising powers', 'simplifying personnel procedures'*). The forecast refers to preventing *'loss of state governability under martial law'*, which cannot be objectively measured.	The Law includes provisions beyond the declared subject matter of regulation, including amendments to the Law of Ukraine 'On Regulation of Urban Development Activity' and the Law of Ukraine 'On the Legal Regime of Martial Law'. The Final Provisions introduce changes to the Rules of Procedure of the VRU regarding remuneration of MPs.	No ambiguous wording identified.	The Law grants broader powers than provided by the Constitution, including empowering the President of Ukraine to suspend officials, express no confidence in officials appointed by the VRU, and allowing the Speaker of the VRU to initiate such procedures.	No list of laws or other NLAs requiring amendment was provided. The Final Provisions impose an obligation on the CMU to align its NLAs and ensure alignment of NLAs of ministries and other CEBs.
2389-IX	On Amendments to Certain Legislative Acts of Ukraine Regarding the Principles of State Regional Policy and the Policy of Recovery of Regions and Territories	The objective is formulated in general terms (*'improving mechanisms for implementing state regional policy and increasing its effectiveness'*). The forecast refers to *'impact on regional development'*, which cannot be assessed in a measurable manner.	The text of the Law corresponds to the subject matter of regulation.	No ambiguous wording identified.	The provisions are inconsistent with the Law of Ukraine 'On Local Self-Government in Ukraine', particularly regarding the system of state regional policy documents and the procedures for their development and implementation.	No list of laws or other NLAs requiring amendment was provided. The Final Provisions oblige the CMU to adopt necessary NLAs and align existing NLAs of the CMU, CEBs and local executive authorities. Not all secondary acts were adopted in a timely manner. As of December 2024, part of the required secondary legislation had not been adopted.

№	Title	Definition of the objective and possibility of assessing its achievement (based on the explanatory note)	Consistency of the text of the law with the subject matter of regulation	Clarity of wording and practical applicability (based on MSED and MLD opinions)	Consistency with the Constitution, other laws and international obligations of Ukraine (based on MSED and MLD opinions)	Identification of laws and other NLAs requiring amendment or adoption and timeliness of relevant actions
2867-IX	On Amendments to the Law of Ukraine 'On Cooperation of Territorial Communities' Regarding the Regulation of Certain Issues of Cooperation of Territorial Communities	The objective uses generic wording (*'improving the procedure for concluding cooperation agreements'*). The forecast refers to promoting *'popularisation of cooperation of territorial communities, increasing their capacity and regional development'*, which cannot be objectively measured.	The text of the Law corresponds to the subject matter of regulation.	The Law contains undefined terms such as *'public consultations'* and *'additional accession agreement to cooperation'*. Grounds for holding commission meetings in remote format are not defined.	The provisions are inconsistent with the Budget Code of Ukraine regarding the availability of budget allocations in local budgets for relevant purposes.	No list of laws or other NLAs requiring amendment was provided. Secondary NLAs were adopted in a timely manner.
3285-IX	On the Procedure for Resolving Certain Issues of the Administrative-Territorial Structure of Ukraine	The objective uses generic wording describing the overall purpose of legislative regulation (*'regulation of certain issues', 'approval of certain principles'*).	The text of the Law corresponds to the subject matter of regulation.	The Law contains terms not defined at the legislative level and of an evaluative nature, such as *'stable population composition', 'predominantly compact multi-storey development', 'separate territory', 'efficiency and quality of territorial management',* etc.	The Law grants broader powers to public authorities than provided by the Constitution: city councils may establish or abolish districts within cities; the VRU is granted powers to include settlements within cities and to assign towns and villages to the category of cities. The provisions are inconsistent with other laws, including the Law of Ukraine 'On Land Management', the Law of Ukraine 'On the Capital of Ukraine — Hero City Kyiv', the Budget Code of Ukraine and other legislative acts. The possibility of including a settlement within a town or village may lead to changes to the territory of another community without taking its opinion into account, which does not comply with the European Charter of Local Self-Government.	The timeframes established for the adoption of secondary legislation were not observed.

№	Title	Definition of the objective and possibility of assessing its achievement (based on the explanatory note)	Consistency of the text of the law with the subject matter of regulation	Clarity of wording and practical applicability (based on MSED and MLD opinions)	Consistency with the Constitution, other laws and international obligations of Ukraine (based on MSED and MLD opinions)	Identification of laws and other NLAs requiring amendment or adoption and timeliness of relevant actions
3590-IX	On Amendments to the Law of Ukraine 'On Local Self-Government in Ukraine' Regarding Ensuring Transparency of Local Self-Government	The objective is formulated in general terms describing the purpose of regulation (*'expanding opportunities for citizens to participate in local self-government processes, and for local council members, council officials and employees of executive bodies to effectively exercise their powers'*). The forecast states that adoption of the Law *'will enable effective exercise of powers'*, which cannot be objectively measured.	The Law contains provisions that only partially correspond to its stated objective, including the mandatory use of the Ukrainian language during sessions of local councils, which duplicates existing legislation and does not fall within the subject matter of regulation.	The Law requires *'regular'* updating of data concerning community-owned property but does not define the periodicity of such updates.	No inconsistencies identified.	No list of laws or other NLAs requiring amendment was provided. The Law does not require the adoption of additional NLAs, except for alignment of local-level NLAs.
3870-IX	On Amendments to the Law of Ukraine 'On Local Self-Government in Ukraine' Regarding Improvement of the Legal Regulation of the Institution of Starostas and Their Activities under Martial Law	The objective is formulated using general phrases describing the overall purpose of regulation (*'improvement', 'addressing legislative shortcomings'*). The forecast refers to ensuring the '*proper functioning of the institution of starostas*', which cannot be objectively assessed.	The text of the Law corresponds to the subject matter of regulation.	The Law contains terms not defined at the legislative level, including '*starosta district*' and *'centre of a starosta district'*. The principle of continuity of the starosta's work is not fully ensured, for example in cases where a starosta is dismissed before the expiry of the term of office of the respective local council.	The requirement to establish starosta districts with a defined minimum number of residents does not comply with the principles of the European Charter of Local Self-Government.	The draft law included a list of secondary NLAs required for implementation. However, inconsistencies remain regarding implementation of the Law and adoption of the necessary NLAs.

№	Title	Definition of the objective and possibility of assessing its achievement (based on the explanatory note)	Consistency of the text of the law with the subject matter of regulation	Clarity of wording and practical applicability (based on MSED and MLD opinions)	Consistency with the Constitution, other laws and international obligations of Ukraine (based on MSED and MLD opinions)	Identification of laws and other NLAs requiring amendment or adoption and timeliness of relevant actions
3668-IX	On International Territorial Cooperation of Ukraine	The objective is formulated using general phrases that rather describe the overall purpose of legislative regulation (*'improvement of the regulatory framework', 'expansion of powers'*). The forecast of results refers to the *'creation of favourable conditions for effective and mutually beneficial cooperation'*, which cannot be objectively assessed.		No ambiguous wording identified.	The Law grants broader powers to public authorities than provided by the Constitution and the VRU Rules of Procedure, including the involvement of VRU committees in coordinating international territorial cooperation and monitoring implementation of the State Programme for the Development of International Territorial Cooperation, as well as allowing subjects of cross-border cooperation to submit proposals for legislative amendments. The opinion of the Committee on Ukraine's Integration into the European Union identified discrepancies in the definition of 'cross-border cooperation' compared to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (Madrid Convention). The involvement of central executive bodies in coordinating international territorial cooperation projects does not comply with the philosophy of the Madrid Convention and the European Charter of Local Self-Government.	The draft law included a list of secondary NLAs required for implementation of the Law. Secondary legislation remains at the drafting stage.

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