

Supplementary material  
for  
the video-presentation “Intergovernmental Coordination in Ukraine”  
(the component of the Virtual Mobility Grant awarded by COST Action 20123  
IGCOORD)

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### **Introduction**

This supplementary material supports my video presentation aimed at presenting my research results on the dynamics of intergovernmental coordination (IG) in Ukraine since independence and Russia’s military invasion in 2022.

First, I examine non-institutionalized IG coordination in Ukraine since independence. I identify the lead actors and characterize the impact the institutional setting, fiscal relations, and party politization on their capacities to perform the duties of IG coordination at substate scales.

Second, I identify and study the instances of institutionalized IG across administrative-territorial tiers since Ukraine’s independence.

Then I investigate the input of both institutionalized and non-institutionalized IG into the implementation of the policy of local amalgamation in Ukraine in 2015-2020. I have chosen this case-study for the following reasons. The local amalgamation policy was a central component of the ambitious decentralization reform and it was the policy that was not only launched, but also implemented (voluntary local amalgamation in 2015-2019 and finalizing the policy of local amalgamation using the administrative means in 2020).

In this study, I interpret coordination as a process and not as an outcome. I understand the process of coordination as the one that comprises from the components of information, communication, and negotiation.

#### **Before presenting my study in detail, let me outline my research findings.**

(1)

Since the adoption of the 1996 Constitution, the policy actors in charge of IG coordination in Ukraine are regional executives – the heads of regional state administrations. They are the lead actors who organise the coordination process at substate scales.

While regional executives do not affect decision-making in the Centre, they are responsible for implementing the centrally imposed policies and, in this context, for communicating with other substate authorities.

From the institutional point of view, regional executives in Ukraine have dual responsibilities: they execute both the Center's decisions on the substate level and the decisions made by the corresponding regional councils.

On the one hand, they are the centrally appointed regional executives subordinated to both the central government and the president. On the other hand, they act as the executive bodies in relation to directly elected regional councils, which do not have the constitutional right to establish their own executive committees.

Simultaneously, regional executives perform coordination functions in relation to (i) subregional and (ii) local authorities. From the institutional point of view, subregional executives are the subordinates of regional executives. In fiscal terms, regional executives still have some authority over, but used to have next to absolutely authority over the budgets of the directly elected local councils.

It is not surprising that regional executives (not self-government) exercise the duties of lead actors. As the CA20123 Policy Brief 1 highlights, "policy-implementation almost exclusively takes place in the realm of executives with their bureaucracy, and it is there that coordination has the most practical relevance."

Also, it is not surprising that regional (not subregional) executives performed those duties. The regional scale looks more appropriate for the purpose of organizing coordination across substate units, because there are just 27 regions in Ukraine: 24 oblasts, one autonomous republic, and two cities with special status. Instead, prior to 2020, there were 490 subregional units, and, in late 2020, their number was reduced to 136.

Positive coordination (understood as understood as "a broad brainstorming process involving all potentially affected actors. It is open-ended and non-hierarchical, and more deliberative than bargaining-oriented in nature," according to CA20123 Policy Brief 1) has more chances to occur, when it comes to the horizontal dimension of IG at the regional level: between regional executives and regional councils. However, there is more institutional room for negative coordination ("standard solutions are proposed and circulated so as to make sure that potential veto positions are taken into account," according to CA20123 Policy Brief 1) in cases when regional executives coordinate IG with substate authorities and local self-government (the vertical dimension of IG at substate scales).

Contrary to expectations, regional governors' party politization appears to contribute to coordinating decision-making and decision-implementation with respect to electoral politics (the electoral performance of the ruling party); however, regional governors' party politization does not necessarily help IG coordination with respect to policy-implementation. I suggest that the reason is a loosely institutionalized party system.

(2)

Next, I find that all instances of institutionalized IG across administrative-territorial tiers in Ukraine non-obligatory: such bodies had an advisory status.

Each advisory body was established by the president of Ukraine, and only one out of eight was presented as a joint initiative of the heads of regional councils and the president.

The overwhelming majority of institutionalized IG bodies – six out of eight – aimed at coordinating efforts to prepare and/or implement decentralisation reforms.

There are little doubts that the institutionalized IG bodies prioritized information and communication. I suggest that only one case out of eight cases contributed to negotiating and, subsequently, accommodating stakeholders' interests. This happened during constitution-making in 1995-1996.

When it comes to the institutionalized IG across administrative-territorial tiers, negative coordination appears to be rather popular. I suggest that this happens because the president is prone to using the institutionalized IG for the purposes of strengthening his incumbency advantage when competing for power resources at the Centre.

I can be certain that only in two instances institutionalized IG demonstrated the signs of positive coordination. This occurred (a) during constitution-making in 1995-1996 and (b) while discussing the expected constitutional reform with respect to decentralisation in 2021. However, the factor of the (expected) constitutional changes does not necessarily affect the mode of IG coordination: negative coordination vs positive coordination.

(3)

Finally, I examined the input of institutionalized IG bodies and the input of regional governors into the implementation of the policy of local amalgamation in 2015-2020. I found that regional executives played the key role in IG. The input of regional governors into IG with respect to the policy of local amalgamation referred to each component of coordination as a process: information, communication, and negotiation. While it is highly unlikely that regional governors negotiated with the central government (because the former were the subordinates of the latter), regional executives had plenty of opportunities to negotiate with regional councils (horizontal dimension) and the bodies of local self-government (vertical dimension).

In contrast, the central institutionalized IG advisory body provided opportunities for exchanging information and communicating; however, I find no evidence that it contributed to negotiating between central and substate actors. However, as the lead actors at substate scales, regional executives could benefit from institutionalizing IG by means of establishing the advisory bodies subordinated to them (councils of regional development in each region). Such advisory bodies could serve help spreading information about the requirements for local amalgamation (the government's Methodology) among local actors (mayors and local councils), obtaining information from local actors with respect to their intentions and their progress with local amalgamation, and, thus, communicating with one another. However, there is little evidence that the meetings of such advisory bodies provided enough room for negotiation – the third, crucial, component of coordination as a process.

### Context: Ukraine as a multilevel polity

Ukraine is a unitary state with three administrative-territorial tiers: regional, subregional, and local.

Regional tier: In line with the 1996 Constitution, there is one asymmetric autonomy: the Autonomous Republic of Crimea. In March 2014, Russian Federation illegally annexed it, along with the city with special status called Sevastopol, situated in Crimea. Apart from Crimea, there are 24 sub-state territorial units called *oblasts* and one more city with special status – Kyiv, the capital of Ukraine. *Oblasts* are often referred to as regions.

Subregional tier: *Oblasts* are divided into subregions called *rayons*. Prior to the recent decentralisation reform, there were 490 *rayons* (Figure 1). In summer 2020, they were merged into 136 *rayons* (Figure 2).

Local tier: Prior to the recent decentralisation reform, there was a vast variety of localities in Ukraine:

- 187 cities of oblast significance, which were not subordinated to *rayons*;
- approximately 11,000 towns, villages, and settlements subordinated to *rayons*.

Due to the policy of local amalgamation held in 2015-2020, all localities on the government-controlled territories of Ukraine amalgamated into 1,469 amalgamated territorial communities (ATCs).

Figure 1. Ukraine’s administrative-territorial tiers before the local amalgamation reform was completed.

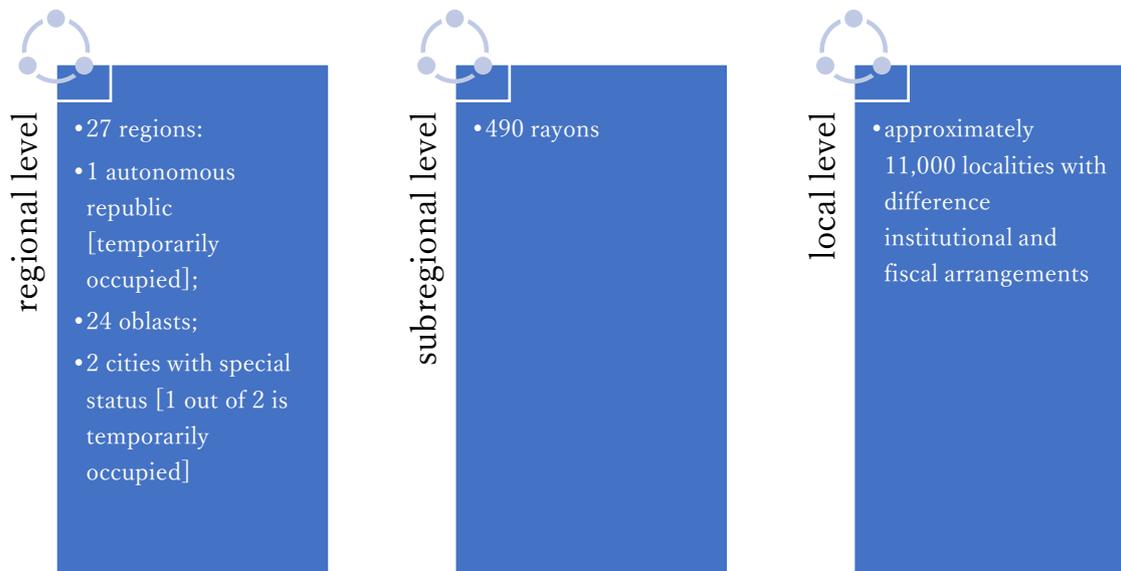
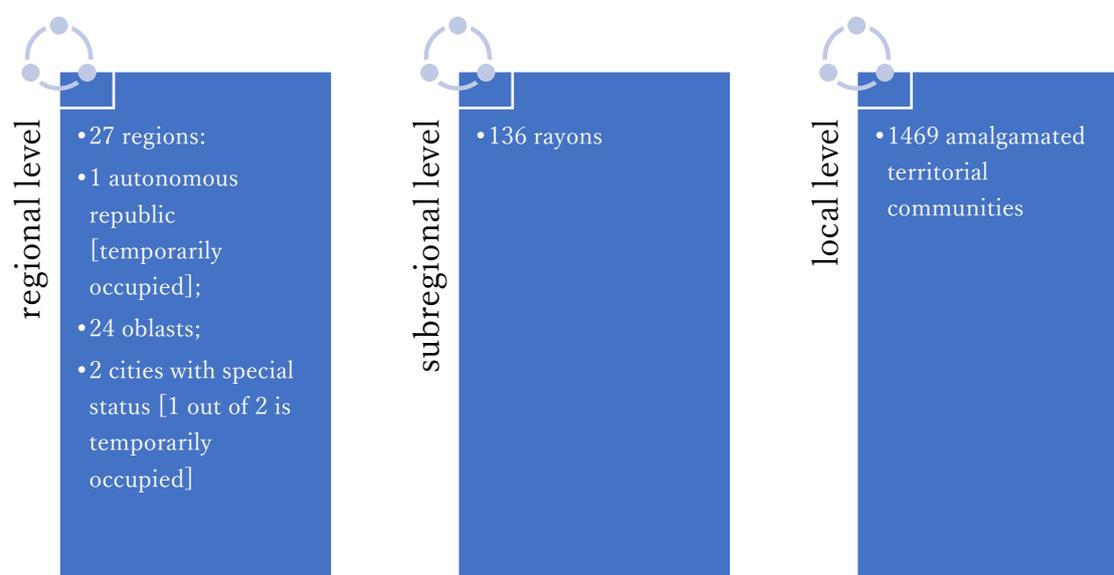


Figure 2. Ukraine's administrative-territorial tiers after the amalgamation reform completed in 2020.



Authorities at regional and subregional levels comprise from directly elected councils and the centrally appointed executives (the heads of regional and subregional state administrations). The heads of regional councils are elected in regional councils. There is an issue of dual subordination of regional executives: on the one hand, they are the subordinates of the government and the president. On the other hand, because regional councils do not have the constitutional right to establish their own executive committees, regional executives serve this purpose. Regional councils can express no confidence in the head of the respective regional state administrations, and the president should make a decision (this does not oblige the president to fire the regional executive though).

At the local level, there are only bodies of local self-government: directly elected mayors and local councils. A local council establishes its executive committee, and a mayor is in charge of suggesting the list of candidacies for the respective executive committee. The councilors cannot suggest any alternatives; however, they can decline the mayor's list of candidates, and this legal mechanism helps to balance power relations between a mayor and a majority of councilors on a local council. The mayor chairs the executive committee and can veto its decisions, as well as the decisions of the respective local council. A mayor cannot dismiss a local council, but a local council can dismiss a mayor (by a minimum two-thirds vote in the respective local council).

## **1.Non-institutionalized IG: Regional Executives = Lead Actors**

According to CA20123 Policy Brief 1, the capacities of lead actors – regional executives – to exercise IG can be affected by the institutional setting in the given multilevel policy, fiscal relations, and party politization.

It is not surprising that regional executives (not self-government) exercise the duties of lead actors. As the CA20123 Policy Brief 1 highlights, “policy-implementation almost exclusively takes place in the realm of executives with their bureaucracy, and it is there that coordination has the most practical relevance.”

Also, it is not surprising that regional (not subregional) executives performed those duties. The regional scale looks more appropriate for the purpose of organizing coordination across substate units, because there are just 27 regions in Ukraine: 24 oblasts, one autonomous republic, and two cities with special status. Instead, prior to 2020, there were 490 subregional units, and, in late 2020, their number was reduced to 136.

### **1.1.Institutional rules in the multilevel polity**

Ukraine gained independence in 1991. In the early 1990s, it was difficult to establish any lasting (not to mention – efficient) mode of IG, because the president and the parliament were too busy competing with each other: They frequently rotated the duties of substate authorities with a hope to gain advantages for their power struggles:

- In 1992, the president abolished the executive committees of the directly elected regional councils and, instead, introduced regional executives—presidential representatives in charge of implementing the decisions of the president at the substate scales and for ensuring state oversight of decision-making in the directly elected councils.
- In 1994, the parliament abolished the regional executives and transferred their responsibilities to the elected regional and sub-regional councils, which had the right to establish executive committees).

The 1996 Constitution, which established presidentialism in Ukraine, carved out the division of responsibilities across tiers of government (vertically) at central and substate levels and between authorities with different at the same administrative-territorial level (horizontally). Regional councils were deprived from the constitutional right to establish their own executive committees, regional executives serve this purpose. However, regional councils could express no confidence in the head of the respective regional state administrations, and the president should make a decision. Although this did not oblige the president to fire the regional executive, regional councils still possessed the valuable institutional instrument to impact regional executives.

The subsequent changes of the legislative framework (namely two laws: the 1999 law on regional executives and the 1997 law on local self-government) empowered the centrally appointed regional executives who became the core political actors in charge of IG coordination at substate scales.

Regional executives acted as superiors in relation to regional assemblies (the horizontal dimension) and in relation to subregional and local authorities (the vertical dimension): subregional executives, subregional councils, local councils and mayors.

Thus, the 196 Constitution gave grounds for the institutional framework that empowered regional executives as lead actors responsible for IG.

Other important details are as follows:

- The 2004 constitutional reform, which introduced a parliamentary-presidential regime into Ukraine, made regional executives responsible to the president and to the government (prior to 2004, they were responsible to the president alone). After the 2004 constitutional reform fully came into force in 2006, regional executives were appointed and dismissed by the president with the consent of the prime minister. As early as 2010, the 2004 constitutional reform was annulled, only to be re-introduced again in 2014.
- Since Russian Federation only invaded Ukraine on 24 February 2022, the martial law was introduced in Ukraine, and regional governors have become directly involved into defence matters. When martial law is declared, the heads of the regional state administration and the heads of subregional state administration are appointed the heads of the corresponding military administration, thereby becoming responsible for territorial defence. This factor has additionally strengthened their positions as lead actors with respect to IG at substate scales.

## **1.2.Fiscal relations in the multilevel polity**

Since independence in 1991, fiscal relations across substate (regional, subregional, and local) levels were organized in strict subordination:

- The Centre determined budget allocations and then passed funding to regions.
- Regional authorities determined further distribution of budgets allocations among subordinate authorities.
- This process involved bargaining. Because regional governors were responsible for the distribution of financial resources across substate budgets in a given region, their leading positions in relation to other substate political actors were unquestionable.

In 2001, there was an attempt to introduce a straightforward formula-based model of intergovernmental transfers, but it largely failed, and the centrally appointed regional executives continued administering the transfers to subregions and localities from the central budget.

In 2014, the amendments to the tax code and the budget code changed fiscal relations. They introduced direct relations between the central budget and local budgets (the budgets of amalgamated territorial communities (ATCs)); direct inter-budgetary relations between the central budget and the budgets of ATCs limited regional executives' opportunities to affect local budgets. Also, the budgets of ATCs grew, because they were assigned an increased amount of taxes' shares, various

dotations, subventions, and block grants from the central budget. Due to the local amalgamation policy, which was completed in advance of the 2020 local elections, regional executives lost many opportunities for bargaining behind the scenes when coordinating IG at substate scales.

### **1.3. Party politization of the lead actors**

As CA20123 Policy Brief 1 stats, “similar ideological backgrounds make it easier, great ideological distances hinder a coordinated decision.”

When it comes to a loosely institutionalized party system, like in the case of Ukraine, regional governors’ party politization appears to contribute to coordinating decision-making and decision-implementation with respect to electoral politics (the electoral performance of the ruling party); however, regional governors’ party politization does not necessarily help IG coordination with respect to policy-implementation.

Soon after Ukraine adopted the 1996 Constitution, which strengthened presidential powers, the president started engaging regional executives into coordination efforts for the benefit of the pro-presidential party at electoral contests. This referred to general elections (presidential and parliamentary contests), but hardly to regional elections, because, until 2006, regional elections featured significant shares of independent candidates and had little to do with party politics, even for the benefit of the ruling party in the Centre.

Until early 2000s, regional executives were not necessarily party members. But by the end of 2005, only five of 27 regional executives had no party affiliation.

In advance of the 2006 regional elections, which were held according to proportional representation rules for the first time, the engagement of regional executives into regional elections – for the benefit of the ruling parties – grew. There were several ruling parties, and regional executives tried hard to benefit those ones that they belonged to. After the 2004 constitutional reform fully came into force in 2006, regional executives were appointed and dismissed by the president with the consent of the prime minister. Because the president and the prime minister could have different party affiliations, appointing a “compromise” candidate sometimes became necessary.

After the 2006 regional elections, the extent of party politization of regional councils and regional executives increased and the scope of ideological incongruence between regional executives and the heads of regional councils peaked. Here is the evidence: in 2005, party affiliation of the heads of regional councils and regional executives was ideologically incongruent in 8 out of 27 cases; however, the number of such cases increased from 8 to 10 cases in 2006.

After the 2010 regional elections, the presidential party gained dominant positions across the whole country, largely due to the input of regional executives. The overwhelming majority of the newly appointed regional executives were the members of the ruling party (there was only one exception in one region, where the regional executive had no party affiliation). In only six regions did members of the ruling party not take the key positions in regional councils.

In the 2015 contests, the regional governors affiliated with the president's party often led the president's party lists in the regional council elections, but it was not the only party that benefited from the affiliation of regional governors.

Notably, the amended procedure for appointing regional governors in line with the 2015 civil service law (in force from December 2015 to November 2017 and then in force from March 2021 again) made regional governors' personal involvement in party politics slightly less popular (a) when compared to the late 1990s, when they benefitted the ruling party; (b) when compared to the early 2000s, when they were not affiliated with a single ruling party exclusively; and (c) when compared to 2010-2013, when most regional governors represented the ruling party.

Despite this new procedure, the president and prime minister continued to negotiate the candidacies well in advance—but party affiliation and, thus, party subordination became a less crucial matter for regional governors. In late 2017, the president managed to convince parliament to restore the procedure that allowed appointing regional governors without the need to pass the civil service competition. Still, regional governors' input into electoral politics in the 2019/2020 multilevel electoral cycle was limited. On the eve of the 2020 contests, the president incorporated only five centrally appointed regional governors into the party lists of the ruling party.

In March 2021, the president brought the procedure for appointing regional governors in line with the 2015 civil service law back.

## **2. Institutionalized IG**

### **Council of Regions (established in 1994)**

The first attempt to institutionalize intergovernmental coordination dates back to 1994, approximately three years after Ukraine gained independence.

On 20 September 1994, the president established – by his decree – the Council of Regions as his advisory body.

The main objectives of the Council of Regions included:

- discussing economic and social matters and, subsequently, making suggestions, mutually agreed upon, taking into consideration the interests of the state and regions;
- holding consultations regarding the structure and the functions of the executive branch of power in order to make the subsequent proposals;
- discussing draft laws, the drafts of presidential decrees, and those matters that affect the interests of regions;
- drafting proposals regarding those documents, mutually agreed upon;
- generating implementation mechanisms of social, economic, and humanitarian policies and implementation mechanisms of programmes, taking into account the specifics of regions.

Notably, this first attempt to institutionalize intergovernmental coordination in Ukraine was presented as a joint initiative of the heads of regional councils and the president.

The reasons were as follows:

The first reason had to do with the electoral cycle. In 1994, general and substate contests were held in Ukraine. All democratically elected authorities were elected in the same year: the president, the parliament, the heads of regional councils, regional councils and other bodies of local self-government at subregional and local levels. Moreover, in 1994, the heads of regional councils were directly elected in Ukraine and enjoyed a high level of legitimacy.

The second reason had to do with the lack of the centrally appointed executives at the regional level. The newly elected president was eager to rely on an institutionalized body that comprised from both central and substate actors and could serve as a platform for intergovernmental coordination.

Because the directly elected heads of regional councils were the major political actors at the substate level, they were the appropriate actors to coordinate policy implementation with. In 1999, the president signed the decree that ordered regional executives to join the Council of Regions.

In 1994, the Council of Regions could have fallen into the category of positive coordination. Also, I suggest that at that point the Council of Regions could have contributed to negotiating and, subsequently, accommodating the interests of the president and the heads of regional councils during constitution-making.

I suggest that the major objective that the newly established Council of Regions served was intergovernmental coordination with respect to constitution-making that resulted in the 1995 Constitutional Agreement between the president and the parliament and the subsequent policy outcome of constitution-making – the 1996 Constitution. I suggest that the Council of Regions subordinated to the president could have contributed to negotiating the division of responsibilities between authorities and then carving them into the constitution.

### **National Council for Coordination of Activities of State and Regional Authorities and Local Self-Government**

Soon after the task of constitution-making was completed, in 2000, the president annulled the Council of Regions and, instead, established the National Council for Coordination of Activities of State and Regional Authorities and Local Self-Government. As its title suggests, this advisory body was established to ensure smooth vertical and horizontal intergovernmental cooperation: between regional executives and regional councils (horizontal dimension) and between central and regional executive authorities, as well as mayors (vertical dimension).

Unlike in the case of the Council of Regions, the National Council for Coordination of Activities of State and Regional Authorities and Local Self-Government comprised from not only the president, regional executives, and the heads of regional councils, but also from numerous central actors from the government and the parliament, as

well as from local actors, namely – mayors of those 24 cities that were the administrative centres of regions (upon consent).

### **National Council on Public Administration and Local Self-Government**

In 2005, the newly elected president established another advisory body called the National Council on Public Administration and Local Self-Government.

At its title suggests, the new institution had a slightly different priority: Its core aim was discussing and making proposals on public administration reforms, decentralisation policies, and regional development. This priority objective of the new advisory body explains why it comprised from the minister responsible for regional development and the head of the parliamentary committee in charge of state building and regional affairs, apart from regional executives, the heads of regional councils (upon consent) and the mayors of those 24 cities that were the administrative centres of regions (upon consent).

Let me highlight that this advisory body was established in 2005, when the Concept on Administrative-Territorial Reform was drafted in the government. I suggest that the National Council on Public Administration and Local Self-Government was expected to serve as a platform of coordination for public authorities in charge of decentralisation affairs. However, it did not cope with this duty. The decentralisation reform proposal was not adopted for many reasons; however, the lack of stakeholders' support at substate scales, mainly from the bodies of local self-government, was one of the major reasons.

Thus, the case of the National Council on Public Administration and Local Self-Government (2005-2008) demonstrates the limited input of this IG advisory body into actual IG (both vertical and horizontal dimensions), as evident from the failure of the 2005 decentralisation reform initiative.

### **National Council on Cooperation between State Authorities and Local Self-Government**

Despite the proposal of the decentralisation reform collapsed in late 2005, the advisory body still existed, at least on paper, until 2008, when the government initiated the next decentralisation reform.

In 2008, the (same) president annulled his presidential decree on establishing the National Council on Public Administration and Local Self-Government and, instead, established the National Council on Cooperation between State Authorities and Local Self-Government.

As evident from its title, the matter of vertical and horizontal cooperation between substate executives, on the one hand, and substate self-government, on the other hand, became the top priority. Presumably, the policy actors wanted to draw a lesson from the lack of coordination between the appointed executives and the elected councils, but, unlike in the previous case, policy actors did not plan to engage the advisory body into the preparation of the new decentralisation policy proposal, which the government drafted in 2008-2009. I draw this conclusion from the lack of any notions of decentralisation reforms among the aims of the newly established

body, as well as from the lack of its actual engagement into discussing the new decentralisation policy proposal.

Instead of IG coordination via this advisory body, the government directly communicated with regional executives in order to collect and analyse the requested data and, separately, communicated with the bodies of self-government in order to request their feedback of draft proposals of decentralisation reforms.

### **Council of Regions (established in 2010)**

When new president was elected in early 2010, he abolished the National Council on Cooperation between State Authorities and Local Self-Government and, instead, established a new advisory body – the Council of Regions.

Its objectives gave an impression that the Council of Regions was aimed at fostering coordination between central and substate authorities, as well as between the appointed regional executives and the elected bodies of self-government and, in particular, fostering consultations regarding decentralisation proposals, making proposals on legislative changes of decentralisation matters, discussing law drafts on decentralisation and preparing joint / agreed upon proposals on their further advances, taking into consideration the interests of regions.

Unlike the previous advisory bodies in charge of various coordination matters, the presidential decree on establishing the Council of Regions requested regional executives to establish and chair regional advisory bodies – so called regional councils on coordination of regional executives and bodies of self-government.

On paper, this looked like an obvious advance of intergovernmental coordination regarding the drafts of decentralisation proposals; however, the lack of actual progress with the adopting decentralisation reforms (the lack of policy deliverables) raises questions about the effectiveness of the chosen means of intergovernmental coordination.

### **Council for Regional Development**

After the 2014 presidential elections, the Council of Regions was abolished; instead, the newly elected president established the Council of Regional Development in 2015.

As evident from its title, the new advisory body was meant to prioritize regional development; however, in practice its objectives included the decentralization policy that was implemented since 2014.

Apart from those central and regional policy actors who used to join similar advisory bodies in the past, the Council of Regional Development comprised from city mayors and the representatives of local self-government. This evidenced the intension to broaden the scope of representation of local self-government.

At the regional level, the councils for regional development were established by regional executives. This could remind of the similar practiced of the Council of Regions in 2010-2013. Moreover, at least on paper, the councils for regional

development were established at the subregional level; they were subordinated to subregional executives.

The Council of Regional Development held eight meetings in 2015-2018. During the meetings, the president and other participants highlighted the progress of the implementation of the decentralisation reform, which was launched in 2014, and called for speeding it up.

### **Council of Developing Regions and Territories**

Once the new president was elected in 2019, he transformed the Council of Regional Development into the Council of Developing Regions and Territories in late 2019. The that point, his decision did not look like a substantial change.

### **Congress of Local and Regional Authorities**

However, at the meeting of this advisory body in early 2021, the president established the Congress of Local and Regional Authorities – his new advisory body, which looked different from its predecessor. Arguably, it required a little bit of time to prepare this change.

On the one hand, there were still many similarities between the two IG advisory bodies.

First, the Congress of Local and Regional Authorities was aimed at fostering the implementation of the decentralisation reform and promoting effective cooperation of public authorities.

Second, apart from central policy actors, its members include all mayors of amalgamated territorial communities, as well as subregional and regional executives and the heads of subregional and regional councils.

On the other hand, the differences between the two IG advisory bodies were notable. First, this was evident from the internal structure of the latter advisory body. The Congress of Local and Regional Authorities comprises from two chambers:

- the chamber of local authorities (chaired by a city mayor);
- the chamber of regional authorities (chaired by a regional executive).

Second, the available meetings' recordings demonstrate that at least some signs of positive coordination were evident. However, they should not be overemphasized.

Let me highlight that this was the period of time when the constitutional reform (with respect to decentralisation) was actively discussed among central, regional, and local actors. I highlight this matter, because I observe that two out of three instances of (the attempts for) constitution-making appears to be associated with positive coordination in Ukraine.

### **3. Case-study: implementing the local amalgamation policy in 2015-2020**

Let us examine the input of institutionalized IG bodies and the input of regional governors into the implementation of the policy of local amalgamation in 2015-2020.

I claim that the input of regional governors into IG with respect to the policy of local amalgamation referred to each component of coordination as a process (information, communication, and negotiation), while the input of the institutionalized IG was limited and referred only to two components of IG: information and communication.

The 2015 law on local amalgamation and the government's guidelines (so-called Methodology) on local amalgamation specified the input of regional executives in policy implementation. For obvious reasons, neither the 2015 law on local amalgamation, nor the 2015 methodology of local amalgamation mentioned any potential input of the institutionalized (advisory) IG bodies.

In the Centre, the institutionalized IG body was represented by the Council for Regional Development – the advisory body, subordinated to the president. At substate scales, institutionalized IG bodies – the councils for regional development in *oblasts* – were established by and subordinated to regional executives. Regional executives as lead actors at substate scales could make use of such advisory bodies in order to facilitate policy implementation via sharing information and fostering communication among various substate authorities. The meetings of the councils for regional development in *oblasts* opened up opportunities for negotiation; however, the available records of the meetings of the councils for regional development in *oblasts* give no indication that such negotiation occurred.

According to the 2015 law on voluntary local amalgamation, the policy had two inter-connected components: bottom-up (pro-active initiatives of local actors) and top-down (the government's assignments for regional executives).

Notably, the bottom-up component consisted not only from the initiatives of local actors, but also from the consent of regional executives. In order for local actors to initiate voluntary amalgamation, they invited their neighbors to jointly negotiate their potential amalgamation into one ATC, along the lines of the government's Methodology on how to choose the centre of a prospective ATC. If/when they reach a positive conclusion, they passed the respective draft decision to the respective regional executive in order to double-check its compliance with the constitution and domestic laws. If the answer was positive, the respective local councils could make the final decision to establish the ATC. But then they had to address the respective regional executive again, because s/he was entitled to officially communicate with the Central Electoral Committee and request it to announce the first elections of local authorities in the newly established ATC. After the elections were held, the ATCs finally received the rights and the responsibilities it was entitled for.

Clearly, this component fostered both public engagement and inter-elite interactions to accommodate local interests represented in local councils.

What about the top-down component of voluntary local amalgamation? Simultaneously with the bottom-up component, the government request each regional executive to prepare, in line with the government's Methodology, and each regional assembly to subsequently approve a so-called perspective plan of ATCs of

the respective region. Afterwards, the perspective plans of ATCs in each region are approved by the government. Regional executives (and regional councils) were encouraged to approve or decline the bottom-up initiatives in regard to voluntary amalgamation of territorial communities that should either match the respective perspective plans, or justify the sustainability of the prospective ATC, when there was no match.

The government expected that this component could help ensuring that potential ATCs would have enough resources for taking responsibility for public service delivery at a local level. Also, this component required inter-elite interactions to accommodate regional interests represented in regional councils.

In advance of the 2020 local elections, the government decided to switch from voluntary amalgamation to administrative amalgamation in order to hold local elections exclusively in ATCs. In order to do so, it excluded regional councils from the procedure of approving the perspective plans of ATCs, because the major obstacles that slowed down the implementation of the policy of local amalgamation resulted from the reluctance of regional councils to approve the perspective plans. On the one hand, the government's decision to exclude regional councils from the policy implementation process exemplified the shortcomings of intergovernmental coordination: neither regional governors, nor the institutionalized IG bodies managed to accommodate the interests of stakeholders in regional councils (regional interests). On the other hand, the capacity of the central government to finalize the policy of local amalgamation using the administrative means demonstrated the effectiveness of intergovernmental coordination, when exercised exclusively within the executive branch of power in 2020.

The latter conclusion should not be over-emphasized though, because not only regional councils, but also regional executives could slow down the pace of local amalgamation in 2015-2019.

There were numerous cases, when regional executives slowly performed their functions, as evidenced by the fact that most perspective plans of ATCs did not cover 100 % territories of oblasts by mid-2019.

The reasons were as follows:

First, regional governors (and especially subregional governors) did not want to lose their institutional and fiscal resources as the expected consequence of completing the policy of local amalgamation. This is not entirely surprising: Comparative research on local amalgamation in Central and Eastern Europe<sup>1</sup> reminds that "there is a degree of inertia among the existing institutions, plus there are also actors interested in defending the status quo" (Swianiewicz 2010: 191).

Second, regional governors' affiliation with the president's party (the president presented himself as the chief proponent of the policy of local amalgamation) did not necessarily help to speed up the process, like in the case of regional executive in Zakarpatska region, who did not allow the establishment of any ATC till early 2019.

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<sup>1</sup> Paweł Swianiewicz (2010) If Territorial Fragmentation is a Problem, is Amalgamation a Solution? An East European Perspective, *Local Government Studies*, 36:2, 183-203

While regional governors' party politization appears can contribute to the electoral performance of the ruling party in the given region, it has little to do with IG coordination with respect to policy-implementation, when the party system is loosely institutionalized, like in Ukraine.

Regional executives played the key role in coordinating the implementation of local amalgamation policy at substate scales in Ukraine. They could either foster, or slow down the process though. Regional executives could make use of the institutionalized form of intergovernmental coordination: the advisory bodies subordinated to them (councils of regional development in each region). Such advisory bodies could help spreading information about the requirements for local amalgamation (the government's Methodology) among local actors (mayors and local councils), obtaining information from local actors with respect to their intentions and their progress with local amalgamation, and, thus, communicating with one another. However, there is little evidence that the meetings of such advisory bodies provided enough room for negotiation – the third, crucial, component of coordination as a process. While it is highly unlikely that regional governors negotiated with the central government (because the former were the subordinates of the latter), the 2015 law on voluntary local amalgamation provided regional executives with a plenty of opportunities to negotiate with regional councils (horizontal dimension) and the bodies of local self-government (vertical dimension).

The central institutionalized IG advisory body provided opportunities for exchanging information and communicating; however, I find no evidence that it contributed to negotiating. Importantly, the institutionalized IG advisory body established at the central level was subordinated to the president, and not to the government. This had the following serious implication. During the 2019 presidential campaign (in late 2018 - early 2019), the president very actively participated in the meetings of the councils of regional development in oblasts. Straight after such meetings, he switched to acting as a candidate and held other meetings with the electorate. Needless to say, such activities were perceived as exploiting his incumbent advantage prior to the 2019 presidential contests.

## **Conclusions**

(1)

The lead actors who organise the coordination process at substate scales in Ukraine are regional executives – the heads of regional state administrations. While regional executives do not affect decision-making in the Centre, they are responsible for implementing the centrally imposed policies and, in this context, for communicating with other substate authorities.

From the institutional point of view, regional executives in Ukraine have dual responsibilities: they execute both the Center's decisions on the substate level and the decisions made by the corresponding regional councils.

On the one hand, they are the centrally appointed regional executives subordinated to both the central government and the president. On the other hand, they act as the

executive bodies in relation to directly elected regional councils, which do not have the constitutional right to establish their own executive committees.

Simultaneously, regional executives perform coordination functions in relation to (i) subregional and (ii) local authorities. From the institutional point of view, subregional executives are the subordinates of regional executives. In fiscal terms, regional executives still have some authority over, but used to have next to absolutely authority over the budgets of the directly elected local councils.

Contrary to expectations, regional governors' party politization appears to contribute to coordinating decision-making and decision-implementation with respect to electoral politics (the electoral performance of the ruling party); however, regional governors' party politization does not necessarily help IG coordination with respect to policy-implementation. I suggest that the reason is a loosely institutionalized party system.

Positive coordination (understood as understood as "a broad brainstorming process involving all potentially affected actors. It is open-ended and non-hierarchical, and more deliberative than bargaining-oriented in nature," according to CA20123 Policy Brief 1) has more chances to occur, when it comes to the horizontal dimension of IG at the regional level: between regional executives and regional councils. However, there is more institutional room for negative coordination ("standard solutions are proposed and circulated so as to make sure that potential veto positions are taken into account," according to CA20123 Policy Brief 1) in cases when regional executives coordinate IG with substate authorities and local self-government (the vertical dimension of IG at substate scales).

(2)

All instances of institutionalized IG across administrative-territorial tiers in Ukraine non-obligatory: such bodies had an advisory status.

Each advisory body was established by the president of Ukraine, and only one out of eight was presented as a joint initiative of the heads of regional councils and the president.

The overwhelming majority of institutionalized IG bodies – six out of eight – aimed at coordinating efforts to prepare and/or implement decentralisation reforms.

There are little doubts that the institutionalized IG bodies prioritized information and communication. I suggest that only one case out of eight cases contributed to negotiating and, subsequently, accommodating stakeholders' interests. This happened during constitution-making in 1995-1996.

When it comes to the institutionalized IG across administrative-territorial tiers, negative coordination appears to be rather popular. I suggest that this happens because the president is prone to using the institutionalized IG for the purposes of strengthening his incumbency advantage when competing for power resources at the Centre.

I can be certain that only in two instances institutionalized IG demonstrated the signs of positive coordination. This occurred (a) during constitution-making in 1995-1996 and (b) while discussing the expected constitutional reform with respect to decentralisation in 2021. However, the factor of the (expected) constitutional

changes does not necessarily affect the mode of IG coordination: negative coordination vs positive coordination.

(3)

I examined the input of institutionalized IG bodies and the input of regional governors into the implementation of the policy of local amalgamation in 2015-2020. I found that regional executives played the key role in IG. The input of regional governors into IG with respect to the policy of local amalgamation referred to each component of coordination as a process: information, communication, and negotiation. While it is highly unlikely that regional governors negotiated with the central government (because the former were the subordinates of the latter), regional executives had plenty of opportunities to negotiate with regional councils (horizontal dimension) and the bodies of local self-government (vertical dimension). In contrast, the central institutionalized IG advisory body provided opportunities for exchanging information and communicating; however, I find no evidence that it contributed to negotiating between central and substate actors. However, as the lead actors at substate scales, regional executives could benefit from institutionalizing IG by means of establishing the advisory bodies subordinated to them (councils of regional development in each region). Such advisory bodies could serve help spreading information about the requirements for local amalgamation (the government's Methodology) among local actors (mayors and local councils), obtaining information from local actors with respect to their intentions and their progress with local amalgamation, and, thus, communicating with one another. However, there is little evidence that the meetings of such advisory bodies provided enough room for negotiation – the third, crucial, component of coordination as a process.