Decentralisation Processes in Ukraine: Dilemmas of Democratisation and National Security

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Abstract. Ukraine has been facing unprecedented challenges since 2014. A Revolution of dignity makes Ukraine turn closer to the EU and NATO, while ongoing and expanded Russian aggression threatens the very existence of Ukrainian statehood. One of the key directions of making Ukraine resilient to threats and challenges is the decentralisation process. It aims at making the government and public administration in Ukraine more democratic, transparent and efficient, open to public concerns and the needs and expectations of local communities. The article proposes analytical approaches towards the decentralisation process taking into account the imperative of democratisation and security challenges that Ukraine has been dealing with. The authors consider both dimensions of the national regional policy and self-government reforms, proposing a balanced vision on their advantages and disadvantages, as well as pointing out key problems that should be attended by the government. The process of decentralisation means a lot for Ukraine to make its statehood stronger and more secure vis-a-vis threats the country is facing now.

Keywords: *Ukraine, security, decentralisation, reforms of self-government, local democracy*
Raktažodžiai: *Ukraina, saugumas, decentralizacija, savivaldos reformos, vietos demokratija*

Introduction

The events of 2014 put Ukraine in a very untenable situation. The Russian-Georgian war of August 2008 already identified the vector of further actions of the Russian Federation in the post-Soviet space as a growing attempt to restore the country's imperial status. However, for the Ukrainian society, the Ukrainian political elite, and the European and world political elite, the Kremlin's blatant actions ended with the annexation of the Crimean peninsula and the outbreak of war in Eastern Ukraine Donbas, turned out to be a great surprise. One of the justified reactions to these events was the process of reforming the Ukrainian statehood in order to ensure its viability and stability, preserving territorial integrity. In addition, the implementation of these reforms is vital in order to successfully confront the challenges of the hybrid war, which began in Ukraine in early 2014 and continues until the present moment with an uncertain prospect of completion.

An important area of reform was the process of decentralisation of power, which was generated by the need to create an effective model of public administration in Ukraine. In the course of their implementation, a very important dilemma arose: the need to choose between the security dimensions of these processes, i.e., to ensure the state's ability to resist external and internal threats or effectively counter them and avoid a new stage of centralisation of power. After all, the ruling elite's efforts to over-centralised power have already brought Ukraine to a state close to collapse. Accordingly, there is a need to study the processes of decentralisation of power in Ukraine through the prism of the dilemma of ensuring the requirements of democratising public administration and at the same time meeting the national security needs caused by Russia's ongoing aggression against

Ukraine. The aim of this article is to clarify the relationship between these important components of the decentralisation process and the prospects for their further development. The objectives of the article are to consider the preconditions and origins of the decentralisation processes in Ukraine, identify the challenges of various possible alternative scenarios, and clarify the main stages and content of the results of decentralisation processes through the prism of democratisation and national security.

These problems are widely considered in both Ukrainian and foreign scientific literature. The most detailed changes taking place in the administrative structure of Ukraine are presented in a number of collections of documents. Among them, the documents for the Ukrainian Forum of the Royal Institute of International Affairs (London) (Umland & Romanova, 2019), the Kennan Institute of the Woodrow Wilson Center (Washington, DC) (Ведернікова, 2019) and the internal journal of Chatham House (International Institute for Strategic Studies, London) were the most important for our study (Romanova & Umland, 2019). In order to work on these documents, Andreas Umland participated in the research project "Accommodation of Regional Diversity in Ukraine" (ARDU), funded by the Research Council of Norway (Ведернікова, 2019). Thus, the study conducted by the authors is based on a number of documentary sources, primarily regulations of the Ukrainian state, the documents that reflect some of its international obligations, in particular, those arising from the Association Agreement between Ukraine and the European Union, as well as current documents of central and local bodies of state and public authority in Ukraine.

In terms of scientific publications, special attention should be paid to the main achievements and the most important challenges and urgent tasks of decentralisation in Ukraine, which were made in the articles of Andreas Umland, Chief Research Worker of the Institute of Euro-Atlantic Cooperation in Kyiv, and Valentyna Romanova, an expert of the National Institute for Strategic Studies (Романова & Умланд, 2019). Many Ukrainian experts have studied the issues of decentralisation, including Shevchenko, Romanova, Zhalilo (2019) and others, who, based on the results of their research, prepared and published a scientific report on decentralisation in Ukraine in general and in some regions in particular in 2020 (Шевченко та ін., 2020). Researchers Sinaiko, Tyshchenko, KaplanMykhailova, Valevskyi (2020) prepared an analytical report in the "White Book" format, which contains an overview of the main topical issues in the humanitarian sphere of Ukraine: cultural, educational, scientific, linguistic, as well as in the field of religious-church relations, the rights of national minorities and indigenous peoples, the development of creative industries (Сінайко та інші, 2020). Studies of various aspects of decentralisation processes are covered in the articles of Kruglashov (Круглашов, 2018), Rotar (Ротар, 2019) and Shvydiuk (Швидюк, 2017). Considerable valuable analytical material can be found in the publications of Vedernikova (Ведернікова, 2019) and Tkachuk (Ткачук, 1997), leading Ukrainian experts and initiators of decentralisation reform.

Regarding the research methodology, this article is primarily based on scientific approaches to neo-institutionalism as they allow to fully cover both formal and informal aspects of decentralisation processes, to identify the interests of key factors, actors and agents involved in implementation of decentralisation processes, consider the actions of key stakeholders, which accordingly determine its course, content and results. The authors also used other scientific approaches and methods, such as the method of discourse analysis, content analysis and the case study method. The latter helped us to study particular dimensions of decentralisation processes not only in the case of the whole of Ukraine but also one of its smallest regions, i.e., Chernivtsi oblast, in a more detailed way. The region is very important for understanding the problems and dimensions of decentralisation processes both in the spheres of democratisation and in terms of security. In order to discover their correlation and interdependency, we involved other quantitative and qualitative research methods. One of the most critical aspects of the study of decentralisation processes is theories of representation, which explain how political institutions reflect the multiplicity of interests of citizens in political decisions. Securitisation and actorness have also been taken into account.

The article consistently considers such problems as the preconditions and origins of choosing the Ukrainian version of decentralisation, i.e., between hypercentralization, on the one hand, which

prevailed from the presidency of Kuchma to Yanukovych, and the threat of disintegration of the Kremlin federalisation scenario on the other hand. We will further consider the main stages and preliminary results of decentralisation in Ukraine at the end of 2020. The text is concluded with the analysis of the humanitarian components of decentralisation processes in Ukraine and the final conclusions.

The choice between hypercentralization and disintegration of Ukraine according to the Kremlin scenario

First of all, it should be noted that after Ukraine became an independent state in 1991, in the choice of a key model of regional policy and the direction of building a system of state power, there were fluctuations between the two vectors of development. An authoritarian vector that was accompanied by processes of centralisation and a democratic vector that prompted attempts, unfortunately not always successful, at decentralisation processes. President Leonid Kuchma, especially when he finished his first term in 1999 and moved on to his second term, was inclined to centralisation. His crucial intention was to concentrate as much power as possible in the hands of the president and the structures under his control in order to effectively control financial flows, political decision-making and the behaviour of key players in the Ukrainian political arena. This process has stopped during Yushchenko's presidency and later was renewed (Перегуда, 2015). He tried to carry out administrative-territorial reform and start the process of decentralisation, but the so-called second stage of political reform in Ukraine failed completely (Udovychenko, Melnychuk, Gnatiuk & Ostapenko, 2017). That is why Yushchenko's efforts did not lead to any significant results. Finally, when President Viktor Yanukovych replaced Viktor Yushchenko in the presidential office, he made no secret of his desire to return to the rails of hypercentralization under the Russian and Belarusian scenarios. This was confirmed both by his statements and by the political agreement of the "Party of Regions" headed by him with the party "United Russia" in the Russian Federation and in general by his pro-Russian policy, especially in the internal policy of Ukraine (Гай-Нижник, 2018). Therefore, a brief retrospective analysis of Ukraine's regional policy shows that its main vector, the dominant direction was the centralisation of public administration. During the second presidency of Leonid Kuchma and the partial term of Viktor Yanukovych, these were undisguised efforts to build a hypercentralized model of power, which led to many negative consequences.

Firstly, no fundamental decision was made in the regions and they were effectively deprived of their administrative autonomy, not to mention political subjectivity. Secondly, it led to the intense competition of regional elites and the formation of regional political clans, two of which were the most influential. These are the Dnipropetrovsk clan, represented, for example, by Pavlo Lazarenko, then by Yuliia Tymoshenko, and the Donetsk clan, whose leading representative in the Ukrainian public policy was Viktor Yanukovych, first as the prime minister and then president of Ukraine (Прокоп & П'єхов'як-Лампарська, 2013). Thirdly, a very important consequence of such political aspirations has been an inefficient model of public administration. If only because the decisions made at the center regarding the regions did not largely take into account their needs and interests, they were less focused on the requests of local communities and often ignored them. Fourthly, this led to the growth of corruption, because any decision at the local level, which had to be made at the top, required an increasing corruption component for its positive solution (П'ясецька-Устич, 2016). It is clear that all these consequences were an extremely heavy burden for the system of public power in Ukraine, limiting the effectiveness of the Ukrainian regional policy. They have greatly undermined confidence in the authorities in Ukraine, primarily central, but also local ones (Рябцев, 2014) as the local executive power was mostly a kind of territorial branch of the central government, limited by the mandate of trust issued by the Ukrainian presidents and the Cabinet of Ministers of Ukraine controlled by them.

Only the events of the Revolution of Dignity in 2014 determined the need and possibilities to abandon this model of regional governance. They significantly influenced the development of public administration processes in Ukraine. A number of factors worked here, thanks to which it became

clear to the political elite and society as a whole that maintaining the previous hypercentralized model of power is impossible and dangerous at the same time. Public demands and requirements for a new, more democratic and open system of public administration, the security situation in the country after the beginning of the Russian aggression in 2014 required radical changes in the system of public administration. Accordingly, the choice in favour of decentralisation from possible scenarios was the most appropriate to the demands of society, regional and, to some extent, central elites. On the one hand, the central government in the state was so weak and even helpless in late February – early April 2014, that it could not, even if it wanted, to continue to manage the old means and mechanisms of public administration (Гринкевич, 2014).

At the same time, on the other hand, the idea and scenario of federalisation of Ukraine, which was presented as the best means of overcoming this so-called "Ukrainian crisis", has been persistently promoted by Vladimir Putin, President of the Russian Federation, and his Minister of Foreign Affairs, Sergey Lavrov (Богінська, 2015) in Ukraine since the spring of 2014. Since then, Russia has tried to present it to its citizens and the world community as Ukraine's internal affair and its events as a civil war. Therefore, they say, in order to reach an agreement with the rebel regions, namely, with the part of the Luhansk and Donetsk regions, so-called puppet DPR and LPR created by Russia, Kyiv had to go for federalisation from the Kremlin's point of view. This offer of Russia is obviously aimed at the realisation of the dissolution of the Ukrainian statehood scenario. It means that 3% of Ukraine's territory had to receive the rights of the federation's members. The Kremlin's federalisation scenario was not even a sincere federalisation, it was a quasi-federalisation, but in fact, it was about creating a confederate system of Ukraine, which would lead to legalisation and legitimisation of the Ukrainian statehood disintegration (Кузьо, 2018). Therefore, it was impossible for the Ukrainian society or the authorities to accept this imposed scenario of so-called federalisation. Even more than that, it was suicidal. Therefore, accordingly, this "Trojan" scenario was rejected by both the society and the elite, threatening the security and the very prospect of Ukraine's existence.

Thus, the process of decentralisation of power is chosen as an intermediate path between the federalisation imposed by Russia and the internal and external reasons that gave rise to the need to abandon the overly centralised system of public administration in Ukraine. The acting President of Ukraine Oleksandr Turchynov, and Prime Minister Arseniy Yatsenyuk were the first to begin its implementation. This process initiates the adoption of the "Concept of reforming local self-government and territorial organisation of power" by the Cabinet of Ministers of Ukraine (Концепція № 333-р. «Про реформування місцевого самоврядування та територіальної організації влади в Україні», 2014). It was approved in April 2014 with a corresponding action plan for its implementation. The legislative changes to the Budget (Закон України № 79-VIII «Про внесення змін до Бюджетного кодексу України щодо реформи міжбюджетних відносин», 2017) and the Tax (Закон України № 71-VIII «Про внесення змін до Податкового кодексу України та деяких законодавчих актів України щодо податкової реформи», 2014) as well as the Codes of Ukraine, which took place soon and played a positive role, were also of great importance. As a result, financial decentralisation started in Ukraine, which allowed significant changes in the ratio of financial flows in favour of regions and local communities (Rabinovych, Levitas & Umland, 2018). These changes to the Budget and Tax Codes of Ukraine have played a very positive stimulating role in the deployment of fundamental decentralisation processes. They have created interest on the ground in their successful deployment. Territorial communities have been given significant powers to collect taxes and have benefited from recent direct transfers from the central state budget. Following the example of the Baltic States and Scandinavia, local communities receive 60 % of the personal income tax collected. This gave rise to a new social contract between local companies, citizens and self-government bodies and stimulated the latter to maintain and expand their tax bases, support and actively involve business in solving urgent problems of local communities (Bernard, 2015). The Law of Ukraine "On Voluntary Association of Territorial Communities" (Закон України № 925-VIII «Про добровільне об'єднання територіальних громад», 2015), which regulated the process of creating new local territorial communities, i.e., village, town and city councils, played an important

role in forming the legal basis for decentralisation. As a result, their amalgamation was aimed at creating new self-sufficient territorial communities. Subsequently, the Law of Ukraine "On Cooperation of Territorial Communities" (Закон України №156-VII «Про засади державної регіональної політики», 2015) was adopted and opened opportunities for various forms of interaction between the newly formed territorial communities, although in practice their role remains quite limited. Finally, the Law of Ukraine "On the Principles of State Regional Policy" (Закон України №156-VII «Про засади державної регіональної політики», 2015) is noteworthy, as it significantly changed the state's approaches to its formation and implementation: from mostly manual management of regions, authoritarian in nature, to project management, which was a step forward for Ukraine.

At the same time, the legal basis of regional policy still has significant gaps. There were two attempts to consolidate these conceptual legislative changes in the legal field of Ukraine by adopting appropriate amendments to the Constitution of Ukraine, which would create an appropriate legal framework for decentralisation processes and their maximum protection from political influences. First, Petro Poroshenko, the President of Ukraine, tried to do this (Проєкт Закону України № 2217a «Про внесення змін до Конституції України щодо децентралізації влади», 2015) and the current President Volodymyr Zelensky aimed at it for the second time (Проєкт Закону України № 2598 «Про внесення змін до Конституції України (щодо децентралізації влади)», 2019). However, their legislative initiatives did not succeed. This creates certain legal conflicts between the laws of Ukraine, normative legal and administrative acts of the Cabinet of Ministers of Ukraine, other central authorities, decentralisation processes in general and the Constitution of Ukraine. This contradiction in Ukraine remains unresolved to this day and poses a very serious and, above all, legal challenge to decentralisation processes for two reasons. Firstly, the decentralisation processes have thus not been constitutionally confirmed and completed. Secondly, from the point of view of their constitutionality, some legally grounded doubts can always be expressed. The latter is all the more important because it is necessary to take into account the sad episodes in the history of the Constitutional Court in Ukraine, when it repeatedly made extremely dubious decisions in favour of one or another political situation, or other even more sad reasons (in particular, the repeal of amendments to the Constitution of December 4, 2004) (Любченко, 2011). Thus, this danger remains relevant and therefore it is necessary for Ukraine to overcome it.

Thus, in early 2014, Ukraine made a choice, abandoning the Kremlin-imposed federalisation (quasi-federalisation) in favour of the deployment of the real processes of decentralisation and therefore abandoning the previous centralising policy, which was persistently pursued by Presidents Kuchma and Yanukovych.

Decentralisation in action. The results of the unfinished process

First of all, the most successful, large-scale and effective decentralisation processes take place at the level of local territorial communities. Here, in the process of their amalgamation, Ukraine crossed the "equator" of the decentralisation process because much more than 50 percent of the local territorial communities have already been formed. On June 12, 2020, the Cabinet of Ministers of Ukraine adopted 24 orders on the designation of administrative centers and approval of the territories of communities in the regions. In total, as of last year, 1469 territorial communities were created in the country (Децентралізація, 2021). They operate in the conditions of united territorial communities (UTC). These processes covered the whole of Ukraine, although with varying intensity and success, often exposing themselves to a misunderstanding of their significance and even considerable resistance. The second of the smallest regions of Ukraine, Zakarpattia (Transcarpathia), resisted the formation of UTC for the longest time, but finally, after the change of the local head of the regional state administration, this process started there as well (Кор, 2019).

Although international technical and financial assistance is important for influencing policy outcomes in Ukraine (Leitch, 2016) the success or failure of reforms such as decentralisation is largely determined by internal factors. This means that since the Revolution of Dignity (Euromaidan)

2013-2014, various national and multinational foreign donors, including the EU and the US, have consolidated their actions in Ukraine through programs such as ULEAD, PULSE and DOBRE, which have increased the effectiveness of their influence on decentralisation processes. Among other international organisations is the Council of Europe, which shares expert legal knowledge in the framework of the project "Decentralisation and Local Government Reform in Ukraine" and has a significant influence. Well-coordinated advisory support, technical and financial assistance from abroad contributed to the fact that the government and parliament of Ukraine did not neglect the issue of decentralisation and its importance (Leitch, 2016).

In his recent interview, Georg Milbradt, Special Envoy of the Government of Germany for the Decentralization Reform in Ukraine, noted that "Ukraine has reached an important stage, but not yet the ultimate goal of creating effective local government focused on the needs of citizens" (Професор Ґеорґ Мільбрадт, 2020). He also noted: "The next step is to define, guarantee, strengthen and protect local self-government: provide a legal framework, starting with amendments to the Constitution, revision of laws on local self-government, local state administrations, civil service and other important legislation to harmonise them with the idea of local democracy" (Професор Ґеорґ Мільбрадт, 2020).

The creation of united territorial communities on the ground was not accompanied by continuous triumphs, because it revealed many negative factors. The most important was the position of the local elite, that is, local mayors, at the levels of village, town and city, deputies of relevant councils and other influential local factors. For a long time, they considered decentralisation processes as a direct threat to their status, their capabilities and the means of controlling local resources that they were accustomed to using alone or as part of group interests. Moreover, despite the fact that in general the level of public support for decentralisation was quite high, in specific territorial communities, their residents did not receive sufficient information about what was happening, why it was happening and what positive results these changes can bring them (Бевз, 2019). Therefore, the process of amalgamation of territorial communities was quite painful. Conflicts often arose between the directives of the central government and the interests of the authorities at the regional level, especially at the oblast and rayon levels. For example, in the latter case, there was often a temptation to form UTC immediately on the scale of existing areas (Бевз, 2019). This actually meant a new version of centralisation, not decentralisation. In addition, the authorities at the oblast level also had their own approaches and interests to one or another model and specific ways of creating united territorial communities. Therefore, there were many chaotic, contradictory and even conflicting moments in the formation of UTC.

However, in general, most of these problems have been more or less successfully overcome during the six years of decentralisation. It is clear that this success is quite different in specific, sometimes territorially close or neighbouring communities because in some cases, where there is an active mayor, a deputy corps, where there are sufficient local resources, this is the basis for a success story (Lankina, Gordon & Slava, 2017). In other cases, where there is no strong leadership, where resources are scarce, in depressed regions and subregions, united territorial communities have in fact, turned out to be a reversal of the structure of previous local councils. There is no noticeable progress in infrastructure, socio-economic or cultural development (Вербовська, 2016). In general, the process of amalgamation of local communities in Ukraine is completed for now.

The second level of decentralisation, which was considered almost final by the architects of the reforms, is the transition to new zoning in Ukraine. It is an essential component of administrative and territorial reform. The problem is that in general, both the zoning system and the regional division of Ukraine mostly date back to the time of Stalin's administrative-territorial reforms, i.e., 1930 – 1940 (Шабельніков, 2009). It is evident that this zoning was based on Moscow's vision of how the system of governing the territory of the Ukrainian Soviet Socialist Republic should function, which is very far from the needs of districts and regions. It is obvious that geographical, economic, social, ethnopolitical and other factors that were the basis of particular zoning in 1930-1940 and the situation in which the administrative-territorial reform is carried out today are entirely different things caused

by significantly different social-economic, political, ideological conditions and models of territorial management. Therefore, the need for a new introduction of a new zoning system is beyond doubt.

The beginning of this second phase of the reform was complicated by the political calendar of 2019, which consisted of a nationwide vote in the presidential and parliamentary elections, as well as a significant rotation of staff in the legislature, executive and, in part, judiciary powers. For example, the draft Law of Ukraine "On the Principles of Administrative and Territorial Organization of Ukraine", formulated by the Ministry of Regional Development of the day, was not considered by the Ukrainian Parliament before the early parliamentary elections in July 2019. This draft law provides a legal basis for reforming districts applied in the EU. It proposes to transform the existing 490 districts with an average population of about 25,000 inhabitants into about 100 new ones; each of them will have about 150,000 inhabitants, without the need for laborious changes to the Constitution (Романова & Умланд, 2019).

On July 17, 2020, the Parliament of Ukraine adopted Resolution No. 3650 "On the Formation and Liquidation of Districts". According to the document, there are 136 districts in Ukraine now. The previous division into 490 districts was abolished by the parliament (Децентралізація, 2021).

This question raises some doubts as to whether the new zoning in the country is reasonable and optimal. In particular, we will present the case of Chernivtsi region, where instead of the previous 12 districts, we have had three new amalgamated districts since 2020. One of them is a kind of mega-district, i.e., Chernivtsi, which covers most of its territory and is more significant than the other two districts: it covers more than half of the population and concentrates the lion's share of all financial and economic resources of the region (Кабінет Міністрів України…, 2020). The question arises as to how rational such zoning is, how proportionate and balanced it is, and what consequences it will lead to in territorial governance and regional development. In addition, during its implementation in 2019-2020, another obvious problem was revealed, i.e., the closure is shadowing the management decision-making process regarding the new zoning of Ukraine. That is, in many cases it happened with minimal consultation with the public and experts and was taken mainly in closed offices, authoritarian management decisions and based on the predominance of narrow-group approaches (Хорват, 2020). It does not allow to state that adequate political and administrative decisions have been successfully made at this level, i.e., the new district division of Ukraine.

After the next local elections in the fall of 2020 on the new administrative-territorial basis of the formed districts and communities, the powers between the levels of government should be differentiated in accordance with the principle of subsidiarity. The community residents should be provided with mechanisms and tools to influence local government and participate in decision-making. The process of transferring property from the district level to the communal property of territorial communities has begun. In total, the communities are ready to take over 79% of facilities in the country (they have made the appropriate decisions). These are 20,352 objects out of 25,274 that need to be transferred to the ownership of territorial communities. These are educational, culture, health care and other institutions. By taking over these facilities, local communities are able to manage and maintain them from their own budgets. The leader in property transfer is Zhytomyr region, where 100% of objects are transferred. Ivano-Frankivsk (99%), Sumy (98%), Volyn, Dnipropetrovsk and Chernivtsi oblasts (97% each) have the highest rates of facility transfer (Децентралізація, 2021).

Finally, the third and highest level of decentralisation concerns not only the introduction of a new regional policy, but also the creation of a new system of governance at the level of oblasts, i.e., the regions of Ukraine. After all, if the creation of territorial communities turned out to be the main direction of change at the local level, and the creation of new, amalgamated districts at the subregional level, then there are a number of unresolved issues with decentralisation processes at the regional level (Pronko, Kolesnik, & Samborska, 2018). The most important thing here is the delay in adopting one or another constitutional model, which leaves the whole process open for discussion. The last two presidents proposed the creation of the institution of a prefect as one that should ensure the control of the central government over the regions, especially in terms of compliance with the rule of law,

overcoming security challenges and, above all, threats to Ukraine's territorial integrity. However, the expert reading and public perception of these positions of prefects lead to the fact that their powers, including the right to suspend any decisions of any local government in the regions, show a tendency to re-centralise rather than decentralise Ukraine (Oleinikova, 2020).

On the other hand, there are a number of problems with balancing the new system of government. That is, the distribution of functions and powers between the executive bodies of the central government on the ground, in particular until now, these are the regional state administrations as well as the prefectures and regional councils as representative authorities in the regions. It is assumed that regional councils will become the main players in the administrative and political fields of the regions. To perform this, they will receive a sufficiently powerful executive apparatus and the appropriate powers, competencies and functions. Unfortunately, since 2014 the issue of choosing the optimal model of public administration at the regional level in Ukraine has remained unresolved.

Therefore, summarising the analysis of this range of decentralisation of power, we can recognise that its most successful component in Ukraine was the reformatting of government at the local level, i.e., at the level of village, town, city councils, the formation of more or less affluent territorial communities. Here, the success of decentralisation is quite noticeable, although there are still serious challenges that need to be solved. The previous results of the administrative-territorial reform at the level of newly formed districts look more contradictory. In October-November 2020, the elections were held for the respective newly formed councils as well as for local councils everywhere (Постанова Верховної Ради України № 3809 «Про призначення чергових місцевих виборів на 25 жовтня 2020 року», 2020). Therefore, these new district self-government bodies should start operating. But it is too early to decide what their activity will be how effective and efficient it is. As for the actual regional level of Ukraine, the processes of decentralisation of power have not actually started yet.

To conclude, the decentralisation reforms and their implementation contribute towards enhancing local democracy and good governance in Ukraine, but their impact on overcoming domestic challenges in terms of the country's security and resilience remains rather debatable.

The humanitarian component of the decentralisation processes in Ukraine

Let us finally touch on a vital component of the decentralisation processes, i.e., their humanitarian dimensions. These are the social and cultural dimensions that reflect the relationship between the challenges of democratisation and security threats best of all. In general, these aspects of domestic policy in Ukraine remain unsuccessful. Their weaknesses were convincingly revealed by the tragic events of 2014, the annexation of Crimea, Russia's incitement to regional separatism, including attempts to implement the "Novorossiya" project (Турченко & Турченко, 2015), the so-called Kharkiv People's Republic (Асланов, 2015; Розпутенко & Москаленко, 2013), the Bessarabian People's Republic (Kotsur, 2019), and the Bukovynian People's Republic (Павлятенко, 2017) etc. They proved that the previous government made gross mistakes and systemic omissions in the field of social and cultural policy of Ukraine: in the formation of the system of civic education and the formation of Ukrainian civil society. Unfortunately, many of these shortcomings remain unresolved in the process of decentralisation; they are manifested on the surface of public processes and public policy.

First of all, the development of local democracy is affected. On the one hand, the decentralisation processes have opened up an extensive range of opportunities for the development of the forms and tools of local democracy. This is a very noticeable renewal of local and regional elites, both political and managerial. This also means the wider involvement of the population of the territorial communities in the newly created districts and existing traditional oblasts in influencing the public decision-making process, either by local self-government bodies or local executive bodies. There have emerged new community statutes (Міністерство регіонального розвитку, будівництва та житлово-комунального господарства України…, 2019) which open up many more opportunities than direct democracy and citizen participation in local governance processes until 2014

(Halhash, Semenenko, Bilous & Burko, 2020). New tools for Ukraine, such as electronic petitions concerning both local governments and central executive bodies, have appeared and are being disseminated. Participation budgets are becoming popular on the ground and are particularly successful in large cities (Pron'Ko & Kolesnik, 2016). Moreover, the larger the city, the more resources it allocates to the participation budget, and as a rule, the more effective this mechanism is. The mechanisms for public consultation and public hearings on the issues important to local communities are less successful. Such mechanisms of civic participation as the activities of various advisory bodies have been working in Ukraine for a long time, and it is getting more and more institutionalised. Of particular interest are public councils at local governments, i.e. village, town, city councils and local executive bodies (Боклаг & Павленко, 2017).

In these processes, a significant, if not the decisive role is played by the human component, especially educational policy, cultural policy, youth policy and sports development etc. (Круглашов & Сабадаш, 2020). At the same time, the national social and cultural policy has a huge consolidation potential, which is extremely important for a country like Ukraine, which is still in a dangerous state. After all, if it succeeds, the formation of a culture of civic participation of patriotic, loyal citizens who are aware of their rights and responsibilities at the same time is the most significant contribution to the formation of a new democratic culture of the Ukrainian society. However, we must state that at all three stages of decentralisation, i.e. local, subregional and regional, social and cultural policy is not a priority after the disasters and upheavals of 2014 and the trials of subsequent years (Мединська, 2019). Thus, the Ukrainian government and, to some extent, the society has not yet drawn the appropriate conclusions about the importance, significance and even priority of this policy. In comparison with the budget policy, the human aspects of the policy remain somewhat underestimated and marginal.

It is worth giving an example of the problems of adopting conceptual documents in the human sphere. Thus, in 2012, the President of Ukraine launched a discussion of the draft Concept of Humanitarian Development of Ukraine until 2020 (hereinafter - the Concept) (Степанко, 2014) and later issued a letter where he addressed the heads of national higher education institutions of the Ministry of Education and Science of Ukraine (then – the Ministry of Education and Science, Youth and Sports of Ukraine) to discuss the Concept (Степанко, 2014). The appearance of these documents was preceded by the preparatory work of specialists of the National Academy of Sciences of Ukraine, which developed a draft Concept in cooperation with members of the Public Humanitarian Council under the President of Ukraine (Меляков, 2013). However, despite the active work of the public, scientists and part of the political elite, the Concept was not brought to the required quality level with its subsequent adoption by the Verkhovna Rada (Меляков, 2013).

The adoption of a single conceptual document of the Concept or Strategy in the human sphere could become an important consolidating factor for Ukrainian society. It should be noted that certain draft conceptual documents have already been developed ("Concept of Development of the Humanitarian Sphere of Ukraine" and the above-mentioned "Concept of Humanitarian Development of Ukraine until 2020", etc.), which, subject to some refinement and updating of some provisions, may be useful to this day (Меляков, 2013).

At the same time, it is worth mentioning that ethno-national dimensions are of great importance within its framework because Ukraine is not a mono-ethnic state but has a multi-ethnic society. For example, most areas, especially border areas, are multicultural. This can be applied to such regions as Odesa, Kherson, Kharkiv regions, Donetsk and Luhansk regions. The same concerns the western regions of Ukraine, in particular the Zakarpattia and Chernivtsi regions. This is where the ethno-national component of a new human policy of the decentralisation processes and security aspects are closely intertwined (Rabinovych & Shelest, 2020).

In critical moments of the weakness of the Ukrainian state, in 2014-2016, strikes, including by Russia and through its agents of influence, overt and covert, through the opposition, through the Russian Orthodox Church were carried out and where and when this security aspect of the human

policy in general and ethno-national policy in particular in the regions has been neglected or underestimated (Palermo, 2020).

The local population in such areas was the most vulnerable to incitement, propaganda manipulation, the spread of fake news and other subversive influences. In particular, we should remember attempts to proclaim certain secessionist plans, for example, persistent attempts to play the Hungarian card in Zakarpattia (Transcarpathia), the Romanian card in Chernivtsi region, to disrupt anti-government actions in Kharkiv, Donetsk, Luhansk, Kherson, etc. For a long time, the illusion of "indistinguishability" of the Ukrainian and Russian identities through a common centuries-old way of life, ordinary life practices education, health care, career growth and beliefs, etc. was formed here (Сінайко, Тищенко, Каплан, Михайлова & Валевський, 2020).

Thus, in some cases, national minorities have become targets and tools for rocking the situation in Ukraine, the weak link through which the systematic attempts are made to undermine the system of its national security (Rabinovych & Shelest, 2020). Therefore, it is imperative that the new social and cultural policy in Ukraine properly takes into account not only democratic but also security aspects and its ethno-national dimensions in multicultural regions. Chernivtsi, Zakarpattia, Odesa and some other oblasts are good examples of assessing the importance of the latter. As for Chernivtsi region, we have a situation where every fifth inhabitant of the region belongs to minorities, first of all, the Romanian and Moldavian ethnic communities. Precisely because of this, as well as the compact residence of the Romanian and Moldovan populations in the context of Romania's struggle for the assertion of the Romanian identity and vague, inconsistent and contradictory policy of the Republic of Moldova on Moldovan identity, there are severe problems and challenges (Круглашов & Нечаєва-Юрійчук, 2019).

It is true that we can cite a positive experience of decentralisation, taking into account the multi-ethnic composition of the population of communities and their multilingualism as in the case of Chernivtsi region. In particular, on the territory of Mamalyha community of Novoselytsia district there is a point where three borders converge: Ukraine, Romania and Moldova. The total budget of the community is UAH 63 million, of which own revenues are UAH 17 million (Бевз, 2019). Of the 12,000 inhabitants of Mamalyha community, only 2,400 are Ukrainians, and the rest are Romanian-speaking Moldovans. Of the six village councils that are part of it, only one is Ukrainian, all the others are Moldavian, and their people mostly speak Romanian (Бевз, 2019). However, the community sessions are held exclusively in Ukrainian. Moldovans living in the community understand Ukrainian well. In general, the Ukrainian, Romanian and Russian languages intersect in the everyday communication of the locals so often that they themselves do not even notice how they switch from one language to another. Moreover, the deputy head of the community Antonchuk emphasised that "the community was formed not on the basis of ethnicity, but on the basis of economic principles: according to the long-term plan, most of the surrounding settlements were simply united with Mamalyha. And we are focused on the economic development. When certain foreign political forces want to organise provocations in the places of compact residence of the national minorities, they will not care what the administrative-territorial structure of the country is" (Бевз, 2019, 72p). Thus, the ethno-national factor does not prevent unification in the UTC.

One Ukrainian and two Romanian villages were united in Voloka rural UTC of Hlyboka district, Polish and Romanian villages were united in Krasnoilsk UTC (Бевз, 2019). The head of Voloka UTC emphasised that "the main resource of the community is its residents, who take an active part in the development of the community infrastructure, in public life. Even the emigration of one or two families is a great loss for the community, so the community leadership creates all possible conditions for a comfortable life of residents, for the development of local business" (Бевз, 2019). The issues of ethnicity or language are not a source of conflict in these communities. The multi-ethnic nature of communities has helped them to successfully establish cross-border cooperation and effectively implement international projects (Бевз, 2019). However, whether such success stories will benefit other multicultural territorial communities in Ukraine remains questionable. Despite all the problems that might be discovered in this region, one could agree that the pace and fruits of the

decentralisation process over there are more impressive than they are, to compare, in the Transcarpathia region. The ethnic composition as well as the bordering status of the region are very similar to a case of Chernivtsi region over there, but in Transcaprathia, there were a several years delay with the start of decentralisation, which led to the complication of the security situation in the region, exaggerated with still going-on pressure of the region and Ukraine in general from official Budapest. We do not consider decentralisation as a kind of panacea of all the problems Ukraine and its regions face. Still, a positive connotation with a depth and success of the decentralisation and security of the country and their territories seems to be quite provable.

Therefore, here at all three levels of decentralisation processes, three levels of local government, i.e., local, subregional and regional, it is necessary to develop a new proactive policy in the field of education, which should take into account the multicultural nature of the region, especially in the system of civic education. Equally important are these clear emphases in the field of new youth policy, which would provide for the transformation of our youth into an active stakeholder and an influential subject of local, subregional, regional and national policy in general.

As of January 1, 2020, about 10.6 million young people aged 14 to 34 lived in Ukraine (excluding the territories of Crimea and ORDLO temporarily occupied by Russia), which was slightly more than 25% of the Ukrainian society. Despite the huge creative potential possessed by this most active part of the Ukrainian society, the opportunities for its full disclosure in Ukraine remain limited. Among the positive trends in 2019 there should be noted the preservation of high patriotic attitude of young people, as well as a certain increase in youth interest in politics due to the partial renewal of the national political class (Сінайко та інші, 2020).

Inter-church relations require special attention. After all, more than two years ago, Ukraine received recognition for the autocephaly of its local Orthodox Church in Ukraine. On the one hand, this paved the way for the stabilisation of the situation in the Ukrainian Orthodox Church; on the other hand it created an additional line of conflict. Namely, between the hegemonic claims of Moscow and, accordingly, the Russian Orthodox Church, which actually controls the Ukrainian Orthodox Church of the Moscow Patriarchate in Ukraine, and supporters of the autocephaly of the Orthodox Church of Ukraine. Even though not massive, the confrontation between supporters of both churches has taken place in recent years at the local level and affects both the security and democratic dimensions of decentralisation processes quite significantly (Palermo, 2020).

In all these aspects, the important tasks are to identify threats at the regional level, to develop methods to fight them using resources available to local executive bodies and local governments, as part of building a national system of sustainability and security. Unfortunately, there is a negative experience when the outdated problems of certain regions and territories of Ukraine opened up the possibility of subversive influences, which led to the tragic consequences, in particular in the Crimea and Donbass. In this context, it is important to create an appropriate risk map of both national and regional significance and origin, as well as to make recommendations for an adequate response to existing threats in the framework of the national Regional Development Strategy and regional and local development strategies. For example, in Chernivtsi region, it is worth noting the advancing of the Development Strategy of Chernivtsi region for the period up to 2027. One of its strategic goals is "development of human capital as a basis for socio-economic growth", which includes operational goals: "Improving the quality of education and development of science", "Development of health care and social protection" and "Creating favorable conditions for the development of culture, youth policy and sports" (Рішення Чернівецької обласної державної адміністрації № 1-36 «Про Стратегію розвитку Чернівецької області на період до 2027 року», 2020). Also, in order to make these conditions set down, the Strategy provides for the preservation of cultural, historical and spiritual heritage; preservation and popularisation of regional folk traditions, customs, folklore; development of the Ukrainian culture (including the culture of ethnographic regions of the region: Bukovyna, Bessarabia, Hutsul region) and the culture of national minorities, etc. (Рішення Чернівецької обласної державної адміністрації № 1-36 «Про Стратегію розвитку…, 2020).

On September 14, 2020, a new version of the National Security Strategy of Ukraine (hereinafter – the Strategy) was finally adopted (Указ Президента України №392 «Про рішення Ради національної безпеки і оборони України від 14 вересня 2020 року «Про Стратегію національної безпеки України», 2020). This document was indeed awaited, as it was to present the government's vision of threats to national security and ways to minimise (or neutralise) those threats. The highest priority of the state is defined as peace as a guarantee of Ukraine's development. Among the priorities of the national interests of Ukraine and ensuring the national security of the Strategy are areas that relate to the human sphere, in particular:

• implementation of international legal, political-diplomatic, security, human and economic measures aimed at ending the illegal occupation of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation;

• resolutely oppose human aggression, develop Ukrainian culture as a basis for the consolidation of the Ukrainian nation and strengthen its identity (Указ Президента України №392 «Про рішення Ради національної безпеки…, 2020).

The Strategy itself at least partially compensates for some deficiencies of the Law on National Security of Ukraine (June 21 2018), which postulates that subjects of security and defense sector of Ukraine are citizens and NGO who voluntarily partake in the National security goals implementation. The list of those actors lacks Local self-governments and their bodies. Fortunately, the Strategy overcomes those shortages and brings the decentralisation process and its gains closer to National security agenda, thus making Local self-government engaged with some new competences and functions, crucial for country resilience and sustainability.

Important novelty is that the Strategy also involves the topic of digitalisation of Ukrainian society. Surely, Ukraine will provide administrative services through a secure "single window" using modern information technology and spread digital literacy. At the same time, digital transformation presupposes cyber resilience and cybersecurity of the national information structure. In particular, one of the key activities is the prevention of international terrorism, international crime and separatism in cyberspace fueled by abroad (Рада національної безпеки та оборони України, 2020). To implement the National Security Strategy, it is planned to develop the profile strategies in key areas of activity (Рада національної безпеки та оборони України, 2020). We hope that a strategy for the human sphere will be approved among them as well. Thus, we believe that strengthening local communities and regions due to the decentralisation process and implementation of the National Security Strategy is intertwined. The more decentralisation is advanced, the more self-sustainable and resilient will be communities of Ukraine and the country itself in general. The digitalisation of Ukraine, which is now progressing all over the country, does correspond with the implementation of both tasks intrinsically and beneficially. In order to reach the main goals of digitalisation, the government implemented posts of Deputy Heads of the Regional State Administrations as well as recommended to the City Councils establish positions of vice-mayors in charge of digitalisation.

Accordingly, the social and cultural policy is so closely interrelated with the security dimension and with the democratic challenges and opportunities for Ukraine's further development that the authors seek to draw attention to how prioritised it should be, although, unfortunately, it is still not the case.

Conclusions

Summing up, we can note that the processes of decentralisation in Ukraine are the result of the intertwining of a number of internal and external factors. They are generated not only by the conditions of the Revolution of Dignity and the next hybrid war waged against Ukraine by Russia, but they are also a response to the need to preserve the territorial integrity and independence of the Ukrainian state, to ensure its sovereignty and a worthy future. At the same time, they are caused by the need to form a new model of the public administration, democratic and European in nature, because Ukraine has chosen the path of integration into the European Union as its strategic goal. Accordingly, this path requires the adoption of a model of public administration that operates in the

countries of the European Union, on the principles that are recognised and applied by its member states.

Therefore, the decentralisation processes meet not only the need to form adequate responses to critical security threats to the Ukrainian statehood. They also meet the needs of further democratisation of the Ukrainian society, strengthening the Ukrainian statehood and its requirements for the implementation of the European integration perspective. At the same time, we can state that in the presence of a certain regulatory framework, formation of the institutional foundations for the decentralisation processes, and some success achieved, especially at the level of new united territorial communities, many problems remain unresolved. Especially at the rayon and oblast levels, decentralisation processes virtually remain incomplete, requiring greater certainty, both in terms of managerial efficiency and in terms of their democracy and compliance with national security imperatives.

The critical challenge is the need to adopt constitutional changes and finally implement a model of local self-government, which, based on new principles of regional policy, will reform the public administration system in Ukraine and will provide space for further development of the Ukrainian society, strengthening Ukrainian statehood and strengthening its self-sufficiency. At the same time, these changes will serve as a basis for a confident process of Ukraine's European integration, as well as its access to NATO as the Euro-Atlantic integration is also determined by the strategic goal of the Ukrainian statehood and fully meets its national security interests.

Thus, the dilemma between the need to ensure the national security of Ukraine and stimulate the further development of democratisation processes in Ukraine has been successfully resolved by adopting a model of decentralisation of power. However, there are still many unfulfilled steps on the way from the announcement of this right choice and even the implementation of a number of essential steps in order to create a system of a consolidated democracy. Ukraine is slowly and painfully advancing from attempts to abandon the previous model of a hybrid political regime (Palermo, 2020), which created constant fluctuations between authoritarian and democratic trends in Ukraine's political system, to create a new stable democratic system of public power and governance. Successful completion of these processes still remains a key challenge and an urgent task for society and national authorities.

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Decentralizacijos procesai Ukrainoje: demokratizacijos ir nacionalinio saugumo dilemos

Anotacija

Nuo 2014 m. Ukraina susiduria su precedento neturinčiais iššūkiais. Orumo revoliucija kreipia šalį arčiau ES ir NATO, bet besitęsianti ir besiplečianti Rusijos agresija kelia grėsmę pačiam Ukrainos valstybingumo egzistavimui. Viena iš pagrindinių krypčių, padedančių šaliai tapti atsparesnei grėsmėms ir iššūkiams, yra decentralizacija. Ja siekiama, kad Ukrainos vyriausybė ir viešoji administracija taptų demokratiškesnė, skaidresnė ir veiksmingesnė, atviresnė visuomenės interesams ir vietos bendruomenių poreikiams bei lūkesčiams. Straipsnyje siūlomi analitiniai požiūriai į decentralizacijos procesą, atsižvelgiant į demokratizacijos imperatyvą ir saugumo iššūkius, su kuriais susiduria Ukraina. Autoriai svarsto abi nacionalinės regioninės politikos ir savivaldos reformų dimensijas, siūlo subalansuotą jų privalumų ir trūkumų viziją, taip pat atkreipia dėmesį į pagrindines problemas, kurias turi spręsti vyriausybė. Decentralizacijos procesas Ukrainai labai svarbus, kad jos valstybingumas taptų stipresnis ir saugesnis, palyginti su grėsmėmis, su kuriomis šalis susiduria dabar.

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