The moment of the state’s institutional weakness, when all the top government officers fled from the country (February 2014) was used by the Russian Federation to annex the Crimean Peninsula (February–March 2014) and launch a war against Ukraine by direct military interventions as well as the military and financial support of two separatist quasi-states within the parts of the Donetsk and Luhansk regions, which were de facto occupied by the Russian Federation in 2014. In this way, the internal political and social conflict turned into an external one which took a massive death toll of 13 thousand Ukrainians, both from military forces and the civil population, more than 1.5 million dismissed persons as well as economic losses amounting to many billion USD.

This situation called for severe measures dedicated to the restoration of the state’s efficiency. It means that deep (not esthetic) PA reforms became very topical because the nation’s survival depended on them.

The need and basic directions of PA reforms in Ukraine were discussed in many studies published by Ukrainian researchers. The implementation of reforms within the Ukrainian public sector has also been critically assessed by the SIGMA Project (2018) as well as in a series of analytical papers published by a pool of national experts within the Reanimation Package of Reforms (http://rpr.org.ua) and other domestic think tanks. Many ideas formulated in these studies are incorporated into respective national legislation, by-laws and governmental action plans adopted since 2014.

Many post-socialist countries seek to implement PA reforms, but even those which joined the EU achieved not much success in a complex reform of the PA system and approaching European standards. E.g. Croatia succeeded only in two spheres, i.e. openness / transparency and regulatory policy; in the Czech Republic “the reforms that are needed are adopted formally without following up with substantive changes in public management”; in Lithuania the reform agendas have changed depending on politically dominating parties that hampered the overall progress; after 25 years of PA reforming, Slovakia still lags behind the EU average level for most governance quality indicators due to path-dependency and excessive politization that made impossible administrative-territorial reform, etc. This short citation list demonstrates that PA reforming is not an easy thing. So it would not be a surprise if Ukraine as a country engaged in internal and external conflicts demonstrated mixed results on the way to its more efficient PA.

The goal of this study is reviewing the most important PA reforms occurring in Ukraine with regard to approaching the European standards as set in a document issued by SIGMA (2016).

The research questions covering the goal stated above embrace:

(a) what main directions of PA reforming are perceived by the Ukrainian government;

(b) what are the main directions in reviewing the national governmental bodies’ functions;

(c) what are the obstacles and risks for PA reforming at the national level.

To address these questions, we firstly analyze the scope of PA reform in Ukraine, presenting the main directions of state-reform activities; secondly, we present the main changes occurring at the national PA level, directing our attention mostly to how the functions of the central executive bodies have been transformed since 2014; thirdly, we define some issues in Ukrainian PA that endanger the reform success. The article ends with some conclusions and policy recommendations concerning PA reform.

The study is carried out based on Ukrainian legal acts approved in the course of reform launching (laws and respective bylaws) as well as guidelines and empirical studies published by Ukrainian and international PA experts.

*[Retrieved from: Khadzhyradieva, Svitlana; Slukhai, Sergii; Rachynskyi, Anatolii. Public Administration in Ukraine: Adjusting to European Standards. The NISPAcee Journal of Public Administration and Policy, Vol. XIII, No. 1, Summer 2020. Pp. 81-108].*

**CONSTITUTION**

The Verkhovna Rada (Ukrainian parliament) adopted the Constitution of Ukraine in force June 28, 1996

According to this country’s Basic Law, Ukraine is a **sovereign**, independent, democratic, and social state with a rule of law. Although such features as ‘sovereign’ and ‘independent’ are, in fact, closely similar, in this case the European constitutional tradition and principal thesis of fighters for Ukrainian statehood are concurrent. By the ‘democratic’ feature the principle of the government by the people is emphasized being defined concretely by Article 5 stating that “the people are the **bearers of sovereignty** and the only source of power in Ukraine” exercising it “directly and through bodies of state power and bodies of local self-government.’ By the attribute ‘social the responsibility of the State to provide for the social protection of the population is stipulated, while the ‘rule of law’ implies that in Ukraine legality is to reign as the general measure of freedom, equality and  justice.

Principle is the definition of the form of government by Article 6: “State power in Ukraine is exercised on the principles of its division into **legislative, executive and judicial power**.” The Constitution defines by Article 75 the Verkhovna Rada as the sole organ of legislative power in Ukraine, with the highest executive body being the Cabinet of Ministers of Ukraine (Article 113). The Constitutional Court of Ukraine and courts of general jurisdiction exercise judicial proceedings in Ukraine (Articles 124 and 125). Article 102 defines the  status of the President of Ukraine: “The President of Ukraine is the Head of State and acts in its name.”

The Constitution of Ukraine currently in force was assessed on the whole positively by the most authoritative in the sphere of constitutional legislation “Democracy through the Law” Commission of the Council of Europe”, more known as “the Venetian Commission”.

**INSTITUTE OF PRESIDENCY IN UKRAINE**

In Ukraine, the institute of presidency at the head of state is comparatively new phenomenon in political life and state building of Ukraine.

The birth of a democratic society in the country began as far back as during the Cossacks; however, the **tremendous development** of democracy and, at the same time, formation of the institute of presidency occurred at the background of the struggle for liberation during the second decade of the 20th century. Four Universals (decrees) were issued during the Central Rada that had to lay the basis the democratization of the Ukrainian society. On April 29, 1918, the Central Rada elected Mykhailo Hrushevsky the President of the Ukrainian People’s Republic and by its latest decree of January 22, 1919, declaring complete political independence of Ukraine from Russia.

Within the USSR, the functions of the head of state in the Ukrainian SSR until 1991 was performed by the Verkhovna Rada, seem as the supreme organ of the state power, its Presidium as continuing body of the Government, and its Chairman.

Making the institution of presidency of Ukraine was the key element in the reformation of state power connected with the proclamation of Ukrainian independence and change of its constitutional system. On July 5, 1991, the following laws of Ukraine were adopted: “On Founding the Post of President of the Ukrainian SSR and Introduction of Changes and Addenda to the Constitution (Fundamental Law) of the Ukrainian SSR”, “On President of the Ukrainian SSR”, and “On Elections of President of the Ukrainian SSR”.

The Institute of Presidency in its present form did not form at once. At first, the President **in accord to** his status and title was the highest official in the country, becoming next the Head of State and Executive Power, to act as the Head of State at present in accord with the Constitution in force.

*[Retrieved from: http://www.ukrexport.gov.ua/eng/state\_system/].*

**Vocabulary**

|  |  |
| --- | --- |
| to observe | спостерігати |
| regulatory framework | нормативна база |
| compliance | відповідність |
| hampered by | заважати |
| public policy | державна політика |
| administration’s efficiency | ефективність адміністрації |
| respective legislation | відповідне законодавство |
| world-wide trends | світові тенденції |
| snap parliamentary elections | позачергові парламентські вибори |
| “aesthetic” nature | “естетичний” характер |
| drastic changes | кардинальні зміни |
| unleashing market forces | розв’язані ринкові сили |
| Revolution of Dignity | Революція Гідності |
| preconditioned | попередньо обумовлений |
| prerequisites | передумови |
| sovereign | суверенний |
| bearers of sovereignty | носії суверенітету |
| tremendous development | величезний розвиток |
| legislative, executive and judicial power | законодавча, виконавча та судова влада |
| in accord to | відповідно до |