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**EUROPEAN INTEGRATION PROCESS IN UKRAINE: PERSPECTIVES AND CHALLENGES FOR PUBLIC ADMINISTRATION**

From the Ukrainian point of view, the European integration process has two dimensions. One is mainly political in character and represents the return to democratic principles, a rule of law, human rights protection, good governance etc. The most important Ukrainian’s step in this direction was joining the Council of Europe in 1999, active participation in its work, and ratification of many European conventions, e.g. the European Convention for the Human Rights and Fundamental Freedoms of 1950, the European Charter of Local Self–Government of 1985, and many others.

Another dimension of the European integration is related to preparations of Ukraine to the European Union accession. Ukraine's desire to join the European institutions dates back to 1994 when the government declared that integration to the EU is the main foreign policy objective. As a result, political part of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, on the one part, and Ukraine, on the other part (hereinafter – Association Agreement) was signed on 21 March 2014 by the Prime Minister and economic part was signed on 27 June 2014 by the President of Ukraine.[[1]](#footnote-1) Mr Petro Poroshenko described this as Ukraine's «first but most decisive step» towards EU membership.[[2]](#footnote-2)

One of the most important conditions of Ukraine’s membership in the European Union is the adjustment of the law. Ukraine has to adopt *acquis communautaire* (hereinafter – *EU acquis*). That does not only require the translation of many legal acts and their implementation, but also securing its observance. It is emphasized both in accession negotiations and in the subject’s literature that the last issue may pose the biggest problem, since it must be connected with the change of public administration and other state authorities’ bodies functioning.

The connection between the public administration reform and European integration has been frequently stressed in the context of the enlargement of the European Union in 2004[[3]](#footnote-3). Although this link is rather indirect, given that there is no *EU acquis* in the area of public administration, its significance has been often emphasised, as the «*soft acqui»* in the area of administrative capacities has developed[[4]](#footnote-4).

Thus, the European integration process concerns Ukraine more and more directly. It gives many new challenges to Ukrainian public administration. On one hand, they are new opportunities to broaden a scope of its activities without limitations resulting from the functioning in one state; on the other hand, it means the necessity of adjusting to European standards of administration. At this time, a thorough assessment of the state of play in the Ukrainian public administration system has not been carried out according to the Principles of Public Administration (SIGMA).[[5]](#footnote-5)

The European standards of good administration have been articulated in a SIGMA document «Principles of Public Administration» that contains an assessment framework for public administrations. This structure of the Strategy follows the Principles of Public Administration developed by SIGMA in close cooperation with the European Commission. They define what good governance entails in practice, and outline the main requirements for a well-functioning administration. The Principles are derived from international standards and requirements, as well as good practices in the EU Member States and/or countries of the Organization for Economic Cooperation and Development (OECD). They are recognized as a set of standards and an assessment framework for the reforms of public administration in a number of countries. The Principles of Public Administration defines the following reform areas:

public policy development and coordination (strategic planning of government policies, quality of regulation and public policies in general, including requirements for evidence–based policy making and public participation);

modernization of public service and human resources management;

ensuring accountability of public administration (transparency of work, free access to public information, transparent organization of public administration with clear lines of accountability, possibility of judicial review);

service delivery (delivery standards and safeguards of administrative procedures, quality of administrative services, e–government);

public financial management (administration of taxes, preparation of state budget, execution of state budget, public procurement system, internal audit, accounting and reporting, and external audit)[[6]](#footnote-6).

Public administration reform (hereinafter – PAR) is one of the key reforms in a transition country pursuing comprehensive reforms in various policy areas. So, it is one of the main processes in the transition from a communist regime to a functioning free–market democracy, it is the reform of the entire government system. In Europe, these reforms have usually been evolving simultaneously with the international and European integration of former communist states[[7]](#footnote-7). The reform of public administration aims at the establishment of an efficient system of public administration able to provide high quality public services. To achieve the aim of the reform it is important to implement the ideology of «serving the society» as the operating principle of the public administration.

Positive changes in Ukrainian administrative legislation have appeared with Strategy of Public Administration Reform in Ukraine for 2016–2020 (hereinafter – Strategy) approved by Order of the Cabinet of Ministers of Ukraine of 24 June 2016 Nr.474–p)[[8]](#footnote-8).

The Strategy is a uniform umbrella strategic document of the Government of Ukraine which includes development guidelines for the next five years. The purpose of this Strategy was to improve the system of public administration and thus improve the country's competitiveness. Bearing in mind the European choice and perspective of Ukraine, this Strategy tried to follow, as regards the transformation of public administration, the European standards of good administration.

According to the Association Agreement, the Strategy is based on common values, namely respect for democratic principles, the rule of law, and good governance. Article 3 stipulates ***good governance*** as one of the principles central to enhance the relationship between the parties[[9]](#footnote-9).

***Conclusions****.* An efficient public administration is one of the main factors of competitiveness of a country. Effective activity of the official authorities of Ukraine on public policy development in various areas is possible with a professional, accountable, efficient and effective system of government agencies and civil servants.

Reducing administrative burden of government regulation; improving quality of delivery of administrative services; ensuring legality and predictability of administrative actions; forming a stable and efficient organization and functioning of executive authorities; organizing a professional, politically neutral and open public civil service (the service in executive and local self–governance bodies); decentralizing powers and financial resources; establishing the system of capable local self–governance; strengthening the status of citizens in their relations with the public administration; adopting Administrative Procedure Codex of Ukraine and other the laws and by–laws within European Administrative Space; implementing effectiveness evaluation of public policies, activities of certain public agencies in order to ensure European principles of good governance (openness, transparency, accountability, efficiency, effectiveness); ensuring executive power operation in Ukraine in line with EU principles of good governance (participation, openness, accountability, effectiveness, coherence) improve a Ukrainian's position in global competitiveness rankings. Effective public administration is also one of the main prerequisites of democratic governance based on the principles of the rule of law. Reform of the public administration is the fulfilment of a social order for efficient, responsible and open executive power and territorial self–governance institutions, which means proper governance.

In the light of our analysis to this point, it appears that the Ukrainian Law and Ukrainian`s public administration system has not been carried out fully by the Principles of Public Administration (SIGMA). But adopting the Strategy of Public Administration Reform in Ukraine for 2016–2020 and other Laws and by–Laws is first and very important step to widen domestic legal doctrine of administrative law and current legislation of Ukraine with experience of European standards of public administration, providing modern tools for implementation of «good governance» and «good administration» practices.

1. *The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, on the one part, and Ukraine, on the other part*, Official Journal L 161, 29.5.2014, p. 3–2137. [↑](#footnote-ref-1)
2. *Ukraine ratifies EU association agreement*, Deutsche Welle, published 16.09.2014. [↑](#footnote-ref-2)
3. Verheijen T., *The Management of EU Affairs in Candidate Member States: Inventory of the Current State of Affairs,* (in:) «Preparing Public Administration for the European Administrative Space», OECD/SIGMA 1998, Vol.23, p. 29. [↑](#footnote-ref-3)
4. Hesse J. J., *Rebuilding the State: Administrative Reform in Central and Eastern Europ*e, OECD/SIGMA 1998, Vol.23, p. 179; Nunberg B., *Ready for Europe. Public Administration Reform and European Union Accession in Central and Easter Europe,* World Bank Technical Paper May 2000, Vol. 466, pp. 21, 208, 211, 215, 257. [↑](#footnote-ref-4)
5. *European Principles for Public Administration*, OECD/SIGMA 1999, Vol. 27. [↑](#footnote-ref-5)
6. *European Principles for Public Administration*, OECD/SIGMA 1999, Vol. 27; *Strategia reformuvannia derzhavnogo upravlinnia Ukrai`ny na 2016-2020 rik,* rozporjadzhennja Kabinetu Ministriv Ukrai'ny vid 24.06.2016, №474-р. [↑](#footnote-ref-6)
7. Mihajlovic M. *Public administration reform and European integration process: on the same or parallel tracks? (Case study of the Republic of Serbia).* Paper presented at 14th NISPAcee Anual Conference, Slovenia 11-13 May 2006, p. 2. [↑](#footnote-ref-7)
8. *Strategia reformuvannia derzhavnogo upravlinnia Ukrai`ny na 2016-2020 r.,* rozporjadzhennja Kabinetu Ministriv Ukrai'ny vid 24.06.2016, №474-р. [↑](#footnote-ref-8)
9. *The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, on the one part, and Ukraine, on the other part,* Official Journal L 161, 29.5.2014, p. 3–2137. [↑](#footnote-ref-9)