

Brussels, 30 September 2015

## **WORK PROGRAMME OF THE COR'S TASK FORCE ON UKRAINE FOR 2015 - 2017**

On 12 February 2015, the Committee of the Regions set up a Task Force to work with Ukrainian partners with a view to exchanging best practices about political, administrative and financial decentralisation, as well as to consider other relevant topics, such as territorial cooperation, regional policy, fiscal decentralisation, and capacity building.

The Task Force is composed of the President of the Committee of the Regions, the first Vice-president of the CoR, and one member nominated by each political group, and is chaired by the President of the CoR.

The establishment of the Task Force resulted from the fact finding mission in Kiev on 3 July 2014 of a CoR delegation led by the President of the Committee of the Regions and from a request from the Ukrainian partners seeking to intensify relations with Ukraine on a bilateral basis and to provide support to the reformation process by sharing experience and good practice as regards the decentralisation, division of powers and devolution.

The Committee of the Regions firmly supports the reform process in Ukraine and is ready to provide both political and technical support so that Ukrainian partners can achieve good governance at all levels.

The Committee of the Regions also has a specific role to play in the implementation of the reform process as far as decentralisation is concerned. It can contribute to stimulating the necessary debate, at the local level, with civil society organizations, government counterparts and all stakeholders. Such a debate is needed to accompany the reforms in order to make them visible to the citizens.

The key objectives of the CoR-Ukraine Task Force are to:

- contribute to the efforts of Ukraine to establish an appropriate division of powers.
- provide expertise and support to Ukrainian local and regional authorities in matters related to the regional and local dimension of the implementation of the EU-Ukraine Association Agreement, such as methods of formulation and implementation of regional policies,

including multi-level governance and partnership, administrative reform, provision of services of general economic interest, supporting and strengthening the involvement of local and regional authorities in cross-border and inter-regional cooperation and their related management structures, and the development of cross-border and regional elements.

- contribute to deliver expertise on local and regional issues in the inter-institutional context.

Through this Task Force, the CoR intends to foster regular dialogue with local and regional political representatives in Ukraine. It will encourage and support the organisation of debates on the decentralisation process in the cities and regions of the EU and Ukraine related to key thematic priorities, as well as to horizontal issues closely related to the proper functioning of local and regional authorities and having a direct effect on socio-economic development, especially at subnational level.

The present draft work programme has been drawn up in accordance with the mandate of the Task Force and aims to outline its future political priorities. It is based on four years of accumulated experience of CORLEAP<sup>1</sup>, as well as on the experience of the CoR's working groups with enlargement countries.

As the Task Force was set up by the CoR Bureau, the Bureau remains the ultimate addressee inside the Committee of the Regions of the main political messages and fundamental policy debates of the Task Force. At the same time, the CIVEX Commission - given its competence and responsibility in developing external relations policy within the CoR - will be an important interlocutor of the Task Force. The Task Force will provide regular information on its activities, participate in discussions on policy and horizontal questions and in thematic events (conferences, seminars, workshops, debates etc.), and provide concrete support in the preparation of CIVEX opinions on relevant topics.

At the CIVEX meeting on 24 February 2015, a round table took place on "Support to Ukraine's decentralisation process and the needs of the Ukrainian local and regional authorities". The main aspects of the future work priorities of the CoR's Task Force were debated by the members of the Task Force and Ukrainian partners - representatives of UA parliament, civil society, government and regional authorities.

## **KEY PRIORITIES**

The key objectives of the Task Force are to support and provide effective political input to the reform process in Ukraine and to contribute to the CoR's overall consultative work and policy preparation.

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<sup>1</sup> <http://cor.europa.eu/fr/activities/corleap/Pages/corleap.aspx>

## A. Support to the decentralisation process

- The members of the Task Force will foster regular dialogue with Ukrainian political representatives and observe the reform process in Ukraine, and in particular the specific reforms related to decentralisation. In this regard, and in line with the EU-Ukraine Association Agenda,<sup>2</sup> the activities of the Task Force should include the organisation of debates on the impact of the decentralisation reforms on the sub-national level in Ukraine and it should invite European Commission and European Parliament representatives and the relevant CoR rapporteurs to discuss this topic.
- To be successful, the decentralisation should be accompanied by adequate fiscal decentralisation and administrative reform. Local authorities should be enabled, within national economic policy, to obtain adequate financial resources of their own, of which they may dispose freely within the framework of their powers. Local authorities' financial resources should be commensurate with the responsibilities provided by the constitution and the law<sup>3</sup>. Exchange of experience and good practice on these matters will contribute to helping the Ukrainian partners to identify the most appropriate approach towards the formation of an effective and efficient fiscal decentralisation, development of territorial units and strengthening of the local self-governance.

## B. Topics related to the reform process

- **Administrative capacity building and exchange of best practice** - one of the most critical challenges facing decentralisation reforms in Ukraine is the lack of human capital and lack of capacity to effectively perform the duties of governance at the local level. There is an urgent need to effectively formulate local policies and budgets as well as to take part in long-term strategic planning. The CoR Task Force will support the necessary administrative capacity building by facilitating exchanges of best practice and sharing of experience. These exchanges could be supported by other stakeholders (experts, businesses, academics).
- **Regional policy** - the provisions of the Agreement envisage a mutual understanding between the EU and Ukraine and bilateral cooperation in the field of regional policy, on methods of formulation and implementation of regional policies, including multi-level governance and partnership, supporting and strengthening the involvement of local and regional-level authorities in cross-border and regional cooperation and the related management structures, and development of cross-border and regional elements of, inter alia, transport, energy, communication networks, culture, education, tourism, and health.

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<sup>2</sup> <http://www.consilium.europa.eu/en/press/press-releases/2015/03/16-joint-press-release-following-the-endorsement-updated-association-agenda-EU-Ukraine-association-council/>

<sup>3</sup> European Charter of Local Self Government art. 9 <http://conventions.coe.int/Treaty/en/Treaties/Html/122.htm>  
Ukraine signed the Charter on 6/11/1996. On 11/9/1997 it was ratified and on 1/1/1998 entered into force.

- **Territorial cooperation** – Ukraine has a common border with four EU member states. Despite numerous financial assistance schemes offered by the EU, there is still a lack of awareness and capacity on the part of local and regional authorities in Ukraine to fully take up these programmes and actions. Making better use of the territorial cooperation facilities with the EU neighbouring regions would be an efficient tool in supporting the reform process in Ukraine. The role of the EC/CoR in strengthening the Black Sea synergy and developing macro-regional strategies in the Black Sea area and the Carpathians should be further supported.
- **Human rights** – guarantees for their exercise and respect at local and regional level, with a special focus on minority rights, vulnerable groups, and children.
- **Transparency, accountability and fight against corruption** - successful decentralisation needs to be accompanied by serious anti-corruption efforts including an increased implementation of e-governance transparency and a strong civil society that is capable of using the information afforded by government transparency. A decrease in corruption would be a sign of better governance for the citizens.
- **Involvement of civil society** - for successful implementation the decentralisation reforms will need local civil society actors to directly oversee local governance and to provide analytical services to local councils. The dialogue with these assemblies should actively be promoted on behalf of the CoR.
- **Raising awareness** - creating a specific campaign about decentralisation and relevant measures in the context of overall reforms is important in order to develop community support for changes by providing information and changing attitudes about the reform process and decentralisation in particular. It should focus on tangible issues that are most relevant to the lives of community members.

### **C. Contribution to the CoR consultative work - Synergy with CORLEAP and CIVEX**

The work of the Task Force will, together with the work of CIVEX and CORLEAP, ensure a coherent and efficient support to the policy debate, and ensure that the CoR builds firmly upon the existing inter-institutional network and support, both inside and outside the CoR.

### **PRINCIPLES**

The activities of the Task Force shall be based on the principles of subsidiarity and multi-level governance, the division of competences between national government and local and regional self-government, and respect for linguistic and cultural diversity.

## **COMMON POLICIES**

The Task Force shall provide an opportunity to debate on European Neighbourhood Policy, Regional policy and EU policies with a strong territorial impact. The challenges faced by the local authorities while Ukraine implements the Association Agreement and DCFTA with impact at local level shall also be part of the focus of the Task Force.

Task Force activities should provide a clear picture of how important the decentralisation process is for the implementation of reforms in Ukraine and for interregional and cross-border cooperation.

To this end, the Task Force will form a platform for discussion to define a pragmatic approach with regard to capacity building programmes and exchanges of experience on cooperation actions and to adopt political statements.

## **INTER INSTITUTIONAL ANCHORING**

The activities of the Task Force shall feed into the activities of the Support Group for Ukraine (Balas group)<sup>4</sup>, which coordinates the activities of the European Commission in support of Ukraine. It shall also link up with the EP Delegation to the EU-Ukraine PCC<sup>5</sup>.

## **INDICATIVE THEMATIC CALENDAR FOR THE FIRST WORKING GROUP MEETINGS**

The Task Force shall hold two meetings each year, with one of those meetings taking place in Ukraine. In exceptional and duly motivated circumstances, the CoR Bureau can authorise the organisation of an additional meeting, subject to budget availability and political opportunity.

### **1. 30 September 2015**

(In parallel with the Conference on Territorial Cleavages in Constitutional Transitions organised by the Institute for Democracy and Electoral Assistance, IDEA, and hosted by the CoR)

Date: 30 September

Venue: Brussels

Suggested topics:

- Sub-national governance in the New Ukrainian Constitution
- Recent developments: the decentralisation process in Ukraine and the involvement of sub-national authorities

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<sup>4</sup> The work plan of the Balas group foresees the definition and coordination with the Ukrainian authorities and if necessary the technical assistance to 1) stabilise the political, economic and financially precarious situation, 2) plan and help managing the necessary reforms to stimulate growth and 3) establish the reforms which are to be taken in order to immediately benefit from the association agreement's provisions.

<sup>5</sup> [http://europa.eu/rapid/press-release\\_IP-14-413\\_fr.htm?locale=EN](http://europa.eu/rapid/press-release_IP-14-413_fr.htm?locale=EN)  
<http://www.europarl.europa.eu/delegations/fr/d-ua/publications.html>

## **2. January 2016**

Date: (tbc)

Venue: Ukraine, Odessa

Suggested topics:

- Good governance, transparency and accountability and fight against corruption at local and regional level: public procurement
- Fiscal decentralisation: challenges and further steps

## **3. Second part of 2016**

Date: (tbc)

Venue: Brussels

Suggested topics:

- The state of play of fiscal decentralisation and the involvement of sub-national authorities

## **5. First part of 2017**

Date: (tbc)

Venue: Ukraine

Suggested topics:

- Debate on the annual assessment report drafted by the European Commission
- administrative capacity of sub-national authorities and strengthening the capacity of local authorities to carry out tasks entrusted to them

### **OTHER POSSIBLE TOPICS TO BE ADDRESSED DURING THE MEETINGS**

- The involvement of the local and regional authorities in cross-border cooperation projects
- The development of the administrative capacity of sub-national authorities and the devolution of powers to sub-national level as an important factor for strengthening the capacity of local authorities to carry out tasks entrusted to them
- Fight against corruption – EU approach, local and regional experience
- Development of the administrative capacity of sub-national authorities
- The state of play of fiscal decentralisation and the involvement of sub-national authorities and European models of fiscal decentralisation
- Assuring the financial sustainability of local and regional authorities

All meetings of the Task Force shall deal with recent developments regarding reform in Ukraine and the political and institutional environment (i.e. debate on the annual assessment report drafted by the European Commission).

## **POSSIBLE ACCOMPANYING ACTIONS SUBJECT TO COOPERATION AND SUFFICIENT FUNDING AVAILABILITY**

- The possibility of on-line training courses for Ukrainian local and regional development structures;
- LAF (Local Administrative Facility): advocating of an enlargement of the provision of EU support could start out as a pilot project in Ukraine that could eventually be considered for extension to other Eastern partner countries;
- Assist and support the establishment of advanced cooperation with the Institute of Public Administration in Maastricht; by assisting Ukrainians to attend training, or to work with the IPA to develop a bespoke programme;
- Intensified internship: promoting through CoR members a possibility of internships (short period) for civil servants of Ukrainian LRAs in the EU municipalities.
- To establish an appropriate reporting mechanism at local and regional level to monitor the reform process and the results achieved (i.e. Peer review);
- To identify other EU regions or cities that dealt with or have been dealing with challenges similar to those of the Ukrainian counterparts (i.e. waste management, environment, innovations etc.) and to explore the possibility of a twinning mechanism or experience-sharing between them.

## **PARTICIPANTS**

The mandate calls for the participation of a wide spectrum of stakeholders including representatives of the EU Member States national, local and regional governments, members of think-tanks, academics and territorial administrators.

### **A. Possible guests to be invited from Ukrainian side**

When considering the possible invitation of Ukrainian partners, a political and geographical balance should be taken into account:

1. Political representatives – politicians at central, regional and local levels must be approached:
  - a) Parliament (Verchovna Rada) – chairs of the relevant committees, members of EURONEST, representatives of minorities, representatives of different regions (geographical balance) etc.
  - b) Government – relevant ministers or their deputies
  - c) Mayors and elected representative at regional and local level
  - d) Ukrainian Members of the Congress of local and regional authorities
2. High Administrative Level - Representative of senior administrative staff at central and regional level
3. Representatives of national associations of LRAs.

## **B. Possible speakers**

Proper expertise and experience should be a prerequisite in order to examine the issues that are of immediate importance for the overall reform process.

To that end, the invitation of the following categories of speakers could be considered:

1. European Parliament:
  - a) Chair/members of the EU-Ukraine Parliamentary Cooperation Committee
  - b) Chair/members of EURONEST
  - c) Rapporteurs on topics related to Ukraine
  
2. European Commission:
  - a) The Commissioner for European Neighbourhood Policy and Enlargement negotiations
  - b) The Commissioner for Regional Policy
  - c) The High representative of the European Union for Foreign Affairs and Security Policy
  - d) Directors General and other senior officials
  - e) Chair or members of the Support Group for Ukraine (Balas group)
  
3. EEAS:
  - a) Head of the Eastern Partnership, Regional Cooperation and OSCE Division
  - b) Head of the Eastern Partnership – bilateral
  
4. Council of Europe:
  - a) Congress of local and regional authorities
  - b) Venice Commission
  
5. Representatives of Ukrainian NGOs engaged in matters related to LRAs.
  
6. Academics and experts dealing with matters related to local and regional organisation and development such as OECD