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THE GENESIS OF THE INSTITUTIONALIZATION OF SELF-GOVERNMENT AT THE REGIONAL LEVEL IN UKRAINE

The article is devoted to a comprehensive study of the theoretical, historical, and legal foundations for determining the essence of self-government at the regional level in Ukraine. The relevance of the topic is driven by the need to reconsider the role of regional councils in the system of public administration under the conditions of post-war recovery and European integration. The study provides a retrospective analysis of the genesis of the regulatory and legal framework for self-government at the regional (oblast) level, beginning with the proclamation of Ukraine's independence. The key stages in the transformation of the legal status of self-government bodies at the meso-level are identified, from the Soviet model of centralisation to the modern decentralised system. The authors argue that the nature of self-government at the regional level in Ukraine is dualistic, combining features of territorial representation of community interests and elements of «public-service» activity. The article critically analyses scholarly approaches to distinguishing between the concepts of regional self-government and self-government at the regional level and

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substantiates the expediency of further strengthening the latter as a specific form of implementing the collective will of regional communities, particularly in the context of the concept of multilevel governance. The article clarifies the conceptual and categorical framework and substantiates the necessity of building a model of self-government at the regional level based on the principles of subsidiarity, Open Governance, and institutional capacity. It is concluded that the harmonisation of national legislation with the requirements of the regional policy of the European Union is a strategic imperative.

Keywords: self-government at the regional level, regional council, public administration, decentralisation, subsidiarity, institutional capacity, European integration, multilevel governance.

Problem statement in general form

Fundamental transformations of the socio-economic and ideological foundations observed in Ukraine over the last decade have determined the imperative need for the implementation of comprehensive systemic reforms in the key spheres of social life. In the context of Ukraine's integration into the European Union and the establishment of the principles of civil society, which are taking place against the background of an existential war with Muscovy, the development of our sovereign statehood appears to be a natural evolutionary process. Under these conditions, state-building emerges as a large-scale strategic vector, the implementation of which will be successful provided that all features of a democratic society, including local self-government, are taken into account.

Despite the significant achievements of the decentralisation reform, a number of conceptual contradictions regarding the determination of the essential characteristics of self-government at the regional level within the system of public authority remain unresolved. This is further complicated by the long historical transformation of the territorial organisation of power and local self-government, which often took place under the influence of exogenous factors. Current trends indicate the strengthening of the role of regions as independent subjects of economic and social development, which requires a clear scientific definition of their self-governing nature. At the same time, due to martial law, a certain dissonance can be observed between the legislative consolidation of the powers of local self-government bodies at the regional level and their actual capacity to implement sustainable development strategies. The processes of Ukraine's European integration dictate the necessity of implementing the principles of the European Charter of Local Self-Government, which interacts with the national historical tradition of centralism.

Particular importance is attached to the issue of the division of competences between local executive authorities and local self-government bodies at the regional level under martial law and in the context of future post-war reconstruction. At the present stage, self-government at the regional level should



be considered not only as a level of governance, but also as a space for the implementation of the collective interests of territorial communities. The problem of defining the essence of self-government at the oblast level directly correlates with the issue of financial autonomy and resource provision of regions. There is an urgent need for a theoretical substantiation of the balance between the decentralisation of powers and the preservation of the governability of the state system during critical periods. Thus, a comprehensive study of the theoretical, historical and legal aspects of the essence of self-government at the regional level appears to be an objective necessity for ensuring the stability and legitimacy of the modern architecture of public administration in Ukraine.

Analysis of recent research and publications

Since Ukraine gained independence, the issues related to the activities of local self-government bodies at the regional level have been the subject of scientific research by V. Averianov, V. Bashtannyk, I. Hrytsiak, I. Dehtiarova, I. Zaiets, B. Kalynovskyi, A. Kovalenko, V. Mamonova, O. Nikolaieva, V. Skrypnychuk, T. Smyrnova, Yu. Sharov, and others.

Research on self-government at the regional level in modern Ukrainian scholarship is characterised by a transition from descriptive models to the analysis of the functional capacity of territorial institutions. In the works published during 2021–2025, the following vectors of scientific discussions can be distinguished:

— *institutional and legal vector*. Scholars focus on the issue of redistribution of powers between the central government and local self-government bodies, including in the context of martial law and Ukraine's European integration [1–3];

— *the «antifragility» (resilience) vector*. Given the challenges caused by the security situation, a significant number of modern studies are devoted to the transformation of self-government under martial law. Researchers emphasize that regional self-government has ceased to be a purely administrative unit and has transformed into a key subject in the provision of social services and security support [4];

— *the vector of strategic development and post-war reconstruction*. Recent studies indicate the growing role of regions in the processes of planning territorial recovery. Scholars emphasise that the essence of self-government at the regional level is transforming toward «project management,» where the key indicator of effectiveness is the ability to attract investment and ensure inter-municipal cooperation [5, 6].

However, the analysis of existing studies demonstrates the insufficiency of modern comprehensive research in the field of self-government at the regional level.



The purpose of the article

The purpose of the article is to determine the nature and essence of self-government at the regional level in Ukraine through the analysis of its formation and the theoretical substantiation of its role as an autonomous institution within the system of democratic governance.

Presentation of the main research material

The adoption by Ukrainian society of the principles of democracy has led to the introduction into the practice of state-building, particularly at the places of direct residence of citizens, of such forms of governance that would adequately correspond to economic and political realities. The success of both the reforms implemented to date and those planned in Ukraine largely depends on the nature of local governance and on the extent to which local self-government bodies reflect the diverse aspects of local life.

The nature of local self-government is complex. It is aimed at implementing both its own functions and the functions delegated by the state, ensuring their fulfilment through the transfer of appropriate resources.

Under modern conditions, the resilience of local and regional levels of governance acquires particular importance, as they become key elements of national sustainability in the face of extreme security challenges. The natural aspiration of citizens living in a particular village, settlement, city, district, or region to organise their own everyday life, preserve and develop their historical and national traditions, and independently resolve the daily problems of local life should not only be taken into account during reforms, but should also become their integral guiding component. In the context of Ukraine's European integration progress, the development of the national municipal model should be based not only on historical retrospect, but also on the implementation of Open Governance standards and adaptation to the requirements of EU regional policy. Consideration of the historical peculiarities of local and regional development, as well as the general level of awareness among Ukrainian citizens regarding the necessity of fundamental reform of local government, should form the basis of a comprehensive set of measures aimed at developing and establishing a unified Ukrainian model of local self-government.

According to Yu. Paneiko, local self-government as a form of resolving issues of local life by the population has its own peculiarities and varieties in every country and locality and acquires, in accordance with the structure of each state, a distinct and specific legal form [7]. The same can be said about self-government in Ukraine. As evidenced by centuries of historical experience, humanity has not yet invented a better mechanism than local self-government for the harmonious combination of economic and socio-political relations directly at the place of citizens' residence. It is local self-government that represents the logical expression of the democratization process and constitutes the form of territorial governance that most fully corresponds to the conditions of civil society and the rule-of-law state.



V. Averianov considers local self-government to be a separate form of the implementation of public power as a whole, while another form is traditionally regarded as state power [8]. He also characterises the activity of local self-government bodies in ensuring, through their relations with the population and with specific natural and legal persons, the conditions under which the latter are capable of effectively exercising and protecting their rights and legitimate interests as «public-service» activity [9]. We fully support this position, since such a formulation of the mission of local self-government bodies most accurately corresponds to the principle of serving the territorial community.

According to V. Bashtannyk and V. Lukashkova, local self-government possesses only legal, organisational, and financial autonomy in relation to state power and does not constitute a separate type of power. According to the Constitution of Ukraine, the source of power in Ukraine is the entire people rather than a separate part of it, namely the community [10].

Therefore, in democratic Ukraine, local self-government is its natural and integral component. The state must ensure, through normative legal acts, a balance both in relations between the state and local self-government and in relations among various subjects within the system of local self-government itself.

Thus, the powers of local self-government in a democratic state derive not from the will of the state reflected in legal norms, but from the very nature of communities — rural, settlement, and urban — and are therefore primarily natural in character. The natural character of the powers of local self-government bodies, firstly, preserves their public nature and, secondly, serves as a reliable guarantee against possible arbitrariness on the part of the state. In a democratic state, local self-government constitutes its inseparable component, determining the democratic essence of the state and occupying a separate place within the structure of power.

Decisions of local self-government bodies, to be binding for all subjects of legal relations in which these bodies act as a party, must be endowed with an appropriate degree of legal force. Without this inherent quality, such decisions would merely have a recommendatory character and therefore could not serve as one of the principal legal means for implementing the powers of local self-government bodies. For this reason, Article 73 of the Law of Ukraine «On Local Self-Government in Ukraine» establishes that «acts of a council, village, settlement, or city mayor, chairperson of a district council in a city, executive committee of a village, settlement, city, or district-in-city council (if established), adopted within the limits of their powers, are mandatory for execution by all executive authorities, associations of citizens, enterprises, institutions and organizations, officials, as well as citizens permanently or temporarily residing within the relevant territory» [11]. As a result, a specific transformation of the state-authoritative powers of local self-government bodies into powers of a self-governing authoritative nature took place.

The authoritative nature of local self-government bodies, expressed in the form of their powers, decisions, and other acts, is enshrined by a democratic



state and sanctioned by an authoritarian one. Owing to this authoritative character, local self-government becomes effective and functional.

For a deeper understanding of the issue, it is necessary to examine how the status of local self-government bodies at the regional level changed beginning from Ukraine's independence. Legislative and subordinate normative acts that operated in Ukraine since 1991 reformed the structure of local Councils of People's Deputies, which, according to the legislation in force at that time, were not part of the unified system of representative bodies of state power in Ukraine, thereby laying the foundations for the formation and development of local self-government in its classical forms. These acts include: the Law of the Ukrainian SSR of 07 December 1990 «On Local Councils of People's Deputies of the Ukrainian SSR and Local Self-Government» [12]; its revised version in the text of the Law of Ukraine «On Local Councils of People's Deputies and Local and Regional Self-Government» of 26 March 1992 [13]; the Law of Ukraine «On the Representative of the President of Ukraine» of 5 March 1992 [14]; the Regulation on Local State Administration as amended on 24 July 1992 [15]; the Law of Ukraine «On the Formation of Local Authorities and Self-Government» of 03 February 1994 [16]; and the Constitutional Agreement between the Verkhovna Rada of Ukraine and the President of Ukraine on the Basic Principles of the Organization and Functioning of State Power and Local Self-Government in Ukraine for the Period until the Adoption of the New Constitution of Ukraine, concluded on 08 June 1995 [17]. However, since the process of reforming local and regional governance is complex and long-term, the legal framework governing its activity also required continuous improvement.

During the years of Ukraine's membership in the USSR, excessive centralisation of state power, which prioritised state interests over local interests, led to the complete loss of traditions of independent territorial governance. Moreover, the disregard for the interests of individuals and citizens instilled in the population both an unwillingness and an inability to manage local affairs effectively. Such a situation existed in the past, and, unfortunately, some of its remnants can still be observed today. Therefore, ignoring the natural aspirations and interests of both individuals and communities as a whole could not but negatively affect the process of formation and functioning of the relevant system of local representative authorities in Ukraine.

For the first time in Ukraine, the institution of local self-government was legislatively established by the Law «On Local Councils of People's Deputies of the Ukrainian SSR and Local Self-Government» of 07 December 1990 [12]. The provisions of this Law created the legal foundation for the legal, organisational, and financial-economic independence of local self-government, primarily its main element — local councils, which were defined in the Law as state bodies of local self-government. However, unlike the Soviet system of local Councils of People's Deputies, executive committees were created only within the structure of village, settlement, and city councils. The implementation of decisions of regional councils was entrusted to state administrations established in ac-



cordance with acts of the President of Ukraine and headed by Presidential Representatives. The absence of their own executive bodies negatively affected the activities of these levels of councils.

The revised version of this Law became the Law of Ukraine «On Local Councils of People's Deputies and Local and Regional Self-Government» of 26 March 1992 [13]. According to this normative legal act, local self-government was defined as the territorial self-organisation of citizens for the independent resolution, either directly or through elected bodies, of all issues of local life within the limits of the Constitution of Ukraine, the laws of Ukraine, and their own financial and economic base. The territorial basis of local self-government consisted of village councils, settlements, and cities. Separately, the concept of regional self-government was defined as the territorial self-organisation of citizens for resolving, directly or through bodies formed by them, issues of local life within the framework of the Constitution and laws of Ukraine. Thus, the difference between local and regional self-government, based on these definitions, lay in the fact that local self-government required its own financial and economic base for functioning, whereas regional self-government did not possess such a base. In our opinion, this marked the beginning of the limitation of the effectiveness of self-government at the regional level. The territorial basis of regional self-government consisted of districts and regions. Representative bodies of regional self-government were regional, and district Councils of People's Deputies elected in single-member or multi-member electoral districts on the basis of universal, equal, and direct suffrage by secret ballot. Regional and district councils elected from among their deputies the chairperson and deputy chairperson of the council and formed permanent and other commissions. The structure of district and regional councils did not provide for the establishment of executive bodies. Only a secretariat accountable to the council was established, functioning as a body responsible for organisational and technical support of the activities of the council, its bodies, and deputies. The model of functioning of district and regional councils as bodies of regional self-government defined by the Law of Ukraine «On Local Councils of People's Deputies and Local and Regional Self-Government» of 07 December 1990 [12] has been preserved to this day. However, given the changes that have occurred over the past 35 years, it requires revision and adaptation to current realities.

On 03 February 1994, the Verkhovna Rada of Ukraine adopted the Law of Ukraine «On the Formation of Local Authorities and Self-Government» [16], and on 24 February 1994 — the Law of Ukraine «On Elections of Deputies and Heads of Village, Settlement, District, City, District-in-City, and Regional Councils» [19]. The first of these laws effectively meant a change in the system of power in the state, which was not coordinated with the Constitution of the Ukrainian SSR in force at that time. The essence of the changes consisted in the fact that administrative-territorial units — regions and districts — were classified as self-governing territories according to the established procedure for forming administrative bodies, alongside cities, settlements, and villages



(Part 1, Article 1). Following the elections of 26 June 1994, local administrations — bodies of state administration of administrative-territorial units — were abolished altogether (Article 8). No mechanism for interaction between councils of higher and lower levels was envisaged, apart from a formal hierarchy. In general, these laws eliminated the vertical subordination of executive power. One year later, according to the Constitutional Agreement, and subsequently under the current Constitution, local state administrations with general competence were established.

The Constitutional Agreement between the Verkhovna Rada of Ukraine and the President of Ukraine on the Basic Principles of the Organization and Functioning of State Power and Local Self-Government in Ukraine for the Period until the Adoption of the New Constitution of Ukraine, concluded on 08 June 1995 [17], marked the beginning of the next stage of the constitutional process in Ukraine and did not ignore the organization of local self-government. When analysing its relevant provisions, it is necessary to consider the specific nature of this document, which aimed to strengthen the system of executive power and ensure the effective functioning of state bodies. Therefore, district councils, Kyiv and Sevastopol city councils, district councils within these cities, and regional councils were removed from the system of local self-government bodies, while most of their powers were transferred to the respective state administrations. Under the Agreement, the councils themselves acquired the status of representative bodies. However, it should be noted that the general features and principles of the local self-government system were subsequently taken into account during the development of the draft Constitution of Ukraine.

Executive committees were established within village, settlement, and city councils. At the regional level — within oblasts — local state administrations were created, the heads of which were appointed by the President from among persons elected as chairpersons of the respective councils. The President had the right to dismiss the heads of state administrations prematurely. This resulted in the termination of their powers as heads of the respective councils as well, which violated the principles of organisational and legal autonomy of self-government. However, the signing of the Constitutional Agreement made it possible to form, although imperfectly, an integral system of central and local executive authorities. At the constitutional level, a unified model of the territorial organisation of executive power headed by the President was introduced.

Thus, local and regional self-government since Ukraine gained independence within its modern borders has undergone a rather complex path of development. The current model of state organisation is still characterised by a significant imbalance in favour of executive power, which became a consequence of the strengthening of the centralisation of public administration introduced by the Constitutional Agreement of 1995 and later by the Constitution of Ukraine of 1996.



The Concept of Reforming the Territorial Organisation of Power and Local Self-Government, approved by the Resolution of the Cabinet of Ministers of Ukraine No. 333-r of 01 April 2014 [18], became a fundamental document that laid the foundations for modern decentralisation reform. Regarding regional councils, the Concept envisaged a radical transformation of their role: a transition from purely representative functions to a model of full-fledged self-government at the regional level. The main features of the functioning of regional councils under the 2014 Concept included:

— granting regional councils the right to form their own executive committees. This was intended to solve the problem whereby decisions of councils were implemented by regional state administrations, which created a dualism of power and a conflict of interests;

— differentiation of powers between local authorities at the regional level: regional councils were to resolve issues of regional significance (common interests of communities), while regional state administrations of a new type were to be transformed into prefectural-type bodies with supervisory and control functions, namely supervision over the legality of decisions of local self-government bodies and coordination of territorial bodies of central executive authorities;

— generalisation of the sphere of competence of regional councils, which were expected to concentrate on the common interests of communities. In particular, regional councils were entrusted with the management of objects of joint ownership of territorial communities within the oblast, as well as the implementation of projects beyond the capacity of individual communities, such as the development of regional infrastructure (roads of regional importance), specialised healthcare (regional hospitals and dispensaries), vocational education, specialised secondary educational institutions, and environmental programs of regional scale;

— expansion of financial autonomy and resource provision, since regional councils were expected to obtain the right to independently manage part of national taxes (in particular, a share of personal income tax) for financing regional development strategies;

— the necessity to develop and approve regional development strategies correlated with the State Regional Development Strategy and with the interests of communities belonging to the oblast.

The 2014 Concept effectively attempted to complete the «unfinished» architecture of self-government that had been developing since 1990. It defined the regional level not as a superstructure above communities, but as a centre for resolving common tasks that objectively cannot be solved at the level of villages, settlements, and cities. This document became evidence of Ukraine's transition toward a European municipal doctrine in which the region is regarded as an independent subject of law rather than merely an administrative subdivision of the state.



However, a critical analysis of the implementation of the 2014 Concept reveals a significant gap between the strategic vision and the actual legal structure that had developed in Ukraine by 2026. Despite relatively successful decentralisation at the basic level (communities), the regional level remained an «unfinished object» of reform. The main idea of the Concept — the establishment of executive committees of regional councils — was never fully implemented at the legislative level due to the absence of constitutional amendments. As of today, regional councils remain almost the only self-government bodies in Europe that do not possess their own executive bodies for implementing their decisions, which forces them to continue depending on local state administrations. The war also introduced significant changes, since the establishment of regional military administrations led to a temporary redistribution of powers in favour of the executive vertical. This created a new scientific problem: how to balance security-related centralisation and self-governing autonomy during the period of post-war recovery. Instead of the financial autonomy envisaged by the Concept, regional budgets largely remain transit platforms for state subventions. The share of regional councils' own revenues within the overall budget structure is insufficient for implementing large-scale development strategies without external intervention from the central government. Thus, as of 2026, the 2014 Concept remains a «guiding framework,» while the essence of self-government at the regional level remains declarative rather than operational.

Therefore, comparing the legal statuses of regional councils established by the above-mentioned normative legal acts, it may be concluded, with a certain degree of relativity, that the principal spheres in which their powers are exercised have remained stable. Although throughout the entire previous history of the development of domestic representative authorities at the regional level their specific rights and obligations changed to varying degrees, the principal spheres of the exercise of their powers generally remained almost unchanged. Regional councils addressed a wide range of issues, although the emphasis shifted during particular historical periods.

Today, local self-government, being exercised at the level of territorial communities of villages, settlements, and cities, also finds its expression at the regional level in the form of regional councils. Local self-government in Ukraine is defined by the Law of Ukraine «On Local Self-Government in Ukraine» of 21 May 1997 as «the right guaranteed by the state and the real ability of a territorial community — residents of a village or a voluntary association into a rural community of residents of several villages, a settlement, or a city — independently or under the responsibility of local self-government bodies and officials to resolve issues of local significance within the limits of the Constitution and laws of Ukraine» [20]. This provision derives from the understanding of self-government as something that cannot be decreed, since it is represented by the following formula: the absence within compact places of residence of any authority other than the authority of the association of people of that administrative-territorial unit itself. This Law did not introduce



self-government in Ukraine, but merely established and consolidated the conditions for the long-term process of formation and development of the Ukrainian model of self-government, which includes local self-government but does not mention self-government of communities at the regional level.

Based on the above-mentioned definition and interpretation of local self-government, the current organisation of local authority existing at the oblast level in Ukraine does not fully correspond to this concept. Regional councils in Ukraine are not the sole conductors of regional policy and are not the only subjects responsible for resolving issues of regional significance. Therefore, in our opinion, it is advisable to define the concept of «self-government at the regional level» at the legislative level and to classify regional councils as a subsystem within the general system of local self-government in Ukraine.

At the same time, self-government at the regional level should not be regarded as something separate and distinct from local self-government. In our view, it constitutes a variety of local self-government and represents a form of its implementation at the oblast level. It may be defined as the right and capacity of all territorial communities of a region, through the self-government bodies elected by them, to resolve in their common interests issues of local, regional, or state significance within the limits established by the Constitution and laws of Ukraine. Its principal purpose should be to ensure the implementation of national, regional, and common local decisions within the territory of regions in order to improve the living standards of the population of the respective administrative-territorial units and to expand opportunities for the observance and realisation of constitutional rights and obligations.

Issues of regional significance should be understood as those arising from the common life activities of territorial communities within a region, and the resolution of which is more expedient and possible with lower resource expenditures precisely at the regional level. Such issues include, for example, the construction of specialised regional medical centres, maintenance of roads of regional importance, and the establishment of higher or vocational educational institutions intended to train specialists in accordance with the personnel needs of the region. Common issues are understood as needs corresponding to the interests and aspirations of all or a certain part of the territorial communities of the region.

Although Ukrainian legislation previously distinguished between local and regional self-government [12], the legislator encountered serious difficulties in defining these categories, particularly in determining the essence of regional self-government. We believe that regions constitute an important level of the administrative-territorial structure of Ukraine, while effective self-government at the regional level is a necessary element for the proper functioning of the entire institution of local self-government in the state. The region represents «an adequate level of authority for the effective implementation of the principle of subsidiarity, which is considered one of the fundamental principles to be observed in the context of both European integration and the internal organisation of states participating in this process. Regionalisation should not



be achieved at the expense of the autonomy of local authorities and must be accompanied by measures aimed at protecting such authorities and ensuring full compliance with the achievements of the European Charter of Local Self-Government» [21].

Bodies of regional self-government are local self-government bodies (representative and, in the future, executive), formed through electoral processes involving all territorial communities of the region for the purpose of exercising local self-government functions at the regional level. According to the Law of Ukraine «On Local Self-Government in Ukraine,» such bodies include regional councils, which represent the common interests of territorial communities of villages, settlements, and cities within the limits of powers defined by the Constitution of Ukraine, the Law «On Local Self-Government in Ukraine» of 21 May 1997 [20], as well as powers delegated to them by village, settlement, and city councils.

As already noted, due to the specific nature of their status, these councils belong to the regional level of self-government, which directly affects the character of their main functions and powers. Their competence includes issues of local significance that cannot be resolved by village, settlement, or city territorial communities because of objective reasons. They occupy a special place within the system of local self-government. On the one hand, they are intended to ensure the realisation of the common interests of rural, settlement, and urban territorial communities, while on the other hand, they are expected to protect the interests of local self-government in relations with regional state administrations [22; 23].

Although V. Kravchenko and M. Pittsyk classify regional councils as part of the local self-government system on the basis of the following factors:

- 1) all territorial communities of the oblast participate in the formation of these bodies;
- 2) the activities of regional councils extend to the territories of settlements within the oblast;
- 3) regional councils participate in the implementation of local self-government functions and powers in the common interests of all territorial communities of the oblast [24], the understanding of these bodies as regional does not contradict their constitutional and legal status.

Furthermore, in our opinion, it is advisable to distinguish one more factor, namely the responsibility of regional councils before the totality of the respective territorial communities of the region for their decisions and actions.

At the current stage of public administration development, it is appropriate to consider self-government at the regional level through the prism of the multi-level governance (MLG) concept. This approach describes a shift in power from a unitary, vertically hierarchical state model toward a complex



system of interdependence among various levels of public authority: supranational (the EU), national (the state), regional (the oblast), and local (the hromada) [25].

For Ukraine, which has substantially modernised its governance system in the course of decentralisation and attained EU candidate status, the conceptualisation and constitutional entrenchment of MLG are of crucial importance. Traditional legal positivism views state power as a monolithic entity. Conversely, the concept of multi-level governance is anchored in the principle of subsidiarity, enshrined in the European Charter of Local Self-Government [26], which stipulates that decisions ought to be made at the lowest effective level of authority closest to the citizen. Under the current implementation of the Law of Ukraine «On Local Self-Government in Ukraine» [20], the regional level (oblast councils) remains weak, given that genuine local executive power is vested in local state administrations. The MLG concept implies a clear distinction: powers should not merely be delegated but rather strictly assigned to the regional level based on its capacity to address issues of regional significance.

L. Hooghe and G. Marks [27] distinguish two types of multi-level governance:

— general-purpose governance, which envisions a distinct architecture (national, regional, and local levels with non-overlapping jurisdictional boundaries). In Ukraine, the institutionalisation of this type requires completing the constitutional reform by dissolving (or transforming) local state administrations into prefectures and establishing executive committees within oblast councils;

— specialised (functional) governance, which allows for flexible, task-specific alignments (associations, cross-border clusters, euroregions) designed to execute concrete tasks. This type of multi-level governance can actively expand through instruments of inter-municipal and cross-border cooperation (e.g., the «Carpathian» and «Bug» Euroregions).

Consequently, the contemporary European understanding of decentralisation and MLG demands granting regions a higher degree of autonomy in managing regional development. This might seemingly pose a threat of federalisation, given that Article 2 of the Constitution of Ukraine defines the state as unitary. However, within the framework of the MLG concept, it is vital to acknowledge that multi-level governance in a unitary state does not dismantle its unity; rather, it reinforces it through mechanisms of interdependence and partnership, rather than through blind subordination.

Thus, the state must transition from total oversight of the regions toward coordination and partnership, specifically by replacing local state administrations with the institution of prefects. The competences of regional local self-government bodies in Ukraine should be determined not by a residual principle (i.e., whatever remains unallocated by the hromada or central gov-



ernment), but on the basis of economic and social expediency regarding economies of scale. The modern MLG model in Ukraine necessitates the definitive entrenchment of the legal status of regional self-government as a fully-fledged subject of public authority within Chapter XI of the Constitution of Ukraine, «Local Self-Government.»

Conclusions

The conducted research confirms that regional self-government in Ukraine is a complex and evolutionary institution, the essence of which is determined both by centuries-old traditions of self-organisation and by modern transformational processes. The theoretical analysis demonstrated that the nature of self-governing authority at the oblast level has a dualistic character, combining features of representation of communities with elements of public-service activity. A retrospective review of the regulatory and legal framework since 1990 demonstrates a gradual departure from the Soviet model of centralisation toward the implementation of European principles of subsidiarity and decentralisation. It has been established that the key problem remains the institutional gap between the legislatively defined powers of regional councils and their actual organisational, legal, financial, and economic capacity. Contemporary security challenges have accentuated the necessity of resilience, transforming local self-government at the regional level into a critical nexus for ensuring national stability and territorial integrity. Constructing an authentic Ukrainian municipal model requires harmonising the interests of local communities with the imperatives of the European Union's regional policy and modern multi-level governance. Consequently, reinforcing the status of oblast councils as fully-fledged subjects of self-government constitutes a strategic imperative for ensuring the sustainable development of Ukraine in the context of post-war reconstruction and European integration.

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Генезис інституціоналізації самоврядування на регіональному рівні в Україні

Дослідження спрямоване на з'ясування теоретико-історичних і правових засад регіонального самоврядування в Україні та визначення його місця в системі публічної влади. Актуальність дослідження зумовлена необхідністю переосмислення ролі обласних рад у системі публічного управління в умовах повоєнного відновлення та європейської інтеграції. Здійснено ретроспективний аналіз генезису нормативно-правового забезпечення самоврядування на рівні регіонів (областей) та статусу відповідних органів місцевого самоврядування, починаючи з проголошення незалежності України і до сьогодні. Виокремлено ключові етапи трансформації статусу органів місцевого самоврядування мезо-рівня – від радянської централізованої моделі до сучасного етапу реформи територіальної організації влади та місцевого самоврядування (децентралізації), яка потребує свого завершення, зокрема в частині удосконалення системи публічного управління на регіональному рівні. Аргументовано, що природа самоврядування на регіональному рівні в Україні має дуалістичний характер, поєднуючи ознаки представництва інтересів сукупності територіальних громад області та елементи «публічно-сервісної» діяльності. У статті критично проаналізовано наукові підходи до розмежування понять регіонального самоврядування та самоврядування на регіональному рівні, обґрунтовано доцільність подальшого зміцнення останнього як специфічної форми реалізації колективної волі територіальних громад регіону, зокрема в контексті концепції багаторівневого врядування (multi-level governance). Уточнено понятійно-категоріальний апарат та обґрунтовано необхідність побудови моделі самоврядування на регіональному рівні, що базується на принципах



субсидіарності, Open Governance та інституційної спроможності. Зроблено висновок, що гармонізація українського законодавства з вимогами регіональної політики Європейського Союзу та Ради Європи є стратегічним імперативом.

Ключові слова: самоврядування на регіональному рівні, обласна рада, публічне управління, децентралізація, субсидіарність, інституційна спроможність, євроінтеграція, багаторівневе врядування.

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