

This monthly newsletter is a brief overview of Ukrainian authorities' work on implementation of Reform #1 in Ukraine

THE CONSTITUTIONAL COMMISSION HELD 2 WORKING MEETINGS ON AMENDMENTS CONCERNING AUTHORITY DECENTRALIZATION

During the month, two meetings of the Constitutional commission took place.

The Commission has to work out the amendments to the Basic law, in part, concerning authority decentralization. Decentralization is defined as the top-priority task by the commission members. The commission has to define the following key points: system, responsibilities, peculiarities of formation of local self-government bodies; material and financial basics of local self-government; state control over legitimacy of decisions made by local self-government bodies; early termination of office of a local self-government body; representatives of the state in administrative and territorial units; procedure of formation of these units, etc.

The respective draft law is to be presented to the Parliament before the end of May.

Source: Web-site of Verkhovna Rada of Ukraine



"In-depth reformation of constitutional and legal status and the principles of functioning of local self-government bodies and executive authorities in oblasts and raions requires adequate changes to be introduced into the "triangle" of constitutional responsibilities of the President, the Government, and the Parliament"
– says Volodymyr Groysman, Chairperson of Verkhovna Rada of Ukraine, Head of Constitutional Commission.

COMMUNITIES GOT A STEP-BY-STEP INSTRUCTION FOR UNIFICATION

On April 8 the Government approved the Methodology of formation of capable territorial communities. Adoption of the Methodology is the first stage of implementation of the law "On Voluntary Unification of Territorial Communities", which entered into force on March 4 of this year.

The Methodology provides that: community territories are formed in accordance to prospective plans, with ubiquity principle taken into account; they must be inseparable; they must be located within one oblast, preferably – within one raion.

The methodology defines the concept of "capacity" of territorial communities as their ability to ensure the adequate level of service provision, particularly, in such spheres as education, culture, healthcare, social protection, housing and communal economy. Such aspects as human resources, funding, and infrastructural development of the respective territorial unit must be taken into consideration.

Source: Web-site of Cabinet of Ministers of Ukraine



"We have developed a practical roadmap, which provides all the answers – why, how, when, and by whom capable communities shall be created"
– says Gennadiy Zubko, Vice-Prime Minister, Minister of Regional Development, Construction, and Communal Living of Ukraine.

WORKGROUPS ARE FORMED AND OFFICES ARE OPENED FOR IMPLEMENTATION OF THE LOCAL SELF-GOVERNMENT REFORM

Workgroups are created and reform offices are formed in every oblast for implementation of the local self-government reform.

120 non-governmental specialists are employed in 24 regional reform offices. They assist Oblast state administrations in communication with the public when it comes to such issues as creation of capable territorial communities and development of prospective territorial development plans. Premises and technical equipment were provided by respective Oblast state administrations. The offices function under support of the Council of Europe and "Dialogue" project, funded by US Agency for International Development.

Source: Web-site of Ministry of Regional Development, Construction, and Communal Living of Ukraine



"Such offices are badly needed now, because it is not enough just to adopt the laws; it is necessary to communicate the benefits of the reform and prospects to everyone"
– says Gennadiy Zubko, Vice-Prime Minister, Minister of Regional Development, Construction, and Communal Living of Ukraine.

A LAW, DELEGATING THE FUNCTIONS OF ARCHITECTURAL AND CONSTRUCTION CONTROL TO LOCAL AUTHORITIES, IS ADOPTED

On April 9, 2015, Verkhovna Rada of Ukraine adopted the law, that reforms the system of architectural and construction control, and delegates respective functions and responsibilities, from state to local level. At the same time, the function of supervision over legitimacy of local authority decisions is retained by the government.

The legislative act also improves the procedure for submission of declaration of preparation and construction works, reduces the term of issuing of technical requirements, and improves legal liability enforcement mechanisms in the aforementioned sphere.

Beside other aspects, the new law removes the obligation to inform local authorities on the obtained permit for construction of an object or for putting it into operation, from the ordering party.

Source: Web-site of Verkhovna Rada of Ukraine



"Conditions are created, providing local authorities with a right to perform architectural and construction control. They will assume all construction-controlling functions. That is, every object, being built on some territory, will be controlled at the local level"
– says Maksym Martynyuk, the head of The State Service of Ukraine for Geodesy, Cartography and Cadastre.

THE FIRST AGREEMENTS ON COOPERATION OF TERRITORIAL COMMUNITIES ARE DEVELOPED

Communities, which agreed to cooperate with each other, proceeded to the phase of implementation of respective agreements. Nine agreements on cooperation of territorial communities have been registered already. The most active cooperation of communities is witnessed in Khmelnytsky, Chernigiv, Poltava, and Vinnytsia oblasts. Jointly, communities co-finance the projects, addressing the critical local issues: waste removal, fire department operation, pre-school education, maintenance of residential buildings, etc.

Source: Web-site of Cabinet of Ministers of Ukraine



"Partnership increases the efficiency and reduces the cost of problem resolution at any level. This is confirmed by the international experience and by the experience of active Ukrainian communities"
– said Anatoly Tkachuk, principal of the Civil Society Institute.

THE LAW “ON SERVICE IN LOCAL SELF-GOVERNMENT BODIES” IS ADOPTED

On April 24, 2015, Verkhovna Rada adopted the Law “On Service in Local Self-Government Bodies” in the first reading.

The draft law provides for creation of legal pre-conditions for enhancement of the prestige of service in local self-government bodies, regulation of the status of a local authority servant, equal access to service in local self-government bodies based exclusively on one’s merits, transparent recruitment process, incentives for career development, de-politization, new model of labour remuneration, etc.

Source: Web-site of Verkhovna Rada of Ukraine



“Appointment of servants to local self-government bodies will be conducted according to professional criteria, on competitive basis; the new system will be formed for labour remuneration, incentives, and responsibility of servants, preserving independence and self-sufficiency of activity of local self-government bodies”
– said Kostyantyn Vashchenko, the National Agency of Ukraine on Civil Service.