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Introduction to debates on:

The role of Ukraine's regional authorities in facing war-related challenges

The relationship between regional and local authorities

Concept paper prepared by the Secretariat

THE ROLE OF UKRAINE'S REGIONAL AUTHORITIES IN FACING WAR-RELATED CHALLENGES

Scope of the debate

Since the start of the full-fledged Russian Federation's war of aggression in February 2022, Ukraine's system of public administration had to adapt to newly emerged extraordinary challenges. Sustaining governance functions and providing support to population has been critical to counteract aggression, sustain public order while enabling the armed forces to fend off large-scale attacks on logistics and infrastructure.

Introduction of the martial law led to establishment of 24 regional (*oblast*) and 136 district (*rayon*) state military administrations, replacing preexisting "civilian" state administrations. It also led to creation of more than 200 military administrations at community (*hromada*) level, primarily in temporarily occupied or frontline communities. Ukrainian Parliament received the right to transfer local self-government functions to military administrations. This was utilised occasionally at regional level, but in the vast majority of cases at community level.

Nevertheless, Ukraine's governance model at regional level continues to be defined by dual presence of state subnational authorities – Regional Military Administrations (RMAs), and elected self-government authorities – Regional Councils (RCs).

RMAs were established by the Presidential decree and headed by officials appointed by the President, as temporary bodies in strictly legal terms, they encompass civilian administrative and some military functions. Their responsibilities range from coordinating with the armed forces and territorial defence units, to maintaining public order, organising evacuation, distributing humanitarian aid, and ensuring provision of essential public services. RMAs also oversee construction of civil defence facilities, emergency repairs of damaged infrastructure and work to stabilise local economies.

Local self-government at regional level is exercised by RCs,¹ which represent common interests of territorial communities. These councils, however, never had their own executive bodies and had to rely for this on district state administrations. RCs provide democratic legitimacy, advocate for resources, and coordinate with municipalities and international partners to support humanitarian aid and recovery initiatives. They also contribute to planning long-term recovery and reconstruction in areas such as infrastructure, education, and healthcare.

All Ukrainian regions face resource constraints (economic, human, energy and others). After February 2022 preexisting regional disparities have furthermore widened due to major differences in safety and security conditions, extent and characteristics of damage and destruction, degree of contamination of their territory with explosive objects, fluctuations in the

¹ With the exception of Donetsk and Luhansk regions, where regional councils did not convene before the invasion of February 2022.

population and economic structure. According to the World Bank estimates as of February 2025 only the direct infrastructure damage in Ukraine is exceeding 170 billion Euros.²

In this complex context, this debate aims to examine and highlight the role of regional authorities in facing war-related challenges in Ukraine. Representatives from three regional authorities – Dnipro, Kharkiv, and Kherson oblasts – comprising both RMAs and RCs, are expected to share their experiences and specific measures undertaken, including those implemented following the de-occupation of certain territories in 2022.

While the Council of Europe, its Congress and international community at large work together to prevent a situation when any other country will have to face similar challenges in the future, exploring and taking stock of unprecedented experience of Ukraine's regional authorities will be beneficial and may become critical, should any European regional authority face a need to exercise emergency powers, in case of natural or industrial disasters or in case of serious threats to public order or state security.

Discussion points

- Position of regional authorities in regard to other tiers of government and military command – subordination, co-operation or parallel tasks
- Multilevel governance co-operation tools for effective mitigation of war related challenges. Public administration in a mixed civil-military environment
- Ensuring democratic decision-making process at regional level under martial law
- Preparedness and ability of regional authorities to respond to extraordinary circumstances: proactive approach to withstand, adapt and recover
- Protocols for emergency governance at regional level
- Strategic planning in volatile environment for recovery and reconstruction, public investment management
- International/cross-border co-operation: the role regions can play

THE RELATIONSHIP BETWEEN REGIONAL AND LOCAL AUTHORITIES

Scope of the debate

Relations between sub-national tiers of government are central to effective multi-level governance. These increasingly complex relations widely vary across Europe, especially between countries which are unitary (with varying levels of decentralisation), regional (or quasi-federal) and federal.

The debate will explore how competences are distributed between regional and local authorities in unitary, regional (quasi-federal) and federal states; how dialogue and co-operation is organised and conducted among subnational levels of government, and which arrangement seems the most efficient, for both democracy and governance.

² <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/099022025114040022>

Hierarchy or equality

Typically, unitary states have no hierarchical relation between subnational tiers of government. Regions and municipalities are autonomous, similar local authorities (LAs), just with different surface, population and competences. Notably, regions in such countries are often covered by the European Charter. Conversely, in federal countries, regions have authority over municipalities and may be quite complex and vary from one region to the other in regionalised states.

Clear or blurred division of competences

Division of competences between levels of governance can be characterized either by a clear and rigid delineation of responsibilities; or, conversely, by flexible, though somewhat overlapping, roles. Usually, clear distinction is preferable, though flexibility may be useful in some cases, e.g. in regions with huge inequalities among local authorities, where regions can supplement the efforts of the weakest municipalities. In federal states local authorities' competences may be set out in regional legislation so the separation may be more or less clear and vary from one region to another.

Formal/informal channels and mechanisms facilitate dialogue and joint action between LRAs. Good practice, in this respect, deserves to be shared and inspire countries where such co-operation is suboptimal. In some countries, specific bodies are created by law to streamline communication between governance levels, e.g. the Swedish 21 regional County Administrative Boards, who coordinate efforts across municipalities to achieve national environmental targets.

Regions' role in horizontal equalisation

The role of regional authorities in equalisation of local authorities' revenues and spending needs may be more or less formalised and varies among countries. Such role may be formal in federal countries and differ in regional ones. But even in countries where regions do not formally take part in financial equalisation schemes, their role in regional and spatial planning and development is fundamental for supporting territorial solidarity and intra-regional equalisation.

During the Congress' 40th Session in 2021, the Congress adopted Recommendation 457, "Territorial solidarity: the role regions can play," highlighting that regions play a crucial role as intermediaries between national and local levels in reducing territorial disparities, by pursuing a wide range of (re)distributive policies in interaction with various actors at the sub-state and supra-national levels.

National associations of local authorities

National associations have central advocacy and capacity building roles for their members. Whilst typically they are NGOs, they often have some form of legal recognition and right to be consulted in respect to reforms affecting their members.

In most major European countries, local and regional authorities may have distinct elected representatives' associations, which may sometimes represent conflicting or even opposing interests. However, in some countries, municipalities and regions are represented by the same association to strengthen dialogue, e.g. the Swedish Association of Local Authorities and Regions (SALAR).

Discussion points

- Is the principle of subsidiarity, as described by Art 4.3 of the Charter (“Public responsibilities shall generally be exercised, in preference, by those authorities which are closest to the citizen”) applied to all levels of government?
- Do all levels of government benefit from the residual competence clause provided for by Art 4.2 of the Charter (“Local authorities shall, within the limits of the law, have full discretion to exercise their initiative with regard to any matter which is not excluded from their competence nor assigned to any other authority”)?
- Is there a clear distinction between competences of various levels of government or do gaps and overlaps persist? If yes, how are they dealt with and are there reform plans in this respect?
- Are there financial and supervision relations between sub-national levels of government? Are they considered satisfactory?
- Are there institutionalised mechanisms of co-operation between levels of government? Do they function properly?
- Can, and do, subnational authorities of different levels enter into contracts or other forms of vertical voluntary co-operation for implementing various projects and services?