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Ukraine's Path to Resilience, European Integration and Reconstruction.

Experiences and Perspectives of Ukrainian Academics and Think Tankers in Times of War.

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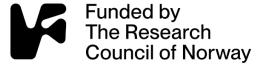
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CONTRIBUTORS

Yelyzaveta Aleksyeyeva is a Ukrainian public interest lawyer specialising in environmental law, transposition of environmental EU *acquis* and implementation of international environmental agreements. She has an LL.M. in Environmental and Natural Resources Law from the University of Oregon (USA). For over twenty years, Yelyzaveta has worked with environmental NGOs and international organisations promoting environmental reforms in Ukraine and worldwide. She is currently a senior lawyer at Environment-People-Law (Ukraine).

Olga Chyzhova is Communication Director of the Foreign Policy Council "Ukrainian Prism". She leads several international research projects on disinformation, focusing on the Kremlin's information campaigns in Central and Eastern Europe. She runs Ukrainian Prism's Humanitarian Assistance Initiative. She is a co-founder of the Digital Communication Network, connecting communication professionals in more than 30 countries. She has over ten years of experience in Ukrainian media. Previously, she edited the Eastern Partnership Think Bridge Digest and coordinated the Eastern Partnership Think Bridge Network. She is an expert trainer on digital communications and policy advocacy for civil society organisations.

Nataliya Haletska lectures at the School of Law of the Ukrainian Catholic University, where she heads the School's master's programme. She is an elected member of the Lviv Regional Council, where she chairs the Commission for European Integration and International Cooperation. She also chairs the Supervisory Board of the Regional Development Agency of Lviv Region.

Sergiy Gerasymchuk is Deputy Executive Director and Regional Initiatives and Neighbourhood Program Director at the Foreign Policy Council "Ukrainian Prism". Sergiy is involved in political studies since 2001 and has the experience of working for the Secretariat of the Parliament of Ukraine, scientific research institutions under the President of Ukraine and under Security and Defense Council of Ukraine. Besides, he was involved in the project implemented by national and international think tanks in Ukraine and in the area of Eastern Partnership. Among the organizations and structures Sergiy used to cooperate within the capacity of expert, analyst and project manager there are National Democratic Institute, Friedrich Ebert Foundation, NATO Center for Information and Documentation, NATO Liaison Office in Ukraine, Black Sea Trust for regional cooperation, Volkswagen Foundation, International Renaissance Foundation.

Ganna Kharlamova is Professor at the Taras Shevchenko National University of Kyiv, Ukraine, and Lucian Blaga University of Sibiu, Romania. She is an expert of economic modelling and forecasting, and the author of the 2018 book 'Ukraine 2030: The Doctrine of Sustainable Development'.

Hennadiy Maksak is Executive Director and one of the founders of the Foreign Policy Council "Ukrainian Prism". He is an expert in international relations, security and foreign policy of Ukraine and Eastern Europe. He is a member of the Ukraine and Eastern Europe Programme at GLOBSEC Policy Institute in Bratislava, Slovakia. He was a coordinator of the Ukrainian national platform of the Eastern Partnership Civil Society Forum, and chaired the Civic Council under Ukraine's Ministry on Foreign Affairs. He took part in the drafting of Ukraine's Foreign Policy Strategy and Public Diplomacy Strategy.

Olga Melen-Zabramna leads the legal unit at the NGO Environment-People-Law" in Lviv, Ukraine. She has more than 20 years of experience working in the environmental field, with professional experience in commenting on planned measures and analysing policy, strategies, and law-drafts in many fields related to the environment, as well as liaising with governmental

and non-governmental organizations. She holds a bachelor's degree from the Law School of Lviv National University named after I. Franko. In 2009, she received a Master of Laws degree at the University of Nottingham (UK). Olga is a member of the Ukrainian Bar Association and holds an attorney certificate. Olga is a member of the Environmental Law Alliance Worldwide (ELAW). In 2006, she was awarded the Goldman Environmental Prize for Europe.

Anne Pintsch is Associate Professor at the University of Agder. From 2021-2024, she was the principal investigator of the "Lowering the Bar?" research project. She is the leader of the Nordic–Baltic knowledge-based input network for the rebuilding of Ukraine (HROMADA). Her research interests include external democracy promotion, international organisations, the European Union, and political transformation in Central and Eastern Europe, with a special focus on Ukraine.

Halyna Protsyk is Deputy Vice Rector for Outreach and Social Engagement (Internationalisation). She has been working at UCU since 2015. Her PhD focused on the political problems of international systems and global development, and she combines her administrative work with a lectureship in Political Science at the UCU. Halyna teaches courses on International Organisations, Global Governance and European Integration.

Maryna Rabinovych is Postdoctoral Researcher at the Arctic University of Norway. Between 2021 and 2024 she worked as a Post-Doctoral Researcher with the "Lowering the Bar? Compliance Negotiations and the EU–Ukraine Association Agreement" project, funded by the Research Council of Norway. Her research focuses on the politics and law of EU external relations, EU enlargement and neighbourhood policies, and internal political and legal dynamics in Ukraine.

Andriy Stavytskyy is Professor at the Taras Shevchenko National University of Kyiv, Ukraine, where he is the Director of the Economic Cybernetics Programme. He is the managing editor of the Lithuanian-based scientific journal Ekonomika.

INTRODUCTION

Maryna Rabinovych & Anne Pintsch

This brochure is a result of the research project "Lowering the Bar? Compliance Negotiations and the EU-Ukraine Association Agreement". The project was funded by the Research Council of Norway from 2021-2024.[1] Developed prior to Russia's invasion of Ukraine in 2022, the idea behind this project has been to explore how the EU and Ukraine put into effect the Association Agreement (AA). Our particular interest has been to explore how the partners deal with situations in which Ukraine has difficulties in fulfilling demanding AA obligations. This idea has remained relevant amidst Russia's full-scale invasion of Ukraine, and insights into EU-Ukraine compliance negotiations undoubtedly have the potential to inform the partners' strategies in the accession context.

Nonetheless, particularly Russia's invasion of Ukraine and the unique challenges it poses to the EU's values and security pushed us to take a more holistic approach to EU-Ukraine relations. The EU's decision to grant Ukraine, as well as Moldova and Georgia EU candidate country status reflects the EU's engagement in the geopolitical competition with Russia over Europe's political, security and economic order.[2] At the same time, the reforms that Ukraine has implemented as an associated country and will continue to implement as an EU accession candidate contribute to its ability to withstand Russia's aggression.[3] To what extent have the EU and Ukraine succeeded in building the ship while it sails through the stormy seas of Russian aggression and uncertainty? How far away is Ukraine from its goal of EU membership? Is there a risk that a lengthy and cumbersome accession process may undermine Ukrainians' support for EU accession? All these (and many more) questions are addressed in our edited book "Ukraine's Thorny Path to the EU. From 'Integration without Membership' to 'Integration through War'", published with Palgrave Macmillan in December 2024.[4] Importantly, the book includes many contributions by Ukrainian authors, among others from our Lviv-based project partners Ukrainian Catholic University (UCU) and the NGO "Environment-People-Law" (EPL) and guest contributors.

The idea for this brochure emerged in conversations with some of the authors and representatives of our third institutional project partner, the NGO "Foreign Policy Council 'Ukrainian Prism'", most importantly Nadia Bureiko. All of them did not only continue their professional activities amidst the war but did their best to contribute to Ukraine's resilience through volunteering, internationalisation and advocacy activities, and policy advice. The aim of this publication is thus two-fold. First, it seeks to offer the reader a first-hand insight into how the war has changed professional activities of Ukrainian academics and civil society. Second, it highlights Ukrainian professionals' perspectives on the intertwined topics of Ukraine's resilience building, EU accession, and reconstruction – with the war as a background.

Building and expanding Ukraine's resilience

Resilience building has been an essential topic since the start of Russia's aggression in 2014 but has accelerated during the full-scale invasion.

Olga Chyzhova and *Hennadiy Maksak* tell how the war pushed the Ukrainian think tank "Ukrainian Prism" to reconsider the organisation's mission and change the scope of its activities. Amidst the war, the think tankers have combined several activity "tracks": as humanitarian workers, educators and international awareness-raising campaigners. The organisation's Brussels office, opened during the war, is central to Ukrainian civil society's outreach to EU institutions, member states' representations and the public. Also representing "Ukrainian Prism", *Sergiy Gerasymchuk* writes on Ukraine's civil society during the war, its assistance to the armed forces of Ukraine and the evolution of the NGO – donor – state relations.

He points specifically to the importance of shifting from ad-hoc initiatives to enduring programmes based on local expertise and countering donation fatigue.

The interview with *Halyna Protsyk*, a deputy vice rector and lecturer at the UCU, focuses on her experiences of sustaining the resilience of a higher education institution amidst the war. Like "Ukrainian Prism", the UCU took very concrete steps to withstand the first months of the invasion, including volunteering, creating conditions for helping others, and taking care of internally displaced people. As the urgency of such help decreased, the university shifted to more long-term, transformational measures, including strategic internationalisation and measures to accelerate Ukraine's integration into the European Higher Education Area.

The three contributions show that resilience building is closely connected to Ukraine's European integration, the topic covered in more depth by the next two articles.

Making progress on the path to the EU

As already mentioned, Ukraine's accession to the EU is often discussed in terms of its geopolitical significance. However, the long and technical process involves a number of challenges below the international level. *Nataliya Haletska*, lecturer at the UCU, focuses on important agents of Ukraine's democracy and European integration that have received less attention to date – regional institutions. Among those, regional councils are self-government bodies, elected by Ukrainian citizens, that develop and approve of regional development programmes and regional budgets, and control their implementation. Based on her experience as a member of the Lviv Regional Council, Haletska notes that, amidst the war, the Council faces greater constraints from the Regional Military Administration. At the same time, she refers to specialised development institutions as an example of successful cooperation between the local self-government bodies and military administrations, stressing their potential for bottom-up European integration.

Olga Melen-Zabramna, head of the legal department of EPL, discusses Ukraine's European integration in the environmental domain. She argues that both to improve the state of Ukraine's integration with the EU and counter the ecological consequences of the war, the government needs to speed up environmental reforms, also in cooperation with civil society.

The latter contribution in particular shows the close connection between Ukraine's path to the EU and the reconstruction of the country. The last two contributions in the brochure bear witness to this.

Creating the basis for reconstruction

Ganna Kharlamova and Andriy Stavytskyy, professors at Taras Shevchenko National University of Kyiv, engage with the topic of Ukraine's reconstruction. They call on Ukraine "to think about its economic future after the war" already now and point to Ukraine's integration into the EU's economy as an important engine of reconstruction.

Yelyzaveta Aleksyeyeva, senior lawyer at EPL, urges the Ukrainian government to strike a fair balance between wartime security concerns and access to environmental information. She reiterates the role of Ukrainian NGOs in persuading the government to alleviate some of the restrictions introduced in the early days of the invasion to avoid a negative impact on environmental democracy. This is particularly important with a view to the country's reconstruction and EU integration.

Learning from Ukraine's experience

In sum, the project demonstrates the diversity of perspectives and experiences of Ukrainian academics and think tankers and sheds light on the tightly intertwined work on resilience,

European integration, and reconstruction ongoing in Ukraine amidst the war. Ukraine's and Ukrainians' wartime experiences are thus of high value for everyone interested in crisis response, resilience, reconstruction and European integration, as well as the relations between the government, civil society and international donors.

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[1] The project was funded under the project number 315777. More information is available under https://prosjektbanken.forskningsradet.no/en/project/FORISS/315777 and https://eu-ukraine.uia.no/.

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HOW THINK TANK UKRAINIAN PRISM REINVENTED ITSELF AFTER RUSSIA'S INVASION

The war changed the organisation's mission and broadened the scope of its activities.

Olga Chyzhova & Hennadiy Maksak

'Our house is being shelled; we are on fire! Help!' Clearly, as a think tank employee, this is not a message you would ordinarily expect to receive in your work chat. Such, however, was the situation greeting the team of Ukrainian Prism when we awoke on 24 February 2022.

Ukrainian Prism is one of the leading think tanks in Ukraine. Directed by a core team based in Kyiv, Chernihiv and Odesa, the organisation provides much-needed foreign policy, international security and diplomatic expertise.

As was to become clear, the wartime diplomacy we were soon to be engaged in requires all hands on deck, including civil society and volunteers. Against this backdrop, we were able to draw numerous lessons that ultimately led to a transformation in the organisation's objectives and how it operates.

During the first days of the Russian invasion, though, we were consumed by such immediate concerns as donating blood, attempting to enrol in the Territorial Defense Forces, feeding fighters at improvised checkpoints, and delivering necessities to volunteer centres. While these activities were undoubtedly important, we soon realised we were best placed to help by doing what we knew best. Thus began the remarkable story of our organisational evolution under pressure of war.

At out next online team meeting, we decided to switch towards providing on-the-ground reporting to wider audiences abroad. Soon, our experts were commenting for the world's media from bomb shelters and the illusory safety of 'two walls' (the rule of two walls states that you should have at least two walls separating you from danger). Alongside this, we initiated a daily digest of Russian war crimes committed in Ukraine, which was widely disseminated among our foreign partners and contacts.

From providing expertise to humanitarian assistance

Many of Ukrainian Prism's team remained in Chernihiv, a city in northern Ukraine that was very quickly besieged by Russian forces. Faced with constant shelling and air raids, a lack of food and medicine, and damaged electricity, gas and heating infrastructure, the situation in the city became dire within a matter of days. To make matters worse, all this took place in the middle of a bitterly cold February.

Despite having no previous experience in humanitarian missions or activities, Ukrainian Prism felt compelled to act by capitalising on what we did have: a widely acknowledged reputation for reliability, built on established relations with donor organisations, Ukrainian diplomatic missions abroad, and foreign diplomatic missions in Ukraine. Having reached out to these various partners and donors, we promptly received the support we asked for. Aside from funds for our team members' evacuation, there was substantial aid – including medicine, food, flashlights and powerbanks – provided to the residents of Chernihiv.

This, then, is how Ukrainian Prism's Humanitarian Assistance Initiative began life. Fundraising campaigns abroad allowed us to secure several important deliveries, with such work becoming more organised and systematic following Russia's retreat from the north of Ukraine. As an implementing partner of the International Organization for Migration, we distributed everything from blankets and mattresses to construction materials across the Chernihiv region.

The angels of reconstruction

As civil society experts, we took part in discussions about Ukraine's postwar reconstruction. These were underscored by a slogan of 'Build back better', and had the overall aim of ensuring a modern, green and successful future for the country. Even as we spoke, however, multiple neighbourhoods around us were being reduced to ashes.

Daily, we witnessed people visiting the wreckage of what used to be their home and organising the remaining bricks into neat piles, or met children confined to shelters and unable to study. In light of such destruction, we realised the importance of rebuilding some facilities straightaway, rather than waiting for the end of the war.

School 30 in Chernihiv with windows shattered during bombing in March 2022 and repaired with the support of Ukrainian Prism's fundraiser.
Source: Olga Chyzhova

This realisation kickstarted the 'Angels of Freedom' project, which aimed to provide the children of Chernihiv with education facilities by making use of selected schools that did not require major reconstruction works. To raise funds, we used with the help of motanka dolls – a type of traditional good luck amulet – made by children and volunteers. We received donations ranging from a couple of euros from a child in Germany up to tens of thousands of dollars from big donors like Ukraine TrustChain in the USA. Thanks to this, four schools in Chernihiv were able to re-open, as well as several kindergartens, which we helped reconstruct and equip with bomb shelters.

Motanka dolls made by children in Ukraine to raise money for reconstruction of their schools.
Source: Olga Chyzhova

From think-tankers to campaigners

While this humanitarian work was undoubtedly important, we also needed to move forward with our other professional activities. With this in mind, we decided it was time to reorganise how our think tank functioned.

Our first major endeavour in this regard came in June–July 2022, when we helped foster Ukraine's EU candidacy status – a step that would contribute to both the country's European integration and its reconstruction. Towards this end, the Ukrainian Prism team travelled to Budapest, Berlin, Brussels, Warsaw, Stockholm and Rome to meet decision-makers, politicians, think-tankers and representatives of academia. During these meetings, we gave briefings on why Ukraine should be a part of a common Europe.

Prior to the Russian invasion of 2022, Ukrainian Prism had facilitated expert diplomacy toolkits for NGOs and think tanks. This included, among other things, bilateral expert forums, expert pools of international forums, and expert councils. We therefore decided to resume these activities, adopting a 'wartime diplomacy' lens that involved focusing on topics relevant to achieving Ukrainian victory or the country's rebuilding strategy.

Since then, our advocacy activity has grown and become ever more refined. Drawing on data obtained from Ukrainian Prism studies, our tailor-made advocacy campaigns have reached various European capitals. Brussels in particular has been a focus of attention, as well as those countries holding the Council of the EU presidency.

New challenges, new structure

In order to stay attuned to emerging wartime diplomacy issues, and so remain capable of advising decision-makers on acute issues, Ukrainian Prism has had to adjust its research structure.

First, our programmes on Ukraine's relations with the EU and NATO were expanded, including the recruitment of new members to the team.

Second, the increased importance of the Russian and Belarusian studies programme meant it underwent a reset.

Third, we launched a new Latin America and Caribbean programme in order to meet Ukrainian and international partners' requests for expertise. While the Russian and Belarusian programme looked into the aggressor states' domestic processes, the Latin America programme contributed to Ukraine's outreach towards the Global South.

Making Ukrainian voices heard in Brussels

Travel difficulties (scarce transportation options, including the lack of flights operating from Ukraine, meant business trips could take several days) and restrictions on males leaving the country posed significant challenges when it came to Ukrainian experts being present at important European events. At the same time, keeping Ukraine on the European agenda and ensuring the voices of its representatives were heard in decision-making institutions was hugely important.

Launch event of Ukrainian Prism's office in Brussels in March 2023.
Source: Hennadiy Maksak

It was this need to pursue effective international awareness-raising campaigns that provided the impetus for Ukrainian Prism to open its Brussels office, which could then maintain stable outreach in relevant European institutions and EU member state capitals. Since its official launch in February 2023, the new office has grown into a platform for expert discussion on Ukraine's urgent needs. This has involved dialogue on, among other things, disinformation, sanctions, NATO–EU cooperation, Ukraine's participation in EU programmes, the EU's neighbourhood and accession policies, and its support for Ukraine's reconstruction.

These activities were greatly facilitated by European institutions cultivating a conducive environment for Ukrainian NGOs. For instance, the European Parliament (EP) granted an event space to Ukrainian civil society at Station Europe, the EP visitor centre located in the heart of Brussels. At the same time, the European Economic and Social Committee provided working spaces for NGOs that had fled the war or decided to become more vocal in Brussels.

Lessons learned in support of Ukraine's resilience and reconstruction

The organisational transformation undertaken by Ukrainian Prism over the past two years or so has yielded a number of important lessons.

First, in order to multiply their efforts and therefore play an instrumental role in the country's victory and reconstruction, Ukraine's civic organisations and nongovernmental actors must learn to rely on networks of like-minded, aim-oriented partners. That is why we at Ukrainian Prism act as multipliers for initiatives aimed at elevating Ukrainian expertise to the EU capital and member states. This means assisting partner think tanks from Ukraine to achieve their goals by talking to the right people in the right institutions.

Many of our foreign counterparts are also looking for insights regarding how best to help and rebuild Ukraine, which brings us to our second lesson learned: any well-thought-out communication campaign must be able to provide clear answers to inquiries raised by Western partners. In this respect, expert interventions should not only be data-driven and based on on-the-ground knowledge of the situation in Ukraine, but should take account of decision-making processes in partner states and organisations.

Finally, our most important lesson for rebuilding Ukraine is to not be afraid of doing the simple things – any effort that might help people at the grassroots overcome (if only partially) the complexities inflicted by war truly matters.

ADAPTIVE PHILANTHROPY: HOW UKRAINIAN CIVIL SOCIETY, INTERNATIONAL DONORS, AND THE UKRAINIAN STATE NAVIGATE THE WAR'S CHALLENGES

Since 2014 – and especially after February 2022 – Ukrainian civil society, international donors, and the Ukrainian state have developed institutions and mechanisms to support Ukraine's fight against Russian aggression and the country's rebuilding.

Sergiy Gerasymchuk

February 24, 2022, marked a seismic moment for both Ukraine and democratic societies worldwide. Russia's invasion of Ukraine served as a litmus test for the resilience of state institutions, civil society, and the donor community. In the wake of the attack, numerous organisations (including NGOs, representations of international organisations and funds, and representatives of governmental institutions and local administrations) found themselves grappling with frustration and uncertainty. The ongoing war cast doubt upon the feasibility of implementing various projects and planned activities. In a nation affected by crisis, adhering to previously defined objectives and fulfilling planned initiatives proved challenging amidst the chaos of war.

Russia's attack on Ukrainian civil society

The instinctive human response to immediate and vital threats mirrors that of animals: flee, freeze, or fight. This primal reaction was reflected in the actions of state institutions, civil society organisations, and their donors in the face of the crisis. In the occupied territories, Russia's overarching aim was to suppress any form of dissent or critical thinking diverging from the official state narrative. To enforce this, Russia sought to dismantle civil society, targeting activists through killings, imprisonments, or forcing them into exile. This systemic oppression was designed to elicit a specific reaction from those who opposed the occupying power: to flee, to be silenced, or to conform, effectively neutralising any potential opposition to Russian control. In this harsh environment, the adaptability of those who chose to resist Russia – specifically referring to those who remained in Ukraine – became invaluable.

Many NGO employees found themselves displaced internally or forced to leave the country altogether, seeking protection abroad. This was particularly pronounced among those operating in occupied territories. As advocates for democratic reforms, they faced the imminent danger of physical harm, often under the guise of being Western agents. Alleged lists of individuals targeted by Russian special services had been circulating on social media, heightening the sense of peril. These lists specifically identified government officials, journalists, activists, veterans, religious leaders, and lawyers, placing them in the crosshairs of Russian aggression. The Associated Press (AP) documented a sample of 61 cases across Ukraine, drawing on Russian lists of names obtained by Ukrainian authorities.[1]

The experiences of Crimea, which fell under occupation in 2014, highlighted the direct threats faced by civil society activists, placing their freedom and lives in jeopardy. Approximately two hundred individuals[2] are known to have been detained by Russian authorities on the peninsula. These include Crimeans who opposed the Russian occupation or participated in journalistic or human rights activities. Many of these prisoners face suffering, are subjected to torture and denied access to proper medical care.

Ukrainian civil society shifts to volunteering and charity

Adapting their activities to address immediate threats became paramount for those who chose to fight. Many turned to volunteering as their initial response. In Ukraine, the tradition of

volunteering has deep roots in the modus operandi of civil society activists, dating back to the Orange Revolution (2004) and the Revolution of Dignity (2013/2014).[3] During those pivotal moments, the strong cohesion and synergy among grassroots civil society organisations and activist groups played a crucial role in supporting uprisings against autocratic regimes. The same model was revived and applied from 2022 onward as volunteers mobilised to confront the challenges posed by the invasion.

Numerous institutions and think tanks shifted their focus[4] from traditional activities to charitable endeavours. Aiding internally displaced persons (IDPs) and fundraising to support the Ukrainian armed forces became commonplace for NGOs and activists. In response to the upheaval, these organisations redirected their resources and efforts towards addressing the immediate needs of those affected by the conflict and bolstering Ukraine's defence capabilities. This shift underscored civil society's adaptability and resilience in times of adversity, as activists rallied to support their country and fellow citizens in the midst of war.

Civil society's support for the armed forces of Ukraine

An institutional framework for the networks of volunteers was established in 2014 when national charity foundations took on the responsibility of fundraising to support Ukraine's Armed Forces. However, by 2022, the demand for such assistance had increased significantly due to the prolonged conflict. In response to this heightened demand, these foundations (e.g. Army SOS[5], Come Back Alive Foundation[6], Prytula Foundation[7], Medical battalion 'Hospitallers'[8]) expanded their operations, developing their own analytical units. Such units played an essential role in analysing the needs of the Armed Forces, identifying suppliers capable of meeting those needs, and establishing logistical chains to facilitate the delivery of goods to the frontline. By leveraging data-driven insights, these foundations were able to optimise their support efforts, ensuring that resources were allocated efficiently and effectively to bolster Ukraine's defence capabilities amidst ongoing challenges.

Supporting the Armed Forces of Ukraine emerged as a top priority for grassroots organisations and individual volunteers, evolving into a more systemic and institutionalised effort. There was a significant growth of national private foundations aiding in procuring essential ammunition and military equipment. They have played a critical role in channelling support to the frontline, ensuring that Ukrainian troops have the resources needed to defend their country against aggression. By institutionalising and streamlining assistance to the armed forces, these initiatives have enhanced the effectiveness and sustainability of support efforts, contributing to Ukraine's defence capabilities in the face of ongoing threats.

The Come Back Alive Foundation, operational since 2014, has become one of the most well-known and efficient institutions. Their primary objective is to enhance the effectiveness of the Ukrainian Defense Forces, save the lives of Ukrainian service members, and systematically counteract the enemy. To achieve this, the foundation procures equipment, including thermal optics, drones, vehicles, and surveillance and reconnaissance systems. Come Back Alive is also the first charity organisation in Ukraine authorised to purchase and import military and dual-purpose goods. Among other procurements, the foundation's team acquired and delivered the Bayraktar TB2 UAV system to the defence units, 11 specialised armoured vehicles, and 1,460 7.62-mm calibre machine guns.

Another success story was the Prytula Foundation. Serhiy Prytula is a well-known Ukrainian TV presenter who, in 2020, during the COVID-19 pandemic, established a charitable foundation to help in non-military areas. Since February 2022, due to the full-scale offensive of Russia, Prytula has used the resources available in the foundation to support the military. The foundation is currently purchasing equipment, medical supplies, and vehicles for the military. Another area of work is humanitarian aid. In August 2022, for the 600 million

hryvnias (approximately $16 million) raised by Ukrainians, the foundation purchased a satellite from the Finnish ICEYE for the needs of the Armed Forces of Ukraine. The necessary sum was raised in just three days.

In some instances, starting in February 2022, organisations found themselves in a combination of freeze and fight modes. While ongoing projects were temporarily halted and objectives needed to be re-evaluated to align with the shifting realities on the ground, funds were reallocated to support charitable endeavours. This approach, also applied by the Foreign Policy Council 'Ukrainian Prism'[9], allowed entities to maintain flexibility in their operations, acknowledging the need to adjust their strategies in response to the evolving situation while actively contributing to humanitarian efforts.

NGO-donor relations: From ad-hoc initiatives to enduring programmes based on local expertise

The surge in foreign donors and philanthropic organisations seeking to support Ukraine during wartime necessitated identifying reliable partners within the country. Under emergency conditions, the preference often leaned towards NGOs and think tanks with established social capital bolstered by their inclusion in international networks. These organisations possessed the requisite knowledge and experience in managing grants and reporting, making them trusted partners for coordinating and delivering aid efficiently. Their existing networks and expertise allowed them to navigate the complexities of humanitarian assistance amidst the war, ensuring that support reached those in need in a timely and effective manner.

In some cases, organisations transitioned to volunteer-driven activities for most of 2022, which led to the postponement or freezing of their previously undertaken project activities. Such a shift was often influenced by decisions made by donors, who may have redirected funding towards more immediate needs or imposed constraints on project implementation in light of the war. Some organisations were compelled to terminate project contracts citing force majeure, while others opted to freeze project implementation until conditions became more favourable temporarily. These adjustments reflected the unprecedented challenges posed by the war, while organisations were navigating complex logistical and financial considerations in their efforts to adapt to the evolving circumstances.

There were instances where regional branches found it necessary to communicate to their headquarters, emphasising that Ukraine should not be equated with Afghanistan; indeed, it has a functioning government and banking system, proving it is not a failed state. Those on the ground had a clearer understanding of the actual conditions, showcasing an important lesson: local representation provides a more accurate and nuanced view of the situation than distant observation. This insight is crucial for aligning support and interventions with the country's real needs and capacities.

Additionally, local needs assessments and longer-term feasibility studies are vital for understanding regional differences within the country. Variations in needs and appropriate intervention tools are best identified by engaging local interlocutors who bring valuable expertise. By leveraging the insights of those with direct knowledge of the regional contexts, organisations can tailor their strategies to meet specific local requirements more effectively.

Ukraine's resilience in the face of aggression has disrupted Russian plans, transforming what was initially envisioned as a swift blitzkrieg into a protracted war of attrition. In response, civil society and the donor community have exhibited remarkable adaptability. What began as ad hoc humanitarian initiatives in the wake of the war has evolved into enduring humanitarian programmes, reflecting a commitment to addressing the ongoing needs of affected populations. It became clear that the conflict would be prolonged, and the resulting damage would be significant. This understanding highlighted that reconstruction and recovery efforts would

require a systemic and long-term approach. Recognising the scope and duration of the challenges ahead, stakeholders understood that a deep, region-specific understanding would be essential in crafting effective and sustainable recovery strategies.

State-donor relations: Why Ukraine is not Afghanistan

Furthermore, there has been a growing recognition of the imperative to reconstruct the country in the aftermath of the conflict. A high-level conference[10] held in Lugano, Switzerland, in July 2022 reflected the shifting priorities towards prioritising recovery efforts amidst ongoing challenges, signalling a collective commitment to rebuilding and restoring stability in affected regions. This has paved the way for closer cooperation between donors and the government. By aligning their efforts towards the common goal of rebuilding Ukraine, stakeholders have fostered a collaborative approach that leverages resources and expertise from both the public and private sectors. Launching the Donor Coordination Platform[11] has been a pivotal step in providing coordinated support for Ukraine's immediate financial needs, as well as its reconstruction and future economic recovery. This platform facilitates the pooling of resources and the identification of effective funding instruments from various sources. The platform's steering committee comprises senior officials from Ukraine, the G7 countries, and the European Union, ensuring a broad spectrum of international input and support. Additionally, international financial institutions and organisations actively participate in the steering committee meetings, contributing their expertise and resources to streamline and strengthen the collective response to Ukraine's challenges. This structured collaboration enhances the strategic alignment of aid and development efforts, fostering more efficient and targeted interventions. What truly enhances the comprehensiveness of the coordination efforts is their integration with broader reforms and EU integration initiatives. The government has clearly outlined its priorities and detailed a reform plan designed to facilitate systematic changes. Specifically, this plan includes transformations envisaged in the Reform Matrix as well as the reforms under the Ukraine Facility programme.

Sceptics of reconstruction aid to Ukraine raise valid concerns[12], citing the challenges faced in countries like Afghanistan, Iraq, and Haiti, where funds often failed to create functional states and were vulnerable to corruption and mismanagement. Given Ukraine's historical struggles with corruption, these concerns were particularly pronounced, as the country has long been regarded as one of Europe's most corrupt nations.[13]

However, Ukraine differs significantly from countries like Afghanistan and Iraq. In those cases, donors sought to impose entirely new systems of government, often met with resistance from locals. In contrast, Ukraine resembles post-war Europe, where injections of funds helped rebuild prosperous, industrialised societies that had existed before the devastation of war. Before the war, Ukraine was a democratic and relatively sophisticated middle-income country actively working to address corruption. While challenges undoubtedly lie ahead, the prospect of rebuilding Ukraine into a stronger, more resilient nation remains within reach.

Transparency as a driver for the relationship between government and donors

State-donor relations witnessed significant development during this period, with certain government initiatives (e.g., the Ukraine Development Fund[14], and the Ukraine Capacity Development Fund[15]) aimed at ensuring transparency in the utilisation of aid funds[16]. These efforts proved instrumental in boosting the inflow of donations by instilling confidence among donors that their contributions would be used effectively. Measures to enhance transparency included robust reporting mechanisms and accountability frameworks, providing stakeholders with clear insights into how aid funds were utilised.

The Ukrainian government has launched a new fundraising campaign and website to encourage donations for defence, humanitarian aid, and reconstruction efforts. This initiative led to creating the United24 website and campaign, providing donors with various options to contribute funds. Ukraine has committed to issuing weekly reports detailing the funds raised and distributed, ensuring transparency and accountability in the process. To further bolster credibility, the international accounting firm Deloitte committed[17] to providing audit and review pro bono, enhancing confidence among donors regarding the integrity and effectiveness of their contributions. By integrating digital marketing strategies with transparent fundraising mechanisms, Ukraine aims to sustain global support and solidarity in its fight against the Russian invasion while also facilitating efficient allocation of resources towards critical needs such as defence, humanitarian aid, and reconstruction efforts.

Counteracting donation fatigue

The decline in donor support poses a significant challenge to the ongoing efforts, potentially undermining progress made in fighting the Russian invasion. Despite the intensified efforts of national foundations to collect essential weapons and ammunition, there is a concerning reluctance among key allies to provide the necessary support.

The risk of failure to reach a compromise within the EU regarding the Ukraine Facility[18] (a dedicated instrument which will allow the EU to provide Ukraine with up to €50 billion in stable and predictable financial support) posed a grave risk to the launch of this initiative for Ukraine and the macro-financial stability of the country. However, thanks to the significant efforts of both Ukrainian allies in the EU and the international networks of civil society organisations and activists, a fragile compromise has been forged, allowing for the eventual launch of the instrument.[19]

The launch of RISE Ukraine[20] marked a significant milestone in the collaborative effort towards the country's reconstruction and modernisation. RISE Ukraine is a coalition of Ukrainian and international public organisations, initiatives, state institutions, and activists united by their support for Ukraine's reconstruction and modernization. This coalition facilitates constructive dialogue with both authorities and international partners, strongly emphasising the involvement of citizens and businesses in the planning, monitoring, and oversight of the reconstruction processes.

The delay in approving United States military aid to Ukraine is having detrimental effects[21] on Kyiv's forces as they confront Russia's invading troops. Without timely support from the United States, Ukrainian forces are facing increased challenges in their efforts to defend their country and repel the aggression.

In such circumstances, if the freeze mode caused by political speculations persists and Ukraine's ability to fight is limited, there are growing risks of repeating the February-March 2022 scenario. Those who are able to flee may choose to leave the country, while those who remain to fight will be left in a perilous situation. The efforts and interventions of the donor community and civil society could ultimately be in vain.

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HALYNA PROTSYK: "INTERNATIONALISATION MAKES UKRAINIAN UNIVERSITIES STRONGER"

A deputy vice rector at Ukrainian Catholic University talks about her experiences of higher education during Russia's invasion.

Halyna Protsyk, Maryna Rabinovych & Anne Pintsch

In early April 2024, we met online with Halyna Protsyk, Deputy Vice Rector for Outreach and Social engagement (Internationalisation) at Ukrainian Catholic University (UCU) in Lviv[1], and asked her to share her experiences, summarise lessons from UCU, and provide a first-hand perspective on how foreign universities can best support their Ukrainian counterparts and the rebuilding of the country more broadly.

As part of a project funded by the Research Council of Norway[2], we are currently editing a book entitled Ukraine's Thorny Path to the EU: From 'Integration without Membership' to 'Integration through War', which will be published by Palgrave Macmillan later in 2024. Halyna has contributed a very informative chapter discussing Ukraine's higher education sector amidst the war and its integration into the European Higher Education Area.

Maryna Rabinovych (MR): In your chapter, you focus on the wartime resilience of Ukrainian higher education. You use multiple secondary sources, but your work is also inspired by your own experience of working at a Ukrainian university – as a lecturer and director of the internationalisation department. What is it like to work under the current circumstances, and what are the key challenges faced by Ukrainian universities?

Halyna Protsyk (HP): As an educator and educational manager, I went through three different phases since the full-scale invasion and my university, UCU, has also gone through different changes. I explain in the chapter that there are different levels and types of resilience when shocks and stressors – like war, physical damage, infrastructural damage or psychological distress – happen. It all starts with individual resilience and, as a second step, community resilience. But once these things happen, institutional resilience should come on a stage – to support people, the system and the country just not to fail.

I am very proud of the fact that higher educational institutions, like UCU, showed extreme resilience by adapting to the circumstances and absorbing all these shocks and stressors by providing meaningful instruments to students and teachers. Here, I mean very concrete steps – that is, service learning.[3] We started volunteering, synchronising our classes with helping others, with reflecting on what was happening, opening humanitarian hubs, opening our doors for internally displaced people. All in all, it helped us to withstand the first wave of full-scale invasion. And then – I am sure you can agree with me – the higher education system in any country, it is not static. We always have to transform the system, since when one round is completed, we are facing additional challenges, and we have to respond. So, at this moment, the higher education system is something that helps to keep our country moving and functioning. That is why higher education now is under continuous reform.

MR: What are the key challenges Ukrainian universities encounter in their operation?

HP: I would categorise them into three different strands. I would first start with human resources. People are the most important asset that we have as a country. So, the major problem we are trying to address is, of course, brain-drain from Ukraine due to the war. In addition, there is a lack of experts who can deal with post-war reconstruction. This is a very unique niche we have to fill with higher education programme proposals.

The second strand is infrastructural damage, because to prepare good experts, we need top-quality educational programmes, research, laboratories, equipment, infrastructure – many things. And we know that at this moment many universities are either partially damaged or fully destroyed, such as Kharkiv Karazin University[4], which has been one of the most famous universities and research institutions in Ukraine.

And the third biggest problem is the need to fight with the remnants of the Soviet legacy in the higher education system. Despite the process of modernisation, there are still some elements of Soviet-style thinking. We should finalise this process in the field of research, higher educational institutions' management, especially top management, and institutional autonomy. Not all universities and their management are ready to do so.

Ukrainian Catholic University.
Source: Jaba1977, https://commons.wikimedia.org/wiki/File:Ukrainian_Catholic_University_(10).jpg

MR: Could you speak more about the human resources-related challenges and how these challenges change as the war continues?

HP. Human resources is one of the most important and problematic areas due to different issues. Issue No. 1 – we have huge brain drain due to the war. There are, first of all, many children who could become potential students in Ukraine – there are more than 1 million children who have left Ukraine.[5] We have students who also fled and some of them interrupted their studies in Ukraine, some of them continue doing them remotely but they are likely to stay abroad. We are trying to address this issue from different sides. Another thing is that many young talented male and female students, teachers and administrative employees went to the frontline. As of September 2023, UCU had 21 students, 13 administrative employees and over 30 UCU alumni who were at the frontline, serving in the Armed Forces of Ukraine. Each university can provide the same statistics.

At this moment, key reforms are aimed at creating the environment and opportunities to keep talents in Ukraine by offering top educational programmes, internationalisation of higher education institutions, more double degree programmes, semester abroad programmes, and not least by attracting global talents, teachers and professors to teach for Ukrainian universities. An important reform regards individual trajectories of learning. It is expected to lead to more

interdisciplinary programmes, it will give students more time to complete their degrees in Ukraine, and it will give students more freedom to choose a specialisation. The second reform, which already passed the first editing in the parliament, is to offer special financial grants for students instead of the old Soviet system, where universities were receiving quotas from different ministries and other state bodies to attract students to state-funded study places. Now universities will stop getting such quotas but will have to hunt for talent in Ukraine themselves. The state is planning to sponsor 100% tuition fees for students studying at programmes that are relevant for reconstruction, where the state has a particular need. In this case, students are supposed to stay three years in the public sector after the end of their studies. The others can expect from 20% to 80% fees covered. This makes the higher education sector more competitive, this is always good, and we know how competitive higher education is in European countries.

This reform will help us a lot, not only to attract students currently based in Ukraine but also those who were forced to flee. We already had cases when children demand from their parents to come back to Ukraine. We expect that this year more Ukrainians will take the centrally organised national multidisciplinary test that is required to enter any Ukrainian university. This year, the Ministry of Education set up testing centres in countries where the highest numbers of Ukrainian refugees are based. Ukrainian youngsters' desire to enter Ukrainian universities is a positive sign, which shows that the new generation is different, they have very patriotic feelings, and we just need to create the environment where they have more freedom and more time to develop.

Anne Pintsch (AP): You have already told us a lot about coping strategies. Is there anything you can tell us about UCU's coping strategies in particular?

The current coping strategy is to rethink our strategy of university development. In 2023, we introduced a refreshed development strategy: UCU 2030.[6] First, the entire community of UCU has been brainstorming how our university can help to heal the wounds of the war by offering psychological, rehabilitation and spiritual support programmes. The second aspect is to think, as a Catholic university facing such an evil, what kind of new Christian proposals we can create for the Ukrainian and the global youth. The third is how we can serve as a university to create new narratives and meanings for Ukraine and for the global community about Ukraine, its resilience, bravery, but also its talented people and opportunities, which will be here when the war ends – as every war ends.

Fourth, UCU became a founding member of the Alliance of Ukrainian Universities[7]. The mission of this alliance of six universities is to serve the country by offering expertise and an academic platform for discussion, brainstorming the vision for a future Ukraine, attracting best talents and supporting communities.

Fifth, we have two projects: 'Alliance with communities', which is sponsored by the Soros (Open Society) Foundation, and 'ServeU'[8], sponsored by the EU. These projects aim to support local communities that suffered because of the war, to help them educate their human resources, help them with strategy formation, grant writing, educating their managers, so that they are more self-reliant and effective in creating innovations.

AP: You have already touched on the international dimension – could you say how international cooperation has contributed to resilience and coping?

HP: It was critical, and during some periods of the full-scale invasion it was even vitally important since it helped us to withstand the first wave of aggression, when people started fleeing, when we lost infrastructure and electricity. I think that the synchronisation with the European Higher Education Area[9] through internationalisation programmes, international

projects, reforming and the EU-Ukraine Association Agreement[10] created a meaningful alliance between Ukrainian and European universities. Therefore, instead of just hosting refugees as refugees, European universities hosted Ukrainian students and faculty as colleagues. This very moment can be recognised as a most unique moment in the history of conflict management. When I studied different cases of conflict-affected countries, I noticed that in many cases higher education systems collapse, since they require constant state support, international aid and high-skilled management that they are lacking during crises such as war and armed aggression. Internationalisation, the EU's response, extended exchange programmes for Ukrainian students, double degree programmes, research and fellowship programmes that were aimed at hosting Ukrainian students and faculty temporarily – not as refugees forever – or supporting those remaining at their workplaces in Ukraine, helped us a lot. I cannot express in words how crucially important it was during the first months and even the first year of the war. And now, with the Association Agreement being 86% complete[11] and the linkage between the Ukrainian education system and the European Higher Education Area being so well synchronised, we need to accomplish just a couple more reforms to secure Ukraine's integration to the European Higher Education Area – there is no way back.

AP: I would like to jump to the rebuilding of Ukraine and the role of the higher education sector. What is the role of universities in the rebuilding process?

HP: As mentioned before, the restoration of Ukraine will require not just a lot of money but also dedicated professionals, and the universities educate these professionals. Second, the solutions to Ukraine's rebuilding are located not only in Ukraine but also on a global stage. So, universities will become bridges between local and global solutions. In order to become such bridges, our universities will have to further develop their internationalisation strategies. We will also see a process of merging weaker universities with stronger ones, smaller ones into bigger ones.

At UCU, we create four main trajectories. First, we are transforming UCU into an international hub, where international talents meet Ukrainian talents and create solutions for Ukraine's restoration. Second, we opened UCU Global Gateways[12]: we have already established a UCU centre in Wrocław[13], a Ukrainian Institute in London[14], a UCU centre in Kyiv[15], and Catholic foundations in the USA[16] and Canada[17]. These networks can help us create platforms for global talents abroad, because not all the people will be able to travel to Ukraine in the future.

The third strategic project is a kind of a combination of internationalising all our master programmes. We want more double or joint degree programmes with our European partners. For example, we have applied to host a joint masters' programme in security studies – with Estonian and Lithuanian partners – for obvious reasons. We want to rethink the entire doctrine of international and regional security – this is just a current example. We implemented already a double masters' degree in heritage with the University of Nottingham, aimed at decolonising narratives about Ukrainian identity, East European identity and decolonising the region of Russian imperialism.

The fourth strategic project we have is to foster international experience for those who are not eligible to travel or benefit from international mobility. We want to make internationalisation more inclusive by offering collaborative online learning projects. This instrument will be directed to regions where we have not been present before: South America, Africa, Southeast Asia. Just two days ago we completed a very special collaboration programme with Airlangga University in Indonesia – this is the first time we are collaborating with this region in the world.[18]

AP: To conclude, could you give some specific examples of how foreign universities can be helpful when it comes to rebuilding Ukraine?

HP: Yes, I do have some recipes. I will begin with students. There is such a great potential for European universities to explore projects where students can meet, if the situation allows physically, like one-week or several-days faculty-led visits to Ukraine and, once you feel the atmosphere, see real people – this will give you a life-changing experience. But if this is not possible, consider using Erasmus projects for blended learning. It allows projects for creating online courses, and then students can travel together for fieldwork, not necessarily to Ukraine. Imagine how we can use this instrument very practically for Ukraine's restoration. In such online courses, faculty will synchronise their courses, their curricula and produce a joint module with a Ukrainian case – let us take Ukrainian business, Ukrainian economy, medical sphere, or rehabilitation. There is an endless list of cases that students can study together without an actual necessity to travel to the war zone. There are also opportunities for internships, volunteering for students, so that students mastering Ukrainian can spend several weeks with projects aimed at supporting internally displaced peoples, communities, relocated business, relocated universities – this is just a very prospective sphere of academic investment. When we talk about faculty and professors, this is definitely a research domain, as the EU is offering Horizon Europe projects. I really encourage universities to invite Ukrainian colleagues into consortia like Erasmus+ projects, and Horizon Europe projects and networks. Also, the European University alliances initiative[19] can help create meaningful links between Ukrainian universities and the EU.

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STRENGTHENING UKRAINE'S BOTTOM-UP EUROPEAN INTEGRATION: LESSONS FROM REGIONAL INSTITUTIONS

With Ukraine moving towards greater European integration, the country's regional institutions require better coordination, stronger financial backing and capacity-building support if they are to fulfil their potential.

Nataliya Haletska

Ukraine must implement an array of reforms along the road to becoming an EU member state, some of which will have to be realised at the regional (*oblast*) level. Currently, the country's regional institutions face a number of challenges that will need to be addressed if they are to become sufficiently robust actors in Ukraine's bottom-up European integration. Based on the author's personal insights as a member of Lviv Regional Council, this blog offers some insights into how the regions' role might be strengthened in this regard.

First steps towards bottom-up European integration

To understand the source of the current challenges, one needs to look at how Ukraine's regions have participated in the European integration process thus far. The necessity of engaging regions as separate players was first defined in the Strategy of the European Integration of Ukraine, adopted in 1998. Subsequently, the Ukrainian parliament adopted the 2004 'On Cross-Border Cooperation' law, which defines the frameworks under which regions and communities can participate in EU cross-border cooperation programmes.

Building on the EU–Ukraine Association Agreement – which was signed in 2014 and came into force in 2017 – Ukraine's Law as of 2015 'On Foundations of State Regional Policy' law added an additional framework for engaging regions in the European integration process. This included the regional development agencies each of the country's regions is supposed to possess. At the same time, regional executive bodies – such as regional state administrations – attempted to issue regulations[1] on implementing European integrations steps, although these were generally declaratory rather than binding.

More recently, local self-government bodies have started to participate in the EU cross-border programmes with increased enthusiasm, even providing financial resources from their own regional budgets. Having been granted EU candidate status in 2022, Ukraine has also joined several EU programmes, including LIFE (the Programme for Environment and Climate Action)[2], Digital Europe[3], Creative Europe[4], Connecting Europe Facility[5] and Interreg Europe[6], necessitating the creation of more developed, specialised institutions.

Here, it is worth noting that it has been the Ukrainian government driving the country's engagement in EU programmes, meaning there have been few indications of bottom-up European integration in these processes.

Today, there are several regional institutions responsible for guiding Ukraine's European integration, encompassing regional state bodies (regional state administrations before February 2022 and regional military administrations since then); local self-governing bodies (regional and local community councils, mayors); and various specialised institutions, such as the previously mentioned regional development agencies. While various non-governmental institutions (NGOs, professional associations etc.) are also involved in several of the EU programmes and projects, this blog is concerned only with state or local self-government bodies.

Regional state/military administrations: inflexible but partially active

Regional state administrations are state bodies appointed by and tasked with representing the President of Ukraine in their respective regions. They implement various state policies and process some powers delegated from the local self-government body (i.e. the regional council). Following the imposition of martial law, regional state administrations were restructured and renamed 'regional military administrations' after 24 February 2022.

Given their inflexible nature, these bodies are ill-suited to developing partnerships or acting as a project development and implementation office. Even so, the Lviv Regional State/Military Administration is taking steps to become more active in the area of European integration. For example, it has actively expanded its relations with neighbouring Poland by developing its own position on where border checkpoints – which are essential for promoting trade and thus the region's economic prosperity – should be located.

Local self-government bodies: caught between increased activity and stronger constraints

Ukraine's regional councils are responsible for developing international partnerships, as well as finding partners for their – among other institutions – hospitals, educational institutes and cultural organisations. Local community councils and mayors are, in turn, tasked with fostering cross-border partnership agreements, such as town twinning, and participating in EU programmes alongside their counterparts from other countries in the Union.

Following Russia's full-scale invasion of Ukraine in 2022, a contradictory pattern has – judging by the author's personal observations and discussions in Lviv region – emerged between regional councils on the one hand, and the mayors and councils of local communities on the other. While the latter have become more active in matters of EU cross-border cooperation compared to the pre-invasion period, the opposite holds true for the former.

For example, in 2017, Lviv's Regional Council established a special programme on co-financing EU projects, thereby allowing local communities and communal institutions to participate in larger projects. The subsequent halt in such activity stems from legislative changes transferring budgetary and other powers to the regional military administrations after February 2022. As a consequence, the majority of functions of the regional councils are now performed by the military administrations. This has deprived the Lviv Regional Council of the financial resources necessary for the co-financing programme.

The shift in powers outlined above has negatively impacted the speed of Ukraine's European integration, as European regions can no longer find Ukrainian counterparts with the necessary scope of powers. Regional military administrations cannot fulfil this role, as all their activities are coordinated and approved by the Office of the President of Ukraine. Due to this top-down nature, they are not self-government bodies and so lack the democratic legitimacy conferred on such bodies. As a consequence, neither the regional state/military administrations themselves nor the local self-government bodies within their jurisdictions can be considered bottom-up drivers of European integration.

Specialised institutions as regional integration champions

Against the above backdrop, the 'specialised institutions' – with some exceptions – emerge as the most suitable means of driving European integration. These institutions include the European Groupings of Territorial Cooperation (EGTC)[7], regional development agencies[8], regional associations of local self-government bodies[9], and the local self-government bodies' representative offices abroad.

The EGTCs allow for much faster project development and implementation, as such groupings are based on EU law[10] and created for a specific purpose. The first grouping in Ukraine, Tysa[11],

was created in 2015 between Zakarpattya region and a partner region in Hungary. This example has not, however, been followed by many, despite changes to the 'On Cross-Border Cooperation' law that make the creation of these institutions less problematic. While some preparations have been made in the Lviv region for the establishment of further EGTCs, progress has been painfully slow. Here, a dedicated programme supporting the formation and development of such institutions could help speed up the process.

Prior to the full-scale invasion by Russia, regional associations of local self-government bodies – the legal status and powers of which are defined by the 'On Local Self-Government Associations' law – were very active in the area of European integration. In 2013, one such association, Dnister, opened a representative office in Brussels, while in Lviv region, Euroregion Karpaty – Ukraine[12] has been developing and implementing projects across four of the country's regions.

In the wake of the invasion, however, and more generally following the creation of the regional development agencies, these associations have become less active. One lesson that may be drawn from this concerns the risk of creating institutions with similar functions, as this can spark unnecessary competition. To address this, the competences of the various institutions should be divided up on the basis of project-level priorities in areas such as digitalisation, culture and environment/climate change.

Regional development agencies can be established cooperatively by a regional state/military administration and its regional council counterpart, although other founding parties[13] may also be involved, such as universities or NGOs. In 2019–2022, efforts were made to transform the regional development agencies into regional offices of European integration. This did not, however, find much success due to the lack of a defined aim.

The fundamental aim underlying the regional development agencies is to establish apolitical bodies capable of acting as a project development and management office for the entire region. This includes communicating with foreign donors and initiating relevant projects and programmes. According to the 2022 Report of the Ministry of Infrastructure on the Activities of Agencies[14], this aim has yet to be achieved. Thus, the Ukrainian government is currently seeking an appropriate model that will enable the regional development agencies to fulfil their potential.

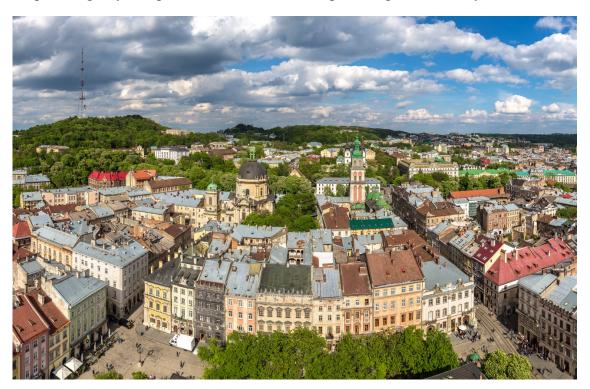**Drawing lessons from the Lviv's regional development agency**

The history of the regional development agency's establishment in Lviv region is somewhat complicated. The initial agency created in 2019 only had a single founder – Lviv Regional State Administration – which meant it did not comply with legislation. At the same time, the association of local self-government bodies was active in Lviv region, making it extremely difficult to create a competitor.

Nevertheless, the Regional Development Agency of Lviv Region[15] was finally created in 2023 by the appropriate founders (i.e. Lviv Regional Council and Lviv Regional Military Administration). The author actively participated in its creation in 2023, allowing for the drawing of some important conclusions in this blog.

Upon coming into existence, a regional development agency is fully dependent on regional resources (office, regional funds), as there are no funds allocated in the state budget. Thus, the appointment of a director and approval of all its documents inevitably leads to a complicated process of negotiations, especially so in the period since the full-scale invasion. Such a legislative approach risks the establishment of an organisation incapable of achieving its aims due to lack of resources.

One way out of this situation is for the newly created regional development agency to swiftly secure other sources of finance, such as funds from international technical aid projects, or paid services for local communities and NGOs. It was just such an approach that was taken by the Regional Development Agency of Lviv. Doing so, however, requires preliminary investment from the regional budget, which is not always available.

Thus, another important lesson learnt is that providing for the fundamentals of a regional development agency or equivalent institution means providing the necessary funds in law.

Panoramic aerial view of Lviv.
Source: Colourbox

Strengthening the regions' role in European integration

Ukraine's regional-level European integration efforts have developed from fragmented endeavours to much more wide-ranging, deep-rooted initiatives. Even so, more needs to be done to strengthen the regional institutions dedicated to furthering European integration.

Worthwhile paths that could be pursued in this regard include ensuring the Ukrainian regions and international donors provide the resources necessary to adequately establish these institutions; strictly defining institutional competences, thereby avoiding unnecessary duplication of responsibilities among different institutions; and putting in place an institutional support programme – possibly with funding from foreign donors – for the formation and development of relevant institutions (e.g. a 'train the trainers' project aimed at sharing knowledge with local communities and communal institutions such as hospitals or educational establishments).

Such improvements would help ensure the full potential of Ukraine's regions is drawn on in the country's pursuit of European integration.

The views expressed in this article are those of the author and do not reflect the position of the Lviv Regional Council.

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ON THE ROAD TO SUSTAINABLE REBUILDING AND EU MEMBERSHIP, UKRAINE MUST ACCELERATE THE DEVELOPMENT OF ENVIRONMENTAL LAWS AND POLICIES

Ukraine must speed up the Europeanisation of environmental policy to make headway on "building back better" and its accession to the EU.

Olga Melen-Zabramna

Amid the intensive hostilities in Ukraine, Ukrainian partners, including the EU in particular, Ukrainian top officials, international banking institutions, and civil society are banding together to plan post-war recovery. Much attention is focused on the legal framework and policy documents guiding recovery projects and planning. The slogan "build back batter", which comprises improved energy efficiency and climate resilience through greening and decarbonisation[1], is widely accepted by donors and investors inside and outside the country. The EU is also enthusiastically promoting the green recovery of Ukraine and building back better.[2] Because a significant part of the funding comes directly from the EU, it will be allocated under certain conditions and rules that are effective in the union. It is, therefore, clear that environmental issues will play a central role in the reconstruction of Ukraine.

The Association Agreement as a basis for Ukraine's Europeanisation in the field of environment

Ukraine started its path of serious Europeanisation by signing the Association Agreement[3] with the EU in 2014. Recently, this process has been intensified due to the launch of accession negotiations between the two parties.[4] The main component of this process is the level of approximation of the Ukrainian legislation with the EU acquis. The general public, including the NGO Environment-People-Law[5], plays a key role in supervising the law- and policy-making process to ensure that the approximation efforts meet environmental protection goals and concord with the EU acquis.

The Association Agreement paved the road for a new legislative framework in the spheres of climate change, waste management, water quality and its management, nature protection, industrial pollution and chemicals, genetically modified organisms, noise pollution, civil protection, urban environment, and environmental governance and fees. Cooperation with the EU in these areas will support Ukraine in protecting, improving, and rehabilitating the quality of the environment and human health, the prudent and rational utilisation of natural resources, as well as dealing with regional or global environmental problems. The list of EU Directives from Annex XXX of the Association Agreement in the sphere of environmental protection, governance, and climate change aims to harmonise Ukrainian legislation and policies in the environmental field and the field of sustainable development with the EU *acquis.* Article 363 of the Agreement stipulates that "[g]radual approximation of Ukrainian legislation to EU law and policy on environment shall proceed in accordance with Annex XXX to this Agreement".

Slow progress in the Europeanisation of Ukraine's environmental law

Based on the Association Agreement, a vast part of the Ukrainian environmental legislative framework was subject to changes during the course of Europeanisation. However, the progress in the approximation with EU Directives listed in the Annex XXX of the Association Agreement had been slow and faced some difficulties due to multiple reasons. Numerous environmental directives aim to regulate the impact and use of the elements of the environment in many fields, affecting the business environment and shifting the old Soviet style of environmental management and regulations, as well as environmental control.

Despite these obstacles, the changes to Ukrainian legislation in the sphere of **environmental governance and its integration into other policy areas have** been considerably swift as it was also based on the necessity to implement the provisions of the Aarhus Convention[6], ratified by Ukraine in 1999. Thus, the legislation on environmental impact assessment[7], strategic environmental assessment[8], access to public information and digitalization of information[9], data bases, permits and decisions[10] assisted Ukraine in creating the necessary European legal framework of environmental governance.

Ukraine's **air quality** legislation lacked various regulations around the emissions of certain pollutants, and Annex XXX contained six key Directives that Ukraine needed to implement. For instance, to approximate Ukraine's legislation with the Directive 2008/50/EC[11] on ambient air quality and cleaner air for Europe, Ukraine had to adopt legislation on the state air monitoring and appoint the authorised body in this area, as well as to draft a procedure for establishing targets and maximum permissible values and the objective of mitigating of emissions of particulate matter (PM) 2.5 (i.e., fine inhalable particles, with diameters that are generally 2.5 micrometres and smaller, a mixture of solid particles and liquid droplets found in the air). In August 2019, the government of Ukraine adopted the Rules of State Monitoring of Air[12]. It defines the mechanisms of state air monitoring, coordination of central and local executive environmental protection bodies, informational support of those bodies for sound decision-making, and informing the public on air quality. The rules define the division of the territory of Ukraine into zones and agglomerations for the purpose of air monitoring. However, the war has severely impeded the implementation of these rules by local and regional authorities, and the parliament still has not regulated the emissions of PM 2.5 in Ukraine.

In the field of **waste management**, Ukraine made significant efforts to launch the reform by adopting the Framework Law on Waste Management[13], which implements Directive 2008/98/EC on waste and partially Directive 1999/31/EC[14] on the landfill of waste. A few other waste-related laws and by-laws are being drafted and advocated by the Ministry of Environmental Protection, the Ukrainian expert society and European institutions to set up clear rules in the waste sector for investors and other stakeholders. These rules are crucial for the recovery of Ukraine and the management of waste created by the hostilities with the goal of minimising the impact on the environment and human health.

As part of the EU accession process, Ukraine must also establish clear rules for the **rational use and management of water resources**. The approximation of six key EU directives in the water management area is currently on the agenda of the Ukrainian parliament. Ukraine made partial progress in this exercise and transposed some Directives into national legislation. However, the Directive concerning the protection of waters against pollution[15] caused by nitrates from agricultural sources still requires approximation. Legislation on urban waste-water treatment[16] was passed during the full-scale war and requires the adoption of numerous by-laws to start its full application by key stakeholders.

Progress on legislation addressing **industrial pollution and hazards** mirrors this pattern. While crucial laws have been recently passed, their implementation remains distant. This is partly due to the inclusion of exemptions and extensions for businesses during the period of martial law. But at this time, businesses and investors received clear signals from the parliament that the rules on integrated pollution permits will be obligatory and that the best available technologies (BAT) must be implemented for certain types of economic activities.

Climate change emerges as Ukraine's most pressing regulatory challenge, with the Association Agreement mandating legislation on greenhouse gas emissions trading. However, progress has stalled. Legislative efforts on climate change have been sluggish, often facing strong opposition from large corporations. This gap demands urgent parliamentary action to integrate the EU emissions trading system into Ukraine's economic framework. The current piecemeal approach

to climate-related legislation lacks coherence and a clear strategy for establishing a greenhouse gas emissions trading scheme in Ukraine.

Deforestation in the Carpathians, Ukraine.
Source: Kyrylo Ryzhov/Colourbox

EU legislation on **nature protection** should serve as the foundation for new national standards in protecting nature and conserving birds, flora, and fauna. This area was previously neglected by the government, so Ukraine must now undertake the task of aligning with two EU Directives on the conservation of birds[17], flora, and fauna[18]. This crucial effort will help safeguard fragile natural ecosystems from potential destruction during Ukraine's future reconstruction.

Ukraine and the EU Green Deal – ambitious goals, but still a long way to go

Ukraine has made high-level political pledges to align with the EU Green Deal policy, which steers the European Union toward climate neutrality. But these political declarations have to be converted into national policy documents in many areas, and supported by numerous legislative acts and national enforcement frameworks. Necessary policy-making activities in Ukraine are missing, and martial law has both complicated and prolonged the process. As the prospect of rebuilding Ukraine after the war is coming closer and the recovery is high on the agenda of international investors, Ukrainian green policy development has gained momentum. It is obvious that rebuilding Ukraine should follow a sustainable path, and the EU showed signals that support of such efforts would extend to Ukraine, including significant financial allocations. Thus, the shift of the national economy toward a circular economy, the development of a Ukrainian-style Green Deal, and changes in the rules of play for business on the use of natural resources are inevitable, regardless of the opposition of the business sector. The war should not be used as a reason for delays in policy and law-making. Indeed, the EU has made it clear that Ukraine's path to recovery must be green, and environmental concerns must be integrated into the post-war recovery process.

Improving environmental law and policy-making as a prerequisite for successful Europeanisation

In the next few months and years, Ukraine will have to convince the EU of its compliance with the environmental provisions of the Association Agreement and alignment with the norms of the European Union's Green Deal. To achieve this, Ukraine must develop and enhance

mechanisms for aligning its environmental law and policy with European standards. This involves strengthening the Ministry of Environmental Protection's capacity for drafting legislation and intensifying advocacy efforts with parliament and civil society. These initiatives should highlight the necessity of approximation and the future benefits that new European environmental regulations will bring to both citizens and businesses. Additionally, Ukraine and the Ministry of Recovery of Ukraine should prepare a recovery strategy for Ukraine in line with the European Green Deal and reconsider Ukraine's existing recovery plan[19] with active public involvement to make it greener and more sustainable. Currently, Ukraine's progress is slow, which might create additional risks during the accession process. Policy and law-making are parallel and mutually dependent processes, as the law supports the implementation of policy documents through the creation of green recovery rules. In contrast, policy documents provide the goals and specifics of the future recovery process and a shift in the economic development model of Ukraine.

Conclusions: Ukraine must speed up its reform efforts with the support of civil society

Ukraine should speed up shaping its legal framework in the following areas: waste management, air quality and water management, climate change and nature protection. Necessary policy documents have to be developed in line with the goals of the EU Green Deal. These efforts will ramp up the negotiation process on Ukrainian membership in the EU and create a sound basis for Ukraine's green post-war recovery. Ukrainian civil society working in the area of nature protection has already indicated its eagerness and capacity to be a reliable partner in Ukraine's European integration efforts, and this position is explicitly acknowledged by national and international stakeholders.

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UKRAINE NEEDS TO THINK ABOUT ITS ECONOMIC FUTURE AFTER THE WAR

Without clear plans for reconstruction, the country risks losing its greatest asset: people.

Ganna Kharlamova & Andriy Stavytskyy

As of today, Ukraine is embroiled in a brutal struggle to remain an independent state, making it difficult to look beyond unfolding military events. Few, then, would be confident in predicting the circumstances amid which the country will eventually emerge from war and embark on its long road to recovery. The question of which sectors or areas of industry Ukraine should pursue when the time comes to relaunch its economy remains perilously unclear.

Some industrial facilities have been so utterly devastated that it is hardly worth restoring them to their previous, post-Soviet levels. Thus, rather than talking of 'restoration', it more pertinent to think in terms of 'reformatting' or 'renovation'. Driven by the current high tide of patriotism, the Ukrainian economy is potentially in a strong position to embrace new industries, such as digital technologies, electronics and the defence industry.

Doing so will require considerable human resources. Given that a significant proportion of the population has already fled across the country's borders, it is important to consider how refugees might be enabled to return, rather than relying on families being reunited abroad. Ukraine is already facing reduced in-flows of cash from those working abroad, as their earnings now often remain within their country of residence. This poses a major problem, as in recent years cash flows from foreign-based Ukrainians have exceeded direct foreign investments to Ukraine. Cross-border payment services also need improving to make payments from diaspora easier.[1]
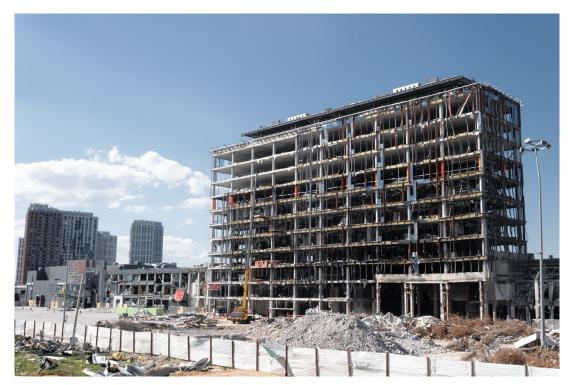
In order to pave the way for Ukrainians who now reside overseas to return, as well as to prevent the departure of those considering a new life abroad, the country must provide answers to the following questions: Where will people live? What will they eat? How will they earn a living? And where will their children be educated?

Where will people live?

Should the country remain in ruins, littered by ghost districts and partially constructed residential complexes, it will be difficult for many to rebuild their future here. In particular, Ukraine faces losing young, mobile people who might otherwise have played an active part in restoring the country's economy. It is therefore crucial that principled decisions are made, and negotiations opened, to find sources of funding for new residential and infrastructure facilities, as well as temporary housing.

Many of those who have seen their homes or premises destroyed have been told they may receive compensation but without a specific date on the horizon. Such uncertainty about the future is counter-productive when it comes to reassuring citizens. Thus, plans need to be put in place now to ensure that people are confident inflation will not eat away at the payments they are to receive as part of any future rebuilding programme.

In terms of the short-term accommodation needed to partially solve the issue of destroyed housing, it is only in Lviv[2] that efforts appear to be underway to build temporary complexes. Most regions – and in particular, Kyiv – have yet to demonstrate any plans on the issue. A nation-wide solution would be to establish a temporary reconstruction agency, along the lines of what Tymofiy Mylovanov and Gerard Roland recommend in a recent publication about post-war reconstruction and governance reforms.[3]

Reconstruction works at the Retroville Shopping Mall, Kyiv.
Source: Colourbox

When it comes to new houses or apartment blocks, various obstacles – from rampant inflation to labour shortages to interruptions in electricity and water supplies – have prevented developers from completing construction.[4] In most cases, it is citizens' money that is at stake. The fulfilment of investment obligations therefore needs to be guaranteed, if necessary by providing loans to ensure construction can continue.

Here, it is crucial to understand that if just one major developer goes bankrupt, it could trigger a domino effect comparable to what occurred in the US during the Great Depression. Such a catastrophe would in turn provoke a mental return to the 1990s, a time when the post-Soviet republics underwent a crushing period of economic transformation and impoverishment. Faced with this, many families will simply lose hope and seek to emigrate.

What will people eat?

Food security in Ukraine is more fragile than ever. For example, as of May 2022, the total financial losses arising from the destruction of egg production caused bv Russian aggression amounted to around 38 million euros.[5] Thus far the situation has been mitigated by the state regulation of prices. Once the war ends and market pricing returns, significant price shocks in the food market can be expected.

On top of this, Ukraine's economy will need to begin integrating into the EU, with restrictions removed on the movement of many products. As a result, prices in Ukraine are likely to rise significantly, posing significant challenges for the government and society more broadly.

It is also worth noting that Ukraine's grain production is expected to rise and expand significantly in a post-war future, after the heavy losses sustained because of the war. This means the government faces additional responsibilities when it comes to ensuring grain corridor logistics, such as transportation, storage and distribution. Fulfilling these responsibilities will be critical to maintaining a stable food supply and managing prices.

How will people earn a living?

In 2022, there was a reported 40% rise in business closures although signs of recovery are starting to show: in the second quarter of 2023 foreign direct investment increased by USD 629 million.[6] Reactivating closed businesses after the war with a new and improved model of operation will be essential. The government should provide incentives and support towards this end, while promoting the adoption of more innovative and sustainable practices.

At the same time, comprehensive tax reforms based on new administrative and penal principles are needed. This will ensure fair and transparent taxation, reduce tax evasion and corruption, and foster a more conducive environment for business growth and private entrepreneurship.

Where will children be educated?

The public system of kindergartens and schools is not at present able to offer a safe space for educating children. Many private institutions, by contrast, have equipped their buildings with bomb shelters and developed plans of action in case of attack.

It has become clear over the course of the war that a significant number of services – including teaching – can be provided online, whether fully digital or in a hybrid format. Accordingly, the digitisation of all relevant state services, particularly in the educational realm, should be pursued as a priority.

Transforming Ukraine's economy after the war

A range of measures are required to stimulate a long-term transformation of Ukraine's economy capable of sustaining the return of the country's citizens after the war. This includes legislative initiatives aimed at protecting investors, such as the creation of an investors' bank and, possibly, a declaration of investors' rights.

A strategy for ensuring Ukraine's energy independence and efficiency is urgently needed. As well as introducing technology that will allow energy to be obtained from renewable sources, the strategy should address how to increase the efficiency of energy transmission, storage and use. This includes promoting the transition to electric vehicles and a complete ban on the sale of petrol and diesel cars by 2035, as per EU recommendations.

Ukraine's integration into the EU economy will require a clear and comprehensive strategy on improving the business climate, promoting competition, enhancing the rule of law, protecting property rights, and implementing reforms to meet EU standards. Alongside this, the government should focus on building strong economic partnerships with neighbouring countries and diversifying Ukraine's export markets.

Last but not least, Ukraine must invest in education and innovation in order to increase the competitiveness of its workforce and attract foreign investment.

At present, Ukraine faces an uncertain future, with predictions of when and how the war will end amounting to little more than speculation. Nevertheless, if the country is to hold onto its greatest resource – its people – both short-term measures and long-term plans need to be put in place to ensure the country emerges from conflict with a clear vision for its economic future.

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BALANCING WARTIME RESTRICTIONS AND ENVIRONMENTAL DEMOCRACY STANDARDS ON UKRAINE'S PATH TOWARDS THE EU AND GREEN RECONSTRUCTION

Ukraine must ensure transparent and participatory environmental decision-making on the path towards EU accession and ecological recovery.

Yelyzaveta Aleksyeyeva

For many years, environmental democracy has been a space for cooperation between the European Union (EU) and Ukraine. As an EU candidate country negotiating accession, Ukraine is obliged to implement and comply with the respective EU legislation. Indeed, Ukraine has made substantial progress in implementing respective international and EU laws. However, as a response to Russia's full-scale invasion in February 2022, the Ukrainian government initially limited the scope of application. It restricted certain democratic rights, particularly the right to access environmental information and public participation in environmental impact assessment (EIA). These urgent measures were adopted in violation of Ukraine's constitution, domestic laws, and the EU *acquis* and were not proportionate in light of their legitimate objectives. The government's failure to strike a fair balance between defence interests and competing concerns around transparency, democratic decision-making, and green reconstruction led to massive domestic and international pressure to revise the measures. A better balance was found by the amendments to the EIA law, which came into effect in December 2023. Balancing security concerns with obligations related to EU candidate status remains an ongoing challenge for Ukraine – one it must repeatedly address and overcome.

Unjustified and disproportional war-related restrictions

The Constitution of Ukraine[1], adopted in 1996, proclaims everyone's right to a safe environment and free access to environmental information. Since pursuing its democratic development, Ukraine has overcome a severe gap in ensuring procedural environmental rights for its public[2]. Despite beginning its democratic transition in the 1990s, Ukraine had, by 2022, implemented participatory democracy tools that surpassed those of some established European states. One of the most significant is the Single State Register of Environmental Impact Assessment[3] introduced in 2017 – an electronic tool for carrying out EIA procedures in a transparent and user-friendly way. To transpose the EU's Environmental Impact Assessment Directive 2011/92/EU[4], Ukraine established a nationwide online EIA database providing free and full access to all documents originating throughout the EIA procedure, enabling the public to follow any EIA case in the country in real-time and creating favourable conditions for soliciting comments and suggestions from various stakeholders including the general public. These reforms allowed Ukraine to finally implement the Aarhus Convention[5] in terms of public participation in specific projects as well as to transpose the EIA directive.

At the beginning of the war, however, Ukraine's Ministry of the Environment adopted a series of measures and practises that restricted the public's ability to have a say in major industrial and infrastructure projects during both the ongoing war and the post-war reconstruction period.

On March 15, 2022, Ukraine's Parliament enacted the law "On Amendments to Certain Legislative Acts of Ukraine Concerning Environmental Activities and Civil Protection for the Period of Martial Law"[6] to expedite the reconstruction of damaged infrastructure. Among other things, the law amended the EIA law to exclude all restoration works to eliminate the consequences of armed aggression and hostilities during martial law and in the reconstruction period after the war from the scope of the EIA law. The adopted law automatically abolished

the EIA procedure (and all public participation provisions within) for any restoration works both during the war and in an unspecified reconstruction period after the end of the hostilities.

To protect sensitive data and prevent unauthorised access by the aggressor state, the Cabinet of Ministers of Ukraine issued Resolution No. 263 on March 12, 2022.[7] This resolution authorised ministries and other central and local executive bodies to suspend or restrict access to public electronic registers. Following that, the Ministry of the Environment shut down the EIA register. Later, limited access to the register was restored, yet not to the extent that meaningful public participation in the ongoing EIA procedures was allowed. Any information on pre-war EIA cases and the location of pending planned activities undergoing the EIA procedure were classified. The EIA documentation in pending EIA cases was no longer available online, but only upon a written request that had to include the personal data of the requestee along with the IP address.

In adopting these measures, Ukraine went far beyond what the respective international obligations sanctioned, even in martial law. Neither the EIA Directive nor the Aarhus Convention provides for a different legal regime applicable during wartime, meaning that even in these extraordinary circumstances, all its requirements continue to apply. The documents, however, envisage certain exceptions tied to national defence concerns. Yet, in the case of shrinking the scope of the EIA application and limiting the participatory rights in the EIA procedures, Ukraine departed far from what was allowed. The same applies to the national legislation. Both the constitution and martial law[8] allowed the Ministry of the Environment to limit the operation of the EIA register. At the same time, the scope of the EIA application after the war and access to public information during the war should have remained unchanged and regulated by the laws of Ukraine on EIA, access to public information[9], and relevant by-laws. Although the adopted measures protected national defence and public security interests, Ukraine failed to strike a fair balance between these interests and the competing concerns around transparency, democratic decision-making and green development.

Domestic and international pressure counters wartime restrictions

The adopted measures sparked significant domestic and international backlash. Ukrainian environmental NGOs launched a vigorous campaign to reclaim their recently acquired participatory rights. When the Ministry of the Environment initiated a legislative process to revise EIA law and legitimise the new regime, these NGOs actively engaged in the drafting process. At the same time, the environmental NGO Environment-People-Law[10] from Ukraine brought the issue to the Aarhus Convention Compliance Committee's attention, which rendered its very straightforward recommendations[11] upon consideration. In combination, these efforts led to the Ukrainian parliament adopting amendments to the EIA[12] law that 1) overturned the shrinking of the scope of the EIA, which implied that reconstruction projects after the end of the hostilities would be subject to EIA; and 2) introduced a new EIA register that, while publicly available, takes into account the context of the war by introducing a mechanism for case-by-case limited access to sensitive information.

New challenges on Ukraine's path to the EU and green reconstruction

Throughout the war, which has proved devastating for Ukraine's energy and infrastructure sectors[13], the government introduced a series of derogations from the EIA procedure to speed up the reconstruction efforts. As a result, during martial law, many projects are being approved without an EIA procedure. While these projects are urgently needed for the economy and the population's well-being, they are also likely to significantly affect the environment. They include constructing energy facilities and critical infrastructure, such as roads, railways, ship passages, harbours, and port installations. The question arises again whether these wartime exemptions conform with the respective EU *acquis* and green reconstruction principles.[14]

Virginijus Sinkevičius, EU Commissioner for Environment, at the Ukraine Green Recovery Conference 2023.
Source: https://mepr.gov.ua/konferentsiya-zelene-vidnovlennya-ukrayiny/

The EIA directive allows derogations from its provisions in cases relevant to wartime, such as projects with defence or response to civil emergencies as their sole purpose. The directive, however, attaches certain conditions to these derogations, namely that the decisions are to be made on a case-by-case basis and that the derogations are granted only when it is deemed that carrying out EIA would hinder defence or response to civil emergencies.

It is clear that there is an urgent need for rapid approval of projects crucial to supporting the war effort and ensuring public well-being in Ukraine. Still environmental considerations must be accounted for as well. Currently, in Ukraine, there is no established procedure for a project proponent to submit a request for exemption, nor is there a competent authority to review and approve or deny such requests based on whether applying the EIA might negatively impact defence or civil emergency needs. As a result, an unidentified number of projects are automatically excluded from the scope of the EIA only by virtue of falling within a certain category of projects excluded from the EIA for the time of the war[15] (for example, restoration of damaged infrastructure). In the absence of such a procedure, the restoration and/or replacement of any infrastructure damaged by the Russian Federation anywhere in Ukraine – from the western border with the EU all the way to the east – automatically qualifies the derogation irrespective of the effects of the EIA on defence or civil emergencies. That leaves enormous opportunities for abuse by both project proponents and public authorities.

For example, the reconstruction project for the Kakhovka Dam and power plant was approved[16] just over a month after the tragedy, even though construction cannot begin until the left bank of the Dnipro River is liberated from Russian occupiers. While this may take years, the government bypassed the EIA procedure – which considers environmental impacts and public input – and has already started designing the new Kakhovka Dam, power plant, and associated infrastructure.

Even during wartime, civil society in Ukraine is urging the government to apply EIA exemptions responsibly. At the very least, a procedure should be established to assess whether each project

qualifies for an exemption. Additionally, the Ministry of the Environment must maintain records of all projects granted such exemptions.

As a candidate country expressing a strong will to swiftly join the EU, Ukraine must comply with the EU *acquis*. Domestic civil society is therefore strongly advocating that the government reconsider the adopted measures to ensure they are fully compatible with relevant EU law. Additionally, the measures should adhere strictly to the principle of proportionality, meaning that any restrictions on human rights must serve a legitimate purpose and be the least restrictive means to achieve that purpose. Striking a fair balance between the national defence on the one hand and democratic decision-making and green development on the other will be a paramount challenge for Ukraine on its path towards the EU.

[1] Verkhovna Rada of Ukraine (1996, June 28). Constitution of Ukraine. *The Official Bulletin of the Verkhovna Rada of Ukraine (BVR)* No 30. https://zakon.rada.gov.ua/laws/show/en/254%D0%BA/96-%D0%B2%D1%80#Text.

[2] Aleksyeyeva, Y. (2022). Public participation in decisions on specific activities in Ukraine: state of the art and way forward. *ELNI Review* 22, pp.51-57. https://www.elni.org/fileadmin/elni/dokumente/Archiv/2022/elni_2022_Aleksyeyeva.pdf.

[3] For the information related to the Single State Register of Environmental Impact Assessment, please visit https://eia.menr.gov.ua/.

[4] Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (codification). *OJ* L 26, 28 January, pp.1-21.

[5] UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention). https://unece.org/environment-policy/public-participation/aarhus-convention/text.

[6] Verkhovna Rada of Ukraine (2022, March 15). Закон України «Про внесення змін до деяких законодавчих актів України щодо діяльності у сфері довкілля та щодо цивільного захисту на період дії воєнного стану і у відбудовний період» ["On Amendments to Certain Legislative Acts of Ukraine Concerning Environmental Activities and Civil Protection for the Period of Martial Law"]. № 2132-IX. https://zakon.rada.gov.ua/laws/show/2132-20#Text.

[7] Cabinet of Ministers of Ukraine (2022, March 12). Постанова «Деякі питання забезпечення функціонування інформаційно-комунікаційних систем, електронних комунікаційних систем, публічних електронних реєстрів в умовах воєнного стану» [Resolution "Some Issues as to Ensuring the Functioning of Information-Communication Systems, Electronic Communication Systems and Public Electronic Registers over the Period of the Martial Law's Application]. No 263. https://zakon.rada.gov.ua/laws/show/263-2022-%D0%BF#Text.

[8] Verkhovna Rada of Ukraine (2015, May 12) Закон України «Про правовий режим вонного стану» [Law of Ukraine "On the Legal Regime of the Martial Law"]. No 28. https://zakon.rada.gov.ua/laws/show/389-19#Text

[9] Verkhovna Rada of Ukraine (2011, January 13) Law of Ukraine "On Access to Public Information". No 2939-VI. https://zakon.rada.gov.ua/laws/show/2939-17?lang=en#Text.

[10] For more information about the NGO and its activities, please visit https://epl.org.ua/en.

[11] Aarhus Convention Compliance Committee (2023, June 9). Recommendations with regard to request for advice ACCC/A/2022/3 by Ukraine. https://unece.org/sites/default/files/2023-06/A3_Ukraine_advice_adv_unedited.pdf

[12] Verkhovna Rada of Ukraine (2023, July 13). Закон України «Про внесення змін до деяких законів України щодо удосконалення та цифровізації процедури оцінки впливу на довкілля» [On Amending Some Laws of Ukraine as to Improving and Digitalizing the Procedure of Assessing Environmental Impact]. № 3227-IX. https://zakon.rada.gov.ua/laws/show/3227-20#n6.

[13] KSE Institute (2024, February 12). $155 billion – the total amount of damages caused to Ukraine's infrastructure due to the war, as of January 2024. https://kse.ua/about-the-school/news/155-billion-the-total-amount-of-damages-caused-to-ukraine-s-infrastructure-due-to-the-war-as-of-january-2024/.

[14] Ministry of Environment of Ukraine (2023, November 28). Ministry of Environmental Protection and Natural Resources: Build Back Better, Build Back Greener − key principles of Ukraine's reconstruction. *Government Portal.* https://www.kmu.gov.ua/en/news/mindovkillia-build-back-better-vuild-vack-greener-kliuchovi-pryntsypy-vidbudovy-ukrainy.

[15] Cabinet of Ministers of Ukraine (2017, December 13). Постанова "Про затвердження критеріїв визначення планованої діяльності, яка не підлягає оцінці впливу на довкілля, та критеріїв визначення розширень і змін діяльності та об'єктів, які не підлягають оцінці впливу на довкілля" [Resolution on Adopting the Criteria of Determining Planned Activities That Is Not Subject to Environmental Impact Assessment and Criteria of Determining the Widenings and Changing the Activities and Objects That Are Not Subject to Environmental Impact Assessment]. No 1010. https://zakon.rada.gov.ua/laws/show/1010-2017-%D0%BF#Text.

[16] Cabinet of Ministers of Ukraine (2023, July 18). Постанова «Про реалізацію експериментального проекту 'Будівництво Каховського гідровузла на р. Дніпро. Відбудова після руйнування Каховської ГЕС та забезпечення сталої роботи Дніпровської ГЕС у період відбудови'» [Resolution "On the implementation of the experimental project 'Construction of the Kakhovsky hydraulic unit on the Dnipro River. Reconstruction after the destruction of the Kakhovskaya HPP and ensuring stable operation of the Dniprovskaya HPP during the reconstruction period']. No 730. https://zakon.rada.gov.ua/laws/show/730-2023-%D0%BF#Text.