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**“Best practices” vs. Tailor-Made Reforms:
An Exploratory Case Study of Agencification and Its Effects on
Policymaking Capacity in Ukraine in 2016-2021**

MA Thesis

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Authorship Declaration

I have prepared this thesis independently. All the views of other authors, as well as data from literary sources and elsewhere, have been cited.

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Abstract

International aid agencies and organisations have been promoting good governance and institutional development for several decades. Recently, however, the approach of importing “best practices” from developed Western countries and applying them as blueprints elsewhere has received substantial scepticism and criticism. Both academics and policymakers now emphasise the importance of contextualising and tailoring institutional reforms. They aim to find a good fit for each country and achieve long-term sustainable results rather than quick wins. One of the aid recipient countries for which the change of approach to institutional development is relevant is Ukraine. Among many other reforms, it is now undergoing agencification – a transformation of ministries into analytical units, freed from excessive and duplicated administrative functions. This thesis explores the case of agencification in Ukraine, endorsed and coordinated by the EU and the OECD’s SIGMA programme. As an exploratory case study, it investigates how the tailoring of agencification reform affects the policymaking capacity of ministries as its main intended result. The researcher conducted document analysis, desk research and in-depth interviews with public administration experts and practitioners. As a result, the study suggests four nuanced hypotheses which need to be further explored and verified in future research on the relationship between agencification reform tailoring and the policymaking capacity of ministries in developing countries.

Keywords: good governance; reform tailoring; best practices; public administration reform; agencification; institutional development; policymaking capacity; SIGMA principles.

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List of abbreviations

ALI – Agency for Legislative Initiatives

CEBs – Central executive bodies

CEE – Central and Eastern Europe

CI – Constructive Journalism and New Media Institute

CMU – Cabinet of Ministers of Ukraine

CPLR – Centre for Political and Legal Reforms

DSPEI – Directorate of Strategic Planning and European Integration

ENP – European Neighbourhood Policy

EU – European Union

IRF – International Renaissance Foundation

MES – Ministry of Education and Science of Ukraine

NACS – National Agency for Civil Service

NPM – New Public Management

OECD – Organisation for Economic Cooperation and Development

PAR – Public Administration Reform

PDIA – Problem-Driven Iterative Adaptation

RPR – Reanimation Package of Reforms

RST – Reform Support Team

SIGMA – Support for Improvement in Governance and Management

USAID – United States Agency for International Development

Introduction

Governance scholarship dedicates a significant share of attention to the reforms of institutions in developing countries. Often, such reforms are claimed to promote good governance and “best practices” of public administration (Bevir, 2012; Grindle, 2010). However, recently the cautiousness towards such an approach has been growing. It is unsurprising and rather anticipated that developing countries are eager to apply easily understandable scenarios and reach low-hanging fruits. What is questionable is the effectiveness of such reform populism when a government simply takes appealing solutions from developed countries and, through “window-dressing”, tries to gain extra legitimacy from the citizens and credit from donors (Evans, 2004; Grindle, 2004). Both academic and development communities are indicatively warier about the careless import of the so-called “best practices” of governance and institutional development to the foreign aid recipient countries (Andrews, 2010; Doornbos, 2007; Grindle, 2007; Levy, 2015). Various case studies from the countries of Latin America, South-East Asia, Africa, and Eastern Europe illustrate that reforms often fail to deliver substantial long-term results if they are not adjusted, or tailored, to a particular context (Andrews, 2013). Visible achievements, despite meeting indicators predefined by aid agencies and international organisations, are often superficial, easily reversible, and susceptible to changes of government.

Ukraine, as a developing state, has been undergoing a large number of complex reforms since it became independent and particularly since the Revolution of Dignity in 2013-2014 and the signing of the Association Agreement with the European Union in 2014. Many of its reforms receive financial assistance from intergovernmental institutions, development agencies and individual states. The scope of foreign aid is only expected to grow in connection to the upcoming post-war reconstruction and the EU candidacy status given to Ukraine in 2022. Nevertheless, there are hardly any reforms endorsed and overseen by foreign actors that can be regarded as completed or impactful: Ukraine still ranks rather low in institutional quality and transparency (Transparency International, 2021; World Economic Forum, 2019).

One of them is the reform of public administration, launched in 2016 by the Cabinet of Ministers of Ukraine with the assistance and expertise of the European Union (EU) and the Organisation for Economic Cooperation and Development (OECD). As a part of its broader programme, ministries had to eliminate excessive burdensome functions and focus exclusively on policy analysis and formulation. This could be done by delegating extra tasks to local

governments or through agencification – transferring executive functions to semi-autonomous executive government agencies. The expected result of this reform was that Ukrainian ministries would be producing evidence-based, high-quality, and inclusive policies that consider stakeholders’ interests and the long-term strategic goals of the entire government. Nevertheless, experts are commonly critical of the reform’s achievements (ALI, 2019; CI; 2021; Soroka, 2019b)

Agencification reforms are a widely present element of good governance reforms endorsed by development agencies. Given that Ukraine is indeed a recipient of foreign aid from such agencies, I aim to explore the connections between the adjustment of agencification reform to a particular context and the enhanced capacity to formulate evidence-informed public policies. My research is guided by the following research question:

Research question: How does the tailoring of agencification reforms affect the policymaking capacity of the ministries?

It is informed by a theoretical assumption about the role of reform tailoring stemming from the growing governance scholarship devoted to good governance and institutional development promotion (Andrews, 2013; Brinkerhoff & Goldsmith, 2005; Grindle, 2004; Levy, 2015). The research question is divided into three sub-questions, each of which unpacked component elements of policymaking capacity.

Sub-question 1: How does the tailoring of agencification reforms affect evidence-based policymaking by the ministries?

Sub-question 2: How does the tailoring of agencification reforms affect stakeholder involvement by the ministries?

Sub-question 3: How does the tailoring of agencification reforms affect strategic planning by the ministries?

This thesis is approached as an exploratory case study, aiming to contribute to the academic debate and theory building on the topic of good governance promotion. It proposes several nuanced hypotheses that draw the links between agencification reform tailoring and the effects on policymaking capacity. It scrutinises a single case of the Ukrainian public administration reform programme based on the so-called Support for Improvement in Governance and Management (SIGMA) principles. At the same time, it explores the Ministry of Education and

Science of Ukraine as a moderately successful embedded case of agencification case that constitutes a sub-unit of analysis.

The methodological approach to this thesis is a qualitative inquiry, while the methods applied include document analysis, in-depth interviews, and desk research. Relevant open-source and provided-on-demand documents are subject to thematic and content analysis (Bowen, 2009). Two interviews were conducted with public administration experts that took part in the reform design and oversight. One more interview was carried out with a former head of the Ministry of Education and Science of Ukraine. Desk research of second-hand sources of evidence, such as analytical studies and government reports, is mainly used to triangulate other data and validate findings. The access to some data sources was constrained by several limitations, primarily connected to the ongoing war in the country under study. All the collected data are analysed via qualitative content analysis applying a coding frame, which contained both data- and concept-driven codes (Schreier, 2012).

The first chapter of this thesis provides an extensive review of the scholarly literature that investigates the application of governance “best practices” in development reforms, criticism about such an approach, and alternative approaches. It also explores the academic view of executive agencies as a managerial solution and a way to let the ministries concentrate on policy analysis. Lastly, it unveils how these two lines of discussion are applied to Central and Eastern European countries, particularly Ukraine. The second chapter states the research problem of this thesis and poses research questions and sub-questions. The third chapter presents the conceptual framework, operationalising both agencification tailoring and policymaking capacity. Chapter 4 outlines the research design, methodology and study limitations. The fifth chapter presents the analysis of the collected empirical data across the conceptual framework elements. The sixth and last chapter concludes by suggesting four hypotheses on how agencification reform tailoring might affect various aspects of policymaking capacity advancement.

Chapter 1. Literature review

1.1. Good governance promotion and reform tailoring

1.1.1. Good governance as an elastic concept

This thesis seeks to bridge one of the existing gaps in governance scholarship. On the one end, it is institutional development as a part of good governance promotion; on the other, it is agencification as one of the numerous points in the development agenda and one of the various solutions for the public sector. There is an abundance of scholarship discussing good governance promotion in developing countries. Among various studies, there are some areas of convergence, but likewise, there are noticeable debates and underexplored “blind spots”.

When it comes to “governance”, there are plenty of definitions for the term. Since discussing them all is not the aim of this study, I selected one of the most all-encompassing definitions: governance implies institutional underpinnings of public authority and decision-making (Grindle, 2010, p. 2). The notion of good governance should be discussed in more detail. First, it refers to how developing countries need to be governed (Doornbos, 2007). It aims to fix the problems of “poor” governance, which results in wasted resources, undelivered services, and lack of protection for citizens (Grindle, 2004, p. 525).

The concept gained high visibility in the late 1980s – both in academic and empirical realms – especially with the renewed interest towards the state and the “new institutional economics” (Doornbos, 2007; Grindle, 2010). Some specific elements of it vary but often include limited, decentralised, transparent, and participatory government, with minimal bureaucracy, high-quality and depoliticised public personnel and efficient service delivery (Andrews, 2008). The World Bank's understanding of it includes empowering the poor, improving the coverage and efficiency of basic services, increasing access to markets and providing security in its different forms (Grindle, 2004).

Lately, the notion of good governance has been mentioned primarily in the context of development studies. The reason is that donor agencies, in their assistance packages, often require aid recipients to adhere to some guiding principles in governance and expect them to implement certain policy instruments (Bevir, 2012, p.107; Doornbos, 2007; Grindle, 2010). Among the advocates of good governance promotion, there are, first and foremost, international financial and nongovernmental institutions and multilateral and bilateral donors.

The EU and the OECD are among the frontrunners in good governance promotion, along with the World Bank, United States Agency for International Development (USAID), UK Aid and others. In fact, being a normative power is one of the EU's missions, so its interventions to improve governance in partner countries are systematic. Around 12% of the EU's official development assistance is channelled to government or civil society sectors – including public sector management (Mungiu-Pippidi, 2019, p. 6). It also often instrumentalises good governance as a precondition for financial assistance, including within its Neighbourhood Policy (ENP) (Mungiu-Pippidi, 2019, p. 7).

The OECD also plays a vital role in promoting good governance, which it defines similarly to the World Bank but with one noticeable difference: it did not distance the agenda from political aspects of governance like human rights and participation (Börzel et al., 2008). In this regard, it is similar to the EU since they both promote democratic and liberal values together with effectiveness and institutional resilience.

The first precedent for when good governance conditionality was applied by the EU and, moreover, successfully worked was the accession process of the 1990s and the Copenhagen criteria introduction. That experience provided a blueprint for the EU-endorsed good governance promotion. The speech of the then-President of the European Commission in 2000 and the 2001 White Paper on European Governance both mentioned the “good governance norm” and became important reference points for its promotion by the EU (Mungiu-Pippidi, 2019). Later, it has been mentioned in “nearly every strategic document related to the EU accession and EU neighbourhood and development policy” (Mungiu-Pippidi, 2019, p. 67), and its understanding of what good governance entails has been expanding (Börzel et al., 2008). Initially based almost exclusively on institutional setups, it started encompassing different democratic values. The Lisbon Treaty outlined the good governance pillars in the eyes of the EU: participation in civil society – to encourage openness, transparency, and democratic participation – and the strengthening of multilateral cooperation (Mungiu-Pippidi, 2019, p. 68). This can be considered a manifestation of the EU's efforts to be a “normative power”.

Even though “good governance” is admittedly a buzz word of the last few decades, the phenomenon itself is not inherently new. What is changeful is what kind of governance is considered “good”, which reflects this term's normative and subjective connotation. As Doornbos (2007, p. 28) says, such mutability has led to the emergence of various ways to assess the procedures, transparency and decision-making quality of the entity in focus – be it a

country, a city or a province. Bevir (2012) describes how the “good” varied in different periods: while in the 19th century, it revolved around representativeness and responsibility of the institutions, in the 20th century, it focused on centralised and rationalised bureaucracy. Later, the late 20th century switched attention to market and network modes. Then, it turned more towards collaborative and participatory governance, which stays the ultimate goal of today’s agenda.

The vagueness and open-endedness of this term are widely recognised and remain to this day: in both practice and academia (Brinkerhoff & Goldsmith, 2005; Doornbos, 2007). Donors’ expectations about reform outcomes are seldom unspecified and constitute a range of issues in policymaking and authority structures. Moreover, good governance standards are often derived from the donors’ own experience and perception of the world around them rather than from comparative studies or socio-cultural contexts, says Doornbos (2007, p. 33). Thus, those standards are hardly universal, which adds complexity to another problem with good governance definition – establishing measurement indicators (Grindle, 2007). While the so-called “grey” literature and development agencies “compete” for a better list of indicators, scholars tend to be sceptical about them.

As Mungiu-Pippidi (2019) argues, the EU's understanding of good governance standards is also rather broad and generic, without any treaty or document precisely spelling out practices or norms. Instead, it promotes “general benchmarks” and often relies on international conventions. The EU’s definition of good governance has been only broadening and encompassing more values, formulating them increasingly vaguely in each new related document (Hackenesch, 2016, pp.19-21).

1.1.2. Institutional development

In the late 20th century, a fundamental and relatively consensual concern of development institutions like the World Bank became the inability of developing countries to form and implement policies effectively. The remedy for that became the build-up of institutions and state capacity. It would supposedly allow to implement market-oriented reforms more successfully and make governments more effective (Ahrens, 2011, pp. 3-5; Bevir, 2012, p. 112; Brinkerhoff & Goldsmith, 2005). Since then, the discussions on good governance have been focusing on the build-up of liberal democratic institutions for promoting development and protecting market freedoms. However, the relationship between institutional capacity and development remains a “chicken-egg” question. While some academics and practitioners

pursue the Bretton Woods system's claim that economic growth and poverty reduction depend on good governance (Ahrens, 2011; Brinkerhoff & Goldsmith, 2005, p. 201; Grindle, 2004; Mungiu-Pippidi, 2019), others support the opposite viewpoint (Chang, 2001; Rodrik, 2003), arguing that institutional reforms more often flourish on the ground of economic reforms. At the same time, some studies prove the mutual influence of the two (Chong and Calderon, 2000; Levine, 1997). The examples of China or Bangladesh show that good governance is not necessarily a precondition for economic growth (Grindle, 2010).

The new mantra "institutions matter" became almost universally accepted. However, there is no strictly defined list of institutional arrangements promoted to ensure prosperity. In most cases, they are loaded with political agenda, go beyond economic institutions and include political ones (Ahrens, 2011). The inventory varies from scholar to scholar and donor to donor, and it is constantly expanding. The narrow list includes competitive elections, accountability and the rule of law, while the broader one extends to pluralism, respect for human rights and broad political participation, free trade, sustainable development and women empowerment (Bevir, 2012; Grindle, 2004). Institutional qualities often accompany specific to-be-implemented policies (Grindle, 2010). Widespread institutional templates, promoted and overseen by foreign donors, include the establishment of autonomous anti-corruption bodies, adherence to international standards (e.g. in auditing and reporting), external oversight of public finance management, meritocratic performance-based civil service, and devolved organisational structures (Andrews, 2013), to name a few.

Overall, criticism regarding the broad and overloaded list of requirements for developing countries also touches upon the politicised nature of prioritising what is included in each case's agenda (Grindle, 2004, p. 538). Some authors might claim that the depoliticisation of governance is one of the key targets of good governance promotion in the neoliberal era (Brinkerhoff & Goldsmith, 2005; Demmers et al., 2004). However, Doornbos (2007) states that this agenda is a pioneer in establishing a link between the "political" and the "administrative" spheres providing guidelines as to how the political processes can be best embedded into larger structures or institutions (p. 29). This can still become potentially problematic in highly corrupted countries when unlawful practices are not eliminated before embedding them into new structures. This issue is discussed in detail below.

The institutional requirements to recipient countries are often referred to as "conditionalities" of financial aid provision or during the EU accession. Conditionalities are aimed internally and

defined externally (Doornbos, 2007, p. 28), but they usually pose precise requirements to developing countries, while good governance is arguably ambiguous and unspecified.

The assistance in promoting good governance principles is also sometimes called “interventions”. This definition must be specified and distinguished from any military enforcement or invasion. In the development context, interventions mean “an attempt by another country or by an intergovernmental organisation or foreign entity, to change governance in a country, with varying possible motives and means but with the self-avowed goal of the promotion or restoration of ethical universalism: ... equal and fair treatment of individuals by the state” (Mungiu-Pippidi, 2019, p. 16). It is “an attempt to affect decisive change to the institutional quality of a country” (Mungiu-Pippidi, 2019, p. 16). As Grindle (2010) describes it, interventions include not simply designing and advising on policies but also encouraging action and institutional build-up, noting government failures. While “good governance promotion” terminology can be applied when cooperation between the government and the foreign actor is still to be established, “interventions” generally refer to specific instances of cooperation.

1.1.3. From the “best-practice” approach to reform tailoring

The 1980s gave rise to an emerging normative vision of effective government, which was hardly ever criticised as being seen as unequivocally good. Nonetheless, in the 2000s, many governance scholars have turned to the critique of the “one-size-fits-all” approach in good governance promotion, blaming it for the failure to achieve the desired outcomes. Arguably, the biggest current concern in the development literature revolves around the transferability of successful governance scenarios from one setting to another and unrealistic expectations about the scope and the pace of transformations. “Best practices” and uniform institutional blueprints that worked in developed countries and are encouraged to be reproduced in developing ones become problematic when treated as all “potentially moveable” (Evans, 2004; Levy, 2015). Instead of being a panacea, they are now often seen as fallacious. Moreover, there is a relative consensus about the nature of their flaw – failure to account for the context and adjust interventions accordingly, complicated by putting requirements beyond states’ capabilities. Such findings have devalued the whole idea of good governance.

Empirical evidence, on which such assumptions are based, is mostly centred around the limited success of the Washington Consensus – the US-driven economic policy prescriptions in the 1990s (Mungiu-Pippidi, 2019, p. 4). It led to rethinking the approach to reforms. The current

stream of scholarly literature tends to criticise the promotion of “universally advocated benchmarks” and the import of “pre-packaged solutions” to extremely diverse settings without prior reflection (Andrews, 2013; Brinkerhoff and Goldsmith, 2005; Doornbos, 2007; Evans, 2004; Grindle, 2012). This creates compatibility problems and clashes of practices against settings. Even if one country’s path led it to immense success, one should not detach it from the circumstances in which this success was achieved, including historical background, timing, and inherent features of the environment.

When put into practice, governance principles often do not match political cultures and power configurations (Doornbos, 2007, p. 34). Moreover, the interventions into existing governance systems often create new complexities and inconsistencies and result in inappropriate models of government (Andrews, 2008, pp. 380-381). Although such scholars as Brinkerhoff and Goldsmith (2005) warn about institutional dualism – a situation when new solutions are introduced but old malpractices are retained – they do not necessarily recommend completely eliminating “traditional” (for a given context) channels and tools of policymaking. Often, driven by “best practices”, donors are prone to refuse other *modi operandi* that differ from the ones they are used to – even if those seem to work in a developing country. Case studies from Mozambique, Uganda, Brazil and Morocco illustrate such clashes and prove that supposedly inferior governance institutions sometimes prove more efficient and functional than the exemplary ones brought from abroad (Brinkerhoff & Goldsmith, 2005; Harrison, 1999; Mugaju & Oloka-Onyango, 2000). The idea of some “single good governance model” is criticised nearly as much as the normative notion of “bad governance” since every country – including the biggest foreign donors – is a synthesis of “ostensibly incongruent institutions” (Brinkerhoff & Goldsmith, 2005, p. 206) and not a textbook model.

The importance of knowing the context of interventions is recognised widely across academic literature, as well as the delusion of governance structures' universality (Ahrens, 2011; Beblavy, 2001; Keohane & Nye, 2000; Pollitt, 2013). Scholars emphasise that governance problems should be addressed in an “adequate context- and time-specific manner” and following the nation’s needs and preferences (Ahrens, 2011). Without it, the policy choices risk being irrelevant, poorly targeted and infeasible (Grindle, 2007, p. 563). While such an assumption can be extrapolated to any reform in any country, it has special significance for transition states due to their low institutional resilience and high transaction costs. If a country is laced with corruption and patronage, even the best-intended reforms might worsen the situation and create even more opportunities for power abuse. If a country is lagging behind in

economic development, it might be much more reasonable to start with humanitarian relief prior to institutional build-up.

Still, even though the import of pre-defined solutions often does not work, it is being widely followed by the governments of developing countries. Andrews (2013) argues that they are prone to use reforms as “signals” by imitating or mimicking solutions brought from developed countries under donors’ pressure: he calls it “isomorphic mimicry”. A similar term is introduced by Evans (2004): “institutional monocropping”. It means the imposition of idealised institutions often based on Anglo-American experience and bringing disappointing results. This can bring about some visible changes or help achieve pre-defined indicators improving the external image and legitimacy in the eyes of foreign donors. Nevertheless, the actual substantive transformation and improvement of the functionality of public administration are not taking place, and the long-term effect of the reforms is thus unlikely to be achieved.

There is not much said about the effectiveness of good governance promotion by the EU, but a 2010 academic assessment of the ENP’s impact concluded that it was “limited” – the indicators did not reflect any significant improvements (Mungiu-Pippidi, 2019, p. 204). Several case studies also demonstrate short-sightedness and limited added value of the EU’s initiatives, especially in non-democratic settings and especially interventions based on “sticks” rather than “carrots” (Carbone, 2010; Grzeszczak, 2015; Hoffman, 2010). The blame for inadequate performance is often put on the absence of a tailor-made and contextual approach and a large scope of standardised prescriptions, often borrowed from the Council of Europe or the Venice Commission (Börzel et al., 2008; Mungiu-Pippidi, 2019, p. 258). The EU often promotes its model as a superior one, even though the EU itself is extremely heterogeneous. Research on the results of the OECD activity in this field is rather scarce. It is confined to corporate governance and a few case studies on good governance’s effects on economic growth. Regarding the joint efforts of the EU and the OECD to promote public sector reforms – neither academic nor “grey” literature gives an extensive overview.

At the same time, international agencies are becoming increasingly vocal about the importance of adjusting reforms to the environment. In 2007, an OECD report included a subsection called “Context is important” and stated that “institutional and political factors ... influence the ability of ... reforms to achieve their objectives” (OECD, 2007, p. 74). The World Bank, USAID and UK Aid recently adopted better-tailored and problem-driven approaches to their development assistance programmes (Brinkerhoff & Brinkerhoff, 2015). Moreover, the Public

Administration Reform Framework designed by SIGMA/OECD states that there is no single model of public administration (SIGMA, 2016, p. 28), and, considering differences in context, it developed separate frameworks for the EU Enlargement and the EU Neighbourhood regions. As another attempt to pursue a more tailored approach by the EU, one could consider the division of the Neighbourhood Policy into separate streams like Eastern Partnership Programme or Mediterranean policy. It is common to claim that the EU is acting in a “one-size-fits-all” manner and promotes institutional isomorphism (Börzel et al., 2008; Börzel & Risse, 2009; Bicchi, 2006), but more recent studies show a different tendency. In the actual implementation, there is some degree of differentiation between particular policies for individual countries (Börzel & Hackenesch, 2013). The number of such studies is still too low for drawing precise conclusions. Thus, the question of what the alternative way is to reform public sectors in developing countries and do more good than harm is admittedly pertinent.

1.1.4. Rethinking the traditional approach: how to do governance reforms differently?

Bringing pre-defined blueprints to developing countries has received much critique, but those who question such solutions and offer alternative strategies embrace various angles. Given the absence of a unified solution, I summarise the key issues that make the “best-practice” approach so controversial and are revisited by scholars offering alternatives: Grindle, Evans, Andrews, Levy, Brinkerhoff and Goldsmith and others.

A general recommendation for international donors is more selectivity in devising their strategies, reflecting the particularities of recipient countries and controlling ever-expanding and overwhelmingly long and overloaded agendas (Brinkerhoff & Goldsmith, 2005; Grindle, 2004; Mungiu-Pippidi, 2019). An illustrative example is the World Bank’s good governance characteristics encouraged to be achieved: their number grew by 2.5 times in six years (Grindle, 2010, p. 8). The changes to-be-introduced should be given a certain level of priority since it is technically and often financially impossible to implement the entire package of “best-practice” solutions and address all governance issues at once. Scholars generally talk about “tailoring” in this context, meaning that the reform agenda should not be general for all countries where it is introduced but instead be tailored to each location. Tailoring, which serves as an umbrella term for the reform’s adjustment within this thesis, concerns various aspects like the basic elements of the reform, their sequence and scope, the implementors and their roles and others.

Then, it is crucial to answer fundamental questions about the relevance and consequences of interventions before making them. For this purpose, donors should not assume that everything is already known about the aid recipient country but dedicate time and money to preliminary research and selecting appropriate change indicators to trace the progress (Evans, 2004; Mungiu-Pippidi, 2019, p. 264). Moreover, the research should be thorough and not superficial since overreliance on weak evidence exacerbates the problems (Andrews, 2013, p. 135). It often happens only ex-post that the crucial elements are uncovered, but then it comes at a high cost to the public sector of a transition country (Beblavy, 2001, p. 131). Hence, it is vital to ensure that the environment was carefully examined in a timely manner.

The context of the environment, which is to be taken into account, is a wide “catch-all” concept (Pollitt, 2013). Scholars, trying to make it tangible, predominantly refer to the state capacities in place, stage of economic and political development and ongoing transitions (Ahrens, 2011, p. 20; Grindle, 2007, p. 554; Verhoest et al., 2016, p. 414). State capacities is a rather broad notion, but a brief list of how scholars operationalise it includes:

- institutional stability (Grindle, 2007);
- level and sources of legitimacy (Grindle, 2007);
- sources of change in the environment and decision-making mechanisms (Brinkerhoff & Goldsmith, 2005; Grindle, 2007);
- structures of political power, personalised and impersonal rules, presence of corruption and patronage (Andrews, 2013; Grindle, 2007; Levy, 2015);
- the rule of law (Levy, 2015);
- electoral system and regulations (Brinkerhoff & Goldsmith, 2005).

Some scholars and practitioners have designed frameworks describing political systems' features. Moore (2001) classified political regimes, their capacities and the likely policies, and a similar job was done by Levy (2015), who grouped countries roughly into four regime types according to their institutional complexity. Such international agencies like the World Bank and the USAID presented their Country Policy and Institutional Assessment, and Democracy and Governance Assessment, respectively, as ways to provide insights into the context for change: a country's policies in place, basic institutional characteristics and other categories (Grindle, 2007). However, it is also common to emphasise the informal “rules of the game” and institutions, as well as affected interests, since those tend to have a high impact in transition

countries (Ahrens, 2011; Brinkerhoff & Goldsmith, 2005; Laking, 2005, p. 14; Levy, 2015). The latter ones are arguably harder to operationalise and carefully assess.

Another common belief is that linear reform implementation is illusionary and should be substituted with ongoing learning, feedback loops, and trial runs (Andrews, 2013; Grindle, 2007; Levy, 2015). Ahrens (2011) underlines the need for dynamic tracing of the process with continuous fine-tuning of interventions and adaptation to a constantly changing environment. Furthermore, experiential learning should be both positive and negative: drawing conclusions from what worked and what did not (Moynihan, 2006, p. 1032).

The rethinking of donor-recipient relations and roles is another widely discussed issue. Overall, their nature is advised to be changed, and the agreements need be more specified, detailed, and comprehensive (Doornbos, 2007, p. 40). However, it is still disputed whether external or domestic actors should design interventions, and at which point and who should get involved. Many scholars advocate for identifying and taking into account the direct agents and implementors of the change, engaging them more actively (Andrews, 2013; Mungiu-Pippidi, 2019; Randma-Liiv et al., 2011). Doornbos (2007) suggests a way to flip the situation from donors' assistance "in command" to "on demand", letting the recipients take the initiative in their hands while letting donors contribute with what is reasonable and requested. Such an approach offers more flexibility and adjustments to reform programs. Mungiu-Pippidi (2019) is also critical about giving control solely to external agents as they would never fully control the on-field implementation (p. 259). Other scholars refer to deliberative democracy, suggesting the participation of citizens in decision-making (Evans, 2004).

However, some researchers are cautious about involving domestic decision-makers. Based on a Slovakian case, Moynihan (2006) argues that reform tailoring might be detrimental if the ideas are adjusted according to the motivations of local policymakers. In transition countries especially, they might be driven by party and personal political or financial interests. Essential meanings and intentions might be "lost in translation" or even "wilfully mistranslated" (Moynihan, 2005). Such actions can yield symbolic ad hoc results but not substantial long-term changes. This "poor tailoring" thinking is similar to Andrews's (2013) warnings regarding signalling. Although this might take place in developed countries, too, the high level of corruption in transition countries exacerbates the harm. Therefore, tailoring is encouraged at the initial policy design stage and by foreign stakeholders rather than domestic government officials. This has its limitations, too. Firstly, such an approach decreases the representativeness

of decisions taken by unelected external officials and creates accountability problems. Secondly, foreign stakeholders are unlikely to be well aware of contextualities. As de Soto (2001) writes, experts from developed countries usually do not know how their “perfect” governance system emerged and do not ask themselves these questions since, for them, it is “natural”. So, the dilemma between accountability and transparency of adopted decisions does not have a definite answer and belongs to many other ones to be debated.

Given the variety of academic debates regarding good governance promotion and institutional development “best practices”, this thesis aims to contribute to it and expand the empirical research. It examines how various aspects of reforms – including agents’ involvement or feedback provision – can be tailored to a chosen country. It encompasses under one conceptual framework various aspects of tailoring described by numerous scholars and applies them to a real EU- and OECD-endorsed reform case.

1.2. New Public Management and agencification

New Public Management (NPM) has been one of the core paradigms in the realm of public governance since the 1980s. Some might even argue that it was dominant for some period, especially in Anglo-Saxon countries (Brinkerhoff & Brinkerhoff, 2015; Drechsler, 2009; Polidano, 1999). Based on neoliberalism, it emphasises the decentralised and competitive – market-like – approach and tries to transform obsolete traditional bureaucracies to increase efficiency, often through downsizing. (Bevir, 2007; Grindle, 2004; Van de Walle & Hammerschmid, 2011).

NPM often presented itself as the best model “for all seasons” or the “one best way” (Manning, 2001, p. 300), although many scholars warn against its fallacious convergence and point out the doctrine’s variation across its adopters (Moynihan, 2006, p. 1031). Indeed, NPM is quite a broad umbrella term for many types of transformations, but the NPM-driven public-sector organisation in the OECD countries has several distinct trends. One is the shift from a centralised and consolidated government towards a decentralised and structurally devolved public sector. It also includes the disconnection of decision-making and policy design from implementation and evaluation, or “steering” from “rowing” (Christensen & Lægheid, 2003; Pollitt et al., 2001; Van de Walle & Hammerschmid, 2011; Verhoest et al., 2016, p. 3). One of the practical ways to do so is through the creation of agencies – a trend that originated in Sweden in the 16-17th centuries and has now expanded to many OECD countries.

1.2.1. Agencies as a managerial solution

Agencification is the establishment of semi-autonomous agencies responsible for operational management or assigning more autonomy to the existing legally separate bodies (Beblavy, 2001). It is widely recognised as one of the inherent features of the NPM coordinate system (Christensen and Lægreid, 2008; Kjær 2004, pp. 27-28; Pollitt & Bouckaert, 2011). A large variety of literature describes agencies, their typology and functions. Agencies are defined by Verhoest et al. (2016) as “organisations that operate at arm’s length of the government to carry out public tasks, implement policies, regulate markets and policy sectors, or deliver public services” (p. 3). They are usually not entirely independent but possess some autonomy in decision-making. Development practitioners acknowledge that each national government might assign different features to the “agency” definition (OECD, 2001, p. 14). Its semantic field is also broad, with various synonyms in use allowing for its reconstruction by policymakers depending on their motivations (Moynihan, 2006, p. 1033; Pollitt et al., 2001; Verhoest et al., 2016). So, the term is vague and flexible.

The market mindset is clearly reflected in this approach since it aims to adjust the organisation to “clients”, improve its performance, and separate policy decisions from policy execution (Bevir, 2007, p. 25; Pollitt et al., 2001, p. 271). Agencification’s key mission is to draw a clearer distinction between service delivery and policymaking and free up space and resources for better policy development. This way, small groups of decision-makers in ministries could focus on “big policy issues” and evaluating the alternatives, while implementors concentrate on high-quality service provision, inspection, management of state assets and other tasks (Bevir, 2007; Manning, 2001; Pollitt et al., 2005, p. 3). Thus, agencification is meant to enhance the general policymaking capacity of a ministry by decreasing its administrative burden (Jorgensen & Hansen, 1995).

At the same time, such capacity-building is also a part of the good governance agenda and implies improved policy analysis (Bevir, 2012, p. 111). Devolving executive tasks to agencies and local governments and eliminating the unnecessary ones, ministries are supposed to have higher analytical capacities for evidence-based policymaking, risk and impact assessment. Unpacking policy capacity, Painter and Pierre (2005) defined it as “the ability to marshal the necessary resources to make intelligent collective choices about and set strategic directions for the allocation of scarce resources to public ends” (p. 2).

Together with decentralisation, agencification is supposed to disaggregate inefficient monoliths of the hierarchical public sector and establish better clarity and task differentiation between the bodies (Van de Walle & Hammerschmid, 2011). In developing countries, it is aimed to insulate important functions from “poor” governance, as well as policymaking from political intervention of the higher authorities (Laking, 2005, pp. 13-15). In addition, both theorists and practitioners believe that the creation of agencies is supposed to “enhance the efficiency and quality of government interventions” and service delivery, make public sector managers more “entrepreneurial” and recruit professionals at high salaries (Bevir, 2007, p. xiv; Grindle, 2004, p. 540; Pollitt et al., 2001, p. 276; Verhoest et, 2016, pp. 3-4). So, the increased attention towards agencification reflects both the trends in academia and the activity of international bodies like the World Bank, the EU and the OECD.

Having been implemented in many Western and especially Anglo-Saxon countries (Pollitt & Bouckaert, 2011), agencification has spread worldwide as an internationally recognised “best practice”. This created “agency fever”, as Pollitt et al. (2001) call a widespread “fashion” for agencies as an organisational solution which took place between the 1980s and early 2000s (Verhoest et al., 2016). Arguably, this rapid spread of interest had a large bias rooted in the NPM literature and the rational choice theory. Later, in the second half of the 2000s, the “fever” was stabilised, and the growth of agencies stopped. However, the influx of agencies became a feature of many developing countries. It was driven by a desire to improve the efficiency of overly bureaucratised public sectors – albeit often at a higher pace and in larger scopes (Beblavy, 2001). Until this day, the creation of semi-autonomous and autonomous agencies is far from abating within the public sector reforms’ agenda worldwide.

1.2.2. Limitations of agencification as a universal solution

As any public management innovation, agencification has its limitations and shortcomings – some of which are generally shared by both agencification and NPM. Agencification success is “relatively rare”, with some exceptions of achieving its goals in the OECD countries, and the transaction costs often exceed the gains (Laking, 2005; Manning, 2001, p. 301). It is criticised for implementation without considering its consequences and ensuring adequate accountability structures (Beblavy, 2001). The most common concern is the failure to achieve the promised efficiency and effectiveness and demonstrate the performance superiority of disaggregated agencies over large organisations (Boyne 1996; Noordhoek & Saner, 2005; Pollitt et al., 2001; Van de Walle & Hammerschmid, 2011).

Although individual agency performance might be outstanding, the bigger picture usually does not show significant changes, and systemic governance problems do not vanish (Van de Walle & Hammerschmid, 2011). Scholars refer to the evidence of the NPM's real impact as weak and "perplexingly equivocal" (Polidano, 1999; Pollitt et al., 2001; Verhoest et al., 2016). Polidano (1999) also says that NPM is hardly ever adopted as a "full package" in developing countries. Manning (2001) adds that NPM usually works in a setting where a traditional public administration approach works just as well – so it is more about the setting than chosen tools. Such choices should be made based on the reality of policymaking in each country, not textbook models.

Concerning the increase in policymaking capacity, a study on the Danish central government shows it is not easy to separate policy-executing and policymaking departments and prevent them from interfering in each other's work. Danish ministers turned out to be "difficult to confine... to general questions of policy, planning and coordination" (Jorgensen & Hansen, 1995, p.552). Studies on Sweden, the UK, Norway, and Austria also argue that agencification either weakened the policy capacity of the ministries or kept it on the same level (Friedrich, 2021; Moynihan, 2006). With time, even donors started to worry about the risks of setting up agencies carelessly. Donors, including the OECD, are expressing their concern about unanticipated consequences of NPM reforms, such as fragmentation of public governance (Brinkerhoff & Brinkerhoff, 2015; Laking, 2005, p. 8). Moreover, in one of their reports, SIGMA experts warn about the challenge of "over-agencification" and keeping new organisations under control (OECD, 2018, p. 91).

Another limitation is the absence of the desirable ground assumed by NPM for managerial innovations. Some scholars describe the preconditions rather broadly: for example, "capable government", "performance culture" or matching political institutions and ideology (Brinkerhoff & Brinkerhoff, 2015; Laking, 2005; Moynihan, 2006). Others name culture of honesty, bureaucratic neutrality and a commitment to shared values and goals (Bevir, 2007) as a necessary precondition. Thus, when agencification occurs prior to the existence of a certain organisational culture and well-functioning democratic administrative tradition (Drechsler, 2009, p. 18), it might create implementation challenges due to values' incompatibility.

Another vital factor is corruption eradication and sufficient financial control. With the central control removed, new "floodgates" can open for a greater abuse of power and funds and for political patronage – even if initially visible success and transparency were shown (Laking,

2005; Mungiu-Pippidi, 2019, p. 216; Polidano, 1999, p. 22; Randma-Liiv et al., 2011). It does not mean that the development path should be linear, but some stages should not be omitted. Beblavy (2001) insists on “internal consistency”, under which rules and procedures in agencies and parent ministries are mutually consistent, and all arrangements fit in the overall legal context of a country.

Similarly to other “best-practice” solutions, NPM’s claim for universality is inherently problematic. Two units with identical statutes work differently depending on their setting, and even within one setting, agencies might vary in terms of their powers, which is well-explained by path-dependency theories (Beblavy, 2001; Pollitt et al., 2001; Verhoest et al., 2016). No perfect “blueprint” agency model could be straightforwardly replicated elsewhere. Scholars insist that the content of the agencification reform should be tailored to each country, carefully considering, for instance, what functions will be given to agencies (Verhoest et al., 2016). Moreover, in a social-constructivist manner, Moynihan (2006) argues that the mere perception of agencification in different settings shapes the understanding of lessons from abroad and thus leads to different outcomes of the in-situ implementation. Like Andrews (2010) said, good governance means different things in different countries, as does agencification.

The fundamental aspects of administrative design and local contingency factors – such as the dominance of informal rules in developing countries – play a large role in agencification and determining the functions to be devolved (Laking, 2005; Polidano, 1999; Pollitt et al., 2001). The incompatibility of introduced changes with administrative values may undermine the implementation. Thus, the push towards NPM in transition countries often does not work without adjustments to local circumstances. Verhoest et al. (2016), for example, suggest trial periods for agencification and experiential feedback-based learning with periodic reviews of compatibility between the interventions and the environment. This goes in line with what Andrews (2013) and Grindle (2007) suggest about iterative adaptation.

So, the existing literature – often indirectly – raises the question of how the tailoring of agencification reforms influences their broader effectiveness. Several authors explored whether policymaking capacity – as one of the aspects of agencification’s efficacy – improves when agencies are established. However, there is a lack of understanding of how agencification tailoring impacts policymaking capacity enhancement. Thus, this study aims to explore how the ability of governmental institutions to adopt high-quality public policies is affected by the extent to which the approach to agencification is tailored to the given country.

Chapter 2. Research problem

2.1. State of knowledge on Central and Eastern Europe and Ukraine

2.1.1. Good governance and agencification in Central and Eastern Europe

The encouragement to pursue good governance principles and develop institutions has undeniably touched formerly communist states in Central and Eastern Europe (CEE). As in many other developing states, “importing” successful scenarios from abroad is not rare in CEE countries. Considering the complexity of the whole transformation process of these countries, scholars and policymakers seek “best practices” from successful countries (Ahrens, 2011, p.15). This was especially true in the early 1990s. Western-style “best-practice” institutions often represent a reference point for post-communist countries on their development paths. However, those “best practices” are also often misinterpreted or misused with a purpose of “signalling”, or, as Randma-Liiv et al. (2011), refer to them, “window dressing”. The Former Soviet Union societies have “learned to cope with laws by not implementing them” (Mungiu-Pippidi, 2019, p. 227), and imposing conditionalities upon them without taking this into account might be meaningless.

In this part of the world, insufficient institutional arrangements are also blamed for inadequate public services and the lack of capacity to produce coherent policies (Ahrens, 2011; Brinkerhoff & Goldsmith, 2005). One specific feature of this subregion is inherited “bloated” public sectors. As a result, public sector reforms often focus on its reduction and curbing the duplicating functions and bodies. Ahrens (2011) lists such goals as reducing the scope of governments’ activities, tackling overstaffing, and coping with budgetary bottlenecks (p. 4). Often, NPM is applied to resolve such issues.

Nevertheless, an interesting opinion is expressed by Drechsler (2009), who calls the OECD’s SIGMA a far more ubiquitous advising unit in CEE countries than the World Bank. He says that SIGMA’s reform agenda is based rather on the traditional public administration approach, contrary to the NPM dominance in the rest of the development community (Drechsler, 2009, pp. 17-18). The same applies to the EU’s preferences in public sector management. However, some articles point out a substantial growth in the number of agencies during the European integration period in these countries (Randma-Liiv et al., 2011; Verhoest et al., 2016, p. 24).

Agencification in CEE countries is admittedly a vital part of the post-communist democratic build-up. Some authors state that CEE is one of the world's most “agencified” areas (Randma-

Liiv et al., 2011; Verhoest et al., 2016). Drivers and incentives behind agencification differ from Western countries. While the West is ideologically driven to experiment with managerial solutions, CEE countries are mostly driven by institution-building and the willingness to discard the rigid legal framework (Randma-Liiv et al., 2011). Manning (2001) claims that over-agencification is common for the CEE countries, but it is often used in order to avoid the closure of certain departments and downsizing rather than with an efficiency purpose.

Agencies are also not an entirely alien solution for the CEE countries as they were established before the NPM-driven reforms were proliferated. However, they were chaotic, fragmented and controlled by communist parties, divided as a “pie” across the loyal nomenklatura (Beblavy, 2001). So, autonomous single-purpose government units can be considered a part of the communist legacy (Beblavy, 2001). Thus, although regime changes often mean that reforms are implemented from scratch, agencification in CEE is mostly characterised by path-dependency and evolutionary nature (Randma-Liiv et al., 2011).

Agencification in CEE countries has had a significantly higher magnitude and scope, mostly because the state's role used to be much more pervasive and had to be redefined during reforms (Beblavy, 2001; Verhoest et al., 2016). Also, due to the blurred boundaries of the state, the informal rules of the game play a substantial role in how civil servants think and act in CEE countries. The problem here is not the absence of rules and procedures but their actual implementation – or, rather, the circumvention of it – in transition countries (Polidano, 1999). Scholars like Randma-Liiv et al. (2011) and Mungiu-Pippidi (2019) emphasise the excessive legalistic character of agencification and focus on formalities while disregarding agencies' actual relationships with their environments.

However, Beblavy (2001) is convinced that drawing lessons from the OECD countries, critically assessing and carefully adjusting them to the environment is helpful and relevant. Randma-Liiv et al. (2011) add that the functions to be devolved and major accompanying problems are usually similar for both CEE and Western countries. Agencies are a solution that is quick to implement, but in CEE countries, it rarely happens systematically with a government-wide strategy (Beblavy, 2001; Randma-Liiv et al., 2011). This gives way to signalling and isomorphic mimicry and causes administrative instability and inconsistent institutional development in these countries due to the sporadic nature of such solutions. Nevertheless, some degree of tailoring is present in the EU-endorsed agencification since the

European Commission issues different recommendations for each policy sector (Randma-Liiv et al., 2011). This might have a positive impact on the accounting for contextual differences.

When discussing the reforms in this region, one should be cautious about over-generalising the trends and commonalities among the countries. Some scholars argue that in Europeanisation, CEE countries have generalisable similarities (Randma-Liiv et al., 2011; Verhoest et al., 2016). Others warn that during the post-communist transition, the differences between the countries have been growing, while commonalities, together with the space for general conclusions, have been decreasing (Agh, 2003; Magyar & Madlovics, 2020; Verhoest et al., 2016). While countries usually experience an influx of agencies during their EU accession period, those in a post-accession stage, on the contrary, resort to de-agencification and rationalisation (Randma-Liiv et al., 2011; Verhoest et al., 2016). So, the research on agencification in CEE countries mainly consists of single-country case studies (Verhoest et al., 2016, p. 335). Such an example is Moynihan's (2006) study on Slovakia, which illustrates how the agencification scenarios can be intentionally mistranslated by the elites and tailored to fit their political interests. Apart from it, the existing scholarship lacks studies exploring the explicit effects of tailoring on the results of agencification reforms in CEE.

2.1.2. Good governance and agencification in Ukraine

It is often stated that public sector reforms in Ukraine have been broadly based on NPM-style solutions since the 1990s but especially so since 2014 (Onufriienko, 2018; Volodina et al., 2022). It is a significant shift from the previous modes of governance, which happened due to the collapse of the Soviet Union and exponentially developing ties with international financial institutions like the World Bank. Mungiu-Pippidi (2019) is one of a few authors who gives a good and up-to-date overview of the results of the EU's good governance promotion in Ukraine – although it is fairly limited to its anti-corruption component. One noteworthy thing is that the European Court of Auditors divides the EU intervention into the one before the Revolution of Dignity and after (Mungiu-Pippidi, 2019, p.214). During the former, too little was achieved, and conditionalities were not implemented, while during the latter, more substantial reforms were initiated. However, this scholar claims that EU-endorsed institutional change remains rare: Ukraine is claimed to be among the countries where the EU “has learned lessons”, but an institutional change has not yet occurred (Mungiu-Pippidi, 2019, p. 254).

The development community's opinion that poorly conditioned budget support from the EU might do more harm than good is also applied to Ukraine. Mungiu-Pippidi is concerned with

the fact that, in corruption eradication, Ukraine was encouraged by donors to follow their path and establish agencies and build up a comprehensive integrity framework (2019, p. 217), or follow the paths of “fellow” ENP countries, like Georgia (p. 228). It was “flooded” with autonomous agencies before the corruption eradication reached at least some noteworthy results. Thus, in some spheres, Ukraine has also been experiencing “agency fever”. The reforms’ roadmaps are followed inconsistently and exacerbate the existing problems (Mungiu-Pippidi, 2019). Even things that worked in Georgia were out of the time perspective for Ukraine. Finally, Mungiu-Pippidi (2019) compiles a rough listing of peculiarities of the Ukrainian context that must be considered when implementing reforms: political fragmentation, frequent elections, a significant presence of Russian-backed populists, blackmail (or “kompromat”) media, and media capture by oligarchs.

Few studies assess the effectiveness of good governance promotion in Ukraine – one on poverty alleviation (Popovych, 2008) and two others on the development of civil society (Orlova, 2021) and policy coordination (Rollis & Ozolina, 2019). Despite being very close to the topic of this project and giving a good introduction to the SIGMA reforms in the Ukrainian central executive bodies, the latter study examines only the very first steps of their implementation and the opportunities for lesson drawing from CEE EU Member States. As to the tailoring of other arrays of reforms, a 2013 study explores the contextualisation of the higher education reform in Ukraine and concludes, based on the path-dependency theory, that the Soviet legacy led to the poor adoption of the Bologna system (Shaw et al., 2013). More systematic or recent studies on Ukraine’s reform tailoring or agencification are lacking. Given that it is a developing country largely dependent on foreign aid and implementing numerous reforms and that its European integration depends on their effectiveness, this subject needs to be explored.

Therefore, this thesis contributes to the empirical research on reform tailoring and agencification in CEE countries and Ukraine. Since scholars tend to warn against overgeneralising tendencies in CEE countries, it provides a valid reason for a single-case study on this topic, exploring the Ukrainian public administration reform case. However, this thesis suggests general theoretical propositions regarding the reform design approach and tailoring components. After further investigation, they can be applied to other SIGMA programme participants when developing their reform scenarios.

2.2. Research problem statement

This part presents the research problem addressed by this thesis and poses a research question and three sub-questions to be answered by analysing empirical data.

2.2.1. Overview of the Ukrainian Public Administration Reform (2016-2021)

Ukraine has been undergoing many substantial reforms since the Revolution of Dignity ended the corrupt pro-Russian regime in 2013-2014. It would be subjective to highlight the most significant reform among them, but one can hardly argue that public administration reform (PAR) is crucial for any country. It constructs the skeleton of the whole governance system. Pollitt and Bouckaert (2011, pp.5-6) argue that even though public management reforms used to be considered “domestic, technical, and dull” and received little media and international attention, since the 1980s, they have drawn more and more concern and resources. PARs have been increasingly appearing on party manifestos, international agendas and various doctrines and approaches (Pollitt and Bouckaert, 2011, p.9) due to their overarching impact on all levels and spheres of governance.

The ongoing Ukrainian PAR was fully launched in 2016 with major support from international donors, mainly the EU and the OECD, and was based on the so-called SIGMA framework. It has become a part of broader endeavours of external donors to promote good governance in developing countries. As the official PAR portal declares, the SIGMA framework entails incorporating European principles of public administration derived from international standards and best practices of the EU and OECD countries (Public Administration Reform, n.d.-b). The PAR Strategy says that a “significant review of the executive power bodies’ tasks and functions ... would be conducive ... in line with the European standards and best administration practices” (CMU, 2016b). This raises questions about the efficiency of such an approach towards reforms in a developing country.

PAR has four components in its core: (a) strategic planning, policy development and coordination, (b) civil service and human resources management, (c) accountability – organisation, transparency, supervision, and (d) provision of administrative services. However, for this study, I am narrowing my analytical focus to a specific element of the accountability component, namely adjusting ministries and other central executive bodies (CEBs) to the unified requirements. It envisions reforming the ministries and relieving their administrative burden by eliminating “non-essential functions via decentralisation and/or transfer of functions to other CEBs” (Public Administration Reform, 2020, p.36).

In this thesis, I am exploring one of the two ways of devolving “non-essential functions” from ministries: transferring them to other CEBs. The reform implies that the burden is redistributed to the “existing or newly established executive agencies” (Public Administration Reform, 2020, p.6). The non-essential functions include administrative services, inspection and supervision, and management of state property (CMU, 2017b). They are believed to restrain ministries from focusing on their primary tasks: policy design, analysis, and initiation. The actual policy implementation should be minimised. Such a transformation falls under the definition of agencification, and the key outcomes expected from this part of the PAR are enhancing ministries’ policy capacity and clear-cut responsibilities of CEBs without overlaps (CMU, 2016a, 2017b).

The reorganisation of CEBs remains a high priority in the context of the post-war reconstruction. Five months after the full-scale Russian invasion, Ukraine presented the Recovery Plan. Its Public Administration volume set a goal of establishing a “compact, result-oriented, efficient and accountable system of central executive authorities” (The National Council for the Recovery of Ukraine from the Consequences of the War, 2022, p.9). It emphasised the importance of optimising the central executive authorities and their functions, including through agencification.

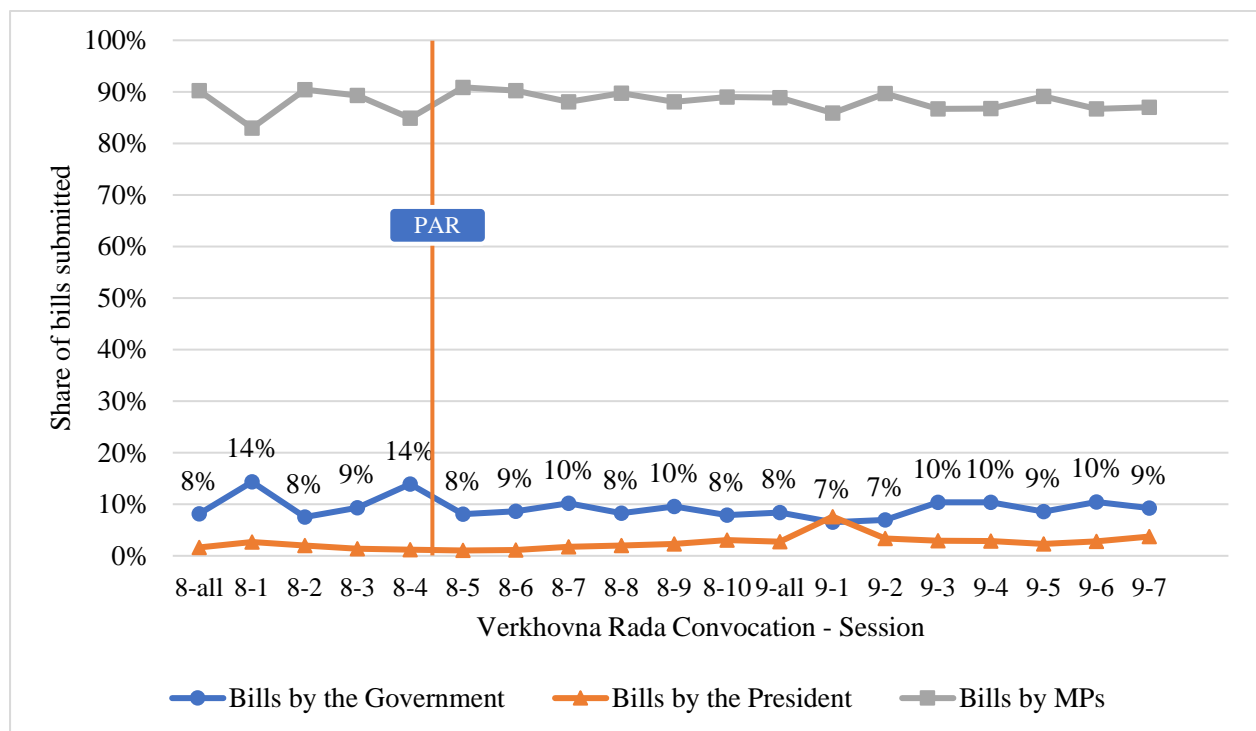
2.2.2. PAR results and problem statement

So far, the results of the public administration reform in Ukraine have been partial –from both input and output sides. On the one hand, the PAR Strategy indicators are exceeded, and 80% of ministries are reportedly compliant with requirements as of 2020 (Public Administration Reform, 2020). However, the visible success does not seem to yield the desired results.

The Global Competitiveness Index by the World Economic Forum (2019) ranks Ukraine 104th out of 140 countries by the institutions’ quality and 109th by the level of transparency. Corruption Perception Index by Transparency International (2021) reflects Ukraine’s slow progress and gave it 32 points out of 100, stating that the political corruption prevention mechanisms have only been partially effective. In a recent SIGMA paper (Johnsøn et al., 2021), experts conclude that Ukraine still has not initiated “any comprehensive reforms” in the sphere of public administration (p.64). The involvement of stakeholders in policymaking remains low: only 5% of ministries’ consultations regarding policy formation are conducted with the public (CHESNO, 2021). Regarding the legislative initiative, only 30% of the laws adopted and 13% of the bills revised by Verkhovna Rada are based on the proposals stemming from the

Government (Ivasyk, 2022; Public Administration Reform, 2020). Below, Figure 1 illustrates the share of the bills submitted by the Cabinet of Ministers of Ukraine (CMU) in the overall number of submitted bills throughout 2014-2022. Arguably, the increase of the ministries' role in public policy formation, envisioned by the PAR, is not taking place, and the level of the legislative initiative keeps, on average, at about 10% or lower.

Figure 1. Share of bills submitted by authorities with the right of legislative initiative (2014-2022), in %



Source: own elaboration based on the data available in the Digital Archive of Verkhovna Rada of Ukraine (Verkhovna Rada, n.d.).

Two other think-tank reports emphasise the imperfections in the ministries' restructuring itself. In its Shadow Report, the Agency for Legislative Initiatives (ALI) (2019) highlighted the problems of a steadily high degree of ministries' overburdening and stunted implementation of the change. The Constructive Journalism and New Media Institute (CI) interviewed 23 former ministers and PAR experts. It concluded that depoliticisation had not been achieved so far and, without proper HR management, the conflict of interest has been present within the old and the new public sector institutions (CI, 2021). Consequently, some ministries have even faced a rollback and a liquidation of newly created policy analysis units – directorates.

Finally, the Ukrainian Cabinet of Ministers recognises the lack of effectiveness regarding the reform of ministries. In its directive dated by July 2021 and approving the PAR Strategy for 2022-2025, it states that a substantial scope of extra functions, including policy implementation, is still carried out by ministries (CMU, 2021). Due to this, the policymaking and policy analysis capacity remain low, and the Government, in the new PAR Strategy, sets a goal to continue removing the non-essential functions and devolving them to agencies and local authorities. Another goal, going in parallel, is finishing the formation of directorates “in order to enhance the policymaking capacity of the ministries” (CMU, 2021).

Box 1. Dovzhenko Centre case as an example of agencification

One empirical example of the process of agencification stems from the reorganisation of one of the ministries. In July 2022, the directorship over the National Oleksandr Dovzhenko Film Centre was transferred from the Ministry of Culture and Information Policy to a separate Ukrainian State Film Agency. When the latter decided to reorganise it two months later, civil society, with a concern that it would rather be liquidation, appealed to the Ministry of Culture and Information Policy. The argument was that this CEB supposedly regulated all policies related to preserving the Ukrainian culture, even though, technically, it was not responsible for decisions regarding the Dovzhenko Centre anymore (Yakovenko, 2022). In the end, the ministry assured they would “do their best” to save the Centre (MKIP, 2022). This case illustrates how agencification in Ukraine is approached and how it might result in the unclear division of responsibility and accountability and even keep the paternalistic approach of certain CEBs regarding certain policies.

Consequently, this study aims to investigate the lack of effectiveness of the Ukrainian agencification reform. Informed by the existing scholarship on donor-endorsed institutional development reforms in developing countries and given that PAR in Ukraine is indeed such a reform, I arrive at my theoretical assumption or study proposition, as Yin (2009) calls it. It implies the existence of a link between the tailoring of agencification reform and policymaking capacity enhancement as one of its intended results. Such a proposition is informed by the governance scholarship that connects the effectiveness of public management reforms and the adjustment of “best practices” from abroad to the given context (Andrews, 2013; Brinkerhoff and Goldsmith, 2005; Doornbos, 2007; Evans, 2004; Grindle, 2010) and raises a concern about agencification being seen as a universally applicable solution (Beblavy 2001; Bevir, 2007; Brinkerhoff & Brinkerhoff, 2015; Laking, 2005; Verhoest et al., 2016). Thus, endeavouring to investigate whether a such link exists in the case of Ukraine, I am centring my exploratory study around one research question and three sub-questions, each unpacking one element of policymaking capacity.

Research question: How does the tailoring of agencification reforms affect the policymaking capacity of the ministries?

Sub-question 1: How does the tailoring of agencification reforms affect evidence-based policymaking by the ministries?

Sub-question 2: How does the tailoring of agencification reforms affect stakeholder involvement by the ministries?

Sub-question 3: How does the tailoring of agencification reforms affect strategic planning by the ministries?

Guided by these research questions, I conducted an exploratory case study with the intention of gathering some preliminary evidence on these linkages and developing a series of more nuanced hypotheses for exploring the relationship between policymaking capacity and agencification reform tailoring by governance scholars. In the end, I expect to be able to discover connections between component elements of the former and the latter. The outcomes of this study are important because this is a poorly explored area of governance scholarship – especially the results of enhancement of various policymaking capacity elements. The produced hypotheses are laying the foundation for further research about the impact of agencification’s adjustment on a government’s ability to produce high-quality, inclusive, and strategically oriented policies. In a practical sense, this might help improve the way public administration reforms are designed in developing countries.

Therefore, this thesis builds a necessary foundation for future studies, offering several nuanced hypotheses. It does not, however, give full and comprehensive answers on how the proposed linkages work but instead suggests a direction for the future research on this topic. While answering the research question, this study fulfils several secondary aims. From a theoretical perspective, it contributes to the academic research on good governance and agencification, trying to connect studies on NPM-driven reforms with studies on the “best-practice” approach. From an empirical point of view, this thesis expands agencification studies on Ukraine and SIGMA’s interventions, which has not been done yet on a sufficient level. Although the thesis draws conclusions specifically on the Ukrainian case, they might become valuable lessons for other states from this region or ENP and SIGMA programme participants.

Chapter 3. Conceptual framework

The conceptual framework for this research is based on the existing scholarly literature, including that described in the Literature Review. The concept of reform tailoring, which implies adjusting various reform aspects to the context, lies at this framework's core. Tailoring serves as an umbrella term for the reform's adjustment and concerns various reform aspects like the actual elements of the reform, their sequence and scope, the implementors and their roles. I analysed the inherent features of the alternative approach to good governance promotion that various scholars have suggested (Andrews, 2013; Andrews, Pritchett and Woolcock, 2017; Brinkerhoff & Goldsmith, 2005; Chang, 2001; Doornbos, 2007; Grindle, 2004, 2007, 2010; Levy, 2015; Moynihan, 2006; Mungiu-Pippidi, 2019). Having synthesised and applied them to agencification, I developed a conceptual framework of agencification reform tailoring and outlined it in Table 1.

The first element is adjustment, which refers to the reform's design stage and how the scenario is built in a particular country. The mere transfer of "best practices" implies that all successful policies and institutions that work in developed countries can be potentially moved to other contexts without amending them. Policymakers and executors in developing countries are faced with long lists of pre-set indicators to follow, which might even differ and converge depending on a donor. In reality, it often leads to mimicry, "window-dressing", and signalling from the side of the recipient government (Andrews, 2013; Evans, 2004; Randma-Liiv et al., 2011). On the contrary, when reform is tailored, interventions become less harsh and more carefully adjusted to the environment (Brinkerhoff & Goldsmith, 2005). Under such an approach, maximalist overachieving is contrasted to prioritising only relevant experiences (Grindle, 2004) and implementing only feasible and absolutely necessary solutions, specifying their shapes and further steps (Chang, 2001; Grindle, 2010; Moynihan, 2006). The main effect of its application to agencification is developing and implementing one's own model of agencification. Instead of copying and transplanting functions and shapes of successful agencies in a "one-size-fits-all" manner, a country selects what agencies to set up, which functions to delegate to them and at which pace in adjustment to its own needs and abilities.

The next element of reform tailoring is a problem-driven approach, or starting reforms with a problem. In this light, the interventions should be done from scratch with individually devised solutions to particular problems. This element is well described by scholars from the Centre for International Development at Harvard University – Andrews, Pritchett and Woolcock

(2017) – who devised a strategy called Problem Driven Iterative Adaptation (PDIA). Instead of starting with a solution, they insist on meticulously exploring a problem first, moving along a non-linear path, running experiments, and making small steps. Another suggestion comes from Levy (2015), who also criticises the “best-practice” approach and the use of donors’ suggestions as a “mechanical formula” (Levy, 2015, p. 248). He offers starting from what is actually at the disposal of reformers in a particular case and matching a country’s regime type with a distinct approach to governance reform. When discussing agencies, the problem-driven approach means that reorganisation starts with the functions that need to be devolved and decentralised, not immediately jumping to creating agencies. When done carelessly and without tailoring, it is likely to lead to over-agencification or dysfunctional agencies.

Then, once the reform is chosen and designed, its plan should envision iterative learning. This term is also used by Andrews (2013), and it refers to cycles of feedback, reflection, and amendments. A linear reform path is criticised by the proponents of tailoring, who encourage launching pilots and trial runs to see what practices are transplantable and applicable. PDIA is meant to have several rounds of implementation and produce results incrementally but reliably (Andrews, 2013). As Levy (2015) argues, reform should provide a platform for learning, creativity, and exploration of possibilities. Running experiments, in addition to lesson drawing, may also help governments to achieve quick results and improve their political image and legitimacy – especially for those lacking citizens’ trust (Grindle, 2004; Mungiu-Pippidi, 2019). A tailored agencification reform has trial runs and gradual agencification ministry-by-ministry, reflecting on success and failures between each stage. Agencies are introduced incrementally, and the initial wave can include only a few prioritised CEBs to be reorganised. Each following wave builds on the lessons learned from the previous one and can undergo ad-hoc amendments. However, this path does not need to be linear and can have revisions and rollbacks.

The fourth element of this framework is the involvement of a broader set of reform agents in its development and implementation. It is juxtaposed to overreliance on high-level agents or “lone champions” and under-involvement of various agents across levels. Limited engagement produces limited change, says Andrews (2013, p.90). In a tailored reform, the leadership is distributed, meaning that those acting on-site – civil servants with different roles and functions – are constantly involved in the change process. On-site agents, or the implementors, have a say within the reform community. Applied to agencification, it would mean that the process is not solely coordinated by ministers but engages the staff of the ministerial analytical units

affected by the change to get their feedback on their new mode of operation and maintain a two-way communication throughout.

Contextualisation is another vague but important element of this framework. One of the solutions Grindle (2007) offers in response to the lack of success in “best practices” is to comprehend the context as fully as possible and design interventions accordingly. Instead of focusing on what does not work, through nuanced preliminary research, a tailored approach explores what does and makes the most of it. Tailoring and thorough fine-tuning of all interventions imply taking into account contextual particularities of a given setting as much as possible. Levy (2015) claims that ideally, the approach to governance reform is supposed to match a country’s regime type but reaffirms that the match will never be perfect and is not expected to be. Applying such an approach to agencification would mean studying the setting’s context first, covering organisation culture in the public sector, power structures or decision-making mechanisms.

Finally, aligning reforms with the broader set-up – most importantly, other reforms and transformations in the country – is an important aspect of tailoring. When reform is mimicked, long lists of pre-set indicators, which might converge depending on a donor, are often followed unquestioningly. It can lead to overlapping reforms that might contradict each other or require a specific sequencing. Without defining key priorities, the entire myriad of introduced changes might overlap, duplicate and interfere with each other, especially if they are promoted by different international partners (Grindle, 2004, p. 528). A somewhat similar vision is pursued by Doornbos, who suggests selectivity in the context of the EU-promoted reforms, allowing for more flexibility and adjustments in what is being adopted (2007, p. 36). For agencification, such a perspective would entail smooth implementation parallel to other reforms with many contact points – for example, the reform of decentralisation or civil service remuneration. The steps made within such reforms need to be harmonised to reinforce each other and not stand in the way.

Table 1. Component elements of tailoring of the reform content in developing countries

Name of the element	Conceptual categories	Instrumentalisation of concepts (as applied to agencification)
Adjustment	<ul style="list-style-type: none"> • interventions carefully adjusted according to the environment (Brinkerhoff & Goldsmith, 2005); • prioritising only relevant experiences (Grindle, 2004); 	<ul style="list-style-type: none"> • developing and implementing one’s own model of agencification; • adjusting the reform to needs and abilities;

	<ul style="list-style-type: none"> implementing only feasible and absolutely necessary solutions, specifying shapes and steps (Chang, 2001; Grindle, 2010; Moynihan, 2006). 	<ul style="list-style-type: none"> selecting what agencies to set up, which functions to delegate to them and at which pace.
Problem-driven approach	<ul style="list-style-type: none"> interventions are done from scratch with individually devised solutions to particular problems; PDIA: meticulously exploring a problem first and moving along a non-linear path (Andrews, Pritchett and Woolcock, 2017); finding a good fit instead of “best practices”; not using donors’ suggestions as a “mechanical formula”; starting from what is at the disposal (Levy, 2015). 	<ul style="list-style-type: none"> reorganisation starts with the functions that need to be devolved and decentralised and does not jump to creating agencies immediately.
Iterative learning	<ul style="list-style-type: none"> iterative learning with cycles of feedback, reflection, and amendments; several rounds of implementation; producing results incrementally but reliably (Andrews, 2013). pilots and trial runs; reform as a platform for learning, creativity and exploration of possibilities (Levy, 2015); running experiments that help to achieve quick results and improve political image and legitimacy (Grindle, 2004; Mungiu-Pippidi, 2019). 	<ul style="list-style-type: none"> trial runs; gradual ministry-by-ministry agencification; reflections of success and failures between stages; agencies introduced incrementally; the initial wave includes a few prioritised CEBs; each following wave builds on the lessons learned and can undergo ad-hoc amendments; possible revisions and rollbacks.
Agent involvement	<ul style="list-style-type: none"> involvement of a broader set of agents in reform development and implementation (Andrews, 2013); distributed leadership; civil servants are constantly involved in the change process and have a say within the reform community. 	<ul style="list-style-type: none"> the agencification process engages the staff of the ministerial analytical units affected by the change; collecting feedback on their mode of operation; maintaining two-way communication.
Contextualisation	<ul style="list-style-type: none"> comprehending the context for designing interventions (Grindle, 2007); nuanced preliminary research; taking into account contextual particularities of a given setting; matching the reform with a regime type (Levy, 2015). 	<ul style="list-style-type: none"> starting with studying the setting’s context covering organisation culture in the public sector, power structures or decision-making mechanisms.
Alignment	<ul style="list-style-type: none"> alignment with other reforms and transformations; making sure that reforms do not overlap, duplicate and interfere with each other (Grindle, 2004, p. 528); selectivity, flexibility and adjustments (Doornbos, 2007, p. 36). 	<ul style="list-style-type: none"> smooth implementation parallel to other related reforms (e.g., decentralisation or civil service remuneration); harmonising the steps.

Source: compiled by the author and informed by the scholarly literature in the table.

Note: the concepts derived from the literature and outlined in the second column serve purely as the backbone for the conceptual framework and the proceeding coding frame of this thesis.

Another phenomenon of interest in this study is policymaking capacity. To assess the progress of enhancing ministries' policymaking capacity, I instrumentalise this notion based on reviewing the existing scholarly and "grey" literature. Defining policy capacity, one could refer to how the SIGMA programme describes it. In its policy planning section, harmonisation is emphasised, meaning that policies should be coherent and consistent and adhere to national priorities and broader goals (SIGMA, 2016, p.15). In policy development, there is a major stress on inclusivity, meaning openly involving all stakeholders in the consultation process, and evidence-based approach, meaning regularly assessing potential policy's impacts (SIGMA, 2016, p.17).

Besides "grey literature", Oliphant and Howlett (2010) instrumentalise this concept and differentiate policy analytical capacity, which focuses on research and analysis, from policy capacity, which deals with reviewing, formulating and implementing policies. The former concept aligns with the Ukrainian reform aim to minimise the implementational role of ministries. Thus, I deem it quite relevant. These authors refer to the definition of policy analytical capacity by Fellegi (1996, as cited in Oliphant & Howlett, 2010, p.440), who sees it as an organisation's ability "to articulate its medium and long term priorities, test the robustness of its policy options by building alternative scenarios, attach both qualitative and quantitative assessments to different policy options ... communicate and defend policy thrusts to its operational arms, ... major stakeholders and to the public, [and] formulate policies that can withstand rigorous professional challenge".

Another important contribution to unpacking policy capacity was made by Painter and Pierre (2005, p.2), who defined it as "the ability to marshal the necessary resources to make intelligent collective choices about and set strategic directions for the allocation of scarce resources to public ends". A similar picture can also be seen in the Reforms Delivery Office (2019) recommendations, an advisory body to the Ukrainian government, which says that ministerial capacity building includes impact assessment, focus on policy beneficiaries, and strategic policy planning based on transparency and predictability.

Having analysed the available ways of instrumentalisation, I can see common patterns and outline three key elements of policy capacity: strategic planning, stakeholder involvement and evidence-based approach. I summarise them in Table 2 below.

Table 2. Policymaking capacity instrumentalisation

Policymaking capacity element	Key features
Strategic planning	Each policy has medium- and long-term orientation of its goals. It is coherent and consistent with other state policies, reforms, and overall state-wide priorities, interests, strategies and plans.
Stakeholder engagement	Stakeholders and beneficiaries (representatives of the relevant public sector organisations, private sector and civil society) are engaged in consultations and decision-making across all policy stages (most importantly – during the initial stages) on transparent and equal terms.
Evidence-based approach	Ongoing research, evaluation and impact assessment; relying on experts and cooperation with think tanks and advisory bodies; application of the policy-relevant knowledge, information and data for informed and intelligent policy analysis.

Source: derived from Oliphant and Howlett (2010), Painter and Pierre (2005, p.2), Reforms Delivery Office (n.d.) and (SIGMA, 2016, p.15).

Chapter 4. Research design

4.1. Case selection and description

The selection of a public administration reform as a case for this study was justified by its direct influence on all citizens via public service delivery and all kinds of administrative and legislative procedures. It shapes a country's business environment and investment climate and determines the pillars of media freedom and civil society. Unsurprisingly, it is seldom called “the mother of all reforms” (Public Administration Reform Portal, n.d.): it informs every other reform, continuity and resilience of the public sector, and the most trivial operations in government on all levels. This is vital for a country now fighting at least two battles – corruption and Russian aggression.

PAR in Ukraine was largely launched with donors’ support, including financial and expert assistance. In 2016, a project called EU4PAR was embarked upon by the EU to assist in the implementation. The PAR strategy was developed by the Ukrainian government but, aiming to bring the public administration system closer to the European Administrative Space, was largely based on the so-called SIGMA principles (CMU, 2016b). SIGMA, or Support for Improvement in Governance and Management, is a joint EU and OECD programme aimed at improving public administration in the European Neighbourhood Policy countries to make it conform to the “internationally recognised principles of good governance” (SIGMA, 2016, p.7). Its areas are clearly outlined and include (1) an overall strategic framework for public administration reform, (2) policy planning, development, and cooperation, (3) public service and HR, (4) accountability, (5) service delivery and (6) public financial management. The reform of ministries and their structure officially belongs to the fourth area since accountability, liability, and transparency are expected to be achieved by delineating essential and non-essential functions. Yet, at the same time, it also reflects the features of the second area since the expected outcome is increased policymaking capacity.

The core entity of this reform is a directorate – a unit within a ministry established solely for policymaking in a very strictly defined sphere of competence. For example, the Directorate on High-Tech Health Care and Innovations in the Ministry of Health deals solely with healthcare-related technologies and innovations. Directorates’ role is to function within clearly defined areas of responsibility, focusing on policy formation, monitoring, and coordinating policy implementation. This reform is meant to turn ministries into purely analytical bodies capable of policy impact assessment and evidence-based policy analysis and formation (Reforms

Delivery Office, n.d.). Relieved from the administrative and bureaucratic burden, ministries are envisioned to reallocate resources to policy analysis and communication with stakeholders of public policies designed by them in order to gain insights. Table 3 below represents some of the directorate’s functions, which are envisioned by the CMU Provision, and how they correspond to the elements of the policymaking capacity from the conceptual framework of this study.

Table 3. Functions of directorates and their correspondence to policymaking capacity

Functions of directorates in Ukrainian ministries	Elements of policymaking capacity
Carrying out a constant analysis of the state of affairs in the sphere of its competence, including political, legal, financial, organisational and other aspects; analysing existing and identifying new problems in the sphere of its competence based on the study of statistical data, appeals from state and local self-government bodies and citizens	Evidence-based approach
Formulating proposals for alternative solutions to identified problems, evaluating their advantages and risks	Evidence-based approach
Conducting consultations with interested parties in order to involve them in the process of state policy formation; studying, summarising and taking into account the results of such consultations when devising policies	Stakeholder involvement
During the implementation of its functions, interacting with other directorates and other structural divisions of the ministry's apparatus and of the apparatus of other ministries, the Secretariat of the CMU of Ukraine, state bodies and local self-government bodies, citizen associations, trade unions, civil society and non-governmental organisations, as well as enterprises	Stakeholder involvement
Conducting an analysis of legislation in the sphere of its competence in order to identify gaps and inconsistencies, summarising the practice of applying legislation, developing proposals for its improvement and preparing relevant drafts of legislative acts	Strategic planning
Participating in the process of strategic planning, preparing proposals for priority action plans of the Government and activity plans of the ministry on matters within its competence	Strategic planning

Source: derived from the Cabinet of Ministers Provision №644 (CMU, 2017a).

There is no universal set of directorates since they depend on the content of policies to be designed. The only exception is the Directorates of Strategic Planning and European Integration (DSPEI), which are supposed to exist in all ministries. These directorates mainly fulfil the tasks of strategic planning of ministries’ activities and aligning them with key

framework documents and international obligations such as the Association Agreement between Ukraine and the EU or the CMU Programme.

In the meantime, the ministry's administrative, managerial, and executive functions are identified through an examination and passed on to other CEBs, state enterprises or the local level. For instance, tendering and procurement were devolved from the Health Ministry to the newly established National Health Service. In the ministry, departments and other units, which earlier performed non-essential tasks, were dissolved. The directorates can be further divided into "expert groups" (e.g. Expert Group on Treatment Abroad in the Ministry of Health), and both units are autonomous and operate within a horizontal system. Directorates are directly subordinated to the ministry's state secretary, while the directorate's activities are coordinated by the minister or deputy minister (CMU, 2017a).

For my analysis, I chose a 2016-2021 timeframe since, within these years, the first version of the Strategy had been taking place before a new, updated version for 2022-2025 was approved in summer 2021 (Public Administration Reform, 2022). This way, I could observe what had already been done and back my arguments with up-to-date reports and assessments. Still, I acknowledge that a five-year time is not a substantial period to draw firm conclusions about the overall SIGMA framework or PAR strategy effectiveness, especially with a lack of data.

The initial research design aimed to analyse separate ministries as sub-units of an embedded case study. In the end, due to several limitations, the analysis covers the Ukrainian case overall, with one sub-case described in more detail. However, I approached the analysis after having done certain preliminary sampling stages and preselected specific sub-units.

In total, 58 directorates were launched in 10 ministries as a trial in 2017-2019. Then, the rest of the ministries set them up, too. Three of the pilot ministries – of Culture, Agrarian Policy and Food, and Energy – soon underwent reorganisation, merged with and divided from other ministries in 2019 and 2020 (CMU, 2019a, 2020b). Therefore, considering the change in these CEBs and their directorates in the last three years, their analysis would lack consistency. For this reason, these three ministries were discarded from the analysis. Table 4 summarises the pilot ministries and their role in this study. During the empirical stage, the initial aim to scrutinise several separate ministries was abandoned due to the limitations mentioned below, and the whole PAR programme in Ukraine became the object of the case study. However, sampling for data sources collection was still driven by having seven short-listed pilot

ministries in mind since they had experienced directorates' establishment the longest and had more coherent reporting on the progress.

Table 4. List of pilot ministries

No.	Name of the pilot ministry	Consideration in the analysis
1	Ministry for Communities and Territories Development of Ukraine	Included in the analysis
2	Ministry of Justice of Ukraine	Included in the analysis
3	Ministry of Education and Science of Ukraine	Included in the analysis
4	Ministry of Infrastructure of Ukraine	Included in the analysis
5	Ministry of Health of Ukraine	Included in the analysis
6	Ministry of Social Policy of Ukraine	Included in the analysis
7	Ministry of Finance of Ukraine	Included in the analysis
8	Ministry of Culture of Ukraine	Excluded from the analysis due to being reorganised in 2019 and 2020
9	Ministry of Agrarian Policy and Food of Ukraine	Excluded from the analysis due to being reorganised in 2019 and 2020
10	Ministry of Energy of Ukraine	Excluded from the analysis due to being reorganised in 2019 and 2020

Source: compiled by the author.

4.2. Research logic and methodology

This research is designed as a single exploratory case study. The public administration reform programme in Ukraine in the time frame between 2016 and 2021 constitutes the “unit of analysis” (Yin, 2009, p.30). As argued by Yin (2009, p.47), a single case can be a significant contribution to theory building, which is precisely the focus of this study. I use the case of Ukraine to generate hypotheses for testing them in subsequent research with explanatory designs. The collected evidence allows me to shed light on the crucial aspects of the relationship between reform tailoring and policymaking capacity, which have not so far been examined in the existing scholarly works. My study is guided by a primary research question and three sub-questions. However, the study proposition of the connection between reform’s tailoring and its effectiveness helped me structure the analysis, guide empirical data collection, and arrive at more nuanced hypotheses connecting component elements of the conceptual framework.

The nature of this single-case study is “holistic” since the Ukrainian case is zeroed in as a single unit of analysis (Yin, 2009, pp.46). There is one embedded subcase that is scrutinised more – the Ministry of Education and Science – but overall, it is the analysis of the full picture. This

case is exemplary for studying the practice of reform tailoring since the Ukrainian PAR programme is coordinated by major international donor organisations. SIGMA and OECD acknowledge the absence of any single model of public administration and the importance of country-specific factors in achieving reforms' objectives (OECD, 2007; SIGMA, 2016). Thus, this case allows exploring whether it applies in practice as declared.

Data collection methods

The research was addressed via qualitative inquiry using document analysis, desk research and in-depth interviews. The selection of data sources was based on purposive sampling, focusing on short-listed pilot ministries that started the reformation earlier than the rest of the government (see Table 4). Keeping them in mind, I selected the documents to analyse, submitted public information requests, and invited potential interviewees. One of my interviewees is a former employee of one of the pilot ministries. Two others are PAR experts who were most often referenced in the analytical papers I was exploring. The analysed legal acts were either referenced in the PAR strategies and reports or found through the Verkhovna Rada (the Ukrainian parliament) portal. To find additional documents and reports, I used the “snowballing” sampling technique, following the references and footnotes, and the function “document card” on Verkhovna Rada’s portal, which shows how the chosen act is connected to others. Most of the analytical studies that I explored were published on the official PAR portal in the section “Progress” or found through snowballing sampling (Public Administration Reform, n.d.-a).

The main method I applied was document analysis. As Bowen (2009) points out, this method is widely applied in qualitative case studies, including those producing descriptions of a single organisation or programme. They serve as a means of tracking change – for instance, in the policymaking procedure – and information on such aspects as the overall consistency and alignment of different reforms. I analysed the following secondary sources of data:

- fourteen legal acts published by the Ukrainian parliament and CMU;
- seven reports prepared by the CMU, National Agency for Civil Service and other state institutions;
- two PAR strategies for 2016-2021 and 2022-2025 developed by the Ukrainian government.

During my analysis, as expected, I encountered gaps and contradictions in the evidence reflected in the available documents. Therefore, I decided to make public information requests. Such requests are regulated by the Law of Ukraine on Public Information Access (Verkhovna Rada, 2023), according to which I had to fill in a form specifying my request and contact information, and the addressed authority had five working days to respond to it. I sent out my requests to the CMU and seven short-listed ministries. First, I submitted a request to the CMU Secretariat on 2 November 2022. However, the Deputy Secretary redirected my request to the pilot ministries so that they answer my question individually (Public Information Request No.1). The responses I started to get lacked detail since the CMU Secretariat used a scan of my request and the hyperlinks that I used there to refer to the abovementioned reports were lost. I then decided to send out my own more detailed requests to seven short-listed ministries on 10 November 2022. By 21 November 2022, I received responses from six out of them. The Ministry of Finance has never replied to me and was excluded from the pool. All the requests I sent and the responses I received are summed up in Appendix 1.

Although some scholars say that document analysis can be used as a stand-alone method (Bowen, 2009, p.29), I relied on additional sources of evidence. At the design stage of this thesis, I already expected to face the need to conduct interviews with relevant stakeholders. For this, I short-listed potential ministries whose representatives would be able to provide me with relevant information. In February 2022, I applied for short-term mobility funding “Dora Plus Action 1” supported by the European Regional Development Fund and the Estonian Education and Youth Authority. My application was accepted, and I was supposed to travel to Kyiv in March-April 2022 to conduct live interviews with the ministries’ representatives to collect data on policymaking capacity enhancement. However, my mobility was cancelled due to the Russian invasion of Ukraine on 24 February 2022.

In these circumstances, I opted for online interviews and conducted three of them. As the Ukrainian government was mostly involved in dealing with the consequences of the invasion and operated at a higher security and data protection level, getting access to the necessary interviewees became problematic (see Sub-chapter 4.3 for detailed descriptions of study limitations). So, I could not arrange all the intended interviews. I sent eighteen interview requests in total, and their results are listed in Appendix 2. Having failed to reach out to the ministries’ staff, I decided to attempt to talk to PAR experts involved in the design and oversight of the strategy for 2016-2021.

My first interviewee was Serhiy Soroka (Interview No.1). He is a prominent public administration expert in Ukraine, who has published numerous articles in Ukrainian newspapers, participated in thematic conferences, and used to be an expert at the Reanimation Package of Reforms (RPR) and a member of the PAR Coordinating Council (ZN.UA, n.d.). Unable to find his email online, I contacted Mr. Soroka via Facebook, and we arranged an interview.

The second interviewee was Ihor Koliushko (Interview No.2). Like Mr. Soroka, he is a former member of the PAR Coordinating Council and the current Head of the Board at the Centre of Policy and Legal Reform (CPLR), a think tank analysing reforms, including public administration (CPLR, n.d.). Mr. Koliushko is also often cited in Ukrainian media commenting on public sector transformations. His contacts were shared with me by my former colleague from the internship I had at the Reforms Delivery Office of CMU. We arranged and successfully met for an interview.

By interviewing the experts, I collected data on the approach with which the PAR was designed and implemented and the level of adjustments of “best practices” to the Ukrainian context. Lacking second-hand data on policymaking capacity enhancement and aiming to verify desk research findings, I attempted to interview policymakers who worked for the ministries within 2016-2021.

The only person who responded to my request and had an opportunity to talk was Hanna Novosad (Interview No.3). She worked as a director general at one of the directorates of the Ministry of Education and Science (MES) in 2017-2019 and then was in charge of this ministry in 2019-2020. I acquired her contact details from a university acquaintance. Due to a tight schedule, Ms. Novosad could only record her responses as voice messages.

The interviews were semi-structured and based largely on the conceptual framework and gaps in the document analysis. I prepared interview guides, which are attached as Appendix 3 and translated them into Ukrainian since it was the language of the interviews. All questions were open-ended and used language that would be understandable outside of the academic context. I retained flexibility regarding the questions’ sequence since I expected interviewees to start answering some of them precociously. Some of the questions, preliminary marked as secondary, were not asked due to time constraints. I transcribed all interview recordings word-by-word and analysed the transcripts using my coding frame described hereinbelow to identify the conceptual framework elements.

All successful interviews are listed in Table 5. Interviews 1 and 2 took place via the video conferencing platform Zoom and lasted 40 and 77 minutes, respectively, covering ten questions. Due to a tight schedule, Interviewee No.3 could only record her responses in the format of voice messages which lasted 13 minutes in total. Since I could not ask follow-up questions or react to her statements, such a format has a lower level of validity, but these inputs still enriched my data pool and helped verify certain findings. For the same reason, I could only obtain her informed consent in a voice message before she recorded her responses to the questions. I also explained the aims of my study and how the data would be used before sending the questions. Two other interviewees signed consent forms agreeing to be recorded and cited in this thesis before the interviews. The consent form is provided in Appendix 4. All recordings were saved on a secure laptop protected with a password and were deleted once the analysis was completed.

Table 5. The list of conducted interviews

Name of the interviewee	Affiliation of the interviewee	The date of the interview	Interview duration	Interview mode
Serhiy Soroka	Reanimation Package of Reforms – NGO Coalition	24 November 2022	40 minutes	Videocall via Zoom
Ihor Koliushko	Centre of Policy and Legal Reform	1 December 2022	77 minutes	Videocall via Zoom
Hanna Novosad	Ministry of Education and Science of Ukraine	7 December 2022	13 minutes	Responses submitted through the WhatsApp messenger app.

Source: compiled by the author.

To mitigate the low number of interviews, I conducted additional desk research on second-hand data. I analysed six studies and reports prepared by analytical centres. They include Vox Ukraine, the Centre of Policy and Legal Reform, CHESNO Movement, the Constructive Journalism and New Media Institute, Agency for Legislative Initiatives and the International Renaissance Foundation. These are one of the biggest analytical centres in Ukraine, providing the government and civil society with data-driven research. Facing the limitations of collecting first-hand data or seeking to validate the findings of the document analysis and interviews, I relied on the inferences at which the authors of these reports arrived.

Overall, I triangulated my inferences by performing document analysis, desk research and in-depth interviews. As Bowen (2009) suggested, the variety of methods allowed me to reduce the impact of potential biases and corroborate findings with additional sources.

Data analysis

From the data sources at my disposal, I tracked the reform progress and derived information on the degree of the reform tailoring, strategic planning, stakeholder engagement and the involvement of evidence and data in policymaking. For analysing the documents, reports and interview notes, I applied qualitative content analysis. Using a coding frame, I compared how my data related to the categories in my conceptual framework. The codes in my reference frame were partly concept-driven and partly data-driven (Schreier, 2012). The former, main, codes were derived from the literature review and conceptual framework categories. The latter, I discovered and developed as new reference words during the analysis, complemented the coding frame with them, and then went through the data sources again. Thus, the whole analysis was iterative rather than linear. As Schreier (2012) envisions, qualitative content analysis focuses on assigning the data elements to the appropriate categories from the pre-established conceptual framework. In Appendix 5, I provide a visualisation of the coding frame that guided me throughout the analysis.

My analysis included both content and thematic types of analysis, as defined by Bowen (2009, p.32). For example, when tracing the reform timeline or the composition of the PAR Coordinating Council, I was gathering information that answers certain questions and organising it, hence, performing content analysis. Thematic analysis implies recognising patterns through carefully re-reading the data and using predefined codes (Bowen, 2009, p.32). It took place, for instance, when I examined the alignment of PAR with other reforms or the formats of stakeholder engagement and interpreted these data relying on my coding frame. I added references to all the documents and reports I used in my research.

4.3. Study limitations

During the preliminary desk research associated with case selection and data collection, as well as the in-depth interviews, I faced several limitations. Most of them were connected to Russia's full-scale invasion of Ukraine on 24 February 2022 and the fact that this happened during my work on this thesis.

First, Russia undertook several massive attacks on Ukrainian civil infrastructure, including power stations and the electric grid, on 10 October (CNN, 2022), 31 October (The Guardian, 2022), 15 November (Reuters, 2022) and 23 November 2022 (AP News, 2022) – all within the timeline of this study. Due to this, emergency and scheduled power outages were taking place regularly to stabilise the energy network. This has especially affected Kyiv, where most government offices and analytical centres are situated. Therefore, most of the interviewees that I had contacted were experiencing problems with stable electricity and Internet connection and, constantly having outages during working hours, had to prioritise their main job responsibilities over the interviews. This happened, for example, with the Reform Support Team member at the Ministry of Infrastructure, who was delaying our call for over a week before cancelling it. Another example is my interview with the Head of the Board of the CPLR, which was scheduled for 23 November. Just an hour before it was supposed to happen, Russia launched missiles at Ukrainian cities, and the power went off (BBC News, 2022). The interview had to be rescheduled. I offered some of the potential interviewees to answer my questions via email correspondence in case they could not meet for an entire interview. In the case of one interviewee, it helped as the replies to my questions were submitted via voice messages.

Secondly, due to martial law, the CMU authorised ministries to limit access to sensitive data and information (Zakharov, 2022). Some of the information on government officials disappeared from the websites for the sake of security. The emails and phone numbers – and in some cases even the lists of employees – became unavailable publicly. So, I used social media like LinkedIn and Facebook to contact potential interviewees. Sometimes this solution was effective, but often it did not help. The list of all interviewees and the ways I contacted them are attached as Appendix 2.

Another issue that arose due to security concerns was my inability to access the websites of some of the ministries, such as the Ministry of Infrastructure and the Ministry of Finance. The websites were available from Ukraine, but I could not load the pages from abroad. I did not manage to learn the exact reason for this. However, my solution was contacting colleagues in Ukraine and asking them to open the websites, look for the needed information and send it to me – in the format of screenshots, files, or others.

Finally, when I started to approach the employees of the ministries in focus, I often received a reply that they had started working for this or that ministry only a year or two ago. Therefore, they would not be able to provide me with valuable information regarding the implementation

of the reform in 2016-2021. However, in case the people I contacted were already working for the ministry by 2021, I suggested that I could gather valuable insights by interviewing them about ministries' activities in 2021. Unfortunately, I still did not manage to interview those people. To replace these sources of data, I conducted additional document-based research. Since it did not provide enough detail, I had to abandon my initial intention to explore individual ministries' cases and readjust my focus onto a broader picture of the PAR programme in Ukraine as a single case for analysis and an embedded case of the Ministry of Education and Science. Besides, I could not collect detailed enough data on strategic planning as one of the policymaking capacity dimensions, thus making only a modest contribution to that aspect in my inferences. However, the interviews and second-hand data gave me more insight into stakeholder engagement and evidence-based policymaking.

Chapter 5. Analysis of the results

5.1. Ukrainian agencification reform tailoring

5.1.1. Adjustment of the reform scenario

I start my analysis with the overall assessment of the approach to public administration reform in Ukraine. The PAR Strategy for 2016-2021 is developed taking into account “European standards of good governance”, which are formulated under a SIGMA document “Principles of Public Administration” (CMU, 2016b, p.3). The PAR Framework designed by SIGMA in its section “Policy development” outlines general principles and requirements that, when completed, would allow a country to establish inclusive, evidence-based policy and legislative development. Examples of these principles that concern the preconditions for enhanced policymaking include:

- “The structures and responsibilities of the state institutions and departments responsible for policy development have an appropriate legal basis” (SIGMA, 2016, p.18).
- “As a general rule, the key policy-making functions remain in the responsible state institution and are not transferred to subordinate bodies” (SIGMA, 2016, p.18).
- “Clear boundaries exist between departments/units and between the different state institutions with regard to policy development, legislative drafting and implementation responsibilities” (SIGMA, 2016, p.18).
- “The institutional framework and distribution of staff reflect the workload of the state institutions’ departments” (SIGMA, 2016, p.18).

So, they do not provide over-specified guidance as to what these units within the state institutions might be, how many of them should be established, precise procedures for their operation and the type of staff needed for it or how exactly they would be hired. All these details are outlined in the Ukrainian PAR Strategy adopted by the CMU on 24 June 2016.

As to the expected results of such changes, SIGMA envisions an evidence-based policymaking and legal drafting process, with a regularly conducted impact assessment. More specific requirements are:

- “The legal framework establishes the types of analytical processes and the requirements and standards expected of line ministries when developing policy proposals and legislative drafts” (SIGMA, 2016, p.18).

- “Clear and transparent methodologies supplement the legal framework with detailed instructions for the policy-development process (including problem definition, review and costing of alternative solutions, analysis of direct and indirect impacts, and the distribution of impacts on different populations)” (SIGMA, 2016, p.18).
- “The analyses are based on available, relevant and up-to-date data, including separate data on gender when relevant” (SIGMA, 2016, p.18).

These requirements are more specific than the ones discussed before. However, they follow the widely acknowledged standards of policymaking, which are commonly covered by the academic and “grey” literature. In addition, the SIGMA PAR Framework also admits that there is no single model of public administration (SIGMA, 2016, p.28), and for the reason of differences in context, it has developed separate frameworks for the EU Enlargement and the EU Neighbourhood regions (SIGMA, 2016, p.4). Thus, the signs of copying functions from successful units established in other countries are not in place.

Ihor Koliushko, a PAR expert and an opponent of mere transfer and copying of models from abroad, also does not believe that PAR was completely borrowed from some other country and transplanted into the Ukrainian setting (Interview No.2). He is convinced that the way this reform was designed in consultations with both national think tanks (e.g. CPLR and RRP) and foreign experts representing the EU and SIGMA is the generalisation of European governance experience which was accommodated with the accounting for the Ukrainian realities. Having taken part in the reform drafting, Mr. Koliushko even claimed that he had occasions of arguing with European experts who were trying to impose their “stereotypical solutions” – especially those from Poland and Georgia. At the same time, according to him, SIGMA experts were not giving overly specified and precise guidance and never described or named the exact type of units that were to be established for better governance. In his opinion, the key strength was the studying and exploration of not exact shapes of government models abroad but of overall principles and logic behind good examples and practices (Interview No.2).

Another PAR expert Serhiy Soroka expressed a similar view. On the one hand, he is convinced that due to the large accumulated experience of the public administration frontrunners, there is no need to pave Ukraine’s own way and reinvent the wheel (Interview No.1). In his opinion, Ukraine should use good practices and examples that have already been studied and summarised by European experts. On the other hand, he as well is a proponent of using the

general OECD or SIGMA principles of public administration in a way that gives space to experimentation and constant revision.

“We should take good practices and examples, implement them at home, and then we will make our own wheel based on this added value. And when this wheel finally rolls, we should be constantly updating it”.

Serhiy Soroka, RPR (Interview No.1)

To sum up, what can be seen in the Ukrainian case is what Levy (2015) called a “good-fit framework”. Instead of providing a mechanical formula and prescribing agencification as a scenario to follow, the SIGMA experts rather laid out “a framework capable of providing a platform for subsequent learning”. The PAR principles rather serve as a basis for a further set-up that was built by the government with external assistance. So, I can conclude that adjustment is present in the Ukrainian PAR. When the groundwork is laid out, initial trial steps taken would help in honing the overarching strategy. The extent to which the Ukrainian PAR embraced such iterative learning is discussed further below.

5.1.2. Problem-driven approach

The PAR Strategy for 2016-2021 led to the adoption of the Conception of CEBs optimisation, which implied that, before the establishment of the directorates, all pilot ministries were supposed to conduct a functional review (CMU, 2017b). During such a review or study, a ministry should analyse and delineate all the functions it is performing or should perform and then identify the non-essential ones. The latter cover administrative services delivery, inspection and oversight, and management of state-owned property and must be devolved to other CEBs, executive agencies and local governments. The rest of the functions should reflect all the policy areas that a ministry is responsible for, and each of them should then be assigned to a directorate. This, in theory, would allow ministries to focus solely on the elaboration of public policy documents and legislative drafting, coordination and monitoring of policies’ implementation, and broader strategic planning within itself and for the entire government. It should also help avoid the duplication of functions among two or more CEBs. Such an approach, in theory, is closely associated with what Andrews (2013) refers to as starting with a problem instead of a solution and tailoring strategies according to the country’s flaws in the public administration system.

Functional reviews in Ukraine were bound to happen during the year 2018 in 10 pilot ministries, according to the CMU Ordinances of 24 June 2016 No. 474-2016-p (CMU, 2016a)

and of 27 December 2017 No. 1013-2017-p (CMU, 2017b). According to the Functional Review Report that I received from the Ministry of Education and Science, the Secretariat of the CMU conducted training on functional reviewing for the representatives of all pilot ministries on 2 August 2018 (Public Information Request No.4). However, there is contradicting evidence on the further progress of the reviews themselves. The official PAR report from 2018 states that they were conducted in eight pilot ministries, excluding the Ministry of Justice and the Ministry of Finance, since those were exempt from it due to their specific functions (Public Administration Reform, 2018). The common review methodology was approved by the PAR Coordinating Council (an advisory body coordinated by the CMU) in June 2018. In December 2018, the eight ministries submitted reports on functional reviews and suggested new structures for their apparatus, four of which were approved, whereas the other four required further improvements (Public Administration Reform, 2018). In the meantime, a report done by an NGO coalition, Reanimation Package of Reforms (2018), claimed that only six ministries prepared formal functional reviews – those of Agricultural Policy, Health, Education and Science, Culture, Regional Development and Social Policy. Another report by the Accounting Chamber (2018) states that the functional reviews were significantly delayed and only submitted through an online form rather than comprehensive reports.

I did not find the information on functional reviews on the pilot ministries', CMU's or the Ukrainian parliament's official websites. Moreover, some ministries did not have an up-to-date structure of their apparatus. Therefore, due to the inconsistent, incomplete, and contradictory set of evidence, I decided to make public information requests, asking two main questions:

- What is the up-to-date list of the ministry's directorates and their director generals?
- Was there a functional review conducted in the ministry in 2018? If yes, please provide the report on it. If not, based on what were the directorates established?

The information that I received demonstrates that the functional reviews did not occur in three of them. The ministries of Education and Science, Social Policy and Health have performed the reviews and submitted the reports to the PAR Coordinating Council, but only the Ministry of Education and Science has shared the report with me through the public information request. The Ministry of Finance did not respond to my request.

Information from different sources remains contradictory. When I asked a PAR expert Serhiy Soroka, he assured me that all pilot ministries had undertaken functional reviews and submitted

reports on them – particularly the Ministry for Communities and Territories Development, where he worked and took part in functional reviewing (Interview No.1). Therefore, the true situation remains unclear. Nevertheless, what matters even more than conducting functional reviews is taking them into account when devising a ministry’s updated structure. Without applying it in practice for the establishment of policy directorates, what is left is “signalling” and the implementation of visible elements helping to gain legitimacy but not yielding actual results, as Andrews (2013) argues. However, the evidence on whether the consideration of functional reviews happened or not is not reflected in second-hand data available on the ministries’ websites and various archives. Therefore, I raised this question in my public information requests. The information I received in response provided the following evidence:

- The Ministry of Infrastructure reported no functional review conducted in the years 2017-2018, and the decrees on the creation of its directorates do not refer to the functional review reports (Public Information Request No.5).
- The Ministry of Justice did not provide any information on a functional review performed in 2017-2018 and stated that the directorates in its apparatus were established by the initiative of the minister himself, who was exercising his discretionary power to form the apparatus and define the list of units (Public Information Request No.3).
- The Ministry for Communities and Territories Development could not provide any information on a functional review in the specified years (Public Information Request No.2). However, Serhiy Soroka worked in the RST of this ministry at that time. As he said, a functional review was indeed conducted there, and its results served as a basis for further structural reorganisation and directorates’ establishment (Interview No.1).
- The Ministry of Health does not possess any documentation on the conduction of a functional review in the selected period (Public Information Request No.6). Thus, it also did not specify whether the directorates were established based on it or not.
- The Ministry of Education and Science confirmed that a functional review took place and provided me with a report on it. The report lists all the policy areas and functions the ministry is covering. It also concludes the absence of non-essential functions and draws recommendations on the elimination of duplicated functions (Public Information Request No.4). The letter that I received in response to my request also states that the review served as a basis for the proposition on the ministry’s updated structure and the directorates to be created within it. After it received feedback from the Coordinating

Council in December 2018, the ministry began the transformation and establishment of policy directorates.

- The Ministry of Social Policy reported that a functional review took place during the PAR Strategy implementation in 2016-2021 (Public Information Request No.7). I have not received a report on it, but the ministry confirmed that the five directorates within its structure were created based on the review's results.

Table 6 summarises the information on the problem-driven approach to agencification received through public information requests.

Table 6. Pilot ministries and functional reviews

Pilot Ministry	Functional Review	Functional Review Report provided	Functional Review considered when forming directorates	Directorates (DSPEI + others)
Ministry of Infrastructure of Ukraine	Not conducted	Not applicable	Not applicable	1+0
Ministry of Justice of Ukraine	Not conducted	Not applicable	Not applicable	1+1
Ministry for Communities and Territories Development of Ukraine	Yes, according to Interview No.1 / No, according to the public information request response	No	Unclear	1+5
Ministry of Health of Ukraine	Unclear	No	Unclear	1+7
Ministry of Education and Science of Ukraine	Conducted	Yes	Yes	1+6
Ministry of Social Policy of Ukraine	Conducted	No	Yes	1+4

Source: compiled by the author based on data received from open sources, interviews, and public information requests.

The evidence collected through open sources and requests demonstrates discrepancies in the scope of impact that functional reviews had on the directorates' establishment. One possible explanation behind it might be the fact that the PAR Coordinating Council did not serve its original purpose in coordinating and aligning the reorganisation process across the pilot ministries, as was explained by Serhiy Soroka (Interview No.1). The role of the Council is

discussed in more detail further below. Another important factor in this regard was the establishment of a new position in civil service. The ministries undergoing the optimisation were to run new open competitions for the so-called reform staff – civil servants who meet high qualification requirements, possess reform expertise, and get additional incentive payments (CMU, 2016a). They were tested for analytical skills, English, verbal thinking, etc. These reform staff members formed the core of the policy directorates. However, it appears that the most important aspect of this position was the increased pay, enabled by aid from the EU and other foreign donors. First, this created a large gap within ministries between the new reform staff and the civil servants working for the traditional departments – the non-reformed units. It yielded further internal conflicts and a lack of motivation for the “older” employees to participate in the reformation, which had to be managed by the ministers (Balabaniuk, 2021; CI, 2021).

In addition, as Ihor Koliushko stated, the establishment of the directorates for many of the ministers was a mere opportunity to raise salaries for their employees (Interview No.2). Thus, many directorates were formed not based on policy areas but simply in order to accommodate the already present staff. The competitions did take place, but an important factor here is the overall personnel shortage. Many experts confirm the lack of qualified staff with knowledge in policy analysis and formulation (CI, 2021; Filipovskyi & Balabaniuk, 2021). A shadow report by the Agency for Legislative Initiatives (ALI) mentions the lack of reform specialists and adequate preparation and education as one of the key problems (ALI, 2019). Only two state universities in Ukraine – both in Kyiv – and a private Kyiv School of Economics provide courses in public policy analysis (Interview No.2; NAUKMA, 2017; Taras Shevchenko National University of Kyiv, 2017).

So, in such circumstances, the directorates were often filled with employees that did not have extraordinary competences but still received higher salaries. According to Ihor Koliushko, some of the former departments were merely renamed into directorates, keeping largely the same staff performing old functions (Interview No.2). A Vox Ukraine report confirms that in some cases, directorates and departments did the same type of job or duplicated it – yet the reward differed substantially (Bilous, A. & Tyshchuk, 2019).

One can conclude that the shape preceded the content of the transformation here – precisely what Andrews (2013) is warning against. The establishment of the directorates was driven by a quick reward – increased pay – and a quick fulfilment of a predefined indicator foreseen by

the PAR Strategy. The process lacked an incentive for starting with exploring the policy areas and only then, having it approved by the CMU, proceeding with hiring the staff. All this leads me to the conclusion that this part of the agencification reform in Ukraine did not start with the problem but rather rushed to the establishment of new units.

5.1.3. Feedback, piloting and iterative learning

The reform began with the piloting stage and the selection of pioneer ministries that would undergo the transformation. As Serhiy Soroka outlined, the Government was bound to identify key national reforms – a shortlist that could be annually revised and updated (Interview No.1). These key reforms would be allocated among ministries and broken down into policies. It was intended to have only several key reforms but to make sure that they would be actually progressing.

Yet, not everything went according to the initial plan, and the list of the prioritised reforms was not exactly followed. The starting number of ministries to join the pilot run was set to ten (CMU, 2017a). Considering that in 2016, before the launch of the PAR, the Government in Ukraine had nineteen ministries in total, such an approach does not resemble piloting since it covers more than half of the ministries. Moreover, the CMU order “On the completion of reforming the structure of the apparatus of some ministries” stated that “other ministries can join the pilot project upon the decision of the CMU and request of a corresponding minister” (CMU, 2019b). Thus, instead of limiting the first trial run to a few ministries, the pilot project expanded over to more than half of them. Serhiy Soroka described the following situation:

“When it all started in 2015-2016, there should have been 5 to 6 of the key reforms... Each ministry should have been assigned to one, a maximum of two of them. The new teams and experts were meant to be gathered exactly for them, and special remuneration conditions were applied to them. Unfortunately, the Government chose to go with a wider front. This turned out to play a trick on them... Directorates were remotely connected to the key policies, but they were mostly created chaotically, and every ministry took its own way... The Government decided to start with ten ministries. As a result, none of them has completed the transformation. The directorates have been created, and the European Commission was overseeing the competitions... But soon enough, an unfinished reform ends with the system getting accustomed to it and starting to sabotage it”.

Serhiy Soroka, RPR (Interview No.1)

This overstretching has likely contributed to the lack of attention that could be given by the PAR Coordinating Council, CMU Secretariat and other actors taking part in the oversight of

the reform progress, including the international donors. At the same time, there are no visible signs of overstretching when it comes to the directorates themselves. Ihor Koliushko suggests an optimal number of directorates between 4 and 7, and most of the pilot ministries fit within these boundaries, with rare exceptions (see Table 7).

As Grindle (2004, p.538) suggests, it can be a good choice for governments with reform fatigue and lacking legitimacy to produce quick and tangible results in the short term to win trust and support from both citizens and civil servants, reluctant to larger changes. However, there was no time to demonstrate any rapid results in the case of the Ukrainian PAR in 2018. The time that passed between the piloting stage and the extension of the reform was rather short. The first directorates started to be established in January-July 2018, and already in August 2018, the rest of the ministries were supposed to launch functional reviews and establish directorates (CMU, 2017b). According to the Conception of optimising the system of central executive bodies approved by order of the CMU on 27 December 2017 No. 1013, the experience of the pilot ministries was meant to be considered (CMU, 2017b). However, as the expert Serhiy Soroka mentioned, the lessons were not drawn, and the approach stayed exactly the same. He calls the extension of the optimisation to other ministries “a purely political decision” (Interview No.1). Hanna Novosad, the former Minister of Education and Science, also shared her perception that “nobody understood what comes after the piloting stage” (Interview No.3).

By the end of 2018, some of the pilot ministries – like the Ministries of Finance and Infrastructure – only had 1 or 2 directorates (Public Administration Reform, 2018), which does not reflect the number of policy areas and indicates the incompleteness of the process. Yet, in 2019, all other ministries in the government proceeded with the directorates’ establishment. According to what Ihor Koliushko said, the then-newly-appointed Prime Minister Oleksyi Honcharuk, having faced criticism after his first 100 days in position for abandoning the PAR, suddenly decided to extend the directorates’ establishment to the rest of the ministries (Interview No.2). And it was dutifully done by the latter since they had a strong motivation.

“This was a profanation. As soon as the directorates got the increased salaries, all ministries rushed to establish them”.

Ihor Koliushko, CPLR (Interview No.2)

At first, many of them progressed in the establishment of policy directorates. However, in the next year, one could observe significant rollback across the entire government, which has been continuing up until the moment of writing this thesis. Table 7 reflects these developments. For

example, the Ministry of Infrastructure started with three directorates in 2018, proceeded with eight of them in 2019, but now it only has one (Public Information Request No.5). The Ministry of Finance rolled back from six directorates in 2018 to one directorate – DSPEI – in 2021. Undoubtedly, it is rather normal and even desirable for directorates to be flexible and fluctuate according to the pressing issues the government is facing – and this is something Serhiy Soroka has also confirmed (Interview No.1). Yet, the reduction of this scale signifies a real problem in managing the directorates and enhancing the policymaking capacity, since only one or two directorates certainly cannot cover all policies that a ministry is responsible for.

Based on the evidence at my disposal, I can conclude that iterative learning and feedback loops did not take place during the reorganisation of ministries in Ukraine between 2017 and 2020. As Grindle (2007) suggests, a reform need not be a linear process, and its redefinition can happen even during the implementation. Instead, in Ukraine, two large and rather linear waves of directorates' establishment followed one another without a substantial break which would enable lesson learning. Due to time constraints, the pilot ministries had a very fast trial run, and the key legislative acts did not experience any substantial amendments. An interim CMU order “On the completion of reforming the structure of the apparatus of some ministries” (CMU, 2019b) dated by 24 October 2018 mainly modified the remunerations of state experts but did not introduce any substantial modifications in other aspects.

Such a chain of events and CMU's decisions can be characterised as “signalling” due to its political nature. A 2019 report states that the PAR strategy indicator on the “share of ministries where the structure of apparatus is compliant with common requirements” was at the level of 80% (Public Administration Reform, 2019). In 2020, it remained on the same level, with the main argument being the reorganisation of ministries – which has “reshuffled” the list of directorates in the affected ministries – and the COVID-19 lockdown measures. This number is undeniably high, and although it does not reflect the quality of the introduced changes, it can serve as a good signal to foreign aid donors, demonstrating the quantitative results of the reform they endorse and promote.

Table 7. The number of directorates in ministries across 2018-2022

Ministry	Number of directorates in the year				
	2018	2019	2020	2021	2022
Ministry of Infrastructure	3	8▲	8—	2▼	1▼
Ministry for Communities and Territories Development	8	9▲	5▼	6▲	6—
Ministry of Education and Science	7	6▼	6—	6—	7▲
Ministry of Health	5	6▲	6	8▲	8—
Ministry of Social Policy	7	7—	5▼	5—	5—
Ministry of Finance	6	4▼	5▲	1▼	1—
Ministry of Justice	4	2▼	4▲	2▼	2—
Ministry of Internal Affairs	Not applicable	4	4—	4—	Not applicable
Ministry of Foreign Affairs	Not applicable	2	2—	3▲	Not applicable
Ministry of Digital Transformation	Not applicable	15	4▼	11▲	Not applicable
Ministry of Defence	Not applicable	0	1	3▲	Not applicable

Source: for 2018 – Public Administration Reform (2018); for 2019 – Public Administration Reform (2019); for 2020 – Public Administration Reform (2020); for 2021 – Public Administration Reform (2021); for 2022 – information received through public information requests submitted to the corresponding ministries.

Note: the table does not include the ministries that have been reorganised during 2019-2020 and the appointments of the government of Oleksiy Honcharuk and Denys Shmyhal. These are the Ministry of Agrarian Policy and Food, Ministry of Environmental Protection and Natural Resources, Ministry of Strategic Industries, Ministry of Culture and Information Policy, Ministry of Energy, Ministry of Youth and Sports and Ministry of Veterans’ Affairs and Ministry for Reintegration of the Temporary Occupied Territories. The green colour and the upwards arrow mean there are more directorates compared to the previous year, the red colour and the downwards arrow mean there were fewer, while the yellow colour and the horizontal dash mean it remained unchanged.

5.1.4. Agent involvement

When it comes to the level of involvement of the stakeholders of this reform, the contact between the designers and the implementors of this reform was rather limited. The main platform for such communication was the PAR Coordinating Council. It was established by a CMU order No. 335 dated by 18 May 2016 (CMU, 2022) and, as Mr. Koliushko stated, it was a requirement posed by the EU and SIGMA experts, who insisted on having a “consultative

and methodological centre” (Interview No.2). Its members include the Minister of the CMU, the Head of the National Agency for Civil Service (NACS), State Secretary of CMU and their Deputy, Deputies of Head of some of the ministries, Chief of Staff of the President’s Office, some of the Parliament members and representatives of think tanks and NGOs (CMU, 2022). Its main mission as a temporary advisory body under CMU is to coordinate the implementation of measures foreseen by the PAR Strategy. The tasks, among others, include analysing bills in the sphere of PAR, preparing propositions for legislation, monitoring the progress of CEBs and their reports on the implementation of the Strategy, as well as communicating with civil society, local governments, businesses, associations, etc. The Council’s meeting should happen at least once a quarter (CMU, 2022).

In practice, there have been around twenty of the Council’s meetings throughout 2016-2020 (CMU, 2020a), which is a sign of their regularity. However, what draws attention is the actual composition of the Council. Throughout this period, only representatives of four out of ten pilot ministries were included in the permanent list of members – those of Social Policy, Finance, Justice, and Communities and Territories Development (CMU, 2022). With this level of involvement, it is doubtful that the representatives of other ministries had enough opportunities to coordinate and align their actions or communicate with NGOs or the private sector. It would be especially important since policies typically extend to more than one ministry.

Another piece of evidence on the actual work of the Coordinating Council was provided to me by Serhiy Soroka. The representatives of some – unspecified – ministries would often skip the meeting of the Council, and the communication was non-systemic and irregular (Interview No.1). Consequently, each ministry pursued the reform almost independently, filling in the gaps which were unspecified in the legislation, in their own intuitional way. A 2018 PAR Report also states that the slow progress on the apparatus reorganisation is caused by the lack of a common approach and a high level of the ministry’s autonomy (Public Administration Reform, 2018). Such a situation is problematic in light of the entire optimisation process when ministries are supposed to start working on strategic planning and evidence-backed policymaking on policy issues that often overlap. This is confirmed by Ihor Koliushko, who also criticised the lack of a unified approach, the subsequent misalignment between the ministers, and the reluctance of some of them to follow the recommendations of the Coordinating Council.

After the first year, “the work of the Council ended up being merely formal and did not bring any added value” (Interview No.1), and its activities were eventually confined to submitting certain legislative acts and voting on them. As Mr. Soroka said, initially, there was a plan to create working groups of experts for each of the ministries to coordinate sectoral reforms better, but this did not happen. The PAR Coordinating Council has failed to become a think tank as it was intended – its meetings were becoming increasingly formal, often being skipped by key ministers and poorly prepared (Soroka, 2019b). A similar opinion was expressed by Ihor Koliushko, who described it as a body with limited impact and credibility (Interview No.2). The ALI (2019) also states that the Council does not have real power and that the importance of this reform was not perceived by every minister at the same degree.

On the level of ministries, the situation varied a lot. One example of involving a broader set of agents during the establishment of directorates is the MES. In July 2018, involved HR managers and DSPEI members, ensured their participation in the CMU training and organised a series of coordinating meetings for conducting functional reviews and proceeding with the reform (Public Information Request No.4). It also maintained a two-way communication with the CMU Secretariat throughout the process. This is an example of involving the agents affected by the change and accounting for their feedback.

An opposite example is the Ministry of Justice. The directorates were established when the minister, “exercising his discretion power for forming the apparatus of the ministry... defined the number, titles and authorities of the units within the ministry” (Public Information Request No.3). No other consultations, training or communication with the CMU Secretariat happened. A very narrow set of high-level agents was involved in the reform process, having a limited, nearly exclusive leadership. The “distributed leadership” and agents’ involvement did not occur.

Another insight stems from the NACS “Study of the Organisational Culture of the Public Service in Ukraine” conducted in 2021. According to a survey among civil servants, only 29.3% knew the PAR Strategy for 2016-2021, while almost 22% knew nothing about it besides its existence or timeframe (NACS, 2021). ALI's (2019) report also raises a concern about the lack of communication within the ministry that would explain the functions of directorates and their added value to the employees. This is indirect evidence of the poor communication between the high-level reform agents and the lower tier – let alone involvement.

5.1.5. Contextualisation

The contextualisation of the PAR in Ukraine is one of the least tangible elements of the conceptual framework applied in this thesis. Therefore, my primary data collection method here was interviews. In the interview with Serhiy Soroka, he voiced concern about the absence of a policymaking definition in the Ukrainian legislation (Interview No.1). Ihor Koliushko, too, emphasised the lack of clear regulation of public policymaking and such definitions as functions and mandates of the ministries. He also connected it to Ukraine's Soviet past:

“We inherited from the Soviet Union, a government that carried out the instructions it received from the outside from the party leadership – the Central Committees of the Communist Party of USSR and of the Communist Party of Ukraine. And direct instructions were given to the Government – in the shape of ready draft decisions or simply by phone calls. That is why there was no habit of engaging in policymaking. Unfortunately, 30 years of independence were not enough to create an effective policy analysis and policymaking system.”

Ihor Koliushko, CPLR (Interview No.2)

Through additional desk research, I could confirm the experts' claims. Indeed, there is no separate legislative act where policymaking as a process would be conceptualised and instrumentalised and where the procedures of it would be described. The only document where policymaking is briefly outlined is the Model regulation “On directorate” No.644, which lists the functions that directorates are meant to perform (CMU, 2017a). This is a significant gap since, without a clear definition, it is harder to devise more precise steps and set certain performance indicators for monitoring the progress. There was also another interesting point that Mr. Soroka expressed:

“What is the specificity of the work of civil servants in Ukraine: if there is no regulatory act, even the most intelligent civil servant will not do anything. If there is one, even then, it is not certain that the civil servant will do everything as it is written there. And if there is none, then nothing will be done at all.”

Serhiy Soroka, RPR (Interview No.1)

To cross-check this assumption, I consulted the NACS Study, which showed that an overwhelming 82.5% of civil servants in Ukraine act at work guided by the procedures and instructions outlined by legislation (NACS, 2021). At the same time, around half of civil servants generally reckon that the norms and regulations usually stand in the way of achieving their goals at work (NACS, 2021). Therefore, there is indirect evidence that rules and regulations, despite being imperfect, still serve as an important – if not the most important – a

reference point for ministries' staff. In the case of the directorates, the lack of guidance on policymaking and precisely outlined procedures might become a serious impediment during the implementation of PAR.

The lack of understanding of policy analysis and formulation logic and procedures was also reiterated in my conversation with Ihor Koliushko. As he shared, in 2021, the ministries were obliged to send reports on the research done by the directorates, conceptions prepared, and bills written. When Mr. Koliushko received this report, he saw a complete absence of linkages between the research, the conceptions, and the bills. As he says, “most directorates do not understand the logic of policymaking” (Interview No.2). This report is, unfortunately, not publicly available, so I could not confirm Mr. Koliushko's statements.

Another interesting aspect this expert shared with me related to the lack of understanding of the logic of policymaking from the side of actual ministers. According to Mr. Koliushko, the then-Minister of Infrastructure rejected the structure of the apparatus that was offered to him by experts. The proposed list of the directorates reflected the actual policy areas and included passenger transportation, cargo transportation, road building and post and communications. The minister refused this model since he wanted to align the directorates with the state-owned enterprises (Interview No.2). Consequently, in 2018, the directorates formed in this ministry were broken down by the type of transportation – sea, river, road, railway, and air. Such a setup did not allow for long-term strategic planning of policies and regulations but was simplified and short-sighted. “This way is clearer for me”, said the minister, according to Ihor Koliushko (Interview No.2).

Another contextual particularity inherent to Ukraine and important in the light of the PAR is political volatility and power structures. Frequent elections are also a factor that Mungiu-Pippidi (2019) named among those to be taken into account when implementing reforms in Ukraine. According to the analytical portal Slovo i Dilo (2021), the average time for which a prime minister in Ukraine serves is 585 days, or one year seven months eight days. This time is very short for conducting comprehensive reforms, such as PAR. Ihor Koliushko quotes one of the ministers during a meeting on PAR:

“Do not advise me anything that will last longer than four months – I am not likely to work here for that long”.

Ihor Koliushko, quoting an unspecified minister (Interview No.2)

In this regard, an important factor is the frequent reorganisation of ministries in Ukraine. Since the launch of PAR in 2016, the merging and division of ministries have happened twice – in 2019 and 2020 (CMU, 2019a, 2020b). Another one was announced in the autumn of 2022, and the number of ministries is supposed to reduce from 20 to 14, with some substantial transformations (ZN.UA, 2022). I believe such frequent changes to be rather harmful to the operation of the directorates and institutional development. Each time this happens, directorates get abolished, and ideally, a new functional review should be conducted. Mr. Koliushko agreed with such an assumption, saying that these reorganisations are very destructive in their nature with regard to PAR, and their initiators, in his opinion, disregard directorates completely (Interview No.2).

Another important aspect is the influence of oligarchs over the formation of the government, which is a matter of concern for many national and foreign experts (Lough, 2021; Prince, 2021). Ihor Koliushko states that, as a rule, the Ukrainian government has at least one minister associated and agreed upon with an oligarch (Interview No.2). Such an impact is not certain but likely to slow down reforms and deprioritise them over some political and private interests.

Notes from the interview with Ihor Koliushko and several reports of think tanks led me to another commonly mentioned peculiarity. It is often claimed that the PAR in Ukraine lacks political leadership and that usually, neither prime ministers nor ministers of the CMU promote and prioritise it or have enough political will to push for its implementation (Soroka, 2017). Some experts even say that this reform lacks a solely responsible minister (CI, 2021; Soroka, 2019a). To verify such a necessity for political leadership, I consulted opinion polls. The World Value Survey of 2020 demonstrated that around 58% of Ukrainians want to see a strong political leader, which is the second highest result in Europe after Romania. NACS (2021) opinion poll conducted among civil servants in 2021 shows that over a quarter of them do not get enough motivation from the top management, and another 28% are not sure they do. At the same time, another study shows that civil servants – especially the employees of the directorates – still wish to be autonomous in their daily routines and have room for individual initiatives. However, they expect the top authorities to know the PAR gist very well and to encourage and motivate them. Here is an anonymous quote from this study:

“I lack understanding of the essence of public administration reform by the leadership of the ministry and the directorate, which leads to the imposition of extraneous functions and duties on the state expert, which are not foreseen either in the job

description or in the relevant strategic documents of the Cabinet of Ministers of Ukraine”.

(Moscalu et al., 2019, p.20)

Mr. Koliushko offered a possible explanation for such a lack of motivation and encouragement. He argues that the governments in Ukraine are typically formed not solely by prime ministers – as they are supposed to be – but with extensive participation of presidents, their administrations, and other influential players (Interview No.2). A study by International IDEA and Centre of Policy and Legal Reform expresses a similar conclusion: “Presidents have attempted to expand the reach of their powers, sometimes beyond the constraints of the Constitution... Examples include the abuse of power,... domination of the prime minister and cabinet” (Choudhry et al., 2018). Due to this lack of authority, Koliushko says, often prime ministers do not exercise enough influence over other cabinet members and cannot fulfil their coordination duties. It is an important contextuality which gets missed out. While keeping a broad set of agents involved in the actual implementation of change, the Ukrainian PAR needs charismatic political leadership enforced by a deep understanding of the reform itself. This is also linked to the aforementioned statistics on the level of civil servants’ acquaintance with and understanding of the PAR Strategy.

Contextualities listed in this sub-chapter have a major impact on the course of the agencification reform but remain unaddressed and unaccounted for. Thus, contextualisation of this Ukrainian reform is not happening, and interventions are not perfectly matching this setting.

5.1.6. Alignment with other reforms and other aspects of the PAR

The establishment of the directorates was taking place in Ukraine simultaneously with agencification. The Concept of the optimisation of CEBs, approved by the CMU order No.1013, foresees that the ministries should be rid of the non-essential functions and focus on policymaking while non-essential functions are transferred to other CEBs (CMU, 2017b). Depending on a function, it might be a service, an agency or an inspection, and this transfer should go comprehensively. However, the reports of 2018, 2019 and 2020 all mention the actual agencification, or the transfer of non-essential functions to other CEBs, as a step to be done in the section “The Way Forward” (Public Administration Reform, 2018, 2019, 2020). Only in 2021 did the CMU Secretariat, together with the ministries, develop a draft law amending some of the Ukrainian legislative acts to reallocate the burdening functions to

agencies, services, and inspections. In February 2021, it was submitted to Verkhovna Rada as Bill No.5052 and was still awaiting approval for the time of writing this thesis (Verkhovna Rada, 2021). Yet, considering the upcoming reorganisation of the government proposed in autumn 2022, this bill will need to be substantially amended according to the newly merged ministries, slowing the process down again.

This is an important factor in the directorates' formation. The ministries are supposed to form units focused solely on policy analysis and formulation, while the other executive functions are transferred outside. If the latter is not taking place, these functions are still assigned to the ministries. It creates substantial overstretching of ministries considering the limited funding and highly skilled workforce. When two elements are not going in parallel, the whole process stumbles, and any progress can be reverted at any time due to a lack of resources. In addition, workers who kept doing the administrative work received much lower salaries than the newly hired reform staff (Interview No.2). For comparison, in 2019, a member of a department – an older and more administration-oriented unit of a ministry – was receiving up to UAH 12 865, while a member of reform staff working in a directorate received between UAH 34 750 and 52 873 (Bilous & Tyshchuk, 2019, p.28). The dissatisfaction and conflicts due to this difference were also reported in a Vox Ukraine report (Bilous & Tyshchuk, 2019) and a shadow report by ALI (2019), based on interviewing civil servants. It was reaffirmed by another research participant – ex-Minister Hanna Novosad. The lack of government's communication on why the new employees received much higher remuneration backfired along the reform's path – also in terms of getting budgetary support from the parliament, which decreased motivation in departments, exacerbated the internal tension and was very destructive for the ministries and organisational culture inside (Interview No.3).

In addition to agencification, PAR also reportedly lacked alignment and linkage to the decentralisation reform. As a CI interviewee states, the delegation of functions from CEBs to local governments was problematic and disorganised (CI, 2021, pp.78-79). Since not all amalgamated territorial communities – a new unit of administrative division in Ukraine – were created in parallel and organically, the devolution of administrative tasks could not happen smoothly and quickly enough to take this burden off ministries. Last but not least, the aforementioned government reorganisation is misaligned with the agencification reform – and after each reshuffle of the ministries, the directorates need to be re-established.

Consequently, I conclude that the alignment aspect of the reform was not fulfilled well enough in Ukraine. The directorates' formation did not run smoothly due to the counter-productive impact of other processes like agencification and decentralisation, and the whole process was not harmonised.

5.1.7. Ministry of Education and Science

Due to the lack of responses to my interview requests, I could only describe in detail the case of one pilot ministry. The Ministry of Education and Science provided me with sufficient information via a public information request, including a functional review report. It was frequently mentioned by my interviewees and in analytical reports and studies that I have analysed. Finally, I took an interview with a former head of this ministry, Hanna Novosad.

The Ministry of Education Science and the Ministry of Social Policy were the only two out of seven short-listed pilot ministries that have explicitly affirmed that the directorates in their apparatus were established based on functional reviews. The MES was the only one that provided me with a report of its functional review and its course. According to the ALI (2019, p.10), it was also the only ministry that had fully completed the formation of directorates and seized the opportunity that CMU gave when it allowed directorates to hire civil servants of lower positions (chief specialists and leading specialists) and engage more young personnel. In July 2018, the ministry created a working group involving HR managers and an already-created DSPEI. After participating in the CMU training on functional reviews, the ministry organised meetings with the staff members of all its units to discuss and coordinate the process with them (Public Information Request No.4). The final report included the information submitted by all of the units on all the policy areas and functions they were working with, drew recommendations on the elimination of duplicated functions and was then submitted to the CMU Secretariat. After a round of two-way communication with the Secretariat, the ministry divided the functions among newly created policy directorates (Public Information Request No.4). Ihor Koliushko also emphasised the work done by the MES, saying that it is one of a few ministries that based the directorates formation off a transparent policy list (Interview No.2). Ex-minister Hanna Novosad reaffirmed this:

“The Ministry of Education and Science directorates were launched responding to all policies under the ministry’s mandate... We created seven of them – one directorate of strategic planning and European integration and six policy directorates”.

Hanna Novosad, former Minister of Education and Science (2019-2020) (Interview No.3)

The approach of this ministry towards directorates can be characterised as starting with a problem – eliminating non-essential tasks, exploring policy areas and building on them. According to Ms. Novosad, the ministry immediately launched transparent and open competitions for reform staff, looking for specialists – even though finding enough highly qualified candidates was not easy. What helped the ministry staff – especially the heads of directorates who are the main agents of change in this configuration – to be on the same page regarding the course of the reformation was mutual training on policymaking conducted by a Better Regulation Delivery Office, a think tank assisting the government with reforms. In addition, this ministry had a vital buy-in from the then-Minister of Education and Science and the state secretary, which is important in Ukraine’s civil service organisational culture.

However, the ministry did not change its approach towards the work of directorates and policymaking after the pilot stage was over. There were no “lessons learned” or revisiting of the directorates list. A substantial change in the parliament’s composition and the key decision-makers also affected the ministry: the newcomers wanted to be convinced that the higher salary of reform staff was justified when approving the budget. This signals the lack of communication with the wider stakeholders from the ministries and the CMU more broadly. Lastly, according to Ms. Novosad, the government was often expecting results that rather belonged to the competence of local governments: for example, reaching a certain number of newly opened schools in a certain region (Interview No.3). With the slow progress in decentralisation reform, there was a misunderstanding regarding which authority is accountable for what process and what functions have already been completely devolved to the local level. This example demonstrates the lack of alignment between different reforms.

5.2. Policymaking capacity enhancement in Ukrainian ministries

One of the most common reasons behind the absence of progress in enhancing policymaking capacity is believed to be the weak demand side of it. Heads of ministries and their deputies do not see any purpose in consultations with stakeholders or strategic planning due to their short tenure and unwillingness to commit to long-term activities (CI, 2021, p.89). Thus, they do not set such a task for the directorates’ staff. A following quote from the CI study sums this problem up concisely: “It is impossible to build a five-year strategy when an average minister «lives» for 13 months” (CI, 2021, p.90). Yet, there are other aspects of this process, and they are discussed below.

5.2.1. Evidence-based policymaking

One of the expected results of a public administration reform is enhanced policymaking capacity. It, in its turn, includes policymaking based on evidence. The results of enhancing evidence-based policymaking in Ukrainian pilot ministries are questionable. On the one hand, a report prepared by the International Renaissance Foundation (IRF) (Yesmukhanova, 2019) states that the demand side of policy research in the public sector has significantly increased since 2014. It is mostly driven by PAR and the amendment of the CMU regulation, which now “obliges policymakers to use data in policy analysis, assess all possible options, consult with stakeholders and plan for monitoring and evaluation” (Yesmukhanova, 2019, p.4). However, the production of such analysis is far from perfect.

A study conducted by the ALI in September 2019 reports insufficient quality of such processes as analytical problem identification, justification of the choice of solutions, time estimation, and risk and impact assessment (ALI, 2019). The report gives negative feedback on the analysis of concrete data, the expected results of policies and strategic documents and their influence on citizens. This prevents not only the identification of optimal problem-solving tools but also efficient communication of decisions across stakeholders and wider society. The same report also states that directorates spend most of their time fulfilling KPIs set by action plans of the CMU and their own ministry. The tasks independently initiated by directorates constitute only 0% to 20% (ALI, 2019), even though it is their primary mission to initiate policy analysis and formulation.

The Vox Ukraine report from October 2019 comments on the role of civil servants in policymaking processes in directorates. It emphasises the absence of a clear procedure for and practice of presenting policy input (Bilous & Tyshchuk, 2019). The discussion of policies before putting them into place tends to happen mostly on a higher level between ministers and vice-ministers, while the inputs from the reform staff depend on the political leadership. Excerpts from the interviews with civil servants conducted within this study provide additional evidence of the absence of thorough analysis and calculations during policy formulation – mostly due to the lack of demand for it from the leadership (Bilous & Tyshchuk, 2019, p.43). Such a perspective is also expressed in the report of CI (2021, p.60), which states a lack of requests for policy analysis and planning from top management – ministers and their deputies. Another interviewee acknowledged that analytical work in their directorate is limited to outsourcing, and recycling existing papers done by NGOs, think tanks and international

organisations. Thus, rather than performing in-depth analysis, directorates end up producing “simple explanations of political recommendations” (Bilous & Tyshchuk, 2019, p.43). In addition, an interviewee of the CI study (2021, p.128) claims that even if the government collects big datasets, they are rarely published with proper background information and context or methodology outlined. Therefore, these datasets are not helpful.

The IRF study states that compared to the pre-Revolution-of-Dignity situation, policymakers now demonstrate a higher interest in high-quality research (Yesmukhanova, 2019). However, as mentioned above, they mostly rely on second-hand studies provided by think tanks, and this leads to several issues. Firstly, having an opportunity to outsource and delegate policy research, directorates lose any incentive to develop their own policymaking capacity. Secondly, as Yesmukhanova (2019) says that due to the frequently narrow nature of policymakers’ interests, they are often focusing only on the policy issues which are prioritised by their own or the government’s agenda. This leads to “cherry-picking” the research papers written on certain topics and producing certain beneficial recommendations while ignoring others. Thirdly, policy proposals written by think tanks often contain general recommendations, while policymakers would like to see specific action plans and guidance as to how to implement the proposed policies, considering all legal limitations (Yesmukhanova, 2019, p.27). Finally, for policymakers, timeliness plays a large role, as they have a limited term in their position and frequently changing policy agenda in a country in a crisis state. Often, they do not have time to wait for research to be produced and opt for quick solutions. Electoral cycles and competition also serve as a crucial impediment and disruption to evidence-based policymaking. Here is a quote of a representative of a think tank that cooperates with policymakers:

“Closer to elections, there is less room for manoeuvring. And cooperation becomes pointless, as they [policymakers] make populist decisions, and our recommendations are not always offering this”.

Anonymous interviewee of the IRF study (Yesmukhanova, 2019, p.18)

These examples serve as indirect evidence that policymaking generally happens in a way which does not allow thorough and in-depth policy analysis due to time constraints, political and electoral motivations of ministry officials, and lack of resources and political will.

The experts interviewed within this study express a similar view. Ihor Koliushko could provide a few positive examples of engagement in policy analysis prior to policy implementation – one from the Ministry of Justice and one from the MES. Nevertheless, as he said, this is an

exception more than a pattern, and systemically, such analysis is not taking place. Due to this, the legislative initiative is often taken over by parliamentary committees (Interview No.2). Serhiy Soroka confirmed the lack of systemic application of an evidence-based approach. According to him, every year in January, each ministry should prepare an analysis of the policies introduced by a ministry, reflections on positive and negative experiences and current problems. On their basis, further policy proposals should be developed. However, this does not happen (Interview No.1).

5.2.2. Stakeholder involvement

Serhiy Soroka insists that stakeholders must be consulted since it improves the quality of policies. He provides an example from Slovenia, which scores well in terms of public consultations and, as a result, only 5% of legislation is subjected to amending within the next year, while 50% of the policies adopted through an accelerated procedure get amended later. According to Mr. Soroka, around 95% of legislation in Ukraine is amended within the next year, and this can and should be fixed by consulting stakeholders and taking their views into account (Interview No.1). Unfortunately, I could not verify these numbers independently.

The aspect of conducting consultations with stakeholders appears to be one of the most progressing in enhancing policymaking capacity in the Ukrainian government. However, an important aspect is that not for all ministries consultations are necessary or even authorised. For example, the ministries of defence or foreign affairs, due to the sensitive nature of some of their decisions and policies, involve stakeholders and a wider audience to a lesser extent (CHESNO, 2021, p.20). In addition, decisions adopted in extreme circumstances often need urgency, and consultations might be traded-off. Hence, quantitative indicators alone, like the number of conducted consultations, would not be relevant for assessing Ukraine's progress.

In our interview, Ihor Koliushko was critical of the fact that the CMU-initiated bill that regulates public consultations and obliges policymaking state institutions to conduct them has been discussed for so long in the parliament and is now stuck between the first and the second hearing (Interview No.2). The interviewee was apparently referring to the Bill No. 4254 "On public consultations" (Verkhovna Rada, 2022) which passed its first hearing in Verkhovna Rada on 5 March 2021 and has not progressed since then. According to it, at all steps of policy formation and implementation, all interested parties can participate in public consultations. The latter should be inclusive, transparent, open, and proportional to the degree of a bill's or a policy proposal's influence (Verkhovna Rada, 2022).

However, despite this draft law not being adopted yet, ministries can initiate such consultations independently. And, according to Mr. Koliushko, they are doing it. He referred to the Ministry for Communities and Territories Development as an exemplary case since it keeps contact with associations of local governments, analytical centres, and experts (Interview No.2). Whether or not a ministry engages in such work largely depends on the will of its leadership – most often, deputy ministers. In addition, CMU resolution No.996 regulates public participation in the formation and implementation of state policy (CMU, 2010). Amended in 2015, it outlines the rules that ministries should adhere to, such as: the presence and accessibility of respective information on ministries' websites, enabling electronic consultations, announcing consultations beforehand and conducting them in a timely manner, publishing annual plans and reports etc. In the CHESNO report, which explored the adherence of ministries to such rules, six out of seven pilot ministries scored high or very high, and only the Ministry of Health lagged behind (CHESNO, 2021, p.16).

Serhiy Soroka criticised the fact that public consultations are not systematic and that not all ministries have a stakeholder council that would regularly meet to discuss policy proposals (Interview No.1). The official PAR reports also do not contain evidence on the practice of carrying out public consultations. In 2019, amendments were introduced to the CMU Rules of Procedure, introducing mandatory consultations with stakeholders and across ministries about public policies and regulations adopted by the government (Public Administration Reform, 2019). Also, during 2019-2020, the government designed and – after a review by the PAR Coordinating Council – implemented a methodology for stakeholder consultations (Public Administration Reform, 2019, 2020). In 2021, no visible signs of further progress in organising consultations were reflected in a PAR report.

Nevertheless, some of the experts interviewed by CI and ALI give a relatively positive assessment of the improvement of stakeholder consultations. An interviewee from the CI study reckons that during the five years of the reform, the government has learnt how to consult (CI, 2021, p.87). However, one missing element, according to the same study, is the lack of reporting on which suggestions and recommendations were eventually used and which were not considered and why (CI, 2021, p.131). This is reiterated by the CHESNO Movement – an NGO with expertise in the fields of parliamentarism, local government, political finance, and elections. In its 2021 report, 28% of the ministries did not publish reports on the course and results of public consultations, and 67% of them published such reports improperly, not following all requirements (CHESNO, 2021, p.18). Out of seven short-listed pilot ministries,

one published such reports properly, while the rest did it with violations – but all of them did it. An example of improper reporting would include mentioning that recommendations were “partially considered” or “not considered at all” but not explaining in which way or why. CHESNO Movement attributes the lack of quality in reporting to the lack of staff in ministries since this task is usually assigned to PR departments, which have numerous other tasks and lack capacity.

One of the first and very important and useful steps appears to be the creation of previously absent stakeholder databases, which has happened in all directorates partaking in the ALI (2019) research. The report emphasises the effectiveness of non-conventional formats of consultations, such as summoning strategic sessions and round tables, focus groups and discussions on Facebook (ALI, 2019, p.16). It is complemented by statistics provided by CHESNO (2021, p.22), which reports electronic consultations to occur 3.5 times more often than in-person discussions – even before the pandemic. Besides, a proactive approach of directorates for identifying the groups of stakeholders affected by each policy has proved to work better. Facebook pages of directorates help them to establish direct and decentralised two-way communication with broad circles of citizens (CI, 2021). In the meantime, the CI survey respondents give a different estimate to the more traditional and formal way of consulting stakeholders through publishing a draft policy on a ministry website and gathering comments and suggestions. In their opinion, it is significantly less effective due to low engagement levels. A similar concern is raised by an anonymous interviewee within a CI study:

“We have good consultation cases when there is some support. If this is just the everyday work of a civil servant in the ministry, then these attempts boil down to cases like... «We posted the document for discussion on our website». And this is it for consultations”.

Source: CI, 2021, p.88

The CHESNO Movement report states a similar pattern: a mere online submission of propositions makes it impossible for stakeholders to engage in a live discussion and get immediate feedback from policymakers (CHESNO, 2021, p.23). According to my calculations based on the official CMU reports, in 2019, the share of active and engaging consultations reached 34%. In 2020, it was 37%, and in 2021 it fell to only 25% (CMU, n.d.). While being the most cost-efficient and passive, the electronic submission of suggestions is considered the least open and objective and the least encouraging and empowering for citizens. Coupled with the lack of reports, it makes the whole process much less transparent.

Overall, the ministries have progressed in forming the conditions for organising consultations – like informing citizens about them, providing access to information on proposed policies or decisions, and following deadlines. The results of the Ministry of Education and Science, of Social Policy and of Infrastructure are highlighted as positive (CHESNO, 2021, p.26). The problematic side is processing the suggestions submitted by stakeholders and reporting on their eventual impact. Due to improper reporting, the CHESNO study only contains data on two out of seven pilot ministries regarding the extent to which they took into consideration the suggestions they had received. This indicator reached as high as 47% for the MES, while for the Ministry of Justice – 45% (CHESNO, 2021, p.34). Both numbers are high and signify the real power that society can have over policymaking, yet the other ministries are hard to assess.

Another problem is that some policymakers are discouraged from organising discussions with stakeholders fearing being perceived as a scapegoat and facing aggression towards themselves or simply wanting to avoid uninformative and unrealistic propositions (CHESNO, 2021, pp.23-24). Besides, knowing that the consultation stage will most likely be time-consuming, ministry officials behind policies might lack the will to engage in interactive and profound discussions with stakeholders at various stages of policy cycles – especially considering their short tenure.

5.2.3. Strategic planning

Strategic planning is the element of policymaking capacity that is progressing the least. And most of the problems mentioned in the existing studies and reports, as well as in the interviews conducted for this thesis, belong to the larger picture of the Ukrainian government's actions.

Experts interviewed within the CI (2021) study refer to strategic planning as “not happening” (p.63), largely due to the lack of will among the ministries' top management and the absence of elaboration, at least in the CMU rules of procedure establishing the frame for strategic planning. A 2019 PAR Report informs that the CMU rules of procedure were amended to include one important point (Public Administration Reform, 2019). Policy developers are obliged to analyse and identify Ukraine's commitments linked to European integration and the international practice of implementing relevant EU *acquis communautaire*. This, however, is the only obligation assigned to the ministries and directorates. The rest of the validation of policy documents for their consistency and compatibility with other legislative acts and strategies is done by the CMU Secretariat and committees. For example, the former has adopted a system of checklists for assessing the compliance of draft legislation with four benchmarks, including consistency with legal drafting rules and adherence to the international obligations

of Ukraine (Public Administration Reform, 2019). While this is also a necessary step, such analysis is supposed to be performed by the directorates, too, and presented at the stage of policy proposal submission.

There was little progress in developing methodologies for impact and compliance assessment. In 2020, the methodology for improving the government's plans and strategies, which would be a guideline for directorates, was reported to be lacking (Public Administration Reform, 2020, p.16). In 2019-2020, the Ministry of Finance designed a methodology for assessing the budget impact of draft legal acts that should become useful for directorates staff, and the PAR Coordinating Council approved it (Public Administration Reform 2019, 2020). In 2021, there was still no evidence of its application and use by civil servants (Public Administration Reform, 2021).

A monitoring study by CPLR published in 2019 criticises the lack of methodologies for preparing strategic documents on public policy. The definitions and criteria for such documents as policy briefs, conception, strategy, programme, green book, and white book are not developed, even though the deadline for this task was extended for a year in 2018 (CPLR, 2019, p.23). Strategic documents do not have a necessary logical hierarchy among themselves, and, with over 400 strategies existing in the Ukrainian legislation, many of which are mutually contradictory or duplicating each other, it remains unclear which are still relevant and which should be prioritised or discarded. A similar assumption was expressed by Serhiy Soroka, who said that sectoral strategies are not linked to each other, which is highly problematic for state-wide planning (Interview No.1).

A system of documents should have been already established. In 2019, the government reported on the final stage of developing a law on state strategic planning by the Ministry of Economics that would systematise strategic documents (Public Administration Reform, 2019, p.15). In 2021, the law was still in development despite the initial deadline in the first quarter of 2019 (Public Administration Reform, 2021, p.20). Ihor Koliushko added that, as far as he knew, the Ministry and Economics and the CMU have different expectations of how the eventual draft law should look, and therefore he was not too optimistic about its quality and future use (Interview No.2).

Think tanks' reports mention such problems as the lack of linkages between state policies and the dominance of short-term planning (CI, 2021, p.89), the lack of skilled professionals with strategic thinking (CI, 2021, p.92) and low-quality preparation of civil servants for this task

(ALI, 2019, p,13). The government’s plan of action, which in theory should be the centre-point of the entire strategic planning process and the signpost for all ministries, is of low quality (CI, 2021, p.86). Besides, while it is important to have the CMU engaged and the main documents in place, ministries should still communicate and align their approaches to strategic planning along the way. With the lack of coordination between them and the diverging vision of the PAR, all ministries interpret and approach it as they see fit and beneficial. Finally, Ihor Koliushko concluded that strategic planning is highly dependent on other elements of policymaking – stakeholder involvement and policymaking based on evidence, in-depth analysis, and impact assessment (Interview No.2). Without them, directorates cannot contribute to improving the bigger picture.

5.2.4. Ministry of Education and Science

Ihor Koliushko referred to the MES as an exemplary one in its policy analysis practices – especially the directorate of professional education. Ex-minister Hanna Novosad admitted that, despite having common overall guidance, not all directorates have a unified approach to policy analysis and formulation – not least due to differences in their capacity. Yet some of the policy directorates managed to go deeper into policy analysis – especially if they were dealing with policies prioritised by the minister. Such a case was the primary school reform and the corresponding directorate that deeply engaged in research, data collection, and preparation of policy options and solutions. One of the experts interviewed by CI also named the MES in 2016-2020 as one of a few that were successful in evidence-based policymaking (CI, 2021, p.29, p.106)

In terms of stakeholder consultations, this ministry belongs to the frontrunners. In the CHESNO report, its success is reflected in conducting 2352 consultations in 1.5 years, which is a complete record, and taking 47% of them into account when designing policies (CHESNO, 2021, p.34). Ms. Novosad also reckons that the ministry was conducting “more than enough” consultations.

“We were constantly involving the representatives of different sectors and roles. We might not have covered everyone every single time since not all reform staff fully understood the impact of their policies. But the collection of stakeholders’ opinions was certainly taking place”.

Hanna Novosad, former Minister of Education and Science (2019-2020) (Interview No.3)

The CHESNO report lists a number of good examples from the ministry's practice of public consultations. First, it often extends the time within which suggestions can be submitted from 15 to 30 days to involve more parties and opinions (CHESNO, 2021, p.17). Secondly, during the deliberation on the primary school reform, the ministry organised a cycle of consultations for different regions to cover them all. In 2020, despite the lockdown and shifting towards the online format, consultations remained interactive and engaging to stimulate a discussion, and easily accessible online surveys complemented live virtual meetings (CHESNO, 2021, p.25). Finally, participants were provided with meeting agenda and accompanying documents for familiarisation beforehand. After the consultations, the ministry published two types of reports: one brief executive summary and one detailed report describing the process in-depth and outlining conclusions and next steps to be taken. So, this ministry applied different methods of collecting stakeholders' opinions and did it transparently via two-way communication and interaction.

Talking about strategic planning, Hanna Novosad emphasised good cooperation and alignment of directorates – mostly through the coordination of the DSPEI. Primary school reform was chosen as a priority, and this decision was supported by the ministry head and systematically developed and implemented. Due to the lack of resources and capacity, not all policies received equal attention. Some of the reform staff lacked tools and knowledge on how to analyse legislation for gaps and inconsistencies – and they lacked continuous education for that. Ms. Novosad also criticised the government's approach to strategic planning and called the existing Plan of Action “ostentatious” (Interview No.3). She said that the government often set indicators and tasks that depended on local governments much more than ministries. Therefore, it was challenging for directorates to contribute to developing and implementing these plans.

5.3. General conclusions on the PAR in Ukraine

The reform of public administration in Ukraine was designed by the Ukrainian government with the assistance of Ukrainian analytical centres international institutions, including the EU and, OECD, and SIGMA. It was guided by the general principles of public administration derived from the experience of the developed European countries, but no exact model or shape was copied to the Ukrainian setting from abroad. This design can therefore be characterised as a part of the “good enough governance” approach.

Other elements of the reform, which followed the design stage and concerned the implementation, I attribute rather to the “best-practice” approach. A directorate as a structural

unit per se served as a solution around which this part of the reform was built. Significantly higher salaries made this solution appealing to the ministries, and many of them apparently did not perform a thorough functional review and or did not take its results into account when establishing policy directorates. Even though initially launching a trial run, the number of selected pilot ministries was too big for an experiment. Moreover, there was no significant revision or readjustment between the pilot stage and the reform's expansion to the whole government. It happened suddenly and was driven mostly by a political decision and an easily achievable KPI that would signal progress to donors.

The agents involved in the reform implementation were mostly high-level. The PAR Coordinating Council did not represent all the pilot ministries, did not have working groups for sectoral reforms, as it was planned, and, after the first year, its meetings only produced formal non-binding recommendations. As a result, the actual agents implementing this reform acted independently, not aligning their approaches with each other and not being able to provide feedback to the reform designers. There were also a number of contextualities that were important for the course of this reform but not accommodated when devising and implementing it. These include: the absence of definition and regulation of policymaking as a process; lack of skilled specialists with knowledge and experience in policy analysis; political volatility and short-lived governments in Ukraine; and the impact of oligarchs over decision-making; the need for and lack of political leadership and will from the CMU and prime ministers. Finally, the establishment of the directorates was designed to happen simultaneously with decentralisation and agencification. Due to the delays in all of them, many tasks overlapped, contradicted each other, and overstretched state institutions beyond their capacity. The reorganisation of ministries complicated this aspect even further.

The results of the policy directorates' formation do not reach high. The aspect that has certainly improved is stakeholder involvement practices. The parties interested in and affected by policies in the focus of pilot ministries are given an opportunity to submit their recommendations and criticism in different formats. Although not all ministries have fully introduced interactive and transparent consultations, there is certainly progress in this direction.

Evidence-based policymaking and strategic planning show substantially less progress. Mostly due to the skills shortage, demand for quick solutions and lack of political will, proper policy analysis was either outsourced from think tanks or too superficial. Most ministries do not carry out their own data collection, impact and risk assessment and comparison of existing policy

options. The realm of strategic planning is closely connected to evidence-based policymaking and the knowledge and skills base needed for it. Some important legislation is still under development, and the existing methodologies for assessing state policies for mutual coherence and compliance with international obligations are not yet widely applied across the government. Short-term planning and inconsistencies between strategies still dominate the field.

However, one outstanding example is the MES. Having performed a functional review and involving a wide set of employees in the process, it assigned each of its policies to a directorate and ran open competitions for reform staff. The ministry had a political will from its head and ensured training for directorates' newcomers. It still faced the difficulties linked to the overall PAR design, political environment, and context – such as too short piloting stage, lack of communication and electoral volatility. Nevertheless, this ministry managed to achieve significant results in terms of evidence-based policymaking and especially stakeholder engagement. The aspect of strategic planning, however, remains to be the least developed one, reflecting the situation across all other Ukrainian ministries.

Chapter 6. Summary of the main findings and theory building

As a result of this thesis and informed by the collected evidence, I am suggesting four connections between the component elements of policymaking capacity and agencification reform tailoring that need to be systematically studied in the future. This way, I fulfilled the goal of this study to develop more nuanced hypotheses and contribute to theory building in this realm. I invite further inquiry to explore these connections based on more cases from developing countries undertaking agencification reforms.

6.1. Problem-driven approach – Evidence-based policymaking

The first connection that I identified is how evidence-based policymaking is influenced by whether the reform started with the problem or the solution. The fact that functional reviews of ministries were hardly conducted in Ukraine influenced the separation of non-essential tasks. The directorates, whose primary mission was analysing data, performing impact and risk assessment, and producing evidence-based policies, had to continue dealing with secondary administrative, inspection and other tasks. The ministries did not have enough capacity for directorates to focus solely on their envisioned functions. In addition, directorates per se as a unit became a way to achieve quick wins and “tick a box” in the PAR Strategy since they could be established with a minister’s decree. Much higher remuneration for the reform staff also incentivised the process without conditioning a thorough prior review of the functions and policy areas. All this has contributed to little success in basing new policies on high-quality data.

The Ministry of Education and Science example illustrates this connection in the opposite manner. This ministry has formed directorates on the ground of policy areas determined during the functional review in 2018. Its directorates, even though not all, are showing progress in using evidence and data when formulating policy recommendations. Due to clear boundaries between policy areas and the absence of burdensome secondary tasks, reform staff had resources for conducting thorough data collection and research. The data that I analysed in this thesis leads me to the assumption that starting with a problem was one of the factors behind this ministry’s partial success and the rest of the government’s failure. Therefore, the hypothesis I am deriving here is the following:

Hypothesis 1. The more a ministry practices a problem-driven approach to agencification, the more likely it is to enhance evidence-based policymaking.

6.2. Contextualisation – Evidence-based policymaking

Another factor that influences a ministry's capacity for evidence-based policymaking, according to my research, is the level of contextualisation of the agencification reform. In the case of Ukraine, the lack of policymaking definition in the legislation played a large role in the process of policy formation due to the civil service's organisational culture. In addition, there is an impact of such contextualities as the oligarchs' influence, short-lived government, and the demand for a political leader to promote and prioritise the reform. Due to them, there was little incentive for the ministries' staff to develop and enhance policymaking capacity and analytical capabilities. Moreover, with the lack of skilled employees and profile education in the sphere of policy analysis, the directorates could not do it to the needed extent. The MES case also proves this pattern since the word of the head of the ministry, in a way, determined how meticulously the policies were analysed and which of them. So, the second nuanced hypothesis that I suggest for further exploration is:

Hypothesis 2. The more the agencification reform accounts for the country's contextualities, the more the ministries are capable of engaging in evidence-based policymaking.

6.3. Agent involvement – Stakeholder involvement

The third connection that I discovered lies between the involvement of the broad set of agents in the agencification reform process and the subsequent involvement of policy stakeholders. According to the evidence analysed from the Ukrainian case, if the culture of engaging actors at the lower tier was not present at the reform design and initiation stage, it is unlikely to emerge at the stage of actual policymaking. In Ukraine, the PAR Coordinating Council failed to fulfil its role and become a deliberation platform for all pilot ministries and representatives of their directorates. The ministry staff was also barely involved in the process of directorate formation. When the leadership is centralised instead of being distributed, such an approach might spill over to policy formation. As a result, the stakeholders in Ukraine throughout the years 2019-2021 were mostly engaged through passive formats such as online submission of comments. The collected evidence also shows that the ministries' employees are discouraged from conducting stakeholder consultations, fearing facing aggression or unreasonable propositions – and it can be attributed to the lack of experience in mediation and deliberation. In the case of the MES, its staff members participated in functional review training and meetings where the reform progress was discussed. The same ministry is a frontrunner in consulting stakeholders

in various engaging formats and taking their suggestions into consideration. Consequently, my next suggested hypothesis draws the following connection:

Hypothesis 3. The broader the set of agents involved in designing and implementing agencification reform, the more likely it is to enhance stakeholder involvement in policymaking.

6.4. Alignment with other reform elements – Strategic planning

Finally, the alignment of the establishment of the directorates with other aspects of the public administration reform and other reforms influences the quality of strategic planning. If agencification is slowed down or contradicted by other transformations – or the lack of them – it is unlikely that the ministries' directorates will engage in thorough strategic planning. The functions that were supposed to be devolved to the local governments or executive agencies in Ukraine are still largely performed by the ministries, and state policies are not clearly outlined and allocated, decreasing their capacity to think long-term and plan policies strategically, aligning them with the rest of the government's agenda. Such interruptions as a sudden reorganisation of ministries also negatively influence this aspect of policymaking capacity. A good illustration comes from the MES. Due to the uneven progress of the decentralisation reform, the CMU often expected this ministry to contribute to strategic development in the areas which, in theory, should have been already devolved to the local level. These pieces of evidence lead me to formulate my fourth nuanced hypothesis:

Hypothesis 4: The more aligned the agencification reform is with other elements of PAR, the more likely it is to enhance the ability of ministries to perform strategic planning.

However, regarding this hypothesis, I need to emphasise that, given the limitations of this study, data collection on this aspect of policymaking capacity was rather limited. Therefore, the suggested linkage does not possess the same degree of validity as the others and needs an even more thorough investigation based on the Ukrainian PAR and other cases.

Conclusion

This thesis aims at contributing to theory building in the subfield of governance theory that explores the relationship between reform tailoring during good governance promotion and its effectiveness. More specifically, it addresses the lack of understanding of how agencification's adjustment to the country where it is taking place affects ministries' ability to adopt high-quality public policies. It connects academic research on NPM-based reforms with that on good governance promotion. This thesis also contributes to scarce research on this topic covering the CEE region.

Most importantly, by examining the connections between different aspects of reform tailoring and policymaking capacity and suggesting four hypotheses, this thesis paves the way for further research on this topic. I analysed the evidence collected through desk research, document analysis and in-depth interviews and analysed it by applying qualitative content analysis guided by a coding frame. Drawing on the evidence available to me, I learned that the Ukrainian PAR programme, despite being based only on generic good governance principles and moderate donor interference, was not well tailored to the contextualities and was centred around an appealing quick-win solution. This significantly hindered the intended enhancement of policymaking capacity in all its aspects. The Ministry of Education and Science of Ukraine, on the contrary, demonstrated partial success and progress, which can be attributed to a better-tailored approach to this reform in the first place.

Thus, answering my main research question, I suggest that the absence of agencification reform tailoring limits the development of the policymaking capacity of ministries. The structural units within ministries will be able to produce more inclusive, high-quality and strategically oriented state policies if they are established through a careful adjustment and modification of "best practices" to ensure a good fit.

Sub-question 1 asked, "How does the tailoring of agencification reforms affect evidence-based policymaking by the ministries?". My research shows that when agencification does not start with a meticulous examination of the problems which it intends to address and solve, it is prone to rush to adopt a solution by simply mimicking it. As a result of such emulation, policy analysis units within ministries might not complete the delegation of excessive administrative and other executive functions, rushing to "tick the box" with a predefined reform indicator and demonstrate success to the donor. In this case, these units are unable to devote themselves to analysing evidence fully, performing impact assessment or cost-benefit analysis of public

policies they are offering. Likewise, failure to account for the contextualities of a given context might also contribute to it. Depending on each country, the transition of ministries into think tanks and their analytical capacity building can be limited by such factors as political volatility, lack of qualified staff and graduates, or the need for political leadership. The answers to this sub-question led me to the formulation of two hypotheses:

Hypothesis 1. The more a ministry practices a problem-driven approach to agencification, the more likely it is to enhance evidence-based policymaking.

Hypothesis 2. The more the agencification reform accounts for the country's contextualities, the more the ministries are capable of engaging in evidence-based policymaking.

Sub-question 2 asked, “How does the tailoring of agencification reforms affect stakeholder involvement by the ministries?”. Empirical evidence studied for this thesis highlights the connection between stakeholder involvement and such an aspect of agencification tailoring as agent involvement. The working culture of engagement and inclusion of a broad set of agents into the reform design, implementation and oversight can potentially spill over to the sub-units of ministries performing policy analysis. Centralised leadership and lack of deliberation experience among ministry staff members, on the contrary, might discourage them from actively engaging stakeholders in policymaking through consultations or round tables. Consequently, I propose another hypothesis:

Hypothesis 3. The broader the set of agents involved in designing and implementing agencification reform, the more likely it is to enhance stakeholder involvement in policymaking.

Finally, I answered Sub-question 3, which asked, “How does the tailoring of agencification reforms affect strategic planning by the ministries?”. The Ukrainian case led me to the conclusion that the strategic planning aspect of policymaking is influenced by the degree of the agencification reform's alignment with other reforms. When the establishment of policy directorates is not harmonised with the delegation of non-essential functions to agencies and local governments, it inhibits the ministry's capacity to contribute to the larger government's sectoral strategies. Strategic planning becomes even more challenging when ministries are often joined with and separated from each other, and the lines of responsibility fluctuate too often. In such conditions, directorates are bound to fail to contribute country-wide and long-term policy planning. Thus, I propose my final hypothesis:

Hypothesis 4: The more aligned the agencification reform is with other elements of PAR, the more likely it is to enhance the ability of ministries to perform strategic planning.

By suggesting these hypotheses, I am contributing to developing a more nuanced and elaborated understanding of the connection between how NPM-driven practices to establish agencies are applied in a developing country and the expected outcomes of such transformations. I have extended the debate on the effects of good governance promotion and “best-practice” approach onto the subject of analytical capacity building of a CEE country, which had not been done before. The results of my study have supported the increasingly widespread criticism towards the careless implementation of donor-driven solutions.

Most importantly, I have unpacked component elements of the concepts of reform tailoring and policymaking capacity and searched for connections between them. As a result, I produced four hypotheses that imply a correlation between four aspects of tailoring and three aspects of policymaking capacity enhancement. Within the scope of this study, I do not answer the question of how exactly the identified links between the conceptual elements work. This should be investigated further in future studies.

One potential line of research might be exploring other types of contextualities and their impact on agencification results in other countries. This would help to understand whether those are Ukrainian contextual particularities that limit agencification or the lack of accounting for any contextualities at all. Another possible direction is conducting a case study for a country that has either fully performed agencification before establishing policy analysis units or completely skipped this stage of ridding of non-essential functions. Such an example – if found – would make it clearer whether it is a certain type of reform that needs to be aligned with the enhancement of policymaking capacity, or whether the timeline and harmonisation is what matters more. Such studies could be conducted based on other stakeholders of the SIGMA programme, such as Georgia or Moldova since the overarching principles of public administration will remain the same and would ensure comparability of inferences.

Overall, the hypotheses produced as a result of this thesis serve as a contribution to the governance scholarship on agencification and the limits of promoting “best practices”. Besides, it maps potential directions for academic research, which, owing to a better understanding of links between reform’s tailoring and its effectiveness, could then be used to improve institutional development strategies in developing countries.

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Interviews

Interview No.1 – Serhiy Soroka, PAR expert at Reanimation Package of Reforms – 24 November 2022.

Interview No. 2 – Ihor Koliushko, PAR expert at the Centre of Political and Legal Reform – 1 December 2022.

Interview No.3 – Hanna Novosad, former head of the Ministry of Education and Science of Ukraine – 7 December 2022.

Public Information Requests

Public Information Request No.1 – Cabinet of Ministers of Ukraine – 9 November 2022.

Public Information Request No.2 – Ministry for Communities and Territories Development of Ukraine – 16 November 2022.

Public Information Request No.3 – Ministry of Justice of Ukraine – 16 November 2022.

Public Information Request No.4 – Ministry of Education and Science of Ukraine – 16 November 2022.

Public Information Request No.5 – Ministry of Infrastructure of Ukraine – 17 November 2022.

Public Information Request No.6 – Ministry of Health of Ukraine – 21 November 2022.

Public Information Request No.7 – Ministry of Social Policy of Ukraine – 23 November 2022.

Appendix 1

The list of public information requests submitted

№	Name of the ministry	Date of request	Date of reply	Information provided on the functional review in 2017-2018	Functional review reports provided	Information provided on the directorates
1	Cabinet of Ministers of Ukraine	1 November 2022	9 November 2022	No: the request is redirected to individual pilot ministries.	Not applicable	Not applicable
2	Ministry for Communities and Territories Development of Ukraine	10 November 2022	16 November 2022	Yes: it was not conducted	No	Yes: full list + the directors general
3	Ministry of Justice of Ukraine	10 November 2022	16 November 2022	No: the directorates were established without it	Not applicable	Yes: full list + the directors general
4	Ministry of Education and Science of Ukraine	10 November 2022	16 November 2022	Yes: it was conducted in July-October 2018	Yes	Yes: full list + the directors general
5	Ministry of Infrastructure of Ukraine	10 November 2022	17 November 2022	Yes: it was not conducted	No	Yes: full list + the directors general
6	Ministry of Health of Ukraine	10 November 2022	21 November 2022	Unclear: only stated the functional review of 2022	No	Yes: full list + the directors general
7	Ministry of Social Policy of Ukraine	10 November 2022	23 November 2022	Yes: it was conducted, the year is not mentioned	No	Yes: full list + the directors general
8	Ministry of Finance of Ukraine	10 November 2022	No reply	Not applicable	Not applicable	Not applicable

Source: compiled by the author.

The list of all interview requests and responses to them

№	Full name	Affiliation	Position	Means of contact	Date of the first contact	Date of repeated contact	Result	Date of the interview
1	Oksana Lesyk	Reform Support Team at the Ministry of Infrastructure of Ukraine	Senior PM - Organizational & Capacity Development	LinkedIn	14 November 2022	24 November 2022	The candidate stopped replying after a few days of conversation.	Not applicable
2	Oksana Chaban	Reforms Support Team at the Ministry of Communities and Territories Development of Ukraine	Senior Expert (Public Administration Reform)	LinkedIn	14 November 2022	21 November 2022	The interview request rejected due to the lack of competence.	Not applicable
3	Khatuna Ivaniyta-Hurdzhidze	Reform Support Team at the Ministry of Education and Science of Ukraine	Program Manager Public Administration Reform (PAR)	Email	14 November 2022	18 November 2022	The candidate stopped replying after a few days of conversation.	Not applicable
4	—	Reform Support Team at the Ministry of Finance of Ukraine	—	Email	14 November 2022	Not applicable	The interview request rejected due to the non-disclosure agreement with the Ministry and inability to express personal opinion.	Not applicable
5	Olena Kharchyshyna	Reform Support Team at the Ministry of Education and Science of Ukraine	Expert in Organizational Development & Human Resources (Public Administration Reform)	Email	21 November 2022	Not applicable	The interview request rejected due to the non-disclosure agreement with the Ministry and inability to express personal opinion.	Not applicable
6	Tetyana Kovtun	Reforms Delivery Office of the Cabinet of Ministers of Ukraine	Executive Director	Email, LinkedIn	21 November 2022	24 November 2022	The candidate never replied.	Not applicable

Appendix 2 – continuation

№	Full name	Affiliation	Position	Means of contact	Date of the first contact	Date of repeated contact	Result	Date of the interview
7	Hanna Novosad	Ministry of Education and Science of Ukraine	Minister (2019-2020); Director General at the Directorate of Strategic Planning and European Integration (2017-2019)	WhatsApp	21 November 2022	Not applicable	The interviewee submitted the responses in the WhatsApp voice message format.	7 December 2022
8	Anna Nizhnik	Directorate of Strategic Planning and European Integration at the Ministry of Communities and Territories Development of Ukraine	Director General	Email	21 November 2022	24 November 2022	The interview was scheduled for 24 November 2022, but the interviewee did not show up and stopped replying.	Not applicable
9	Oleksand Saenko	Cabinet of Ministers of Ukraine	Former Minister of the Cabinet of Ministers (2016-2019)	Facebook	21 November 2022	Not applicable	The candidate never replied.	Not applicable
10	Ihor Koliushko	Centre of Policy and Legal Reform	Head of the Board	Email	21 November 2022	Not applicable	Successfully performed online interview.	1 December 2022
11	Serhiy Soroka	Reanimation Package of Reforms – NGO Coalition	Expert in Public Administration Reform	Facebook	22 November 2022	Not applicable	Successfully performed online interview.	24 November 2022
12	Mariia Oryshchyna	Directorate of Strategic Planning and European Integration at the Ministry of Communities and Territories Development of Ukraine	State Expert	Email	22 November 2022	Not applicable	The candidate never replied.	Not applicable

Appendix 2 – continuation

№	Full name	Affiliation	Position	Means of contact	Date of the first contact	Date of repeated contact	Result	Date of the interview
13	Olena Andriiets	Directorate of Strategic Planning and Coordination at the Ministry of Health of Ukraine	Director General	Email	22 November 2022	Not applicable	The candidate never replied.	Not applicable
14	Oleksandr Pyzhov	Directorate of European Integration, Budgeting and Policy Alignment at the Ministry of Education and Science of Ukraine	Director General	Email	22 November 2022	Not applicable	The candidate never replied.	Not applicable
15	Nataliia Panchuk	Directorate of Strategic Planning and European Integration at the Ministry of Justice of Ukraine	Director General	Email	22 November 2022	Not applicable	The candidate never replied.	Not applicable
16	Nataliia Mochychuk	Reform Support Team at the Ministry of Infrastructure of Ukraine	Junior Project Manager – Public Administration Reform	LinkedIn	22 November 2022	Not applicable	The candidate never replied.	Not applicable
17	Yevhen Smuryhin	Reform Support Team at the Ministry of Infrastructure of Ukraine	Senior Manager in Project Management	LinkedIn	24 November 2022	Not applicable	The candidate never replied.	Not applicable
18	Anastasiia Lisova	Reform Support Team at the Ministry of Education and Science of Ukraine	Director	LinkedIn	24 November 2022	28 November 2022	The candidate never replied.	Not applicable

Source: compiled by the author.

Note: the invitations on LinkedIn can only be sent once, therefore it is not possible to contact the same person more than once before they accept the request.

Interview Guide for semi-structured interviews

Optimisation of the system of central executive bodies as part of the 2016-2021 Public Administration Reform

Version for the PAR experts

Introduction to the interview

Hello! Thank you for agreeing to talk to me today. As I have mentioned in our correspondence before, my name is Oleksandra Yevdokymova, and I am a student of the University of Tartu in Estonia. I am writing my master's thesis on the reform of public administration in Ukraine. Particularly, I am exploring the topic of the directorates' establishment in the pilot ministries between the years 2016-2021. Your expert opinion is very valuable for me, as I wish to cover this topic in a balanced way, hearing from different parties and stakeholders of the reform.

Thank you for having signed the informed consent form. I would like to remind you that the interview will be recorded, safely stored on my password-protected laptop and only used for the purpose of this research. You also have a full right to leave this interview earlier or withdraw your responses, if you wish so. If everything is clear and right, we may begin.

General assessment of the public administration reform and optimisation of ministries

1. Has the policymaking capacity been advanced after the launch of the ministries' reform in 2016? What is the evidence of that?
2. What role did international donor institutions play in the implementation of directorates?*

 - a. Was their involvement continuous or did it take place only at the beginning?***

3. In your opinion, is there a country whose experience would be useful for Ukraine, or should we focus on our own model of functioning of central executive bodies?
 - a. In your opinion, should Ukraine pursue the adoption of agencification best practices from foreign countries? What are possible constraints to such an approach?***

Prerequisites and the course of optimisation of ministries

4. Could you tell me about the preliminary mapping of the ministries' functions that should have taken place before the directorates were established?
 - a. Can it be claimed that the formation of directorates in 10 pilot ministries took place taking into account preliminary assessments of redundant functions and the results of a functional examination?
 - b. If not, on what basis did the formation of directors take place?***
5. What has become or is becoming an obstacle to the formation or continuation of the formation of directorates?
 - a. What causes the elimination of directorates in certain ministries (such as the Ministry of Infrastructure, which currently has only one directorate)?*

Appendix 3 – continuation

6. How does the regular reorganisation of the government – such as regarding the Ministry of Energy and the Ministry of Culture in 2019 and 2020, etc. – influence the implementation of this part of the reform?
7. What ministries do you know that have completed the formation of directorates?
 - a. What are the factors behind their success?***
8. Do you think there were any lessons learned after implementing directors in the 10 pilot ministries before implementing them in the rest of the ministries? Do you think that the time that has passed between these two stages was sufficient?
9. Do you think that the list of directorates should be reviewed or rather remain stable on a regular basis?*
10. What can you say regarding the Coordinating Council for Public Administration Reform or other advisory bodies?
 - a. Were there systematic and regular consultations between ministries and the Council?***
 - b. Were all pilot ministries equally involved?***

Results of the optimisation of ministries

11. How effectively, in your opinion, are the following functions of directors currently (or as of February 24, 2022) provided in accordance with the Standard Regulations on the Directorate of the Ministry, approved by Resolution No. 644 of the Cabinet of Ministers of Ukraine dated August 18, 2017:
 - a. evidence-based policymaking (*carrying out an analysis of the state of affairs and problems based on the study of statistical data, requests from state and local self-government bodies, citizens, etc.; formation of proposals for options for solving identified problems, assessment of their advantages and risks*);
 - b. stakeholder involvement (*conducting consultations with interested parties to involve them in the process of forming state policy, studying and taking into account the results of consultations for decision-making; interaction with other directorates and structural subdivisions, central bodies of executive power, local self-government bodies, representatives of public society, etc. for the sake of discussing the issues belonging to competence of directorates*);
 - c. strategic planning (*analysis of legislation in the field of competences of directorates in order to identify gaps and inconsistencies, develop proposals for its improvement and prepare bills; participation in the process of strategic planning, preparation of proposals for the Government's priority action plans*)?

The future

12. What further steps should the government or individual ministries take to enhance policymaking capacity of the ministries?*

Appendix 3 – continuation

13. How can the course of optimisation of ministries be influenced by the further reorganisation of the Government, about which the media has recently mentioned for the upcoming years?*

Conclusion

Thank you for this productive conversation. Your thoughts are highly valuable for my research and will serve as additional evidence. In case you have any additional questions or concerns, please contact me by my email address mentioned in the consent form. Have a nice day!

Note: * – questions were to be asked given time availability; ** – questions were either asked or not depending on the interviewee's responses on previous question(s).

Version for the former Minister of Education and Science

Introduction to the interview

Hello! Thank you for agreeing to talk to me today. As I have mentioned in our correspondence before, my name is Oleksandra Yevdokymova, and I am a student of the University of Tartu in Estonia. I am writing my master's thesis on the reform of public administration in Ukraine. Particularly, I am exploring the topic of the directorates' establishment in the pilot ministries between the years 2016-2021. Your expert opinion is very valuable for me, as I wish to cover this topic in a balanced way, hearing from different parties and stakeholders of the reform.

Thank you for having signed the informed consent form. I would like to remind you that the interview will be recorded, safely stored on my password-protected laptop and only used for the purpose of this research. You also have a full right to leave this interview earlier or withdraw your responses, if you wish so. If everything is clear and right, we may begin.

General assessment of the public administration reform and optimisation of ministries

1. Has the policymaking capacity been advanced after the launch of the ministries' reform in 2016? What is the evidence of that?

Results of the optimisation of ministries

2. How effectively, in your opinion, are the following functions of directors currently (or as of February 24, 2022) provided in accordance with the Standard Regulations on the Directorate of the Ministry, approved by Resolution No. 644 of the Cabinet of Ministers of Ukraine dated August 18, 2017:
 - a. evidence-based policymaking (*carrying out an analysis of the state of affairs and problems based on the study of statistical data, requests from state and local self-government bodies, citizens, etc.; formation of proposals for options for solving identified problems, assessment of their advantages and risks*);
 - b. stakeholder involvement (*conducting consultations with interested parties to involve them in the process of forming state policy, studying and taking into account the results of consultations for decision-making; interaction with other directorates and structural subdivisions, central bodies of executive power, local self-government bodies, representatives of public society, etc. for the sake of discussing the issues belonging to competence of directorates*);
 - c. strategic planning (*analysis of legislation in the field of competences of directorates in order to identify gaps and inconsistencies, develop proposals for its improvement and prepare bills; participation in the process of strategic planning, preparation of proposals for the Government's priority action plans*)?

Conclusion

Thank you for this productive conversation. Your thoughts are highly valuable for my research and will serve as additional evidence. In case you have any additional questions or concerns, please contact me by my email address mentioned in the consent form. Have a nice day!

Appendix 3 – continuation

Note: * – questions were to be asked given time availability; ** – questions were either asked or not depending on the interviewee’s responses on previous question(s).



UNIVERSITY OF TARTU
Johan Skytte Institute of
Political Studies

Informed consent form for the interview

Optimisation of the system of central executive bodies as part of the 2016-2021 Public Administration Reform

INFORMED AND VOLUNTARY CONSENT

I have been told about the purpose and topic of the interview, and how my responses will be used.

I have been able to ask questions about the interview and they have been answered.

I understand that any attributed quotes from the interview will only be used for the purposes of published academic work. If I have agreed to conduct the interview anonymously, I understand that quotes will be attributed to 'a party source familiar with the situation'.

I understand that I am not required to answer any of the questions and I can withdraw from the interview at any time.

I agree to participate in this interview and to it being digitally recorded.

I have been guaranteed that for any questions, concerns or complaints about the study, I can always contact the investigator:

Oleksandra Yevdokymova, yevdokymova@ut.ee, +37257868048

I have read this form. I am not giving up any legal rights by signing this form. I will be given a copy of this form.

Name:

Signature: _____

Date:

Study coding frame

Conceptual framework element	Conceptual categories	Codes	Examples
Adjustment	Developing and implementing one's own model of agencification.	Own model	<i>Whether or not a reform strategy is mentioning a model of another country that is borrowed and adopted.</i>
	Adjusting the reform to a country's needs and abilities, deciding individually what agencies to set up, which functions to delegate to them and at which pace.	Agency adjustment	<i>«...arguing with European experts who were trying to impose their "stereotypical solutions"» (Interview No.2).</i>
	Donors only providing a broader reform framework but do not prescribe agencification.	General guidance	<i>«Following the SIGMA principles of public administration... that define major demands to the system of public administration bodies» (CMU, 2016a).</i>
Problem-driven approach	Reorganisation starts with the functions that need to be devolved and decentralised and does not jump to creating new units immediately.	Problem first	<i>«A functional review took place and served a basis for forming directorates» (Public Information Request No.4).</i>
Iterative learning	Trial runs and gradual agencification ministry-by-ministry.	Trial run	<i>«Pilot ministries are selected to test the directorates establishment» (Public Administration Reform, 2018, p.8).</i>
	Reflections of success and failures between each of the stages.	Feedback and lessons learnt	<i>Having sufficient time after the trial run, the government assesses its successes and failures before extending the reform further.</i>
	Agencies are introduced incrementally. The initial wave can include only a few prioritised CEBs to be reorganised. Each following wave builds on the lessons learned and can undergo ad-hoc amendments.	Incremental change	<i>A small number of ministries is chosen for the trial run.</i>

Appendix 5 – continuation

	Each following wave builds on the lessons learned and can undergo ad-hoc amendments. Possible revisions and rollbacks.	Reform revision	<i>Visible readjustments of the reform after the trial run or justification for the absence of such.</i>
Agent involvement	Agencification process engages the staff of the ministerial analytical units affected by the change.	Staff engagement	<i>«organised meetings with the staff members of all its units to discuss and coordinate the process» (Public Information Request No.4).</i>
	Collecting feedback on their mode of operation.	Staff feedback collection	<i>Ministry staff can communicate with the higher management and the government to provide feedback on the reform course</i>
	Maintaining a two-way communication.	Two-way communication	<i>Ministry staff and the Cabinet of Ministers communicate and exchange suggestions.</i>
Contextualisation	Studying the setting's context such as organisation culture in the public sector, power structures or decision-making mechanisms.	Contextual factors	<i>Contextual factors are determined and addressed in a way that helps to mitigate their impact.</i>
Alignment	Smooth implementation parallel to other related reforms. Harmonising the steps.	Harmonisation	<i>The reform does not interrupt and is not interrupted by other reforms.</i>
Evidence-based approach	Ongoing research, evaluation and impact assessment; relying on experts and cooperation with think tanks and advisory bodies.	Evidence-based	<i>«...directorate that deeply engaged into research, data collection, preparation of policy options...» (Interview No.3).</i>
Stakeholder involvement	Stakeholders and beneficiaries are engaged in consultations and decision-making across policy stages.	Stakeholder engagement	<i>«...constantly involving the representatives of different sectors and roles» (Interview No.3).</i>
Strategic planning	Policies are coherent and consistent with each other and with other government reforms, priorities, strategies and plans.	Strategic planning	<i>Ministries are contributing to the government's long-term planning.</i>

Source: author's own elaboration based on the literature review, interviews, desk research and document analysis.

Note: the codes supplied by examples with quotes are data-driven, while the examples without quotes are concept-driven statements.

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