



**RESEARCH PAPER**

**UKRAINIAN PARLIAMENT IN WARTIME:  
KEY TENDENCIES AND CHALLENGES**

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## INTRODUCTION

The full-scale Russian invasion has placed the Verkhovna Rada of Ukraine at the centre of an unprecedented institutional test. Unlike previous crises in Ukraine's political history, the wartime environment combined immediate security threats, large-scale displacement, disruptions of administrative capacity, and the urgent need for rapid decision-making across all domains of public policy. Under these conditions, Parliament was required not only to ensure legislative continuity, but also to uphold the core democratic functions that define a representative institution: openness, participation, scrutiny of the executive, and alignment of national legislation with international obligations.

This report analyses how the Verkhovna Rada has operated during the period of martial law, focusing on three interconnected dimensions: transparency of parliamentary work, adaptation of the legislative process to the requirements of EU integration, and interaction between Parliament and the executive branch through oversight mechanisms. Each dimension reflects a distinct aspect of parliamentary resilience, revealing how institutional practices evolved in response to the demands of wartime governance.

Methodologically, the report draws on the Rules of Procedure of the Verkhovna Rada, official parliamentary documentation, data from the Parliamentary Research Service, committee decisions, public communication outputs, and relevant legislation adopted between 2022 and 2025. It also incorporates insights from journalism access initiatives, analytical assessments of the EU-integration process, and observations of parliamentary-executive relations. Together, these sources allow for an evidence-based assessment of institutional performance over a volatile period.

The report is structured to reflect both continuity and change. In **Chapter I**, the focus lies on the practical modalities of maintaining openness during wartime restrictions, including publication practices, communication instruments, and internal decisions on access to parliamentary proceedings. **Chapter II** examines the mechanisms through which Parliament contributes to European integration, including committee procedures, the development of accompanying documentation, and the coordination tools used to ensure conformity of Ukrainian law with EU standards. **Chapter III** evaluates how interactions between the Verkhovna Rada and the Cabinet of Ministers evolved under martial law, paying particular attention to the functioning of oversight tools, reporting obligations, and the broader political context shaping accountability.

**Chapter IV** addresses parliamentary planning under martial law, analysing the shift from the pre-war calendar of sessions and weekly sittings to the continuous plenary format and the reinforced role of the Conciliation Board as a closed pre-negotiation forum. It also considers the gradual re-emergence of structured planning practices as security conditions stabilised and Parliament moved toward restoring more predictable routines. **Chapter V** analyses the constitutional

position of Parliament as the sole legislative authority, focusing on the boundaries of permissible flexibility under martial law — including the exceptional, temporary delegation of limited normative powers to the Cabinet of Ministers and the treatment of retroactive legislation in light of constitutional guarantees of legal certainty.

By analysing Parliament through these lenses, the report aims to provide a comprehensive understanding of how Ukraine's legislature adapted to wartime constraints while continuing to serve as a central pillar of constitutional governance. The findings highlight not only the challenges encountered, but also the institutional innovations and long-term reforms that are likely to shape the future trajectory of the Ukrainian parliamentary system.

## EXECUTIVE SUMMARY

Russia's full-scale invasion profoundly reshaped the work of the Verkhovna Rada of Ukraine. Between 2022 and 2025, Parliament operated under unprecedented security pressures while simultaneously advancing major reforms, ensuring legislative continuity, and sustaining Ukraine's EU-integration trajectory. Across all functional dimensions — transparency, legislative adaptation to the EU acquis, and political oversight of the executive — the Rada demonstrated institutional resilience but faced structural limitations exacerbated by wartime governance.

At the onset of martial law, **transparency** decreased as plenary sessions became closed, broadcasting and transcripts were suspended, and journalists were barred from the parliamentary premises. Yet Parliament continued publishing draft laws, voting data, and transcripts post-factum, preserving a minimum level of informational openness. From late 2023 onward, transparency gradually improved: Question Time to the Government resumed, committee communication practices became more systematic, explanatory materials on adopted laws increased, and restricted zones in the government quarter were reduced. A watershed moment came in May 2024, when accredited journalists regained limited access to the main parliamentary building for the first time since February 2022 — an important milestone for public accountability. At the same time, transparency remains uneven. Committee practices vary widely, accelerated procedures continue to constrain scrutiny, and major transparency reforms — including the 2025 law mandating open committee meetings — remain blocked due to a presidential “pocket veto.”

Despite the war, Ukraine's **EU-integration agenda** intensified. The Committee on Ukraine's Integration into the EU and newly created subcommittees in sectoral committees expanded compliance reviews, while strategic planning instruments — annual legislative plans, EU-flag designations, conformity tables, and official translations — became more systematic. Legislative output grew: between 2019 and 2025, 206 EU-integration draft laws were registered, with 88 adopted. Yet the absence of a dedicated special procedure produced two opposite problems: prolonged stagnation of some core reforms (e.g., SBU reform, justice sector initiatives) and hasty adoption of others without respecting procedural safeguards. Ongoing legislative efforts (Draft Laws Nos. 8242, 13653, 13653-1) aim to introduce a coherent procedure for EU-integration bills, standardise accompanying documents, and strengthen coordination between Parliament and Government. Institutional capacity is also growing: the Research Service and the planned Legislative Drafting Office and Budget Office reflect a transition toward a more professionalised, analytically capable legislature.

Wartime conditions temporarily weakened formal **oversight** mechanisms. Ministries attended committee meetings irregularly, Temporary Investigative Commissions operated with reduced publicity, and Question Time to the Government was suspended for nearly 20 months. The Cabinet operated for most of the war without an approved Programme of Activities, depriving Parliament of a

core instrument of performance evaluation. Political centralisation further strengthened the executive: MPs initiated the vast majority of draft laws, often to bypass Cabinet procedures, and Parliament occasionally delegated normative authority to the Government – a constitutionally sensitive measure justified by wartime exigencies. Since late 2023, however, oversight has begun to recover. Question Time resumed; Temporary Investigative and Temporary Special Commissions (TICs/TSCs) became more active and transparent; and in 2025, the new Government submitted a Programme of Activities, restoring the legal basis for structured reporting. Nevertheless, accountability deficits persist, exemplified by ministers' non-attendance at committee summons, the President's veto of penalties for ignoring parliamentary invitations, and the absence of regular reporting by outgoing officials.

Overall, the Verkhovna Rada has demonstrated remarkable resilience under martial law, ensuring continuity of legislative activity, advancing EU-integration reforms, and gradually restoring transparency and oversight mechanisms. Yet structural challenges remain: uneven committee practices, procedural shortcuts in law-making, limited public consultation and lobbying transparency for MPs and the President, and the incomplete institutionalization of oversight. Wartime transparency can be assessed as satisfactory under the circumstances, but building a comprehensive post-war transparency architecture – including full enforcement of the committees' transparency law, standardised EU-integration procedures, strengthened analytical capacity, and restoration of full parliamentary checks and balances – will be essential to modernising the Ukrainian legislature in line with democratic and European standards.

## **CHAPTER I. TRANSPARENCY OF THE UKRAINIAN PARLIAMENT DURING THE WAR**

### **1. Before the martial law**

Prior to the full-scale invasion, the transparency framework of the Verkhovna Rada of Ukraine was shaped by a combination of constitutional guarantees, the Rules of Procedure, established legislative publication practices, media access to the parliamentary premises, and relatively predictable political and procedural routines. Plenary sessions were open, televised, and live-streamed. Though lacking unified procedure, committee meetings frequently allowed public participation and attendance by journalists, experts, and civil society. Draft laws and supporting materials were consistently published on the official website, and the public had a realistic ability to track legislative developments in real time.

However, even before martial law was declared, several systemic issues impacted transparency:

#### **1) Weakness of oversight instruments.**

As discussed in Chapter III below, parliamentary oversight was formally extensive but substantively limited. Ministries often sent mid-level staff to committee meetings; Question Time frequently produced politically safe, bureaucratic answers; and Temporary Investigative Commissions were underutilized or operated without public impact.

#### **2) Over-centralization of political decision-making.**

During the Servant of the People majority, legislative and executive agendas were closely aligned with presidential priorities. While this enhanced policy coordination, it contributed to a perception that parliamentary transparency, debate, and deliberation were not fully utilized as governance tools. Combined with negative perception of MPs by the general public, some might even deem such tools unnecessary.

#### **3) Openness without systematic engagement.**

Although Parliament operated openly, mechanisms for meaningful public participation were underdeveloped. Prior to the 2022–2024 legislative reforms on lobbying and public consultations, civil society's involvement depended on informal practices rather than codified procedures.

Thus, Ukraine entered the period of martial law with a parliamentary system that was procedurally transparent but substantively uneven in public accountability. The full-scale invasion would fundamentally alter not only the level of transparency but also its functional purpose in wartime governance.

### **2. Laws and regulations**

#### **2.1. Constitutional Guarantees**

The Constitution of Ukraine provides for:

- openness of parliamentary proceedings (Art. 84);

- personal voting by MPs (Art. 84);
- continuity of Parliament during martial law, including automatic extension of its mandate if elections cannot be held (Art. 83);
- limitation of rights during martial law – the right to free speech as well the right of the citizens to participate in governance can be limited during martial law (Art. 64).

Thus, the Constitution does not address parliamentary or government transparency during martial law directly. However, it creates a framework under which such transparency can be reduced.

## **2.2. Wartime Legal Framework**

The Law on the Legal Regime of Martial Law obliges the Verkhovna Rada to continue meeting within two days after martial law is declared and prohibits restricting parliamentary powers. It does not directly regulate transparency of the parliament.

In practice, the primary legal adjustment came through VRU Resolution No. 2912-IX (February 2023), which introduced:

- the “single ongoing plenary meeting” format, lasting until martial law ends;
- closed sessions by default;
- delayed publication of session videos (not earlier than one hour after adjournment);
- restricted access to information on the time and place of meetings.

These rules constituted the operational framework for wartime transparency and had been in place until September 4, 2025, when they were substantially eased by amendments. Thus, restrictions on video and time and date information have been eliminated.

## **3. Changes in Parliamentary Transparency During Wartime (2022–2025)**

### **3.1. Transition to Closed Proceedings in the Beginning of the Invasion**

Immediately after the invasion:

- plenary sessions became fully closed;
- no live broadcasts were provided;
- full transcripts were not released in real time;
- journalists, civil society, and observers were denied access to the main parliament building;
- the schedule and location of plenaries were not publicly disclosed.

Security imperatives temporarily overrode traditional openness. At the very beginning of the war with a lot of unknowns, such an approach seemed rational and generally was met with understanding of the civil society.

Moreover, despite wartime constraints Verkhovna Rada continued to publish a lot of information post-factum: all roll-call voting data, attendance data, transcripts of sessions, etc.

### 3.3. Communication Channels Under Stress

According to the Internews report, parliament's social media growth slowed dramatically, while Ukrainian-language Telegram channel subscribers even decreased by 15.1%. Only the Rada TV YouTube channel demonstrated significant growth (+134% views), driven by publication of plenary recordings ([Parliament Under Conditions of War, 2024](#)).

Also, the Rada TV was included in the so-called TV-marathon guaranteeing it broadcasting time along with Ukraine's top TV channels. While it certainly helped the TV channel to gain and retain audience, Rada faced criticism for its spendings on outsourcing content creation to the company allegedly connected to the deputy chief of President's Office ([Chesno on Verkhovna Rada Audit Report, 2024](#)). Moreover, the very concept of the TV-marathon was not generally supported already in the late 2023. ([Poll on TV Marathon by Chesnox, 2023](#)).

In 2023–2024, with USAID support, the VRU prepared a **five-year Communication Strategy** that standardizes committee communications and introduces new transparency formats. However, the Strategy has not been adopted yet.

### 3.4. Gradual Renewal of Transparency (late 2023–2025)

In October 2023, the Verkhovna Rada started to ease its transparency limitations by the resumption of Question Time to the Government.

From around that time, more systematic publication of committee agendas and increased frequency of explanatory materials about adopted laws are observed. Even the fact that the restricted area within the governmental district has been shrunk compared to the beginning of the full-scale war contributes to the renewal of transparency, at least symbolically.

Moreover, in 2025 the Government presented its Programme for the first time after the start of full-scale war. This is one more step towards increased transparency.

Probably, the biggest step towards renewal of parliament's transparency was renewing, although limited, access of journalists to the main parliamentary building.

#### ***Case. Journalists access to the parliamentary building***

*Before the full-scale invasion, access to the main parliamentary building ('the Dome') had been quite restricted as well. Journalists had to be accredited (though, potentially, in an unlimited amount). Journalists were not allowed to*

*enter the session hall, but could move freely through the corridors and had access to the press gallery at the top of the session hall. One more illustration of the access restraints at the Dome was the need for MPs' assistants to obtain a special permit to visit the Dome, while they had free access to any other parliamentary building.*

*Nevertheless, on 8 May 2024, the Chairperson of the Verkhovna Rada of Ukraine, Ruslan Stefanchuk, signed an order "On Certain Issues of Organizing the Work of Journalists in the Verkhovna Rada of Ukraine of the Ninth Convocation Under Martial Law in Ukraine". Hence, in May 2024, 22 journalists from 11 leading Ukrainian media outlets began working within the walls of Parliament to report on its activities. This became an important step toward ensuring the transparency of the legislature's work during wartime.*

*The access for these journalists is more limited than before the war: they sit in a separate press room where they can watch the session live on the screen. However, they still have better chances to take comments from MPs. Therefore, the measure is progressive.*

So, overall, despite these improvements, transparency remains below pre-war levels. This could be justified by the security measures. At the same time, it might be mitigated by creating a legal and procedural framework for the future post-war enhancement of parliamentary transparency. Such an approach would be in line with the 'build back better' principle.

## **4. Transparency of the Parliamentary Committees**

### **4.1. Committee Transparency Decline**

During the full-scale war, most committees held meetings online or hybrid, but:

- meetings were often closed to outsiders;
- publication of minutes and protocols became inconsistent;
- attendance by ministers dropped (as documented by MPs and independent monitors);
- committee hearings with public participation became rare.

### **4.2. Committee Transparency Partial Revival**

For the last couple of years, Committees seem to publish its key updates more systematically. This regards agendas and plans, minutes and hearing summaries, draft decisions and recommendations, etc. There are more open committee meetings, including field meetings outside of the capital.

Moreover, some outstanding committees worked on enhancement of their transparency even above the pre-war level. For instance, the Committee on Social Policy improved their communications despite the war. They posted regularly on social media, published newsletters on social policy (not necessarily with the

parliament-related news), worked on visuals, and introduced structured public communications dashboards.

Unfortunately, even such positive examples highlight inconsistency and lack of communication coordination among the committees. So even the best practices are not absorbed by all the committees.

### 4.3. Committee Transparency Perspectives

As we can see, committee policies on communications are not unified which leaves some committees behind. Even Communication Strategy cannot guarantee unified execution of the communication policy by different committees. However, it can be guaranteed by the law.

On January 14, 2025, the Verkhovna Rada has adopted the groundbreaking Law on Enhancing Transparency of Parliamentary Committees. This law (Draft Law No. 11321), developed within the framework of the Jean Monnet Dialogue, provides for:

- mandatory live broadcasting of committee meetings;
- access for journalists and civil society representatives to committee sessions, including online access;
- mandatory advance notice (at least 24 hours) regarding committee meeting schedules and agendas.

However, there is a major caveat. Despite its adoption by Parliament, as of now, the law remains unenforced due to a delay in presidential signature or veto – a situation commonly referred to as a "pocket veto." Reasons for such a *faux pas* by the President or his office are unclear. Still one can expect that the law will be signed sooner or later.

## 5. Transparency of the Legislative Process

### 5.1. Publication Practices

The 2022 Order of the Chairperson of Parliament ensures publication of:

- full texts of draft laws;
- supporting documents (Main Expert and Scientific Department, MESD, opinions and comparative tables);
- committee conclusions and recommendations;
- President's remarks and proposals if any.

Throughout the war, **these publication obligations were largely fulfilled.** However, timing became problematic. During the 11th session (February 2024 – August 2024) **59 of 89 second-reading laws** were adopted with **less than 10 days' notice**, in violation of Article 117 of the Rules of Procedure. This limited MPs, civil society and other interested parties in their capacity to review legislative materials.

## 5.2. Accelerated and Non-Ordinary Procedures

Wartime legislation was often adopted swiftly. The Rules of Procedure do not provide a distinct “fast-track” model, but they allow:

- shortened debate;
- extraordinary scheduling decisions;
- reduced committee timelines (within limits);
- adoption “as a basis and as a whole.” (i.e. in one reading).

During the 10th session (September 2023 – January 2024):

- **31%** of laws were adopted without debate (down from 69% early in the war);
- **36%** were adopted “as basis and as a whole,” indicating a return to more deliberation relative to 2022 ([Parliament Under Conditions of War, 2024](#)).

## 5.3. Delegation of Normative Powers

Despite constitutional guarantees, the practical exercise of Parliament’s powers has seen certain shifts during martial law. In particular, Parliament has, on several occasions, delegated rule-making powers – traditionally reserved for the legislature – to the Cabinet of Ministers of Ukraine (Government). This practice has enabled the Government to swiftly regulate critical areas of public policy during wartime but has also raised questions about the balance of powers and oversight. Some examples of such delegation concerned public procurements, lease of state and municipal property rules, intellectual property regulation, etc. Most of such cases happened in 2022 and such practice is relatively rare nowadays.

## 5.4. Public Consultations and Lobbying

Two major reforms were adopted in 2024 that, in theory, could strengthen openness around policymaking and help align Ukraine with European standards on transparent decision-making:

- **The Law on Lobbying (2024)** establishes a legal framework for interest representation, introduces transparency obligations for lobbyists, and requires disclosure of influence activities. It is designed to make policy advocacy more visible and accountable, reducing the space for informal or opaque influence over legislation.
- **The Law on Public Consultations (2024)** creates, for the first time, a unified procedure for engaging the public in the development of draft acts. It obliges ministries to publish draft regulations, collect comments, and provide reasoned feedback. However, the law applies **only to the Cabinet of Ministers**, not to the Verkhovna Rada or the President—both of whom account for a significant share of legislative initiatives.

As to the Law on Lobbying we see that its practical implementation is slow. Although its norms are mandatory only for less than a hundred actors registered as lobbyists as of the beginning of November. This number does not reflect the realistic number of companies and commercially oriented organizations who interact with law or regulation makers.

In the context of public consultations, this institutional asymmetry is significant. Since more than half of all laws are initiated by MPs, and the President is also a major legislative actor, the absence of binding consultation requirements for these actors means that large portions of the legislative pipeline remain closed to systematic public scrutiny. As a result, the potential of these reforms to improve transparency is substantial in principle but limited in practice. Until consultation procedures and lobbying transparency are extended to encompass all legislative initiators, the legislative process will continue to contain areas where draft laws can be developed, amended, and accelerated without meaningful public visibility or input.

This gap underscores a broader challenge of wartime governance: while Ukraine continues to build transparency mechanisms, their full effect depends on ensuring that all stages and all actors in the legislative process are subject to the same standards of openness.

## 6. Conclusions

Wartime conditions forced the Verkhovna Rada to fundamentally adjust its transparency practices. While the early war period saw a drastic reduction of openness due to existential security threats, the institution demonstrated resilience: legislative publication continued uninterrupted, debates gradually returned, and transparency mechanisms evolved.

Key trends include:

- **Initial contraction of transparency (2022–mid-2023)**  
– closed plenaries, suspended oversight, minimal public access.
- **Adaptive stabilization (mid-2023–2024)**  
– more systematic publication of documents, partial restoration of oversight tools.
- **Normative consolidation (2024–2025)**  
– adoption of laws on committee transparency, lobbying, and consultations; enhancement of communication practices.

Despite progress, several challenges remain:

- limited openness of committees accompanied with President's 'pocket veto' on the committees' transparency law;
- limited implementation of lobbying law and limited scope of public consultations law;

- absence of holistic view for parliament transparency during martial law and its post-war development.

Overall, the wartime transparency of the Verkhovna Rada might be assessed as satisfactory given the circumstances. However, there are still a lot of area for improvement starting with President's signature for the law on committees' transparency and ending with a transparency strategy for post-war parliament.

## CHAPTER II. EUROPEAN INTEGRATION IN THE CONTEXT OF WAR

### 1. Before the martial law

Ukraine's European integration, even prior to the onset of the full-scale aggression by Russia, had already been established as a strategic course of the state – enshrined at the highest constitutional level and supported by an extensive framework of legislative and political instruments.

The principal framework document governing the adaptation of Ukrainian legislation to EU law is *the Nationwide Program for the Adaptation of Ukrainian Legislation to the Legislation of the European Union*, adopted in 2004. The Program defined:

- the principles for aligning Ukrainian legislation with that of the EU;
- the priority areas for legislative adaptation;
- the mechanisms for monitoring and control over implementation;
- the roles of the Verkhovna Rada, the Cabinet of Ministers, the Ministry of Justice, and other institutions in ensuring the process.

A second key instrument forming the basis for harmonization with the *EU acquis* is the *Association Agreement between Ukraine and the European Union (2014)*, which established the legal foundation for political association and economic integration, including the creation of a *Deep and Comprehensive Free Trade Area (DCFTA)*. Since then, the process of legislative approximation has acquired a binding character – implementation of the Agreement's provisions became an integral part of Ukraine's domestic legislative process.

In 2019, amendments to the Constitution of Ukraine entrenched the irreversibility of Ukraine's strategic course toward full EU membership. To coordinate legislative support for this course, the Verkhovna Rada of the 9th convocation established the *Committee on Ukraine's Integration into the European Union* in 2019. Its key functions include:

- conducting legal analysis of draft laws for compliance with EU law.
- monitoring implementation of the Association Agreement.
- coordinating inter-committee cooperation regarding EU integration commitments.

### 2. Legislative procedure for consideration of EU integration bills

#### 2.1. Legal framework governing the consideration of EU integration initiatives

Ukraine has *no special legislative procedure* for the consideration and adoption of EU integration-related bills. Instead, draft laws aimed at aligning Ukrainian legislation with EU law and fulfilling Ukraine's international legal obligations in the field of European integration are considered by the Verkhovna Rada of Ukraine according to:

– the *general legislative procedure* established by the *Rules of Procedure of the Verkhovna Rada of Ukraine* (Law No. 1861–VI of 10 February 2010, as amended); and  
– the *specific provisions* of the *Resolution of the Verkhovna Rada of Ukraine “On Certain Measures to Implement Ukraine’s Obligations in the Field of European Integration”* (No. 2483–IX of 29 July 2022).

The special procedural aspects governing the consideration and adoption of EU integration bills include:

- examination and adoption of draft laws accompanied by tables of correspondence and official translations of relevant EU acts;
- establishment of subcommittees on adaptation issues within the parliamentary committees;
- conducting additional EU law compliance reviews by the Committee on Ukraine’s Integration into the European Union and/or by the Cabinet of Ministers;
- preferential use of the second-reading procedure during parliamentary consideration.

At the preliminary review stage, the Committee on Ukraine’s Integration into the European Union:

- determines the compliance of the draft law’s provisions with Ukraine’s international legal obligations regarding adaptation to EU law and the relevant provisions of the EU act being implemented;
- provides the lead committee with an opinion containing:
  - a general description of the draft law;
  - information on whether the draft law’s subject matter falls within Ukraine’s international obligations in the field of European integration and the scope of EU law;
  - an assessment of compliance with Ukraine’s international legal obligations and EU law provisions;
  - a determination of the level of alignment between the draft law and the EU *acquis* in the context of Ukraine’s European integration commitments.

Under *Article 93* of the *Rules of Procedure of the Verkhovna Rada of Ukraine*, the lead committee must preliminarily review a draft law and issue a conclusion on whether it should be included in the parliamentary session’s agenda **within thirty days** of submission.

According to *subparagraph 2 of paragraph 4* of the *Resolution of the Verkhovna Rada No. 2483–IX (29 July 2022)*, at the stage of preparing a draft law for *the second and subsequent readings*, if provisions related to the adaptation of Ukrainian legislation to EU law are identified, the lead committee shall refer the draft law to the *Committee on European Integration* and the *Cabinet of Ministers of Ukraine* for *additional examination of compliance with EU law (EU acquis)*.

Pursuant to current legislation, an EU integration bill law may be adopted in its entirety:

- after completion of the second reading, or
- as an exception, immediately after adoption at first reading, under Part Two of Article 114 of the *Rules of Procedure*, provided that:
  - the draft law does not require further revision; and
  - it has received a *positive expert opinion* from the *Cabinet of Ministers of Ukraine*.

The absence of a clearly defined special procedure for the consideration of EU integration bills results in inconsistency in the legislative process: some draft laws remain unconsidered for extended periods, while others are adopted hastily without adequate analysis. This imbalance slows the implementation of EU law and reduces parliamentary support for legislative initiatives related to European integration.

### **Case. Consideration of EU Integration Bills**

*Draft Law No. 3196-δ, submitted in 2020, provides for a comprehensive reform of the Security Service of Ukraine (SBU) aimed at demilitarizing the agency, narrowing its pre-trial investigative powers, and aligning its activities with European intelligence and security standards. This reform is considered one of the key commitments under Ukraine's obligations to the EU and NATO. Despite passing its first reading in 2021, the bill has still not been adopted in its entirety. Following the outbreak of the full-scale war, it became necessary to revise its provisions to account for new security challenges, yet the parliament has not resumed its consideration of the updated version.*

*A similar situation occurred with Draft Law No. 4330, which aimed to expand the powers of private enforcement officers within the system of compulsory execution of court decisions – a measure integral to justice sector reform and a requirement for deeper EU integration in the area of property rights protection. The Committee on Legal Policy removed the bill from consideration due to numerous expert comments and the need for substantial conceptual revision. Subsequently, an alternative draft law (No. 5660) was introduced but did not progress beyond the first reading either.*

*Comparable stagnation has affected Draft Law No. 5629 (on the use of electronic monitoring devices in domestic violence cases and Draft Law No. 5751 (on establishing a National Agency for the Protection of Participants in Criminal Proceedings). Both remain dormant for years, despite their importance for implementing EU human rights directives.*

*This pattern demonstrates that the absence of a dedicated legislative procedure for EU integration initiatives results in significant delays, loss of relevance of legislative drafts, and overall stagnation in the legal approximation process required to align Ukrainian law with the EU acquis.*

### **Case. Hasty Adoption of Draft Laws**

*Draft Law No. 8146, which introduced amendments to the Criminal Code and the Criminal Procedure Code aimed at improving counter-terrorism measures, was submitted as part of Ukraine's obligations in the field of security, particularly in aligning national legislation with EU framework decisions on combating terrorism. However, the revised text for the second reading was published on the website of the Verkhovna Rada on 21 March 2023 and adopted in its entirety the same day, in violation of Article 117 of the Rules of Procedure, which requires that members of parliament be given at least ten days to review the text and committee conclusions. This deprived MPs of the opportunity to conduct a substantive assessment of the proposed provisions and created risks of legal inconsistencies.*

*Similar procedural violations were recorded during the adoption of Draft Law No. 12414, which sought to clarify the procedural powers of anti-corruption law enforcement bodies. The comparative table for the second reading was published on 22 July 2025, and the law was adopted the same day without the "EU integration" designation, even though its provisions affected Ukraine's international commitments in the field of anti-corruption policy. As a result, certain provisions of the law proved to be incompatible with EU anti-corruption standards, prompting official concern from the European Commission and criticism from the expert community.*

*These examples show that the hasty adoption of draft laws without proper analysis creates risks of legal inconsistency, undermines the predictability of the legislative process, and may negatively affect the assessment of Ukraine's progress in European integration by EU institutions.*

## **2.2. Legislative initiatives concerning a special procedure for the consideration of EU integration bills**

The Verkhovna Rada of Ukraine continues to refine the legislative framework governing the consideration of draft laws aimed at implementing European Union law (EU *acquis*). On November 28, 2022, Draft Law No. 8242, "On Amendments to the Rules of Procedure of the Verkhovna Rada of Ukraine Regarding the Submission, Consideration, and Adoption of Draft Laws Aimed at the Adaptation of Ukrainian Legislation to the Law of the European Union (EU *acquis*)" was registered. The bill introduces a special procedure for the consideration of EU integration-related draft laws and extends the circumstances under which such bills may be adopted as a whole during their first reading.

However, Article 93(2) of the Rules of Procedure, as proposed in the draft, requires that any draft law – not solely those related to EU integration – be transmitted to the Cabinet of Ministers within three days for an assessment of its fiscal impact and compliance with budgetary legislation. This provision would impose an additional administrative burden and could potentially delay parliamentary consideration.

Furthermore, Article 102(4) of the Rules of Procedure, as amended by the draft, stipulates that members of parliament who are not members of the lead committee may not submit amendments or proposals to bills concerning adaptation to the EU acquis. Such a restriction narrows the scope of the constitutional right of legislative initiative and raises questions regarding conformity with the constitutional principle of equality among members of parliament in the exercise of their legislative powers. Draft Law No. 8242 remains pending its first reading since 2022 and has a limited regulatory scope, focused primarily on procedural aspects of considering EU integration legislative initiatives.

A subsequent phase in the legislative regulation of procedures for the preparation, consideration, and adoption of EU integration bills began with the submission to the Verkhovna Rada on August 17, 2025, of Draft Law No. 13653, *“On Amendments to Certain Legislative Acts of Ukraine Concerning the Improvement of Procedures for the Adaptation of Ukrainian Legislation to the Law of the European Union (EU acquis)”*.

On September 1, 2025, an alternative draft – No. 13653-1, *“On Amendments to Certain Legislative Acts of Ukraine Regarding the Procedure for the Preparation, Initiation, Consideration, and Adoption of EU Integration Draft Laws”* – was introduced. The alternative draft partially overlaps with the principal bill and proposes similar procedural mechanisms. It provides, inter alia, for a special procedure governing the consideration of EU integration draft laws, revised rules for the second and subsequent readings, new requirements for accompanying documentation and expert evaluations, and enhanced mechanisms for coordination between the government and parliament.

Draft Laws No. 13653 and No. 13653-1 have a broader regulatory scope than Draft Law No.8242. They envisage a comprehensive update of the legal framework governing the adaptation of Ukrainian legislation to the EU acquis by amending the Law *“On the Cabinet of Ministers of Ukraine”*, the Law *“On the Committees of the Verkhovna Rada of Ukraine”*, and the *Rules of Procedure of the Verkhovna Rada*. Draft Law No. 13653 introduces amendments to the Law *“On the Cabinet of Ministers of Ukraine”* regarding the government’s authority in the field of European and Euro-Atlantic integration, including the approval of the *National Program for the Adaptation of Legislation to the EU acquis*. The Law *“On the Committees of the Verkhovna Rada of Ukraine”* would be supplemented with provisions outlining the participation of parliamentary committees in preparing government draft laws related to legislative adaptation.

The *Rules of Procedure of the Verkhovna Rada*, as amended by Draft Laws No. 13653 and No. 13653-1, would include a new chapter defining the specific procedures for initiating, registering, and considering adaptation-related (EU integration) draft laws. This includes requirements for supporting materials, committee and plenary review procedures, deadlines for submission of amendments, expert opinions, and committee conclusions, provisions for expedited consideration, and special rules for the second or repeated second

reading. The amendments also establish restrictions on applying this procedure to draft codes.

Draft Laws No. 13653 and No. 13653-1 address existing procedural deficiencies, such as the absence of a consistent method for designating draft laws as EU integration bills and insufficient coordination between parliament and the government in forming the legislative agenda. A key innovation introduced by both drafts is the determination that only those bills included in the *National Program for the Adaptation of Legislation* shall be deemed EU adaptation bills. This linkage between legislative initiatives and the government's strategic action plan is designed to ensure a more structured and coherent process of legal approximation to EU standards.

Both drafts are currently under consideration by the lead committee – the *Committee on Rules of Procedure, Parliamentary Ethics, and Organization of Work of the Verkhovna Rada of Ukraine*.

### **2.3. Marking draft laws with the “EU integration” mark**

Ukraine lacks a legally established procedure for assigning the status of an EU integration bill. At the same time, Resolution of the Verkhovna Rada No. 2483-IX provides that parliamentary committees shall conduct preliminary review and preparation of draft laws aimed at adapting Ukrainian legislation to the law of the European Union (EU acquis) and fulfilling Ukraine's international legal obligations in the field of European integration, provided that the draft laws are accompanied by tables of correspondence between their provisions and the relevant EU acquis, as well as official translations of the corresponding EU legal acts. On this basis, such draft laws are granted a special designation marked with the EU flag symbol, indicating their classification as legislative initiatives related to European integration.

#### ***Case. Inconsistent Designation of Draft Laws as “EU Integration Bills”***

*Draft Law No. 6004 “On Integrated Prevention and Control of Industrial Pollution”, did not receive the “EU integration bill” designation and lacked a table of correspondence to the EU acquis. The alternative draft, No. 6004-1 “On Prevention, Reduction, and Control Arising from Industrial Activity”, included a table of correspondence but was not granted the designation. Draft Law No. 6004-2 “On Ensuring Citizens’ Constitutional Rights to an Environment Safe for Life and Health”, received the “EU integration bill” mark but did not contain a table of correspondence to the EU acquis. The revised draft, No. 6004-d “On Ensuring the Constitutional Rights of Citizens to an Environment Safe for Life and Health” combined both criteria: it included a table of correspondence and was also designated as “EU integration bill”.*

*This case demonstrates that the presence of the “EU integration bill” designation does not always reflect the actual work undertaken to align a draft law with the EU acquis and highlights the absence of a clear, systematic*

*procedure for evaluating such draft laws. It also illustrates the evolutionary process of legislative drafting, where initial drafts, alternative versions, and revised bills may inconsistently combine the designation and the corresponding table of alignment.*

The procedure for assigning draft laws the status of “EU integration bill” is proposed to be *standardized and detailed* in Draft Law No. 13653 and its alternative, No. 13653-1. Both bills establish specific requirements for accompanying documentation, verification of compliance with EU law by the Committee on Ukraine’s Integration into the European Union, and the formal assignment of the “EU integration” designation.

Under both legislative initiatives, an EU integration draft law must be accompanied by:

- an explanatory note containing information on inclusion in the National Program for Adaptation, an assessment of compliance with the EU acquis and Ukraine’s international legal obligations, implementation timelines, and the relevant organizational, material, and financial measures;
- an article-by-article table of correspondence between the draft law’s provisions and the EU acquis;
- certified translations of the relevant EU acts;
- a list of subordinate acts required for the law’s implementation;
- information on approval or consultation with the European Commission, if applicable;
- any other documents required under the Rules of Procedure of the Verkhovna Rada.

Once the draft law is submitted and all requirements are satisfied, it is registered in the Secretariat of the Verkhovna Rada with the special designation “draft law for adaptation,” which is formally equivalent to the “EU integration” status.

Compliance with international obligations and the EU acquis is monitored by the lead parliamentary committee responsible for evaluating such bills – the Committee on Ukraine’s Integration into the EU. The committee reviews the completeness of accompanying documents, conformity of the draft law’s provisions with the EU acquis, the justification of the article-by-article table, the presence of certified translations, and any relevant consultation with the European Commission. If any discrepancies or non-compliance are identified, the “EU integration” designation is removed, and the draft law is considered under the general legislative procedure.

An alternative draft law may be submitted within seven days of the main draft, provided it meets all documentation and committee review requirements. This procedure formalizes the assignment of the “EU integration” status, ensures oversight of compliance with the EU acquis, and establishes a mechanism for removal of the designation in the event of non-compliance.

## 2.4. Legislative activity dynamics in adapting Ukrainian legislation to EU law

Since the beginning of the ninth convocation of the Verkhovna Rada, 206 EU-integration draft laws have been registered in the Parliament as of October 2025. The highest number was submitted in 2021, totalling 73. In 2022, the introduction of requirements for tables of correspondence and official translations of EU legal acts led to a decrease in the number of draft laws designated as EU-integration bills. Many initiatives were subsequently revised and adopted in 2023–2024, reflecting the systematic implementation of reforms even under martial law.

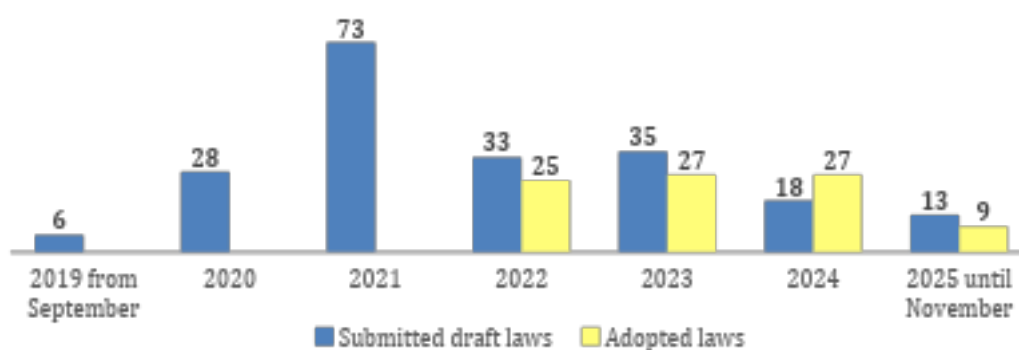


Fig. Dynamics of Submission and Adoption of EU-integration Draft Laws by the Verkhovna Rada\*

Source: Verkhovna Rada website, 30 October 2025

\* – Official statistics of the Verkhovna Rada do not fully reflect the number of adopted EU integration draft laws, as prior to 2022 a significant portion of them lacked the relevant designation, and the procedure for assigning it was not regulated. This may have caused distortions in the data and complicated monitoring of progress.

As of October 2025, of the 206 EU-integration draft laws registered since the beginning of the ninth convocation of the Verkhovna Rada, 88 have already been enacted, representing 43 percent. In 2024, 177 such draft laws were registered, of which 58 were adopted, or 33 percent. This indicates a growing volume of legislative work in the field of European integration.

The majority of EU-integration draft laws were submitted by Members of Parliament – 113 in total, of which 45 were adopted, representing 40 percent. The Cabinet of Ministers submitted 83 initiatives, with 37 adopted, or 45 percent. The President submitted 10 draft laws, of which 6 were adopted, amounting to 60 percent. This reflects a higher political consensus regarding presidential and government initiatives compared to those submitted by MPs. This trend is further reinforced by the practice of involving MPs in working groups for drafting EU-integration legislative initiatives within the government, as well as by the

government's cooperation with European counterparts on legislative screening, roadmaps, and coordination in the process of Ukraine's European integration.

*Table. Number of EU-integration Draft Laws by Initiator, Ninth Convocation of the Verkhovna Rada*

<b>Initiator</b>	<b>Submitted</b>	<b>Adopted</b>	<b>Ratio</b>
Members of Parliament	113	45	40%
Cabinet of Ministers of Ukraine	83	37	45%
President	10	6	60%
<i>Total</i>	206	88	43%

*Source: Verkhovna Rada website, 30 October 2025*

The legislative activity of the ninth convocation of the Verkhovna Rada in the field of European integration demonstrates gradual institutional maturity. The increase in the share of adopted laws is also linked to Ukraine's implementation of measures under the Ukraine Plan under the Ukraine Facility EU Initiative and other international obligations ([Ukraine Plan 2024-2027](#)). The adoption of a significant number of acts during the period of martial law underscores the strategic importance of the European integration course. Establishing a regulated procedure for designating draft laws as EU-integration-related represents an important step toward greater transparency and efficiency in parliamentary legislative work.

## **2.5. Committees and subcommittees of the Verkhovna Rada in the process of aligning legislation with EU standards**

The legislative process of European integration involves the *Committee on Ukraine's Integration into the European Union* and its subcommittees. In 2022, subcommittees on European integration were established within other parliamentary committees. The secretariats of the committees' function as administrative structures that provide organizational, analytical, and expert support for committee activities, prepare materials for sessions, and facilitate communication with the government, EU institutions, and international partners; however, they do not exercise decision-making authority independently.

The Committee on Ukraine's Integration into the European Union consists of eight members of parliament. Pursuant to the Verkhovna Rada Resolution No. 19-IX of August 29, 2019, "On the List, Number, and Jurisdiction of Committees of the Verkhovna Rada of the Ninth Convocation", the Committee's mandate includes:

- participation of Ukraine in international integration processes related to the European Union;
- adaptation of Ukrainian legislation to EU law and ensuring compliance with Ukraine's obligations under the Council of Europe framework;

- assessment of draft laws for conformity with Ukraine's international legal obligations in the field of European integration;
- formulation of state policy in the area of European integration;
- facilitation of interparliamentary relations in the context of Ukraine–EU cooperation;
- coordination of EU technical assistance programs for the Verkhovna Rada and specialized training programs;
- granting consent for the binding nature of Ukraine's international agreements with the European Union and its member states, including ratification, accession, approval of treaty texts, and denunciation of such agreements;
- transborder and interregional cooperation with EU member states;
- cooperation with EU institutions regarding non-military measures to deter external aggression against Ukraine.

The Committee has established four subcommittees responsible for legislative work, preliminary review of issues, preparation of committee opinions and proposals on draft laws and other acts of the Verkhovna Rada, implementation of committee decisions and leadership directives, and preliminary analysis of the application of laws and other parliamentary acts. These subcommittees include:

- Subcommittee on Alignment of Ukrainian Legislation with EU Law;
- Subcommittee on Economic and Sectoral Cooperation and the Deep and Comprehensive Free Trade Area between Ukraine and the EU;
- Subcommittee on Coordination of EU Technical Assistance Programs and Cooperation with Euratom;
- Subcommittee on Regional and Transborder Cooperation between Ukraine and EU Member States.

Pursuant to Verkhovna Rada Resolution No. 2483–IX of 2022, subcommittees on European integration were created in all parliamentary committees. The Rules of Procedure of the Verkhovna Rada do not define the role of these subcommittees in the legislative process. In the consideration of draft laws designated as EU-integration bills, only the opinions of the *Government* and the *Committee on Ukraine's Integration into the EU* are taken into account.

**List and Composition of Subcommittees on European Integration Within the Committees of the Verkhovna Rada** *(excluding the Committee on Ukraine's Integration into the EU)*

	<b>Committees of the Verkhovna Rada</b>	<b>Subcommittees on European Integration</b>	<b>Number of Members of the Subcommittee, persons</b>
1	Committee on Agrarian and Land Policy	Subcommittee on the Adaptation of Ukrainian Legislation to the Provisions of European Union Law (EU acquis) and the Implementation of Ukraine's International Legal Obligations in the Field of European Integration	n/a
2	Committee on Anti-Corruption Policy	Subcommittee on the Adaptation of Ukrainian Legislation to the Provisions of European Union Law (EU acquis) and the Implementation of Ukraine's International Legal Obligations in the Field of European Integration	n/a
3	Committee on Budget	Subcommittee on European Integration	n/a
4	Committee on Humanitarian and Information Policy	Subcommittee on Information Policy and European Integration	10
5	Committee on Environmental Policy and Natural Resources	Subcommittee on Forest Resources, Biodiversity, Natural Landscapes, Protected Areas, and the Adaptation of Legislation to the Provisions of European Union Law	8
6	Committee on Economic Development	Subcommittee on the Adaptation of Ukrainian Legislation to the Provisions of European Union Law (EU acquis) and the Implementation of Ukraine's International Legal Obligations in the Field of European Integration	6
7	Committee on Energy and Housing and Communal Services	Subcommittee on the Adaptation of Ukrainian Legislation to the Provisions of European Union Law (EU acquis) and the Implementation of Ukraine's	7

		International Legal Obligations in the Field of European Integration	
8	Committee on National Health, Medical Care, and Health Insurance	Subcommittee on the Adaptation of Ukrainian Legislation to the Provisions of European Union Law (EU acquis) and the Implementation of Ukraine's International Legal Obligations in the Field of European Integration	10
9	Committee on Foreign Policy and Interparliamentary Cooperation	Subcommittee on Legislative Support for the Implementation of the Strategic Course Enshrined in the Constitution of Ukraine for Full Membership in the EU and NATO	4
10	Committee on Youth and Sports	Subcommittee on the Adaptation of Ukrainian Legislation to the Provisions of European Union Law and the Implementation of Ukraine's International Legal Obligations in the Field of European Integration	n/a
11	Committee on National Security, Defense, and Intelligence	Subcommittee on International Military Cooperation, NATO Integration, and European Union Integration	n/a
12	Committee on Organization of State Power, Local Self-Government, Regional Development, and Urban Planning	Subcommittee on the Adaptation of Ukrainian Legislation to the Provisions of European Union Law and the Implementation of Ukraine's International Legal Obligations in the Field of European Integration	n/a
13	Committee on Education, Science, and Innovation	Subcommittee on Lifelong Learning, Extracurricular Education, and the Adaptation of Ukrainian Legislation to the Provisions of European Union Law	n/a
14	Committee on Human Rights, Deoccupation and Reintegration of Temporarily Occupied Territories of Ukraine, National Minorities, and	Subcommittee on the Adaptation of Ukrainian Legislation to the Provisions of European Union Law (EU acquis) and the Implementation of Ukraine's International Legal Obligations in the Field of European Integration	n/a

	Interethnic Relations		
15	Committee on Legal Policy	Subcommittee on the Adaptation of Ukrainian Legislation to the Provisions of European Union Law (EU acquis) and the Implementation of Ukraine's International Legal Obligations in the Field of European Integration	n/a
16	Committee on Law Enforcement	None	–
17	Committee on Rules of Procedure, Parliamentary Ethics, and Organization of the Verkhovna Rada	Subcommittee on the Adaptation of Ukrainian Legislation to the Provisions of European Union Law (EU acquis) Regarding the Implementation of Ukraine's International Legal Obligations in the Field of European Integration	n/a
18	Committee on Freedom of Speech	Subcommittee on the Adaptation of Ukrainian Legislation to the Provisions of European Union Law and the Implementation of Ukraine's International Legal Obligations in the Field of European Integration	3
19	Committee on Social Policy and Protection of Veterans' Rights	Subcommittee on the Adaptation of Ukrainian Legislation to the Provisions of European Union Law (EU acquis) and the Implementation of Ukraine's International Legal Obligations in the Field of European Integration	4
20	Committee on Transport and Infrastructure	Subcommittee on the Adaptation of Ukrainian Legislation to the Provisions of European Union Law and the Implementation of Ukraine's International Legal Obligations in the Field of European Integration	n/a
21	Committee on Finance, Tax, and Customs Policy	None	–
22	Committee on Digital Transformation	Subcommittee on the Development of the Digital Society and the Adaptation of Ukrainian Legislation to the Provisions of European Union Law (EU	n/a

		acquis) and the Implementation of Ukraine's International Legal Obligations in the Field of European Integration	
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*n/a – Data not provided*

*Source: Rada.gov.ua, Official Web-Site of the Parliament of Ukraine.*

The Secretariat of the Verkhovna Rada Committee on Ukraine's Integration into the European Union plays a central role in ensuring the continuity of legislative work and providing expert support for the adaptation of Ukrainian legislation to the EU acquis. The Secretariat performs organizational, analytical, and legal support functions for the Committee, prepares materials for sessions, consolidates expert opinions, and facilitates communication with government bodies, European Union institutions, and international partners. The Secretariat's practice aligns with European approaches to parliamentary expertise, whereby professional staff not only perform administrative and technical tasks but also conduct substantive legislative analysis, provide analytical support for draft laws, monitor the implementation of EU law, and prepare materials for parliamentary oversight in the field of European integration.

## **2.6. Development of analytical, research, and legislative drafting infrastructure in the Verkhovna Rada of Ukraine**

In August 2022, the *Research Service of the Verkhovna Rada* was established pursuant to Article 7 of the Rules of Procedure of the Verkhovna Rada, in accordance with the Order of the Chairperson of the Verkhovna Rada of Ukraine No. 438. The Research Service is an institution providing scientific, research, and information-analytical support to the Verkhovna Rada, its bodies, members of parliament, and parliamentary factions (groups). It also provides professional training and capacity building for members of parliament, staff of the Verkhovna Rada Apparatus, and parliamentary assistants-consultants.

To fulfil its mandate, specialists of the Research Service:

- develop scientific concepts for the regulation of social relations;
- conduct research on legislative regulation of social relations;
- perform thematic studies on issues related to draft laws under consideration by the Verkhovna Rada and other pressing matters of public policy;
- provide informational support to officials of the Verkhovna Rada and members of parliament;
- assess the effectiveness of the implementation of adopted legislation;
- provide advisory support in drafting bills on key issues of societal and state development, as well as in preparing the legislative work plan of the Verkhovna Rada and monitoring its implementation;
- conduct rapid-risk analysis of draft laws registered in the Verkhovna Rada;

- summarize the results of legislative activity of the respective convocation of the Verkhovna Rada.

The Research Service also includes a *training center* that delivers professional development for members of parliament, staff of the Verkhovna Rada Apparatus, and parliamentary assistants–consultants.

In December 2024, the *Cabinet of Ministers of Ukraine approved the establishment of the State Institution “Translation Office”*. This office ensures the effective translation of normative legal documents necessary for Ukraine’s EU integration obligations, particularly in the context of Ukraine’s preparation for EU membership. The creation of the Translation Office reflects the development of organizational capacity within the Verkhovna Rada and the Government to support the normative–legal framework for Ukraine’s accession to the EU.

According to the Roadmap for the functioning of democratic institutions, *by the fourth quarter of 2027*, the creation of a *Legislative Drafting Office* and a *Budget Office* is planned. The *Legislative Drafting Office* will assist members of parliament in exercising their legislative initiative, including the preparation of EU–integration draft laws. This specialized unit will employ qualified experts to provide technical drafting support, a practice widely implemented in established parliamentary democracies to improve legislative quality. *The Financial and Budget Office* will provide members of parliament with analytical information and support on public finance matters in the preparation of draft laws, analysis and evaluation of the implementation of adopted laws, and the development of legislative initiatives with appropriate financial and economic justifications.

## **2.7. Strengthening the system of strategic planning for legislative activity in the field of EU integration**

Pursuant to Article 19–1 of the Rules of Procedure of the Verkhovna Rada:

- The Verkhovna Rada approves the Legislative Work Plan at the beginning of each session upon submission by the Chairperson of the Verkhovna Rada, coordinated with the Coordination Council.
- Committees submit proposals by 31 December of the preceding year, considering the Cabinet of Ministers’ program of activities and its preliminary legislative work plan.
- The Plan must include a list of priority issues, a rationale for the preparation of draft laws, their tentative titles, submission deadlines, and responsible authorities.

Since 2023, draft laws aimed at implementing EU law have been marked in the Verkhovna Rada Legislative Work Plan as “EU integration bills”. Specifically, the Plan included 115 such draft laws in 2023, 36 in 2024, and 25 in 2025.

In May 2025, the Cabinet of Ministers approved a series of strategic documents to support the EU accession negotiation process, including Resolution No. 475–p, *“On Certain Matters Ensuring the Negotiation Process for Ukraine’s Accession*

to the European Union under Cluster 1: Fundamentals of the EU Accession Process”, which adopted:

- [A Roadmap on the Rule of Law](#), a strategic document defining comprehensive reforms in the judicial system, anti-corruption policy, human rights protection, and law enforcement in accordance with Chapters 23 and 24 of the EU negotiation framework. The roadmap sets out 124 strategic outcomes and 529 measures with specified timelines and responsible authorities.
- [A Roadmap on Public Administration Reform](#), a strategic document modernizing Ukraine’s public administration in line with EU standards. It provides for strengthening political and legislative capacity, professionalism and motivation of civil servants, optimization of organizational structures, digitalization of services, and improvement of public financial management.
- [A Roadmap on the Functioning of Democratic Institutions](#), a strategic document supporting the development of democratic processes and institutions in Ukraine. It includes 31 strategic outcomes and 96 measures across four areas: the general framework of democracy, electoral processes, parliamentary functioning, and the role of civil society. The roadmap aims to enhance transparency, accountability, and effectiveness of institutions, improve electoral legislation, and promote citizen participation in decision-making, aligning Ukraine with EU standards.
- [An Action Plan on the Protection of the Rights of Persons Belonging to National Minorities](#), a strategic document ensuring the rights, cultural and linguistic identity of national minorities and indigenous peoples, combating discrimination and hate speech. The plan integrates with the State Target Program “Unity in Diversity” and the Strategy on the Roma Minority, and provides for legal, educational, and cultural measures, inclusive representation, implementation monitoring, and funding through state budgets and international assistance, ensuring a consistent state policy on national minorities.

Since May 2025, the Ministry of Justice of Ukraine has been developing a new *National Program for the Adaptation of Ukrainian Legislation to EU Law (NPAA)*. This strategic document will define how Ukraine will align its legislation and state institutions with EU standards. The program will specify which EU legal acts require implementation, identify responsible authorities, establish timelines, and outline the process of harmonization. The NPAA will serve as the foundation for planning reforms, monitoring readiness for EU membership, and guiding the ongoing EU accession negotiations.

Despite the existence of these strategic documents, the Rules of Procedure of the Verkhovna Rada do not establish a direct link between the planning of EU integration draft laws and the strategic roadmaps, nor do they provide for special procedures or priority consideration for such acts.

### 3. Conclusions

The legislative process for the adaptation of EU law in Ukraine is becoming more systematic, yet it remains procedurally underregulated. The absence of a clearly defined procedural framework for the consideration of EU integration draft laws has produced two contrasting phenomena: delays in the review of certain critical acts and the expedited adoption of others without adequate analysis. As a result, the effectiveness of parliamentary oversight and the quality of EU acquis implementation remain uneven.

Recent legislative initiatives aim to address these gaps by introducing a specialized procedure for “EU integration” draft laws, formalizing accompanying documentation, and enhancing coordination between the government and parliament. This reflects a trend toward legal regulation of parliamentary participation in the legislative adaptation process.

The designation of draft laws as “EU integration bills” has become a tool for parliamentary oversight and transparency. Although the marking system currently lacks a formal legal basis, its introduction has improved monitoring of Ukraine’s obligations to the EU. The inclusion of EU-flagged draft laws in the legislative work plans, together with requirements for conformity tables and official translations, represents a step toward procedural standardization.

Parliament’s analytical and research capacity is increasing. The establishment of the Research Service, the Translation Office, and, prospectively, the Legislative Drafting Office and the Budget Office demonstrates a potential for shifting the Verkhovna Rada from a reactive to a proactive role in European integration.

Strategic planning of legislative activity in the field of EU integration is becoming institutionalized. The introduction of annual legislative work plans marking EU-integration bills, and the preparation of the new National Program for the Adaptation of Ukrainian Legislation indicate strengthened coordination between government initiatives and parliamentary planning. Nevertheless, the current Rules of Procedure do not yet provide for direct coordination between these documents, which limits the effectiveness of the strategic legislative process.

The overall trend is a gradual shift from a declaratory to a procedurally regulated EU integration course within parliament. The Verkhovna Rada is progressively establishing its own system of procedures, institutions, and analytical mechanisms to ensure high-quality adaptation of legislation to EU standards, even under conditions of martial law.

## CHAPTER III. THE INTERACTION BETWEEN PARLIAMENT AND GOVERNMENT – OVERSIGHT: KEY TRENDS DURING WARTIME

### 1. Before the martial law

Until 2022, interaction between the Government and the Parliament was conducted in the usual manner, within the framework of the current legislation – through weekly meetings of the Coordination Council, planning of legislative work, regular parliamentary and committee hearings, and the oversight instruments defined by the Rules of Procedure of the Verkhovna Rada. However, the effectiveness of the oversight function remained low: parliamentary control instruments were applied mostly formally, and their practical consequences for the Government were minimal.

Ministers rarely bore individual responsibility before the Verkhovna Rada. Formally, Parliament had the right to summon members of the Cabinet of Ministers to committee meetings or to participate in the “Question Hour with the Government,” yet these formats often turned into routine political procedures without follow-up action. Moreover, Members of Parliament seldom received substantive answers to their inquiries; most government responses were limited to formal or bureaucratic replies.

Representatives of ministries attended committee meetings irregularly – typically only to present draft laws initiated by the Government. In other cases, ministers delegated attendance to department heads, which significantly reduced the political weight and accountability of the oversight process.

According to the Constitution of Ukraine, the Verkhovna Rada appoints and dismisses members of the Cabinet of Ministers. In practice, however, these decisions were largely made within the presidential vertical of influence. This dynamic was particularly visible during the period of the Servant of the People party’s parliamentary majority (2019–2021), when the executive and legislative branches effectively acted as a single political team. While this ensured political stability, it weakened the system of checks and balances: the Government faced virtually no parliamentary opposition, and internal criticism within the Rada was minimal. For instance, the dismissal of Prime Minister Oleksiy Honcharuk’s Government in March 2020 occurred not as a result of a parliamentary investigation or oversight findings, but due to a political decision initiated by the President, even though the formal proposal came from the Prime Minister himself.

Despite the adoption in 2019 of the new Law of Ukraine “On Temporary Investigative Commissions and Temporary Special Commissions of the Verkhovna Rada of Ukraine” ([link](#)), which granted Parliament broader investigative powers, the institution of such commissions remained largely ineffective. Between 2019 and 22 February 2022, the Verkhovna Rada established 23 Temporary Commissions, but most either failed to produce final reports or did not make their findings public. This demonstrated the political limitations of the mechanism, as commissions

were often created for short-term media or political purposes in response to public scandals or crises.

As of February 2022, parliamentary oversight was recognised as one of the weakest elements of Ukrainian parliamentarism. Reports by the European Commission noted that “the political, institutional, and administrative environment remains under pressure. The efficiency and effectiveness of parliamentary oversight of the executive remain limited.” Similar conclusions were drawn by SIGMA ([link](#)), which emphasised the need for Parliament to develop independent expertise and systematic policy monitoring mechanisms.

Thus, before the start of the full-scale war, the Ukrainian parliamentary system was characterised by high legislative productivity but weak oversight capacity. This imbalance created the preconditions for a further shift of power during wartime, when the executive branch acquired extraordinary powers and the Parliament had to adapt its oversight mechanisms to the new realities.

## 2. Laws and regulations

The Government and the Parliament interact at all stages of the legislative process, and the overall effectiveness of public policy largely depends on the quality of this interaction. The planning phase of legislative work is addressed in detail in another section; therefore, this chapter focuses specifically on parliamentary oversight mechanisms.

### Programme of Activities of the Cabinet of Ministers

The Programme of Activities of the Cabinet of Ministers of Ukraine is the principal document defining the Government’s policy agenda. It serves as the foundation for both medium-term action plans (covering a three-year period) and annual priority action plans (for up to one year). The Programme should clearly outline governmental priorities and contain measurable goals, objectives, performance indicators, and implementation deadlines.

Approval of the Programme by Parliament is an expression of political confidence in the Government and temporarily grants it “immunity” from motions of no confidence or accountability proceedings. The Programme also forms the basis for the Cabinet’s annual reports to Parliament, making it one of the central instruments of parliamentary control.

### “Question Hour to the Government” (Question Time)

Under Article 229 of the Rules of Procedure of the Verkhovna Rada, a weekly Question Time to the Government is held every Friday from 10:00 to 11:00 during plenary sessions. The Cabinet of Ministers is required to participate in full (except for members unable to attend for valid reasons). Questions may only concern topics pre-approved by the Conciliation Council of Parliamentary Factions.

Key provisions include:

- Questions from parliamentary factions (groups) and corresponding answers – up to 30 minutes;
- Questions from individual MPs and answers – up to 30 minutes;
- Each faction (group) has a guaranteed right to submit one question (oral or electronic).

This mechanism provides a channel for direct dialogue between Parliament and the Government and remains one of the most visible forms of political accountability.

### Temporary Investigative and Special Commissions (TIC/TSC)

Pursuant to Article 89 of the Constitution and Article 87 of the Rules of Procedure, Parliament may establish temporary commissions composed of MPs to investigate issues of public concern or to conduct preliminary consideration of specific matters.

The Law of Ukraine “On Temporary Investigative Commissions and Temporary Special Commissions of the Verkhovna Rada of Ukraine” regulates their work:

- Article 1 defines commissions established to exercise parliamentary control through investigations (TICs) or to prepare draft laws (TSCs);
- Article 4 stipulates that an investigative commission is created upon approval by at least one-third of the constitutional composition of the Verkhovna Rada;
- Article 24 authorises a special commission to perform the functions of the lead committee on the issue for which it was established.

These commissions enable Parliament to initiate in-depth investigations or analyses of governmental activity, implementation of state programmes, or actions of executive agencies.

### MP’s Inquiry and Request

According to Article 86 of the Constitution, Members of Parliament have the right to submit official inquiries to state bodies, including the Cabinet of Ministers, requesting information, explanations, or reports. Deputy inquiries serve as an important tool for day-to-day oversight, allowing MPs to monitor policy implementation and demand corrective action where necessary.

It is also necessary to understand an important distinction exists between an MP’s inquiry and an MP’s request. An inquiry is an individual appeal by an MP to a state body or official seeking information or assistance; it must be examined and answered within the statutory deadline but does not require consideration by Parliament. By contrast, a parliamentary request is a formal instrument of oversight adopted by the Verkhovna Rada upon an MP’s or a group of MPs’ initiative. Once approved by Parliament, it becomes binding for the addressee, who must provide

a detailed and reasoned response. Thus, while an inquiry is a personal communication of an MP, a request reflects the will of Parliament and carries significantly greater political weight.

### Annual and Ad Hoc Reports to Parliament

Section 38 of the Rules of Procedure outlines procedures for hearing annual and ad hoc reports from the Cabinet of Ministers. Section 38-1 specifies other agencies obliged by law to report to Parliament, including:

1. Director of the State Bureau of Investigation;
2. Prosecutor General;
3. Head of the Security Service of Ukraine;
4. Chair of the Antimonopoly Committee;
5. Chair of the State Property Fund;
6. National Council of Ukraine on Television and Radio Broadcasting;
7. Governor of the National Bank of Ukraine.

Moreover, before being heard by the parliament these reports are presented to the responsible committees, which strengthens it as an instrument of oversight.

### Summoning Ministers and Government Hearings

While there is no stand-alone statute regulating the procedure for summoning ministers, both the Rules of Procedure of the Verkhovna Rada and the Law of Ukraine "On the Cabinet of Ministers of Ukraine" stipulate that members of the Cabinet must participate in parliamentary activities, submit regular reports, and appear before Parliament when summoned.

### Motion of No Confidence

A motion of no confidence is the most powerful instrument of parliamentary control over the executive. Under Article 14(4) of the Law on the Cabinet of Ministers of Ukraine, if Parliament adopts a resolution of no confidence, the Cabinet automatically resigns. In practice, this mechanism has been used only a few times since independence (e.g., the Governments of Viktor Yushchenko in 2001 and Arseniy Yatsenyuk in 2016). Because of the high voting threshold and the need for broad political consensus, such motions often serve more as political signals than as routine oversight tools. Nonetheless, their existence underpins Parliament's ultimate authority to hold the Government politically accountable.

### Parliamentary Committees and External Oversight Bodies

The Verkhovna Rada establishes standing committees to perform legislative drafting, conduct preliminary reviews of matters within their jurisdiction, and exercise oversight functions as defined by the Constitution.

Two institutions perform external parliamentary control on behalf of the Rada:

- The Accounting Chamber, which oversees the use of State Budget funds;
- The Parliamentary Commissioner for Human Rights (Ombudsman), who monitors compliance with constitutional human rights and freedoms.

Based on constitutional and legislative provisions, Ukraine's parliamentary oversight mechanisms can be classified as follows:

1. Political oversight of executive and administrative bodies, subdivided into:
  - 2.1 Oversight exercised collectively by Parliament and its committees;
  - 2.2 Individual oversight conducted by MPs (e.g., through inquiries).
2. External parliamentary control, implemented via independent bodies accountable to Parliament (e.g., the Accounting Chamber and Ombudsman).
3. Post-legislative scrutiny – monitoring the implementation and effects of adopted legislation. This mechanism is underdeveloped as it is not rooted either in law and regulations nor in traditions. Therefore, it is exercised de-facto when MPs monitor how the laws are implemented either individually, or within working groups, investigative commissions, and committees.

### **3. The changes 2022–2025: key tendencies**

The start of Russia's full-scale aggression against Ukraine profoundly transformed the interaction between the Verkhovna Rada and the Cabinet of Ministers. For security reasons, the Parliament's working mode shifted to a closed or semi-closed format: plenary sessions were no longer broadcast live, transcripts were not published in real time, and access for outsiders was strictly limited. These restrictions inevitably affected the transparency of parliamentary work and weakened its control functions.

Between 2022 and 2025, parliamentary oversight experienced a dual process – an initial phase of functional limitation during the height of martial law, followed by a gradual recovery as political and institutional stability improved.

#### **Enhanced Executive Powers**

From the beginning of the war, all state institutions operated as a single management mechanism, with the Government, Parliament, and the Presidential vertical functioning in close coordination. In such conditions, traditional parliamentary oversight temporarily lost its priority, giving way to the need for swift decision-making.

Under the Law of Ukraine "On the Legal Regime of Martial Law" (Articles 8–12), the Government and the military command received extended powers to manage resources, restrict certain rights, and coordinate the activities of state bodies. This

naturally strengthened the executive branch and reduced the frequency of parliamentary oversight activities.

Parliament also delegated, on several occasions, rule-making powers traditionally reserved for the legislature to the Cabinet of Ministers. This delegation enabled the Government to promptly regulate critical areas during wartime but raised concerns about the balance of powers and democratic accountability. A rather recent example is Law No. 3869-IX (17 July 2024), which temporarily authorised the Government to determine which types of economic activity required licenses or could operate on a declarative basis.

### Shifts in Legislative Activity and Political Balance

The full-scale invasion led to a sharp intensification of legislative activity. In 2022 alone, Parliament adopted 387 laws – the highest annual figure of the 9th convocation ([OPORA, 2024](#)).

While the President delegated most domestic policy initiatives to the Cabinet and MPs, the Verkhovna Rada effectively became a “voting machine”, with limited political debate and accelerated adoption procedures ([Parlament.org.ua, 2024](#)). Many laws were passed under expedited procedures, often without a second reading. Although the President’s formal legislative role appeared to diminish, the influence of the Presidential Office on political priorities and legislative strategy in practice increased, as acknowledged by both government and parliamentary sources.

Technically, MPs remained the primary initiators of legislation – largely for procedural convenience. Submitting initiatives through MPs allowed faster registration and adoption, bypassing lengthy Cabinet-level reviews. In 2022, 1,811 bills were registered: 87% initiated by MPs, 7% by the Cabinet, and 3% by the President. This distribution remained stable through 2023–2024: 2023: 87% by MPs, 10% by the Government, 3% by the President. 2024: 86% by MPs, 12% by the Government, 3% by the President.

### Transformation of “Question Time to the Government”

During the first months of the war, Question Time to the Government was suspended. Due to security restrictions and the closed nature of plenary sessions, ministers no longer appeared in public, and open sessions were replaced by informal consultations between faction leaders and members of the Government. For nearly 20 months (March 2022–October 2023), this format existed only through working meetings within the Conciliation Council or factional gatherings. The first open Question Time session after the full-scale invasion took place on 6 October 2023, symbolising a cautious return to normal parliamentary practice. Nevertheless, the instrument remains largely symbolic. Attendance is often low, with MPs publicly sharing photos of near-empty halls and criticising the Cabinet’s absence. In some cases, the topics of Question Time were changed by the

Secretariat at the last minute without transparent explanation, undermining its credibility as an oversight mechanism.

### Lack of a Government Programme

Throughout martial law, the Cabinet of Ministers operated without an approved Programme of Activities, as required by Article 87 of the Constitution and Article 11 of the Law “On the Cabinet of Ministers of Ukraine”. This deprived Parliament of a key basis for systematic evaluation of the Government’s performance. A major change occurred in 2025, following the first full government reshuffle since the invasion. In July 2025, Parliament accepted the resignation of Prime Minister Denys Shmyhal and his Cabinet, appointing Yuliia Svyrydenko as the new Prime Minister. On 23 September 2025, the new Government submitted a 16-month Action Programme containing 12 priorities, 16 goals, and 129 tasks (CMU Resolution No. 1173–2025–II). Its adoption restores the legal foundation for annual government reporting to the Verkhovna Rada and represents a step toward revitalising parliamentary oversight.

### Deficit of Accountability

Between 2022 and 2024, personnel changes in the Cabinet were fragmented and opaque. Ministers and deputies were frequently replaced, ministries merged or dissolved, yet few outgoing officials presented reports before dismissal. Most rotations occurred without parliamentary debate or committee hearings – contrary to the accountability principles enshrined in Article 85 of the Constitution. Moreover, non-attendance of ministers at committee meetings remains a persistent problem. According to the Chesno Movement, between 2024 and 2025, the Rada summoned at least 21 senior officials (mostly ministers), but only half appeared.

On 3 September 2025, Parliament adopted Bill No. 11387, introducing fines of UAH13,000–17,000 for officials who ignore parliamentary summons without valid reasons (229 votes in favour). However, President Volodymyr Zelensky vetoed the bill, arguing that such non-attendance “is not an administrative offence” and warning against the excessive powers this would grant to parliamentary staff in determining “valid reasons” ([Ukrainska Pravda, 2025](#)).

### Rise of Temporary Investigative and Special Commissions

The institution of Temporary Investigative and Special Commissions (TICs/TSCs), established by Article 89 of the Constitution and Law No. 399-IX (2019), has become one of the most widely used oversight mechanisms, fostering cross-party cooperation. During the 9th convocation (2019–2025), Parliament created 38 Temporary Investigative Commissions and 23 Temporary Special Commissions; only 23 existed before 2022, indicating a surge of activity during wartime. A notable improvement is the increased transparency of these bodies: many now hold public briefings and publish interim findings, enhancing public accountability.

## Changes in the role of MP's Requests

After 24 February 2022, the number of MP's requests dropped sharply but gradually increased as parliamentary work stabilised. According to the official portal [rada.gov.ua](http://rada.gov.ua), the number of registered inquiries grew from 87 in the 8th session to 303 in the 13th. However, many were symbolic in nature (e.g., on awards and commendations), suggesting partial recovery of the instrument rather than full restoration of its oversight function.

## New Formats of Coordination and Oversight

In September 2025, following the formation of the new Government, a Coalition Council began operating as a coordination platform that includes the leadership of the Verkhovna Rada, heads of majority factions, committee chairs, and representatives of the Cabinet and the Presidential Office. Although this format lacks a formal legal basis, it aims to improve political coordination between branches of power and enhance the monitoring of legislative priorities ([Ukrainska Pravda, 2025](#)).

## Legislative Monitoring and Post-Legislative Scrutiny

In August 2023, the Verkhovna Rada adopted the Law "On Law-Making", which systematises approaches to legislative drafting and, for the first time, introduces a legal framework for monitoring the implementation of laws (post-legislative scrutiny). Its entry into force, however, has been postponed until the end of martial law.

This innovation opens a potentially new stage in the evolution of parliamentary control – shifting focus from the formal adoption of laws toward evaluating their impact and effectiveness continuously. The Secretariat of the Verkhovna Rada and the Research Service are currently developing methodologies to operationalise this process.

## 4.Cases

### 4.1. Case. Temporary Special Commission on Protecting the Rights of IDPs and Other Victims of Russian Aggression

(Report: [VRU, document 75675](#))

The Temporary Special Commission (TSC) used hearings, field visits, and legislative drafting to address systemic shortcomings in state support for internally displaced persons (IDPs) and other victims of Russian aggression. After analysing the current IDP law, the Commission drafted a new bill on ensuring IDPs' rights and freedoms, presented it at a public forum, and forwarded it to the Prime Minister and regional administrations; after revisions, it was formally registered in Parliament.

The TSC convened hearings with military administrations from Dnipropetrovsk, Luhansk, Donetsk, Odesa and other regions to assess both needs satisfaction and budget execution. In Odesa, the Commission inspected temporary housing sites,

instructed the regional administration to remedy facilities that failed to meet standards, and called for legislation defining the status and functions of IDP councils. A field visit to Lysychansk uncovered suspected misappropriation of over UAH 72 million in housing funds; subsequent investigations led to the dismissal of the local military administrator, while the Commission directed the Luhansk regional head to personally oversee and revise the housing-support programme to improve efficiency and expand coverage.

Beyond fact-finding, the Commission used its oversight mandate to drive broader policy change. It recommended that the Cabinet of Ministers revise the operational plan of the National Displacement Strategy (2023–2025) due to under-implementation, and criticised the slow execution of the 2025 strategy, urging an extension of the application period for IDP housing assistance. It pressed for expanded consular staffing and digitalisation of services to better support millions of Ukrainians abroad and insisted that the education ministry safeguard the right to schooling for children in temporarily occupied and de-occupied areas, deeming a 2024 wartime schooling order unacceptable. Internationally, the Commission advocated at inter-parliamentary forums for confiscation of Russian assets to finance Ukraine's recovery.

Taken together— legislative initiative, on-the-ground inspections, budget oversight, and international advocacy—this case shows how a parliamentary body can expose mismanagement, influence policy, and ensure that wartime victims receive meaningful state support.

#### **4.2. Case. Reporting (or the Lack Thereof) before Resignation**

The problem of government accountability to Parliament became especially visible during the first “reboot of power” in 2025: none of the departing ministers presented a full report on their performance to the Verkhovna Rada, as expected under democratic oversight practice. Some even ignored the session at which their resignations were considered. On 16 July 2025, the Verkhovna Rada accepted the resignation of Prime Minister Denys Shmyhal, who had headed the Government for more than five years—the longest tenure among prime ministers of independent Ukraine. No report was presented to Parliament, further highlighting a formalistic approach to Cabinet accountability.

Previously, only a few ministers adhered to the reporting practice—Oleksandr Tkachenko (Minister of Culture and Information Policy) and Mykola Solskyi (Minister of Agrarian Policy and Food). The episode underscores the instability of accountability culture: the absence of regular reporting weakens the Rada's control function and undermines public confidence in the executive.

#### **4.3. Case. Committee on Ukraine's Integration into the European Union**

The Verkhovna Rada Committee on Ukraine's Integration into the EU demonstrates an example of active and substantive control over the implementation of government decisions in the field of European integration policy. One of the key

areas of the committee's work has been monitoring the implementation of the Integrated Border Management Strategy (IBM Strategy), a document of strategic importance for the implementation of the Association Agreement and further approximation to EU standards.

This is not just about the technical equipment of border crossing points. The strategy covers a range of issues:

- customs reform;
- cooperation between border, customs and other services;
- data transfer and digitisation of procedures;
- anti-corruption measures;
- simplifying border crossing for citizens and businesses.

Civil society organisations monitoring IBM implementation note that, thanks to the Committee's systematic scrutiny, the Government has maintained momentum on the Strategy rather than shelving it among competing priorities. The Committee regularly holds hearings, initiates inquiries and agenda discussions at the Conciliation Council, and demands accountability from responsible executive bodies.

The Committee's chair—a former Deputy Prime Minister for European and Euro-Atlantic Integration—brings direct experience in strategy development, strengthening the technical depth and credibility of oversight. As she put it, "It was critically important to me that the Strategy did not remain on paper but became a real working document. That is why the Committee systematically monitors this issue." Importantly, she is a member of the opposition faction, which imposes certain entanglements on her role as committee chair.

This case demonstrates that even during wartime, Parliament can exercise effective oversight through its committees—provided there is political will, domain expertise, and personal responsibility within the committee leadership.

## 5. Conclusions

The European Commission's Enlargement Report ([2024](#)) notes that the Verkhovna Rada of Ukraine continues to function effectively even under wartime conditions. However, its oversight capacity has been significantly weakened. Systematic impact assessments of draft laws, post-legislative monitoring, and in-depth policy analysis remain absent. Oversight often occurs informally, primarily through consultations between factions and the Government rather than through institutionalised procedures.

The EU recommends that Ukraine:

- introduce mandatory impact assessments for laws both before and after adoption;
- standardise the format of annual ministerial reports;
- approve annual oversight plans for parliamentary committees;

- and restore opposition rights restricted under martial law (e.g., foreign missions and committee representation), as these limitations undermine the effectiveness of parliamentary diplomacy.

The full-scale war has shifted the Parliament's focus to legislation, while traditional oversight tools—parliamentary hearings, inquiries, and temporary investigative commissions—have been deprioritised in the name of national unity and institutional security.

“Question Time” to the Government had been suspended for an extended period; Temporary Investigative Commissions were formed (notably to oversee the use of international aid and investigate war crimes), but their activities remained non-public. While such confidentiality was justified by security concerns, the restoration of effective parliamentary control will be an essential task after the end of hostilities.

At the same time, experts and politicians emphasise that the core weakness of the oversight function lies in the limited institutional role of the Verkhovna Rada, despite an adequate legal framework. Not all oversight instruments are fully implemented. The war has intensified the trend toward centralisation of power, temporarily constraining traditional parliamentary checks and balances.

Nonetheless, since 2023, a gradual restoration of institutional normalcy has been observed:

- Question Time to the Government has been reinstated;
- the Law “On Law-Making Activities” was adopted, establishing a foundation for post-legislative monitoring;
- and a new Programme of Activities of the Cabinet of Ministers has been submitted to Parliament.

These developments signal a return to a culture of accountability, which should become an integral component of Ukraine's post-war political cycle. However, public demand for parliamentary control remains low—citizens rarely expect MPs to hold the Government publicly accountable, which diminishes the political incentives to exercise oversight effectively.

A systemic problem also persists in the inconsistency between the Rules of Procedure of the Verkhovna Rada and the Constitution of Ukraine. Following the reinstatement of the 2004 Constitution (in 2014), provisions enabling the dismissal of individual ministers—removed in 2010—were never reintroduced into the Rules of Procedure. As a result, no clear parliamentary procedure currently exists for ministerial dismissal.

Furthermore, the Law on Law-Making Activities, adopted on 24 August 2023, aims to unify the procedures for assessing the effectiveness of legislation after wartime ends. Yet the need for post-legislative scrutiny is particularly acute during

wartime. The Verkhovna Rada has enacted numerous laws that substantially expanded the discretion of executive bodies, often without establishing sufficient mechanisms for parliamentary oversight over these new powers.

Therefore, even under martial law, partial implementation of the oversight mechanisms envisaged by the Law on Law-Making Activities would benefit the institution of Parliament.

At the level of political culture, the challenge manifests as a lack of mutual respect between branches of power. As one committee chair noted: "If a minister—or at least a deputy minister—fails to attend a committee meeting without valid reason, we simply do not consider their issues." Similarly, people in the Government often perceive the Parliament as a "voting machine" and assume that MPs shall vote for the Government initiatives *per se*.

This is not merely a procedural matter but a question of institutional respect. If the Speaker consistently demanded full Government attendance at plenary sessions, such behaviour would become standard practice. The Speaker and the Government (or the Prime Minister) care for the President's opinion and not for each other's. However, the absence of political will within these two actors reinforces a formalistic approach: when the Government and Parliament mutually tolerate non-accountability, oversight becomes a ritual rather than a real mechanism of control.

Ultimately, restoring effective parliamentary oversight requires more than procedural reform. It demands a renewed culture of responsibility, respect, and institutional equality between the legislative and executive branches. In other words, it requires reconsidering the whole checks and balances system. Without this, even the most progressive legislative reforms will remain declarative rather than transformative.

## CHAPTER IV. PLANNING THE WORK OF PARLIAMENT: KEY TRENDS DURING WARTIME

### 1. Before the martial law

Before martial law was introduced, the Verkhovna Rada of Ukraine operated according to a clear and predictable schedule of regular sessions and plenary meetings. In accordance with the Constitution of Ukraine, Parliament convened twice a year for regular sessions — in spring and autumn (beginning on the first Tuesday of February and the first Tuesday of September).

Each session was governed by a Calendar Plan of Work — a document specifying the timing of plenary weeks, committee activities, and periods allocated for MPs to work with their constituencies. Under normal circumstances, plenary sessions were held during designated weeks — typically from Tuesday to Friday of the first and third weeks of each month — while the remaining weeks were reserved for committee work and constituency engagement. On Mondays during plenary weeks, meetings of the Conciliation Board were held to determine and coordinate the agenda for the week.

A major innovation introduced during the IX convocation was the formalisation of annual legislative work plans of the Verkhovna Rada. Starting in 2020, Parliament began approving an annual plan of legislative activity — a comprehensive list of priority policy areas and draft laws for the year. This initiative, actively promoted by Ruslan Stefanchuk (then First Deputy Chairman of the Verkhovna Rada and, since October 2021, its Speaker), aimed to enhance the systematic planning and quality of lawmaking. The first such plan was adopted for 2020, followed by one for 2021, and became informally known as the “Stefanchuk Plan.”

Committees submitted their proposals by 31 December of the previous year, taking into account the Government’s Programme of Activities and the Cabinet of Ministers’ legislative agenda. At the start of each regular session (on the first Tuesday in February), the Speaker presented the annual plan for approval by the Verkhovna Rada, as agreed by the Conciliation Board. In January of the following year, committees reported on progress in implementing the previous year’s plan. In practice, however, implementation rates were modest. For example, in 2021, out of 376 planned draft laws, only 156 (around 41%) were registered by September, and 21 (approximately 6%) were eventually adopted. Despite the low execution rate, experts viewed the introduction of planning as a positive institutional development. It served as a coordination tool among Parliament, the Government, and the President, aligning Ukraine with European standards for legislative quality and planning.

At the same time, the Rada continued to face challenges of legislative overload. MPs frequently registered large numbers of unscheduled initiatives in addition to those in the plan, placing excessive strain on parliamentary committees. The Conciliation Board played a crucial role in prioritising and scheduling the most urgent or well-prepared draft laws for plenary consideration.

Overall, in peacetime, parliamentary work was guided by clear regulations, procedural order, and predictability. This structured approach not only facilitated coordination across branches of power but also established the foundation for a more strategic, results-oriented legislative process, which was later disrupted by the onset of full-scale war.

## 2.Laws and Regulations

The main form of activity of the Verkhovna Rada of Ukraine is the plenary session – a regular meeting of the MPs held during parliamentary sessions, according to established procedures, at a specified time and place. Plenary sessions consider matters within the constitutional powers of the Verkhovna Rada, and decisions on these matters are taken through voting by the MPs

According to Article 84 of the Constitution of Ukraine, meetings of the Verkhovna Rada are held openly, while closed sessions may be conducted upon a majority vote of the constitutional composition of the Rada. Decisions are adopted exclusively at plenary sessions through personal voting by MPs. Under Article 91 of the Constitution, the Verkhovna Rada adopts laws, resolutions, and other acts by a majority of its constitutional composition, except in cases otherwise specified by the Constitution. The constitutional composition of the Verkhovna Rada comprises 450 people’s deputies, elected through universal, equal, and direct suffrage by secret ballot for a term of five years (Article 76).

In accordance with Article 2 of the Rules of Procedure, sessions of the Verkhovna Rada are held in the main parliamentary building at 5 Hrushevsky Street, Kyiv. However, by a majority decision of MPs, sessions may be held elsewhere. Under martial law or extraordinary circumstances (as specified in Article 83 of the Constitution), the Verkhovna Rada may convene extraordinary sessions at a location determined according to the Rules of Procedure.

### Legislative Work Plan

The concept of an annual legislative work plan was formally introduced into the Rules of Procedure in October 2019 (Law No. 162-IX). The newly added Article 19-1 established the procedure for preparing and approving the Plan. At the beginning of each February session, the Verkhovna Rada approves the legislative work plan submitted by the Speaker, agreed upon by the Conciliation Council, and formed based on proposals from committees and the Cabinet of Ministers.

The Plan includes:

- a list of issues requiring legislative regulation;
- justifications for the necessity of draft laws;
- tentative titles and deadlines for submission;
- responsible entities for drafting; and
- the priority level for parliamentary consideration.

The approved Plan serves as a guiding document for session agendas and the plenary schedule. Committees must submit annual reports on implementation by the end of January each year.

Each legislative plan is formalised through a parliamentary resolution (e.g., Resolution No. 2036-IX of 15 February 2022 for the 2022 Plan; Resolution No. 2910-IX of 7 February 2023 for the 2023 Plan). These resolutions not only approve the Plan but also include instructions and recommendations for committees and the Government regarding its implementation. While this framework provides a structured and disciplined approach to legislative planning, its effectiveness depends heavily on political will and circumstances – a dependency that became particularly evident during wartime.

### The Conciliation Council of Parliamentary Factions and Groups

Plays a crucial role in organising the work of the Verkhovna Rada. It is an advisory body responsible for the preliminary coordination of organisational and procedural matters related to parliamentary activity. Its legal status is defined by Article 73 of the Rules of Procedure.

The Council consists of:

- the Speaker of the Verkhovna Rada (Chair);
- the First Deputy and Deputy Speakers;
- leaders of parliamentary factions and groups (with voting rights);
- and committee chairs (with advisory votes).

In the absence of a faction leader or committee chair, their deputies may participate. Meetings are valid when at least half of voting members are present. The Council usually meets every Monday before plenary weeks, and its sessions are chaired by the Speaker or one of his deputies. Deputies who are not Council members may attend, participate in discussions, and submit proposals for session agendas.

Proposals for the Council's agenda must be submitted at least four days before the meeting, and members receive preparatory materials three days in advance.

The main functions of the Conciliation Council include:

1. agreeing on the draft legislative work plan and recommending it for parliamentary approval;
2. developing proposals for the session calendar, session agenda, and weekly schedule;
3. coordinating personnel matters concerning committee leadership;
4. initiating extraordinary plenary sessions;
5. addressing issues of MP attendance;
6. proposing parliamentary hearings; and
7. resolving other organisational matters related to the Rada's operation.

Decisions of the Council are made by consensus, weighted by the size of factions. A decision is considered adopted when the votes of faction leaders supporting it represent a majority in the chamber.

In practice, the Conciliation Council serves as the main platform for inter-party agreement on legislative priorities and the plenary agenda. Under normal conditions, its meetings were open to the press, broadcast live on the Rada TV Channel, and transcripts were published on the official website – ensuring transparency and public trust in the process of agenda formation.

Additional acts regulating the work of the Verkhovna Rada include:

- the Law “On the Status of MPs”, defining MPs’ rights and obligations (including attendance and participation in plenary sessions and committees); and
- the Law “On Committees of the Verkhovna Rada of Ukraine”, which governs the organisation, planning, and reporting of committee activities.

These laws require MPs to participate actively in legislative work, and committees to plan, implement, and publicly report their activities.

However, the core mechanisms of legislative planning and coordination are embedded within the Rules of Procedure, particularly through the provisions on annual legislative planning and the Conciliation Council. It was precisely these mechanisms that required swift adaptation or circumvention in response to the extraordinary conditions of wartime.

### **3. The Changes 2022–2025: Key Trends**

#### **Continuity of Parliamentary Work**

The outbreak of Russia’s full-scale war against Ukraine required an immediate and profound restructuring of parliamentary operations. On 24 February 2022, the day of the invasion, members of parliament convened an extraordinary session and made several historic decisions. In addition to approving the introduction of martial law, the Verkhovna Rada adopted an unprecedented procedural resolution – not to close the plenary session, but to keep it open indefinitely.

This decision created a de facto “continuous plenary session”, which formally remains in effect to this day. The Speaker of the Verkhovna Rada was granted the authority to independently determine the time, place, and voting procedure for subsequent meetings. This flexible mechanism enabled parliament to continue functioning under extreme conditions without the need to formally open and close new sessions, thereby ensuring institutional continuity in a time of existential crisis.

#### **Suspension of the Calendar and Schedule**

For security reasons, the Verkhovna Rada suspended the publication of all session schedules and calendar plans. From February 2022, all plenary sessions were held

in closed format, without live broadcasts or public announcements. Due to missile attacks and the siege of Kyiv, the Rada did not approve session calendars or publish agendas or dates of upcoming sittings.

Information about parliamentary meetings became classified, and citizens learned about them only retrospectively, through post-factum publications of voting results and adopted laws. By 2023, the parliament gradually returned to a more stable internal schedule, including planned committee work and plenary sittings. However, these schedules remained internal documents, subject to frequent adjustments due to security risks and the extensive international travel of parliamentary leadership.

### New Format of Plenary Work

The continuous session format introduced in 2022 required legal clarification. In February 2023, the Verkhovna Rada adopted Resolution No. 2912-IX “On Certain Issues of Organising the Work of the Verkhovna Rada of the Ninth Convocation under Martial Law.” This act institutionalised wartime procedures by defining a single plenary session per regular session, punctuated by recesses instead of formal closures.

The resolution also established:

- a procedure for forming the agenda for each subsequent plenary sitting following a break; and
- restrictions on public communication — MPs were prohibited from disclosing session details earlier than one hour after the official announcement of a recess.

Despite these measures, some MPs occasionally published information prematurely on social media, violating confidentiality requirements. Formally, this multi-year continuous session deviates from the Rules of Procedure, which do not envisage an “endless” sitting. Yet, this extraordinary deviation was justified as a temporary necessity, allowing parliament to maintain efficiency under martial law.

### Reduction in Plenary Days and Debates

The frequency and duration of plenary sessions were drastically reduced during wartime. In March 2022, the Rada held only a few short sittings, gradually increasing activity by April–May. Sessions typically lasted several hours — occasionally up to 10–12 hours — but overall plenary time was considerably less than in peacetime. Interruptions due to air raid alerts and the need for quick decision-making led to streamlined legislative procedures. Lengthy debates were largely abandoned: MPs often voted on bills without extended discussions or speeches “for” and “against.” Substantive debates shifted to committees or internal consultations. Initially, there was a broad political consensus: during early 2022, most laws were adopted by constitutional majorities exceeding 300 votes, including opposition. By late 2022, as normal political discourse gradually

resumed, critical voices reappeared, but the compressed plenary format persisted — prioritising unity, safety, and efficiency.

### Adaptation of Legislative Planning

The imposition of martial law effectively suspended the implementation of the 2022 Legislative Work Plan, approved just a week before the invasion (15 February 2022). Most planned legislative initiatives were postponed as parliament shifted its focus to urgent “war laws” on defence, mobilisation, economic stability, volunteer support, and emergency regulation. The 7th session (February–July 2022) broke records, adopting 229 laws, most of them within minutes of consideration — over 90% were voted on in the first reading in under two minutes. Early wartime sessions demonstrated exceptional unity, with nearly all acts adopted by overwhelming majorities (279–363 votes). Over time, parliamentary activity regained balance. By mid-2022, the Rada returned to addressing European integration, economic, and social legislation, restoring a measure of strategic planning alongside urgent wartime lawmaking.

Despite ongoing war, the Verkhovna Rada continued approving annual legislative work plans:

- 2023 Plan (7 February 2023),
- 2024 Plan (6 February 2024),
- 2025 Plan (February 2025, IX Session).

These plans incorporated wartime priorities — including defence, sanctions, reconstruction, victim assistance, and EU-aligned reforms. However, implementation remained limited: many planned items were repeatedly postponed in favour of urgent, situational legislation. As a result, formal planning continued, but actual execution lagged behind, reflecting the parliament’s focus on flexibility over predictability.

### Transformation of the Conciliation Council during the full-scale war

The Conciliation Council underwent significant transformation during wartime. In early 2022, it became the primary forum for substantive discussions and coordination between factions, effectively compensating for the reduction of plenary debates.

Meetings often lasted three to five hours, serving as a filter and quality control mechanism for proposed legislation. Draft laws deemed insufficiently developed or controversial were removed from the agenda and returned to committees for revision.

This new dynamic produced two key effects:

1. The technical quality of laws improved, as only well-prepared drafts advanced to the plenary stage;

2. The political weight of the opposition increased, as consensus at the Conciliation Council became essential to secure the necessary votes.

During the initial months of the war, the majority and opposition jointly prioritised unity, often resolving contentious issues “behind closed doors.” Although wartime meetings of the Council were closed to the press, with transcripts delayed or unpublished, participants and observers note a marked increase in constructiveness. The Council evolved from a procedural body into a strategic platform for cross-party dialogue, ensuring continuity and quality in legislative decision-making.

According to the Legislative Initiatives Laboratory (2023), this “closed but constructive” model became a de facto mechanism of extra-regulatory legislative coordination, compensating for the suspension of full second readings. In practice, it sustained both the efficiency and deliberative quality of the legislative process during one of the most challenging periods in Ukraine’s modern history.

## 5. Conclusion

The experience of 2022–2025 revealed both the resilience and adaptability of the Ukrainian Parliament in wartime, as well as several systemic challenges.

Before the war, the Verkhovna Rada functioned according to a clear and predictable framework of sessions and annual legislative plans. The onset of war forced it to depart from this rigid system. Although the legislative agenda has formally been maintained and continues to be adopted annually, its practical role has decreased as operational and crisis-related needs took precedence. The session calendar was effectively suspended, and the parliament switched to an ad hoc mode, responding to challenges in real time.

However, as the situation gradually stabilised, signs of a return to planning began to emerge. A legislative work plan has been restored, internal schedules for sessions are now in place, and by 2025 the parliament is functioning more systematically — closer to its pre-war rhythm. The 11th–13th sessions (2024–2025) marked a cautious but visible return to a more “peaceful” and structured pace of work, balancing flexibility with planning.

Wartime conditions also strengthened informal mechanisms of decision-making. The official procedural rules could not keep up with the urgency of the situation, prompting the emergence of extra-procedural practices. The most significant of these was the continuous plenary session, enshrined in a parliamentary resolution but absent from the Rules of Procedure. Another was the accelerated passage of bills, often with shortened procedures or without a second reading. Internal political coordination also intensified. Agreements between faction and committee leaders became decisive, particularly within the Conciliation Council, which operated behind closed doors. In practice, the Council turned into a “shadow mini-plenary hall”, where the main discussions and political compromises took place before being formally approved through voting. This consensus-based

approach allowed decisions to be made quickly in crisis conditions but simultaneously reduced the visibility and transparency of the legislative process. Experts and MPs acknowledge that the closed format of the Conciliation Council proved far more effective than the pre-war “public shows” it had often become. Without cameras and public posturing, discussions became more constructive and results oriented.

Yet, as Ukraine moves toward recovery, society will expect the restoration of open procedures — online broadcasts, transparent debates, and predictable agendas. The parliament will therefore need to rebuild mechanisms of citizen engagement and accountability while retaining the cohesion and efficiency developed under wartime pressure. This will require a careful balance between openness and the ability to act swiftly when necessary.

Between 2022 and 2025, the Verkhovna Rada demonstrated a remarkable ability to adapt its work and procedures to wartime realities. The main trends were:

- a shift from structured planning to situational decision-making.
- consolidation of the majority and opposition around key national issues;
- the transfer of political debate to closed coordination formats;
- acceleration of the legislative process; and
- a decline in transparency and public participation.

The core challenges remain ensuring the quality of legislation under time pressure, maintaining effective oversight without undermining unity.

As conditions stabilize, a gradual return to regular, rule-based parliamentary work can be observed. By 2023, there were already early signs of openness — for example, delayed publication of meeting videos and selective reporting on committee activities. In 2025, online broadcast of sessions was resumed. After the end of martial law, regular elections will inevitably follow, and it is likely that certain wartime practices will be institutionalised — for instance, the introduction of provisions in the Rules of Procedure defining a special regime for plenary sessions during emergencies, and a revision of the Conciliation Council’s format to retain its efficiency while restoring transparency.

## CHAPTER V. MAINTAINING THE CONSTITUTIONAL STATUS OF PARLIAMENT, DELEGATION OF POWERS, AND RETROACTIVE LEGISLATION

### 1. Before the martial law

According to *Article 75 of the Constitution of Ukraine*, the Verkhovna Rada of Ukraine is the sole body of legislative power in the state. The legislative function belongs exclusively to Parliament, which exercises it through the adoption of laws. *Article 92* defines a range of matters that must be regulated solely by laws adopted by the Verkhovna Rada.

In its *Decision No. 4-rp/2009 of 3 February 2009*, the Constitutional Court of Ukraine stated that the delegation of powers is an important constitutional and legal institution involving the transfer of certain powers from one authority to another. Such delegation does not constitute a permanent transfer; the delegated powers remain those of the delegating authority and may be amended or withdrawn.

If Parliament delegates regulatory or law-making powers to other bodies, such as the Cabinet of Ministers, such delegation must be exceptional and extraordinary in nature, carried out in accordance with the Constitution, limited in time, and subject to parliamentary or judicial oversight.

The constitutional and institutional framework of Ukraine ensured a clear separation of powers between the legislative and executive branches.

- *Article 85* sets out the exclusive powers of Parliament, including adopting laws, approving the state budget, and supervising the government.
- *Article 106* defines the powers of the President of Ukraine as Head of State, while
- *Articles 113* establishes the Cabinet of Ministers as the highest body in the system of executive authorities, responsible to the President and accountable to Parliament within constitutional limits.

In peacetime, parliamentary activity followed the ordinary legislative procedure and maintained the established balance of powers. The executive operated within the boundaries defined by laws adopted by Parliament, without employing extraordinary rule-making mechanisms, except where expressly authorised by statute in specific regulatory areas such as technical standards, pricing, or licensing.

Thus, the delegation of legislative authority in Ukraine is an exceptional constitutional mechanism permitted only under strictly defined conditions and subject to institutional control. Since the adoption of the 1996 Constitution and until 2022, there had been no precedent for transferring Parliament's law-making powers to the executive, confirming the primacy of the Verkhovna Rada as the supreme legislative authority within Ukraine's constitutional order.

## 2. Constitutional guarantees of parliamentary powers under martial law

The scope of authority of the Verkhovna Rada of Ukraine has remained formally intact since the start of the full-scale invasion. The Constitution provides clear guarantees of continuity and protection of Parliament's powers, even during martial law or a state of emergency.

*Article 83 of the Constitution* ensures that if Parliament's term expires during martial law, its mandate is automatically extended until a newly elected Parliament convenes after the termination of martial law.

*Article 12 of the Law on Martial Law* explicitly prohibits restricting Parliament's constitutional powers under martial law<sup>1</sup>.

These provisions ensure institutional continuity and reinforce the Parliament's position as the sole legislative authority. Ukraine's constitutional framework does not permit the transfer of law-making powers to the executive by decree. This approach reflects a deliberate constitutional choice to preserve parliamentary sovereignty even in extraordinary circumstances.

## 3. Evolution of the delegation of legislative powers during the full-scale invasion

Although the constitutional guarantees remained unchanged, the *practice* of exercising legislative powers evolved under wartime conditions. In the first months of the full-scale invasion, the Verkhovna Rada temporarily adopted a more flexible approach, allowing the Cabinet of Ministers to regulate certain areas that normally require parliamentary approval. This delegation aimed to ensure the rapid adoption of rules in areas directly affected by hostilities, such as trade, public procurement, or social protection.

In most cases, such powers were delegated by *explicit legal provisions*, were *temporary*, and remained in force *only for the duration of martial law*. Parliament retained the ability to monitor or revoke these delegations.

Over time, as wartime governance mechanisms became more structured, the frequency of such delegations decreased. From mid-2023 onwards, most sectoral regulation reverted to the standard legislative process, and the Cabinet increasingly operated within the boundaries of pre-war legal frameworks, albeit with certain procedural simplifications.

## 4. Cases of delegation of powers

- Law of Ukraine No. 2142-IX, dated March 24, 2022, prescribes that “temporarily, for the period *until the termination or cancellation of martial law or a state of emergency*:... the Cabinet of Ministers of Ukraine may determine: categories of goods for which customs authorities will not take measures to protect intellectual property rights as provided for in Chapter XIV of this Code; cases

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<sup>1</sup> This law formally approved Presidential Decree No. 64/2022 on the imposition of martial law and includes Article 12, which explicitly prohibits restricting the constitutional powers of the Verkhovna Rada of Ukraine during martial law.

in which prohibitions and restrictions established by Articles 196 and 197 of this Code do not apply, except when an international treaty establishes such prohibitions and restrictions; specific procedures for customs control and customs clearance of goods subject to state export control; and specific application of Article 319 of this Code”.

- Law of Ukraine No. 2181-IX dated April 1, 2022: “*During martial law, the Cabinet of Ministers of Ukraine may establish alternative rules for leasing state and communal property, other than those provided for by this Law*”.
- Law of Ukraine No. 2220-IX dated April 21, 2022: “... *during martial law: ... the Cabinet of Ministers of Ukraine determines the specific procedures for the registration and re-registration of unemployed individuals and for maintaining records of job seekers, as well as the particular rules for the assignment, deferral, reduction of duration, and termination of unemployment benefits, differing from the procedure [established by law]*”.
- Law of Ukraine No. 2526-IX dated August 16, 2022: “... *during the period of martial law in Ukraine and for 90 days following its termination or cancellation, the specifics of procurement of goods, works, and services for contracting authorities under this Law [Law on Public Procurements] shall be determined by the Cabinet of Ministers of Ukraine, ensuring the protection of such contracting authorities from military threats... The specifics of defence procurement during martial law shall be determined by the Cabinet of Ministers of Ukraine, ensuring the protection of state contracting authorities from military threats.*” This Law was amended on February 24, 2023, allowing Parliament’s National Security Committee to request information on defence procurements within 10 working days. This also includes any classified information.
- Law No. 3869-IX dated July 17, 2024: Authorized the Cabinet to define which types of economic activity require licensing or may operate on a declarative basis during martial law.
- Law of Ukraine No. 3853-IX, dated 16 July 2024, on Amendments to Sub-section 2 of Section XX “Transitional Provisions” of the Tax Code of Ukraine regarding exemption from value-added tax for operations involving the import of goods for the needs of production and/or repair of mechanised demining machines, provides that “Temporarily, for the period of martial law in Ukraine ... but not later than 1 January 2026, operations involving the import of goods into the customs territory of Ukraine under the import customs procedure shall be exempt from value-added tax, where the list of such goods, with their codes according to the Ukrainian Classification of Goods for Foreign Economic Activity (UKT ZED), is determined by the Cabinet of Ministers of Ukraine and the imports are carried out under agreements funded by the Secretariat of the Energy Community”.

The law represents a form of temporary delegation of the Verkhovna Rada of Ukraine's authority to determine which goods are exempt from value-added tax upon their importation into the territory of Ukraine to the Cabinet of Ministers of Ukraine.

- Law of Ukraine No. 3869-IX, dated 17 July 2024, "On Amendments to Certain Laws of Ukraine on Simplifying the Conditions for Conducting Business Activities during Martial Law in Ukraine," provides that the Verkhovna Rada of Ukraine amended Article 11 "Final Provisions" of the Law of Ukraine "On the Permitting System in the Sphere of Economic Activity," stipulating, in particular, that "the procedure for submitting a declaration on conducting economic activity, the list of information to be included in it, *the list of specific actions related to economic activity or types of economic activity which may not be carried out on the basis of such a declaration during martial law*, and the specifics of issuing permit documents shall be determined by the Cabinet of Ministers of Ukraine".

Effectively, the Cabinet of Ministers of Ukraine acquired discretionary powers to determine which types of economic activity must be conducted on the basis of licenses or permits, and which may be carried out under a declarative principle. This may be regarded as a delegation by Parliament of its constitutional authority to define the legal foundations and guarantees of entrepreneurship exclusively through law.

Initially, these delegations were instrumental in maintaining state functionality and ensuring flexibility in decision-making. However, they also raised concerns about transparency and accountability. As martial law continued to be extended (*17 times as of October 2025*), discussions emerged within the Parliament regarding the need for clearer temporal limits, reporting obligations, and oversight procedures.

## 5. Retroactive legislation

Laws and other normative legal acts have no retroactive effect, except when they mitigate or cancel the responsibility of a person (Article 58 of the Constitution of Ukraine). The Constitutional Court of Ukraine interpreted this principle in its Decision No. 1-рп/99 dated February 9, 1999, noting that, "according to the generally recognized principle of law, laws and other normative legal acts have no retroactive effect; this principle is enshrined in Part one of Article 58 of the Constitution of Ukraine, according to which the temporal effect of a normative legal act should be understood as starting from the moment this act enters into force and ending when it loses its validity, i.e. a law or another normative legal act applied to an event or fact must have been valid at the point when they occurred or took place" (clause two, paragraph 2 of the rationale).

Compliance with the principle of irreversibility of law in time ensures compliance with legal certainty in this aspect. In some cases, however, normative acts may have a retroactive (retrospective) effect in time, in particular, when a normative

act improves the legal position of a person. A notable feature of wartime law-making has been the use of retroactive provisions to address administrative or fiscal inconsistencies caused by wartime disruptions.

## 6. Cases of retroactive legislation

The practice of adopting laws with retroactive effect under martial law was limited but notable in several legislative areas. Retroactivity was primarily used to correct administrative inconsistencies, ensure fiscal stability, or clarify relations that had arisen earlier during wartime. The following examples illustrate the main types of such regulation.

### 6.1. Case. Retroactive redistribution of personal income tax revenues for defense procurement purposes

The Law of Ukraine *“On Amending the Budget Code of Ukraine to Ensure the Support of the State’s Defense Capability and the Development of the Defense-Industrial Complex of Ukraine”*, which **entered into force on November 19, 2023**, stipulates that clauses four to seven of paragraph 9 of Section I of this Law shall **apply from October 1, 2023**. Provisions having a retrospective effect establish that the part of the personal income tax derived from the taxation of income in the form of financial support, monetary rewards and other payments received by military personnel, police officers, persons of rank and file and commanding officers belongs to the revenues of the general fund of the respective local budgets, is to be credited in full to the special fund of the State Budget of Ukraine and to be directed in the following proportions to the following areas:

from October 1, 2023, to December 31, 2023:

- 50 percent – to the Administration of the State Service for Special Communications and Information Protection of Ukraine for implementing measures for the purchase of special machinery and equipment;
- 50 percent – to the Ministry of Defense of Ukraine for the purchase of artillery systems.

### 6.2. Case. Application of humanitarian aid regulations during martial law

The Law of Ukraine *“On Amending Certain Laws of Ukraine regarding the Importing, Accounting, Distribution of Humanitarian Aid, the Specifics of Taxation of Relevant Transactions and of Reporting”* No. 3448-IX **dated November 8, 2023**. Paragraph 2 of the Section “Final Provisions” of this Law stipulates that the effect of paragraph three of Part two of Article 6, paragraphs 3-1, 3-2, 3-3, 3-4 and 3-7 of Article 15 “Final and Transitional Provisions” of the Law of Ukraine *“On Humanitarian Aid,”* as revised by this Law, shall **apply to relations that arose during the period of martial law introduced by Decree of the President of Ukraine No. 64/2022 dated February 24, 2022** “On the Imposition of Martial Law in Ukraine” dated February 24, 2022, approved by Law of Ukraine No. 2102-IX dated February 24,

2022 “On Approval of the Decree of the President of Ukraine ‘On the Imposition of Martial Law in Ukraine.”

### **6.3. Case. Regulation of inheritance procedures under martial law and retroactive recognition of inheritance rights**

The Law of Ukraine “*On Amending the Civil Code of Ukraine to Improve the Procedure for Opening and Registration of Inheritance*” No. 3450-IX **dated November 8, 2023**, which regulates inheritance relations that arose in connection with martial law, hostilities and the temporary occupation of the territories of Ukraine, also provides for the retrospective effect of certain provisions. This Law stipulates that the provisions of clause one of paragraph 20 of the Section “Final and Transitional Provisions” of the Civil Code of Ukraine also apply to inheritance that opened after the imposition of martial law in Ukraine, prior to the entry into force of the Law of Ukraine “*On Amending the Civil Code of Ukraine to Improve the Procedure for Opening and Registration of Inheritance*,” as well as to inheritance which opened before the imposition of martial law and the acceptance of which did not expire before its imposition, provided that the certificate of the right to inheritance was not issued to any of the heirs; the provisions of clauses one and two of paragraph 21 of the Section “Final and Transitional Provisions” of the Civil Code of Ukraine also apply to inheritance that opened before the entry into force of the Law of Ukraine “*On Amending the Civil Code of Ukraine to Improve the Procedure for Opening and Registration of Inheritance*.”

### **6.4. Case. Restoration of tax audits with partial retroactive reference to pre-enforcement dates**

The Law of Ukraine “*On Amending the Tax Code of Ukraine and Other Laws of Ukraine to Cancel the Moratorium on Tax Audits*” was published on December 7, 2023, **entered into force on December 8**, but the text of the Law itself refers to **the resumption of tax audits from December 1, 2023**. These provisions are not applicable prior to the date of entry into force of the Law, but this surely does not contribute to the legal certainty of the Law.

### **6.5. Case. Ensuring continuity of the judiciary following the reorganization of the Supreme Court**

Paragraph 2 of the Final Provisions of the Law of Ukraine “*On Amending the Law of Ukraine ‘On the Judiciary and the Status of Judges’ in Connection with Decision of the Constitutional Court of Ukraine No. 2-p/2020 dated February 18, 2020, to Ensure the Continuity of the Administration of Justice by the Highest Court in the Judicial System of Ukraine*” stipulates that the provisions of this Law apply to legal relations that arose in connection with the renaming of the Supreme Court of Ukraine to the Supreme Court as well as with the liquidation of the High Specialized Court of Ukraine for Civil and Criminal Cases, the High Economic Court of Ukraine, and the High Administrative Court of Ukraine. In this aspect, the Main Legal Department noted in its opinion that the said provisions disregard the provisions of Article 58 of the Constitution of Ukraine, which stipulates that Laws and other

normative legal acts have no retroactive effect, except when they mitigate or cancel the responsibility of a person.

#### **6.6. Case. Temporary increase in the corporate income tax rate for banks with retroactive application**

The Law of Ukraine *“On Amending the Tax Code of Ukraine Regarding the Specifics of Taxation of Banks and Other Taxpayers”* provides that, based on the results of the tax (reporting) year 2023, the basic (key) rate of the corporate income tax for the purposes of taxation of banks’ income as well as for the application of the provisions of paragraph 57.11 of Article 57 of this Code to banks shall be 50 percent. The Main Legal Department noted in its opinion, “This does not comply with Article 58 of the Constitution of Ukraine, according to which Laws and other normative legal acts have no retroactive effect, except when they mitigate or cancel the responsibility of a person. Moreover, this contradicts the principle of stability of tax legislation established in Article 4 of the Tax Code of Ukraine, according to which changes to any elements of taxes and fees may not be made later than six months before the beginning of the new budget period in which the new rules and rates will apply. Taxes and fees, their rates, as well as tax benefits, may not be changed during the budget year”.

#### **6.7. Extension of new consumer credit rules to previously concluded agreements**

The Law of Ukraine *“On Amending Certain Laws of Ukraine to Improve State Regulation of Financial Services Markets”* provides that the effect of paragraph 5 of Section I of this Law shall apply to consumer credit agreements concluded before the entry into force of this Law if the period of validity of such agreements is extended after the entry into force of this Law.

#### **6.8. Case. Retrospective regulation of relations in the electricity market within the Guaranteed Buyer’s balancing group**

In paragraph 14 of Section I of the Law of Ukraine *“On Amendments to Certain Laws of Ukraine Regarding the Regulation of the Powers of Central Executive Authorities in the Field of Energy Efficiency”*, which amends Section II *“Final and Transitional Provisions”* of the Law of Ukraine *“On Amendments to Certain Laws of Ukraine Regarding the Restoration and ‘Green’ Transformation of Ukraine’s Energy System”*, it is established that:

- “In the event that a participant of the Guaranteed Buyer’s balancing group fails to comply with the requirements of the first paragraph of this clause starting from January 27, 2024, the Guaranteed Buyer shall purchase the electricity supplied and sell the electricity consumed by the power generation facilities or construction stages (commissioning complexes) of such participant, in respect of which the said requirements have not been fulfilled, at imbalance prices formed for the relevant settlement period (hour) in accordance with the market rules, for the period until the

conclusion of the agreement on participation in the Guaranteed Buyer's balancing group concerning such power generation facilities or construction stages (commissioning complexes):

- the purchase of electricity supplied by such power generation facilities or construction stages (commissioning complexes) included in the balancing group shall be carried out at the positive imbalance price;
- the sale of electricity consumed by such power generation facilities or construction stages (commissioning complexes) included in the balancing group shall be carried out at the negative imbalance price.” (paragraphs three to five);
- “The calculation of compensation to electricity producers for deviations of actual hourly volumes of electricity supply/consumption by power generation facilities or construction stages (commissioning complexes) from their daily hourly supply/consumption schedules for the period of their participation in the Guaranteed Buyer's balancing group, starting from September 8, 2022 to January 26, 2024, shall be carried out in accordance with the calculation procedure defined in the standard form of the agreement on participation in the Guaranteed Buyer's balancing group, approved by the National Commission for State Regulation of Energy and Public Utilities, in compliance with the requirements of the Law of Ukraine ‘On Amendments to Certain Laws of Ukraine Regarding the Restoration and ‘Green’ Transformation of Ukraine’s Energy System’.” (paragraph nine).

Thus, these provisions regulate the relations between electricity producers and the Guaranteed Buyer starting from *January 27, 2024*, as well as for the period from *September 8, 2022 to January 26, 2024*, thereby introducing *retrospective regulation* of relations between certain business entities in the electricity market.

#### **6.9. Case. Retroactive empowerment of local authorities to support defense measures during martial law**

The Law of Ukraine “*On Amendments to Certain Laws of Ukraine Regarding the Expansion of the Powers of Local Self-Government Bodies to Support the Security and Defense Sector of Ukraine*”, paragraph 2 of Section II “*Final and Transitional Provisions*” of which stipulates that “*the provisions of part four of Article 12, paragraph 59 of part one of Article 26, subparagraph 1 of paragraph ‘a’ of part one of Article 36 of the Law of Ukraine ‘On Local Self-Government in Ukraine,’ paragraph 28 of Section XIII ‘Final Provisions’ of the Law of Ukraine ‘On Prevention of Corruption,’ as amended by this Law, shall apply to legal relations that arose during the period of martial law <...> before the date this Law enters into force.*” Thus, this law expressly grants *retroactive effect* to certain of its provisions.

#### **6.10. Case. Retroactive application of rules on digital interaction with taxpayers**

Paragraph 2 of Section II *“Final and Transitional Provisions”* of the Law of Ukraine *“On Amendments to the Tax Code of Ukraine and Other Laws of Ukraine to Improve Online Communication with Taxpayers and Clarify Certain Legislative Provisions”* provides that the provisions of subparagraph 1 of paragraph 32 of Section I of this Law (concerning amendments to subparagraph 69.1 of paragraph 69 of Subsection 10 of Section XX *“Transitional Provisions”* of the Tax Code of Ukraine) *apply from September 3, 2023.*

#### **6.11. Case. Retroactive application of pricing rules for defense contracts concluded during martial law**

The Law of Ukraine *“On Amendments to the Law of Ukraine ‘On Defense Procurement’ Regarding the Improvement of Legal Regulation of Pricing in Defense Procurement During Martial Law”* supplemented Section XI *“Final and Transitional Provisions”* of the Law of Ukraine *“On Defense Procurement”* with paragraph 81, according to which the provisions of part three of Article 30 of this Law apply to state contracts (agreements) for the supply of goods, performance of works, and provision of services for the needs of the security and defense sector, as well as other goods, works, and services for the guaranteed provision of Ukraine’s security and defense needs, which were concluded under a non-competitive procurement procedure or without conducting procurement procedures established by law, and/or were performed (are being performed) during martial law in Ukraine.

Thus, the provisions of part three of Article 30 of the Law of Ukraine *“On Defense Procurement”*, which define the specifics of pricing for state defense contracts concluded during martial law, *extend to legal relations that arose before the law entered into force.*

### **7. Conclusions**

Throughout the period of martial law, the constitutional continuity and institutional integrity of the Verkhovna Rada of Ukraine were fully preserved. No constitutional or legislative amendments were introduced that would alter or limit Parliament’s powers. The Verkhovna Rada retained its exclusive legislative competence and remained the central body of democratic legitimacy within the constitutional system.

The delegation of rule-making powers to the executive was exceptional, legally defined, and temporary. These measures were introduced solely to ensure the rapid adoption of regulations in sectors critical to national defence, public order, and economic stability. Over time, the scope of delegated powers decreased significantly, reflecting a gradual return to normal legislative procedures and reinforcing parliamentary primacy in law-making.

The use of retroactive provisions during the war was limited and primarily technical in nature. Such measures were applied to correct fiscal or administrative inconsistencies, maintain budgetary discipline, or ensure legal continuity under extraordinary conditions. It is hard to say that these retroactive norms fundamentally undermined the constitutional principle of non-retroactivity.

Overall, wartime governance demonstrated the resilience and adaptability of Ukraine's parliamentary democracy. The Verkhovna Rada succeeded in maintaining a functional balance between the need for executive flexibility and the preservation of democratic oversight. The constitutional safeguards proved effective in preventing concentration of power and ensuring that emergency measures remained exceptional and proportionate.

The experience of 2022–2025 confirms that even under conditions of full-scale war, Ukraine's constitutional order continues to operate within its democratic framework. The gradual reduction of delegated powers and the cautious application of retroactive legislation exemplify Parliament's capacity to balance emergency responsiveness with the rule of law and institutional continuity. At the same, it is very important to monitor that these instances of delegation are not arbitrarily used in future as precedents.