

**INSTITUTIONAL
MAINSTREAMING AS
AN INSTRUMENT FOR
STRENGTHENING THE EU
ACCESSION NEGOTIATION
PROCESS BETWEEN UKRAINE
AND THE EU**

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Institutional Mainstreaming as an Instrument for Strengthening the EU Accession Negotiation Process between Ukraine and the EU

The Russian full-scale invasion has had a significant impact on the resilience and institutional capacity of Ukraine's system of governance, which is of vital importance for the EU accession negotiation process. Nevertheless, the fundamental reform that underpins the effectiveness of democratic governance in Ukraine – Public Administration Reform – remains underestimated both domestically and at the EU level.

Problem Statement: We welcome the fact that in the Enlargement Report the EU is paying increasing attention to assessing Ukraine's institutional capacity, notably through the assessment of Public Administration Reform (PAR), and acknowledges the progress achieved in this area, particularly as a result of digitalisation and improvements in the delivery of administrative services. At the same time, weaknesses in public administration remain an issue that is not always visible on the surface of the negotiation process. The strategic level related to the system of policy formulation, inter-ministerial coordination, and policy implementation has remained largely unchanged in recent years, including throughout the four years of active preparation for accession negotiations. This creates a structural gap between political commitments in the field of European integration and the actual institutional capacity of the state to deliver on those commitments.

Moreover, public administration reform is facing systemic staff attrition that began with the onset of the full-scale invasion. The first wave was driven by civil servants leaving the country, many of whom did not return. This was followed by additional factors, including a deteriorating security environment, mobilisation, as well as

resignations caused by shortcomings in civil service legislation. At the same time, competitive recruitment procedures remain suspended, and access to the civil service is currently insufficiently inclusive.

Currently, Ukraine has already completed the key screening phase within the EU accession negotiations. This marks the transition to the next, significantly more complex stage of European integration – the alignment of national legislation with the EU acquis and its subsequent implementation. It is at this stage that not only the formal progress of negotiations will be determined, but also their overall quality and Ukraine's ability to move forward within the timelines jointly declared by both parties.

Institutional mainstreaming refers to an approach that enables a systematic assessment of the institutional capacity of each ministry responsible for a specific negotiation chapter, the identification of resource needs – human and financial resources, required structural changes, and the real ability to deliver on EU integration commitments. Such an approach makes it possible not only to identify structural vulnerabilities in a timely manner, but also to transform institutional capacity into a practical tool for accelerating and stabilising the negotiation process, rather than leaving it as a hidden risk factor. For the government, this represents a self-diagnostic tool that clearly demonstrates the current state of institutional capacity to deliver tasks in the framework of the accession negotiation process. For the European Commission and partners, it provides a transparent mechanism to identify areas where support within the framework of PAR is necessary in order to achieve jointly declared objectives within agreed timelines.

Such an assessment could initially focus on key ministries that currently carry the greatest integration-related workload. A clear example is the Ministry of Economy, Environment and Agriculture of Ukraine, which accounts for approximately 34.4% of the overall regulatory burden¹ and is responsible for 44 policy areas, indicating a critically high level of institutional overload. Against this background, it appears appropriate to introduce institutional mainstreaming in a phased manner – starting with the most heavily involved ministries and subsequently extending it across the entire system. In this context, it is important to ensure that the assessment does not place an additional operational burden on the National Agency of Ukraine on Civil Service (NACS), particularly in the current wartime environment. Conducting this assessment within the framework of European technical assistance – or, alternatively, through EU grant instruments supporting analytical and think-tank capacity – would therefore be the most appropriate approach, allowing partners to determine the most cost-effective and resource-efficient modality while ensuring independence, quality, and close coordination with NACS and other relevant Ukrainian institutions.

Institutional mainstreaming makes it possible to assess the real capacity of ministries to develop and implement legislation in line with the EU acquis, to link legislative commitments with available financial and human resources, to ensure the sustainability and professionalism of the civil service, and to prepare institutions to assume obligations at the level expected of an EU Member State.

Public Administration Reform within the framework of institutional mainstreaming should therefore be understood as a key horizontal reform, since the effectiveness of the entire “government machinery” depends on it. In practice, however, this reform often falls outside the main focus of European partners, as attention is predominantly concentrated on Chapters 23 and 24 (the rule of law, justice, and fundamental rights). At the same time, the successful alignment of all

negotiation clusters with the EU acquis directly depends on how capable the policy formulation and implementation systems are within each individual ministry.

In the context of active European integration, where screenings have been completed and legislative approximation to the acquis has become the central task, an effectively functioning system of policy formulation, horizontal coordination, and implementation is critically needed. Without such a system, even formally adopted legislation does not guarantee the effective fulfilment of obligations towards the EU.

How will institutional mainstreaming enforce the negotiation process? Institutional mainstreaming would make it possible to address the key risks that currently undermine the stability of the negotiation process. In particular, it would help ensure the retention of key staff across negotiation chapters by supporting a more systematic understanding of capacity needs within line ministries. It would also contribute to improving the quality of legislative approximation within the negotiations by strengthening the link between adopted commitments and the actual ability of institutions to design, coordinate, and implement policies in line with the EU acquis.

From the government’s perspective, this approach strengthens managerial capacity and promotes more coherent institutional performance in delivering EU integration commitments. From the European Union’s perspective, it contributes to a process of enlargement based on transparency, predictability, and the readiness of candidate countries to effectively implement the EU acquis in complex geopolitical conditions. In the current security environment, enlargement is not only a technical or political process but also a strategic instrument for strengthening the Union itself. Against this backdrop, the EU has a direct interest in ensuring that accession leads to the integration of countries whose institutions are resilient, effective, and capable of delivering on shared commitments. A focus on institutional capacity, therefore, supports enlargement as a stabilising factor, enhancing the Union’s security, coherence, and long-term resilience.

1) These data are drawn from a study conducted by the Centre for Public Policy Reform (CPPR), which is expected to be published in the near future.

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About UCEP

The Ukrainian Center for European Policy (UCEP) is an independent think tank for policy analysis and development, established in 2015.

Our mission is to promote reforms in Ukraine for sustainable economic growth and to build an open society in partnership with institutions at all levels.

Priority activity areas:

- development of expert-analytical materials to promote European integration reforms in Ukraine;
- promotion of European values among Ukrainian society;
- informing the public on opportunities and benefits of close cooperation with the EU;
- promoting enhanced economic, political, and trade cooperation between Ukraine and the European Union;
- informing the international community about the challenges and achievements of Ukraine's reform process under the EU-Ukraine Association Agreement.

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