



POLICY-MAKING AND POLICY MAKERS

■ ANALYSIS

Democratic Breakthrough or New Partial Reform Equilibrium? Ukraine's Institutional Development in the Third Year of the Large-Scale Invasion 2
 Michael Martin Richter
 (University of Surrey)

■ ANALYSIS

The First Parliamentary: How Quickly Do Bills Pass through the Verkhovna Rada and How Can the Process be Made More Efficient? 7
 Dariia Kolodiazhna
 (Vox Ukraine)

■ ANALYSIS

Ukraine's Political Elites: Composition and Changes from 1992 to 2023 13
 Oksana Chorna, Heiko Pleines
 (both Research Centre for East European Studies at the University of Bremen)

Democratic Breakthrough or New Partial Reform Equilibrium? Ukraine's Institutional Development in the Third Year of the Large-Scale Invasion

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DOI: 10.3929/ethz-b-000682819

Abstract

Ukraine is being praised by its international partners for delivering on reform recommendations, echoing the aspirations of its people in this way as it assumedly moves forwards on its path towards Europe. This is one of the versions of the country that faces two trajectories regarding its institutional development amidst the large-scale Russian invasion. One path shows compelling evidence for shattering the old partial reform equilibrium dominated by oligarchs, which happened through the war and an acceleration of reforms incentivised by Ukraine's EU candidate status. In this way, the country has made noticeable progress towards becoming a European rule of law state. Evidence for this scenario includes the strengthening of anticorruption institutions such as the NABU and SAPO, which has resulted in high-profile corruption cases against once 'untouchable' officials. However, the other scenario portrays a country that risks becoming stuck in a new partial reform equilibrium. Although some reforms have been implemented, there are concerns about the concentration of economic, media, political and judicial power in the hands of the president's inner circle. This circle may be attempting to 'out oligarch the oligarchs', undermining large-scale anticorruption efforts through control over key institutions. While demonstrating some progress, Ukraine must finalise all necessary reforms to avoid this new two-class system—the rule of law for the masses with exceptions for a tiny elite. Therefore, domestic and external stakeholders should create incentives to use this unique window of opportunity at this critical juncture in Ukraine's European journey.

Introduction

Speaking before the preparation for the Special European Council meeting of 1 February 2024, Ursula von der Leyen remarked that 'Ukraine's democratic institutions are delivering not only on our recommendations but on the aspirations of their people' (EU Commission, 2024). Undoubtedly, a key aspiration of the Ukrainian nation is EU accession, which is supported by almost 8 in 10 Ukrainians as of February 2024 (European Pravda, 2024). Ukrainian citizens most frequently associate the EU with values relating to human rights, democracy, and the rule of law, with 81%, 77%, and 76%, respectively, of respondents in a 2020 poll expressing such a stance (EU Neighbours East, 2020). All three values are not just associations but are tightly connected to the accession process, which has formally brought Ukrainians closer to their European dream. With seven previous recommendations to be met before accession negotiations can begin, almost all of which are related to good governance reforms, the EU Commission (2023) has expressed a positive stance on Ukraine's development and is set to start accession negotiations on June 25, 2024 (Moens & Vinocur, 2024).

However, the previously mentioned rule of law value, in which the accession process is expected to strengthen significantly, is a problematic area for Ukraine. For a long time, the country's institutions suffered from what can be called the 'partial reform equilibrium'. This refers to

a situation in which the economic transformation in the early 1990s brought about 'market distortions that generate[d] a pattern of concentrated gains and dispersed losses in the short term [through which] winners have an incentive to try to preserve these sources of considerable rents as long as possible by blocking any measures to eliminate these distortions' (Hellman, 1998: 205). These winners were particularly the oligarchs, who, as a class, emerged from the chaotic transformation process in the 1990s and dominated Ukraine's post-Soviet political economy system (Pleines, 2016). They were among the key reasons for the system being locked in a hybrid state, characterised by the coexistence of high levels of freedom and relatively competitive institutions with a weak rule of law and widespread use of grand corruption (Minakov, 2019).

However, a war is an example of a so-called 'critical juncture', which can shatter old patterns and initiate far-reaching changes to a country's system (Collier & Collier, 1991). While normally associated with negative, long-term consequences for institutions, war has actually benefited the democratic development of countries in some cases, with post-WWII Western Europe cited as a key example (Merkel & Gerschewski, 2019). An examination of Ukraine today reveals a story of two tales, in which evidence for both trajectories can be found—strong evidence for the war having destroyed the old patterns, on which a deeply reformed rule of law

state on the way to Europe is being built. On the other hand, there are still some justified worries that on the ashes of the past oligarchic system, a superpresidential system is being erected with a new elite and a new partial reform equilibrium.

On the Way Towards a European Rule of Law state

Before the large-scale invasion started, President Zelensky proclaimed that ‘we are killing the idea of an oligarch system in our country’ (Fisher, 2021). Long postponed, the war seems to have created momentum in this respect, and the EU Commission’s 2023 report on reform progress in Ukraine attested that Ukraine ‘has prioritised systemic measures against oligarchs, in line with the Venice Commission recommendations issued in June 2023’ (EU Commission, 2023: 10). Additionally, the endemic nature of corruption was closely connected to the power of oligarchs. In this regard, Transparency International testified regarding the corruption perception index of Ukraine that it was ‘one of the best results over the past year in the world’ (Transparency International, 2024). Through this, Ukraine improved its ranking from 122 in 2021 to 104 in 2023, the best position it has held since 2006. This is one tale on where Ukraine stands today with respect to its institutional development: a country making noticeable progress on its path towards Europe, despite and because of the ongoing large-scale invasion of Russia. This development can be explained by two reasons.

First, oligarchs have lost much of their influence since invasion began. As they are defined by combining economic and political power, the first feature of their nature has been significantly curtailed—according to Forbes, by the end of 2022, the 20 richest Ukrainians had lost almost half of their entire fortune (Semenova, 2022). This was more than the analogous decrease in Ukraine’s GDP. This is not least because oligarchs control more than 80% of some critical heavy industries, of which many production facilities are physically located in temporarily occupied territories in the east and the south of the country, so these losses were particularly painful for them (Matuszak, 2023).

Additionally, with respect to media power, before the large-scale invasion, oligarchs controlled the majority of the TV and radio sector (Rybak, 2017). However, since the invasion, a unification of the media space has taken place (Opryshko, 2023), and some oligarchs, such as Akhmetov, have directly sold their media empires (Starobin, 2023). Both economic and media power were effectively transformed into political power in the past, which, in turn, allowed them to cement their favourable position in the economic and media spheres, creating a vicious circle. The war, it seems, has cut through this circle.

Second, an EU accession perspective emerged in front of Ukraine. This is usually seen as a strong reform anchor, which incentivises governments in an accession process to push through economically painful reforms to achieve political gains. Since support for EU membership is so strong in Ukraine, the political gains received from every new milestone are significant. By coping with these milestones to reform efforts, the EU has, according to this tale, overcome its main problem of the past—the lack of far-reaching, tangible benefits, as it could provide Ukraine with ‘only’ an association status. The EU testified itself in its November 2023 report that ‘the granting of a candidate status to Ukraine in June 2022 has further accelerated reform efforts’ (European Commission, 2023: 4). To demonstrate its determination, Ukraine adopted a significant anticorruption framework in March 2023, which the OECD described in their assessment as ‘high quality, evidence-based policy documents, developed through an inclusive and transparent process’ (OECD, 2024). Subsequently, the December 2023 decision to open accession negotiations was described as ‘a victory’ by President Zelensky (Parker & Kirby, 2023).

The key reforms proposed, which are outlined in its 7 recommendations from 2022 that the EU Commission gave to Kyiv, mainly include reforms referring to the functioning of existing institutions in the rule of law field. These institutions, constituting the backbone of the anticorruption and judicial infrastructure enacted with reforms since 2014, were previously caught in a partial reform equilibrium themselves—formally built—as they were part of necessary reforms for financial aid; they were later either obstructed, omitted, or dismantled entirely (Richter, 2023).

As such, three key institutions, NACP, NABU, and SAPO, the anticorruption prevention agency, the anticorruption police, and the anticorruption prosecutor’s office, have all received new leadership following competitive selection processes (EU Commission, 2023; Ryhenko, 2023). Furthermore, after repeated calls by Ukrainian civil society actors, SAPO has finally become an independent entity (Oliynik, 2024). Additionally, NABU (Sukhov, 2024) and the HACC (Borovyk, 2024), which are designated anticorruption courts, are in the process of significantly expanding their workforce, which should also increase their operational capabilities. Considering all other circumstances, Transparency International reported that the ‘NABU is a stable, effective, and independent institution that demonstrates growth and regular implementation of best practices in work, which influences the results of the entire anti-corruption system’ (Ryzenko, 2023). The same applied to the HACC, which gives ‘an impression of a truly politically impartial and independent institution’ (Ryzenko, 2023).

The famous saying ‘by their fruits you will know them’ can also be applied in these cases. The anti-corruption infrastructure saw ‘cases moving forwards in the courts against officials previously considered ‘untouchable’ (European Commission, 2023: 31). Most infamously, the former chairman of the Supreme Court, Knyazev, is currently under investigation for corruption (Shevchenko, 2024). Additional investigations against former Zelensky patron Kolomoyskiy (Starobin, 2023), former agricultural minister Solsky (Shevchenko, 2024), former adviser in the presidential office, Shylo (Transparency International Ukraine, 2024), or Klochko, an MP from the president party Sluga Naroda, have been launched (Philips, 2024). Despite the ongoing war, not only the quality but also the quantity of investigations and sentences has significantly increased. As such, Ukraine was on track by the end of 2023 to almost double the number of indictments for that year compared to 2021 (EU Commission, 2023: 32).

Out Oligarching the Oligarchs

However, the other side of the story might be that the circle of ‘untouchables’ in the system has shrunk but not evaporated. In this case, what can be observed is not a rule of law breakthrough but rather a new partial reform equilibrium in which, following the death of the oligarchs as a class, a new elite emerged that uses Europeanization reforms for its own sake. As such, the actors enjoying a privileged position in the system might have changed, but not the system, characterised by the separation between insiders and outsiders.

First, there are questions about some of the key rule of law institutions. For instance, even NABU still faces limitations in its independence and authority—it is restricted in its use of wiretapping, for which the approval of the SBU is required—and it cannot investigate cases relating to the presidential administration, for which the State Investigation Bureau (SIB) holds responsibility (Sukhov, 2024). However, the SBU is directly controlled by the presidential administration and the head of SIB appointed by the president in a competition in which the president holds decisive powers (Law of Ukraine on the State Bureau of Investigation). Similarly, MPs can only be investigated by NABU and SAPO with prior approval by the Prosecutor General, who is also appointed by the president and who has denied such permission in a few cases in the past (OECD, 2024: 102).

One of the main institutional impediments against change is, as Ukrainian civil society reports, ‘the deputy head of the Office of the President Oleh Tatarov, who is in charge of the law enforcement agencies and approves changes to criminal procedure legislation from the Office’. Oleh Tatarov was charged with bribery in 2020 before joining the President’s Office. Although

new accusations continued to emerge and NABU prepared for an arrest, this case was transferred in time by the Prosecutor General to the SBU and closed in 2022 (Grey & Peleschuk, 2023). The Kyiv Independent cites a law-enforcement officer as being ‘shocked by the unprecedented pressure in the Tatarov case’ (Sukhov, 2024). In a similar fashion, Svitlana Shaputko, a judge at the Pechersk Court of Kyiv and alleged ally of Tatarov, closed a case against Rostyslav Shurma (The New Voice of Ukraine, 2024). The former Deputy Head of the Presidential Office was shown by the NACP to have a conflict of interest in his role and the proceedings of his brother, who was accused of illegal enrichment (Starobin, 2023). Similarly, similar cases against other Zelensky allies, such as Andriy Smyrnov, have also stalled (Sukhov, 2024).

Some critics have argued that all of these actors are part of the evolving ‘Zelensky–Yermak’ clan, which took large parts of the media and energy sectors, such as full ownership of Ukrnafta, in Ukraine from the hands of the oligarchs and built instead of their own, single pyramid of power (Starobin, 2023). In addition to an increasing stake in the Ukrainian economy and the control of some key institutions that can undermine the functioning of anticorruption infrastructure, as shown in the cases before, there were attempts to further increase presidential powers under the demise of reforms. This included a law on treating corruption as treason, which would, however, have been investigated by the SBU (Transparency International Ukraine, 2023), or a draft law on granting the president extraordinary powers in appointing judges to the Constitutional Court (Melkozerova, 2022).

Conclusion

Both previously mentioned draft laws have either been significantly amended to fulfil rule of law criteria (constitutional court law) or not proceeded further (corruption as treason law). In both cases, Ukrainian civil society was vocally calling for this outcome, and the EU put the Constitutional Court appointment procedure reform as its first recommendation (EU Report, 2023). This shows the power that both actors have in jointly changing the incentive structure of the ruling elite in Ukraine to pursue the path towards Europe and not what has been coined ‘basically out oligarch the oligarchs’ (Starobin, 2023).

Paradoxically, Russia’s large-scale invasion might in this respect represent a critical juncture for Ukraine’s institutional development, opening a window for genuine democratisation and Europeanisation. The loss of oligarchic control over key enterprises, such as in the heavy industry, energy, and media sector, has fundamentally altered Ukraine’s political economy structure. While this

disruption has often caused immediate hardships, it also presents an opportunity for Ukraine to rebuild its state on more competitive, transparent foundations as oligarchs were the driving force behind reform resistance. Together with the emergence of a formal EU accession perspective, both aspects have shattered the old partial reform equilibrium and created space for substantive changes.

However, this shift also risks establishing a new equilibrium dominated by a smaller, presidential-aligned elite. The latest OECD report auditing Ukraine's anti-corruption infrastructure highlights this problem—while receiving outstanding (2x) and high (2x) scores in all categories, the category 'enforcement of corruption offences' received only an average score and is closer to being assessed as low rather than high (OECD, 2024). Similarly, in the detailed assessment of reforms in its 2023 Report, the EU often speaks about 'some progress' in key dimensions (EU Commission, 2023).

In the current situation, some progress might not be enough, as the economic, medial, political, and, still, judicial concentration of power in the hands of the president and his inner circle creates a real threat of a new two-class system: the rule of law for the masses, except for a few selected ones, including the threat of the misuse of the functioning anticorruption system as a potential coercion mechanism among the new elite.

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This threat shows only a potential development path, but one that is feared by many Ukrainians—in a poll from November 2023—88% of Ukrainians saw corruption as a very serious problem and 71% of the injustice in the judicial system (Mazurok, 2023). Despite these reforms, both figures are substantially greater than those of a poll conducted in March 2023, while the share of people concerned about Russia's large-scale invasion and its destruction actually decreased. As a result, trust in state institutions in Ukraine is also decreasing to prewar levels, and for the first time since the invasion, more Ukrainians believe that their country is going in the wrong direction rather than the right one (Razumkov Centre, 2024).

Trust levels, as a form of social capital, have far-reaching consequences for the development of countries. The momentum that has been built in recent years should not be wasted. These findings call for all stakeholders, domestic and external, to create the right incentives for Kyiv's policymakers to finalise all necessary reforms and not become stuck in a partial reform equilibrium that gives them the upper hand over everyone else. It might be tempting to 'out oligarch the oligarchs', but it would be the wrong turn in history at this critical juncture that Ukraine is facing.

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ANALYSIS

The First Parliamentary: How Quickly Do Bills Pass through the Verkhovna Rada and How Can the Process be Made More Efficient?

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DOI: 10.3929/ethz-b-000682819

Abstract

How many bills has the Verkhovna Rada of the IX convocation managed to consider and adopt? At which stages do bills most frequently “get stuck”? What is the average time for a bill to pass through Parliament, and which bills pass through it more quickly? Based on data from Parliament’s website, we can answer these and other questions about the work of the current Verkhovna Rada and compare it with the work of the previous convocation.

The Stages of Adopting a Bill

To become a law in Ukraine, a bill goes through a lengthy process. The four main stages of this process are registration, consideration by the relevant committee, review in Parliament (and signing by the Chairperson of the Verkhovna Rada in case of adoption), and finally signing by the President of Ukraine. Some of these stages are clearly regulated in terms of time, while others are not, making it quite challenging to predict the speed of a bill’s adoption.

According to the Verkhovna Rada Regulations, the registration of a bill is completed within up to 5 days, and consideration by the Main Committee takes up to 30 days. At this stage, the bill may be returned for further revision or prepared for its first reading, which can take an additional maximum of 30 days. The next stage—inclusion in the agenda—can also take up to a month. From there, it could take up to 30 days until the first reading in Parliament.

According to the regulations, a bill can undergo up to three readings:

1. The **first** reading involves discussing the bill’s basic principles, provisions, and structure. The outcome of the first reading may be the adoption of the bill in principle. If the relevant committee recommends adopting the bill as a whole, final adoption

at this stage is possible. However, this happens quite rarely.

2. The **second** reading involves a clause-by-clause discussion of the bill. MPs may submit amendments to the bill between the first and second readings. These amendments are systematized and recommended for adoption or rejection by the relevant committee. However, if the author of the amendments disagrees with its conclusion, the amendments are voted on in the session hall. Typically, at this stage, the bill is adopted in its second reading and as a whole or not adopted.
3. The **third** reading involves adopting the bill as a whole (only minor technical corrections are possible between the second and third readings). In practice, during the last three convocations, this procedure was carried out only once in 2015, resulting in a bill being vetoed by P. Poroshenko and subsequently repealed. Therefore, today, this stage occurs only on paper. Currently, bills are adopted as a whole after the second reading or after a repeated second reading, which has taken on the functions of the third reading.

According to the regulations, there should be no more than 14 days between the first and second readings and five days between the second and third readings

(however, in practice, these deadlines are often not adhered to—see Figure 1 on p. 11). The regulations also allow the Verkhovna Rada to decide (no more than twice) to hold repeated first and second readings of bills.

The Verkhovna Rada may adopt a bill as a whole (except for draft codes and bills containing more than 100 articles) immediately after the first or second reading if MPs agree that the bill does not require further refinement. If they object to the bill, they can send it back for revision to the relevant committee during each reading.

When people's deputies adopt a bill as a whole, the final stage of its adoption begins; the clearly regulated deadlines for adoption are as follows:

1. **Five days** are allotted for the bill to be signed by the Parliament Speaker and for the necessary documents to be transmitted for the President's signature.
2. Within **15 days**, the President must make one of two decisions: to sign the bill into law or return it to Parliament for reconsideration with proposals (veto). In the absence of the President's decision, the bill is deemed approved and must be signed. However, in practice, this often does not occur, leaving the bill in an indefinite state for a prolonged period.
3. MPs can accept the President's proposals with a standard majority of 226 votes (then we return to point 1), or they can vote to override the veto—this requires at least two-thirds of the people's deputies from the constitutional composition of the Verkhovna Rada (300 votes). The President is obliged to sign such a bill within ten days.

Therefore, ideally, from the moment of registration, it should take **126 days** for a bill to be adopted in the first reading, **140 days** for one to be adopted in the second reading, and **145 days** for one adopted to be in the third reading. These calculations are valid only under the condition that voting in Parliament occurs immediately after the decision to include the bill in the agenda. However, in reality, the timeframes for consideration are not strictly regulated; instead, they are determined by the Conciliation Council. A prepared bill can await consideration in the Verkhovna Rada for months. Delays are also possible at other stages (see Figure 1 on p. 11). How long are they?

To answer this question, we will use data on bills for which Parliament has made a positive or negative decision. For some stages, their average time is approximate because the status of the bill reflected in its card may be related to both readings simultaneously (e.g., the status "Returned for revision" may mean the bill is returned to the committee for either a repeated first or second reading). For convenience, we assigned such statuses to the stages where they are most commonly encoun-

tered. Additionally, in Figure 1, the first and repeated first readings are grouped together, as are the second and repeated second readings.

The Intensity of Bill Registration

To analyse the work of the IX convocation of the Verkhovna Rada of Ukraine, we took data from August 29, 2019, through February 18, 2024. During this period, a total of 11,142 legislative acts were registered, including 6,800 bills (61%) and 4,295 resolutions (38.5%). Furthermore, we consider only bills.

For comparison, during the entire term of the VIII convocation of the Verkhovna Rada (October 26, 2014–August 29, 2019), 7,704 bills and 5,924 resolutions were registered—a record number in the history of independent Ukraine. The Parliament's current convocation has been in operation for 4.5 years. If the pace of bill submissions remains the same, it should be able to process 7,500 bills in 5 years. Of course, the main concern is not the quantity of bills but their quality; however we will further consider some quantitative indicators.

Let us compare the number of bill registrations in the current and previous convocations, grouping the data quarterly. We will consider a comparable period of work for the VIII convocation, spanning 4.5 years (from the beginning of its work until May 27, 2019), during which 7,500 bills were registered.

Figure 2 on p 11 clearly shows that over time, the legislative activity of both convocations declined. In the first quarter, bill registrations were unusually high due to the reregistration of bills from previous convocations, which typically occurs at the beginning of the new Verkhovna Rada term. During the first three months of operation, the IX and VIII convocations registered 713 and 882 initiatives, respectively. Notably, the VIII convocation maintained high legislative activity for more than nine months, with more than 2,300 bills registered during the first two sessions, averaging more than 140 per month. In contrast, the IX convocation registered 1,662 projects during the equivalent period, averaging 125 per month, and experienced a slowdown immediately after the first two months of operation. The number of registrations sharply decreased during the first half-year of operation for both convocations and continued to decline steadily thereafter.

However, in the winter and spring of 2022, as well as in August–September of 2023, the number of legislative initiatives submitted significantly increased. During these periods, deputies registered many bills related to martial law. In the summer of 2023, the process of European integration intensified, marked by the introduction of reform-oriented projects. Examples include Bill No. 9610, which focuses on the implementation

of the rights and freedoms of national minorities, and Bill No. 9024-d, which addresses minimum oil reserves to enhance Ukraine's energy security. In November of the same year, President of the European Commission Ursula von der Leyen stated that Ukraine had fulfilled more than 90% of its obligations for opening negotiations on EU accession. On December 14, 2023, negotiations began.

Among all registered bills in the IX convocation, 1,271 laws were passed and signed, constituting less than one-fifth (18.7%) of the total. However, this percentage is higher than that of the previous convocation. The number of rejected bills is nearly twice as high (2,421), yet the majority of bills remained “in limbo” without a final decision. Nonetheless, their share is lower than in the previous convocation.

Therefore, the work of the current composition of the Verkhovna Rada can be considered successful for Ukraine. However, for example, the Parliament of Poland adopted 63.2% of the bills submitted (a total of 519) from 2021 to 2023, while the United Kingdom adopted 77.2% (118). Consequently, it can be assumed that bills in other countries are of higher quality (in other words, they contain less “legislative spam”).

Bills on Which Topics Pass Through Parliament more quickly?

All legislative proposals at the registration stage are categorized into eight directions: security and defence; sectoral development; humanitarian; economic; social; legal; state building; and international treaties. The Main Department for Documentary Support of the Verkhovna Rada of Ukraine determines the category of the legislative proposal based on its content and enters it into the database. The distribution of adopted bills by category is presented in Figure 3 on p. 12. Most proposals pertained to economic policy and sectoral development (26% and 23% of adopted bills, respectively).

Naturally, laws related to security and defence were adopted the fastest, with the average time and the median time from the bill's submission to the President's signature being 110 and 56 days, respectively.

Legislative proposals related to sectoral development (industrial policy) and social policy took the longest to adopt (on average, 248 and 247 days, respectively). However, social policy changes were adopted the slowest, with the median time in this category being 226 days compared to 185 days for sectoral development.

For bills in the legal policy category, the average time for passage is nearly twice the median. The explanation is simple: this category includes several legislative proposals that hold the record for the slowest passage through Parliament. These notably include legislative proposals

concerning the protection of labour migrants from fraud and the criminalization of smuggling.

How Do the Initiators Most Quickly and Effectively “Push” Bills Through Parliament?

Let us examine the speed of the passage of bills, as well as the proportion of legislative proposals adopted by initiators. The total number of initiators is 260: the people's deputies of Ukraine, the Cabinet of Ministers, and the President of Ukraine.

MPs can register a draft law individually or as a group. Of the 6,800 proposals registered during the IX convocation, 1,645 (24%) were submitted by individual deputies, the Government submitted 899 bills (13%), and the President of Ukraine submitted 260 (4%).

As shown in Figure 4 on p. 12, out of the legislative proposals submitted by the Cabinet of Ministers, 761 arrived at Parliament with the signature of the incumbent Prime Minister Denys Shmyhal. On average, he submitted one legislative proposal every 1.6 working days. The previous Government under Oleksii Honcharuk submitted 115 legislative proposals to Parliament, averaging one every 1.1 working days. Thus, his “legislative speed” was slightly higher. The IX convocation Parliament also inherited 19 legislative proposals from the Cabinet of Ministers of Volodymyr Groysman and four from the Government of Arseniy Yatsenyuk. The speed of bill consideration by the Government of O. Honcharuk was also higher, averaging 64 days, than that of the Government of D. Shmyhal, at 212 days. However, during the tenure of the former, the new Parliament began its work and became characterized by a “turbo mode” and somewhat greater enthusiasm among MPs.

The bills initiated by Volodymyr Zelensky were also considered fairly quickly by Parliament, averaging 123 days. Moreover, 78% of the legislative proposals he submitted were adopted. This is very close to the figure of the previous President, Petro Poroshenko, whose initiatives resulted in laws in 76% of cases.

The proportions of adopted government legislative proposals are significantly lower, from 21% during Oleksii Honcharuk's premiership to 42% of “inheritance” legislative proposals from the Volodymyr Groysman's Government. However, the rejection of these proposals tended to occur more rapidly than their adoption. Conversely, the trend is reversed in the current government and presidency. Most likely, the decision to reject is simply postponed indefinitely.

The lowest percentage of adopted legislative initiatives belonged to former representatives of the Opposition Platform—For Life (OPFL) faction, who formed the parliamentary group “Platform for Life and Peace,” and representatives of the All-Ukrainian Union “Father-

land” (“Batkivshchyna”). Most of their initiatives are rejected or not signed, even if registered by a group of MPs. However, representatives of these factions also show the least support for reforms and more often vote in favour of antireform initiatives.

Conclusion

The Ukrainian Parliament of the IX convocation has adopted almost a fifth of the bills introduced to it. This is more than the previous Parliament but significantly less than in Poland and Britain. Therefore, it is worth filtering out the “bill spam” *before* registration, specifically by accurately calculating the cost of implementing the bill for the budget. This would also relieve the committees struggling to cope with the flow of dubious initiatives and amendments, allowing them to process important bills more quickly and efficiently.

The rejection of bills, on average, takes twice as long (a year) as adoption (six months). Although half of legislative initiatives are adopted even slightly faster than the theoretical time prescribed by the Regulations, the average time for their adoption is approximately two months longer than the normative time, as some bills wait for consideration for years.

The longest waiting time for bills occurs during parliamentary consideration after bills are included in the agenda but before bills are first read. There is no time limit for this stage in the Regulations, so it is worth introducing one.

About the Author

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This analysis first appeared on Vox Ukraine on 28 March 2024 in Ukrainian, English and Russian. The Ukrainian Analytical Digest thanks the author for agreeing to the publication of an abridged and slightly edited version.

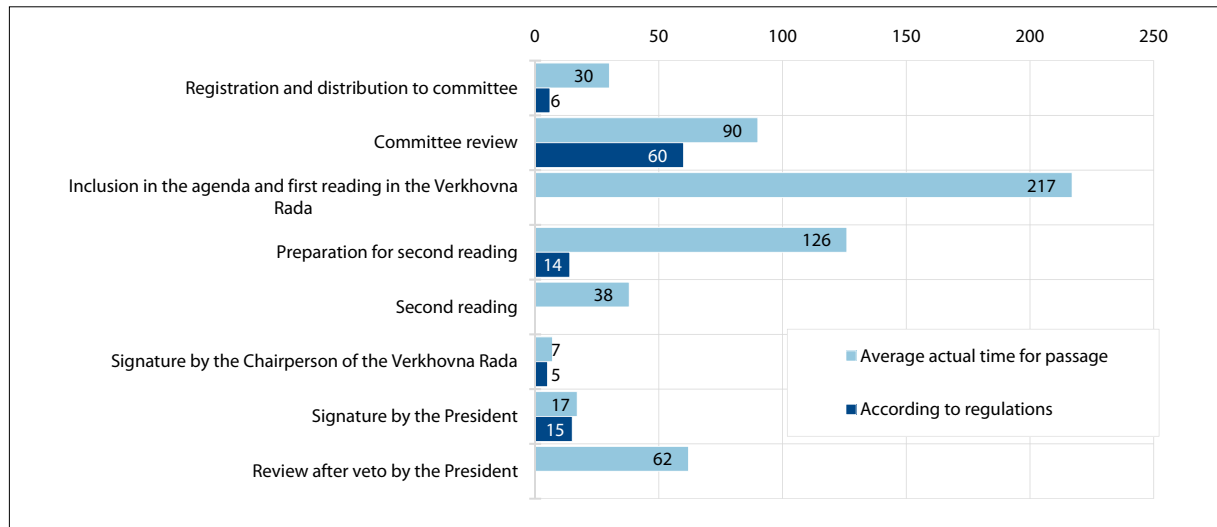
The highest share of adopted bills (out of all submitted bills) comes from the President (78%). His bills are also considered quite quickly, approximately twice as fast as bills from the current Government (but slower than bills from the previous Government, which were considered in a “turbo mode”).

MPs typically submit bills in groups. Among deputies who have individually submitted many bills, D. Hetmantsev stands out, with 38% of his initiatives adopted.

Representatives of the former OPFL faction submit relatively few bills to Parliament. However, their bills are usually rejected even when they are submitted as part of groups.

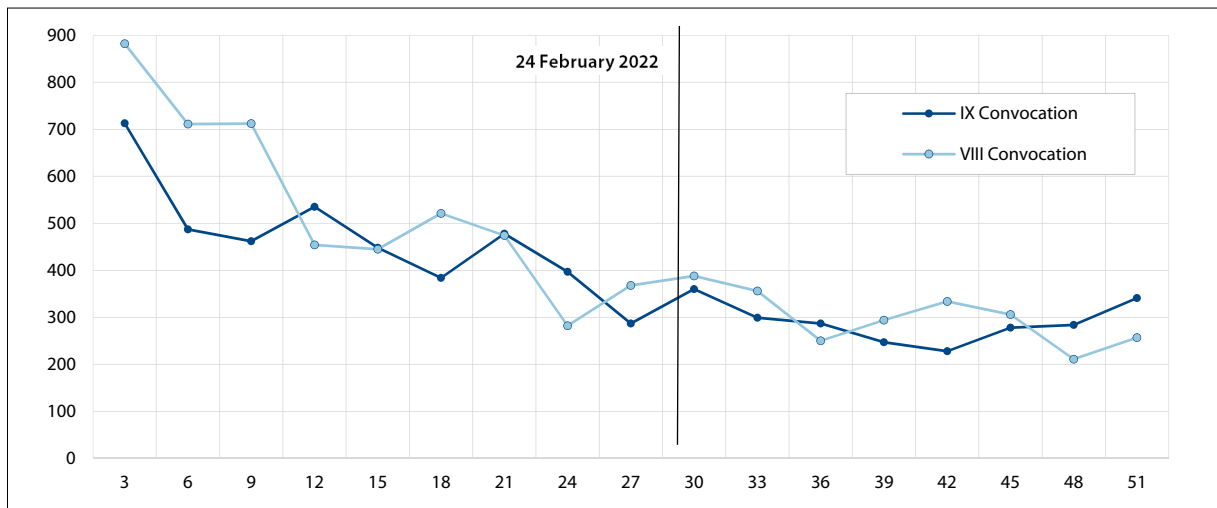
Overall, the legislative process in Ukraine is grappling with several systemic issues that urgently require attention. At present, there is a notable absence of effective mechanisms to sift through low-quality legislative proposals during the registration phase. This deficiency results in parliamentary committees being inundated with a multitude of dubious and financially unjustified draft laws. Consequently, the processing of genuinely crucial reforms for the nation is significantly impeded. Additionally, existing regulations contain norms that are not adhered to in practice, necessitating updates and clear rules regarding time frames for processing at all stages of bill passage, along with reinforced accountability for noncompliance.

Figure 1: The Average Duration of Bill Consideration Stages—According to Regulations and Actual time



Source: Dariia Kolodiazna. 2024. *The First Parliamentary: How Quickly do Bills Pass Through the Verkhovna Rada and how to Make the Process More Efficient?* Vox Ukraine, 28 March, <https://voxukraine.org/en/the-first-parliamentary-how-quickly-do-bills-pass-through-the-verkhovna-rada-and-how-to-make-the-process-more-efficient>.

Figure 2: The Number of Registered Bills over 4.5 Years of Work for the VIII and IX Convocations of the Verkhovna Rada, Broken Down Quarterly from the Beginning of Each Convocation

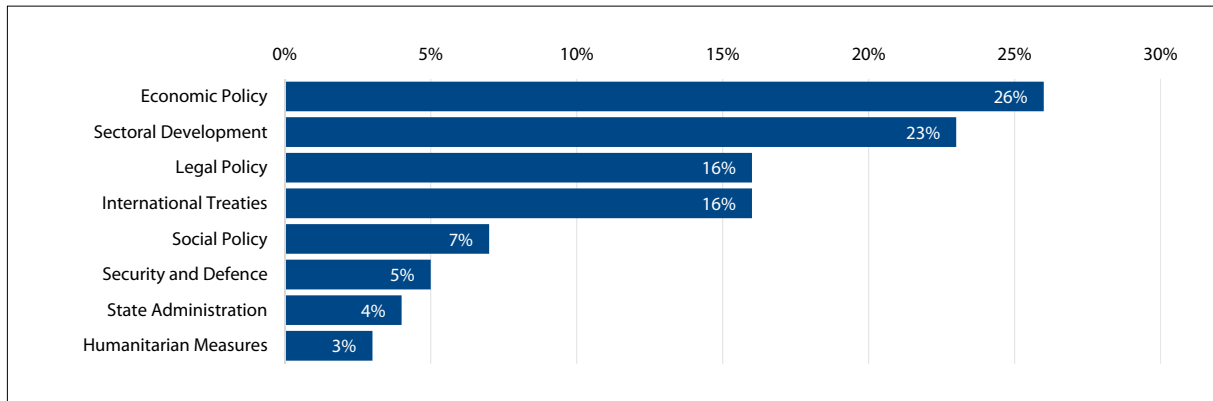


Time passed (months)	IX Convocation	VIII Convocation
3	713	882
6	487	711
9	462	712
12	535	454
15	448	445
18	384	521
21	478	474
24	397	282
27	287	368

Time passed (months)	IX Convocation	VIII Convocation
30	360	388
33	299	356
36	287	250
39	247	294
42	228	334
45	278	306
48	284	211
51	341	257

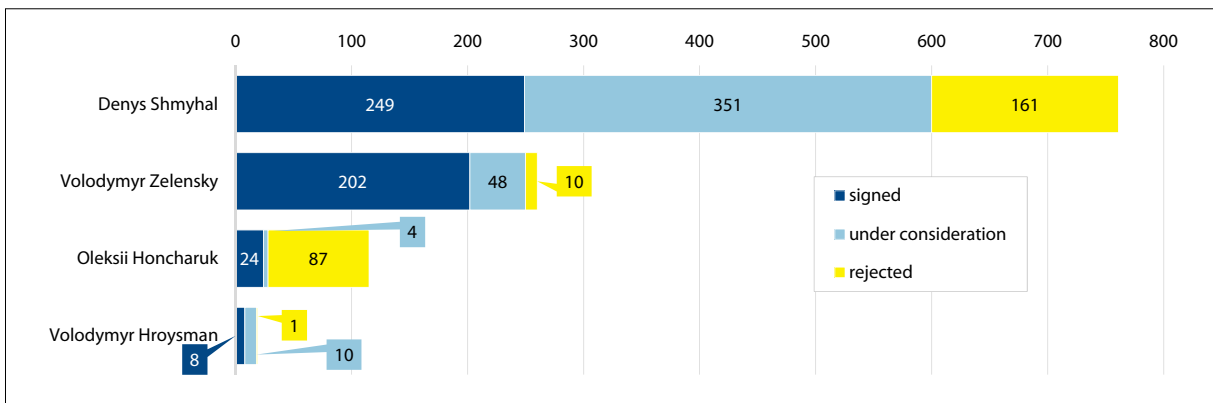
Source: Dariia Kolodiazna. 2024. *The First Parliamentary: How Quickly do Bills Pass Through the Verkhovna Rada and how to Make the Process More Efficient?* Vox Ukraine, 28 March, <https://voxukraine.org/en/the-first-parliamentary-how-quickly-do-bills-pass-through-the-verkhovna-rada-and-how-to-make-the-process-more-efficient>.

Figure 3: Distribution of Bills Adopted by Category (IX Convocation Parliament)



Source: Dariia Kolodiazna. 2024. *The First Parliamentary: How Quickly do Bills Pass Through the Verkhovna Rada and how to Make the Process More Efficient?* Vox Ukraine, 28 March, <https://voxukraine.org/en/the-first-parliamentary-how-quickly-do-bills-pass-through-the-verkhovna-rada-and-how-to-make-the-process-more-efficient>.

Figure 4: Distribution of Bills Submitted by “Institutional” Authors since August 29, 2019, by Stage



Source: Dariia Kolodiazna. 2024. *The First Parliamentary: How Quickly do Bills Pass Through the Verkhovna Rada and how to Make the Process More Efficient?* Vox Ukraine, 28 March, <https://voxukraine.org/en/the-first-parliamentary-how-quickly-do-bills-pass-through-the-verkhovna-rada-and-how-to-make-the-process-more-efficient>.

Ukraine's Political Elites: Composition and Changes from 1992 to 2023

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DOI: 10.3929/ethz-b-000682819

Abstract

Based on the international comparative dataset “Characteristics of Political Elites: Long-term Trends in Post-Socialist Central and Eastern Europe”, this article describes the composition of Ukraine's political elites. After a short introduction to elite studies, the socialist past of Ukraine's political elites, age, gender and further socioeconomic characteristics are analysed. Finally, a brief overview of the changes in political elites under President Volodymyr Zelensky since 2019 is given.

The Purpose of Elite Studies

While political elites, in the narrow sense, include only central decision-makers in national politics, it is also important to look at a wider circle of people to understand a country's politics. The term “political elites” thus describes the rather large group involved in political decision-making processes (see, e.g., Best/Highley 2018). As most members of this group hold some formal office, with some oligarchs in some time periods being the only notable exception (see, e.g., Pleines 2016), specific members of the elite were identified using a positional approach. In addition to state executives and legislatures from the local to the national level, this also includes the highest courts, state bodies such as the central bank, a court of auditors or a media regulator, and state representatives in the management of large commercial enterprises or in public broadcasting.

For this group of several hundred people, or for selected parts of this group, elite studies record key sociodemographic characteristics. One reason for describing the sociodemographic characteristics of the political elite is the attempt to capture fundamental attitudes and motivations. To this end, different generations with specific experiences are identified by age, for example. Vocational training, a job as an entrepreneur, wealth or experience in certain areas of society are also often addressed here. Another reason for this is the concept of “descriptive representation”, which plays a role, for example, when the proportion of women in government or parliament is recorded. The idea is that equal representation of women also promises equal treatment in politics. (see, e.g., Mansbridge 2003)

There are several such studies for Ukraine, most prominently by Elena Semenova (2012) and Tetiana Kostiuhenko (2012). However, these studies cover only specific segments of political elites and are already several years old, meaning that they do not cover the dynamic political change currently occurring in Ukraine. There are also elite databases such as “Open Source National Databases on Politically Exposed Persons” and “Chesno Polithub”, which are run by independent organizations.

However, both do not cover all political elites and have a narrow objective in the fight against corruption, which does not require the collection of much sociodemographic information.

The Collective Profile of Ukraine's Political Elites over Time

As part of the larger elite dataset “Characteristics of Political Elites: Long-term Trends in Post-Socialist Central and Eastern Europe” (Chorna et al. 2023), we identified the incumbents of a total of 546 positions for a total of eight reference years from 1992 to 2023, which provides an overview of Ukraine's political elites. Since some people were in office for a long time or held various positions we recorded, our dataset includes a total of 380 members of the Ukrainian political elite. The majority of them were not elected by the population in general elections but were appointed in state selection processes, such as for the government, supreme courts, governorships (i.e., the management of regional administrations), state bodies (such as the Central Bank) or the management of state-owned companies.

The information for the dataset was compiled through online research. The incumbents of the positions covered were taken from the websites of the respective institutions. Additionally, CVs were established via desk research. The same approach was also used to cover the political elites in three countries in East Central Europe (the Czech Republic, Hungary, and Poland), Russia and East Germany (five East German federal states). References to these countries will be used here to put the Ukrainian figures into a comparative context.

A full description of the dataset has been published in open access as Chorna et al. (2023). A graphical representation of the selected results outlined below is provided in the annex immediately following this text.

Elites with a Socialist Past

After the fall of the Soviet Union, the first major question in elite research was the contemporary role of the old socialist elites. In 1992, socialist elites still accounted for

89 percent of the Ukrainian political elites we studied. However, the parliamentary and presidential elections in 1994, which led to the formation of a new government, brought a larger number of newcomers with no previous political experience into top elite positions. In 1995, two-thirds of Ukraine's political elites played an official, active role in the previous socialist government. In Russia, the figure was more than 80 percent in the same year. In Poland, the Czech Republic and Hungary, on the other hand, the proportion of old elites was already below 40 percent in 1995. See Figure 1 on p. 17 in the data annex for an overview of figures for all years and all countries.

The difference between the countries in the 1990s can be explained, among other things, by the fact that a large proportion of the new political elites in the East Central European countries came from the former opposition to socialism. This was not the case in any significant numbers in either Ukraine or Russia (or in East Germany).

Democratic transition and lustration had an impact on the composition of political elites, which partly explain later differences between Ukraine and Russia, as the proportion of elites with an active political past under socialism fell much faster in Ukraine than in Russia. In 2010, two thirds of Russian politicians had previous positions in the socialist government, while in Ukraine, the number of previously socialist politicians had already fallen to just over a third. The change in elites following the success of the Maidan protests of 2013/14, which was reinforced by far-reaching rules for lustration, meant that by 2015, significantly less than 10% of Ukrainian political elites had played a politically active role in the Soviet Union. The Ukrainian figure thus fell below that of the Czech Republic and Hungary. By 2023, the Ukrainian figure had reached zero.

Part of this development was the age-related retirement of elite members already active under socialism. Over half of the Ukrainian political elite in 2020 were younger than 18 years of age when socialism broke down, as indicated in Figure 4 on p. 20. In addition, from 2015 onwards, the proportion of political elites in office for more than five years was very low in Ukraine, even compared to East Central Europe. As a result, the change in elites in Ukraine started more slowly but was ultimately far-reaching.

Professional Background

In the 1990s, more than one-third of the political elite in Ukraine were trained engineers. In 1995, another fifth were natural scientists. This was primarily a legacy of the socialist planned economy, which promoted engineers and scientists to political decision-making positions. With the reforms of the 1990s, representatives of two

other professional groups often rose to become members of the political elite. From 1990 to the present, approximately one-fifth of elite members regularly had a background in economics or finance. The proportion of lawyers among the Ukrainian political elite rose from just under 10 percent in the 1990s to a quarter from 2015 onwards, reaching a third in 2023. These patterns are in line with broader trends in East Central Europe. In the case of Ukraine, the only exception to broader patterns is that, with Volodymyr Zelensky's election victory in 2019, Ukraine became the only country in which more than 10 percent of political elites came from the entertainment/media sector (11 percent in 2023).

The share of private entrepreneurs and multimillionaires is also unusually high in Ukraine. Ukraine has seen a continuous increase in the number of private entrepreneurs among the country's political elites, from less than 10 percent in the 1990s to nearly 20 percent in the 2000s to approximately 30 percent in 2010 and nearly 50 percent in 2020. Since 2010, it has by far the highest figure in the country comparison we have conducted. Ukraine also has a relatively high proportion of multimillionaires among its political elites, with a peak value of almost 20% in 2015, as shown in Figure 2 on p. 18. However, this high number of millionaires is most likely partly due to the electronic asset register introduced as part of the fight against corruption, which created far above-average transparency about the wealth of political elites compared to the other countries in our sample.

Otherwise, there are no major differences between Ukraine and Eastern Central Europe. While a background in the military/intelligence service is relevant for the political elites in Russia (at the extreme with a share of 20 percent in 2005), this figure is always clearly in the single-digit range in Ukraine as well as in East Central Europe, as shown in Figure 3 on p. 19. In Ukraine, this situation did not change after the start of the large-scale Russian war of aggression.

Share of Women

The share of women among the Ukrainian political elites surveyed was low: it was less than 10 percent in 2015 and rose to 13 percent overall in 2020. In 2020, women made up 20 percent of the Ukrainian parliament and 14 percent of the government, their share was much lower in the elite positions that are filled "behind the scenes"—in Ukraine—for example, governors and the heads of important state institutions or companies. This picture can also be seen in the other countries we surveyed (although the proportion of women is significantly greater in East Germany). For an overview of the share of women in all countries included in the dataset, see Figure 5 on p. 21.

Political Elites under President Zelensky

Volodymyr Zelensky and his newly founded “Servants of the People” party explicitly ran in the 2019 presidential and parliamentary elections to replace old political elites with new people. In the parliamentary elections, his party only fielded candidates who had not previously been represented in parliament. Electoral victory thus led to a stronger change in elites than after the mass protests of 2004 and 2014. It was not only the old socialist elites who disappeared after the 2019 elections. The majority of the political elites in 2020 were not even politically active before 2014.

However, after 2019, the sociodemographic profile of political elites remained similar to their predecessors. Since 2015, the average age of Ukrainian politicians was under 50 years. The share of women rose slightly, as shown above. In terms of professional background, the figures were in line with previous years—with the exception of the rise of a group from the entertainment/media sector. The only discernible trend reversal is the sharp decline in the share of multimillionaires—most likely due to the rise of newcomers in combination with the fight against corruption and a law on deoligarchization. By 2023, the share of multimillionaires among political elites had fallen to below 10%, which means that it had roughly halved since Zelensky came to power.

As Zelensky systematically relied on newcomers to politics, the decisive characteristic of the political elites was now a lack of political experience. This had three important consequences. First, some of Zelensky’s candidates proved to be unsuitable or out of their depth. Second, Zelensky often appeared to be guided by his personal assessment of the reliability and competence of candidates. For example, he comparatively often brought people into his inner team with whom he had worked in the entertainment sector before his political career. Third, Zelensky frequently came into conflict with those parts of the political elite who had already been in office prior to his election victory and could not be dismissed by him.

In an environment that is sometimes corrupt and burdened by political power struggles, it makes sense to replace old incumbents and to rely on people who have already proven their loyalty. The large-scale Russian war of aggression with the unmasking of espionage networks and plans to assassinate the president reinforced this logic. Moreover, the urgency of the situation made it of prime importance to have competent people in place. As a result, elite turnover increased. In the first two years of the war, for example, half of the ministers and over half of the regional governors were newly appointed.

As a result, many people whom Zelensky knew from his time as a TV entertainer and producer came to influential political positions. The most prominent example is certainly Andriy Yermak, who worked with Zelensky in 2010 and became head of the presidential office in 2020. Yermak is also said to promote people close to him, controversially, for example, in the selection of the director of the National Anti-Corruption Bureau in March 2023. Another less prominent example is Serhiy Ionushas, whose law firm represented the interests of Zelensky’s production company “Kvartal 95”. He was responsible for legal reform in Zelensky’s election campaign team in 2019 and was subsequently appointed head of the Presidential Commission for Legal Reform. In parliament, he took over the chairmanship of the legal affairs committee. As a result, among the political elites of 2023, there were many without long-term political experience, many lawyers, often with a focus on media law, and a significant proportion from the entertainment/media sector.

Finally, there are ongoing conflicts, even during war times, with members of the political elites who were appointed or elected independently of the president and his parliamentary majority. Most prominently this concerns the judges at the constitutional court and local mayors. In both cases, many incumbents were clearly corrupt. However, the replacement process often seems to be organized in a way that simultaneously promotes loyalists to influential positions, thus increasing the political power of the president and his team. In the case of the constitutional court, the original law of December 2022 gave the president and the parliament the right to appoint each a third of the judges, meaning that the president and his parliamentary majority would largely have defined the composition of the new court. After pressure from the EU, the law changed, but influence peddling still remained (Velychko 2024). Another power struggle evolved between Zelensky and several influential mayors who were chosen in local elections. Again, many mayors were clearly corrupt, but a second motive for their removal seemed to be related to the removal of political rivals (Skorkin 2023).

At the same time, it is important for democracy and the rule of law that political elites be recruited according to established procedures and performance-related criteria. Sophisticated selection processes have been developed for the state’s anticorruption bodies for this purpose. As long as martial law is in force, the composition of the political elite will be decided primarily by a combination of personal selection by the president and institutionalized selection processes. After the end of martial law, the population will elect part of the political elite in parliamentary elections.

Conclusion

The data from the international comparative dataset presented here can be used to trace the changes in the Ukrainian political elite from independence to 2023. This shows that the composition of the elites in Ukraine largely follows the same patterns as in countries in Eastern Central Europe.

The change of elites who were active under socialism took longer but was completed in 2023. One of the visible differences (apart from Hungary) is the large proportion of multimillionaires until 2020, which is mainly due to the great political influence of the oligarchs.

With the election victory of Zelensky and his party, many newcomers entered politics in 2019, some of whom were old partners of Zelensky from the entertainment industry and media law. This creates a certain tension with institutionalized state recruitment processes based on competence and integrity (but not loyalty). The martial law imposed in response to the Russian war of aggression exacerbates this tension, as loyalty becomes more important and transparency is restricted by confidentiality obligations.

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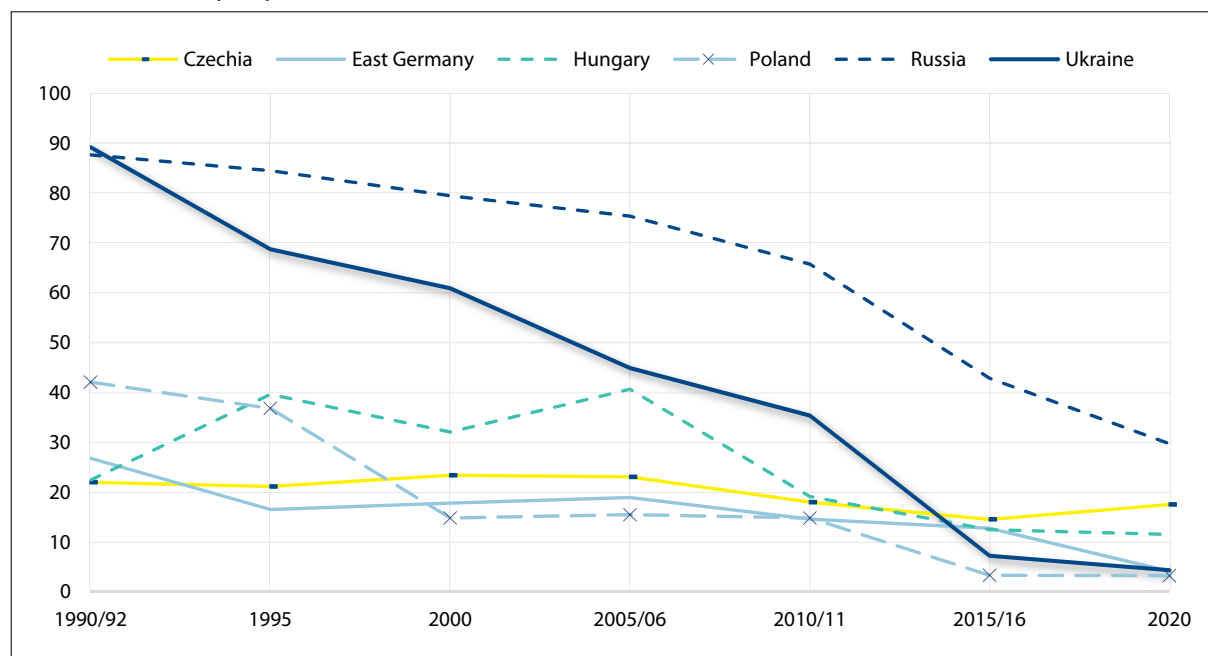
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This publication and the dataset presented have been produced in the context of the collaborative project “Mod-Block”, which has received financial support from the German Ministry of Education and Research.

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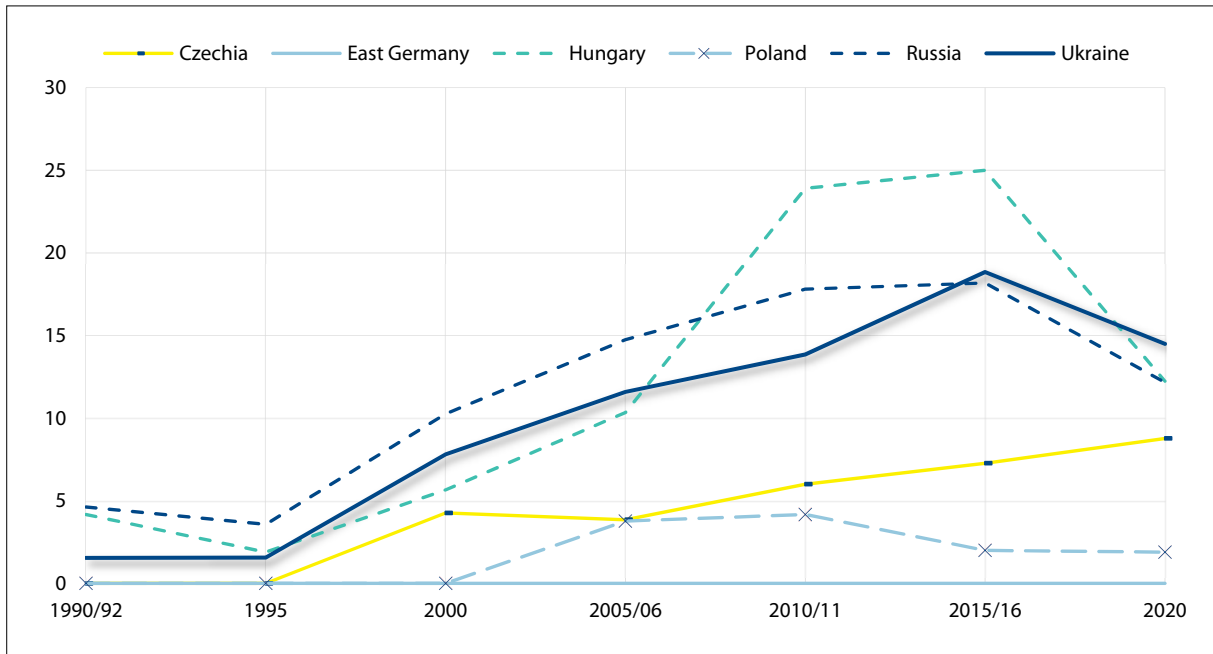
Figure 1: Share of Former Active Supporters of Socialist Regime (Official Position in Regime) among Political Elites (in %)



	1990/92	1995	2000	2005/06	2010/11	2015/16	2020
Czechia	22	21.15	23.4	23.08	18	14.55	17.54
East Germany	26.83	16.54	17.83	18.94	14.6	12.77	4.14
Hungary	22.45	39.62	32.08	40.67	19.15	12.5	11.54
Poland	42.11	36.84	14.82	15.52	14.82	3.33	3.28
Russia	87.69	84.52	79.49	75.41	65.76	42.86	29.73
Ukraine	89.23	68.75	60.93	44.93	35.38	7.25	4.35

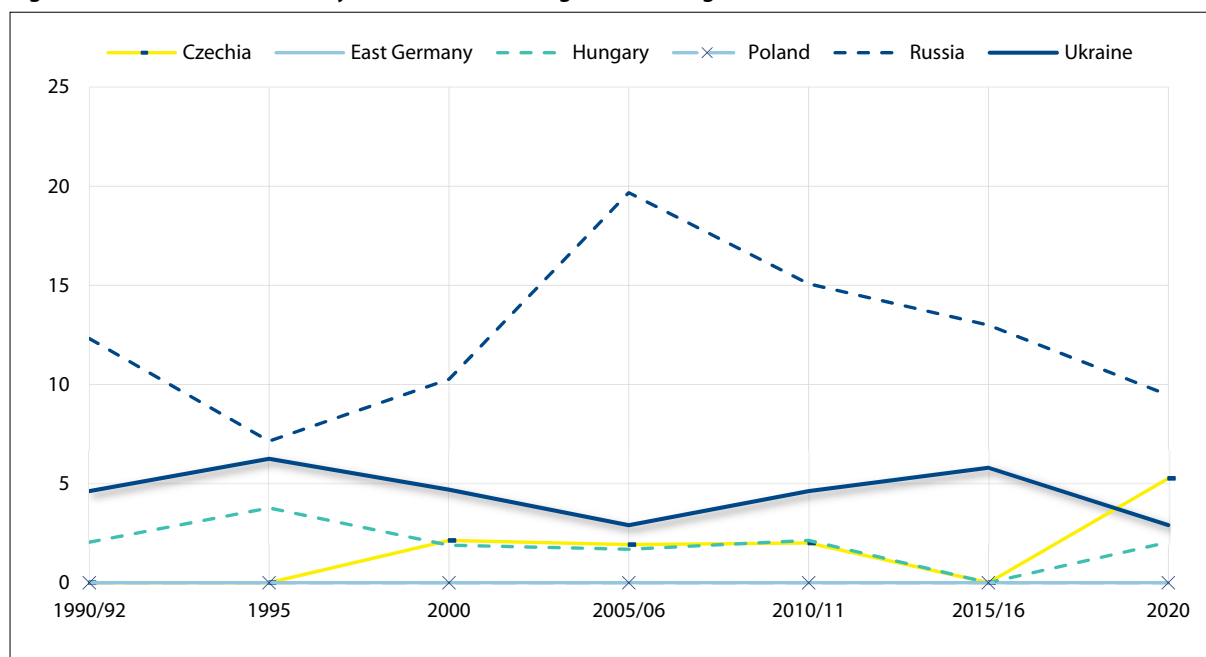
Source: Oksana Chorna et al. (2023): Dataset "Characteristics of Political Elites: Long-term Trends in Post-Socialist Central and Eastern Europe," v. 1.1, Discuss Data, <https://doi.org/10.48320/40A44168-EC91-460B-BC16-429B1D0F432D>

Figure 2: Share of Multi-Millionaires among Political Elites (in %)



	1990/92	1995	2000	2005/06	2010/11	2015/16	2020
Czechia	0	0	4.26	3.85	6	7.27	8.77
East Germany	0	0	0	0	0	0	0
Hungary	4.17	1.89	5.66	10.34	23.91	25	12.24
Poland	0	0	0	3.77	4.17	2	1.89
Russia	4.62	3.57	10.26	14.75	17.81	18.18	12.16
Ukraine	1.54	1.56	7.81	11.59	13.85	18.84	14.49

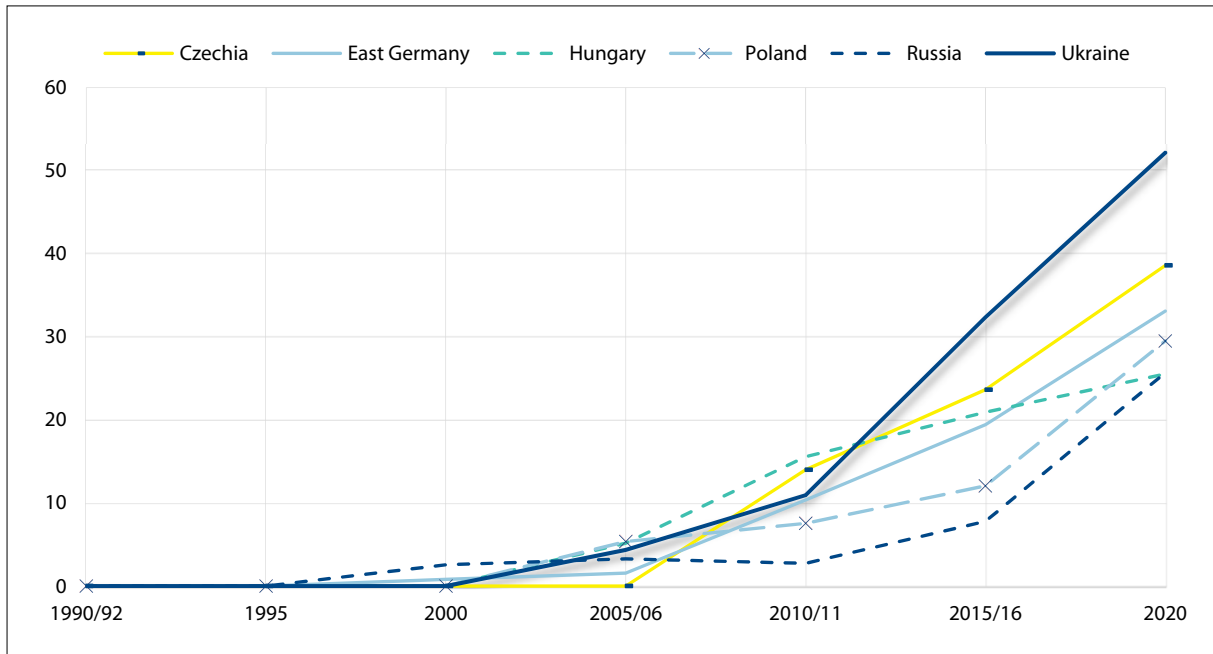
Source: Oksana Chorna et al. (2023): Dataset "Characteristics of Political Elites: Long-term Trends in Post-Socialist Central and Eastern Europe," v. 1.1, Discuss Data, <https://doi.org/10.48320/40A44168-EC91-460B-BC16-429B1D0F432D>

Figure 3: Share with Military/Secret Service Background among Political Elites (in %)

	1990/92	1995	2000	2005/06	2010/11	2015/16	2020
Czechia	0	0	2.13	1.92	2	0	5.26
East Germany	0	0	0	0	0	0	0
Hungary	2.04	3.77	1.89	1.69	2.13	0	2.04
Poland	0	0	0	0	0	0	0
Russia	12.31	7.14	10.26	19.67	15.07	12.99	9.46
Ukraine	4.62	6.25	4.69	2.9	4.62	5.8	2.9

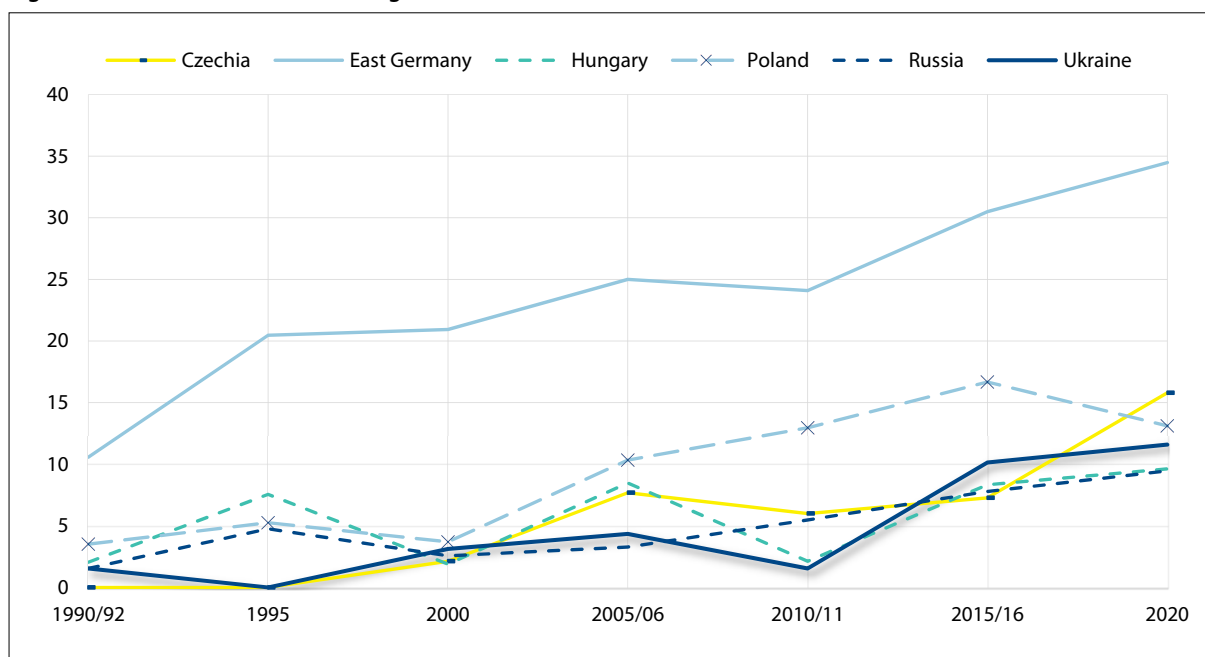
Source: Oksana Chorna et al. (2023): Dataset "Characteristics of Political Elites: Long-term Trends in Post-Socialist Central and Eastern Europe," v. 1.1, Discuss Data, <https://doi.org/10.48320/40A44168-EC91-460B-BC16-429B1D0F432D>

Figure 4: Share under Age of 18 at the End of Socialism (1989 as Reference Year) among Political Elites (in %)



	1990/92	1995	2000	2005/06	2010/11	2015/16	2020
Czechia	0	0	0	0	14	23.64	38.6
East Germany	0	0	0.8	1.56	10.37	19.42	33.1
Hungary	0	0	0	5.17	15.56	20.93	25.53
Poland	0	0	0	5.36	7.55	12.07	29.51
Russia	0	0	2.56	3.28	2.74	7.79	25.68
Ukraine	0	0	0	4.35	10.94	32.35	52.17

Source: Oksana Chorna et al. (2023): Dataset "Characteristics of Political Elites: Long-term Trends in Post-Socialist Central and Eastern Europe," v. 1.1, Discuss Data, <https://doi.org/10.48320/40A44168-EC91-460B-BC16-429B1D0F432D>

Figure 5: Share of Women among Political Elites (in %)

Source: Oksana Chorna et al. (2023): Dataset "Characteristics of Political Elites: Long-term Trends in Post-Socialist Central and Eastern Europe," v. 1.1, Discuss Data, <https://doi.org/10.48320/40A44168-EC91-460B-BC16-429B1D0F432D>

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The Ukrainian Analytical Digest (UAD) is a bimonthly internet publication jointly produced by the Research Centre for East European Studies at the University of Bremen (www.forschungsstelle.uni-bremen.de), the Center for Security Studies (CSS) at ETH Zurich (www.css.ethz.ch), the Center for Eastern European Studies (CEES) at the University of Zurich (www.cees.uzh.ch), and the German Association for East European Studies (DGO). The Ukrainian Analytical Digest analyzes the political, economic, and social situation in Ukraine within the context of international and security dimensions of this country's development. All contributions to the Ukrainian Analytical Digest undergo a fast-track peer review.

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Responsible editors for this issue: Eduard Klein and Heiko Pleines

Language editing: Nathanael Brown

Layout: Marin Dziallas, Cengiz Kibaroglu, Matthias Neumann, and Michael Clemens

ISSN 2941-7139 © 2024 by Forschungsstelle Osteuropa, Bremen and Center for Security Studies, Zürich

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