



Administrative Service Delivery during War Time

04 October 2022

Key messages

- **The large scale-aggression by Russia against Ukraine starting on 24 February 2022** drastically changed the provision of administrative services in the country. It created the need to adapt or propose new ways of providing administrative services and the creation of entirely new services.
- **The government adopted new regulations and amended existing ones to respond to the new reality.** This involved extending deadlines for documents and procedures, simplifying administrative procedures, assigning new responsibilities to administrative bodies and creating new services, such as the registration of damaged property or the reimbursement of accommodation expenses for those who were temporary displaced.
- **The service delivery system has evolved rapidly.** During the first days of Russia's war against Ukraine there were almost no services. Three months after the February 2022 invasion the system had adapted to wartime conditions and almost all significant services were available (2 202 out of 2 230) being it in-person and/or online.
- **The Ukrainian system of administrative service delivery has proved itself resilient** in terms of safety and security, and in terms of responses to the new needs of the population. The work carried out by the Government previously on the main regulatory, policy and institutional building blocks has supported resilience during the war.
- **The simplification and deregulation efforts of the government will continue after the war.** Some of the solutions implemented during the war may become permanent once reassessed and adapted to peacetime. This will ensure the right balance between the principles of security and agility that are key during war time, and the principles of transparency, participation, accountability and legal certainty. It is important that the new reality is fully aligned with the principles and provisions of the recently-adopted Law on Administrative Procedure. Digital solutions developed during war time should be duly regulated to avoid legislative discrepancy.

Background and key issues

The large-scale aggression by Russia against Ukraine starting on 24 February 2022 drastically changed how and which administrative services are delivered to its citizens. Physical facilities and communications infrastructure have been damaged or occupied in many areas of the country. The quality of data transmission has decreased on average by 13% over fixed internet networks and by 26% over mobile networks (May 2022)¹ and one out of five administrative service centres has been damaged or destroyed². The system of service delivery has had to be relaunched, adapted and even transformed in order to secure administrative service delivery during war time.

Russia's war against Ukraine has pushed up demand for (new) administrative services. For example, identity documents have become a concern for many citizens, because of loss or damage and the need for citizens to prove their identity more often than in the pre-war period. Similarly, many mothers had to travel abroad with their children, despite the fact that some children did not have a passport and/or they did not have notarised permission from the other parent.

Many citizens had to abandon their homes and settle in a different part of Ukraine, becoming internally displaced persons (IDPs) needing a range of support services from the state. From an administrative point of view, the situation of IDPs has to be registered and certified in order for the state to provide services such as social allowances to the IDPs themselves, or to the citizens offering accommodation to them. A similar **issue of administrative consequences** arises regarding the destruction of property and, more tragically, the increasing number of deaths and injured people (both military and civilians).

The integrity of basic registries was affected by the risk of physical destruction of servers and other crucial equipment, Russian hacker attacks, the risk of unauthorised access to data on occupied territories, as well as of registration fraud due to lack of judicial supervision and of effective enforcement agencies.

Not all of the issues affecting service delivery during war and occupation are new to Ukraine. **Since the beginning of the war in 2014, the country has developed policies for operating during war time and adopted framework legislation.** The main law governing this topic is the Law of Ukraine "On Ensuring of Rights and Freedoms of Citizens and the Legal Regime on the Temporary Occupied Territory" of 15/04/2014. It envisages rules on residence registration, sale of real estate, conditions for business activity and provision of social welfare for those living in occupied territories. However, a number of policy solutions developed became irrelevant during the full-scale war and required reassessment.

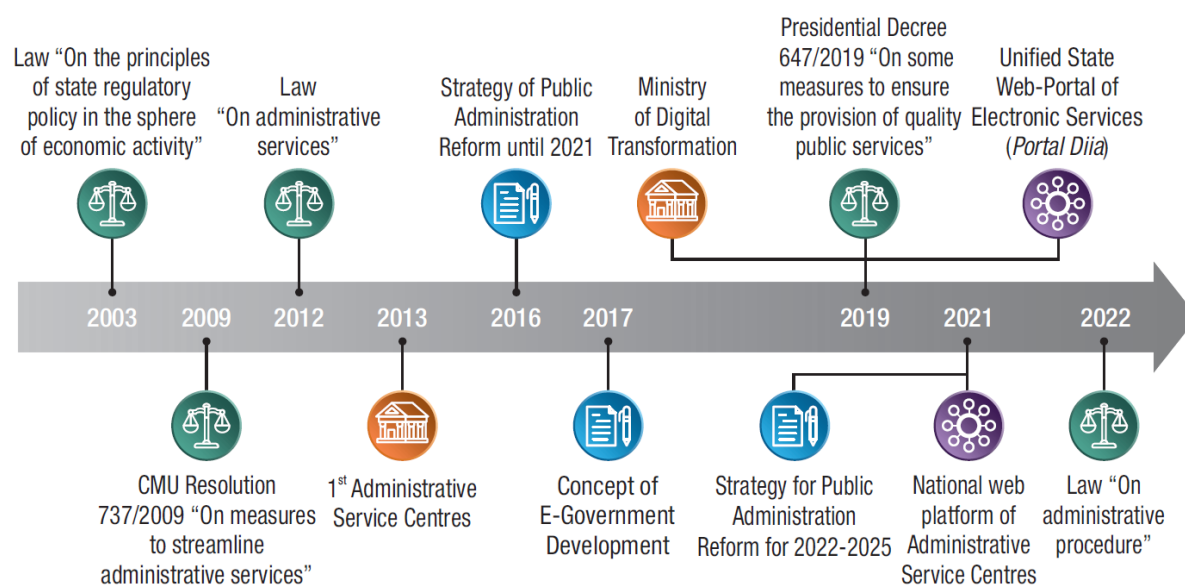
At the start of the war, Ukraine had a solid system of administrative service provision, both physical and online, in place. As service delivery was included in several public administration reforms, numerous regulatory, policy and institutional foundations were in place (see Figure 1)³.

¹ OECD (2022): Digitalisation for recovery in Ukraine. *Policy Responses. Ukraine: tackling the policy challenges*. <https://www.oecd.org/ukraine-hub/en/>

² Centre of Economic Recovery (2022): Policy briefs on Ukraine's recovery. *Extended background analytics*.

³ Mamatova T., & Sydorenko, N. (2020). The system of administrative services in Ukraine: features of legal regulation. *Public Administration Aspects*, 8(6), 164-177. <https://doi.org/10.15421/1520115>

Figure 1. Overview of Administrative Service Reform Initiatives in Ukraine



Source: OECD (2022 forthcoming), "Service design and delivery in the ENP East region", SIGMA Papers, No. xx, OECD Publishing, Paris, <https://doi.org/10.1787/20786581>

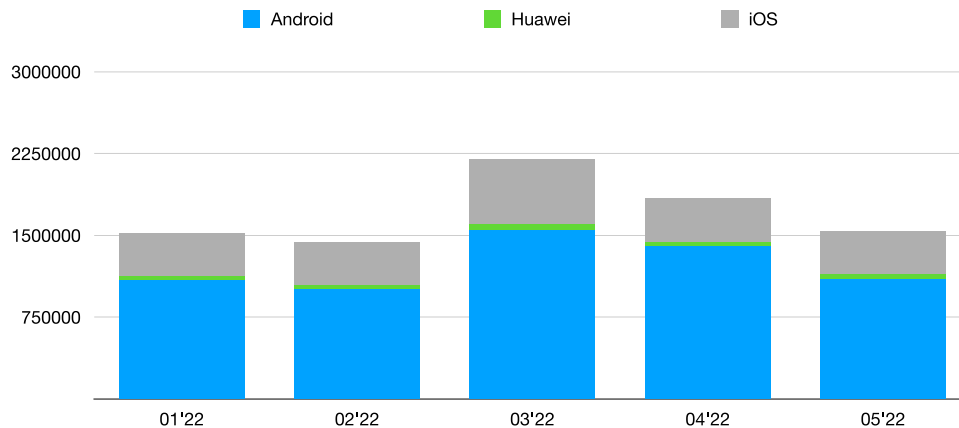
The **Law on Administrative Services** (approved in 2012 but amended several times later to improve service provision), defines the general requirements for administrative service design and delivery, sets the monitoring of quality and provides the legal grounds for the electronic services and the one-stop shops (Administrative Service Centres, ASCs). In February 2022, the network of ASCs was composed of 2 917 ASCs with more than 10 000 employees across the country.

In 2019, the government launched a vision of service design and delivery known as '**the State in a Smartphone**', which resulted in the rapid development of electronic services and which has proven its resilience and adaptability throughout the war to date.

As part of this latest reform, the **unified web-portal for electronic services, "Portal Diia"** (<https://guide.diia.gov.ua/>) enables access to the relevant information for each of the 2 230 administrative services (as of 23 February 2022). Citizens can apply for services, obtain personal data, upload documents, pay administrative fees, submit appeals and receive electronic services. These transactions can be performed on the website or using a mobile application, used by 17.3 million unique users and installed on more than 32 million devices⁴.

The provision of electronic services was suspended at the beginning of the war. **Over time, almost all electronic services resumed.** This meant that Diia (both the portal and the application) remained a key contact point for interactions between citizens and the state, with the daily number of users exceeding 1.5 million, a similar figure from before the war (see Figure 2).

⁴ MinDigit, "Diia - in action! The mobile application Diia and the National Online Digital Education Platform were presented", 6 February 2020, <https://thedigital.gov.ua/news/diya-u-dii-prezentovano-mobilniy-zastosunok-diya-ta-natsionalnu-onlayn-platformu-tsifrovoi-osviti>.

Figure 2. Average number of Diia users per day in 2022 (monthly)

Source: www.diia.gov.ua (Mykhailo Fedorov, Minister of Digital Transformation Ukraine, Ukraine Recovery Conference in Lugano, Switzerland 5th July 2022).

Just one week before Russia's large-scale aggression against Ukraine, on 17 February 2022, the Ukrainian Parliament approved the **Law on Administrative Procedure**, which is an important step forward for simplification and protection of citizens' rights and unified principles for all⁵.

What are the impacts?

Since 24 February 2022, administrative service delivery has ceased to be unified and standardised throughout the country and has diversified in terms of territory, time, scope of services and service providers. This division reflects the different levels of governmental control over the territory, the security measures and the risks related to enemy access to valuable information. Naturally, territories not significantly affected by Russia's war against Ukraine have the least restrictions on service delivery, while few services are available on those territories under Russian occupation. The major difficulty is to get real-time data on the status of territories: which village, region or community is occupied or liberated. This information affects decisions as to which parts of the country can continue using national electronic registers, which shall switch to paper-based work, which residents shall get financial support, etc.

The service delivery system has also evolved over time. During the first days of the war there were almost no services. Three months after Russia's full-scale invasion, the system had adapted to war time conditions and almost all significant services were available (2 202 out of 2 230).

a. Changing regulations and procedures

Since the beginning of the war, the government has adopted numerous regulations governing the provision of administrative services during the war. Most of them were adopted during the second month of Russia's invasion of Ukraine, once it became clearer what conditions should be addressed and what the new system should look like.

Extending deadlines and timeframes of the provision of administrative services was one of the first governmental decisions. A Decree was adopted within four days of the start of the war and applied to all administrative services. However, this one-size-fits-all solution became inadequate. Therefore, the terms

⁵ The Law on Administrative Procedure was adopted by the Verkhovna Rada (parliament) of Ukraine on 17.02.2022, signed by the President of Ukraine on 13.06.2022 and officially published on 15.06.2022. According to transitional provisions it will become fully effective on 15.12.2023. <https://zakon.rada.gov.ua/laws/show/2073-20#Text>

for the provision of many services returned to the pre-war terms or were regulated separately. In particular, unlimited deadlines were removed from registration of businesses, titles to real estate and civil status.

Apart from time limits, many **substantive changes were made to the legislation and subsequent procedures on the provision of various administrative services**. The majority of these changes addressed **war-related issues**, e.g. travelling abroad with a domestic Ukrainian passport (ID card) was allowed, without the need to get a separate passport for international travel;⁶ children were allowed to leave the country with a parent without presentation of notarised permission of the other parent; changes to the procedures governing identity documents were introduced to simplify their issuance; customs services for importation of humanitarian aid and cars were streamlined; medical birth certificates could be issued on a simple piece of paper (no need to use paper with special design and protections); etc.

A good example of **procedural and substantial changes in administrative services and permits is the changes in vehicle and driving license regulations**. In order to relieve tension related to the shortage of vehicles in the country due to the large scale of destruction and damage, the government simplified the procedure for importing vehicles from abroad.⁷ In order to facilitate logistics and increase the number of drivers for the army, the government also changed the conditions of driving licenses, granting the right to drive category C vehicles to people holding category B driving licenses⁸.

Another important change took place in the area of **issuing business permits and licenses**. Business entities acquired the right to start business activity free of charge after submitting a declaration of economic activity in any form, without obtaining permits, licenses or other results of public services⁹. This possibility applies to all types of permits and licenses, except for the fifty-three most risky and dangerous activities (related to nuclear power and materials, treatment of dangerous residues, etc.). Public authorities publish submitted declarations on their official websites to make information available for consumers and as a way of notifying applicants. This approach simplifies starting a business without deregulating economic activities (the rules still apply; compliance is just not checked beforehand).

One of the requests from the military was to allow soldiers to marry and to make a will without leaving the place of combat. To address this request, **the procedure of marriage registration** was amended to allow couples to marry distantly, through video connection via a smartphone and with the presence of a military commander. Documents signed by the military commander are transferred to the proper registration agency, which issues the marriage certificate and uploads data into the register.

b. New services and transfer of functions

To cope with changing demands, **new administrative services have been launched** to help the population face the consequences of Russia's war against Ukraine. **Most new services are related to financial assistance**: for example, financial allowances to IDPs, financial allowances for businesses in occupied territories, reimbursement of expenses for those who provide housing for IDPs, etc. Other new services are related to changes in passports to facilitate travel including the possibility for parents to add a photo and information about their children.

⁶ Decree of the Cabinet of Ministers of Ukraine "Some issues of entering information in the passport of a citizen of Ukraine to travel abroad" of 28/02/2022 #170

⁷ Decree of the Cabinet of Ministers of Ukraine "On amendments to the Procedures Approved by Decrees of the Cabinet of Ministers of Ukraine of September 7, 1998 № 1388 and November 11, 2009 № 1200" of 04/03/2022 #190

⁸ Decree of the Cabinet of Ministers of Ukraine "Some issues of admission of drivers to drive vehicles" of 03/03/2022 #184

⁹ Decree of the Cabinet of Ministers of Ukraine "Some issues of ensuring the conduct of economic activity in martial law" of 18/03/2022 #314

During the war, the government has not had the time or resources to create new institutions for service delivery and has opted to **assign new tasks to the existing administrative network**. For example, the range of bodies empowered to register IDPs was expanded. IDPs can be registered in Social Protection Units, Administrative Services Centres, and local governments. The registration is also available on line via the mobile application Diia.

Another example of adding new functions was the **transfer of certain registration functions to the Ministry of Justice during the initial stages of Russia's full-scale invasion**. During that period, the framework of limited and risk-based access to registers and systems of additional guarantees was still under development, but there was an urgent need to register changes in data of war-related entities and charity funds. Thus, during the initial months of the war, major registration services were provided not by notaries or municipal registrars as per usual practice, but by civil servants of the Ministry of Justice – a function unknown to them during peacetime.

c. Role of e-services

Over time, almost all electronic services resumed and Diia (both the portal and the application) remained a key contact point for interactions between citizens and the state. Also a number of new electronic services have been launched via Diia. Some examples are the following:

- eDocument: an alternative identity document, eDocument displays the information contained in the internal passport (ID card), in the passport for foreign travel, or in the driving license.
- Change of private business owner data: e-business owners can change their place of registration, company name and other data. This is a fully automated service without human intervention.
- eDeclaration: allowing business owners to submit electronic declarations of business activities, instead of having to request permission before starting a business under Martial Law.
- Residence confirmation: citizens can obtain a place of residence confirmation certificate online on the Diia portal within 1 minute. The certificate is usually needed to get financial assistance/allowances or to receive certain services from agencies without access to the relevant register.

d. Registers

The sustainability of the registers is key to administrative service delivery. **In most cases, registers remained operational during the war, but access to them was significantly limited.** The limitations were different depending on the business and security needs. During the first weeks of the war, amendments to the data kept in registers were only allowed in the most important and urgent cases. The government gradually increased access to registers by allowing more registrars and more operations (e.g. registration of charity funds, reallocation of business, etc.).

The riskiest operations related to the transfer of corporate rights and real estate titles only became available two months after the invasion. Notaries were only given access to registers after reassessment of their previous activity and after a system of additional procedural guarantees was put in place protecting the system from fraud. Such limitations would be too burdensome during more ordinary times but were considered justified in times of war.

A similar situation is observed in **other key registries**. The State Demographic Register, the Information System of the Ministry of Internal Affairs of Ukraine and the State Register of Vehicles resumed their work on 15 March. The State Land Cadastre faced most technical problems and only became operational in August.

Additional security measures taken by authorities included the use of cloud services and servers located abroad (out of the range of possible air strikes) in order to keep state registers running and protect them from physical destruction. Due to security concerns, publication of open data containing information from the registers was discontinued immediately after Russia's full-scale invasion of Ukraine began.

What is the outlook?

The Ukrainian system of administrative service delivery has showed itself resilient during the war in terms of safety and security and in terms of responses to the new needs of the population. The simplification and deregulation efforts of the government will continue after the war ends and peace is restored. Some solutions implemented through the war may become permanent once reassessed and adapted to peacetime. It is important that all public services are in full alignment with the principles and provisions of the recently-adopted Law on Administrative Procedure, and that all digital solutions developed during war time are duly regulated to avoid any potential legislative collisions.

Proper implementation of the new Law on Administrative Procedure, which will enter into force at the end of 2023, will require massive efforts especially regarding harmonisation of special procedural laws and bylaws, and ensuring the rights of citizens and businesses are duly observed, unnecessary administrative burden is removed, legal certainty is ensured, and arbitrariness eliminated.

The mobile application Diia has proven to be beneficial during war time. Although **Ukraine has made significant progress in reducing the digital divide**, progress has been uneven across territories. Looking ahead to the post-war period, Ukraine should leverage the reconstruction of infrastructure to modernise its communication network and further reduce the digital divide.

Furthermore, it is extremely important to **expand the number of channels for receiving services, by increasing the capacity of Diia, but also continue to invest in the Administrative Service Centres (ASCs)**. Ukraine should focus on further enhancing its omni-channel approach. Omni-channel strategies are critical for ensuring services can be accessed through any channel at any time, but need to be complemented by efforts to provide face-to-face support to those who would otherwise be digitally excluded.

Ukraine had a solid system of administrative service provision, both physical and online, in place. The work carried out previously on the main regulatory, policy and institutional building blocks in Ukraine has supported the country's resilience during the war. While Ukraine has performed admirably in maintaining much of these foundations, the war has highlighted the need to physically protect digital government infrastructure, achieve greater integration among government organisations and improvements to data governance.

There is a critical need for portable and globally interoperable digital identity solutions to ensure people can prove their identity, despite the loss of critical documentation or displacement across borders. The necessity of digital identity solutions has been brought into focus as a result of Russia's war against Ukraine. Internally displaced people may have lost access to their physical documentation, while those who have sought refuge overseas urgently need their Ukrainian identities to be recognised in their host countries. A simplified digital ID can be obtained through the *Diia* app, which is recognised by local law enforcement and by the border guards of neighbouring countries. Moreover, in agreement with Poland, Ukrainian driving licence and car registration certificates will be displayed in the Polish official e-wallet, allowing Ukrainian drivers to prove their licences with their mobile phones. This **cross-state e-document sharing is fundamental** for easing the life of displaced people and it is in line with the proposed new EU Regulation on electronic identification and trust services (eIDAS 2.0)¹⁰, therefore it is advisable to extend this example to other neighbouring countries.

¹⁰ [eIDAS Regulation | Shaping Europe's digital future \(europa.eu\)](https://eidas.europa.eu/press/eidas-20)

What are the key considerations for policy makers?

- **Service delivery resilience in Ukraine derives from developments dating to before Russia's full-scale invasion in February 2022.** The existence of a wide network of administrative service centres throughout the country, the digitalisation and interoperability of most public registers and the development of electronic services have all contributed to service delivery continuation and adaptation during the war.
- **Other key capacities to enable service continuation during war time were the following:** the ability to immediately and precisely limit or block access to registers and data; the ability to use cloud services and store data in safe regions of the country or abroad; a wide and decentralised network of 'brick-and-mortar' one-stop shops for service provision; a fully reliable (on- and offline) channel of communication between the state and each citizen (for distribution of information and money); laws and regulations allowing flexibility for the government during extreme situations (including martial law); and a secure system of identification of citizens not limited to availability of a single identity document.
- **The continuous work of the government and parliament to modify (adjust and simplify) administrative procedures and requirements and to create new services is a key factor** to ensure addressing the needs of the population during Russia's war against Ukraine.
- **The simplification and deregulation efforts of the government will continue after the war.** Some innovative and smart solutions implemented during the war may become permanent once reassessed and adapted to peacetime. This will ensure the right balance between the principles of security and agility that are key during war time, and the principles of transparency, participation, accountability and legal certainty.
- It is important to **expand the number of channels for receiving services**, by increasing the capacity of *Diia*, but also continue to invest in the Administrative Service Centres (ASCs).
- There is a critical need for portable and globally interoperable digital identity solutions. In this way the **simplified digital ID**, obtained through the *Diia* app and recognised in neighbouring countries has proven to be instrumental. This cross-state e-document sharing is advisable to be extended.
- The **rapid digitalisation of service delivery that started in 2019 has proven effective and efficient.** The achievements during war time are widely acknowledged. However, consolidation of service delivery according to standards set out by the **Law on Administrative Procedure** needs to be fully implemented.

Further reading

This note is an abridged version of the forthcoming (2022) SIGMA document, Administrative Service Delivery in Ukraine under war circumstances. State of play, challenges and recommendations. <https://www.sigmaweb.org/>

Centre of Economic Recovery (2022): Policy briefs on Ukraine's recovery. *Extended background analytics*.

Mamatova T., & Sydorenko, N. (2020). The system of administrative services in Ukraine: features of legal regulation. *Public Administration Aspects*, 8(6), 164-177. <https://doi.org/10.15421/1520115>

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OECD (2022 forthcoming), "Service design and delivery in the ENP East region", *SIGMA Papers*, No. xx, OECD Publishing, Paris, <https://doi.org/10.1787/20786581>

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