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LIQUID DEMOCRACY AND LIQUID ADMINISTRATION AS THE NEW KEY PRINCIPLES FOR THE RESILIENT PUBLIC ADMINISTRATION DEVELOPMENT IN UKRAINE

The research was conducted within the framework of the complex scientific project “Public Administration and Local Self-Government” of the National Academy of Public Administration under the President of Ukraine on the topic of research work “Formation of the National Resilience in Ukraine in the Conditions of Socio-Economic Turbulence”. In this article, we raise the issue of implementing scientific developments in innovative public management and administration strategies under the present conditions of life, characterized by growth, complexity, and uncertainty of the effects of adverse events. The article highlights the key elements of the modern paradigm of public administration development – liquid democracy, international provisional administration, flexible democracy and administration, national resilience – as important and promising alternatives to the development of Ukraine. Our team of scholars (theorists and practitioners) of public administration expresses the idea of the need to combine the theoretical foundations of implementation of the principles of resilience, liquid democracy, and liquid administration. This scientific problem is urgent and attracts the attention of modern scientists. However, it is being raised for the first time in Ukraine.

Keywords: public management, public administration, liquid democracy, liquid administration, resilience, liquid public administration, international provisional administration, flexible democracy and administration approaches, the conflict of Ukraine.

The main features of the development of the modern world are processes of globalization and interdependence of economies of different countries, problems of acceleration of pace, uneven development and introduction of new technologies, irregularly growing ecological crisis, transition to the seventh technological structure. World governance processes are in transition, rapidly changing the practice of democracy when the ultimate effect is not yet reached.

As F. Fukuyama presumably argued society is still far from the final point of change in both systems of governance and cultural, structural, etc. elements of democracy¹. This transition is multifaceted, involving visions of long-standing legacy systems among transformative changes, new disruptive technologies, emerging political cultures, and more. Today, there is widespread global dissatisfaction with political governance, which can be characterized as a “democratic deficit” a situation where the expectations and needs of ordinary people for more political participation grow while their real power regarding political systems diminishes^{2 3}.

Modern realities and the state of development of Ukraine are complicated and affect the content and adequacy of governance processes in the state, which should correspond to the existing, negative and positive components of it. Modernization and development of institutes, mechanisms and models of public administration is an actual scientific and practical problem in the world, for transition countries,

¹ Fukuyama, F (1989). The end of history? *The National Interest*. <https://www.embl.de/aboutus/science_society/discussion/discussion_2006/ref1-22june06.pdf> (2019, September, 26).

² Ramos, M. J. (2015). Liquid democracy and the Futures of Governance. *The Future Internet. Alternative Visions*.

³ Ramos, M. J. (2014). Anticipatory Governance: Traditions and Trajectories for Strategic Design. *Journal of Futures Studies Taiwan*, 19 (1).

in particular for Ukraine¹. The main negative transformations in Ukraine related to the polyetiological influence of risks in the last years include an imperfect infrastructures, economic imbalances and instability; disordinated policies, disparate decisions and practices; inconsistency in the adoption and inefficient implementation of management decisions, overloading the economic, socio-humanitarian spheres; complex demographic situation and ageing of the population, deterioration of health indicators; the impoverishment of the population and the growth of social imbalances etc. All this is aggravated by the conduct of hostilities in the east of the country, which in turn leads to destruction of infrastructure and territories; to the intensity of the social climate, the aggression of society, etc. This complicates the processes of governance, shapes the vulnerability of the state and the nation, reducing the potential for resilience to risks².

We're convinced that the modern Ukrainian state is gaining new experience in public administration in the context of socio-economic and political changes, internal and external factors affecting the formation and development of Ukraine. Consider the example of the consolidation of the efforts of the state and civil society, which took place in the context of the prolonged conduct of an expanded antiterrorist operation within the framework of the United Forces operation. In addition, the experience of confronting contemporary risks and threats is gradually shaping the resilience of the individual country, its resilience to globalization and other challenges of the 21st century.

First, there was an urgent need to identify and consolidate social protection guarantees for military personnel who protected the independence, sovereignty and territorial integrity of Ukraine, as well as their families. Secondly, the issue of providing social protection for members of the families of ATO participants, especially the fallen soldiers, persons with disabilities as a result of the war was urgent. Undoubtedly, in such circumstances the need for cooperation of public authorities with business structures, civil society organizations, scientists, practitioners in various fields of activity increases, as well as involvement of ATO participants and their families in the formation and implementation of state social policy³.

There were positive shifts in recent years in Ukraine: a new position as a geopolitical partner (for the first time in its newest history); Ukraine-EU Association – activated the Europeanization of society and the state; a real movement towards the implementation and completion of the necessary systemic reforms, the realization of which decides the future, that requires significant intellectual, political efforts, peace etc; the rapid development of civil society and consciousness – the population becomes an active subject, influencing the authorities and the full initiator and participant in the transformation, respectively, with the activation of local self-government and joint, partner management, etc.

On the whole, we can give a positive assessment because in recent years Ukraine has been reforming its approaches and values in public administration, rethinking the political system, forming effective local self-government and a mature civil society, as well as making significant changes in national security issues.

The main problems of public administration that had to be solved during that transition period include: 1) contradictions between the advantages and disadvantages of decentralization, caused by the growing popularity of democratic principles of governance; 2) providing management in Ukraine in accordance with the requests of citizens and increasing of the participation of citizens in solving economic, political, cultural and other issues, development of self-governance and co-management; 3) ensuring the activity of the process of entering Ukrainian society into the information era, where the role of information and telecommunications has increased, network structures have arisen, a virtual world exists and evolves, which inevitably affects reality with the formation of e-government and self-government, e-democracy, network management structures, national intelligence, etc.; 4) resolving issues related to the development of effective crisis management technologies, forecasting and preventing crises, developing anti-crisis systems will help stabilize the volatility of social development and strengthening dynamics, scaling up crises, their globalization;

¹ Оболенський, О. Ю. (2014). Публічне управління: цивілізаційний тренд, наукова теорія і напрям освіти. *Публічне управління: шляхи розвитку*, 1, 3-4.

² Korolchuk, O. (2019). Trends of the public management development in Ukraine. *Association Agreement: Driving Integrational Changes*. Chicago: Accent Graphics Communications, 72-87

³ Кондратенко, О. (2019). *Державне регулювання соціального захисту учасників антитерористичної операції та членів їхніх сімей*: автореферат дисертації на здобуття наукового ступеня кандидата наук з державного управління. Київ: НАДУ.

5) the difficult problem of disastrously lacking resources – need to develop a well-balanced, scientifically grounded resource policy; effectiveness of use under public control etc.

Public administration under such conditions should become as clear as possible, focused on solving problems of ensuring, first of all, peace and independence, economic growth, competitiveness for the long-term development of Ukraine as well as the well-being of its citizens¹.

We study modern paradigms of development: liquid democracy, as collective decision-making, delegation and democratization of control by means of certain transparent algorithms, and, in parallel, the strategy of national population development, considering them as important and promising alternatives for the development of modern Ukraine.

Our main task is to attract the attention of managers and scientists to the development of this topic on the territory of Ukraine and other countries that have similar experience in the development of public administration; to determine the theoretical and methodological foundations of the implementation of liquid democracy and national resilience and to develop innovative mechanisms for their implementation, such as liquid public administration.

Ukraine as other modern states evolves under the interweaving of complex administrative and technological systems, which greatly improves capabilities and facilitates complex problem solving, but their cooperation is often uncoordinated and, therefore, ineffective. This is compounded by some discrepancies between the structures, operating conditions and tasks for which the system is intended. Accordingly, the ability of the system to crash, its inability to perform certain functions in the face of risks, threats, adverse events, etc., has increased dramatically. Today, it is generally recognized that any disruption of life and / or functioning of one system can cause a cascade of reactive shifts in the functioning and activity of one or more other systems.

Such examples were seen in a number of systemic failures after Hurricane Katrina, when the activities of administrative systems closely related to technical systems were disrupted, limited by uncertainty and rapid change of conditions.

Different scientific opinions on alternative strategies that can enhance the management and administration capacity to operate in today's highly complex environment, aimed at developing the flexibility provided by, for example, decentralization and heterogeneous organizational networks are spreading.

Thus, networks play an increasingly important role in managing public administration systems (Agranoff)², (Goldsmith and Eggers)³, (O'Toole and Meier)⁴. Other scholars believe that heterogeneous organizational networks are capable of assisting administrative systems by providing information and flexibility.

Our research will facilitate the development of the field of public administration and management, also raising the question of how alternative administrative structures will facilitate good governance, and more importantly, the degree of emergence and development of these structures, both liquid and resilient. Resilience is defined as the most practical approach to overcoming administrative problems created by uncertainty and rapidly changing conditions. It is a design that has many definitions that underpin the capacity (quality) of systems, communities or societies, nations that are potentially vulnerable, to adapt, resist, or change, achieving and maintaining a structure that is balanced, functioning, and is constantly developing. Even with its popularity in recent policy discourse, resilience remains the overriding imperative, the sole purpose of politics, partly because the concept of resilience is largely used as a metaphor to describe the desired state⁵.

¹ Korolchuk, O. (2019). Trends of the public management development in Ukraine. *Association Agreement: Driving Integrational Changes*. Chicago: Accent Graphics Communications, 72-87.

² Agranoff, R. (2007). *Managing within Networks: Adding Value to Public Organizations*. Washington, DC: Georgetown University Press.

³ Goldsmith, S. Eggers, W. D. (2004). *Governing by Network. The New Shape of the Public Sector*. Washington, Brookings Institution Press.

⁴ O'Toole, Laurence J., Kenneth, Jr., Meier, J. (2004). Public Management in Intergovernmental Networks: Matching Structural Networks and Managerial Networking. *Journal of Public Administration Research and Theory*, 14(4), 469-494.

⁵ Manyena, S. B. (2006). The Concept of Resilience Revisited. *Disasters*, 30
<<https://onlinelibrary.wiley.com/doi/abs/10.1111/j.0361-3666.2006.00331.x>> (2019, November, 08).

Resilience has been studied successfully in different disciplines: engineers evaluate it for how communities are prepared to deal with a particular type of threat, such as seismic risk¹, economists use models to measure the economic losses from the effects of catastrophic risks or catastrophes; other researchers are developing metrics to quantify the resilience of economic, social and technological components of the community, etc. Despite the increasing number of scientific developments, it is now recognized that there is a need for a large-scale research that will expand current theoretical and empirical ideas about resilience.

The important question remains, the answer to which we are seeking, as to how the idea of forming resilience will contribute to the development of the concept of administrative resilience itself. There are already major scientific scholars and theorists, such as Gunderson and Holling (2002), who consider systems as resilient if they have the organizational stability to resist disruptions or if the organizational is flexible enough to absorb system disruptions, such as bouncing back after experiencing adverse events, risks, catastrophes. The concept of administrative resilience by Eleanor Ostrom (2005) defines it as the ability of a system to maintain a certain level of productivity, even if the components of the system or the environment in which it operates change. We agree that resilient systems must have these two interrelated qualities (in terms of system structure, rules, system processes), while maintaining the operational effectiveness of the communities for which it operates (providing ways and methods of communication, decision making).

The key component of administrative resilience is well-established interaction between structure and process, that is supported by the exchange of relevant and up-to-date information between the participants in the administration process, which ensures the system's ability to adapt in response to changes occurring in the face of risks and adverse events.

Published Global trends and Key implications thorough 2035 claim that Governing is getting harder. When formulating strategies in public management, we must take into account that "Publics will demand governments deliver security and prosperity, but flat revenues, distrust, polarization and a growing list of emerging issues will humper government performance". Researchers state that "at national level, the gap between popular expectations and government performance will grow; indeed, democracy itself can no longer be taken for granted"².

Analysing possible scenarios for the development of the global landscape, researchers argue that all the positive human capabilities can only be realized through the creation of resilient administration. The experience of leading countries in the world shows that modern approaches and innovative tools can be used to increase institutional responsiveness to respond quickly to challenges and threats. These include the application of strategic planning, special trainings, and analysis of successful case studies from other countries. All of this is ultimately intended to help accelerate response during a crisis. At present, Ukraine is undergoing a reform of public management, which lasts in conditions of political and economic crises, military aggression of the Russian Federation in the East of Ukraine, annexation of the Crimea. This requires new effective paradigms of public management using foreign experience. Particularly important is the development of an effective public management system for the temporarily occupied territories of the East of Ukraine.

Another modern scientific approach operates with the concept of "liquid democracy" and explains it as a delegated democracy, which is a form of democratic control with the help of representatives, not delegates. The term "liquid democracy" has received much attention recently, both in Ukraine and abroad. Although different groups and countries understand this term in their own way. Liquid democracy was originally described as a voting system for convenience. It can be seen as a function that takes the question as an argument and returns a list of answers to this question sorted in the order of public advantage (through the vote of adoption, which is an integral part of a liquid democracy that is often overlooked)³.

Another view on liquid democracy combines networks and forms of democracy exercise. This term is intended to cover a greater range of opportunities for the participation of citizens in the democratic

¹ Bruneau, M., Chang, S. E., Eguchi, R. (etc.) (2003). A framework to quantitatively assess and enhance the seismic resilience of communities. *Earthquake Spectra*, 19 (4), 733-752.

² Global trends and Key implications thorough 2035. <<https://www.dni.gov/files/documents/nic/GT-Full-Report.pdf>>. (2019, September, 26).

³ Liquid Democracy in context or Infrastructuralist Manifesto. <http://seed.sourceforge-.net/ld_k5_article_004.html> (2019, September, 26).

process through the use of both online and offline networks. Voices can be transmitted through networks of trusted relationships, and in this the way of “delegation” can be varied, from ordinary representative democracy to Internet parties and direct democracy.

The basic idea lies in a democratic system, in which most issues are resolved through a direct referendum. Taking into account that nobody has enough time and knowledge for each issue, voices can be transferred by topics. In addition, this votes transfer is temporary and can be withdrawn at any time. Liquid democracy is sometimes called empowerment or proxy voting¹.

Today, various non-governmental organizations, political parties, authorities, corporations use different computer programs (based on different programming languages) that reflect different views (philosophies) on liquid democracy with different functionalities².

Another view on liquid democracy is as the theoretical concept of reviewing the decision-making procedure in order to broaden participation opportunities. The idea is to combine the possibilities of direct and representative democracy in order to make them accessible to the overwhelming majority of society³. Various scholars have expressed the opinion (ex. J. Davis-Couts) that liquid democracy was originally developed for one very specific goal: to renew the traditional military hierarchy (the basis of modern public administration is hierarchy). Therefore, this concept (liquid democracy) will work great in matters such as shareholder meetings, city councils and online forums.

The civil infrastructure of Ukraine currently depends on the failed institutional foundations of our society and will continue to fail to adapt to radical changes. In order to prevent the collapse of society, institutions and procedures need to be made more flexible. Thus, liquid democracy creates a new form of management in which different “hard” barriers are constantly changing. Decision making moves from the vertical system to the horizontal one. Every citizen can join the decision-making process with the help of Internet technologies, at will. For public administration, this is a difficult challenge when the conditions of activity are constantly changing. Old hierarchical structures and models, under uncertainty, malfunction and make the state itself ineffective. We consider the concept of “liquid public administration” as a set of tools in conjunction with the philosophy of management and competences of staff, which allows to implement tactical and strategic development goals to ensure the rights and freedoms of citizens of a certain territory (country). The greatest violation of the rights and freedoms of citizens is observed in the temporarily occupied territories. Therefore, the likely positive experience of such liquid administration will be useful for both Ukraine and other countries that are experiencing similar pages of their own history (Georgia, Moldova).

The strategic objectives for the development of such territories, which are an integral part of the state, are as follows:

Management: public management is able to provide goods and services, provide political inclusiveness and openness, compliance with the law, accountability to society in order to better formulate policies and to prevent and absorb the consequences of crisis situations for the population and the country as a whole.

Economy: the state has to diversify its economic activity, effectively manage its national debt and have adequate financial reserves, strengthen the private sector, and create an adaptive and innovative Labour market that is more resilient.

Social systems: responsible, integrated, socially active society is a priori resilient to the challenges of sudden changes, crises, catastrophes, such a society is tolerant of diversity.

Infrastructure: support for critically important infrastructure for the state, including diversified energy and security sources, broad communications, information, healthcare and financial networks, which will provide the damage reduction of the state as a result of natural and man-made disasters (cyberattacks).

Security: a state with a high level of military capability, which protects the internal state system and the rule of law by ensuring the legitimacy, strong military-civilian ties, supports such an alliance, is readier to be protected from unexpected attacks and restore the internal order during disasters

Environment: a state with sufficient land resources, high levels of biodiversity, good quality of air, food, soil and water is more resistant to natural disasters.

¹ *Delegative democracy*. <http://en.wikipedia.org/wiki/Delegative_democracy> (2019, June, 20).

² *Liquid Feedback Interactive Democracy*. <<http://liquidfeedback.org/>> (2019, September, 26).

³ Kraft, S. (2012). Was ist Liquid Democracy? *Der Freitag die Wochenzeitung*. <<https://www.freitag.de/autoren/steffen-kraft/was-ist-liquid-democracy>> (2019, November, 25).

That is why the development of a paradigm of national resiliency on the basis of liquid democracy and liquid administration is critical, this is the subject of our study.

We believe that the concept of the IPA will allow to combine the approaches of liquid democracy and liquid administration, and demonstrate the feasibility of applying such type of management to problem territories. Its population is in the grip of mistrust and fear concerning both sides of the armed conflict: in the temporarily occupied territories of the East of Ukraine.

That is why the development of a national resiliency paradigm on the basis of liquid democracy and liquid administration is crucial, just that is the subject of our research. Today we have to admit that the complex of measures provided by the Minsk Agreements, adopted on 17 February 2015 by the UN Security Council Resolution 2202 as a means of resolving the conflict in the East of Ukraine, has not been fully implemented in any of the points; all the terms defined therein have long been exhausted and not extended. The researchers of the NGO “Resilience Centre of Ukraine” have analyzed the possibilities for the introduction of the International Provisional Administration (IPA).

We have analyzed the opportunities and threats of using such a flexible management scenario for the temporarily occupied territories of the East of Ukraine. It should be noted that the issue of the possibilities of introducing the IPA was studied by experts from Ukrainian think tanks (S. Harmash, V. Kravchenko, Y. Yaroshenko, O. Semeni, L. Roslycky et al.)¹, but such opportunities were not considered from the point of view of public management.

The term “International Provisional Administration” (IPA) use in the following sense as a multi-profile integrated mission of the United Nations (UN), the ultimate goal of which is de-occupation and subsequent reintegration of the occupied territories of the Donetsk and Luhansk oblasts into Ukraine. The IPA consists of a military and police contingent, as well as of civilian personnel involved in the socio-economic management of the occupied territories.

De-occupation and reintegration are a set of measures to restore Ukraine’s sovereignty and territorial integrity, namely:

- ensuring a sustainable security regime (complete cease-fire, disarming of all illegal armed formations on the occupied territory, demining, restoration of control over the area of Ukrainian-Russian state border on the occupied territory);
- providing a legal regime of social and economic activity on the occupied territory in accordance with the current legislation of Ukraine;
- restoration of the institutions of Ukrainian state power in the occupied territories, support of the processes of justice, transitional justice and reconciliation in accordance with the legislation of Ukraine;
- ensuring the functioning of mass media (television, newspapers, radio, Internet media) in accordance with the legislation of Ukraine;
- holding legitimate local government elections in the currently occupied territories in accordance with the legislation of Ukraine.

The IPA is guided by the mandate of the UN and legislation of Ukraine².

In the peacekeeping practice of the EU one can find a precedent that would meet the needs of Ukraine; in particular, the mixed EU-ASEAN Aceh Monitoring Mission, Indonesia (AMM), which combined both civilian and military components, can be considered as such.

AMM operated in 2005-2012 based on the signing of a Memorandum of Understanding between the separatists and the Government of Indonesia, the confrontation between which lasted almost thirty years. Its tasks included disarmament and destruction of weapons, control of the demobilization and reintegration of former militants, monitoring of human rights and changes in legislation, resolving conflicts on amnesty, etc. Today, AMM is considered to be one of the most successful EU CSDP missions.

The conflict in the East of Ukraine has no direct analogues in European practice, and therefore cannot be resolved within the traditional instruments of regional organizations potentially interested in maintaining peace in Europe and restoring Ukrainian public administration in the occupied territories.

¹ Міжнародна тимчасова адміністрація як модель врегулювання конфлікту на Донбасі (2017). *Міжнародний центр перспективних досліджень*, Київ. <<http://icps.com.ua/nashi-proekty/analytika/mizhnarodna-tymchasova-administratsiya-yak-model-vrehulyuvannya-konfliktu-na-donbasi/>> (2019, November, 25).

² Gowan, R. (2018). Can the United Nations Unite Ukraine? *Hudson Institute*. <<https://www.hudson.org/research/14128-can-the-united-nations-unite-ukraine>> (2019, June, 05).

Political position of Ukraine:

- members of the peacekeeping and police contingents of the IPA on the territory of ORDLO (Separate Raions of Donetsk and Luhansk Oblasts) may not include representatives of the states having a common border with Ukraine;
- the representatives of Ukraine must be included in all structures of civil administration in the territory of the IPA activity;
- de-occupation and reintegration of the currently occupied territories cannot be a condition for determining the foreign policy of Ukraine.

Security:

- the priority tasks of the IPA in the work on the territory of ORDLO are demilitarization of all armed units and establishment of control on the state border of Ukraine and the Russian Federation in the occupied territories; participation and constant presence in the IPA contingent at the border of Ukraine and the Russian Federation of representatives of the relevant public authorities of Ukraine is obligatory;
- the IPA controls the movement of civilian population and goods to ORDLO territory, performs the functions of the migration and customs service in the presence of the OSCE monitoring mission;
- police forces on the territory of ORDLO during the period of the IPA work are formed in accordance with the resolution of the UN Security Council;
- the IPA police forces on the territory of ORDLO organize control over the circulation of weapons among the population.

Civilian management:

- the IPA takes over the socio-economic management in ORDLO as it establishes effective control over these territories before the local elections are held;
- after the establishment of effective control of the IPA, the monetary and financial systems of the occupied territories begin to operate in accordance with the legislation of Ukraine;
- the IPA facilitates the return of the temporarily displaced persons to the occupied territories, restoration of all their material and immaterial rights.

Media and freedom of speech:

- the IPA maximally contributes to the technical and physical admission and functioning of the Ukrainian mass media (TV, newspapers, radio, Internet media and their representatives – journalists and technical staff) on the territory of the IPA. All media in the occupied territories after their transition to the IPA control operate in accordance with the requirements of Ukrainian legislation;
- the IPA restricts the activities of political parties and political agitation in the occupied territories before the start of the election campaign for elections of local self-government bodies.

Legal system:

- Ukraine, territorial communities of villages, settlements, cities located in the territory of ORDLO, public authorities, local self-government bodies and other subjects of public law retain the right of ownership, other real property rights, including real estate, including land areas located in the occupied territories; the IPA guarantees the restoration of property rights that were violated in 2014, as of 2014;
- concerning citizens living in the territory of ORDLO without Ukrainian citizenship, the IPA is governed by the current legislation of Ukraine regulating the rules of stay for citizens of other states and stateless persons in the territory of Ukraine;
- the IPA facilitates the formation of pre-trial and judicial bodies in the occupied territories in accordance with the legislation of Ukraine;
- all crimes committed by members of illegal armed groups in the occupied territories on the grounds of political, ethnic, religious hostility, war crimes, crimes against humanity will be referred to the UN Military Criminal Tribunal to be established separately;
- all crimes committed in ORDLO territory are investigated in accordance with the Criminal Code of Ukraine. All persons who committed the corresponding crimes will be prosecuted in accordance with the legislation of Ukraine and the norms of international law;
- Ukraine agrees to the amnesty for the citizens of Ukraine – members of illegal armed groups in the occupied territories who did not commit crimes against humanity, war crimes, were not involved in the creation of illegal armed groups, solely under condition that they did not commit other crimes provided for in the Criminal Code of Ukraine;
- Ukraine adopts a law on collaboration (on forgiveness) that restricts the right to participate in elections of all levels and to be elected to the councils of all levels, the right to be appointed to positions in executive and law enforcement, judicial and local government systems at all levels, the right to create public and political organizations of all citizens of Ukraine who occupied leading positions in quasi-state

bodies in the occupied territories after 14 April 2014, and also violated the oath of employees of the bodies of internal affairs, prosecutors, judges, members of the armed forces and public servants.

Elections:

- after the achievement of the goal of stable security, namely, the complete ceasefire, acquisition of the IPA full control over the border area of Ukraine and the Russian Federation in the occupied territories, demilitarization of all illegal armed formations, as well as provision of a legal regime for social and economic activity in the occupied territories in accordance with the law of Ukraine, the stable work of the media in accordance with Ukrainian legislation, the IPA organizes and conducts elections of local self-government bodies in the occupied territories in accordance with the legislation of Ukraine;

- the date of elections of the local self-government bodies in the territory of ORDLO is appointed by the Verkhovna Rada of Ukraine;

- after the formation of legitimate bodies of local self-government in the occupied territories, the authority of the IPA is terminated and transferred to local self-government bodies.

In our opinion, the involvement of the civilian management component during the transition period is equivalent to the peacekeeping component because:

- the legitimate institutions of state power in temporarily uncontrolled territories of Ukraine were completely destroyed in 2014;

- since 2014, the functions of administrative and socio-economic management in the occupied territories have been carried out by internationally not subjective illegitimate militaristic groups that are led by the Russian Federation, but are even not recognized by it;

- the Russian Federation continues to not recognize itself as a party to the conflict and renounces the responsibility for managing ORDLO territories.

The settlement by the neutral IPA of not only military and security issues, but also civilian management of the occupied territories during the transition period will create real conditions for resolving the conflict, civil reconciliation and socio-psychological rehabilitation of the residents of the affected territories of Ukraine. At the same time, in our opinion, it is advisable to remember the following potential risks associated with the introduction of the IPA:

- further lack of political will on the part of the Russian Federation to respect the basic provisions of the Minsk Agreements, in particular the ceasefire and the withdrawal of heavy artillery;

- inability to establish a link between the disarmament process and security sector reform, which is essential for maintaining post-conflict stability;

- the laws on amnesty and collaboration (on forgiveness), in the absence of a compromise between amnesty and criminal responsibility, can potentially become a source of persistent social conflicts;

- premature holding of elections and/or improper preparation for them not only will not facilitate reconciliation and reintegration, but can also provoke the resumption of armed hostilities.

Taking into account the abovementioned, the proposals for the introduction of the international provisional administration as a transitional stage of development on the way of reintegration of Donbas and an example of a liquid administration can be formulated as follows:

- the maximum range expansion in the negotiations with the Russian Federation on the creation of the IPA in ORDLO. The broader the corridor of negotiation capacity is, the greater are the chances of Ukraine to defend its conflict resolution option, while its limitations will be more in line with Russian interests than Ukrainian ones;

- the IPA should be a comprehensive mission. Its military administration should be responsible for the disengagement of parties, demilitarization, withdrawal of mercenaries and military equipment from ORDLO, monitoring the entire uncontrolled section of the Ukrainian-Russian border and creating conditions for the return of displaced persons. The IPA civilian mandate should include the formation of temporary international police forces, establishment of transitional justice, protection of human rights and freedoms, and provision of humanitarian assistance;

- amnesty should not conflict with national legislation, the international legal obligation of the state and should be adopted taking into consideration public discussion of its scope and objectives of the amnesty. Explaining the public about the need for amnesty and its link with other mechanisms of post-conflict justice will help to strengthen the legitimacy and validity of this decision;

- it is expedient to hold elections of local self-government bodies in the occupied territories only after the return of the IDP (internally displaced persons) there, who must vote not in absentia, but personally in the places of their former residence. However, it takes time to return, which is an additional argument in favour of postponing elections. The untimely holding of elections in a “fragile post-conflict society” will lead to an even greater escalation of the confrontation.

Based on what is stated in the publication, we offer key conclusions. The IPA should be used as an instrument combining the flexible democracy and the flexible management approaches. This will allow:

- to implement effective resilient administration on the temporarily occupied territories;
- to have available human capital on the temporarily occupied territories involved in the process of management;
- to allow the population of these territories to believe in the possibility of a peaceful settlement of the military conflict, in their return to peaceful life with the preservation of all rights and freedoms of each and every citizen, based on the laws of the Ukrainian state.

Therefore, the process of enhancing the capacity and efficiency of public administration activities depends directly on the coordination and timeliness of the measures taken, and must be constantly monitored, modernized.

Problems of uncertainty and rapid changes of conditions must be eliminated or levelled. Because of the canons of turbulence, uncertainty before and after an adverse event / crisis can block administration, creating new uncertainties. We believe that developing of resilience and liquidity of management and administration will help us find the most effective mechanisms and break the vicious circle of uncertainty and change.

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