

Contractual Mechanisms for the Separation of Powers Between Executive and Local Government Bodies in EU Countries and Great Britain: From Hybrid Models to Specific Cases

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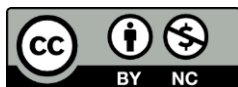
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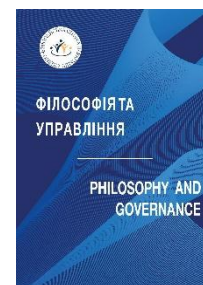
ABSTRACT

The article examines the transformation of the separation of powers between executive and local government bodies in the European Union countries within the context of today's challenges caused by economic dynamics, digitalization, and increasing security risks. The relevance of the study is determined by the need to find effective tools for balancing powers within multi-level governance, in particular, through the use of contractual mechanisms as an alternative to traditional hierarchical models of decentralization. As a result, based on a comparative analysis, it was demonstrated that, in EU countries, there is a transition to hybrid and negotiated models of the separation of powers, in which formalized intergovernmental agreements play a key role. A multidimensional model for assessing the maturity of the separation of powers systems was developed, which includes institutional, functional, personal, and procedural dimensions, as well as mechanisms of checks and balances. The application of this model to the analysis of cases (state-regional planning contracts of France, the economic agreement of the Basque Country, the fiscal framework of Scotland, as well as contractual mechanisms of Italy and Poland) allowed systematizing the main types of contractual models: coordination, autonomous, and hybrid. It was found that the most mature ones are systems that combine institutional stability with financial autonomy and developed procedural mechanisms. It was also established that current trends in the EU are characterized by the simultaneous expansion of local government functions and increased centralization of strategic powers in response to security challenges and energy instability. To sum up, it is proven that contractual mechanisms represent an effective tool for coordinating the interests of different levels of government and increasing the adaptability of the public administration system. The prospects of their application in Ukraine are substantiated, in particular, through the implementation of state-regional contracts, hybrid fiscal models and the integration of the security component into the local government system. The results of the study confirm that the contractual approach contributes to the implementation of the subsidiarity principle and increases the effectiveness of multi-level governance in the context of modern transformations.



KEYWORDS

contractual mechanisms; separation of powers; multi-level governance; local self-government; decentralization; subsidiarity principle; fiscal autonomy; public administration; security challenges; post-war reconstruction.



Договірні механізми розмежування повноважень органів виконавчої влади та місцевого самоврядування у країнах ЄС та у Великобританії: від гібридних моделей до конкретних кейсів

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СТАТТЯ	АНОТАЦІЯ
Дослідницька DOI: 10.70651/3041-248X/2026.3.12 Отримана: 04.02.2026 р. Прийнята: 09.03.2026 р. Опублікована: 16.03.2026 р. Авторське право © 2026 автора  Цей твір ліцензовано на умовах Ліцензії Creative Commons «Із Зазначенням Авторства – Некомерційна 4.0 Міжнародна» (CC BY-NC 4.0).	У статті досліджується трансформація розмежування повноважень між органами виконавчої влади та місцевого самоврядування в країнах Європейського Союзу в умовах сучасних викликів, зумовлених економічною динамікою, цифровізацією та зростанням безпекових ризиків. Актуальність дослідження визначається необхідністю пошуку ефективних інструментів балансування повноважень у межах багаторівневого врядування, зокрема через застосування договірних механізмів як альтернативи традиційним ієрархічним моделям децентралізації. В результаті, на основі компаративного аналізу встановлено, що в країнах ЄС відбувається перехід до гібридних і переговорних моделей розмежування повноважень, у яких ключову роль відіграють формалізовані міждержавні угоди. Розроблено багатовимірну модель оцінки зрілості систем розмежування повноважень, що включає інституційний, функціональний, персональний і процедурний виміри, а також механізми стримувань і противаг. Застосування цієї моделі до аналізу кейсів (державно-регіональні планові контракти Франції, економічна угода Країни Басків, фінансовий фреймворк Шотландії, а також договірні механізми Італії та Польщі) дозволило систематизувати основні типи договірних моделей: координаційні, автономні та гібридні. Виявлено, що найбільш зрілими є системи, які поєднують інституційну стабільність із фінансовою автономією та розвиненими процедурними механізмами. Також встановлено, що сучасні тенденції в ЄС характеризуються одночасним розширенням функцій місцевого самоврядування та посиленням централізації стратегічних повноважень у відповідь на безпекові виклики та енергетичну нестабільність. Підводячи підсумки, доведено, що договірні механізми є ефективним інструментом узгодження інтересів різних рівнів влади та підвищення адаптивності системи публічного управління. Обґрунтовано перспективність їх застосування в Україні, зокрема через впровадження державно-регіональних контрактів, гібридних фінансових моделей і інтеграцію безпекового компонента у систему місцевого врядування. Результати дослідження підтверджують, що договірний підхід сприяє реалізації принципу субсидіарності та підвищенню ефективності багаторівневого врядування в умовах сучасних трансформацій.



КЛЮЧОВІ СЛОВА

договірні механізми; розмежування повноважень; багаторівневе врядування; місцеве самоврядування; децентралізація; принцип субсидіарності; фінансова автономія; публічне управління; безпекові виклики; повоєнна відбудова.

1. Introduction

In the current conditions of transformation of public administration in the European Union, the search for effective mechanisms for the separation of powers between central executive authorities and local self-government bodies is of particular importance. Traditional hierarchical models of decentralization, based on strict normative consolidation of competencies, increasingly show a limited ability to ensure flexibility of management, adaptability to territorial features and effective coordination of interests of different levels of government. In response to these challenges, the EU countries have developed an alternative approach based on contractual mechanisms of interaction that combine elements of legal certainty with institutional flexibility.

At the same time, the evolution of the delimitation of powers in the EU is under the influence of deeper systemic changes associated with the transformation of post-capitalist society and the growth of the range of security threats. As of the mid-2020s, the European space is increasingly described through the concept of “*permacrisis*”, which combines economic turbulence, digital transformation and aggravation of geopolitical risks. Under these conditions, the classical, legally formalized separation of powers is gradually transformed into a more flexible, but at the same time less formalized model, which can be defined as “*hybrid executive governance*”.

The essence of this transformation lies in the fact that in the context of increased security risks – in particular, hybrid attacks on critical infrastructure, energy instability, and cyber threats – there is a concentration of powers at the level of national governments and supranational EU institutions. This is accompanied by a gradual narrowing of the autonomy of local self-government, which is increasingly forced to act within the framework of centrally defined security strategies, digital regulation and infrastructural development.

In parallel with security challenges, the transformation of the economic model in the direction of post-capitalism also significantly affects the balance of power. The spread of platform business models, the strengthening of the role of digital monopolies and the centralization of financial flows within the framework of the EU cohesion policy are changing the logic of the functioning of local economies and limiting the discretionary possibilities of local governments. As a result, a new configuration of power is formed, in which the local level is increasingly integrated into vertically coordinated decision-making systems.

The key relationships between security challenges, post-capitalist transformations and changes in the system of delimitation of powers are summarized in Table 1.

Table 1. The Impact of Security and Post-Capitalist Transformations on the Delimitation of Powers in the EU

Scope of change	Key manifestations	Influence on the delimitation of powers
Security threats	Centralization of critical infrastructure management; cyber threats; hybrid attacks	Strengthening the role of the executive branch at the national and supranational levels; reduction of the autonomy of local authorities
Digital sovereignty	Unified regulations (artificial intelligence, digital platforms)	Limitation of local regulatory flexibility; Standardization of solutions
Platform economy	The dominance of digital platforms over local markets	Imbalance of power between local authorities and transnational actors; the growing role of judicial and supranational mechanisms
EU financial policy	Centralization through cohesion policy instruments	Alignment of local development with pan-European priorities
Political risks	Increase in political violence; Crises of legitimacy	Shifting the emphasis from citizen participation to security; weakening democratic accountability
Managerial transformations	Transition to quick executive decisions in crisis conditions	Formation of the “ <i>negotiated</i> ” nature of the delimitation of powers

Source: [11].

Thus, the delimitation of powers in the EU is increasingly becoming not rigidly fixed, but contractual and negotiated, in which formal competencies are complemented by flexible coordination mechanisms. In this context, contractual instruments act not only as a technical means of distributing functions, but also as a key element of adapting the public administration system to conditions of uncertainty.

Contractual instruments of delimitation of powers are considered as a component of a broader paradigm of multi-level governance, within which vertical links between levels of power are

complemented by horizontal forms of coordination and partnership. Unlike classical administrative models, such mechanisms provide for the coordination of competencies through the negotiation process, the formalization of mutual obligations and the establishment of joint responsibility for achieving public results. This allows not only to more clearly define areas of responsibility, but also to ensure a balance between the autonomy of territories and the integrity of state policy.

Particular attention in European practice is attracted by hybrid models that combine regulatory regulation with contractual elements. However, the modern evolution of these models indicates a gradual transition to more specific and institutionalized forms of contractual interaction, which take the form of long-term agreements, fiscal agreements and program contracts. It is these tools that become key to ensuring the effective allocation of resources, coordinating strategic development priorities and minimizing inter-level conflicts.

The relevance of the study is also due to the needs of Ukraine, which, in the context of post-war reconstruction and further European integration, faces the need to improve the model of delimitation of powers between levels of public power. The introduction of contractual mechanisms can become an important tool for improving the efficiency of governance, ensuring the financial viability of territorial communities and implementing the principle of subsidiarity.

With this in mind, the article is aimed at studying the contractual mechanisms for delimitation of powers in the EU countries, analyzing their evolution from hybrid models to specific practical cases, as well as identifying the possibilities of adapting the relevant experience to Ukrainian realities. Special attention is paid to the development of a theoretical model for assessing the maturity of the system of delimitation of powers, based on institutional, functional and personal dimensions of the distribution of power and mechanisms of checks and balances.

2. Literature Review

The problem of delimitation of powers between levels of public power in the European Union is traditionally considered within the framework of the theory of multi-level governance, which focuses on vertical and horizontal interaction between supranational, national and subnational actors. In the modern scientific literature after 2017, the approach dominates, according to which the distribution of power in the EU is not static, but is formed as a result of constant negotiations between levels of government and different types of actors.

Wu (2023) [37] attempted to offer a complementary perspective for constitutional theory. His study notes that existing theories face difficulties in resolving big metatheoretical differences and demonstrate limited explanatory possibilities in intercivilizational comparisons. Based on the philosophy of Eric Voegelin, the author justifies that good governance is the achievement of a "balance of consciousness". Based on this principle, two models have been formulated: "Limited Government", which restrains political ambitions after they enter the political process, and "Streamlined Government", which provides for their preliminary purification. The study argues that the effectiveness of these models depends on the fit ("fit") between the chosen model and the public consensus on political ambitions in a particular country. In general, the proposed concept supports an adaptive approach to constitutional design, which involves the alignment of institutions with the unique characteristics of society, rather than the imposition of a universal model [37].

A significant contribution to the development of this area was made by studies analyzing the institutional transformations of multi-level governance in the EU countries. In particular, the OECD documents emphasize that modern reforms are aimed not only at the formal delimitation of competencies, but also at the creation of effective mechanisms of coordination and co-financing between levels of government [5]. A special role in this process is played by contractual instruments that ensure the coordination of policies and the joint implementation of strategic development priorities. As noted by Charbit and Romano [6], intergovernmental contracts can perform different functions – from delegation to joint policy-making – depending on the level of maturity of the decentralization system.

Kosař et al. (2019) [17] analyzed on the basis of historical retrospective and considered fragile interwar systems of separation of powers, the communist principle of centralization of power, as well as the technocratic challenge of power-sharing in the period of EU accession. The authors pay special attention to the one-sided nature of checks on the elected branches of power and the strengthening of the role of technocratic elitist institutions, the populist challenge of power-sharing in the 2010s, as well

as the repoliticization of the public sphere, accompanied by the weakening of most mechanisms of restraint against elected bodies, the limitation of powers, and the “packing” of non-elected institutions.

A separate area of research concerns the role of the local level in the system of European governance. In modern literature, local self-government is increasingly considered as the “fourth level” of governance, which plays an important role in ensuring democratic legitimacy and the effectiveness of policies [18]. Studies by Panara and Varney (2017) [26] focus on the problems of democratic accountability and transparency in the interaction between local authorities and EU institutions, highlighting the need to institutionalize channels for the representation of subnational interests.

At the same time, several works draw attention to the limitations and “pitfalls” of multi-level governance. In particular, empirical studies of the implementation of EU policies (e.g., in the field of ecology) demonstrate that complex systems of distribution of powers can lead to inconsistency of actions, reduced efficiency and dilution of responsibility [31]. This actualizes the need for new coordination tools, in particular contractual mechanisms that allow for a clearer definition of the roles of actors and coordination of their interests.

Modern research also develops the concept of “meta-governance”, which describes the ability of central authorities to indirectly manage decentralized networks through the establishment of rules, standards and interaction frameworks [32]. In this context, contractual mechanisms are considered as a tool for combining centralized strategic control with decentralized policy implementation [20]. Meta-governance in public administration is “governance governance” – it acts as a framework concept aimed at managing, combining and balancing different modes of governance – hierarchies, markets, and networks – to achieve public goals. It serves as a strategic, often hierarchically organized tool for directing self-regulatory networks, ensuring their coherence with the public interest without destroying their autonomy, which allows overcoming the limitations of each regime. Essentially, metagovernance is an attempt to combine the flexibility of networks with state accountability, which often requires public administrators to act as facilitators rather than just controllers [21].

An important area of modern research is also the analysis of legal aspects of the separation of powers. The latest works on the legal regulation of public service functions of local self-government bodies in the EU countries emphasize the tendency to combine strict regulatory frameworks with flexible tools for their implementation, which allows adapting management decisions to specific territorial conditions [8].

Special attention in modern literature is paid to the transformation of the principle of separation of powers in the face of new political and technological challenges. Studies in the field of European constitutional law point to a “double pressure” on the system of checks and balances caused by a combination of technocratic governance and populist tendencies, which leads to the strengthening of executive power and a revision of traditional mechanisms for balancing powers [1]. The researchers emphasize that populist movements in Europe threaten democratic institutions by attacking independent courts, media, and parliamentary control mechanisms in order to centralize power and circumvent the traditional system of checks and balances [35]. The rise of populism, often right-wing – driven by migration challenges and economic discontent – is aimed at limiting constitutional restrictions and directly representing the “people” in opposition to “corrupt elites.” Populists often try to weaken the separation of powers by limiting the powers of the courts, putting pressure on the opposition, and establishing control over the media, which are key elements of democratic security [28].

In addition, the latest empirical research demonstrates that modern transformations in the field of delimitation of powers are associated with broader socio-economic changes. In particular, the works of recent years analyze the impact of digitalization, platform economy and EU cohesion policy on changing the role of local self-government and the redistribution of resources between levels of government [2]. These processes are often accompanied by centralizing tendencies that require new forms of institutional compensation, in particular through contractual mechanisms.

Thus, the current state of scientific research indicates a gradual transition from classical models of decentralization to more complex, hybrid forms of multi-level governance, in which contractual coordination tools play a key role. At the same time, the literature does not sufficiently develop the issue of a systematic assessment of the maturity of such mechanisms, as well as their comparative analysis on the basis of specific cases, which necessitates further research in this direction.

3. Problem Statement

Despite a significant amount of research in the field of multi-level governance and decentralization, the issue of contractual delimitation of powers between executive authorities and local self-government bodies in the EU countries remains insufficiently systematized. Most scientific approaches focus either on the normative and legal aspects of the distribution of competencies or on the institutional architecture of multi-level governance, while contractual mechanisms are often considered fragmentarily – as separate tools without proper theoretical generalization.

An additional gap is the lack of a universal analytical framework that would allow assessing the level of maturity of systems of delimitation of powers, taking into account their institutional, functional and procedural complexity. In the context of modern transformations – the growth of security challenges, centralization tendencies and the transition to a “negotiatory” nature of governance – such a framework is of particular relevance.

In this regard, there is a need for a comprehensive study of contractual mechanisms as a tool for balancing powers in the EU multi-level governance system, as well as their comparative analysis based on representative cases.

The article is aimed at studying the evolution and modern forms of contractual delimitation of powers between executive authorities and local self-government bodies in the EU countries, as well as developing a theoretical model for assessing the maturity of such mechanisms.

To achieve this goal, the following tasks have been identified:

- to analyze the transformation of approaches to the delimitation of powers in the context of the transition from hierarchical to hybrid and contractual models;
- to systematize the main types of contractual mechanisms in the EU countries;
- to carry out a comparative analysis of key cases (in particular, state-regional planning contracts of France, the economic agreement of the Basque Country, the fiscal framework of Scotland, as well as additional European practices);
- to develop a theoretical model for assessing the maturity of the system of delimitation of powers based on institutional, functional, personal dimensions and mechanisms of checks and balances;
- to identify the possibilities of adapting the experience of the EU countries to Ukrainian conditions in the context of post-war reconstruction.

The scientific novelty of the study lies in: conceptualization of the contractual approach to the delimitation of powers as a separate model of public administration; development of a multidimensional model for assessing the maturity of the system of delimitation of powers; integration of the security and post-capitalist context into the analysis of the evolution of multi-level governance.

4. Methods and Materials

The methodological basis of the study is a combination of approaches to comparative public administration, institutional analysis and the theory of multi-level governance. The study is based on a qualitative comparative analysis, which allows us to identify common patterns and differences in the application of contractual mechanisms in different EU countries.

The empirical basis of the study consists of: normative legal acts and program documents of the EU and individual Member States; intergovernmental and inter-level agreements (in particular, state-regional contracts, fiscal agreements, autonomous agreements); analytical reports of international organizations; Modern scientific publications (2017–2025) on multi-level governance, decentralization and public administration.

The key method is comparative case study, which is applied to the following examples: Contrats de plan État-Région (CPER); the economic agreement of the Basque Country (Concierto Económico); the fiscal framework of Scotland; additional cases (defined in the study as representative examples of different models of contractual delimitation).

To summarize the results, the method of theoretical modeling was used, within the framework of which a model for assessing the maturity of the system of delimitation of powers was developed. The model is based on the following analytical dimensions:

- institutional (the degree of formalization and stability of institutional mechanisms);
- functional (clarity of the distribution of competencies and the effectiveness of their implementation);

- personal (the degree of separation of personnel and the absence of a conflict of roles);
- procedural (availability of mechanisms for coordination, negotiation and conflict resolution);
- a system of checks and balances (the presence of instruments of mutual control between levels of power).

In addition, elements of qualitative content analysis are used for the interpretation of regulatory and program documents, as well as inductive generalization to form conclusions about the prospects for adapting the European experience.

The chosen methodology allows for a comprehensive study of both formal and informal aspects of the separation of powers, as well as to identify trends in the transition to contractual forms of interaction in the context of modern transformations of public administration.

5. Results and Discussion

5.1. Conceptual Foundations of Separation of Powers in the EU Multi-Level Governance System

The separation of powers between executive authorities and local self-government bodies in the countries of the European Union is formed within the framework of a decentralized model of governance, which combines the institutional autonomy of territorial levels with normative and functional integration into national and supranational structures. In contrast to the classical models of separation of powers, which are focused on a rigid delimitation of competencies, European practice demonstrates a more flexible configuration, where the distribution of powers is multi-level and dynamic.

The key principle that defines this system is the principle of subsidiarity, according to which decision-making should be carried out at the level closest to citizens, if this does not contradict the effectiveness of their implementation at the highest level. At the same time, this principle does not exclude the existence of mechanisms of control and coordination on the part of the central executive power, which ensures the consistency of state policy and compliance with uniform legal standards.

In most EU countries, local authorities carry out management in the areas of public services, territorial development and municipal administration. Instead, central executive bodies are responsible for shaping national policy, ensuring security, macroeconomic stability, and foreign relations. At the same time, the actual balance of powers varies depending on the constitutional model of the state – from more centralized systems (as in France) to federal or quasi-federal ones (as in Germany or Spain).

An important characteristic of the European model is the combination of local self-government autonomy with mechanisms of administrative and financial supervision. Central authorities, as a rule, retain the authority to control the legality of decisions of local self-government bodies, and also influence their activities through budget instruments and inter-budgetary transfers. This creates a certain asymmetry in relations between levels of power, which, however, is compensated by the development of contractual forms of interaction.

A separate role in the system of delimitation of powers is played by the supranational level of the EU, which, without directly interfering in the internal organization of the Member States, forms the framework conditions through policies, directives and institutions of participation, in particular through the Committee of the Regions. This allows local authorities to influence European policy-making, while maintaining the priority of national legal systems in determining their powers.

Thus, the modern system of delimitation of powers in the EU is characterized by a combination of three key elements: decentralization, supervision and coordination, which together form a complex multi-level governance architecture.

To systematize these characteristics, it is advisable to summarize the basic parameters of the delimitation of powers in the form of Table 2.

5.2. Transition to a Contractual Model as a Response to the Limitations of Classical Delimitation

Despite the formal certainty of the distribution of powers, the practice of functioning of multi-level governance in the EU indicates the presence of structural limitations of the classical model. These include: fragmentation of responsibility, complexity of policy coordination, asymmetry of financial resources and limited flexibility in responding to crisis challenges.

In response to these restrictions, the EU countries have formed a contractual approach to the delimitation of powers, which provides for [24]:

Table 2. Basic characteristics of the delimitation of powers between the executive branch and local self-government in the EU

Component	Contents	Impact on the demarcation system
The principle of subsidiarity	Decision-making at the level closest to citizens	Promotes decentralization, but allows for centralization if necessary
Decentralization	Transfer of powers to local authorities	Provides autonomy in resolving local issues
Administrative supervision	Control of the legality of decisions of local authorities by the state	Limits autonomy, but guarantees the unity of the legal space
Financial dependence	Dependence of local budgets on transfers	Strengthens the influence of the central government on local politics
Distribution of competencies	Consolidation of powers in constitutions and laws	Forms the basic institutional structure of the system
The role of the EU	Supranational regulation and regional participation	Strengthens coordination and integration between levels of government

Source: [4; 29].

1. Coordination of competencies through negotiation procedures;
2. Consolidation of mutual obligations in formalized agreements;
3. Joint responsibility for achieving political and socio-economic results.

This approach allows you to transform vertical administrative relations into partnerships, reducing conflict and increasing the effectiveness of policy implementation.

5.3. Theoretical model for assessing the maturity of the system of delimitation of powers

Based on the generalized characteristics of European practice and taking into account modern transformations, it is advisable to propose a model for assessing the maturity of the system of delimitation of powers, which allows for a systematic analysis of the degree of its development. The basis of the model is the assumption that a mature system of delimitation of powers is characterized not only by the formal consolidation of competencies, but also: clear institutional distribution, effective functional implementation, minimization of personal intersection of roles, the presence of coordination procedures, and developed mechanisms of checks and balances. On this basis, it is possible to build a corresponding multidimensional model (Table 3).

Table 3. Model for assessing the maturity of the system of delimitation of powers

Dimension	Low level	Intermediate level	High level
Institutional	Unclear distribution of powers	Partially formalized distribution	A well-established and stable institutional framework
Functional	Intersection of competencies, duplication	Limited coordination	Clear delineation and effective implementation
Personal	Intersection of roles, conflicts of interest	Partial demarcation	Full institutional autonomy of actors
Procedural	Lack of coordination	Episodic mechanisms of interaction	System contractual mechanisms
Deterrence and counterweights	Absent or formal	Partially act	Effective Mutual Control System

Source: Developed by the author.

5.4. Comparative Analysis of Contractual Mechanisms for Delimitation of Powers in the EU Countries

5.4.1. France: State-Regional Planning Contracts (Contrats de Plan État-Région, CPER)

In France, the Contrats de plan État-Région (CPER) (Planning Contracts between the State and the Regions) is a key contractual mechanism that ensures decentralized management and separation of powers between the central executive and local governments (regions, departments, metropolises). They act as a tool for joint planning and co-financing of large infrastructure and structural projects, combining national priorities with the needs of specific territories. CPER contracts are key French planning tools, launched in 1982, that commit state and regional authorities to joint multi-year financing of strategic infrastructure projects. They cover a period of 6–7 years and focus on regional development,

digital enlargement, green transition and transport [3; 7]. Project costs are usually divided in equal shares (50% to 50%) between the state and the region, which allows for the mobilization of significant investments exceeding €10 billion in the country as a whole [25]. Contracts clearly record who pays and how much for each facility (railways, universities, ports), which reduces “conflicts of competencies”.

In CPER 2021-2027, often referred to as the “seventh generation”, priority is given to sustainable development and territorial cohesion. The key aspects and common priorities of CPER for 2021-2027 are summarized in Table 4 below.

Table 4. Key Aspects and Common Priorities of CPER for 2021–2027

Key aspects
Objective: Co-financing of large projects, which catalyzes regional investments in competitiveness, sustainable development, and quality of life.
Key areas of activity: Multimodal mobility (transport), higher education and research, ecological transition, digital development and regional attractiveness.
Duration: The 2021-2027 cycle is aligned with the European Structural Funds (FSE+) and is heavily focused on digital transformation and the green transition.
Scale and reach: In many regions, these are historic investment deals. For example, CPER Pays de la Loire offers €600 per inhabitant, while CPER Hauts-de-France provides funding of €2 billion.
Management: Implementation is carried out under the direction of the prefect of the region and the head of the regional council, bringing together public funding and local initiatives.
Shared priorities
Ecological transition: Strengthening the resilience of territories to climate change.
Mobility: Development of sustainable transport, such as rail and bicycle infrastructure.
Innovation and Education: Investing in research, university infrastructure, and digital infrastructure (high-speed internet).

Source: [12].

The French model of state-regional contracts is one of the most institutionalized examples of contractual delimitation of powers in Europe. CPERs are multi-year agreements between the state and the regions, which determine development priorities, funding volumes and distribution of responsibility for the implementation of infrastructure and socio-economic projects. A key feature of this model is the combination of centralized strategic planning with decentralized execution, which allows for the alignment of national and regional interests through a formalized negotiation process.

Although the French system is decentralized, CPER does not just transfer powers, but “reconciles” them. In particular, there is a kind of partnership without hierarchy: the state and the region act as equal partners, jointly determining development priorities. The central government determines the general directions (for example, the development of green energy), and the regions adapt them to the characteristics of their territory. Interestingly, the region often acts as a “chief” (main coordinator) for other local authorities (communes, departments) in certain areas, such as economic development or territorial planning, combining their efforts within the framework of CPER:

1. Institutional dimension: high level – CPERs have a stable regulatory framework and are regularly reproduced in planned cycles.

2. Functional dimension: high level – clearly defined areas of responsibility and co-financing mechanisms.

3. Personal dimension: medium-high level – although the bodies remain autonomous, interaction involves close coordination of administrative elites.

4. Procedural dimension: high level – there are formalized procedures for negotiations, monitoring and evaluation.

5. Checks and balances: middle level – control of implementation is carried out mainly through executive mechanisms, with a limited role of independent arbitration.

In this way, CPERs demonstrate a mature contractual model focused on policy coordination and co-financing, while maintaining the dominant role of the central executive.

5.4.2. Spain (Basque Country): Economic Agreement (Concierto Económico)

In total, there are currently 17 autonomous communities in Spain and two autonomous cities, Ceuta and Melilla. From a conceptual and theoretical point of view, Spain is a unitary state. At the same time, there are significant differences between regions, and the regions themselves enjoy broad autonomy, which is not typical for unitary states. Thus, in the state structure of Spain, features of

regionalism and federalization can be traced. The difference from the federation is that, despite significant autonomy, the regions of Spain do not actually reach the level of independence inherent in the subjects of the federation.

The tax decentralization of the Spanish state, caused by historical factors, and its formation without due consideration of such principles of taxation as ensuring financial independence and budgetary responsibility of regions, interregional solidarity and cooperation, was the result of a high degree of dependence on the state of the Autonomous Communities of the general tax regime in the field of financial resources management [38]. Thus, the formed system of tax federalism in Spain should be attributed to the category of cooperative or integration, which are characterized, on the one hand, by the participation of all levels of government in the division of tax powers and the joint distribution of revenues between them, and on the other hand, by the limited independence of regional and local budgets, which largely depend on the funds of state budget stimulation – interbudgetary transfers invested in equalizing financial security.

The Concierto Económico model is a unique example of deep fiscal autonomy enshrined in a contractual form between the central government of Spain and the autonomous community of the Basque Country. The model is based on historical rights (*fueros*). It provides that the region independently administers taxes and transfers to the central budget in the form of an agreed contribution (*cupo*). The Basque Country is one of the “historical nationalities” and has the widest autonomy compared to other autonomous communities, for example, in the financial sphere, which is enshrined in the “Economic Agreements Based on the Heritage of the *Fueros*”. The economic agreement “regulates the unique tax and financial relationship between the State and the Basque Country. It is based on the provision of the Constitution that protects and respects the historical rights of the Foral Territories and on Chapter III of the Statute of Autonomy, which affirms that the Foral Territories have the right to maintain, establish and regulate their own tax system in their territory” [23]. The Basque provinces (*Álava*, *Biscay*, *Gipuzkoa*) do not receive funding from the central budget. Instead, they collect taxes on their own, keep most of them for themselves, and transfer to the central government a set share (“*kupo*” or quota) for services provided by the state (defense, foreign policy, etc.). Among the main characteristics of this model is full tax autonomy: Unlike most other regions of Spain, the Basque Country and Navarre have the right to independently establish, collect and administer practically all types of taxes (personal income tax, corporate tax, VAT) in their territory. The Basque provinces have their own tax offices, which allows them to pursue an independent tax policy [13]. This system provides the Basque Country with high financial independence, but also gives it full responsibility for filling its own budget.

The assessment according to the maturity model demonstrates the following:

1. Institutional dimension: high level – the system is constitutionally enshrined and has historical stability.
2. Functional dimension: a very high level – almost complete autonomy in the fiscal sphere.
3. Personal dimension: high level – a clear delineation of administrative structures.
4. Procedural dimension: medium level – negotiations take place periodically, but do not have such regular institutionalization as in CPER.
5. Checks and balances: medium-high level – the balance is ensured through contractual and political mechanisms, but has an asymmetric character.

Thus, the Basque model is an example of maximum contractual autonomy, demonstrating a high level of maturity but with limited scalability due to its uniqueness.

5.4.3. Scotland: Fiscal Framework

The Scottish Fiscal Framework is a system of relations between the Scottish Government and Local Government / Councils, which is based on treaties and aims to decentralize financial powers. Scotland’s fiscal framework is the result of intergovernmental agreements accompanying the process of devolution [33]. It defines the mechanisms of budget formation, tax powers and principles of financial equalization between the UK government and the Scottish administration [30]. A feature of this model is its hybrid nature: a combination of legally enshrined norms with flexible intergovernmental agreements, which can be revised depending on the political context [34].

The key document defining modern contractual mechanisms is the Verity House Agreement, signed in June 2023 as part of the New Deal with local governments [22]. In general, contractual mechanisms operate through a partnership between the Government and COSLA (Convention of

Scottish Local Authorities), an association of local authorities in Scotland. The Verity House Agreement is based on a partnership approach and establishes the principle that the Scottish Government and local authorities work as equal partners, respecting each other's democratic mandate. Also, the agreement provides for the rejection of the practice of "rinfencing" (targeted direction) of funds. By default, funding is provided without restriction unless otherwise agreed jointly. New financial instruments used by local authorities are being developed together with the Government to support local priorities (e.g. workplace tax, parking fees). The agreement seeks to provide financial certainty for several years, allowing municipalities to better plan their budgets. The distribution of funding among 32 local councils is based on a jointly agreed needs-based formula [9]. Despite the allocation of funds from the center, the responsibility for effective budget management and distribution of funds at the local level is assigned to local councils

Below is an assessment according to the maturity model:

1. Institutional dimension: medium-high level – the regulatory framework exists, but depends on political agreements.

2. Functional dimension: the middle level is partial fiscal autonomy.

3. Personal dimension: high level – a clear delineation of government structures.

4. Procedural dimension: high level – regular negotiation mechanisms.

5. Checks and balances: the middle level is a significant role of political factors.

In general, the Scottish model demonstrates a flexible but less stable system of contractual demarcation, sensitive to political dynamics.

5.4.4. Italy: Regional Autonomy Agreements (*Intese Stato-Regioni*)

In Italy, contractual mechanisms are implemented through the so-called "intheses" between the state and the regions, which allow the autonomy of individual regions to be extended in certain areas. These agreements are an instrument of asymmetric decentralization. Regional autonomy agreements in Italy (known as *Intese Stato-Regioni* – agreements between the state and the regions) are a mechanism provided for in Article 116(3) of the Italian Constitution that allows regions with an ordinary statute to obtain expanded powers in areas normally controlled by the central government. Polish territorial contracts are a tool for coordination between the government and voivodeships on the implementation of development policies, in particular within the framework of the use of EU funds. In 2017, Lombardy and Veneto, the two largest and richest regions, held symbolic referendums in which residents spoke in favor of expanding autonomy, the purpose of which was to gain more control over finances (to keep more taxes for themselves) and administrative matters, in particular in the fields of education, infrastructure and health. In addition to the usual regions, in Italy, there are 5 regions with special status (such as Valle d'Aosta) that already have broad autonomy due to historical or ethnic reasons.

It should be noted that statutes as sources of law and legislation are presented in the Italian legal system in the following forms: statutes of autonomous regions (special statutes), statutes of ordinary regions, statutes of local governments and local statutes (legal entities). Special statutes are sources of constitutional law, respectively, have the highest legal force and a special procedure for adoption. The conditions of autonomy for each region are different; they were determined at the time of the creation of such autonomy and were determined by the political, economic and historical specifics of the respective region. For example, the Special Statute of the Region of Sicily was adopted before the Italian Constitution of 1948, which derives from Royal Decree No. 455 of 1946, which was approved by Constitutional Law No. 2 of 1948. The granting of broad autonomy to the Sicilian region (the official name of the island of Sicily) was due to the independence movements that began before the war and were suppressed by fascism. Sicily has the widest autonomy among all five autonomous regions with a special charter, in particular, its extensive administrative autonomy is complemented by even greater financial autonomy [14].

According to the maturity model, the mechanisms of regional autonomy in Italy can be assessed as follows: the institutional dimension is average; functional dimension – medium-high; The procedural dimension is average. In general, this is a transitional model to mature contractual governance.

5.4.5. Poland: Territorial Contracts (*Kontrakty Terytorialne*)

Polish territorial contracts are a tool for coordination between the government and voivodeships on the implementation of development policies, in particular within the framework of the use of EU funds. These contracts provide voivodeship budgets with cash revenues, often using EU funds, program

and sectoral funding. The purpose of territorial contracts in Poland is to ensure the sustainable development of regions, finance large infrastructure projects and align regional needs with national goals. As a rule, the treaty is signed between the Council of Ministers (government) and the voivodeship board (self-government). The agreements define a list of key investments (roads, ecology, infrastructure) that the parties undertake to implement jointly.

According to the maturity model, the mechanisms of regional autonomy in Poland can be assessed as follows: institutional dimension – medium; functional dimension – medium; The procedural dimension is medium-high. In general, this is a functional, but center-dependent model.

5.5. Comparative analysis of contractual models

Comparative analysis demonstrates three main types of contractual models:

1. Coordination (France, Poland) – focused on coordinating policies
2. Autonomous (Basque Country) – focused on expanding self-government
3. Hybrid (Scotland, Italy) – combine both approaches

The general trend is the transition from rigid demarcation to *negotiated* distribution of powers, which confirms the relevance of the proposed maturity model.

For a systematic generalization of the results, it is advisable to compare the considered cases according to the key parameters of the maturity model and the type of contractual mechanism (Table 5).

Table 5. Model for assessing the maturity of the system of delimitation of powers

Country/ Case	Model type	Institutional level	Functional level	Procedural level	Fiscal autonomy	Balance of power	General maturity
France (CPER)	Coordination	High	High	High	Medium	The center dominates	High
Spain (Basque Country)	Autonomous	High	Very high	Medium	Very high	Asymmetric balance	Very high
Scotland	Hybrid	Partial Separation Medium-High	Medium	High	Medium	Politically dependent	Medium- high
Italy (Intese)	Asymmetrical	Medium	Medium- high	Medium	Medium	Meeting room	Medium
Poland (Territorial Contracts)	Coordination	Medium	Medium	Medium- high	Low	Centralized	Medium

Source: Developed by the author.

The comparison demonstrates that contractual mechanisms in the EU are evolving in three main directions: (1) policy coordination (France, Poland), (2) fiscal autonomy (Basque Country), (3) hybrid negotiation models (Scotland, Italy). The highest level of maturity is characteristic of systems where institutional stability and fiscal autonomy are combined, while coordination models remain effective but dependent on central authority. The key pattern is the transition from normative to negotiated (contractualized) delimitation of powers, within which the contract is the main tool for balancing interests. At the same time, the level of maturity directly depends on financial autonomy and procedural institutionalization – without them, contractual mechanisms remain declarative.

5.6. Pan-European Trends in the Delimitation of Powers

The current evolution of the delimitation of powers in the EU is influenced by the interaction of three key factors: economic transformation, energy security and growing security risks. Firstly, within the framework of economic dynamics, there is a strengthening of the role of local authorities in the implementation of development, digitalization and green transformation policies. Municipalities are increasingly responsible for providing public services and implementing policies at the local level [15]. At the same time, financial resources remain largely centralized, which creates a structural imbalance between powers and resources.

Secondly, in the field of energy security, a model of multi-level governance is being formed, where local authorities play a key role in the implementation of climate and energy strategies, but within the framework of pan-European and national policies [36]. This strengthens coordination mechanisms and dependence on supranational regulation.

Thirdly, the growth of security risks (migration flows, hybrid threats, radicalization) leads to a partial recentralization of powers. At the same time, it is local authorities that remain the key executors of security policies, including public space management, social integration, and risk prevention [16].

Thus, a paradoxical model is emerging in the EU: the simultaneous expansion of the functions of local self-government and the strengthening of control by central and supranational institutions. This reinforces the importance of contractual mechanisms as a balancing tool.

At present, however, the problem of strengthening nationalist sentiments and parties, supporting the idea of independence, has become widespread in the modern world. Centrifugal tendencies are strengthening, and the danger of the nation-state losing its decisive influence on the decision-making process has become quite real in the case of the United Kingdom, Belgium and especially Spain. The risk of spreading a “domino effect” in a number of regions of the European Union in which nationalist sentiments are strong has become quite real. Nationalist parties in the Basque Country, Catalonia and Galicia have become more popular, as evidenced by the results of joint and regional elections since the early 2010s. At the same time, despite the fact that the Constitution of Spain expressly prohibits the federal system, in fact, it has come close to this territorial and political system. The question of the effectiveness of the existing structure of Spain today becomes of paramount importance in discussions about the future of the “state of autonomies”. The Spanish example allows us to look at the fact that there is no single factor that fuels centrifugal tendencies; in each case, there is a whole complex of such factors. These can be both structural (permanently acting factors) and situational (temporary) factors of centrifugal tendencies.

5.7. Directions of Implementation for Ukraine

The European experience of contractual delimitation of powers has significant potential for adaptation in Ukraine, especially in the context of post-war reconstruction and increased security risks. Firstly, it is advisable to introduce state-regional development contracts by analogy with the French CPER. This will allow us to align state reconstruction priorities with regional needs and ensure transparent co-financing. (Basque Country) for regions with special economic or security conditions (frontline territories, recovery regions). Thirdly, it is advisable to develop intergovernmental negotiating mechanisms that will allow flexibly adapting the distribution of powers in crisis conditions (energy security, migration challenges, infrastructure restoration). Particular attention should be paid to the security component: integration of local self-government into the civil protection system; development of “*resilient local governance*” mechanisms; ensuring a balance between centralization of governance in wartime and preservation of community autonomy. The key conclusion is that a hybrid contractual model that combines centralized coordination with local autonomy and institutionalized negotiations is optimal for Ukraine.

6. Conclusions

The article proves that contractual mechanisms of delimitation of powers are an effective alternative to classical hierarchical models of decentralization in the context of modern transformations of public administration. Based on the comparative analysis, it has been established that in the EU countries there is a transition to negotiated forms of interaction that provide flexibility, adaptability and coordination of interests of different levels of government. The proposed model for assessing maturity made it possible to systematize different types of contractual mechanisms and determine their effectiveness. The most mature are those that combine institutional stability, procedural formalization and financial autonomy. At the same time, it has been established that even highly developed models retain elements of asymmetry and political dependence, which necessitates further improvement of checks and balances.

It has been revealed that current trends in the EU are characterized by the simultaneous expansion of the functional role of local self-government and the strengthening of the centralization of strategic powers in response to security challenges, energy instability and economic turbulence. Under these conditions, treaty instruments act as a key mechanism for balancing between the autonomy of territories and the integrity of state policy. The practical significance of the study lies in determining the directions of adaptation of the European experience to Ukrainian conditions, in particular through the introduction of contractual development mechanisms, asymmetric fiscal decentralization and integration of the security component into the local governance system. The expediency of introducing

state-regional development contracts, asymmetric fiscal mechanisms and hybrid negotiation instruments integrated with the security component of public administration has been substantiated.

Prospects for further research are to deepen the theoretical and applied aspects of the contractual separation of powers. In particular, it is expedient to:

- development of quantitative indicators for assessing the maturity of systems of delimitation of powers and their empirical verification on a wider sample of countries;
- analysis of the impact of digitalization and platform economy on the transformation of contractual mechanisms in multi-level governance;
- study of the role of the security factor (including hybrid threats and migration crises) in changing the balance of power between levels of government;
- study of the long-term effectiveness of contractual instruments in the implementation of recovery and development policies;
- adaptation of the proposed maturity model to the conditions of Ukraine, with further approbation at the level of individual regions and communities.

The implementation of these directions will allow not only to deepen the scientific understanding of contractual mechanisms in public administration, but also to form practical tools for their effective implementation.

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