

ECONOMIC CO-OPERATION OF ADMINISTRATIVE-TERRITORIAL UNITS: LEGAL STATUS

Oleg Gurynenko¹, Sergii Prylypko², Ivan Nedokhliebov³

Abstract. Territorial communities (hromadas) are increasingly acting as economic agents, responsible for allocating resources, developing the area and providing public goods. Their capacity largely depends on effective economic co-operation. This study aims to analyse administrative-territorial units as economic actors and examine the legal mechanisms governing their economic co-operation. A combination of dialectical, system-structural, comparative-legal and formal-legal methods is employed in the research. The results demonstrate that the current legal framework in Ukraine does not fully align with the economic functions of territorial communities. The absence of a clear concept of economic legal personality, inconsistencies in the distribution of budgetary powers and fragmented regulation of intermunicipal co-operation limit the efficient use of resources and hinder local economic development. The study identifies the key legal gaps that affect economic co-operation. These include conflicts in the delimitation of competences between levels of government, and insufficient implementation of the principle of subsidiarity in the economic sphere. The paper pays special attention to institutional forms of economic co-operation, such as joint municipal enterprises, inter-municipal partnerships and public-private partnerships. These are assessed in terms of their capacity to reduce transaction costs and enhance economic efficiency. The paper also examines how European standards of financial autonomy and multilevel governance impact the development of local economic systems. The findings highlight the necessity of modernising the legal framework to better align it with the economic functions of administrative-territorial units. The proposed approach strengthens economic autonomy, improves interterritorial co-operation and ensures sustainable local development, particularly in the context of post-crisis recovery and integration into the European economic space.

Keywords: economic co-operation, financial decentralisation, budgetary powers, communal property, local self-government.

JEL Classification: H70, H72, H77, K23

1. Introduction

The transformation of Ukraine's public administration system, driven by decentralisation and administrative-territorial reform, is primarily associated with the growing economic role of administrative-territorial units. In the current climate, territorial communities are not just administrative entities; they are also increasingly acting as economic players, taking responsibility for resource management, local development and the provision of public goods. The effectiveness of territorial development depends largely on the ability of administrative-territorial

units to co-operate economically. This allows financial, infrastructural and human resources to be consolidated, transaction costs to be reduced, and the efficiency of public service delivery to be enhanced. Therefore, economic interaction between territorial communities is essential for ensuring their financial sustainability and competitiveness. At the same time, the legal framework governing the economic activity of administrative-territorial units remains fragmented and inconsistent. The lack of a clear concept of the economic legal personality of territorial communities, the insufficient regulation of inter-municipal economic

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¹ "KROK" University, Ukraine (*corresponding author*)

E-mail: Enigmusa@gmail.com

ORCID: <https://orcid.org/0009-0005-2841-658X>

² "KROK" University, Ukraine

E-mail: PrylipkoS@krok.edu.ua

ORCID: <https://orcid.org/0000-0003-1734-9906>

³ Admiral Makarov National University of Shipbuilding, Ukraine

E-mail: i.nedohlebov@gmail.com

ORCID: <https://orcid.org/0009-0002-1927-7838>



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co-operation and the absence of effective mechanisms for protecting local economic interests significantly limit their ability to realise their economic potential. These shortcomings demonstrate that the current legal framework lags behind the economic functions actually performed by territorial units. Ukraine's path towards European integration further strengthens the economic dimension of local self-government. Implementing European standards, particularly the principles of financial autonomy and multilevel governance, requires formal legal harmonisation and the creation of effective legal instruments to facilitate economic co-operation and cross-border interaction. In the context of martial law and post-war recovery, interterritorial economic co-operation is critical in allowing for the mobilisation of resources, risk-sharing and coordinated regional development.

The study focuses on the social relations that arise from the economic activities of administrative-territorial units, as well as their co-operation.

The study focuses on the legal status of administrative-territorial units as economic actors, examining the legal mechanisms that govern their economic co-operation. This includes the relevant constitutional, administrative, municipal and economic legal norms, as well as international standards regarding the financial and economic autonomy of local self-government.

The study aims to analyse the legal status of administrative-territorial units in relation to their economic functions, examine the legal mechanisms of their economic co-operation and develop proposals to improve the legal framework, ensuring the economic independence, efficiency and sustainable development of territorial communities (hromadas).

To achieve this goal, the following tasks are defined:

- To analyse the transformation of the legal status of administrative-territorial units in the context of their economic role.
- To investigate the legal forms and mechanisms of economic activity and intermunicipal co-operation.
- To assess international standards of economic autonomy of local self-government and their implementation in Ukraine.
- To identify legal gaps and inconsistencies that hinder effective economic co-operation between territorial units.

The practical significance of the results lies in the possibility of using the findings to improve legislation on local self-government and economic co-operation, enhance the effectiveness of intermunicipal partnerships and support the decision-making process for joint economic projects. The results could also be used to inform the academic teaching of public and economic law.

2. Methodology

The study's methodological framework is based on an interdisciplinary approach that combines legal analysis methods and economic theory. This allows administrative-territorial units to be examined not only as legal entities, but also as economic actors operating within a system of incentives, resources and constraints.

1) The dialectical method was employed to analyse the transformation of the legal status of administrative-territorial units within the framework of decentralisation, as well as their growing economic significance. This approach facilitated the identification of the evolution of legal regulations in relation to changes in economic functions, the establishment of causal links between institutional reforms and the expansion of the economic autonomy of territorial communities, and the evaluation of the dynamic interaction between legal norms and economic processes.

2) The system-structural approach allowed administrative-territorial units to be studied as integrated socio-economic systems. Particular attention was paid to the interrelation between legal competence, fiscal capacity, property rights and participation in economic co-operation. This approach made it possible to identify the internal structure of economic legal personality and analyse intermunicipal co-operation as part of a wider system of regional economic governance.

The comparative legal method was employed alongside elements of comparative economic analysis. The study examined the experience of European Union countries, including Latvia, Poland and Sweden, as well as the United States. It focused not only on legal frameworks, but also on the economic outcomes of intermunicipal co-operation, such as efficiency gains, budget optimisation and improved public service delivery. This enabled best practices to be identified and their adaptability to the Ukrainian context to be assessed.

3) The formal-legal method was employed to interpret the regulatory framework governing the economic activities of administrative-territorial units, encompassing the Constitution of Ukraine and pertinent legislation on local self-government, regional policy, and intermunicipal co-operation. This method ensured the precise identification of legal norms, inconsistencies and gaps affecting economic performance and limiting effective co-operation between territorial communities (hromadas).

4) In addition, elements of the law and economics approach were applied, particularly the analysis of transaction costs, incentives and the efficiency of legal regulation. This enabled the influence of existing legal mechanisms on the behaviour of local governments, the costs of co-operation, and the allocation of resources

within and between territorial communities to be assessed.

5) The synergistic method was employed to analyse the interaction between public authorities, local self-government bodies, the private sector and civil society. This approach enabled synergy effects arising from co-operation to be identified, particularly within the context of public-private partnerships and joint infrastructure and development projects. It also allowed non-linear and self-organising processes in intermunicipal economic co-operation to be analysed.

6) The study incorporates an empirical basis, including an analysis of secondary data and case-based evidence relating to the economic activity and co-operation of administrative-territorial units. This empirical component is based on an analysis of official statistical data on local budgets, intergovernmental transfers and the financial performance of territorial communities in Ukraine. It also draws on publicly available data on intermunicipal co-operation agreements and joint projects. This enabled trends in the development of economic co-operation to be identified, the financial capacity of territorial communities to be assessed, and the practical effectiveness of existing legal mechanisms to be evaluated. Furthermore, the study takes a case-study approach to selected examples of intermunicipal co-operation in Ukraine and other jurisdictions, including European Union member states. Particular attention is paid to cases demonstrating the successful consolidation of resources, the implementation of infrastructure projects and public-private partnerships at the local level. These cases offer valuable insights into how legal frameworks function in practical economic situations, enabling the identification of best practices and structural limitations. Using secondary empirical data alongside comparative and legal analysis made it possible to assess the formal regulatory framework and its actual economic impact. This included the efficiency of resource allocation, the reduction of transaction costs and the improvement of local public service delivery.

Combining these methods ensured a comprehensive and systematic analysis of the legal status of administrative-territorial units in terms of their economic functions. This provided a basis for developing well-founded recommendations to improve the legal framework for economic co-operation, and to enhance the efficiency and sustainability of territorial development.

3. Recent Research Studies

The academic discourse on the legal status of administrative-territorial units and their economic co-operation is characterised by the intersection of several disciplines, including constitutional,

administrative, municipal and economic law. This field has traditionally been structured by two dominant methodological paradigms: the state-centric approach, which conceptualises territorial units as elements of the state's internal organisation, and the municipal-centric approach, which emphasises the autonomy and institutional independence of territorial communities as primary actors in local governance and public service delivery.

Conceptual approaches (theory). In his conceptual literature, Chepel (2019) highlights that administrative-territorial reforms in post-socialist countries follow relatively convergent institutional trajectories, including decentralisation, consolidation of territorial units and redistribution of competencies. However, despite the formal similarity of these reform patterns, their outcomes remain highly context-dependent. This suggests that legal transformation alone is insufficient to ensure effective territorial governance without the implementation of corresponding economic capacity-building mechanisms.

Economic capacity & fiscal decentralisation. A significant body of research focuses on the fiscal and economic capacity of territorial communities as a factor influencing the outcomes of decentralisation. Despite expanded fiscal bases, Buryk (2020) demonstrates persistent asymmetries in the financial sustainability of newly consolidated communities. Similarly, Brauksa (2013) shows that administrative-territorial consolidation does not automatically generate efficiency gains, since economies of scale are frequently counterbalanced by increased coordination and administrative costs. Together, these findings challenge purely formal approaches to decentralisation, emphasising the importance of real economic performance indicators. Warner et al. (2020) further expand on this perspective, demonstrating that the decision to opt for intermunicipal co-operation, privatisation or direct public provision is influenced by fiscal stress, political preferences and community needs. This highlights the fact that local economic governance is embedded within broader institutional and incentive structures.

Intermunicipal co-operation models & efficiency. Another cluster of studies examines intermunicipal co-operation as a means of achieving economic efficiency and territorial development. Bel et al. (2023) identify various institutional co-operation models across EU member states, ranging from contractual arrangements to fully institutionalised public-law entities. They explain these differences in terms of transaction costs and the 'plurality of principals' problem. Folke and Rickne (2024), meanwhile, provide evidence that the efficiency effects of co-operation are non-linear, with coordination costs increasing alongside the scale of co-operation. This challenges the assumption of unconditional economies of scale. Kwiatkowski et al. (2024) provide complementary evidence,

demonstrating that intermunicipal co-operation generates not only direct economic outcomes, but also indirect effects such as trust formation and institutional learning. These facilitate further co-operation in a 'domino effect'.

Institutional & legal mechanisms (PPP, governance). A separate body of literature addresses the institutional and legal infrastructure of economic co-operation, with a particular focus on public-private partnerships and governance mechanisms. Antonyuk et al. (2023) emphasise that institutional capacity, including administrative professionalism, inter-municipal coordination structures and methodological support systems, is a prerequisite for effective local economic development. Baranovska et al. (2022) and Kolomoiets et al. (2022) highlight several significant legal limitations in current PPP frameworks. These include excessive procedural complexity, inadequate risk-sharing mechanisms and ambiguous delineation of public and private legal elements within PPP contracts. Together, these studies emphasise that the design of legal frameworks directly influences the accessibility and economic feasibility of co-operation instruments for territorial communities.

From a methodological perspective, recent studies are increasingly applying empirical and causal approaches to assess the effectiveness of intermunicipal co-operation. For example, Sytnyk and Zhovtyak (2021) provide descriptive empirical evidence of spatial and sectoral patterns of co-operation in Ukraine. Meanwhile, Folke and Rickne (2024) and Callaway and Sant'Anna (2020) introduce causal inference methodologies that enable more rigorous evaluation of the effects of reforms over time. These studies highlight a persistent methodological gap in Ukrainian scholarship. Scholarship in this field remains predominantly descriptive and legal-interpretative, with limited application of causal empirical methods. Additional insights are provided by theoretical and applied studies that use game theory and network analysis. Hirota and Akai (2024) demonstrate that, depending on the institutional design, intermunicipal co-operation in tax administration can generate both efficiency gains and potential distortions in competitive incentives. Kwadwo and Skripka (2021) demonstrate that co-operation at the metropolitan level enhances environmental outcomes by addressing cross-jurisdictional externalities. This further supports the argument that legal fragmentation hinders the economic efficiency of territorial governance.

Research gap. The reviewed literature indicates that research on administrative-territorial units has evolved along three main lines of enquiry: (1) the institutional and legal conceptualisation of territorial governance; (2) the economic evaluation of decentralisation and fiscal capacity; and (3) models of intermunicipal co-operation as a mechanism to enhance efficiency.

However, despite growing interdisciplinary convergence, several important gaps remain. Firstly, legal-descriptive approaches remain dominant, with insufficient integration of economic performance analysis, particularly with regard to transaction costs, efficiency gains and outcomes of resource allocation. Secondly, there is a lack of empirical studies capable of establishing causal relationships between legal frameworks and economic results, particularly in the Ukrainian context. Thirdly, the economic legal personality of administrative-territorial units is not well theorised, particularly with regard to its functional role as an economic actor rather than a purely administrative entity. These gaps highlight the need for a comprehensive law-and-economics approach, which combines doctrinal legal analysis with institutional and empirical economic perspectives. This approach is required to evaluate administrative-territorial units as both legal constructs and active participants in economic development and interterritorial co-operation.

4. Research Results

From an economic perspective, intermunicipal co-operation can be seen as a way of reducing transaction costs, achieving economies of scale and making positive externalities part of the process of providing public goods. However, the effectiveness of such arrangements depends heavily on the quality of governance, the trust between participants and the clarity of legal regulation. Current empirical evidence from Ukraine suggests an increase in co-operation projects, particularly in waste management, water supply and infrastructure services, where economies of scale are most pronounced.

Despite this progress, the practical implementation of intermunicipal co-operation is still limited by institutional and legal constraints. Existing legislation does not adequately regulate key economic aspects of co-operation, such as financial redistribution mechanisms, asset management in joint entities and dispute resolution procedures. The lack of clear rules on exit strategies and liability allocation increases legal uncertainty and transaction costs, which reduces participation incentives, particularly among financially weaker communities. Another structural challenge is the asymmetry of economic capacity between territorial units. Although decentralisation has improved overall fiscal autonomy, rural and peripheral communities continue to be limited by their tax bases and investment capacity. In the absence of targeted redistributive mechanisms, intermunicipal co-operation becomes a means of not only increasing efficiency, but also of compensating for horizontal fiscal disparities. However, current legal frameworks do not provide sufficient incentives or financial support for such participation. A comparative analysis of European practices confirms

that the effectiveness of inter-municipal co-operation depends not only on legal permissibility, but also on institutional design and economic incentives. EU member states have developed various co-operation models, ranging from flexible contractual arrangements to highly institutionalised public-law entities. These models reflect different balances between flexibility and transaction costs. Empirical research shows that large-scale consolidation and extensive co-operation do not automatically guarantee efficiency gains. Rather, optimal outcomes depend on aligning institutional scale with service characteristics and governance capacity. Further evidence of the importance of adaptive legal frameworks can be seen in European developments in cross-border co-operation. Recent European Union initiatives propose more flexible regulatory mechanisms that enable territorial entities to combine legal elements from different jurisdictions to optimise project implementation. These approaches emphasise the growing significance of regulatory flexibility, institutional innovation and multilevel governance when it comes to tackling complex territorial development challenges.

For Ukraine, these experiences are particularly relevant in the context of European integration and post-war reconstruction. Border regions have significant but underutilised potential for cross-border economic co-operation. However, this potential is limited by legal fragmentation, institutional weaknesses and administrative incompatibilities. The lack of specialised legal instruments for cross-border co-operation restricts access to European funding and participation in transnational development projects. From a law and economics perspective, the current Ukrainian model of intermunicipal co-operation is characterised by an incomplete institutional equilibrium. Although there are formal legal structures in place, these do not sufficiently align incentives for co-operation, particularly for weaker territorial units. The absence of financial support mechanisms, standardised contractual frameworks and effective dispute resolution systems increases coordination costs and reduces the anticipated net benefits of co-operation.

The data in Table 1 demonstrate a radical transformation of the fiscal foundation of administrative-territorial units in Ukraine during the period of decentralisation.

The data in Table 1 show a significant change in the fiscal capacity of administrative-territorial units in Ukraine between 2014 and 2024. This reflects the cumulative effects of fiscal decentralisation reform.

Firstly, the most significant change observed is the substantial increase in total local budget revenues, which grew from 68.6 billion UAH in 2014 to 451.0 billion UAH in 2024. This represents a sixfold increase, indicating a substantial expansion of the financial base of territorial communities (hromadas). This growth reflects not only macroeconomic developments, but also the institutional redistribution of fiscal resources from the central to the local level. This has strengthened the economic role of local self-government bodies.

Secondly, the proportion of local revenues within the public finance system as a whole increased from 42% to around 50%. This shift indicates a gradual rebalancing of fiscal relations between the state and local levels, demonstrating an increase in fiscal autonomy and partial financial decentralisation. While the growth of this indicator is moderate compared to the expansion of total revenue, it reflects a systemic institutional change towards a more decentralised fiscal architecture.

Thirdly, the most significant structural transformation observed is in the composition of local revenues. The proportion of own-source revenues (including local taxes and fees) rose from an insignificant level of around 0.7% in 2014 to 26.1% in 2024. This indicates a transition from a model of local governance that is predominantly dependent on transfers to a more autonomous, revenue-generating system. Economically, this shift reflects a strengthening of the fiscal capacity and economic legal personality of territorial communities, as well as their ability to finance local public goods and services independently.

Overall, the table's data confirms that fiscal decentralisation in Ukraine has resulted in substantive economic changes to the way administrative-territorial units function, rather than merely being formal. However, despite these positive trends, the data also suggest that the process is incomplete. Local fiscal systems continue to depend significantly on centrally collected taxes, particularly personal income tax, and there are structural disparities between regions.

Addressing these challenges requires a shift from a purely regulatory approach to economically informed

Table 1
Dynamics of Local Budget Revenues in Ukraine (2014–2024)

Indicator	2014	2024	Economic interpretation
Total local budget revenues (billion UAH)	68.6	451.0	Strong fiscal decentralisation effect and expansion of local fiscal capacity
Share of local revenues in public finance system	42%	~50%	Increased fiscal autonomy of territorial communities
Own-source revenues (taxes, fees)	0.7%	26.1%	Transition from transfer-dependent to revenue-generating local governance

Source: (Data provided by Romanova and Umland, 2019; Opanasenko, 2024)

institutional design. Firstly, legal reforms should aim to reduce the transaction costs associated with co-operation by standardising procedures and contracts. Secondly, fiscal incentives should be introduced to encourage the participation of financially weaker communities, such as targeted grants and co-financing schemes. Thirdly, institutional support structures should be strengthened to provide local governments with technical and legal assistance. Fourthly, cross-border co-operation should be explicitly integrated into national legislation in line with European standards. In conclusion, the economic transformation of administrative-territorial units in Ukraine shows that legal autonomy alone cannot ensure effective local development. Economic performance depends on the interaction between legal frameworks, fiscal capacity and institutional incentives. While intermunicipal co-operation is a potentially powerful mechanism for enhancing efficiency and reducing regional disparities, its effectiveness is limited by legal incompleteness and institutional fragmentation. Therefore, strengthening the economic dimension of legal regulation is essential for ensuring sustainable territorial development and maximising the benefits of decentralisation.

5. Conclusions

A study of the economic activities of territorial communities in Ukraine confirms that local self-government already performs a wide range of economic functions. These include municipal asset management, operating communal enterprises, participating in public-private partnerships and engaging in inter-municipal co-operation. While empirical evidence shows a steady increase in co-operation agreements, the scale and intensity of such co-operation remains limited compared to European practices. In economic terms, intermunicipal co-operation serves as a means of reducing transaction costs and achieving economies of scale in the delivery of public services, particularly in infrastructure-intensive sectors such as waste

management and water supply. However, the current legal framework lacks the institutional incentives and financial instruments necessary to ensure broader participation, particularly among communities with limited financial resources.

Based on the findings, it can be concluded that Ukraine's current legal framework only partially supports economic co-operation between administrative-territorial units. Its effectiveness is limited by regulatory fragmentation, inadequate economic incentives and weak institutional support mechanisms. Consequently, although intermunicipal co-operation is legally permitted, it has not yet realised its full economic potential as a mechanism for territorial development and fiscal equalisation.

To address these challenges, the study highlights the need for comprehensive legislative reform to strengthen the economic aspect of local self-government. This includes the detailed regulation of financial co-operation mechanisms, the legal status and governance of joint municipal enterprises, and the introduction of risk-sharing and coordination frameworks. The creation of a national institutional platform to support intermunicipal co-operation and a dedicated state fund to finance joint projects would greatly strengthen the economic capacity of territorial communities. Furthermore, developing a national intermunicipal co-operation strategy by 2030 would provide a coherent policy framework for aligning legal regulation with economic development objectives.

Finally, the study identifies digital transformation as a promising area for future research and policy development. Introducing electronic forms of co-operation, smart contracts and digital governance platforms could substantially reduce transaction costs, increase transparency and improve the efficiency of inter-municipal economic relations. This suggests that the future development of administrative-territorial units will increasingly depend on integrating the legal, economic, and technological aspects of governance.

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