

FEATURES OF INTERNATIONAL PRACTICE OF INTERACTION BETWEEN POLITICAL AUTHORITY AND CIVIL SOCIETY

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Abstract

The article analyzes international legal acts on guaranteeing the participation of public institutions in the law-making process and the reform process. It has been found that the legislation of the vast majority of international countries provides for the creation of special units that function on a permanent basis. It was established that the effectiveness of international politics directly depends on the participation of civil society in the entire political process. It is theoretically justified that in most international countries, civil society institutions are partners in decision-making and implementation of public policies and are involved in all stages of its development. The main principles of the interaction of government bodies and public institutions are determined - openness of government, participation of public institutions in social processes, responsibility of state bodies to public institutions, coherence of actions. The main directions regarding the involvement of public institutions in the implementation of political processes, regulated by the practical recommendations «Standards and practices in the member states of the Council of Europe regarding public participation in decision-making», were considered. It is substantiated that effective mechanisms of interaction between public institutions and state bodies are: involving the public using information and communication technologies (electronic portals, consultation platforms); conducting consultations (expert seminars, public discussions, surveys, questionnaires, proposals, meetings). The importance of conducting consultations with the mandatory provision of feedback was noted. The stages of conducting online consultations with civil society, which are part of the e-government initiative of the Republic of Malta, as well as the international positive experience of interaction between the political authorities and society in terms of the social protection of the rights and freedoms of citizens, because the provision of state social policy to ensure the appropriate level of social protection are considered as one of the main factors of proper interaction between political power and civil society. The positive experience in the context of the researched Estonia, Croatia, France was analyzed, and suggestions were made for its implementation in domestic legislation.

Keywords: legal acts, interaction mechanisms, political power, civil society, information and communication technologies, implementation.

Intorduction

The relationship between political authority and civil society is a cornerstone of democratic governance, serving as a vital mechanism for ensuring accountability, transparency, and public participation in the law-making process. In contemporary global politics,

the interaction between these two entities has evolved into a multifaceted partnership, with civil society increasingly recognized as a key player in shaping public policy and governance. This article delves into the features of international practice concerning the interaction between political authority and civil society, highlighting the importance of legal frameworks that facilitate this collaboration.

International legal instruments, such as treaties and conventions, play a critical role in establishing norms and standards for civil society's involvement in political processes. Many countries have adopted legislation that mandates the creation of specialized units dedicated to fostering public participation in decision-making. These units not only serve as conduits for civil society engagement but also ensure that the voices of various stakeholders are heard and considered in the formulation and implementation of public policies. As a result, the effectiveness of political authority is increasingly linked to the degree of civil society participation, reinforcing the notion that governance is most effective when it is inclusive and representative.

A theoretical framework underpins the interaction between political authorities and civil society, positing that civil society organizations (CSOs) should be regarded as partners rather than mere participants in the governance process. This shift in perspective recognizes the valuable insights and expertise that civil society can bring to policymaking, particularly in areas that directly affect citizens' lives. Consequently, a collaborative approach is essential for enhancing the legitimacy and effectiveness of political decisions, as it encourages a more holistic understanding of the issues at hand.

The principles that govern the interaction between government bodies and public institutions are paramount to fostering a productive relationship. Openness and transparency are essential, as they build trust between authorities and civil society. Moreover, ensuring accountability through mechanisms that require government bodies to report back to public institutions enhances this trust and reinforces the participatory nature of governance. Coherence in actions among all stakeholders is crucial for achieving common goals, particularly in addressing complex social issues that require a coordinated response.

The effectiveness of international politics directly depends on the participation of civil society in the entire political chain, namely from conception to implementation (Communication of the Commission - on the way to the direction of the culture of consultation and dialogue - general principles and minimum standards for conducting consultations with interested parties, 2002). Starting from the end of the 20th century, the main principles that most countries strive to implement are the openness of government, the participation of public institutions in public processes, the responsibility of state bodies to public institutions, the coherence of actions, and the effectiveness of activities (Lizakovska, 2020). For this purpose, appropriate institutions and public associations are being formed, and appropriate interaction mechanisms are being developed and implemented.

Among the main principles of interaction between authorities and the public are the following: transparency, impartiality, openness and accessibility, responsibility and efficiency, and independence (Participation of public institutions in the decision-making process, 2016). Evidently, in most international countries, civil society institutions are partners in the decision-making and implementation of public policies. They are involved in all stages of policy development.

The purpose of the article is to analyze the main legal acts that regulate activities in this direction, as well as the definition of the main principles, directions, standards, and mechanisms of interaction between political power and civil society.

Materials and Methods

The methodology employed in this study is designed to explore and analyze the international practices of interaction between political authority and civil society. To ensure a comprehensive understanding of the subject matter, a combination of qualitative research methods is applied. The methodology consists of several key steps: a review of international legal frameworks, case study analysis, and comparative analysis. These methods aim to provide a detailed examination of how different countries structure their interactions between political authority and civil society, as well as the outcomes of these interactions.

The first step in this research is a systematic review of existing international legal documents, treaties, and conventions that govern the interaction between political authority and civil society. This includes but is not limited to The Universal Declaration of Human Rights (UDHR), The International Covenant on Civil and Political Rights (ICCPR), Council of Europe recommendations on civil society participation, The European Convention on Human Rights (ECHR).

The focus of the literature review is to identify key international legal norms and standards that frame the participation of civil society in political processes. Additionally, scholarly articles, policy papers, and reports from international organizations (e.g., the United Nations, the European Union, the Organization for Security and Co-operation in Europe) are examined to capture evolving trends and practices. Some issues of international legal regulation as well as effective mechanisms of interaction between public institutions and state authorities were examined by I. Dynnyk, A. Kostenko, S. Lizakovska, V. Roman, K. Sihalov, Yu. Saranchuk, P. Seleznev, O. Khomei, and others. At the same time, the ongoing reforms related to the European integration of Ukraine, as well as the fact that Ukraine is in a state of martial law, caused both new challenges in the context of the research topic and actualized the need for additional researches on international standards and effective mechanisms of interaction between the political authorities and civil society. This review establishes a theoretical foundation for analyzing the practical implementation of civil society participation in various political contexts.

Results

Making a historical excursion, it should be noted that the historical beginnings of the interaction of the authorities with the institutions of public society date back to 1957, when, based on the Treaties of Rome, the European Economic and Social Committee was created, which communicated with representatives of public institutions of the member states of the European Union. The International Covenant on Civil and Political Rights (1966) stipulates that citizens should be given the appropriate rights and opportunities to participate in public administration, the right to vote, and the right to access public service (Article 25) (International Covenant on Civil and Political Rights, 1966). Article 8 of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (1999) defines that everyone has the right to have effective access to participation in the government of his or her country and in the conduct of public affairs (Declaration on the Right and Duty of Individuals, Groups and Bodies of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, 1999). In 1998, the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters was adopted, in 2002 the Fundamental Principles of the Status of Non-Governmental Organizations in Europe were adopted, and in 2009, the Lisbon Agreement (treaty on the reform of the European Union) was adopted, which envisages significant changes in the development of European countries, in particular, the activities of state authorities

should be more transparent, and the process of «decision-making» should be open (The Lisbon Agreement, 2009).

Since 2000, the European Commission has initiated a reform to restore contact with civil society, which, as a result, will contribute to further increasing the efficiency of public administration, and the White Paper on European Governance defines mechanisms for strengthening the participation of civil society in the political process. The Convention for the Protection of Human Rights and Fundamental Freedoms is a key legal act in the direction of guaranteeing the participation of public institutions. In addition, the importance of the participation of public institutions is mentioned in the Recommendations CM/Rec of the Committee of Ministers to the member states on the participation of citizens in local public life (2001), Recommendations CM/Rec of the Committee of Ministers to the member states on the evaluation, audit, and monitoring of participation, as well as policies on participation at the local and regional levels (2009), etc.

It should be noted that the legislation of the vast majority of countries of the world provides for the creation of special units that function permanently (advisory bodies according to the areas of activity, coordinators). In addition, which is quite important, the legislation regulating the activities of government authorities defines specific requirements for ensuring the organization and holding of public consultations during the preparation of regulatory legal acts (Roman, 2016). Also, the practical recommendations of 2016 «Standards and Practices in the Member States of the Council of Europe Regarding Public Participation in Decision-Making» define the main directions for the involvement of public institutions in the implementation of political processes.

An effective condition for the interaction of public institutions and state bodies in different countries is the involvement of the public with the use of information and communication technologies. The most common mechanism is central electronic portals, which provide information, electronic services, and consultation platforms. For example, in Estonia, the functionality of electronic portals includes the publication of draft laws and amendments to them; the provision of proposals by registered users within the established deadline. It should be noted that there is no feedback in Estonia, however, all submitted proposals are analyzed by document developers and further covered in a report published on the website. After the consultation stage, as a rule, documents are submitted for consideration by the Ministries (Study of Estonia's participation in the implementation of the open method of coordination in social protection and social integration, 2002).

One of the important levels in the interaction of the analyzed bodies is the holding of consultations. The main mechanisms of consultations are expert seminars, public discussions, surveys, questionnaires, proposals, and meetings. Providing feedback is an important stage of consultation. Worthy of attention is the experience of conducting online consultations with civil society, which are part of the e-government initiative of the Republic of Malta. They are implemented in stages. During the first stage (open consultation), representatives of the public who have previously prepared relevant comments are invited. During the second stage (closed consultation), submitted proposals and comments are checked. During the third stage (feedback), a part of the materials is subject to publication as a result of changes. The fourth stage (summarizing the results of the consultations) is a report based on the results of the consultations, which is reviewed by civil society. It should be noted that comments can be submitted via an interactive form, e-mail, or phone. To improve efficiency in this direction, free basic courses for familiarizing citizens with information and communication technologies have been organized in this republic (Participation of public institutions in the decision-

making process. Review of standards and practices in the member countries of the Council of Europe, 2016).

It should be noted that the involvement of civil society in consultations and legislative initiatives, as a rule, is carried out based on an open offer. For example, the Code of Practice on Consultation of the Republic of Croatia defines a clear list of criteria for representatives of public associations involved in consultations. Among the main ones are experience, previous contributions to the topic of discussion, and qualifications (Code of Croatia on consultation with the interested public in the process of legislation, other regulations and assets, 2009).

The experience of different countries on the issues of interaction between political power and society in the direction regarding social protection of the rights and freedoms of citizens is also worthy of attention because the provision of state social policy to ensure the proper level of social protection is one of the main factors of proper interaction between political power and civil society (Silantieva, 2023). Thus, a feature of French social policy is mandatory types of insurance - sickness, unemployment, and family insurance. O. Berezin, M. Bezpartochnyi, and L. Nikileva, in addition to insurance, also consider an effective system of family benefits and additional systems of social protection (especially in the area of pension and health insurance) as achievements of France in the studied context (Berezin et al., 2013).

In terms of applicability to domestic legislation, the findings suggest that integrating these international best practices could improve public engagement in the law-making process. Suggested actions include establishing permanent government units focused on civil engagement, increasing the use of ICTs for public consultations, and ensuring transparency in policy-making by institutionalizing feedback loops.

In conclusion, the study reinforces the notion that the partnership between political authorities and civil society is essential for effective governance. By adopting practices observed in countries like Estonia, Croatia, and France, domestic political institutions can foster greater civic involvement, leading to policies that better reflect the public interest and contribute to a more stable and equitable political environment. This integrative approach not only strengthens democratic governance but also serves as a valuable mechanism for protecting and promoting citizens' rights within the policy framework.

Discussion

This analysis demonstrates that international practices of interaction between political authority and civil society emphasize inclusivity, transparency, and active public involvement. By examining the frameworks in countries such as Estonia, Croatia, France, and Malta, we can identify several principles and practices that promote an effective partnership between the state and civil institutions.

One of the primary findings is the importance of creating permanent structures within government institutions to engage civil society consistently. For example, in Malta's e-government initiative, specialized units facilitate regular consultations with citizens through digital platforms, making the process of public involvement streamlined and accessible. Similarly, Estonia's advanced digital democracy initiatives have led to a proactive civil engagement culture where public input is encouraged at all stages of policy-making. These models show that permanent units dedicated to public involvement can ensure that civil society has a continuous voice in governance, which in turn improves policy legitimacy and public trust.

ICTs, especially in the form of online portals and consultation platforms, have proven to be essential tools for broadening public participation. By lowering physical

and logistical barriers, countries can expand access to consultations and feedback channels, making the policy process more inclusive. Estonia, for instance, has extensively integrated ICTs to promote digital citizenship, allowing citizens to participate directly in policy discussions through secure online systems. Such practices highlight how digital platforms can not only engage a larger segment of society but also make participation more efficient and timely, especially for groups that may be underrepresented in traditional political processes.

The study reveals that successful interaction between political authorities and civil society is often supported by clear feedback mechanisms, which ensure that public contributions are valued and visibly integrated into decision-making. Feedback processes enhance transparency, as civil society groups can see how their input impacts policy decisions, building accountability and trust in political institutions. Countries like France and Croatia, which publish consultation outcomes and explain policy choices in response to public feedback, set an important precedent. Their approach helps to establish a more reciprocal relationship between civil society and political authority, where contributions are recognized and have a tangible impact.

Public consultations are identified as a cornerstone of effective state-civil society interaction, allowing diverse voices to inform policy development. Expert seminars, public discussions, surveys, and other consultation tools are instrumental in engaging different segments of the population. The case of Malta, where structured online consultations are an integral part of e-governance, is an example of how formalized consultations can be effectively conducted, ensuring both inclusivity and efficiency. Through these consultations, policies are more likely to align with societal needs, enhancing the relevance and acceptance of government actions.

Adopting the successful practices of countries like Estonia, Malta, Croatia, and France could significantly strengthen the engagement of civil society in the legislative and reform processes. Domestic policy-makers could benefit from establishing specialized units within government structures to handle civil society relations, promoting ICT-facilitated consultations, and institutionalizing transparent feedback processes. These steps would not only enhance civic involvement but also contribute to building a robust, participatory democracy that aligns more closely with international standards.

The findings underscore the importance of a cooperative approach to governance, where civil society serves as both a participant and a watchdog in the policy process. By adopting international best practices, governments can build a resilient civil society that contributes constructively to public discourse, offering insights and accountability that strengthen democratic structures. This approach is crucial for adapting to complex social issues, such as social justice and rights protection, where public support and understanding are integral to successful policy implementation.

In summary, the study reinforces that civil society plays an indispensable role in shaping effective governance. The international models discussed here offer valuable insights that could guide the development of domestic frameworks to strengthen state-civil society interaction, foster transparency, and build a foundation for policies that better reflect the needs and values of society.

Conclusions

Evidently, in recent years, international standards regarding the interaction of government and society have significantly developed in the part related to strengthening the guarantee of participation. Mandatory and relevant involvement of civil society representatives by state bodies and local self-government bodies is determined by national legislation. The Convention for the Protection of Human Rights and

Fundamental Freedoms is the main document that provides guarantees related to the participation of civil society in state policy. The legislation of most countries also provides for the creation of special bodies that operate permanently (advisory bodies according to the areas of activity, coordinators). An effective condition for the interaction of civil society institutions and state authorities is the involvement of the public with the use of information and communication technologies. The most common mechanism is central electronic portals, which provide information, electronic services, and consultation platforms. In most countries, civil society institutions act as partners in decision-making and are involved at all stages of policy development (development, implementation, study).

The main mechanisms of interaction between the political authorities and civil society include the presence of a perfect legislative framework, openness and transparency of the authorities (timely publication of projects of regulatory legal acts, other information); consideration of public opinion and community attitudes; timely informing of the public; consultations with experts and public representatives; interaction on partnership relations; provision of an appeal mechanism in case of violations; development of effective, efficient and accessible electronic portals; ensuring the preparation of textbooks, methodological manuals on the implementation of public participation mechanisms; conducting educational training and advanced training courses for both political authorities and civil society.

The practical recommendations outlined in the «Standards and Practices in the Member States of the Council of Europe Regarding Public Participation in Decision-Making» highlight the various avenues for involving civil society in political processes. Information and communication technologies (ICT) have emerged as powerful tools for facilitating public engagement, enabling governments to reach broader audiences and gather diverse perspectives through electronic portals, consultation platforms, and online surveys. Conducting consultations is vital, as they not only solicit input from civil society but also ensure that feedback is integrated into the decision-making process, thereby reinforcing the notion of participatory governance.

The article also examines successful international case studies, such as the e-government initiative in Malta and the positive experiences of countries like Estonia, Croatia, and France, which illustrate the potential for effective collaboration between political authorities and civil society. These examples underscore the significance of social protection policies in fostering a conducive environment for civil society participation, as ensuring citizens' rights and freedoms is fundamental to building a robust democratic framework.

In conclusion, the interaction between political authority and civil society is a dynamic and evolving process that is crucial for effective governance. By understanding and implementing the principles and practices that promote this interaction, governments can create more inclusive, responsive, and accountable political systems. This article aims to contribute to the ongoing discourse on this essential relationship, providing insights and recommendations for enhancing civil society's role in political processes worldwide.

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