

AREAS AND FORMS OF PUBLIC CONTROL OVER THE ACTIVITIES OF EXECUTIVE BODIES

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Received: 6 June

Accepted: 1 September

Abstract

The effectiveness of public control over the activities of executive authorities in Ukraine is limited by fragmented legislation and the lack of a single, comprehensive statute. This complicates the organisation of public participation instruments and their practical implementation. At the same time, the expansion of public policy areas in which society expects accountability and transparency requires the clear classification of control instruments and the determination of their legal nature. The study aims to identify fundamental approaches to understanding and classifying the forms of public control over executive authorities, and to define their groups, classification criteria and relationship with applicable legislation. This study uses a normative-dogmatic analysis of constitutional and administrative legislation, a comparative analysis of democratic states' foreign experience, and systemic-structural and classification approaches. It also uses a functional analysis of the mechanisms for applying forms of public control in public administration. Using a comprehensive methodological approach allows us to examine forms of public control in their systemic unity, interconnection and practical operation, rather than in isolation. The study substantiates that the forms of public control differ in their legal nature and implementation mechanisms, and that they should be examined as an integrated system. A classification is proposed based on: (i) mode of implementation (institutional, participatory, information and communication); (ii) timing (preventive or retrospective); and (iii) content of measures (consultative, information-analytical, expert-evaluative, supervisory, complaint-based, rights-protective, judicial, communication-educational, initiative and advocacy, digital oversight and mediation/consensus-building). The integrative role of public expertise, public consultations, access to public information and the citizens' appeals mechanism is demonstrated.

Keywords: public control; regulation; accountability of executive authorities; access to public information; public expertise.

1. Introduction

Contemporary state-building is difficult to conceive without effective mechanisms of accountability and public oversight of government authorities. In present-day Ukraine, which remains under martial law, endures daily shelling of enterprises and public and residential infrastructure, and simultaneously undergoes profound transformations in public administration, decentralisation, digitalisation, and European integration, public control over executive authorities is particularly important. The domestic political developments of autumn 2025, marked by high-profile corruption scandals and the resignation of senior officials, further heightened public expectations for transparency, openness, and integrity within the executive branch, while legal mechanisms for public participation in monitoring managerial decision-making remain fragmented and insufficiently systematised.

The relevance of this study is primarily conditioned by the absence in Ukraine of a specialised law that would regulate the institution of public control comprehensively. Instead, the relevant forms and instruments are dispersed across the provisions of the Constitution of Ukraine, administrative, information, and anti-corruption legislation, as well as subordinate acts of the Cabinet of Ministers of Ukraine. Such normative fragmentation complicates the practical application of public control mechanisms and their theoretical conceptualisation, classification, and assessment of effectiveness. In contemporary scholarly literature, a unified approach to defining the range of forms of public control, the criteria for their differentiation, and their interrelations is yet to be developed.

Public control is important in the sphere of executive authorities, which implement state policy, adopt managerial decisions, and exercise public powers in relation to individuals and legal entities. As contemporary studies rightly note, the executive branch is the most “contact-intensive” branch of government; accordingly, the risks of violations of human rights and freedoms, abuse of discretionary powers, and ineffective governance are especially pronounced in this sphere (Krastev & Holmes, 2019). In this context, public control emerges as an instrument for ensuring the rule of law and maintaining a balance between public and private interests.

Within domestic legal scholarship, the issue of public control over the activities of executive authorities was developed predominantly within the framework of administrative-law and constitutional-law studies, with an emphasis on forms of public participation and their normative regulation. In particular, attention is paid to the analysis of the spheres in which public control is exercised and its correlation with fundamental human rights, which makes it possible to distinguish political, social, administrative, and personal spheres of such control (Kosinov, 2020). Administrative law scholarship emphasises the limited nature of existing methods and forms of public control, which are largely determined by public authorities themselves, thereby reducing its independent and initiative-driven character (Kuleshov, 2021).

A separate line of research addresses the classification of forms of public control. Scholarly works distinguish between general (constitutional) and special forms, the latter encompassing citizens’ appeals, requests for public information, public events, the activities of civil society organisations, and institutionalised mechanisms such as public councils and public expertise (Nironka, 2021; Skvirskyi, 2020). Researchers also emphasise that the absence of a unified law on public control in Ukraine hinders the development of an exhaustive classification of its forms and results in fragmented legal regulation (Haponenko, 2022).

A substantial body of academic publications is devoted to individual forms of public control, primarily the institution of public expertise, which is regarded as one of the forms of interaction between civil society and the executive branch that is closest to the idea of participatory democracy. In this context, emphasis is placed on the obligation of executive authorities to consider expert proposals, take measures for their

implementation, and report to the public, which distinguishes public expertise from other, more declarative forms of control (Panfilov, 2021).

At the same time, scholarly works analyse the legal nature of citizens' appeals and requests as forms of public control that possess a dual character. On the one hand, they serve as a means of protecting the rights and legitimate interests of individuals. On the other hand, they function as instruments of societal oversight over the activities of public authorities (Neuhodnikov, 2020). Some studies focus on the informational component of public control, in particular the importance of access to public information, the role of the mass media, and public monitoring as continuous forms of oversight over public administration (Kasianenko, 2022).

An analysis of foreign approaches conducted by Ukrainian scholars indicates that in states with a high level of democracy, public control is characterised by a wide range of forms from public hearings and the activities of advisory bodies to investigative journalism, ombudsman institutions, and digital participation tools. However, even in such states, citizen participation often has a reactive character, which renders the issue of developing preventive forms of public control relevant for the Ukrainian legal order as well (Nironka, 2021).

Moreover, there is a tendency towards the predominance of reactive rather than proactive forms of public control, manifested in societal protest responses to decisions that have already been adopted, rather than in preventive influence at the stage of their preparation. This circumstance is also relevant to the Ukrainian context, where the potential of *ex ante* forms of public control remains insufficiently realised, as evidenced by the protests in July 2025 in connection with events related to the limitation of the powers of the National Anti-Corruption Bureau of Ukraine (NABU) and the Specialised Anti-Corruption Prosecutor's Office (SAPO).

The purpose of this study is to identify fundamental approaches to understanding and classifying the forms of public control over the activities of executive authorities in Ukraine. To achieve this aim, the study sets out to address the following tasks: to analyse scholarly approaches to defining the essence of public control and its role within the system of public administration; to outline the principal spheres in which public control over the activities of executive authorities is exercised; to systematise and classify the forms of public control according to various criteria; to determine their legal nature and normative foundations; and to assess the possibilities for improving existing mechanisms of public control with due regard to foreign experience.

Thus, the findings may be used to improve legislation, develop a unified conceptual approach to the institutionalisation of public control, and enhance the effectiveness of interaction between civil society and the executive branch in Ukraine.

2. Materials and Methods

The methodological framework of the study is based on a combination of general scientific and special legal methods. Their application is defined by the multidimensional nature of public control and the need to analyse it as a legal, institutional, and functional phenomenon within the system of public administration. The research was conducted in several stages, which made it possible to move consistently from identifying the theoretical and legal foundations of public control to the systematisation of its forms and mechanisms of implementation.

At the first stage, the normative–dogmatic method was employed to analyse the provisions of the Constitution of Ukraine and acts of administrative legislation that define the legal foundations of public participation in the governance of state affairs. The use of this method made it possible to clarify the legal nature of public control, determine its place within the system of public authority, and identify the normative grounds for the existence of specific forms of control. In particular, the study examined constitutional guarantees of popular sovereignty, the right to participate in the administration of state

affairs, and the right of petition, as well as special legislation regulating citizens' appeals, access to public information, the conduct of public expertise, and public consultations. This analysis revealed the fragmented nature of the normative regulation of public control and the absence of a unified legislative approach to its systematisation.

At the second stage, a comparative legal analysis of countries with a high democracy index was conducted. Using this method, approaches to the organisation of public control in Western Europe, North America, and the Scandinavian countries were examined. The comparative analysis allowed to identify common trends and differences in the practices of institutionalising public councils, organising public consultations, applying mechanisms of public expertise, and employing digital tools for citizen participation. The findings were used to assess the possibilities for adapting certain models to the Ukrainian legal order, taking into account national legal and socio-political conditions.

At the third stage of the research, systemic-structural and classificatory approaches were applied, which allowed forms of public control to be regarded not as isolated phenomena but as elements of an integrated mechanism of interaction between civil society and executive authorities. By means of these approaches, forms of public control were grouped according to various criteria: the mode of implementation (institutionalised participatory, participatory, and information-communication forms), temporal orientation (preventive and retrospective), and the substantive content of control activities (consultative, information-analytical, expert-evaluative, supervisory and oversight, complaint-based and rights-protective, judicial-legal, etc.). This classification helped systematise the diversity of forms of public control and to identify their interrelationships.

At the final stage, the functional method was used to analyse the practical operation of individual forms of public control in public administration. In particular, public expertise, public consultations, mechanisms for access to public information, and the institution of citizens' appeals were examined from the perspective of their capacity to ensure accountability, transparency, and efficiency in the activities of executive authorities. Functional analysis enabled an assessment of the actual impact of these instruments on decision-making processes and the identification of problems related to their practical implementation.

The application of a comprehensive methodological approach ensured a holistic understanding of public control as a dynamic legal and social institution and provided a basis for formulating generalised conclusions and proposals aimed at improving the normative and institutional mechanisms of its implementation.

3. Results and Discussion

The substance of public control is revealed through the forms of participation of citizens and their associations in supervisory (in the broad sense) activities concerning the adoption of managerial decisions and the implementation of public policy at both the state and local levels. At the same time, given the nature of the powers and functions of executive authorities, the majority of such public activity is aimed precisely at monitoring compliance with legality, as well as the observance of human and civil rights, freedoms, and lawful interests in the operation of these bodies. In this regard, as aptly noted by Kuleshov, the organisation of public control in Ukraine is limited to a relatively narrow range of methods (which are synonymous with forms) characteristic of organisational theory, that is, these methods are predominantly determined by public authorities. Consequently, it should be taken into account that the consolidation of forms of public control and the mechanisms for their implementation primarily takes place at the normative level. Since the current normative and regulation of public control in Ukraine requires an independent study, this section focuses only on identifying the fundamental approaches to the classification and understanding of these forms, while

maintaining their inseparable connection with the provisions of the domestic legal system.

Thus, the spheres of public control are identified, for the most part, after and beyond their direct legal regulation, as they generally relate to areas and branches (sub-branches and specific key institutions) of state or municipal activity, including regulatory activity. Thus, public control emerges in such spheres as energy, environmental protection (environmental control), the targeted use of land plots, national security and defence, the observance of the rights of convicted persons, as well as in the areas of privatisation and public procurement—pursuant to Part 5 of Article 7 of the Law of Ukraine “On Public Procurement” (in particular, a special project, DoZorro, operates as a mechanism of public control over public procurement), compliance with and enforcement of anti-corruption legislation, oversight of police activity, and other law enforcement bodies.

In legal scholarship, there are notable attempts to classify the spheres of public control. On the basis of the main categories of human rights, Kosinov identifies the following spheres of public control: (1) the political sphere, encompassing such areas as the exercise of rule-making powers by state authorities and local self-government bodies; access to information on the activities of state authorities and local self-government bodies; the exercise of electoral rights, the right to participate in referenda and other forms of direct democracy; and the administrative sphere, including control over the implementation of the principles of good governance; (2) the sphere of personal human rights, in which the public, through control over the activities of public authorities, may respond to violations of personal data protection, unjustified restrictions on personal liberty, and similar infringements; and (3) the social sphere, including labour relations and employment, pension provision, and the granting of social benefits and assistance. These may also include the environmental sphere, in which the public exercises its right to an environment safe for life and health, and the sphere of personal security, which involves oversight and the prevention of arbitrariness by law enforcement bodies, among many other areas of public control. These spheres are not isolated but are closely interconnected, both in terms of the methods of public control employed and the pursuit of common and specific objectives.

An even greater diversity of approaches concerns the nature and systematisation of forms of public control, most of which are directly related to the activities of executive authorities. At the primary (constitutional) level of regulation, Nironka concludes that the Constitution of Ukraine currently provides for two basic forms of public control: (1) public events, including the possibility of holding peaceful assemblies, demonstrations, pickets, and the like; and (2) the practical implementation of citizens' right to establish public associations and organisations. Traditionally, constitutional provisions relating to public control include Article 5, according to Part 2 of which the bearer of sovereignty and the sole source of power in Ukraine is the people. Part 1 of Article 38 stipulates that citizens have the right to participate in the administration of state affairs, in nationwide and local referenda, and to freely elect and be elected to state authorities and local self-government bodies. In this connection, some scholars also include participation in elections and referenda among the general forms of public control.

Provisions that affect the exercise of public control indirectly also include the right to freedom of thought and speech and the free expression of views and beliefs (Article 34 of the Constitution of Ukraine), as well as the right to freedom of association in political parties and public organisations for the exercise and protection of rights and freedoms and the satisfaction of political, economic, social, cultural, and other interests (Article 36 of the Constitution). In addition, pursuant to Article 40 of the Constitution of Ukraine, everyone has the right to submit individual or collective written appeals or to address state authorities, local self-government bodies, and their officials in person, which are obliged to consider such appeals and provide a substantiated response within the time limits established by law. These forms cannot be considered exhaustive in the

context of organising and exercising effective public control over executive authorities. However, based on constitutional provisions, some researchers classify them as general organisational forms of public control, identifying appeals, requests for access to public information, mass assemblies, and public discussions. These, in turn, constitute the basic prerequisites for further differentiation and supplementation by other, conditionally special, forms of public control, which appear sporadically at the level of specific legislation.

For example, Skvirskyi identifies special forms of public control on the basis of the need for certain preparatory work for their proper implementation and their connection with previous decisions or actions of public authorities (controlled entities), classifying as such forms the functioning of public councils, the institution of public observers, and the institution of public expertise of the activities of executive authorities. In this respect, due in particular to the absence of a Law of Ukraine “On Public Control,” which could unify this area, it is impossible to speak of an exhaustive list of forms of public control, although the key ones are mentioned in various legislative acts or identified by scholars.

A broad list of the main forms of public control over the activities of executive authorities is provided by Haponenko, who includes access to information on the activities of the controlled entity; monitoring compliance by executive authorities with current legislation and state programmes of social development and state discipline in decision-making and the performance of actions; participation in the rule-making process; work in consultative and advisory bodies; submission of appeals and requests; conducting public expertise, anti-discrimination expertise of draft normative legal acts, public monitoring and evaluation; filing lawsuits in cases of violations of current legislation; reporting by representatives of state authorities to the public; e-governance and e-democracy. Among additional forms, the scholar lists the operation of public television (often, the activities of mass media in general and investigative journalism in particular are also classified as forms of public control), mandatory declaration and publication of income and expenditures of officials, sociological research, video recording of official interactions between controlled entities and representatives of civil society, and the exercise of citizens’ right to familiarise themselves with documents of state authorities, among others.

Neuhodnikov identifies the following forms of public control over the activities of public administration entities in Ukraine: (1) the holding by executive authorities and local self-government bodies of public hearings with the public on draft normative legal acts during their development; (2) the establishment and functioning of public (expert) councils in the activities of public administration entities; (3) the conduct of public expertise of the activities of authorities and public anti-corruption expertise of the activities of public administration entities; (4) ensuring the possibility for citizens to submit electronic appeals to public administration entities and to file electronic petitions; and (5) ensuring the possibility for citizens to contact public administration entities by telephone through designated contact centres and “hotlines”, as well as via the Internet and electronic communication tools. As can be seen, the forms of public control identified by the cited authors overlap and may therefore be regarded as core forms, requiring more detailed examination with reference to the foundations of their normative regulation. This makes it possible to determine the nature of their application and their place in the system of public control over the activities of executive authorities.

One of the most frequently mentioned forms of public control is the institution of public expertise, the organisation and conduct of which requires active cooperation on the part of the controlled entity and is currently carried out in accordance with the Procedure for Facilitating the Conduct of Public Expertise of the Activities of Executive Authorities, approved by Resolution of the Cabinet of Ministers of Ukraine No. 976 of 5 November 2008. This Procedure provides for public expertise to be conducted by two types of entities—general and special—namely, civil society institutions in general

(including public associations, trade unions and their associations, creative unions, employers' organisations and their associations, charitable and religious organisations, bodies of self-organisation of the population, non-state media, and other non-profit associations and institutions legalised in accordance with the law) and, in particular, public councils. Accordingly, there is a direct connection with another form of public control—the activities of such public councils—which are carried out in accordance with the Standard Regulation on a Public Council under a Ministry, Other Central Executive Authority, the Council of Ministers of the Autonomous Republic of Crimea, Oblast, Kyiv and Sevastopol City, District, and District-in-City Kyiv and Sevastopol State Administrations, approved by Resolution of the Cabinet of Ministers of Ukraine "On Ensuring Public Participation in the Formation and Implementation of State Policy" No. 996 of 3 November 2010. The same Resolution also approved the Procedure for Conducting Public Consultations on the Formation and Implementation of State Policy, which constitutes a third form of public control mentioned in this context.

The Procedure for Facilitating the Conduct of Public Expertise of the Activities of Executive Authorities stipulates that a public council may conduct public expertise of the activities of the executive authority under which it is established. According to the official website of the Ministry of Justice of Ukraine, the public council under the Ministry has been operating since 2011 and is guided by the relevant Regulation approved at a meeting of the Public Council under the Ministry of Justice of Ukraine (Minutes No. 1 of 16 May 2011) and endorsed by the Minister of Justice of Ukraine. Pursuant to this Regulation, the public council also conducts public expertise and public anti-corruption expertise of draft normative legal acts, establishing working and expert groups within its structure for this purpose. The specific features and areas of activity of the public council under the Ministry of Justice will be examined in more detail in subsequent sections of this study.

At the same time, returning to the aforementioned Procedure, it contains, albeit in a rather descriptive form, a definition of public expertise of the activities of executive authorities as a component of the mechanism of democratic governance. This definition provides for the assessment by civil society institutions and public councils of the activities of executive authorities, the effectiveness of their decision-making and implementation, and the preparation of proposals for resolving socially significant problems to be taken into account in the work of executive authorities. Thus, public expertise as a form of public control is used to evaluate the previous activities of executive authorities and prepare proposals for their future activities. For example, a letter of the Ministry of Justice of Ukraine dated 16 October 2012 No. 12645-0-33-12/7.1, addressed to the Head of the public organisation "Public Chamber of Crimea," indicates that issues such as methods of publishing information on public consultations on the official website of the Ministry of Justice, improving the procedure for forming the annual indicative plan of public consultations, comments on conducting public discussions of the draft Administrative Procedure Code exclusively in the format of electronic consultations, publication for review of the draft Law of Ukraine "On Service in Local Self-Government Bodies," and a number of other matters were the subject of public expertise and the Ministry's responses thereto.

Certain legislative acts also provide for special types of public expertise. In particular, pursuant to Parts 5 and 7 of Article 55 of the Law of Ukraine "On Prevention of Corruption," public anti-corruption expertise of existing normative legal acts or their drafts may be conducted on the initiative of individuals, public associations, or legal entities, and the public council under the National Agency on Corruption Prevention may be involved in anti-corruption expertise. Overall, the importance of public expertise as a form of public control is difficult to overestimate. Panfilov argues that, because a public administration entity is obliged to consider expert proposals, develop, and approve measures for their implementation based on the review results, and subsequently provide the public

association with a written response and publish relevant information on its website, public expertise is currently the only form of participation by public associations that fully corresponds to the nature of participatory democracy. These obligations of the controlled entity are also enshrined in the Procedure for Facilitating the Conduct of Public Expertise of the Activities of Executive Authorities, where paragraph 5 further stipulates that officials of executive authorities must not obstruct public expertise or interfere with the activities of civil society institutions or public councils involved in its conduct.

The Procedure for Conducting Public Consultations on the Formation and Implementation of State Policy provides that such consultations aim to involve citizens in the administration of state affairs, ensure their access to information on the activities of executive authorities, and guarantee publicity, openness, and transparency. According to the Procedure, public consultations facilitate systematic dialogue between executive authorities and the public, improve the quality of decision-making on important state and social issues by considering public opinion, and create conditions for citizen participation in the development of draft decisions. These objectives correspond to the general tasks of public control, albeit through the lens of a specific form.

The guide *Online Public Consultations: Step by Step*, developed during the COVID-19 pandemic for civil servants and public organisations by OpenNorth for the National Democratic Institute under the programme “Engaging Citizens in Decision-Making through Public Consultations,” supported by the United Kingdom’s Good Governance Fund, offers a broader perspective on public consultations. It describes them as a cyclical process—comprising problem identification, policy development, policy adoption, and policy implementation—that incorporates feedback from a wide range of stakeholders. These include citizens, professional representatives, civil society institutions, professional associations, groups directly affected by the issue, and other interested members of the public. Consultations may be conducted through online surveys or as a series of public discussions held nationwide on a selected topic. At the same time, the digital transformation of these processes should not limit the possibility of organising public consultations in the format of in-person meetings, with the involvement of media representatives for subsequent coverage. In other words, public consultations should be conducted on a systematic and continuous basis, integrated into the overall process of policy development and implementation, rather than only in exceptional cases or after public concerns arise that a particular draft normative act may violate constitutional rights or freedoms.

In this regard, it is appropriate to speak of different levels of public consultations depending on their degree of institutionalisation or their conduct on a public or professional basis (the latter referring to lobbying activities, attempts to legislate which continue, although such activities already fall outside the scope of the objectives and purposes of public control). Another form of public control—the submission and consideration of citizens’ appeals and requests—is regulated by special legislation, specifically the Law of Ukraine “On Citizens’ Appeals.” This law enshrines the right, and establishes the procedure, for individuals to apply to state authorities, local self-government bodies, citizen associations, enterprises, institutions, organisations regardless of ownership, media, and officials. Applications may include comments, complaints, or proposals related to their statutory activities, as well as petitions concerning the exercise of socio-economic, political, and personal rights and lawful interests, including complaints about their violation (Part 1, Article 1).

In legal scholarship, citizens’ appeals are understood in two dimensions, reflecting their dual legal nature: as an institution of administrative law—a means of protecting citizens’ rights and interests—and as a form of public control. As a form of public control, citizens’ appeals allow individuals to express views, proposals, or dissatisfaction with specific actions or decisions of public authorities, while requiring mandatory

consideration and a response. Accordingly, citizens' appeals can be seen as an individual form of public control that often signals systemic problems in a particular area of public governance or legal regulation, regardless of the number of submissions, although the quantity of appeals may also inform executive authorities and officials responsible for responding to them.

Legislative provisions governing access to information are closely linked to the submission and consideration of public requests and proposals, as they establish the framework for transparency and the public's right to receive timely and accurate information from authorities. Thus, the obligation of public authorities to inform the public and the media about their activities and adopted decisions, along with state and public control over compliance with information legislation, is established among the guarantees of the right to information enshrined in Part 1 of Article 6 of the Law of Ukraine "On Information." Part 2 of Article 29 of this Law defines information of public interest as information that indicates threats to state sovereignty or territorial integrity; ensures the exercise of constitutional rights, freedoms, and duties; evidences potential violations of human rights, misleading of the public, harmful environmental or other negative consequences of activities (or inactivity) of individuals or legal entities, and so forth. Pursuant to Part 2 of Article 17 of the Law of Ukraine "On Access to Public Information," public control over ensuring access to public information by information managers is exercised by local council deputies, public organisations, public councils, and citizens personally, through public hearings, public expertise, and similar measures. Public control is also defined as one of the guarantees of the right of access to public information (paragraph 5 of Part 1 of Article 3 of the Law).

Some information of public interest is relatively specific, such as data on threats to state sovereignty, while information related to the exercise of constitutional rights, freedoms, and duties is far broader, encompassing not only constitutional provisions but also numerous legislative and subordinate normative acts that implement, guarantee, or restrict these rights. In this context, forms of public control that ensure continuous civil society oversight, such as public monitoring, the activities of mass media, and the work of trade unions and public associations for which public control is a primary statutory purpose, are particularly important, often carrying greater systemic significance than the processing of individual appeals and requests.

Experience from other countries shows that, alongside traditional forms, new forms of public control are being developed and implemented, indicating that public control cannot be understood solely through the methods discussed above. At the same time, the dynamic nature of this phenomenon should also be taken into account in Ukraine when developing a special law in this area. Based on the analysis of public control practices in the United States, Belgium, France, Canada, and Spain, Nironka summarises that the main manifestations of the concept in these states include public control as such, public monitoring, the organisation of public hearings, the activities of public councils, institutions of public expertise and public inspection, the activities of ombudsmen, a wide range of investigative activities (from community-based to professional journalistic investigations), mechanisms for submitting requests to state and local authorities, and hearings of reports on the results and impact of their activities. Among innovative forms, the scholar identifies the registration of errors committed by officials, documentation of violations of normative requirements and their consequences, mechanisms for encouraging positive actions by officials, and administrative appeals against unlawful decisions, actions, or omissions.

In the context of differentiating mechanisms of state and public control over the activities of local self-government bodies, Kasianenko notes that civil society institutions are active subjects of such control in states with a high democracy index, including the Scandinavian countries (Norway, Sweden, Denmark), as well as New Zealand, Canada, Ireland, Switzerland, Finland, and Austria. In such states, the effectiveness of public

control is directly linked to traditions of direct democracy, which today, through the use of modern technologies, are transforming into institutions of open government. At the same time, even in developed democracies, studies based on Norway show that citizen participation in municipal affairs is predominantly protest-oriented as a reactive form of public control rather than initiative-based. This reflects one of the functions of public control: enabling society, or its active groups, to respond to decisions or policies of state or local authorities that are perceived as unacceptable.

Contemporary forms of public control over the activities of executive authorities are diverse both in terms of their legal nature and their mechanisms of implementation and, accordingly, normative regulation. On the basis of the mode of implementation, these forms may be grouped as follows: (1) institutionalised participatory forms, implemented through permanent or ad hoc civil society institutions, regardless of whether they are established under controlled bodies (thus including both the functioning of public (expert) councils and other consultative-advisory bodies under public authorities, as well as the activities of public associations exercising public control in accordance with their founding documents, public activists, initiative groups, etc.); (2) participatory forms, which involve engagement with or influence on the activities of executive authorities not on an institutional-organisational basis but on an object-based basis (public expertise, public hearings, public consultations, submission and consideration of appeals and requests, public monitoring, and others); and (3) information and communication forms, encompassing the activities of mass media (including public television and radio, web resources), journalistic and public investigations, publication by public authorities of reports on their activities and their compliance with constitutional and legal principles, disclosure of asset and income declarations by authorised persons and their subsequent analysis by any interested member of the public, and the like.

According to the timing of implementation, it is appropriate to distinguish: (1) public control exercised *ex ante* (Latin for “in advance”), which in the context of public control refers to a preventive form carried out prior to the adoption of decisions or the implementation of policies, with the aim of preventing errors, violations, or ineffective decisions at the stage of their preparation; and (2) public control exercised *ex post* (Latin for “after the event”), a subsequent (retrospective) form carried out after the adoption or implementation of decisions by public authorities, aimed at assessing their effectiveness, legality, justification, and compliance with public interests.

In addition, taking into account the substantive content of control measures, they may be classified into the following groups: (1) consultative (public consultations; public hearings; round tables/working meetings; targeted consultations with stakeholders; expert/public councils and commissions; collection of written proposals on draft acts); (2) information-analytical (requests for public information; audits of open data and registers; independent monitoring of policies and administrative services; surveys and questionnaires; content analysis of decisions and practices; “shadow” reports on the implementation of international obligations); (3) expert-evaluative (both *ex ante* and *ex post*) (public expertise of draft normative legal acts; anti-corruption expertise; impact assessment of alternatives and regulation; peer review of methodologies and standards; *ex post* evaluations of the implementation of decisions and policies); (4) supervisory and oversight (audit-type) forms (public monitoring of the quality of administrative services based on approved methodologies; observation of open procedures, such as electronic bankruptcy auctions; verification of the implementation of recommendations; public reports on identified violations); (5) complaint-based and rights-protective (remedial) forms (submission of complaints regarding actions or omissions of officials; disciplinary complaints concerning notaries, registrars, or enforcement officers; reporting corruption to authorised bodies; collective appeals or petitions within the scope of competence); (6) judicial-legal forms (administrative claims seeking recognition of acts, actions, or omissions as unlawful; disputes concerning access to information; challenges to

violations of consultation or disclosure procedures; judicial oversight of registration, notarial, and enforcement procedures); (7) communication and educational forms (information campaigns; legal education activities; publication of explanations and digests; hotlines and public reception offices; infographics and dashboards for the public); (8) initiative and advocacy forms (position papers and policy papers; advocacy campaigns for changes in policies or acts; agenda-setting for consultations, including the initiation of topics; professional charters and memoranda on integrity); (9) digital oversight forms (crowdsourcing of errors in registry data; use of APIs and open datasets for public analysis; public online performance panels; logging of access and auditing of change trails as objects of external oversight); and (10) mediation and consensus-building forms (where applicable), including facilitated sessions to reconcile positions between the Ministry of Justice and stakeholders, mediation in public-law policy conflicts, and conciliatory recommendations with implementation roadmaps.

However, these forms should not be used in isolation; their classification into the specified categories is primarily theoretical and analytical rather than practical, although it helps clarify their legal nature. In practice, they are applied in a comprehensive manner: public councils resort to public expertise and other forms of public control in their activities, while mass media regularly submit requests for public information or comments from authorised officials to executive authorities. Their systemic unity forms public control over executive authorities can function as an effective and coherent instrument of civil society influence, ensuring public awareness and the ability to adjust the activities of public administration, take public interests and demands into account, including in the drafting of normative legal acts, and subsequently hold culpable officials accountable through disciplinary, administrative, and even criminal liability.

Furthermore, based on an analysis of foreign experience, it appears appropriate to adopt approaches aimed at introducing innovative forms and methods of public control, particularly those involving public participation in public investigations, expertise, and monitoring activities, expanding participation in meetings of elected collegial bodies of state and local authorities and the hearing of their reports, and further implementing systems and instruments of electronic democracy. At the same time, priority should be given to the coordinated functioning of all these mechanisms and their systemic unity, rather than the chaotic accumulation of disordered methods of public control regulated by disparate normative legal acts.

4. Conclusions

The research concludes that public control over the activities of executive authorities in Ukraine constitutes a complex and multidimensional phenomenon that cannot be reduced to individual instruments of public participation or isolated forms of response to violations. Its current state is characterised by a significant diversity of forms and mechanisms of implementation, while at the same time being marked by fragmented normative regulation and the absence of a unified system-forming approach at the legislative level. This circumstance complicates both the practical application of public control and its doctrinal comprehension.

It is substantiated that the forms of public control should be considered to be elements of an integral mechanism of interaction between civil society and public authorities. Such an approach permitted to identify their functional purpose, interconnections, and complementary nature. The proposed grouping of forms of public control according to the mode of implementation, temporal orientation, and the content of control measures reflects the actual practice of their application and has analytical value for the further improvement of normative regulation in this sphere.

The research shows that institutionalised participatory, reactive, and information-and-communication forms of public control interact continuously and are applied synergistically in practice. The institution of public expertise combines elements of both

prior and subsequent control and facilitates a structured dialogue between executive authorities and the public. A similar integrative role is played by public consultations, mechanisms for access to public information, and citizens' appeals, which together constitute the core infrastructure of public control in public administration.

A comparative analysis of foreign experience in democratic states confirms that the effectiveness of public control is directly linked to the level of its institutionalisation, the development of traditions of citizen participation, and the implementation of open government instruments. At the same time, even in developed democracies, there is a discernible tendency for reactive forms of public control to prevail over preventive ones, which underscores the need to strengthen the role of ex ante mechanisms of public participation at the stage of preparing managerial decisions.

The further development of public control in Ukraine should be guided not by the haphazard expansion of individual forms of participation, but by ensuring their coordinated and systemic functioning. This requires the unification of approaches to normative regulation, the establishment of clear procedures for interaction between executive authorities and the public, and the integration of traditional and digital control instruments without diminishing offline forms of participation. Only under such conditions can public control fulfil its primary function: ensuring the accountability, transparency, and effectiveness of executive authorities' activities in the interests of individuals and civil society.

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