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UKRAINIAN ECONOMIC DIPLOMACY DURING THE FULL-SCALE RUSSIAN AGGRESSION

Oleksandr Vysotskyi[1], D.Sc. in Political Science; Igor Polishchuk[2], D.Sc. in Political Science; Dmytro Korotkov[3], PhD in Political Science; Zhanna Chevychalova[4], PhD in Law

[1] Oles Honchar Dnipro National University, Dnipro, Ukraine
[2] Yaroslav Mudryi National Law University, Kharkiv, Ukraine
[3] Simon Kuznets Kharkiv National University of Economics, Kharkiv, Ukraine
[4] Yaroslav Mudryi National Law University, Kharkiv, Ukraine

Corresponding author: Oleksandr Vysotskyi; E-mail: vysalek@gmail.com

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Abstract

This study examines the pivotal role of economic diplomacy in Ukraine's survival and resistance during the full-scale Russian aggression that began in February 2022. Amid a dire economic and financial situation, Ukraine faced an existential challenge, defending itself against a significantly stronger and more resourceful aggressor. Economic diplomacy emerged as a critical strategy to counterbalance Russia's advantages, leveraging global economic and political mechanisms to sustain Ukraine's defense and resilience. The study aims to elucidate the essence, tools, and outcomes of Ukraine's economic diplomacy during the first 18 months of the Russia-Ukraine war. It identifies and analyzes strategic directions of economic diplomacy, including securing military supplies, mobilizing financial aid, imposing sanctions on the aggressor, facilitating humanitarian assistance, reducing trade barriers, and fostering post-war recovery frameworks. The research also highlights the leadership of President Volodymyr Zelenskyy in uniting the global democratic community, utilizing innovative communication and value-driven appeals to galvanize international support. Methodologically, the study integrates a technological approach with systems analysis and case studies to uncover the interconnectedness of economic, political, and communication strategies. The authors reveal that Ukraine's economic diplomacy achieved significant milestones, such as securing unprecedented levels of military and financial assistance, imposing comprehensive sanctions against Russia, and fostering a cohesive global response to aggression. The analysis underscores the existential nature of these efforts, demonstrating that economic diplomacy was not only a tool for survival but also a foundation for future reconstruction and stability. Furthermore, the research highlights the transformative role of Volodymyr Zelenskyy's public diplomacy, which transcended traditional statecraft by cultivating trust and solidarity through direct appeals to global audiences. Ukraine's economic diplomacy serves as a model of resilience and ingenuity, showcasing how nations can navigate profound crises through strategic coordination and international collaboration.

Keywords: economic diplomacy, wartime international relations, sanctions strategy, international communication, policy, Russia-Ukraine war, security.

Introduction

Economic diplomacy, as an activity aimed at advancing the state's national interests and protecting economic security through diplomatic means, is of particular importance in times of war. On 24 February 2022, the Ukrainian state became a victim of aggression by the Russian Federation. One of the critical areas of defending Ukraine's sovereignty and ensuring its survival was the active diplomatic activity of President Volodymyr Zelenskyy, who managed to mobilize public opinion in Western democracies and leaders of the world's leading countries in favor of, first of all, active economic support for Ukraine. This support became the foundation of Ukraine's resistance to the unprovoked and unjustified aggression by its neighboring state. Unlike in peacetime, economic diplomacy has its specifics in wartime, which implies a special dimension of understanding economic diplomacy as a phenomenon of international politics. The novelty of this study lies in its focus on the unique experience of economic diplomacy in a country at war, brought to the brink of disaster and forced to defend itself against an economically and resourcefully superior aggressor. Additionally, the prominent leadership role of the head of state in implementing economic diplomacy provides an equally compelling scientific dimension for understanding the essence, directions, tools, technologies, and capabilities of economic diplomacy as a diplomatic activity in the international arena. Given this, the article aims to define the essence and peculiarities of Ukraine's economic diplomacy during the first year and a half of the Russia-Ukraine war.

Methodology

The methodological basis of the study was the technological approach, which allowed us to consider Ukraine's economic diplomacy as a system of technologies - communicative, psychological, value-driven, and symbolic practices aimed at effectively achieving set goals. To provide a deeper and more specific analytical framework, the technological approach is complemented by systems analysis and case study approaches. These methods are particularly relevant given the context of economic diplomacy during wartime. Systems analysis was employed as a comprehensive method to explore the interconnected structure of economic, political, and communication strategies underpinning Ukraine's wartime economic diplomacy. This approach facilitates an understanding of how various components - including international sanctions, humanitarian aid, and trade policies - interact dynamically to form a cohesive response to the challenges posed by the full-scale Russian aggression. By analyzing the structural relationships between these elements, systems analysis sheds light on the complex interplay of domestic policies, global economic frameworks, and the roles of key actors, such as President Zelenskyy, international organizations, and allied states. This perspective allows the study to address not only the immediate economic goals of Ukraine but also the broader implications for international stability and economic security. To ground the analysis in real-world practices and outcomes, the case study method was used to examine Ukraine's economic diplomacy during the first year and a half of Russia's full-scale invasion (from 24 February 2022 to mid-2023). This period marked a critical juncture for Ukraine's economic and political survival, characterized by intense diplomatic efforts to secure military, financial, and humanitarian aid from international partners. By focusing on specific initiatives, such as the formation of the Ukraine Defense Contact Group (UDCG) in Ramstein and the implementation of the "customs visa-free regime" with the European Union, the case studies provide detailed insights into the effectiveness of Ukraine's strategies. These examples illustrate how economic diplomacy was instrumental in mobilizing international support, reinforcing sanctions against the aggressor, and ensuring financial assistance for wartime and post-war recovery. The combination of systems analysis and case studies allows for an exploration of the unique challenges and opportunities faced by Ukraine. It demonstrates how economic diplomacy has evolved in response to unprecedented threats, emphasizing the importance of strategic coordination and innovative practices in achieving national and international objectives during wartime.

Literature review

Since the topic of our research pertains to the unique dimensions of economic diplomacy, we first sought theoretical foundations for this study in the works of scholars who have already conceptualized and studied economic diplomacy. Among such scholars are Nicholas Bayne, Stephen Woolcock, Maaike Okano-Heijmans, *Anthony* Wayne, Charles Chatterjee, and Miguel Santos Neves. Bayne and Woolcock defined economic diplomacy as the processes of decision-making and negotiation in international economic relations (Woolcock, 2012, pp.1-2; Bayne & Woolcock, 2017, pp. 2-3). Okano-Heijmans defines economic diplomacy "as a forming part of foreign policy that aims to further a country's prosperity, and at the same time

as an instrument in the quest for political stability and national security" (Okano-Heijmans, 2013, p. 3). According to Wayne, economic diplomacy includes a wide range of economic instruments, including sanctions and bilateral or multilateral trade agreements, "to advance a country's economic, political, and strategic goals" (Wayne, 2019, p.23). On the contrary, Chatterjee believes that economic diplomacy serves only to achieve socio-economic development in a country without any "politics" (Chatterjee, 2020, VIII). It should be noted that the researchers did not consider the implementation of economic diplomacy during military operations and determine its role in a belligerent country. Therefore, for our study, the works of scholars who analyzed support for Ukraine in the global world (Khylko & Khylko, 2024), as well as the value, legal, and political preconditions for its implementation in wartime (Danilyan et al., 2022; 2023; 2024; Lysyk & Shperun, 2024), served as a critical lens for understanding the various conditions and aspects of economic diplomacy during the Russian-Ukrainian war.

Results

During the war, Ukraine found itself in a dire economic and financial situation. Objectively speaking, the economic potential of any country affects its defense and security capabilities. Moreover, compared to the Russian Federation, Ukraine's economic potential was considerably more modest. In such circumstances, President Volodymyr Zelenskyy's diplomatic initiatives to mobilize the international community and the governments of all democratic states to create consolidated support for the Ukrainian state in its struggle against the aggressor played a major role.

Diplomacy has always been about communication. It is a unique form of international discourse aimed at realizing a nation's interests on the world stage and achieving peace through non-military means and conflict resolution based on international law. The globalization of modern communication technologies, the increasing importance of publicity, and the growing demand for openness in international relations have gradually transformed diplomacy into a powerful technology for advancing a state's foreign policy objectives while simultaneously ensuring security and peace on a global scale. Volodymyr Zelenskyy became the first leader to fully leverage the enhanced role of diplomacy as a persuasive technology, aligning the security interests of the global community and ensuring peaceful coexistence based on fundamental principles of international law.

Economic diplomacy, which has become an important area of Volodymyr Zelenskyy's diplomatic initiatives, became the foremost priority for Ukraine's survival and its ability to repel the hostile and expansionist plans of the Russian Federation. The importance of economic diplomacy lies in the fact that modern warfare is primarily a confrontation between economies, which directly determine the military and technological potential of the opposing sides.

A key prerequisite for the successful implementation of the Ukrainian president's diplomatic strategies was the unprovoked and brutal aggression of a neighboring state. According to the UN General Assembly, "aggression is the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations" (United Nations General Assembly, 1974). Compared to the UN Charter, this is a refined definition of aggression with a higher threshold for assessing this phenomenon (Sayapin, 2014, p.105). On March 2, 2022, the UN General Assembly explicitly defined Russia's attack on Ukraine as aggression, which was reflected in the title of the resolution itself (United Nations General Assembly, 2022). The resolution was adopted with the backing of 141 countries, which condemned Russia's aggression against Ukraine. Furthermore, the actions of the Russian Federation against Ukraine were classified as aggression once again in the UN General Assembly resolution entitled "Humanitarian consequences of the aggression against Ukraine 2022," which was adopted on March 24, 2022, with the support of 140 states. Later, in its resolution "Furtherance of remedy and reparation for aggression against Ukraine," passed on November 14, 2022, the UN General Assembly went even further by establishing a mechanism for compensating damage, loss, or injury resulting from Russia's aggression against Ukraine (European Commission, 2022).

Russia's blatant, undisguised aggression against Ukraine has given Volodymyr Zelenskyy an unlimited opportunity to implement the Karpman Triangle model in the international arena to mobilize the efforts of the international community to save Ukraine from the Russian aggressor. This is the world's first successful example of such a reframing technology on a global scale. Stephen Karpman proposed his dramatic triangle to analyze interpersonal relationships in 1968. However, it turned out that this triangle can be not only a good methodological and research tool, but also an effective technological tool, especially in terms of mobilization and motivation in the field of international communication, including a tool for

resolving international conflicts. An important function of the Karpman Triangle model is the reframing of conflictual international relations in the dramatic mythological and symbolic dimensions, when the motivation of participants in international interaction is enhanced by increasing the emotional perception of events and, as a result, their greater involvement, as well as by actualizing national, cultural and civilizational archetypes rooted in the heroic past of nations, their values and ideals that define their collective identity. In such an actualized symbolic and value reality, as a result of the reframing technology of the Karpman triangle, entire nations become heroic in the sacred struggle against universal evil, and the aggressor turns into the embodiment of absolute infernal barbaric power, the enemy of the civilized world of freedom and dignity.

Ukraine's economic diplomacy, under President Volodymyr Zelenskyy's leadership, pursued several strategic objectives from the very onset of the large-scale war. Among these, we have identified three as the most fundamental and prioritized: 1) securing arms supplies, 2) ensuring the imposition of sanctions against the aggressor by democratic states, and 3) obtaining financial aid for Ukraine. These three primary goals of Ukrainian wartime diplomacy allow us to draw a metaphorical parallel to the "trident diplomacy" concept - named after Ukraine's official state emblem, the trident. This reflects an example of symbolic communication that has played a role in mobilizing Ukrainian national consciousness by connecting it to a broader symbolic reality, as the trident serves as a millennia-old testament to Ukrainian sovereignty.

In addition to the fundamental strategic directions, there are secondary directions that are prioritized by the main actor of economic diplomacy, Volodymyr Zelenskyy but are no less important for the survival of the Ukrainian people and the preservation of state sovereignty. These include initiating international humanitarian aid for the army, refugees and war victims; easing economic barriers, including the removal of duties on the export of goods to the EU ("the customs visa-free regime"); ensuring unimpeded exports; mobilizing international support for the restoration of cities destroyed by the aggressor; institutionalizing international assistance for the post-war recovery of the Ukrainian economy; forming an international legal and political position on the inevitability of reparations to the aggressor for the damage caused by the attack on Ukraine and the occupation of its territories; attracting investment in the post-war Ukrainian economy.

We will focus exclusively on the fundamental strategic directions of Ukraine's economic diplomacy. This is due to limitations on article length. However, this is enough to cover the topic and achieve the purpose of the study.

Organizing the Supply of Weapons

At first glance, Ukraine's procurement of weapons from its Western allies may appear unrelated to'economic diplomacy. However, this is not the case at all. First, the organization of arms purchases is directly related to economic relations. Secondly, Ukraine's lack of financial resources and limited resources have raised the issue of international assistance to the victim of aggression in the form of military aid. Notably, this assistance with weapons to the Ukrainian state is always quantified in monetary terms.

One of the first public appeals of the Ukrainian president to the countries of the world to provide weapons took place on the eve of the war at the 58th Munich Security Conference on 19 February 2022. "We will defend our land with or without the support of partners. Whether they give us hundreds of modern weapons or five thousand helmets. We appreciate any help…" (Zelenskyy, 2022e).

Addressing the Group of Seven, the Ukrainian president noted that "(i)t is better to give Ukraine the kind of weaponry support we really need now than to look for weapons for other countries later. We mean Georgia, Moldova, the Baltic States, Poland, and Central Asia" (Zelenskyy, 2022a).

In the course of his public diplomacy, Volodymyr Zelenskyy widely used the technology of symbolic communication and the technology of appealing to basic human values to gain the trust of foreign audiences. He noted: "The sooner this happens as we ask, the sooner there will be peace in Eastern Europe. This is in our best interest. This is in your best interest. This is in the interests of all democracies. Because democracies must be able to defend themselves. Freedom must be armed. Life must overcome death" (Zelenskyy, 2022a).

By April 2022, the first diplomatic meeting of defense ministers from 43 countries took place in Germany (Ramstein-Miesenbach) to synchronize and accelerate the provision of military weapons to Ukraine to counter a full-scale Russian invasion. In addition to NATO countries and Ukraine, the meeting was attended by Finland, Sweden, Japan, South Korea, New Zealand, Australia, Qatar, Jordan, Israel, Kenya, Liberia, Morocco, and Tunisia. At the same time, an international defense coalition was created in Ramstein to coordinate urgent assistance to Ukraine. It is known as the Ukraine Defense Contact Group (UDCG) or

the Ramstein Group. By the beginning of September 2023, 14 meetings had already taken place in Ramstein, and the number of participating countries had increased to 54.

The United States has provided the largest amount of security assistance to Ukraine in absolute terms compared to other states since the beginning of the full-scale Russian invasion, amounting to more than $43 billion (Clark, 2023). The second largest country in terms of military assistance to Ukraine in absolute terms was Germany, with its military commitments amounting to 7.5 billion euros or ≈8.17 billion dollars (The Kiel Institute for the World Economy, 2023). The United Kingdom was in third place with 6.58 billion euros (≈7.17 billion dollars) of military assistance to Ukraine (Trebesch et al., 2023).

Ensuring that Democratic States Impose Sanctions on the Aggressor

One of Volodymyr Zelenskyy's first speeches on the introduction of sanctions was made on the eve of the war at the 58th Munich Security Conference on 19 February 2022. The Ukrainian president called on Western countries to "(d)evelop an effective package of preventive sanctions to deter aggression" (Zelenskyy, 2022e). Western countries began the process of imposing tough sanctions on 22 February 2022, in response to the Russian president's recognition of the independence of the so-called Donetsk People's Republic (DPR) and Luhansk People's Republic in Ukraine (LPR) and his request to send forces to these regions. The White House characterized this as the "first tranche" of sanctions (Lamy et al., 2022).

Volodymyr Zelenskyy's next public appeal (this time together with the presidents of Lithuania and Poland) to the world's states to impose powerful sanctions against the Russian aggressor was contained in a joint statement by the presidents of Ukraine, Lithuania, and Poland in response to the Russian Federation's decision to recognize the so-called LPR and DPR (President of Ukraine, 2022). Already on the first day of the Russian invasion, 24 February 2022, the Ukrainian president stated that he was in constant contact with the leaders of partner states and international organizations and that Russia had already begun to receive the first sanctions of a large package of sanctions, the most powerful in world history (Zelenskyy, 2022d). Indeed, the sanctions against Russia were unprecedented in world history. Moreover, they are being improved and constantly strengthened. In April, on the initiative of Volodymyr Zelenskyy, the International Working Group on Russian Sanctions was established to assess the effectiveness of sanctions against Russia and find ways to further strengthen them (Yermak, 2022). This group was co-chaired by Andriy Yermak, Head of the Office of the President of Ukraine, and Michael McFaul, Professor at Stanford University and Director of the Freeman Spogli Institute for International Studies.

Through his public diplomacy, the Ukrainian president tried to convey to the world community the idea that the sanctions imposed on Russia help limit its ability to continue its war of aggression against Ukraine. Volodymyr Zelenskyy considered one of the main conditions for successful sanctions to be the speed of their imposition, when the aggressor does not have time to adapt to them, does not have time to find ways to circumvent them (Zelenskyy, 2022f). The Ukrainian leader also identified the synchronization of the sanctions policy of Ukraine's partners and the closure of all opportunities for the supply of critical components to Russia as other important conditions for sanctions that should limit the aggressor's production potential as much as possible (Zelenskyy, 2023). The Ukrainian president has called for sanctions against one of Russia's main allies in Asia, Iran, for supplying barrage munitions known as Shahed kamikaze drones. Employing the technique of cultural opposition, Zelenskyy framed the Russia-Iran military alliance as a terrorist and anti-European coalition, thereby drawing a sharp civilization-based contrast between Asia and Europe. Thus, Volodymyr Zelensky said: "using the examples of Russia and Iran, we can show what awaits any terrorist state if it tries to attack Europeans or any other people like this" (Zelenskyy, 2022c).

The diplomatic efforts of the Ukrainian president had their first result only in December 2022, when the European Council imposed the first sanctions against Iran for military cooperation with Russia and the supply of drones to it (European Council, 2022). From that moment on, the European Council constantly tightened sanctions against Iran for Iran's military support of Russia's aggressive war against Ukraine (European Council, 2023).

Ukraine's diplomatic campaign also led to the formation of an international sanctions alliance against Russia. Since February 2022, the EU, the United States, Switzerland, New Zealand, Japan, Canada, and Australia have pursued a policy of coordinated sanctions. They have been joined by South Korea, Singapore, Taiwan, and some other countries. On 23 June 2023, the EU adopted the 11th package of sanctions against Russia for continuing its illegal war against Ukraine (European Commission, 2023). Despite the unprecedented nature of the sanctions, the sanctions policy has weakened Russia, although it has not yet stopped Russian aggression.

Financial Assistance to Ukraine

From the first days of the war, Volodymyr Zelenskyy has been asking for financial assistance for Ukraine. He proposed to create a permanent working group, a kind of "financial Ramstein" that would deal with financial support for Ukraine and work quickly at different levels - at the level of international donors and at the level of countries that join the aid (Zelenskyy, 2022b). Volodymyr Zelenskyy identified three main goals of the world's financial support: 1) to cover the state budget deficit to ensure the basic fundamentals of people's lives; 2) to rebuild critical infrastructure, restore damaged housing, and purchase energy to ensure the stability of the heating season; 3) to develop a mechanism for insuring war risks for new investment projects, which could be a useful tool to support investment for Ukraine, which is necessary to revitalize the economy (Zelenskyy, 2022b).

States and international organizations have pledged €69.31 billion (≈$75.32 billion) in financial assistance to Ukraine, much of which has already been disbursed (Trebesch et al. 2023). The World Bank Group has mobilized $37.884 billion through its mechanisms, of which almost $23 billion has been disbursed to Ukraine so far (World Bank Group, 2023). This suggests that the Ukrainian president's economic diplomacy has had a partial effect. A permanent working group analogous to Ramstein has not yet been established, but financial assistance to Ukraine is more or less sufficient. Of course, it was not only Volodymyr Zelenskyy's economic diplomacy that ensured the allocation of financial assistance from states and international organizations, but it also became an important prerequisite for the international community's willingness to support the victim of aggression.

Discussion

Economic diplomacy, as a powerful tool for advancing a state's national interests on the international stage during modern warfare, can be fully understood within the framework of security. This is due to the fact that modern wars are largely a competition for economic power. At the same time, economic power is measured by the degree of dominance and sophistication of technology, the transition to the sixth technological mode in all spheres of social production. In this context, economic diplomacy is not just about reaching mutually beneficial agreements to realize national interests in the international arena. Nor is it merely about forming economic alliances and associations to advance common regional and global objectives. It is also more than just a utilitarian tool for implementing geo-economic strategies (Neves, 2017, p. 92; Olsen, 2022, pp. 67-68, 73) or ensuring economic security in isolation. Instead, economic diplomacy is a set of communicative, psychological, value-symbolic technologies that can unite and mobilize the world for a fully secure common future based on the principles of freedom and democracy. Economic diplomacy is a powerful weapon against the aggressor. Economic diplomacy is a tool for addressing global security issues through the mobilization of international economic resources. As we can see, as a result of the Russia-Ukraine war and the special leadership role of President Zelenskyy, economic diplomacy as a phenomenon has been further expanded. Undoubtedly, Volodymyr Zelenskyy's personality has influenced the implementation of economic diplomacy and made it more effective. This is the case when the personality of a diplomat determines the foreign policy achievements of a state in the international arena.

Conclusion

The economic diplomacy of the Ukrainian president has become one of the strategies to combat Russia's invasion of Ukraine and a guarantee of the survival of the Ukrainian nation. By its peculiarities, Volodymyr Zelenskyy's economic diplomacy is existential in nature, both in terms of its goals (survival of the Ukrainian state and its people) and its form of implementation, mainly through personal and existential communications with an emphasis on the values of life and freedom. Public speeches to the foreign public played an important role in the implementation of the Ukrainian president's economic diplomacy. There were more than two hundred of them during the year and a half of full-scale war. During this period, Volodymyr Zelenskyy addressed the parliaments of the United Kingdom, Poland, Canada, the United States, Germany, Denmark, Norway, Australia, the Netherlands, Belgium, Romania, Spain, Greece, Cyprus, Finland, the Republic of Korea, Estonia, Portugal, Albania, Iceland, Slovakia, Latvia, Luxembourg, the Czech Republic, Japan, Slovenia, New Zealand, Lithuania, Austria, Chile, Mexico, and Switzerland. This gives us grounds to argue that the Ukrainian president practiced a special form of economic diplomacy - economic public diplomacy. The trust between him and the foreign public, which was built up through his public diplomacy, became the basis for the solidarity of the democratic world with Ukraine. This allowed the Ukrainian state to successfully conduct economic diplomacy during the full-scale Russian aggression.

Ukraine's economic diplomacy has been and continues to be carried out in ten strategic directions. These areas are: 1) securing the supply of weapons; 2) ensuring the imposition of sanctions on the aggressor by democratic states; 3) financial assistance to Ukraine; 4) initiation of international humanitarian aid for the army, refugees, and war victims; 5) easing economic barriers, in particular the removal of duties on the export of goods to the EU ("the customs visa-free regime"); 6) ensuring unimpeded exports 7) mobilization of international support for the restoration of cities destroyed by the aggressor; 8) institutionalization of international assistance for the post-war recovery of the Ukrainian economy; 9) formation of an international legal and political position on the necessity of reparations to the aggressor for the damage caused by the attack on Ukraine and the occupation of its territories; 10) attraction of investments in the post-war Ukrainian economy. All of these strategic directions of economic diplomacy are interconnected and united by a single goal - to defeat the aggressor at the military, political, economic, and ideological levels, which also implies the immediate effective restoration of the post-war Ukrainian economy and strengthening of Ukraine's political role in the world. The analysis of the fundamental strategic directions allowed us to conclude that Ukraine's economic diplomacy was generally successful, which helped create the preconditions for a strategic turning point in the war with the Russian aggressor. Further studies of Ukraine's economic diplomacy during a full-scale war require a thorough analysis of these seven secondary directions of its economic diplomacy.

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THE ROLE OF NON-GOVERNMENTAL ORGANIZATIONS IN A SOCIAL AND POLITICAL LIFE: INTERNATIONAL, NATIONAL AND LOCAL LEVELS

Anastasia Kravets[1], D.Sc. in Political Science; Oleg Tupytsia[2], D.Sc. in Political Science; Artem Hmelnykov[3]

[1] National Technical University, Dnipro, Ukraine

[2] Dnipro City Council, Dnipro, Ukraine

[3] Taras Shevchenko National University, Kyiv, Ukraine

Corresponding author: Anastasia Kravets; E-mail: kravets.anastasiya@gmail.com

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Abstract

Non-governmental organizations play an extremely important role in the social and political life of democratic countries of the world. They involve broad segments of the population in state-building activities. Public organizations are a link of communication between the authorities and society. Many studies and scientific publications by leading Ukrainian and foreign researchers are devoted to analyzing public organizations in the context of management, ideology, economic role, etc. This article focuses on the practical aspect of research: how different non-governmental organizations influence / should influence political life on the international, national, and local levels. Similar foreign experience is taken into account, where non-governmental organizations are powerful tools for influencing managerial decision-making. They can accumulate, articulate, protect, and lobby the interests of their members. However, in today's Ukrainian realities, they only have potential. To effectively represent their interests, public organizations must cooperate with political parties or join public councils under executive bodies. Thus, they lose both self-government and non-governmental character. Moreover, the criteria for selecting organizations to participate in public councils under Ukrainian executive bodies remain unclear. Currently, Ukraine hosts thousands of public organizations, but they lack real political influence. Nonetheless, foreign experience, active collaboration with influential international organizations, and a thorough examination of the mechanisms through which foreign non-governmental organizations shape social and political life could offer valuable insights. The theoretical foundation for this analysis is drawn from the scientific works of leading foreign and Ukrainian researchers.

Keywords: non-governmental organizations, public organizations, international, national and local level, social and political life, political parties, state institutions, democratic countries.

Introduction

Non-governmental organizations play an important role in the socio-political life of democratic countries, as they involve broad segments of the population in state-building activities. Non-governmental organizations (NGO) are a link between the government and society. Public organizations can be international, national, or local and are aimed at protecting various public interests within the country. There are many powerful international non-governmental organizations of various orientations in the world. These organizations aim to draw attention to solving environmental problems, protect and support vulnerable

segments of the population, and involve young people in active public life on a global scale. Of course, such organizations are the most powerful in terms of attracting funding, influence, and number of participants. The latter two are actively represented in Ukraine. In comparison, small international non-governmental organizations, and even more so national and local ones, very often suffer from a lack of funding, internal restrictions, etc. In addition to the global and local social significance of public organizations, scientists also emphasize the importance of their participation in political life. Non-governmental organizations are a powerful lever of influence on political life in the democratic world, for example, in Western Europe and the USA. Public organizations can be seen as a tool of influence on administrative decision-making, which can accumulate, formulate, protect, and lobby the interests of their members. Ukrainian public organizations have limited influence on political life. To realize the interests of their members, they must cooperate with political parties or state institutions.

The purpose of the article is to reveal the essence and features of the influence of non-governmental on political life in Ukraine in comparison with foreign experience. The objectives are subordinate to the topic and are aimed at determining the effectiveness of the functioning of public organizations in Ukraine compared to international non-governmental organizations. Particular attention is focused on the activities of public organizations during the full-scale invasion and the post-war period.

The research questions are the following: 1. The difference between the terms "non-governmental organization" and "public organization". 2. The influence of different types of non-governmental organizations on social and political life: International level. 3. The importance of the participation of non-governmental organizations in political life: International and National levels. 4. The role of public organizations in social and political life in Ukraine on National and Local levels. 5. Criteria for selecting representatives of public organizations to join public councils under executive authorities. 6. Prospects for the activities of public organizations in the post-war period.

Literature Review

A number of publications by foreign and Ukrainian authors are devoted to the study of non-governmental organizations. For example, Spenkuch, Teso, Xu explore ideology and performance in public organizations (Spenkuch et al., 2023). An article by Neumann, Guirguis and Steiner is devoted to the issue of exploring artificial intelligence adoption in public organizations (Neumann et al., 2024). Volkivskyi and Semenchenko explores non-governmental organizations as "third sector" groups in civil society (Volkivskyi & Semenchenko, 2024). Okunovska and Prymush investigate the issues of involving citizens in solving important issues at the local government level in conditions of full-scale invasion (Okunovska & Prymush, 2024). And the article Tokar researches public organizations of Ukraine in the system of development of public-administrative relations (Tokar, 2020). Yatsyna raises the question of the difference between the terms "non-governmental organizations" and "public organizations" (Yatsyna, 2022). Polovyi and Polukhina raises the issue of the importance of local democracy in the context of involving citizens in the exercise of state power (Polovyi & Polukhina, 2020). However, the issue of the role of public organizations in political life remains relevant and requires further research.

The methodological basis of the article includes the following methods and methodological approaches: historical, systemic-structural, comparative, empirical analysis.

Definition, Essence, and Purpose of Public Organizations

There are various definitions of public organizations in the scientific literature. Thus, according to Hazuda and Sliusarenko, "public organizations are understood as voluntary formations of citizens that are formed as a result of their free will to express collective interests and solve public issues and problems (Hazuda & Sliusarenko, 2011). At the same time: "In Western scientific sources there is an opinion that emphasizes the non-governmental and non-profit nature of such formations" (Hazuda & Sliusarenko, 2011). According to the Law of Ukraine on Public Associations: "A public association is a voluntary association of individuals and /or legal entities of private law for the exercise and protection of rights and freedoms, the satisfaction of public, in particular economic, social, cultural, environmental, and other interests" (Verkhovna Rada of Ukraine, 2013). At the same time, it is worth noting that "in Western scientific sources there is an opinion that emphasizes the non-governmental and non-profit nature of such formations" (Hazuda & Sliusarenko, 2011).

The Law of Ukraine on Public Associations deals primarily with the types of such associations, namely public organizations and public unions (Verkhovna Rada of Ukraine, 2013), the principles of their formation

and activity, namely: voluntariness, self-government, equality before the law, openness, publicity. However, one of the points is "the absence of property interest of their members (participants)" (Verkhovna Rada of Ukraine, 2013). Thus, Ukrainian legislation also emphasizes the non-profit nature of public organizations.

There are differences in the interpretation of the essence of public organizations in Western and Ukrainian scientific literature. Thus, Yatsyna notes that "an equivalence sign can conditionally be placed between the national concept of 'public organization' and the foreign term 'non-governmental organization", however, "the concept of non-governmental organizations is somewhat broader than the Ukrainian concept of a public organization" (Yatsyna, 2022). That is, in Western scientific literature primarily uses the term "non-governmental organization," while Ukrainian literature predominantly refers to "public organization". However, when considering the role of public organizations in social and political life, referring to the works of foreign and Ukrainian scientists, it is advisable to use both terms.

Types of Public Organizations and the Degree of Their Influence on Social and Political Life: International Level

When it comes to the role of public organizations in social and political life, of course, one must clearly understand why these organizations are created and what social objectives they pursue. Hazuda and Sliusarenko note, that, "through public associations, socio-political movements, political parties, broad segments of the population are involved in active state-building activities, the political and economic interests of a particular part of society (people, nation, social group) are realized and protected. They maintain ties between civil society and the state" (Hazuda & Sliusarenko, 2011).

Denhard also emphasizes the importance of public organizations and public activity in public life. According to the researcher, "public organizations can look quite different," depending on the type of their activity (Denhardt, 2008).

In this context, it is important to understand the types of public organizations. Mendzhul suggests dividing them according to the following criteria: by subjective composition, by field of activity, by status or territory of activity (local, regional, all-Ukrainian, and international), by the number of members, etc. (Mendzhul, 2009).

The most important of these criteria, in our opinion, is the field of activity (because it is through it that the goal and the meaning of the existence of a public organization are realized), as well as the territory of activity (because it reflects the scale of activity, degree of influence, funding volumes, number of participants, etc.).

Let's begin with the territorial criterion. Public organizations can be international, national, or local, and aimed at protecting various public interests within the country. There are many powerful international organizations of various orientations in the world, including Doctors without Borders, BRAC, Greenpeace, AIESEC, etc. Of course, there are many more of them, but we included the second criterion in the analysis, namely the sphere of activity, and selected the most famous and powerful non-governmental organizations of the world of various orientations.

Volkivskyi and Semenchenko note: "In international politics, they play a very active role and form a very broad coalition. They can give a voice to groups that have suffered from globalization: human rights problems, environmental rights, religious communities, animal rights, students, women's groups, and professional associations" (Volkivskyi & Semenchenko, 2024).

For example, "Doctors without Borders" provides medical assistance to people affected by conflicts, disasters, epidemics, and social isolation" (Doctors without borders, 2024). "BRAC" invests in socially responsible companies that help to expand the opportunities of "people and communities in situations of poverty, illiteracy, disease and social injustice" (BRAC, 2024). The Greenpeace Ukraine website states that: "Greenpeace is a global movement that actively protects nature from destruction" (6). And the goal of the world's largest international youth organization AIESEC is "to develop leadership among young people" (AIESEC, 2024).

These organizations aim to draw attention to solving environmental problems, protecting and supporting vulnerable segments of the population, and involving young people in active public life on a global scale. Of course, such organizations are the most powerful in terms of attracting funding, influence, and number of participants. The last two are actively represented in Ukraine.

In comparison, small international organizations, and even more so national and local ones, very often suffer from a lack of funding, internal restrictions, etc. As Volkivskyi and Semenchenko note: "Many small public organizations are not as effective for some reasons: small membership, lack of funds, internal

government restrictions, lack of access to physical resources, internal systems of checks and balances, etc." (Volkivskyi & Semenchenko, 2024).

The Importance of the Participation of Non-Governmental Organizations in Political Life

In addition to the global and local social significance of public organizations, scholars also emphasize the importance of their participation in political life. Thus, Volkivskyi and Semenchenko note that: "NGOs oriented towards democratic values usually reject authoritarian rule, whether left or right, as inherently corrupting and exploitative. They profess the democratic principle according to which sovereignty belongs to the people. Therefore, regimes will consider NGO as a political and social force to strengthen pluralism and restrain the power of the state concerning civil society" (Volkivskyi & Semenchenko, 2024).

Denhard insists that public organizations influence the development and implementation of state policy, therefore they should be subject to the same evaluation criteria as other participants in the political process, namely: freedom, equality, justice, etc. Accordingly, the main goal of their activities is the "democratization of governance" (Denhard, 2008).

Aykac and Metin write, that "public organizations perform various roles: from intellectual support of administrative activities, public management to increasing the number of beneficiaries of public services, technological innovations, and social changes in general" (Aykac & Metin, 2012).

Indeed, non-governmental public organizations are a powerful lever of influence on political life in the democratic world, for example, in Western Europe and the USA. In confirmation, we will cite the following thesis: "Americans were among the first to be convinced of the political profitability of implementing such projects and began to actively use their potential. Public organizations use indirect influence primarily on the legislative branch of government. In particular, they actively use the method of lobbying for this or that decision. Representatives of the non-governmental dimension have serious interests of their own in both business and politics" (Viche, 2008).

This type of functioning of public organizations refers to the Anglo-Saxon one. Okunovska ovskaya also gives an example of the corporate type, which is typical of Germany, Belgium, Sweden, and other countries: "Researching the activities of organizations in this list of countries, we can determine that in this model the non-governmental sector plays a powerful influence due to its number of members, long-standing history of development, affiliation to its, as a rule, ideological, political and trade union preferences" (Okunovska, 2016). At the same time, according to the researcher: "The sector of public organizations is in a political environment characterized by a two-party system, strong traditions of decentralization, a powerful civil society and a "Bismarckian" system of social security, that is, with the leading role of trade unions (Okunovska, 2016).

Thus, we can conclude that non-governmental public organizations are powerful players in the political process in Western Europe and the USA.

The Role of Public Organizations in Social and Political Life: National and Local Level (Ukraine Realities)

From the analysis of foreign realities, let us move on to national ones. Yatsyna notes that "the environment of public organizations in Ukraine has long been a complex heterogeneous space while playing a significant role in the political process" (Yatsyna, 2022). The website of the Verkhovna Rada of Ukraine contains information on registered public organizations. As of 2009, more than 200 of them had been registered (Verkhovna Rada of Ukraine, 2010). Menzhul cites data from the State Statistics Service, according to which, as of January 1, 2008, 54,862 public organizations were registered in Ukraine (Mendzhul, 2009). We predict that since then, their number has increased significantly. However, in the context of considering the issue of the role of public organizations in public life, we are concerned not so much with their number as with their actual activity, namely, their influence on the political process.

Above, using the example of the corporate type of functioning of public organizations, the prominent role of trade unions was emphasized. In Ukraine, there are currently over 20,000 trade unions and trade union associations, but unfortunately, we have not seen any actual, clear protection of the rights of members of a particular trade union at the state level. There is a whole series of publications by domestic scientists devoted to the role of trade unions in the political process, however, they are mostly purely theoretical. For example, Tupytsia notes that "The political role of trade unions tends to grow. A way of adequately representing the interests of the population at the level of political and state institutions must be invented since further neglect of this issue can ... result in a powerful social explosion" (Tupytsia, 2009). At the same

time, the author acknowledges that, under current domestic conditions, they do not have such power. He expresses hope that "political mobilization on a professional basis should become a factor in overcoming the tendencies of technological and manipulative mobilization of the electorate" (Tupytsia, 2009). Mokra notes: "speaking of the participation of trade unions in the political process as interested groups, it is worth considering their cooperation with political parties. Trade unions can create their political parties, be their collective members, and finance them from their political funds" (Mokra, 2010). And further: "The analysis of the interaction of trade unions and other actors of the political process revealed that their program requirements and the vital interests of ordinary members of trade unions rarely coincide. This indicates the direct political influence of party systems and individual parties on the internal structure and methods of trade unions' activities even in democratic societies" (Mokra, 2010).

That is, Ukrainian trade unions can achieve their objectives exclusively through cooperation with political parties, and individual deputies who represent the legislative power at all levels. This raises legitimate concerns regarding the non-governmental nature of these public organizations.

Zorych examines public organizations through the prism of civic identity for which they are "one of the most significant agents" (Zorych, 2014). This is explained by the fact that "they form a social network of coordination of interests between individuals and government institutions, develop common motivation and a communicative environment for social development based on political self-determination of individuals and the community as a whole" (Zorych, 2014). Consequently, various political forces are interested in having "controlled public organizations" (Zorych, 2014). This once again confirms the fact of cooperation between non-governmental public organizations and political parties. For example, in Ukraine are various youth public organizations of political orientation, such as "Solidarna Molod", "Ze! Molodizhka" etc. What is the goal of such a youth NGO? As stated on the Ze! Molodizhka website aims to involve young people in participating "in solving society's problems and building the future" (Sluha narodu, 2024). Their competitors, Solidarna Molod, consider themselves "a platform of opportunities for youth," and "a social elevator that always works" (Habbibullaieva, 2020).

Another type of non-governmental organization is actively represented in Ukraine – women's public organizations. For example, "Women's Perspectives" aims to "implement gender policy in Ukraine, reduce violence, increase women's competitiveness in the labor market and promote them to the decision-making level in Ukraine. The organization works to ensure that the rights of no woman in Ukraine are violated" (Zhinochi orhanizatsii, 2024). And also, the NGO "Women for the Future of the Country". Based on the information from social networks, they are currently engaged mainly in volunteer activities (Facebook, 2024b).

Of course, not all types of public organizations that exist in Ukraine have been considered. However, the analysis is based on the three most common ones, those that have the potential to influence political life in Ukraine.

A separate type of interaction between authorities and non-governmental organizations can be public councils under government bodies. The role of public associations under the executive authorities of Ukraine is the subject of a scientific publication by Vikhliaiev. He notes that such councils must perform many functions, and their activities are regulated by the Resolution of the Cabinet of Ministers of Ukraine of 2010 (Vikhliaiev, 2013). However, the question arises as to how effective their functioning is. In addition, in the system of public councils, there is the Council of Heads of Public Councils under the executive authorities, which, according to the Resolution of the Cabinet of Ministers of Ukraine of 2012, is "a temporary consultative and advisory body of the Cabinet of Ministers of Ukraine, established to establish interaction between the Cabinet of Ministers of Ukraine and public councils under ministries, other central executive authorities, the Council of Ministers of the Autonomous Republic of Crimea, regional, Kyiv and Sevastopol city state administrations" (Vikhliaiev, 2013). Interestingly, representatives of public, religious, charitable, and other organizations, creative unions, associations, etc. can be elected to such councils (Vikhliaiev, 2013).

That is, public organizations can take part in political life, in particular, in the process of making administrative decisions, but in cooperation with state authorities. In this case, the question of the non-governmental nature of public organizations in Ukraine is again raised. Vikhliaiev: "Public councils under executive authorities, following current legislation, are entrusted with the undoubtedly important task of ensuring public participation in the formation and implementation of state policy" (Vikhliaiev, 2013). But, the author himself notes the following: "However, there is an urgent need to increase the effectiveness of their activities, since the vast majority of public councils created in Ukraine are extremely passive, and the factor of this passivity is both the executive authorities, which do not pay due attention to the need

to activate the activities of public councils, and the public associations themselves, whose representatives are members of public councils only to improve their image or the reputation of their public associations, but their activities in the councils are completed already at the stage of entry" (Vikhliaiev, 2013).

This assessment vividly illustrates the current state of affairs: although Ukraine hosts a wide array of public organizations, their actual (as opposed to nominal) role in political life remains questionable.

The website of the Cabinet of Ministers of Ukraine contains the composition of the Council of Heads of Executive Authorities. It should be noted that it was approved back in 2020. According to the list, this Council includes 77 people, either state secretaries or heads of public councils under regional state administrations. However, the lion's share of the heads are also members of public organizations, for example: "Living Planet", "Community Development" (Lviv region), "Agrarian Union of Ukraine" (Kherson region), "Civil Rights Protection", "Union of Entrepreneurs of Transcarpathia", "Business-Volyn", "Berehynia" (Kherson region), "Public Control", "Ukrainian Prism", "Intellectual Ukraine", "Union of Women of Kyiv Region", "Ternopil Maidan-2004", "Union of Armenians of Ukraine" (Kirovohrad region), "Veteran Brotherhood", "Center for Prevention and Counteraction to Corruption", etc. (Cabinet of Ministers of Ukraine, 2020).

The list includes both public organizations at national and local levels. This list raises many questions, in particular: based on what criteria is this list formed? After all, firstly, not all regions of Ukraine are represented, secondly, one of the largest regions of Ukraine (both in terms of population, entrepreneurship, budget revenues, and defense capability) is represented by the "MGO Kodak Army Zaporizhzhia". Thirdly, the list of areas of activity includes construction, accounting, television, furniture, audit, fire safety, endocrinology, energy, fish production, etc. Not all of these areas are relevant for Ukraine today, neither at the national nor at the local level. There are several veteran organizations on the list, two women's, two environmental, one child's sports, and no youth organizations. There is a lack of a powerful type of public organizations that have real influence today – volunteer organizations. Perhaps the selection criterion is their effective activity. To answer this question, it is necessary to analyze public information about these organizations. The fewest questions are for: "Ukrainian Prism", which deals with various aspects of Ukraine's foreign policy (Ukrainska pryzma, 2024); The Center for Prevention and Counteraction to Corruption, which aims to introduce "effective justice" and "inevitability of punishment" in Ukraine (Tsentr zapobihannia koruptsii, 2024); the NGO "Living Planet", which deals with environmental issues, in particular, national standards for industrial parks, climate change issues at the UN level, energy efficiency, etc. (Facebook, 2024a) and some others, which are either international or national. However, this does not apply, for example, to "Civil Rights Protection", since this officially registered NGO does not have a website, and there are no pages on social networks. The situation is similar with regional organizations. For example, "Ternopil Maidan-2004" is registered as a public organization, but there is no information about its activities in public access. Therefore, publicity, activity or effectiveness of activities is not selection criteria. Thus, the question of criteria remains open.

It should be noted that volunteer public organizations and individual activists were among the most active participants in the Revolution of Dignity. Since 2014, they have been helping the Ukrainian army in its resistance to Russian aggression. For example, "Euromaidan SOS" united human rights defenders, public activists, lawyers to "provide legal assistance to the injured participants of Euromaidan" (Tiahnyriadno, 2020). Today, in the conditions of a full-scale invasion, the organization sets the goal of "carrying out a democratic transformation of the country and surviving the war with Russia" (Tiahnyriadno, 2020). In Ukraine today, there is a powerful volunteer movement, which consists of a number of public organizations, charitable foundations, and individual activists. The main purpose of their existence is to resist Russian aggression. They attract billions of hryvnias to help the Ukrainian army and communicate with representatives of state bodies. For example, the S. Prytula's Foundation attracted "about 8.5 million transactions in 2.5 years!" (Removska, 2024). In 2022, the Community Development Centre conducted a sociological survey of public activists on the topic of their activities during the war. The question about further prospects for activity (in the post-war period) is indicative: "Most organizations, regardless of the geography of their activities, note a change in the direction of their activities towards the reconstruction and restoration of post-war Ukraine, strengthening the public sector. Organizations will be forced to reorient the current war and pre-war strategy of the organization to the post-war one" (Tsentr rozvytku hromad, 2022).

However, the biggest problem for such organizations will be the reorientation of their activities after the end of the war. S. Prytula, in one of his numerous interviews, noted that one of the biggest problems is corruption (Removska, 2024). Therefore, the main efforts in the post-war period should be focused on helping

to overcome it through the active participation of the public sector in this process, in particular, public organizations. It is such organizations that should be actively included in political life and involved in the process of making managerial decisions.

Conclusions

Public organizations are undoubtedly an important part of the public and political life of a democratic country. They are the ones who can mobilize broad segments of the population to address socially significant issues. It is important to note that in Western scholarly discourse, the term "non-governmental organization" (NGO) is more commonly used, whereas Ukrainian academic literature typically employs the term "public organization." There is also a difference in the role of these organizations in the USA, Western Europe, and Ukraine. In the first case, non-governmental organizations are powerful players that have real leverage over managerial decision-making. However, in today's Ukrainian realities, unfortunately, they only have potential. To effectively represent their interests, public organizations are forced to cooperate with political parties or join public councils under executive bodies. Thus, they lose both self-government and non-governmental character. In addition, the criteria by which these organizations are selected for public councils are unclear. Currently, there are thousands of various public organizations in Ukraine, but they do not have a real impact on the political life of our country. However, this is exactly the case when foreign experience, active cooperation with powerful international organizations, studying the experience of foreign non-governmental public organizations, and their tools of influence on public and political life can be useful.

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PROBLEMS OF NATIONAL PUBLIC AND PRIVATE LAW

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THE SPECIFICITY OF THE HIDDEN DEFECT IN THE HUMAN BIO ELEMENT

Haider Ali Mizher[1]; Sadkhan Madhloom Bahedh Alabid[2]

[1] *College of Law, University of Thi-Qar, Thi-Qar 64001, Iraq*

[2] *College of Law, University of Thi-Qar, Thi-Qar 64001, Iraq*

Corresponding author: Haider Ali Mizher; E-mail: lawp1e27@utq.edu.iq

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Abstract

A hidden defect in its simple sense is a defect that is not apparent, but its definition in the technical sense is a defect that cannot be detected through simple examination or examination that requires careful scientific examination.

The scientific examination of hidden defects is closely intertwined with the legal interpretation of human biological components. Is it determined by functional organs such as the kidneys and the heart, or is it restricted to cellular components and other structures such as blood, plasma, and stem cells? This is the scientific reality of judicial rulings for all the human components of the human body, which are linked to therapeutic, preventive, and even aesthetic and improvement interventions in the human body. Cosmetic and reconstructive procedures fall under this category, as they are assessed based on their medical purpose – whether for treatment, prevention, or enhancement. A notable distinction exists between the concept of hidden defects in tangible goods and biological defects in human organs, tissues, and cellular structures. This difference is crucial in the legal and medical evaluation of medical interventions.

The research relied on the applied aspect of studying the judicial approach in dealing with relevant judicial disputes in relationships and contractual transactions related to medical interventions that are classified on biological components of organs, tissues, and cells. In practice, the idea of a hidden defect can be studied medically to compare it with the legal concept.

The other method in the research methodology is to identify medical cases that can be used to determine the presence of a hidden defect and its medical effects on the body on which the transplant or surgery was caused or performed.

The research was self-funded, with support from statistical authorities that provided essential data for verifying the presence of hidden defects. The study seeks to define the scientific and legal parameters of hidden defects, examine their characteristics, and determine whether they meet the established criteria for classification.

Keywords: Hidden defect, simple examination, scientific examination, human organs, biological component, medical intervention, medical purposes.

Introduction

The hidden defect in human components and organs within the scope of medical interventions acquires great importance, as performing surgeries for therapeutic purposes, such as organ or tissue transplantation, or prevention, such as prophylactic serums, cosmetics, or orthodontics.

The elements that are related to the performance of garage work of the above type are necessary when the work in the medical field reaches the hidden defect in the descriptions of trade and the performance of large institutions specialized in stem cells and embryo preservation, which are used in multiple therapeutic and preventive methods so that the defect achieved in them is related to a wide area of individual and collective contracts, as well as the mixing The center of commercial action with the civil contractual relationship in cases of medical contracts related to human components and organs that include hidden defects (Rockman, 2012).

The Specificity of the Hidden Defect in Terms of Human Personality

Dealing with the human body differs in the concept of a hidden defect from dealing with a property in a sales contract, as the physical nature of the property, such as a movable property, in terms of its control and identification, is evident in the possibility of discovering it, and in the final result, it does not pose a threat to human life (Eichler, et al, 2010).

As for the hidden defect that occurs in a human organ that has been transplanted into the human body in a specific surgery, such as kidney or heart transplantation, or other things, the person is vulnerable to death or disability because of this defect. Here, the specificity of the hidden defect appears due to its direct connection to human life, negatively, with damage or partial disability at a minimum, or death at a maximum (Wray, et al., 2013).

Balance in Dealing with Human Organs

The peculiarity of the balance between the authenticity of the human body, with all its members and components, being exempt from financial dealings and compensation within its scope, is in violation of public order and morals in light of the provisions of the general rules of the Iraqi Civil Law No. 40 of 1951 and most other civil laws. This is on the first hand (Manolio, et al., 2009).

On the other side of the balance, it is the realization of cases of donation (hiba), which is a legal act of a contractual nature based on moral and legal considerations, such as a mother donating to her child and a husband to his wife. However, making the human being's body an object of financial evaluation makes the possibility of transgressing against it socially acceptable due to the possibility of entering into profitable speculation. With human organs when dealing with surgical transactions and any medical dealings related to the human body, its biological components, and all components of the human body (McCarthy et al., 2008).

From this standpoint, the application of the concept of hidden defect is related to the partial approach of that concept to dealing with human organs in light of their donation, while enforcing the idea of responsibility for the hidden defect within the contractual scope of the human organ donation contract within the system of donors of organs for humanitarian purposes or religious values (Emerson et al., 2008).

In this context, contractual liability will be discussed in terms of its effects on the appearance of a hidden defect in a human organ (the site of the donation), with a study of possible forms of tort liability in the context of the appearance of a hidden defect in an organ that underwent surgical intervention (outside of the contract) and was transplanted into a human body (Alkan, et al., 2011).

The Financial Value of the Scientific Necessity in Organ Transplantation

The idea of the power of the will is based on giving the will the leading role and basis in concluding contracts and arranging the effects on them.

The personal standard regarding the infallibility of the body is matched by the idea of the right to safety, so the contractual framework such as donation is a balance between that infallibility of the body and the artistic form of the contract (Frazer, et al., 2009)

Thus, the authority of the will is determined as a result of the subject of the acquired right.

In the usual manner, the financial compensation as an exchange value for human organs embodies a practical necessity that includes the following elements (Alkan et al., 2011; King, et al., 2012):

1. The practical necessity of the right to the safety of the body, stems from the right to get rid of pain, seek healing, or get rid of a damaged organ and replace it with a healthy organ.

2. The personal standard based on individuals' choices regarding the motives for donating establishes the idea of a legitimate reason based on the legal aspect.

3. The correct reason for the donation, even in its contractual appearance or the contract in its real state, which is the sale, is considered a financial relationship in terms of the technical form.

In all of this, the standard (organic necessity in contracting) appeared, which means that there is a practical correlation between the personal standard in the authority of administration and the right to request physical safety from the person holding the human organ during transplantation or surgery (Chakraborty, et al., 2016).

There is a complementary center that gives added legitimacy to dealing with human organs, which is all the costs and compensation for medical work, from the transplantation of organs or biological components and stem cells. It is not reasonable to give legitimacy to the work and prevent its necessary elements, which are the human organs being dealt with (Hoskins, et al., 2015)

Here, the issue of the hidden defect is of importance and necessity at a level that reaches the importance of the life essence of the recipient of the human organ.

Table 1

Statistics table for the donation and sale of human organs for five years (Formal reports, 2021)

Year	No. of ungal grazing for animals	No. of correction of the actual situation
2018	1	75
2019	2	102
2020	0	300
2021	1	275
2022	0	466

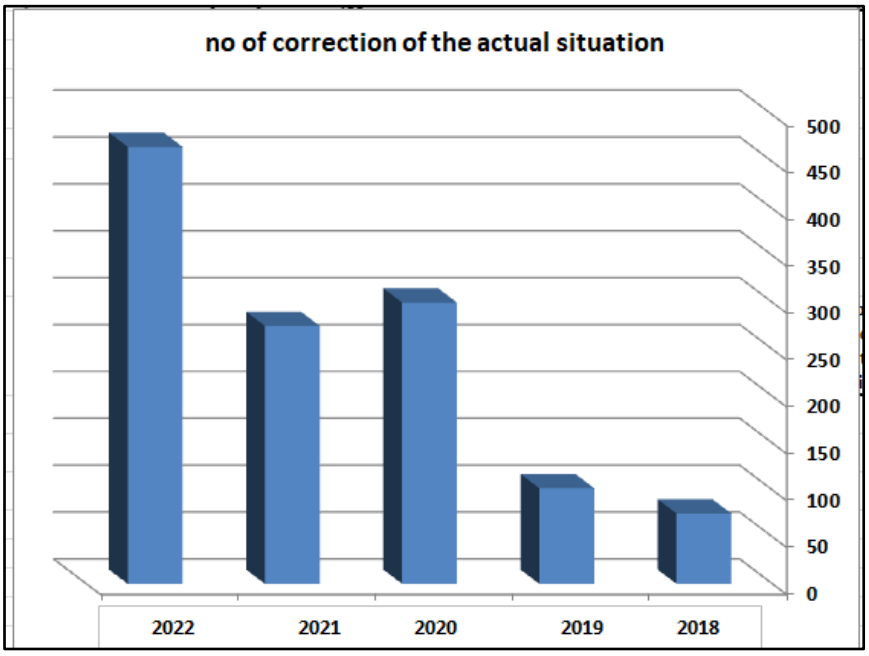

Fig. 1. Statistics table for the donation and sale of human organs for five years

Source: Formal reports, 2021

Table 2

Statistics on cases of hidden defects in human organs under the heading of the donation contract for five years

Year	No. of donations	No. of hidden defect
2018	102	6
2019	301	7
2020	119	10
2021	123	12
2022	222	2

Source: Formal reports, 2021

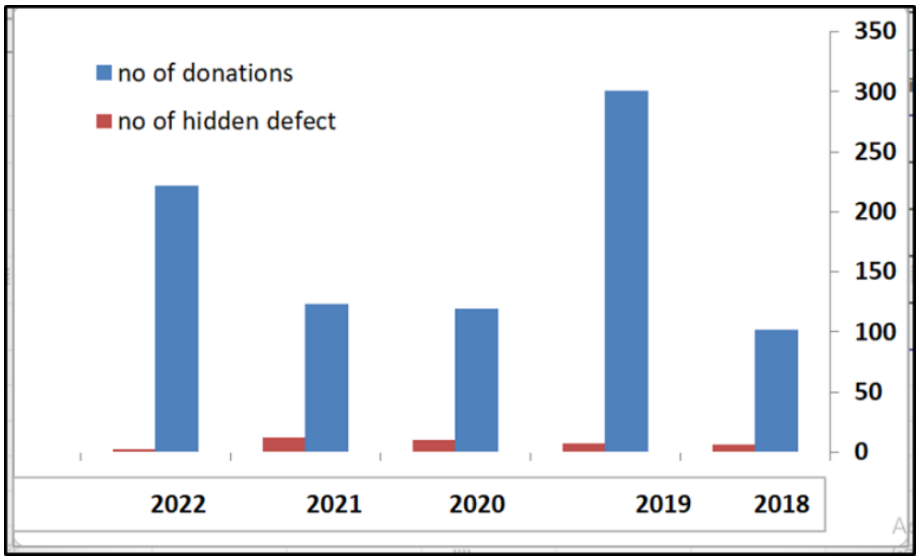

Fig. 2. Statistics on cases of hidden defects in human organs under the heading of the donation contract for five years

Source: Formal reports, 2021

There was a dispute between the discovery of a hidden defect and the presence of a medical error during the human organ transplantation process, which led to a legal dispute lasting five years (Formal Reports, 2021)

Table 3

Statistics

Year	No. of donations	No. of law suit
2018	102	75
2019	301	66
2020	119	52
2021	123	53
2022	222	41

Source: Formal reports, 2021

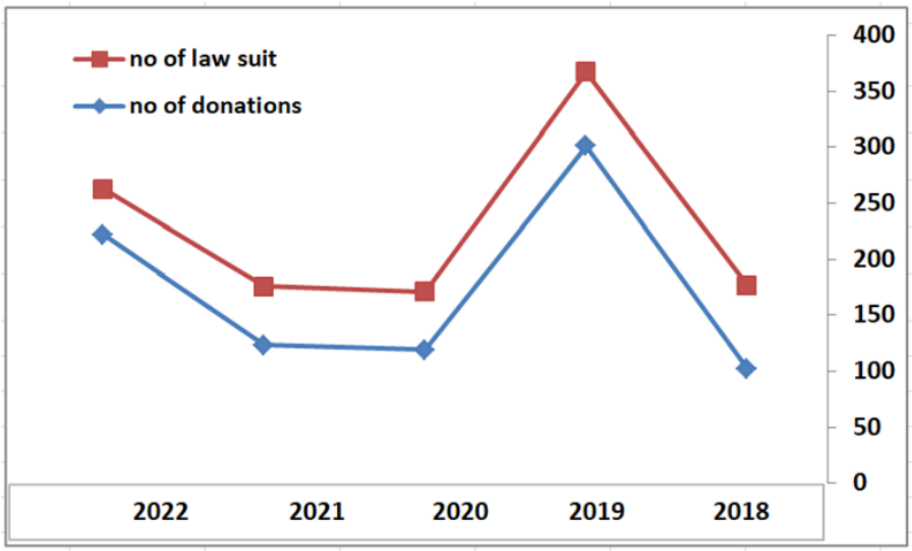

Fig. 3. Statistics

Source: Formal reports, 2021

The Criterion of Denying Possibilities in Members

The specificity of verifying the hidden defect in the arrangement of liability in its contractual or tortious scope is based on the criterion of requiring scientific quality by abstract scientific standards that deny the conceivable possibilities of the existence of a hidden defect in the preparatory examination stage of the organ or biological component nominated for transplantation or medical intervention (Dos Santos, et al., 2015).

In this context, the phrase (zeroing harms) appeared in the scope related to general donations of human organs in an understanding that makes the obligation of the inspection body a commitment to a result that conclusively determines the safety of the organ from any hidden defects by describing the functional defect, the pattern of biological quality in the work, or medical failures (Simão, et al., 2015).

Article 558 of the Iraqi Civil Code stipulates: "If an old defect appears, the buyer has the choice, whether he wishes, to return it or to accept it at its price."

This ruling regarding the organ's rejection and acceptance is preoccupied and devoid of the scientific examination of the nominated organ, just as the discussion about the foot is covered by the state of medical performance at the stage of examining and examining the human organ (Khost, et al., 2016).

The practical aspect, along with the examination and precautionary work procedures, does not preclude the possibility of transplanting an organ containing a hidden defect, at least within the scope of tort liability. Here, the relevant ruling in civil law must be known after the condition that the defect is effective and hidden is fulfilled, in addition to imagining its origin or fraud in the sale of a defective organ. We find that the Iraqi Civil Code stipulates in Article 561 of it: "No sale can be made in one transaction if some of it appears defective. If there is no harm in separating it, the buyer has the right to return the defective item and demand his share of the price. He does not have the right to return all of it unless the seller is satisfied. However, if separating it causes harm, he must return all of it." Or before everyone at all costs) (Cridland et al., 2013).

This text constitutes the following difference from an organizational and doctrinal standpoint (King, et al., 2014).

1. The return or acceptance of a defective item is subject to the buyer's option, and in the sale of organs or donation, the possibility of fulfilling the option along with the damage that may lead to death makes this issue relatively not always feasible.

2. Establishing the possibility of separating the defective part of the merchandise. Although it is possible to imagine it in practice regarding the contamination of some vials of blood inserted into a human body and the safety of the remainder, the human organ in its condition, linked to its biological function, does not occur in practice, so the damage resulting from the defect is inherited in such a way that talking about separating the merchandise between Its defective parts and its sound parts are practically not achieved (Stapleton, et al., 2002).

The hidden flaw in the aforementioned ruling does not respond to the specificity of the human organ and the biological components of the human being in cases of dealing with them as donation or sale (Cridland, et al., 2015).

Therefore, the arrangement of liability by combining the ease of proof in contractual liability with the capacity for compensation for material and moral damages, and between direct and indirect damages, actual and future damages, is necessary for placing the human organ in a circle and orbit that raises the description of obligation to the chapter of purpose and result in the examination stage in light of this aforementioned criterion. About the subject of the transaction, whether a human member or another (Swinburne & Silver, 2008).

The Idea of Absolute Solidarity Is the Obligation to Guarantee Hidden Defects

This obligation is linked to the concept of proactive guarantee, which is defined as (the guarantee applies within its period during the stage of preparing the organ and the human component for candidacy for medical intervention), regardless of the purpose of that therapeutic, preventive, or cosmetic intervention (Long, et al., 2000).

This falls within the line of commitment that is open to the parties of all individuals and entities involved in this interference.

The doctor's commitment to a subsequent outcome is this absolute commitment.

There is a European approach to the civil courts and an American judicial approach to the federal courts specialized in civil lawsuits to determine solidarity and solidarity between the subsequent obligation of the doctor and the previous obligation.

The nature of this obligation is precautionary or preventive, as some call it, and the meaning of prevention is not to avoid harm, but rather to ensure the quality of the organ being dealt with, and that quality has purely medical and scientific standards and is not subject to the personal discretion of the parties to the contractual relationship or dealing with the human organ in tort.

There is a principle called (double review), which requires reviewing the initial examination and considering it non-existent to conduct the scientific examination of the human organ or biological component according to the usual standard of man, which is achieved by exerting technical effort to lead to the result that is known in similar situations as a result, and not by exerting care to the point of usual (Petrov, et al., 2011).

Agreements to Exempt From Liability for Hidden Organ Defects

From the standpoint of exemption from contractual or tortious liability associated with a contract, it is related to strengthening the financial position of the person who decided on the exemption condition for his benefit, so he gets rid of the guarantee or compensation by the aforementioned condition related to the exemption.

In conclusion, the exemption is financially managed and linked to the financial position, and this in civil obligations is possible considering that the subject of the civil obligation is of a purely financial nature as a valid reason and purpose, whether in compensation in the event of damage or breach of the contract or terms of the financial position in real estate holdings and others (Lohmueller, et al., 2013).

Determined from the following advanced offer (King, et al., 2011):

1. The financial nature of the civil obligation, the basis for the exemption is to maintain that position.

2. Agreements for exemption from liability do not relate to topics that violate public order and public morals, such as exemption from the damages of crimes.

3. The exemption has a contractual origin, even if it is linked to the exemption from the damages of the negligent act (unlawful act).

All three advanced characteristics differ within the scope of human organs or biological components and elements, as the subject of the medical contract is to achieve a positive result in recovery without the consequences of harm such as permanent disability, organ damage, or death in the event of a hidden defect associated with human organs or other components of the human body that are implanted or It enters the body of an injured person, a patient, or someone seeking protection with a vaccine or medical serums.

The defect is connected to a danger surrounding the person that is contrary to public order and public morals, such that strengthening the financial position is not achieved by the appearance of eliminating the guarantee or compensation.

Contractual or tortious liability related to human organs or biological components and elements is required to tighten liability, so the doctor's obligations are obligations with a result distributed as follows (MacMillan, et al., 2016; Ye, et al., 2009).

1. Complete and complete guarantee of the safety of the human organ and biological component such as blood or plasma regarding the quality of its functional work and its freedom from all defects diagnosed medically and scientifically. The criterion for this is objective, scientific, linked to medical sciences and not personally linked to the parties to the medical treatment contract or their public or private background.

2. Guaranteeing the result of transplanting an organ inserting a biological component into the body of a patient or injured person or requesting ameliorative, cosmetic or preventive surgery.

In conclusion, exemption from medical liability within the scope of a hidden defect associated with human organs or biological components is excluded to preserve the human being and make the infallibility of the body applicable not to protecting it while it is healthy, but rather to all forms of attempting to protect it if protection is needed due to damage to an organ or biological component, and that the obligation The doctor is committed to an outcome.

Results

1. The peculiarity of the hidden defect in the human organs and the biological component of the human being is that it is directly related to the life of the human being, whose level of harm may reach the point of death or permanent disability at a minimum.

2. The hidden defect in human organs and biological components is always revealed through careful, specialized scientific examination.

3. The criterion of organic necessity means achieving a correlation between human will and the right to request the physical safety of the person receiving the human organ or biological component.

4. The quality of the human organ and biological component is verified through the zero-harm standard, which requires that the organ must be functionally safe and of good quality with absolute certainty.

5. Separating the defective part of an organ or biological component is practically inconceivable to differentiate in the price between the share of the defective part of the price and the share of the defective part, or return it in full or take it for the full price when it is not possible to differentiate, as we are faced with a human being whose defect may result in the human's life, and thus the discussion is The differentiation and price are unacceptable from a practical standpoint.

6. The hidden defect in the human organs and the biological component of the human being is not linked to the contract of sale and the financial compensation therein, because the human body is inherently beyond dealing. Therefore, dealing was limited only to cases of gift and donation in order not to turn the human body and its organs into financial speculation and cases of trafficking.

7. Statistical data indicate the popularity of the sham donation and donation of human organs and the biological component of the human being, and the realization of sales and financial speculation in reality. Thus, the intersection occurred between the apparent sham contract, which is (the donation contract), and the real subcontract, which is (the sale).

8. The description of a tortious act has been achieved in many cases of medical contracts in organ transplantation as a result of trafficking and illegal endeavours to deceive to achieve a financial profit from dealing in human organs and the biological component of humans.

9. One of the manifestations of the infallibility and protection of the human being and his body is the inclusion of all dealings with human organs and the biological component in cases of cultivation with the idea of the infallibility of the body, not in the preventive aspect, but rather in the complementary, therapeutic and preventive aspects, and cosmetic, corrective and improvement operations for the human body and appearance.

10. Agreements to exempt from contractual liability and the effects of tortious acts for hidden defects are considered a violation of public order.

11. The necessity of tightening the contractual responsibility regarding the issue of hidden defects in human organs and the biological components of humans.

12. Protecting the person receiving the human organ and biological component by combining the ease of proof in contractual liability with the breadth of the scope of compensation and the type of material and moral damages in tort liability.

Suggestions

1. Establishing a bank of human organs, elements of valid biological components, medical intervention in the processes of transplantation and reception in the human body, according to the scientific classification thereof, on the national and global scale.

2. The necessity of adopting a specialized sectoral body that combines precise scientific specializations in medical sciences with legal expertise to formulate model contracts with a global framework to cover the possibility of transferring human organs and the biological component of humans at the world level so that there is a vision in addressing potential conflict situations as well as combating cases of human organ trafficking. The biological component of man.

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Conflict of Interest. None.

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MODERNIZATION OF ADMINISTRATIVE CONTROL OVER THE LEGALITY OF DECISIONS OF LOCAL SELF-GOVERNMENT BODIES OF UKRAINE

Svitlana Bondarenko[1], D.Sc. in Economics; Viktoriia Niziaieva[2]; Mykhailo Kravchenko[3], PhD in Law; Yevheniia Kaliuha[4], D.Sc. in Economics; Roman Kolisnichenko[5], D.Sc. in Political Science; Marat Tsumariev[6], PhD in Political Science

[1] *Kyiv National Economic University named after Vadym Hetman, Kyiv, Ukraine*
[2] *Tulane University School of Liberal Arts, New Orleans, LA, USA*
[3] *Taras Shevchenko National University of Kyiv, Kyiv, Ukraine*
[4] *National University of Life and Environmental Sciences of Ukraine, Kyiv, Ukraine*
[5] *Interregional Academy of Personnel Management, Kyiv, Ukraine*
[6] *Interregional Academy of Personnel Management, Kyiv, Ukraine*

Corresponding author: Svitlana Bondarenko; E-mail: bondarenko.svitlana@kneu.edu.ua

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Abstract

This research investigates the transformation of administrative control mechanisms over local self-government decisions in Ukraine, focusing on intelligent technology integration within the context of decentralization reform and military challenges. The relevance of this topic stems from the need to ensure coherent actions across public administration levels to protect national security amid ongoing Russian aggression. The study employs a mixed methodological approach combining qualitative methods (analysis of regulations, European administrative practices, case studies) and quantitative methods (process modelling and statistical analysis). The research examines the European Union experiences in administrative control, analysing the prefectural model in France, the mixed oversight system in Poland, and civic control mechanisms in Sweden. Based on this analysis, the research develops a multi-level model of administrative control for Ukraine that integrates key European approaches: prefectural oversight from the French system, judicial protection mechanisms from the Polish model, and transparency tools from the Swedish practice. The model incorporates blockchain technology for decision tracking and artificial intelligence for risk assessment. The results show that while decentralization reform has strengthened local governments' capacity, challenges remain in ensuring municipal decisions' legality under martial law. The research proposes an implementation plan from legislative changes to system deployment. The scientific novelty lies in developing a holistic concept for transforming administrative control through legal, institutional, and technological innovations adapted to wartime conditions. The study contributes to administrative law theory by conceptualizing a framework that harmonizes centralized control with local autonomy, drawing on European

practices. The findings provide insights for modernizing control systems in decentralized states facing security challenges, particularly in post-war reconstruction.

Keywords: administrative control, local self-government bodies, decentralisation, legality of decisions, martial law, intelligent technologies, European experience, prefectural model, public monitoring

Introduction

Contemporary territorial development represents a fundamental determinant in promoting the quality of life for the population and stimulating the economic growth of the country (Apostolache & Apostolache, 2015; Ukrinform, 2022; Albers & Pfister, 2023). The effectiveness of local government serves as a critical catalyst for enhancing living standards and unlocking regional economic potential (Da Silva Vieira & González, 2018). The regulatory and legal frameworks governing territorial development processes, coupled with the precise delineation of local self-government's role within the governance system, assume particular significance in this context (Diachenko & Buha, 2021).

In the contemporary environment characterized by military threats, effective administrative control over the legality of local government decisions has become instrumental in safeguarding national security and territorial integrity. Ukraine's decentralization processes have manifested a dual impact: expanding municipal authorities' powers while simultaneously necessitating robust mechanisms to ensure the legality of their decisions under martial law conditions (Nunes, et al., 2021; Reigada, 2021; Scalia, 2022; Kaganovska, et al., 2023). Within this framework, the integration of modelling methods and intelligent technologies emerges as a promising direction for enhancing administrative control efficiency and validity. This innovative approach presents significant potential as an instrumental mechanism in combating corruption and reinforcing public authority accountability (Addo, 2021; Al-Rubaye, 2022; Vasilyeva, et al., 2023; Bondarenko, et al., 2022; Zerkina, et al., 2022).

The scholarly discourse on administrative control over local self-government bodies encompasses diverse perspectives. Recent research by Boldyriev et al. (2024) examines municipal bodies' environmental competencies, while Serohin et al. (2024) investigate state control mechanisms, and Eckhardt (2023) explores administrative law's instrumental applications. Historical dimensions are elaborated by Redin (2023), with contemporary control enhancement strategies proposed by Diachenko & Buha (2021). Municipal administration system transformation processes have been comprehensively analysed by Serohina, et al. (2021) and Gallyamova (2018).

Despite substantial scholarly attention, a significant research gap remains regarding the application of modelling methods and intelligent technologies to enhance administrative control efficiency within military threat contexts. This gap necessitates further systematic investigation.

This research aims to substantiate the feasibility and develop conceptual frameworks for modelling administrative control processes over local self-government decisions' legality, incorporating intelligent technologies within the context of military threats. The conceptual framework is structured around two fundamental hypotheses. The primary hypothesis posits that transitioning to a prefectural organizational model can enhance administrative control over local government decisions' legality. The secondary hypothesis suggests that establishing capable territorial communities serves as an essential precondition for effective local government functioning across various administrative levels.

To systematically examine these hypotheses, the research framework incorporates three interconnected research questions:

What are the principal trends characterizing local reform development in Ukraine?

What key elements of administrative control over the legality of local self-government decisions can be effectively adapted from European methodological approaches and practices?

What contemporary mechanisms for enhancing administrative oversight and institutional frameworks should be implemented in post-war Ukraine?

This structured approach facilitates a comprehensive analysis of the prospects for the evolution of administrative control in Ukraine, integrating current challenges with international best practices.

Literature review

Administrative control serves as a fundamental mechanism for ensuring the legitimacy of local government activities and their alignment with national interests. This function assumes particular significance in the context of military threats, where effective control becomes instrumental in consolidating

governmental efforts and resources across all administrative levels. The scholarly discourse on administrative control encompasses multiple theoretical perspectives and empirical investigations, reflecting the complexity and evolution of governance systems.

Contemporary research on administrative control mechanisms reveals several distinct thematic streams. The first stream focuses on institutional challenges and implementation barriers. Boldyriev, et al. (2024) conduct a comprehensive analysis of municipal environmental protection measures, identifying systemic obstacles including financing inefficiencies, inadequate environmental awareness, procedural deficiencies, and insufficient state control mechanisms. Complementing this perspective, Serohin, et al. (2024) advocate for enhanced state control mechanisms and propose public oversight integration to strengthen procedural objectivity and transparency. These findings align with Eckhardt's (2023) critical examination of how administrative norm instrumentation by state authorities potentially undermines self-governance principles.

Historical perspectives provide valuable insights into the evolution of administrative control systems. Redin's (2023) analysis illuminates how historical patterns of local administration financial dependence created vulnerability to abuse, while Blanchard (2011) offer instructive historical examples emphasizing the critical nature of legal compliance in local governance decisions.

The theoretical discourse on administrative control principles has been significantly advanced by several scholars. Diachenko & Buha (2021) propose a comprehensive framework of administrative control principles, emphasizing publicity, systematicity, efficiency, objectivity, impartiality, and universality. This theoretical foundation is further developed through Serohina, et al. (2021) and Gallyamova's (2018) examination of local self-government transformation within decentralization contexts. Their research emphasizes the necessity for innovative control procedures adapting to evolving governance structures.

International perspectives on municipal systems provide valuable comparative insights. Chikhladze (2016) examines centralization elements and dualistic patterns in foreign municipal systems, while Yakhina et al. (2015) emphasize transparency principles in municipal service regulation. Reigada's (2021) research contributes important considerations regarding the balance between effective control and data protection imperatives, while Henman (2020) explores artificial intelligence applications in public administration, addressing critical issues of accuracy, bias, legitimacy, and power dynamics.

The theoretical foundations of administrative legality are extensively examined in contemporary literature. Cole (2016), Nishimura et al. (2021), and Bilevičiūtė & Pranevičienė (2020) provide foundational analyses of public administration legality principles. Borodina et al. (2022) further develop these concepts through empirical investigations. The conceptual framework for understanding legality limitations integrates several theoretical perspectives: Stazyk & Kim's (2022) public administration constraints theory, Van Den Berge's (2017) analysis of Montesquieu's governmental separation theory, Tushnet's (2021) rule of law theoretical framework, and Leoni et al.'s (2023) transparency and openness theory.

Recent empirical studies have enhanced understanding of administrative control dynamics. Schram et al. (2024) and Orr et al. (2016) advocate for comprehensive assessment frameworks, while King & Altmann (2022) and Jun & Moldavanova (2022) provide critical perspectives on control centralization risks. These studies collectively emphasize the importance of balanced approaches to administrative oversight.

The emerging technological dimension of administrative control represents a significant research frontier. While scholars increasingly recognize the potential of intelligent technologies in governance processes, research specifically addressing their application in administrative control remains limited, particularly regarding military threat contexts. This research gap becomes particularly relevant considering the increasing complexity of governance challenges and the potential of technological solutions to enhance control effectiveness.

The literature review reveals several significant research gaps. While existing scholarship provides valuable insights into various aspects of administrative control, insufficient attention has been directed toward intelligent technology integration in control processes, particularly within military threat contexts. Additionally, the intersection of technological innovation with traditional administrative control mechanisms in crisis situations remains understudied. This research addresses these gaps by proposing an innovative model integrating legal, institutional, and technological elements to modernize administrative control systems.

Methodological approach

The research methodology employs a comprehensive mixed-methods approach to examine the processes of administrative control over the legality of local self-government bodies' decisions using intelligent technologies amid military threats. The methodological framework integrates both qualitative and

quantitative research components to facilitate systematic investigation of the research problem. The qualitative dimension encompasses a rigorous critical analysis of scientific publications, reports, and analytical materials pertinent to the study. This includes an in-depth examination of current Ukrainian legislation and international regulations concerning local self-government organization, administrative oversight, and the implementation of intelligent systems in public administration. Additionally, the research utilizes comparative legal analysis to study administrative control practices over local self-government bodies' decisions in EU countries, involving a detailed analysis of institutional models, procedures, and supervision mechanisms in various European jurisdictions. The case study method is applied to examine specific instances of administrative control over municipal decisions in Ukraine during martial law, focusing on challenges, problems, consequences, and lessons learned to improve oversight processes.

The quantitative component of the research methodology incorporates process modeling techniques to develop conceptual models of administrative control processes over the legality of local government decisions, including modeling options for implementing intelligent technologies in control processes. Data processing methods include content analysis of documents to identify semantic patterns, constructs, coding, and categorization of textual data, complemented by statistical analysis of quantitative data using descriptive statistics and multidimensional scaling.

The empirical foundation of the research draws upon multiple data sources, including materials from the Decentralization portal, expert interviews, Kyiv International Institute of Sociology sociological survey results, and media content analysis regarding local self-government functioning under martial law. The information base encompasses legislative and regulatory acts of Ukraine, international documents and standards, scholarly publications, analytical materials, and statistical data. This methodologically robust approach enables a comprehensive investigation of administrative control processes over local self-government decisions' legality, particularly focusing on the integration of intelligent technologies in the context of military threats. This methodological framework facilitates systematic examination of the research questions while maintaining scholarly rigor and producing reliable, evidence-based findings.

Conducting research and results

Through the quantitative part of the research, the focus was on data collection, processing, and analysis. The study utilized a combination of surveys, statistical analysis, and process modelling to examine the modernization of administrative control over local self-government decisions in Ukraine. A national survey conducted by KIIS (2022) showed that 76.5% of Ukrainians support the continuation of decentralization reforms. This high level of public support indicates the reform's legitimacy and relevance for post-war recovery. Content analysis of media publications revealed significant attention to the functioning of local self-government under martial law and post-war reconstruction. Key topics included the restoration of local authorities in de-occupied territories, budgetary support, and the role of local governments in addressing humanitarian issues.

A survey of local government leaders highlighted systemic problems:

85% reported difficulties in attracting and motivating qualified staff;

31% noted problems with establishing community-based organizations;

61% pointed to job shortages in communities as a significant challenge.

Process modelling was used to develop conceptual models of administrative control processes and options for using intelligent technologies (AI, machine learning, expert systems) in control processes. Statistical analysis of quantitative data, including descriptive statistics and multidimensional scaling, was applied to analyse trends in local self-government reform and the expansion of municipal powers. The research partially confirmed the hypothesis about transitioning to a prefectural type of organization as a means of improving administrative control. The hypothesis about the need to create capable communities for successful local self-government functioning was fully supported by empirical data.

These findings contribute to developing a comprehensive approach to administrative supervision, balancing decentralization with national security imperatives, and leveraging intelligent technologies to enhance governance effectiveness in challenging circumstances.

Analysis and Identification of the Main Trends in the Development of the Local Self-Government Reform in Ukraine

The analysis and identification of the main trends in the development of the local self-government reform in Ukraine revealed a complex picture of the transformation processes, characterised by both achievements and challenges.

Legislative and institutional changes have created a foundation for the development of capable municipalities. The adoption of new versions of the Law on Local Self-Government in Ukraine and the Law on Voluntary Amalgamation of Territorial Communities, as well as amendments to the Budget and Tax Codes, have formed the legal framework for decentralisation. These legislative initiatives have led to significant institutional transformations, including the formation of 1,470 amalgamated territorial communities (as of 2023), the establishment of their executive bodies, and the division of powers between levels of local government. As a result, there has been a significant expansion of the financial base of local governments, which is reflected in the growth of the share of local budgets in the consolidated budget of Ukraine from 13% in 2014 to 27% in 2022.

The decentralisation reform has helped to strengthen the organisational, financial and resource capacity of local governments. Communities have gained more opportunities to ensure the development of their territories and improve the quality of public services. However, empirical research has revealed a number of challenges related to the incomplete processes of community amalgamation and division of powers, as well as the risks of political change. Expert interviews have shown problems with ensuring the legality of local government decisions, which raises the task of transforming the administrative control system (Lukerya, 2023). An analysis of the public legitimacy of the reform, based on the KIIS national survey (2022), showed a high level of support for decentralisation among the population - 76.5% of Ukrainians are in favour of its continuation. Most respondents believe that the reform has played a positive role in strengthening the resilience of the state and communities in the face of Russian aggression. This indicates the public legitimacy of the reform and its relevance for the country's post-war recovery, which necessitates consolidating the irreversibility of the reform and ensuring its further progress (Council of Europe, 2023).

The study identified key priorities for improving local self-government. These include: a clear delineation of the competences of local self-government bodies and local executive authorities, regulation of the administrative and territorial structure, constitutional consolidation of the principles of decentralisation, and the introduction of effective mechanisms to monitor the legality of local government decisions. Another important area is improving the quality of municipal governance, ensuring transparency and accountability of local authorities, and developing tools for public participation (Decentralisation, 2023).

The content analysis of media publications revealed significant attention to the functioning of local self-government under martial law and post-war reconstruction. The key topics include the restoration of effective local authorities in the de-occupied territories, budgetary support and financial autonomy of communities during the crisis, the role of local governments in providing public services and addressing humanitarian issues. However, there is a lack of in-depth analysis of administrative control and accountability of municipalities, which points to the need for further research in this area.

An analysis of the results of the survey of local government leaders revealed a number of systemic problems that impede the effective functioning of local government. In particular, 85% of respondents reported difficulties in attracting and motivating qualified staff due to low remuneration of local government employees. This directly affects the quality of municipal services and the pace of community development. Almost a third of respondents (31%) noted problems with the establishment and functioning of community-based organisations, which indicates the need to improve the legislative framework and strengthen methodological support for the establishment of community-based organisations. The majority of respondents (61%) pointed to the shortage of jobs in communities as a significant challenge to the socio-economic development of territories, which requires comprehensive efforts at both the national and local levels (Decentralisation, 2020). The results of the study suggest the need for a comprehensive approach to local government reform that combines legal regulation, methodological support, broad public dialogue, and strengthening of partnership between the state and local governments. This approach will ensure the irreversibility of decentralisation processes and the development of an effective system of territorial organisation of power in Ukraine.

A further analysis of the results in the context of the hypotheses and research questions suggests that the hypothesis of transition to the prefectural type of organisation as a means of improving administrative control has been partially confirmed. At the same time, the hypothesis about the need to create capable communities for the successful functioning of local governments is fully supported by empirical data. This points to the need for a balanced approach to reforming the administrative control system, which would take into account both the need for effective supervision and the need to preserve the autonomy of local self-government (Eckhardt, 2023; King & Altmann, 2022; Serohin, et al., 2024; Gallyamova, 2018).

Peculiarities of Administrative Control over the Legality of Decisions in Ukraine under Martial Law

Russia's full-scale invasion of Ukraine in February 2022 was a serious test for the local government system. Under martial law, the issue of adapting mechanisms for administrative control over the legality of municipal decisions has become acute. Extreme security challenges require enhanced oversight to respond quickly to threats and prevent separatist manifestations in the occupied territories. At the same time, excessive interference in the activities of local governments may lead to restrictions on their autonomy, as guaranteed by the European Charter of Local Self-Government. An analysis of the materials on the Decentralisation portal showed that under martial law, the powers of military administrations to oversee decisions of local self-government bodies have been expanded (Decentralisation, 2023). According to the Law of Ukraine 'On the Legal Regime of Martial Law', they have the right to cancel local government acts that contradict the Constitution, laws or acts of the military command. It also provides for the possibility of suspending the powers of local governments in case of a threat to territorial integrity or national security. Experts warn against the abuse of these powers and unjustified restrictions on community self-governance (Lukerya, 2023). In the absence of clear criteria for supervision, there are risks of arbitrary interference with municipal autonomy. An important safeguard is the right of local governments to judicial protection and the ability to appeal decisions of military administrations. However, in practice, the exercise of this right is complicated by the suspension of the work of courts in the combat zone.

Another trend has been the strengthening of methodological and advisory support to local governments by central executive authorities. The Ministry of Communities and Territories Development of Ukraine and other agencies have prepared a number of explanations and recommendations aimed at ensuring the legality of municipal decisions in wartime (The Council of Europe, 2022). In general, it can be stated that the decentralised system of territorial organisation of power has demonstrated greater resilience and flexibility in the face of armed aggression compared to the centralised model (Decentralisation, 2020). Local governments have provided critical public services, organised evacuation processes and supported the livelihoods of communities. This has been made possible largely by the decentralisation reform, which has strengthened the institutional and financial capacity of municipalities.

Adherence to the rule of law remains an important factor in the effectiveness of state supervision. According to the 2022 Rule of Law Index, Ukraine ranks 74th among 140 countries with a score of 0.51 out of 1.00 (World Justice Project, 2022). The most problematic aspects are the restrictions on the powers of government institutions, the fight against corruption, the protection of fundamental rights and the quality of the justice system. The analysis of the legal framework allows us to identify the following key features of administrative control over the legality of decisions of local self-government bodies during martial law:

Empowerment of military administrations (Verkhovna Rada of Ukraine, 2022a).

Limited moratorium on inspections (Verkhovna Rada of Ukraine, 2022b).

Specifics of state financial control (Verkhovna Rada of Ukraine, 2022c).

Increased liability for offenses (Verkhovna Rada of Ukraine, 2001, 191).

Promising areas for improving administrative control over the legality of decisions of local self-government bodies in wartime are:

A clear regulatory definition of the limits of interference of military administrations in the activities of local self-government bodies.

Development of remote and automated control tools (Henman, 2020).

Prioritization of control measures based on a risk-based approach (Abramov, et al., 2016).

Strengthening coordination and information exchange between controlling authorities (Dmitriev et al., 2020).

Establishing partnerships between government agencies and local self-government bodies (Eaton & Schakel, 2022).

Development of mechanisms of public control (Yakhina, et al., 2015).

Thus, the system of oversight of the legality of municipal decisions under martial law requires a flexible and balanced approach. It is necessary to develop a clear legal framework and control procedures that would ensure a prompt response to threats without unjustified restrictions on municipal autonomy (Eckhardt, 2023; King & Altmann, 2022).

The System of Supervision of Local Self-Government Bodies at the Legislative Level

The system of oversight of local government activities at the legislative level in Ukraine is in the process of transformation. The key initiative in this area is the creation of the Register of Decisions

of Local Self-Government Bodies, which was announced by the Ministry of Community Development, Territory and Infrastructure (Decentralization, 2023). This tool is defined as the main one to ensure the review of the legality of municipal acts, which will increase the openness and accountability of local authorities. Today, Ukraine remains one of the few European countries that does not have a proper system of oversight of the legality of local government decisions. The formation of effective mechanisms for monitoring the legality within the framework of the decentralization reform is of particular relevance (Lukerya, 2023).

The draft law No. 4298 on amendments to the Law of Ukraine "On Local Self-Government in Ukraine" should serve as the legislative basis for the introduction of a new oversight system. It provides for the reformatting of local state administrations into prefectural-type bodies and balancing the interests of citizens, local governments and the state (Council of Europe, 2022). An analysis of the European experience of organizing administrative control over the activities of local self-government bodies demonstrates a variety of approaches and models (see Table 1).

Table 1

Comparative characteristics of administrative control models in European countries

Country	Control model	Key features	Advantages	Disadvantages
France	Prefectural	Appointed by the State Prefect	Unity of state policy	The risk of strong centralization
		The right to cancel decisions of local authorities	Promptness of response	
Poland	Mixed	Voivodes consider the view	Control of balance and autonomy	Possible conflicts of competence
		Active role of courts	Judicial protection of local governments	
Sweden	Civic control	Emphasis on transparency	High trust in local authorities	There may be a lack of responsiveness
		Active participation of citizens	Development of local democracy	
Germany	Federal	Control by the federal States	Taking into account regional specifics	The complexity of unifying practices
		Developed system of administrative courts	Precision right mechanisms	
Italy	Regional	Control over regional committees	Decentralized approach	Possible heterogeneity of practices
		Focus on the legality of acts	Taking into account local specifics	
Netherlands	Multilevel	Provincial and central government oversight	Flexibility of the control system	The complexity of coordination
		Emphasis on cooperation	Support for municipalities	
United Kingdom	Auditing	Independent auditors	Professional approach	Limiting the impact on current decisions
		Assessment of efficiency and effectiveness	Stimulating efficiency	
Spain	Autonomous	High level of regional autonomy	Strong local government	Risks of regional imbalances
		Limitations of central control	Taking into account regional peculiarities	

Source: own compilation

As can be seen from Table 1, each model has its advantages and disadvantages that should be taken into account when developing an administrative control system for Ukraine, adapting them to national peculiarities and current challenges.

Common practices in European countries include:

Functioning of the institution of local ombudsmen (Eckhardt, 2023).

Public monitoring by civil society organizations (King & Altmann, 2022).

Online systems for monitoring the movement of cases and consideration of citizens' appeals (Henman, 2020).

Mechanisms for administrative appeal of actions and acts of local self-government bodies (Serohin et al., 2024).

Georgia's experience in reforming its local government system may become an important reference point for Ukraine. Georgia's new Local Self-Government Code provides for numerous forms of citizen participation in local government (Gallyamova, 2018).

Forming a balanced and effective system of oversight over the legality of local government decisions in Ukraine requires a comprehensive approach. It should combine the improvement of the legal framework, the introduction of new institutional mechanisms, the development of electronic tools for transparency and communication, and methodological support for local governments (Yakhina, et al., 2015). At the same time, it is necessary to ensure an optimal balance between centralized control and local government autonomy, as well as broad public involvement in the processes of developing and monitoring local management decisions. Promising areas for further research in this area may include: studying the potential of modern technologies to improve control mechanisms; searching for optimal models of organizing supervision, taking into account the specifics of different types of communities; developing a methodology for assessing the effectiveness of supervisory institutions and procedures (Abramov, et al., 2016; Dmitriev, et al., 2020; Eaton & Schakel, 2022).

Swedish Experience in Developing a System of Control and Monitoring in Local Self-Government: Lessons for Ukraine

Sweden has a long tradition of local self-government dating back to medieval times. The modern system of territorial organization of power was formed as a result of the reform of 1862 and further transformations in the 1950s and 1970s (Decentralization, 2020). Currently, there are 290 municipalities and 21 counties (län) in the country. Local governments in Sweden have broad powers in the areas of social services, education, spatial planning, health care, and the environment. Municipalities and regions enjoy considerable autonomy, but are subject to supervision by county administrations (Lukerya, 2023). The key principles of the Swedish local government system are democracy, autonomy, and transparency. The state defines national goals and development strategies, and influences funding through the system of intergovernmental transfers (Council of Europe, 2023).

The transparency of municipal and regional authorities plays an important role in ensuring the effectiveness of local self-government. The National Statistical Office of Sweden and the Swedish Association of Local Authorities and Regions (SALAR) ensure a high level of information openness (Yakhina, et al., 2015). Along with transparency, democratic mechanisms of participation and control by residents play a significant role. An important element is the municipal audit system, where members of the public can hire professional auditors (Henman, 2020). At the national level, the Chancellor of Justice and the Parliamentary Ombudsman oversee the activities of the authorities (Eckhardt, 2023). Sweden's experience provides important lessons for Ukraine in the context of implementing decentralization reform, demonstrating the need to balance local autonomy and state oversight of the rule of law (King & Altmann, 2022). In times of war, the effectiveness of each institution is critical to national resilience. The experience of the U-LEAD with Europe Program in building an internal control and audit system in Ukrainian territorial communities is valuable (Serohin, et al., 2024). Such initiatives allow adapting the best European practices to Ukrainian realities.

The Swedish model can serve as a benchmark for Ukraine, demonstrating that it is possible to ensure the accountability of municipal authorities while maintaining their significant autonomy. The key conditions are the development of democratic mechanisms for public participation, transparency of local government activities, and effective coordination by the state (Gallyamova, 2018). An integrated approach to building a multi-level system of checks and balances will allow local self-government to become a reliable basis for the territorial organization of power and sustainable development of communities.

Model of Administrative Control over the Legitimacy of Decisions of Local Self-Government Bodies with the Use of Intelligent Technologies in the Context of Military Threats

Given the challenges faced by the local government system in Ukraine in the context of war, it is advisable to propose a model of administrative oversight based on the use of modern intelligent technologies. This model combines elements of centralized control by the state, internal audit in local self-government bodies (LSG), and public involvement in monitoring management decisions (Lukerya, 2023). The key components of the proposed model are:

Legislative consolidation of the powers of prefects to verify the compliance of local government acts with the Constitution and laws of Ukraine (Decentralization, 2023).

Creation of a unified electronic system for monitoring municipal decisions based on blockchain technology (Henman, 2020).

Introduce the practice of mandatory electronic consultations with the public on drafts of key municipal decisions (Yakhina, et al., 2015).

Developing a system of internal control and audit in local governments in accordance with international standards (Council of Europe, 2023).

Creation of a special web portal and mobile application for citizens to file complaints about violations of the law by local authorities.

Use of distributed ledger technology to ensure transparency of the budget process at the local level (Abramov, et al., 2016).

Regular online training for local government officials.

Establish data exchange between central and local authorities and law enforcement agencies (Dmitriev et al., 2020).

Development of analytical tools to assess the effectiveness of administrative control (Eaton & Schakel, 2022).

Implementation of the proposed model of administrative control requires a phased approach (see Table 2).

Table 2

Stages of implementation of the new model of administrative control

Stage	Content	Expected results	Timeframe
1. Legislative changes	Adoption of laws on prefects, amendments to the law on local self-government	Create a legal framework for the new control system	6-12 months
2. Institutional transformations	Establishment of the prefects' institute, reorganization of local state administrations	Formation of new control bodies	12-18 months
3. Technological modernization	Development and implementation of an electronic system for monitoring local government decisions	Increasing transparency and efficiency control	18-24 months
4. Development of human resources	Training of prefects, local government officials, and civic activists	Increasing the competence of participants in the control process	Continuously
5. Pilot implementation	Testing the new model in selected regions	Identification of practical problems and their solution	6-12 months
6. Full-scale implementation	Extension of new models to the whole country	Creation of a single effective control system	12-18 months
7. Monitoring and evaluation	Analysing the effectiveness of the new system, making adjustments	Continuous improvement of the control system	Continuously

Source: own compilation

The proposed plan for the implementation of the new administrative control model is designed to last for 3-4 years. It is important to note that this process requires constant monitoring and readiness to make adjustments based on the experience gained and changes in the external environment. The key advantages

of the proposed model are the automation of routine processes, the ability to process large amounts of data, and to identify hidden patterns and risks. Transparency is ensured by recording all actions in unchanging registers and involving the public in decision-making and monitoring (Gallyamova, 2018).

It is important to balance state supervision and local government autonomy. Administrative control should not lead to excessive centralization and should be limited to issues of legality, without interfering with the appropriateness of municipal decisions (Eckhardt, 2023; King & Altmann, 2022). Further research should be directed to detailing the models of individual components, piloting relevant solutions, and analyzing the best international practices of using intelligent technologies in supervisory activities (Serohin, et al., 2024). The development and implementation of an innovative model of administrative control over the legality of local government decisions using artificial intelligence will require the joint efforts of government agencies, the expert community, civil society and Ukraine's international partners. Such efforts are necessary to strengthen the stability and controllability of the state in the context of ongoing military aggression.

Discussion

Based on the analysis, a number of key problems in the system of administrative control over the activities of local self-government bodies in Ukraine have been identified and recommendations for their solution have been developed (Table 3).

Table 3

Key problems and recommendations for improving the administrative control system in Ukraine

Problem	Recommendation
Excessive interference in the autonomy of local self-government bodies	Introduction of the institute of prefects with clearly defined powers
Insufficient transparency of control procedures	Creation of a unified electronic system for monitoring decisions of local government
Weakness of public control mechanisms	Implementation of mandatory electronic consultations with the public
Low efficiency of internal control in local government	Development of the internal audit system according to international standards
Absence of a unified system for evaluating the effectiveness of control	Development of analytical tools for evaluating the effectiveness of supervisory activities

Source: own compilation

The proposed recommendations are aimed at comprehensively addressing the identified problems and creating a balanced administrative control system that would ensure effective supervision of the legality of local self-government while preserving their autonomy.

The results of the analysis of legislation, expert interviews, and the study of foreign experience show that the current model of supervision is not effective enough and does not meet the challenges of decentralization and martial law (Lukerya, 2023; Decentralization, 2023). A survey of local government representatives showed that the majority of them consider it necessary to significantly revise the system of administrative control. Among the main shortcomings are excessive interference of state administrations in the sphere of communities' own powers, risks of bias and formalism in assessing municipal decisions for legality (Council of Europe, 2023). These problems are largely due to the unclear legal regulation of supervisory procedures and the lack of effective mechanisms for appealing the actions of supervisory authorities. In the context of external aggression, there is an urgent need to strengthen administrative control in order to respond promptly to threats to national security (Serohin, et al., 2024). The study revealed a tendency to expand the powers of military administrations to review local government acts. However, these innovations should be accompanied by clear legal safeguards against excessive interference with local autonomy (Eckhardt, 2023). A promising direction of transformation of the national model of administrative control is the introduction of the prefects' institution (King & Altmann, 2022). This will allow to separate the functions of law enforcement and executive powers, increase professionalism and depoliticize the control process. At the same time, the effectiveness of prefectures depends on a clear legislative definition of their status, powers, and procedures.

An analysis of foreign experience has shown that European countries use various models of supervision over the legality of municipal decisions (Gallyamova, 2018). The common features include adherence to the principles of subsidiarity and proportionality of intervention, ensuring the right of local authorities to judicial protection, and the development of a system for assessing the quality of municipal services.

The model of administrative control substantiated in the study involves a combination of state supervision, internal audit, and public monitoring with the widespread use of intelligent technologies (Henman, 2020). This will automate routine procedures, ensure transparency and efficiency of control, and identify potential threats at an early stage.

Implementation of the proposed model faces a number of challenges, including the need for legislative support, effective interagency coordination, and training of qualified personnel (Abramov et al., 2016; Dmitriev, et al., 2020). In addition, there is still a lack of reliable empirical data on the effectiveness of different control models in the context of military threats.

Further research should focus on finding an optimal balance between the values of security, legality and local democracy, developing a methodology for assessing the effectiveness of supervisory mechanisms, and studying the ethical and legal limitations of the use of intelligent technologies in the field of power relations (Eaton & Schakel, 2022).

Despite these problems, technological modernization of the administrative control system is a promising response to the challenges of the digital age. Implementation of the proposed innovations can become a factor in improving the quality of municipal governance, strengthening trust between the state and local self-government, and combating corruption in the context of a “hybrid” war (Yakhina, et al., 2015).

To summarize, this study contributes to the development of the theory of public administration and administrative law by proposing innovative approaches to modernizing administrative control over the legality of municipal decisions, taking into account the current challenges and opportunities of intelligent technologies.

Conclusion

The conducted research substantiates the necessity for systematic transformation of administrative control over local self-government decisions in Ukraine, specifically addressing the challenges of martial law and future post-war reconstruction. The analysis of European administrative practices, particularly the French prefectural model, Polish mixed oversight system, and Swedish public control mechanisms, provides valuable insights for developing an adapted control system for Ukraine. The study reveals systemic deficiencies in the current administrative control framework, including insufficient transparency of control procedures, weak public monitoring mechanisms, and limited technological integration. The scientific novelty of the research lies in developing a conceptual model for transforming the administrative control system under martial law conditions. This model integrates security imperatives with democratic governance principles while preserving local autonomy. The study proposes innovative approaches to combining traditional administrative oversight with intelligent technologies, establishing a multi-level control framework adapted to crisis conditions. The research introduces new methodological approaches to assessing the effectiveness of administrative control in the context of military threats and post-war reconstruction.

Based on the research findings, specific recommendations for implementation include: amendments to the Law of Ukraine on Local Self-Government establishing clear oversight criteria under martial law; creation of a unified electronic register for local government decisions with blockchain verification capabilities; implementation of artificial intelligence systems for preliminary legality assessment; establishment of regional prefectural offices with standardized control procedures; and development of public monitoring platforms integrated with state oversight systems (Verkhovna Rada of Ukraine, 1997).

The implementation strategy encompasses creating emergency response mechanisms in the administrative control system, establishing specialized units for monitoring security-sensitive decisions, developing automated compliance verification systems, and implementing cross-border cooperation mechanisms with EU administrative bodies. The research proposes enhancing control effectiveness through automated verification procedures, real-time monitoring systems, and integrated databases for decision tracking. For practical application, the study recommends implementing a unified electronic system for administrative control, incorporating blockchain technology for decision verification, artificial intelligence for risk assessment, and automated compliance monitoring. The system should include specialized modules for security-sensitive decisions, public monitoring interfaces, and integration with European administrative databases.

The proposed control mechanisms require developing standardized procedures for decision verification, establishing multi-level oversight systems with clear delimitation of powers, and implementing automated monitoring processes with defined control parameters. Specific measures include creating specialized training programs for control bodies, establishing certification systems for local government officials, and developing methodological guidelines for administrative control procedures. Future research directions should examine reform effectiveness in post-conflict conditions, analyse technological impacts on governance resilience, and study the effects of administrative control transformations in the context of European integration. The development of risk assessment models for crisis conditions and analysis of post-conflict institutional reconstruction practices requires particular scholarly attention. The proposed transformations in administrative control mechanisms contribute to strengthening local governance through enhanced oversight capabilities, balanced centralization, and technological modernization. Key outcomes include improved transparency of decision-making processes, strengthened accountability mechanisms, enhanced security measures in administrative control, and closer alignment with European governance standards. This systematic approach ensures effective governance during post-war reconstruction while facilitating European integration processes.

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Acknowledgements

The section is for expression of gratitude to individuals or organisations for all possible technical assistance, ideas, financial (material) aid, which made the research possible, etc.

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