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ORIGINAL CONTRIBUTION

Legal Regulation of Enforcement Officers' Powers in Ukraine under Martial Law: Adopting Advanced Foreign Experience

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Abstract— The introduction briefly outlines the issues of the topic under study. The primary goal of the study is to, based on the study of the normative regulation of the powers of court enforcement officers and other bodies (officials) in Ukraine under martial law and in foreign countries (in particular, Estonia, Latvia, and Lithuania), propose ways to modernize Ukraine's enforcement legislation through the adoption of international expertise in a similar sphere. Diverse methods of inquiry were applied throughout the study, the majority of which were the following: the methods of analysis, synthesis, hermeneutic, and comparative methods. The results highlight the necessity of improving legal regulation of executive proceedings, especially due to expanding the powers of private enforcement agents, the transformation of the tasks of state enforcement authorities, and the role of private enforcement agents. The conclusions of the article contain a generalization of the solution to the problems of the article, which is embodied in specific proposals aimed at optimizing Ukrainian legislation in the sphere of enforcement proceedings, in particular, expanding the powers of enforcement officers and the tasks of executive proceedings. The legislative expansion of the tasks of compulsory execution is an important step in the further reform of the powers of court enforcement officers, in particular, through their expansion. It is necessary to make the enforcement of decisions more effective. The article was prepared as part of the scholarship work of the Verkhovna Rada of Ukraine. The article was prepared as part of the scientific (scientific and technical) work "Enforcement of decisions of courts, other bodies (officials)" (state registration number: 0125U003345).

Index Terms— Executive proceedings, Enforcement of decisions, Court enforcement officer, Legal regulation, Martial law

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Introduction

The completeness of ensuring human rights without their judicial protection is hard to comprehend. The right to a fair trial is provided for legal norms (COE, 1950). We agree with scholars who consider human rights to be universal human values shared by all civilizations and legal systems

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(Leheza et al., 2022). The case law of the European Court of Human Rights (hereinafter – ECHR) consistently reflects the approach that the right to a fair trial would be illusory if a final court decision, which is binding, remained unimplemented, to the disadvantage of the affected parties (Court, 1997, 2009). In view of the above, the member states of the aforementioned Convention should pay particular attention to ensuring adequate mechanisms for its implementation, in particular optimizing the national enforcement system for court decisions, decisions of other bodies, and officials. Scientists reasonably emphasize the important role of the enforcement of decisions of courts and other officials in the focus of the rule of law and human rights protection, especially taking into account the European integration of Ukraine (N. A. Sergiienko et al., 2025). Currently, in Ukraine, the execution of decisions falls under the jurisdiction of state enforcement officers, who are civil servants and hold positions in state enforcement agencies, as well as by private enforcement officers, who are independent professionals. Hence, the Ukrainian legal framework for executing decisions by courts and various authorities is categorized as a hybrid enforcement system. Legal regulation of the powers of enforcement officers is a crucial determinant of enforcement effectiveness, as it is by exercising their rights and obligations in executive proceedings that they ensure the enforcement of decisions subject to enforcement. Effective enforcement of decisions is part of the state service that is to be guaranteed for persons. We agree with scientists, who mark as an urgent demand of the times, not a trend, making high-quality and fast state services (Teremetskyi et al., 2024).

It is important to note that the “private” element (private enforcement officers) has long demonstrated higher performance indicators in the enforcement of decisions than the “public” element (state enforcement officers) (AnBY, 2023). And this is despite the inequality of powers between private and state enforcement officers. In this regard, there are two aspects to the issue of inequality of powers between private and state enforcement officers. First, not all categories of decisions subject to enforcement can be enforced by private enforcement officers. There are quite a few categories of decisions (e.g., eviction, decisions where the debtor is the state, etc.). In other words, in this category of decisions, enforcement is entrusted exclusively to state enforcement officers. Secondly, even in those categories of decisions that can be enforced by both state and private enforcement officers, the powers of state enforcement officers are more limited. Meanwhile, statistics show that private enforcement officers are more effective in enforcing decisions. At the same time, the main indicator of the effectiveness of enforcement is the actual full execution of the decision. It corresponds with the restoration of the rights and freedoms of individuals. And for a long time now, this indicator has been quite low. For example, private enforcement officers collected 2.75% of the amount that was subject to collection by them in 2024, and state enforcement officers collected only 0.9% of the total amount that was subject to collection by state enforcement agencies (Boyeru, 2024).

Thus, it is possible to outline the general problem of the enforcement of decisions in Ukraine: a relatively small percentage of actual enforcement of decisions. Within the framework of this general problem, it is possible to identify the focus of the problem of inequality of powers between private and state enforcement officers. It consists of the fact that, despite having more limited powers, private enforcement agents demonstrate greater efficiency in their work.

Despite the considerable relevance of this issue, it has not been widely covered in scientific research on the formulation of specific proposals for amendments to relevant regulatory acts. Accordingly, it is necessary to formulate specific proposals for amendments to regulatory acts governing the scope of powers of private and state enforcement officers. This will be noted separately in this study.

The effectiveness of private enforcement agents has been confirmed; nevertheless, the powers of state and private enforcement agents are not the same, which seems to create certain obstacles to the effective enforcement of decisions. In wartime, it is important to record facts in a timely manner (such as destruction of property, damage to property, etc.). The skills of enforcement agents can also be useful in this regard. However, as of today, Ukrainian legislation does not grant enforcement agents the authority to record legal facts. Therefore, it is important to address the issue of equalizing the powers of state and private enforcement agents and transforming their tasks in order to further expand such powers (in particular, to enable them to record legal facts).

Although researchers have already raised the idea of granting enforcement officers the powers to record facts of legal significance, these studies have not addressed the need to correlate such powers with the legally defined tasks of state enforcement agencies and private enforcement officers. Therefore, this article draws attention to this issue and justifies the need to amend the legislative definition of the tasks of state enforcement agencies and private enforcement officers, proposing the following changes. This is important because the powers of enforcement officers have to be formulated in accordance with the tasks assigned to them.

Theoretical Framework

Scientific analysis of the issues regarding the implementation of judgments and official decisions, taking into account the challenges posed by the martial law currently in force in Ukraine, plays an important role in building an effective model for enforcement proceedings. An important place in this area is played by the study of the powers of state and private enforcement agents as entities whose task is ensuring the timely, thorough, and neutral implementation of decisions. In this regard, it is particularly important to study positive foreign experience with a view to its further adoption. Current issues of enforcement of decisions, including various aspects of the powers of enforcement agents, have been studied by Avtorhov (2025a), Chepurnyi (2023), Lohvinenko and Vysotsky (2021), Lyapin (2021), Parfyonov (2025) and N. Sergiienko (2022).

Avtorhov (2025a), drew attention to the need to harmonize the categories of decisions, the enforcement of which can be carried out by both state and private enforcement officers, studied the experience of the Republic of Lithuania regarding the powers of enforcement officers, and drew attention to the performance indicators of enforcement officers in Ukraine. Chepurnyi (2023) focused on the relevance of expanding the scope of activities of enforcement officers. In particular, enforcement officers should be allowed to carry out activities related to recording facts that have legal significance. These researchers drew attention to the experience of foreign countries in this area. Lohvinenko and Vysotsky (2021) & Sergiienko N. pointed out the scope of powers of public and private enforcement officers and the issue of inequality of those powers. Lyapin (2021) pointed out the unequal powers of private and state enforcement officers in categories of enforcement proceedings that may be subject to enforcement by both state and private enforcement officers.

However, it would be premature to consider the topic under study to be exhausted. The scope of authority for state and private enforcement officers continues to differ substantially. The opportunity for enforcement agents to record legal facts is still outside the legal field. This, as well as the challenges of martial law, makes the topic of the study particularly relevant.

It is important to note the correspondence between foreign models of enforcement and the national system of enforcement of the decisions. The Baltic states operate a private model of enforcement, while Ukraine has a mixed model. However, an analysis of the experience of the Baltic states is entirely relevant for Ukraine, given the factors of the development vector (the Baltic states are members of the EU, and Ukraine is seeking to become a member of the EU). Studying the experience of states with a private enforcement system is valuable not only in terms of assessing the current state of affairs, but also in terms of outlining prospects for further reform of the enforcement system in Ukraine –either further development of a mixed enforcement system or consideration of the possibility of transitioning to a private model. It is also necessary to pay attention to the relevance of the experience of foreign countries in terms of granting powers to enforcement agents to record facts that have legal significance. Chepurnyi (2023) notes the existence of such powers among enforcement officers in France and Moldova. At the same time, if in France the enforcement system is private, then in Moldova it is mixed (as in Ukraine). However, there is a factor that stimulates the special relevance of adopting foreign experience in the specified field – the need to record losses caused by warfare and other facts of legal importance. Here, the work of the enforcement officers would be very appropriate, because martial law has been introduced in Ukraine for a long time, and a significant number of people need to record facts of legal importance in order to protect their rights. Therefore, despite certain institutional differences in the models of enforcement of decisions, it is worth studying foreign experience in the field of enforcement of decisions. Meanwhile, the introduction of positive foreign experience should be carried out taking into account the rule of law as the basis of law and order in Ukraine and legality as the basis of the activities of public administration entities.

Methodology

This research paper is distinguished by the use of multiple methods of scientific inquiry. The following methods of scientific knowledge were most frequently used in the scientific article: a) analysis, in researching the powers and duties of enforcement officers across Ukraine and the Baltic states' legislation, incorporating various scholarly approaches. The analysis method made it possible to determine how the legislation defines the rights and obligations of enforcement officers in Ukraine and the Baltic states. It also revealed the correspondence between the rights and obligations of performers; b) synthesis – in forming the conclusions of scientific research, in particular, proposals aimed at refining the regulatory framework for enforcement officers in Ukraine, incorporating foreign best practices. The use of the synthesis method made it possible to formulate specific positions on amendments to Ukrainian national legislation regulating the powers of enforcement officers, in particular, the law of Ukraine "On Enforcement Proceedings" (LoU, 2016b; Wahyuningtyas et al., 2025) (level of primary legislation) and the Instruction on the Organization of Enforcement of Decisions, approved by the Order of the Ministry of Justice of Ukraine No. 512/5, from April 02, 2012 (hereinafter – the Instruction) (level of secondary legislation); c) hermeneutic method – in the process of establishing the regulatory framework for enforcement officers' powers. The application of the hermeneutic method made it possible to understand the essence and specificity (special discretionary principle) of the normative regulation of the powers of executors. Executors are subjects of public administration and must act in strict accordance with the norms of legislation that regulate their activities. After all, enforcement officers are subjects of public administration and have to act in strict accordance with the norms of legislation that regulate their activities; d) comparative method – when comparing the powers of executors in Ukraine and the Baltic states. The decision to draw on the experience of the Baltic states was based on the following considerations. First, the Baltic states have successfully completed the process of European integration – they are members of the European Union, having harmonized their legislation, including in the area of enforcement officers' powers, with EU legislation. Ukraine has a strategic goal of EU membership, so it is appropriate to study the experience of the EU and incorporate its best practices into Ukrainian legislation. Secondly, the Baltic states have a "private" system of enforcement of judgments, which means that judgments are enforced by independent private enforcement agents. Studying this experience is valuable for Ukraine, because private enforcement officers began to work in Ukraine in 2016. Prior to that, the enforcement system was entirely state-run. Referring to the experience of countries that have an effective "private" model of enforcement allows us to see the advantages of allowing independent professionals to perform certain functions of the state, to make changes to national legislation, in particular regarding the reform of the powers of enforcement officers, in order to increase the effectiveness of enforcement.

Results and Discussions

Legal regulation of the powers of court enforcement officers and other bodies (officials) in Ukraine under martial law

The legislation stipulates that the primary objective of both state and private enforcement agents is the prompt, full, and unbiased execution of legally enforceable decisions (LoU, 2016a). Article 18 of the law No 1403-VIII deals with the duties and rights of enforcement officers. Enforcement officers also have other rights provided for by law (LoU, 2016b).

A literal interpretation of these legislative provisions suggests that the relevant authorities exercise their powers in order to fulfil the task assigned to them, namely, the prompt, exhaustive, and unbiased execution of legally mandated decisions. In other words, the powers of enforcement officers must be exercised within the scope of the enforcement process to enforce the relevant decision, which is subject to enforcement. Meanwhile, the scientific community has raised the question of whether enforcement officers can perform their functions outside of executive proceedings. Parfyonov H. studied the question of whether enforcement officers can document certain circumstances (Parfyonov, 2025). Chepurnyi (2023) notes the proposal of private bailiffs to the Ministry of Justice to expand the list of permitted activities and grant them the authority to record facts, as is the case in countries such as France and Moldova. This lawyer notes that the Ministry of Justice, in its operational monitoring report for 2022, recognised the prospect of granting private enforcement agents the relevant powers to record facts. However, these plans remain on paper for now (Chepurnyi, 2023).

The powers of enforcement officers are established not by the Ministry of Justice of Ukraine, but by regulatory and legal acts, notably the statutory acts of Ukraine that regulate their activities. As subjects of public authority, enforcement officers are constitutionally bound (article 19, Part 2) to exercise their powers exclusively within the legal parameters and procedures established by the Constitution and the laws of Ukraine. Therefore, without amending the relevant laws of Ukraine, it seems impossible to expand the powers of enforcement officers.

Another issue regarding the powers of enforcement officers in Ukraine is the differentiation of such powers between state enforcement officers and private enforcement officers. In particular, private enforcement officers may not enforce all decisions whose enforcement is provided for by law. The categories of decisions that cannot be enforced by private enforcement officers are provided (LoU, 2016b).

Lohvinenko and Vysotsky (2021) point out that private enforcement agents are restricted in certain actions compared to the range of rights enjoyed by State Executive Service employees, namely state enforcement agents, who have a wider range of actions that can be used to enforce court decisions. A substantial divergence exists between the legal powers exercised by state and private enforcement officials in the course of their duties. In contrast to private enforcement officers, state enforcement officers possess the sole mandate to issue reasoned decisions limiting a debtor's rights in cases of significant alimony arrears (exceeding four months). Such restrictions encompass the right to travel abroad, operate vehicles, and carry weapons of any type (LoU, 2016b). N. Sergiienko (2022) has already reasonably drawn attention to this. Private enforcement officer Lyapin D.V. also notes the differentiation between the powers of private and state enforcement officers in executive proceedings that may be enforced either by private enforcement officers or by the Government Enforcement Body. Lyapin (2021) notes that the expansion of the rights of state enforcement agents alone has placed them in a more 'privileged' position. There is a compelling legal argument for questioning the rationale behind maintaining distinct sets of powers for state and private enforcement officials within identical categories of executive proceedings. This is despite the fact that the task of their activities – the compulsory execution of decisions – is the same.

The legal fraternity has already proposed legislative equalization of the rights of private and state enforcement officers in executive proceedings, where both state and private officers possess identical powers (N. Sergiienko, 2022) equalization of the powers of private and state enforcement agents by removing legislative restrictions on the enforcement of certain categories of decisions that currently exist (Avtorhov, 2021). However, according to the current legislation of Ukraine, such differentiation still exists: both in terms of certain categories of decisions that can be enforced exclusively by the government enforcement service, and in terms of the powers of state and private enforcement agents in executive proceedings, which may be conducted by either state or private bailiffs – the powers of state enforcement agents are broader than those of private enforcement agents.

Evidently, this disparity hinders the efficiency of decision execution and necessitates legislative intervention. Here, we are talking specifically about changes at the level of legal norms. After all, the powers of enforcement officers are subject to legal regulation. And in order to reform them, changes are needed precisely at the level of legal regulation. An action carried out by non-legal means cannot be considered a legal regulation(Halunko et al., 2023).

In this regard, legislative amendments (namely, to the law No 1404-VIII and to the Instruction are appropriate.

Legal regulation of the powers of court enforcement officers and other bodies (officials) in foreign countries, and the adoption of advanced foreign experience in Ukraine

In Estonia, the execution of judicial rulings and orders issued by other competent authorities is administered by bailiffs. A bailiff performs public activities on his own behalf and under his own responsibility as a liberal profession (Teataja, 2009). The legal position of private enforcement officers in Ukraine is established through analogous statutory provisions. Thus, according to part 2 of article 16 of the law No 1403-VIII, a private enforcement agent operates as a self-employed legal professional (LoU, 2016a). Given that Estonia has a private enforcement system, all powers

to enforce decisions are vested in bailiffs, who are representatives of the liberal professions. In Ukraine, private enforcement agents do not currently have all the powers to enforce decisions that are available to state enforcement agents.

Lithuania also has a system of enforcement of judgments, where enforcement is entrusted to entities that are not civil servants. Avtorhov (2025a) notes that in the Republic of Lithuania, enforcement of judgments is carried out exclusively by private enforcement agents.

Regarding Lithuania's experience in the regulation of enforcement proceedings, Avtorhov A. notes that Lithuanian bailiffs already have the authority to independently change the party to enforcement proceedings, restore the deadline for submitting an enforcement document for execution, and consider complaints against their actions without judicial involvement. Proposals are being considered to amend the Civil Procedure Code, which would enable bailiffs to finalize and monitor settlement agreements directly, accelerating dispute resolution through a success fee structure and avoiding court intervention (Avtorhov, 2025b).

In professional circles, there are calls to equalise the procedural status of private and state enforcement agents, in particular by expanding the powers of private enforcement agents, which would allow them to enforce decisions against the state and state bodies, including state-owned enterprises, and, conversely, to recover funds for the benefit of the state treasury (AnBY, 2020). And they are not unfounded. According to data from the Association of Private Performers of Ukraine for 2023, on average, one private enforcement officer sold 38 times more property at electronic auctions held by the state-owned enterprise SETAM than one state enforcement officer, and private enforcement officers sold six times more lots at land auctions held by the state-owned enterprise Prozorro.Sale for a higher amount than the State Executive Service (AnBY, 2023). In 2024, debts in enforcement proceedings reached UAH 2.2 trillion. The amount actually collected was only UAH 25 billion, or 1.2% (Avtorhov, 2025a). If we look at the figures for earlier periods, say, for 2021, the amount collected by the State Executive Service (excluding decisions on the collection of periodic payments) was UAH 13,154,518,179 (i.e., slightly less than UAH 13.2 billion), and private enforcement agents collected UAH 6.6 billion (Boyeru, 2021). And this is despite the fact that, as of 2021, the actual number of state enforcement officers is 4,134, and private bailiffs – 285 (the number of private bailiffs who have submitted annual reports on their performance) (AnBY, 2023). For comparison: in 2021, Lithuanian bailiffs (as mentioned above, in Lithuania, the mandate for the compulsory implementation of decisions is vested solely in private enforcement officers) collected and returned €166.3 million in debts to creditors (LRT, 2022). Taking into account the official hryvnia exchange rate against the euro established by the National Bank of Ukraine as of January 1, 2022 (30.9226 UAH per euro) (NBU, 2022), we get a total of 5,142.42838 million UAH. (30.9226 * 166.3), i.e., slightly more than 5.1 billion UAH.

It should also be noted that the indicators for Ukraine are based on the fact that certain categories of decisions are currently not available for private enforcement officers in Ukraine. Accordingly, decisions in certain categories of cases are enforced exclusively by state enforcement officers. Although both private and state enforcement officers use the Automated Enforcement Proceedings System, the law provides for the distribution of enforcement documents exclusively among state enforcement agents. The legislation does not provide for a relevant procedure for the distribution of enforcement documents among private enforcement agents (N. Sergiienko et al., 2023). Accordingly, in addition to actually enforcing decisions, a private enforcement agent must take measures to promote their activities so that enforcement documents are submitted to his/her for enforcement.

In Latvia, enforcement of decisions is carried out by sworn bailiffs. Avtorhov A. includes Latvia in the list of countries where a private enforcement system operates (only private enforcement agents enforce decisions) (Avtorhov, 2022). Svyatohor O. emphasizes that sworn bailiffs are entitled to remuneration for every official act performed, in strict accordance with the official tariff. The specific amount is established by the Government upon the proposal of the Ministry of Justice and in agreement with the Council of Sworn Bailiffs of the Republic of Latvia. At the same time, it is prohibited by law to make any agreements regarding remuneration in excess of the fee (Vasilev, 2024).

Drawing on European precedents, Parfyonov (2025) provides a compelling argument for extending the mandates of Ukraine's state and private enforcement officers. He proposes to grant Ukrainian state and private enforcement agents the powers to draw up reports on the actual state of affairs and to enshrine the relevant powers in the law of Ukraine No. 1403-VIII (Parfyonov, 2025). Considering the powers of enforcement officers in various European countries in the context of documenting relevant circumstances, this lawyer notes that the essence of an enforcement officer's work boils down to visiting the site, conducting an inspection, and recording the results of their observations in a document of the established form. Such documents have a high degree of reliability and, therefore, increased probative value, comparable to notarial deeds or expert opinions (Moghavvemi et al., 2025; Parfyonov, 2025). The above proposal is really interesting, but it is worth expressing the following considerations about it. First, the powers of executors are prescribed by the LoU (2016b) and other relevant normative legal acts. The powers of both public and private executors are calibrated according to the strategic tasks set before the state executive service and private enforcement officers. Instead, law No. 1403-VIII refers to the basics of organization and activity of compulsory implementation of judgments and decisions from authorized officials by bodies of the government enforcement service and private executors, their objectives and juridical status (preamble to the specified law of Ukraine). Secondly, in our opinion, the incorporation of European experience into Ukrainian legislation regarding the powers of the enforcement agent to record relevant circumstances is only possible after a comprehensive understanding of the legislative regulation of the tasks of state enforcement agencies and private enforcement agents (LoU, 2016a). Article 3 of the law, mentioned above, stipulates that the key task of the government enforcement body and private executors is the timely, full, and fair enforcement of all decisions as required by the legal framework. Thus, the powers of enforcement officers are determined by the need to perform this particular task. Therefore, even if changes are made to the legislation governing the powers of enforcement officers, they will be granted the power to document certain circumstances in the

course of enforcing the relevant decisions. And in order to talk about expanding the powers of enforcement officers to document circumstances outside the scope of executive proceedings, the relevant vector of activity must be covered by the task of their activity, so the relevant changes must obviously affect not only the powers of enforcement officers, but also the task of their activity. Accordingly, the wording of article 3 of the law No.1403-VIII should be amended.

Conclusion

Given the above and the complex situation with the compulsory execution of different decisions in Ukraine, expanding the powers of private enforcement agents seems to be a reasonable step. The first thing to do, which has been talked about for a long time, is to change and add stuff to national laws to make the powers of private and state enforcement agents the same. Effective steps in this direction include the introduction of amendments to the Ukrainian national legislation, in particular:

1) In the law of Ukraine No. 1404-VIII:

- Part two of article 5 is to be excluded;
- the word "state" in all cases is to be excluded from: paragraph 2 of part 6 of article 26, articles 64, 64-1, 66, 67, part 9 of article 71;

2) In the Instruction:

- The word "state" in all cases is to be excluded from paragraphs 3, 4, 5, 6, 7, 8, 9, 11, 13 of section IX, section XIII, paragraph 6 of section XVI.

The next step in improving Ukraine's national legislation on executive proceedings could be to expand the legislative formulation of the tasks of state enforcement authorities and private enforcement agents by adding the following phrase to article 3 of the law No. 1403-VIII after the word "law": " as well as performing other functions assigned to them by law." This will allow for the further development of amendments to the current legislation with provisions on the expansion of the powers of enforcement agents, taking into account advanced foreign experience.

We believe that this will contribute to greater efficiency in the enforcement of decisions. This is supported by the fact that private enforcement officers have already had more effective performance indicators than state enforcement officers. Equalizing their powers will allow private enforcement officers to enforce a greater number of categories of decisions. Consequently, the overall level of enforcement efficiency will be higher. The ability to record facts of legal significance in enforcement proceedings will contribute to better protection of individuals' rights and freedoms. After all, proper recording of facts of legal significance is crucial for the effective protection of individuals' rights in various jurisdictional activities. For example, in judicial activities, in the process of proving one's position, in the activities of non-judicial jurisdictional bodies, when proving the destruction/damage of property as a result of warfare. This is particularly relevant for Ukraine today.

With regard to restrictions, consequences, and recommendations for future improvements to the powers of enforcement officers, the following should be noted. The activities of both private and state enforcement officers have to be based on the rule of law and legality. These are boundaries that cannot be crossed under any circumstances. The consequences of reforming the powers of enforcement officers will be revealed in practice. In the event of negative results, they should be eliminated as soon as possible through relevant legislative changes; in the event of positive results, this practice should be expanded. To increase the effectiveness of the enforcement of decisions in Ukraine, taking into account the conditions of martial law introduced in the state, it is recommended to introduce positive foreign experience in the relevant area of legal relations and to monitor the consequences of reforming this area of legal relations.

It seems that further scientific research in the field of legal regulation of the powers of enforcement officers under the legislation of Ukraine and foreign countries is promising. In particular, the application of relevant legislative provisions by courts, both national courts and the ECHR. It would make it possible to track the correspondence between the legal norms that regulate the powers of enforcement officers and the practice of applying these legal norms. Scientific research into the activities of bodies that exercise control over the activities of enforcement officers appears promising. After all, the exercise of executive powers by enforcement officers must be based on the principles of the rule of law and legality.

Conflict of Interest

The authors have no competing interests to declare.

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