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INTERNATIONAL ACCESS LEVEL TO ADMINISTRATIVE SERVICES IN ELECTRONIC FORMAT

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Руданецька О.С. Міжнародний рівень доступу до адміністративних послуг в електронному форматі.

У статті зазначено, що в основі функціонування органів публічної влади та надання ними послуг лежать справедливість і рівність. Ключовим критерієм ефективності діяльності урядів сучасних держав є доступність публічних послуг, оскільки це засвідчує, чи здатні вони адекватно реагувати на різноманітність індивідуальних та суспільних правових потреб, а відтак дбати про створення й адаптацію належного контенту, забезпечення належної комунікації для поширення публічної інформації.

Констатовано, що перешкоди для доступу до публічних послуг можуть бути різні, наприклад: географічна відстань, неналежні умови для користувачів, недостатня поінформованість чи використання надто складних формулювань, незручний час роботи або організаційні труднощі обслуговування населення. Усе це може негативно позначитися на якості надання послуг, спровокувати проблеми з легітимністю всього апарату громадської влади.

Вагомою перешкодою для доступу можуть стати, як засвідчує досвід іноземних держав, й економічні витрати на отримання державної послуги і на її обслуговування. Цей чинник може також негативно вплинути на довіру громадян до державних установ.

Відтак констатовано, що запорукою доступності публічних послуг є переведення їх в електронну форму. Переведення публічних послуг в електронну форму є запорукою їх доступності. Електронна платформа має бути інклюзивною та забезпечувати рівні можливості доступу для всіх громадян. Отже, концепція доступності в контексті вебдодатків пов'язана з доступністю інформації для всіх користувачів, незалежно від використуваних технологій і платформ, сенсорних і функ-

ціональних можливостей користувача. Послуги електронного урядування мають забезпечувати механізми, які допоможуть подолати традиційні фізичні бар'єри, тобто максимально сприяти тому, щоб адміністративні послуги були доступні і для людей з особливими потребами.

Ключові слова: органи публічної влади, публічні послуги, адміністративні послуги, електронне урядування, доступність.

Rudanetska O.S. International access level to administrative services in electronic format.

The article states that the functioning of public authorities and their provision of services is based on justice and equality. A key criterion for the effectiveness of the governments of modern states is the availability of public services, as this proves whether they are able to adequately respond to the variety of individual and public legal needs, and therefore take care of the creation and adaptation of appropriate content, ensuring proper communication for the dissemination of public information.

It has been established that obstacles to access to public services can be different, for example: geographical distance, inappropriate conditions for users, lack of awareness or use of overly complex wording, inconvenient working hours or organizational difficulties in serving the population. All this can negatively affect the quality of service provision, provoke problems with the legitimacy of the entire apparatus of public authority.

As evidenced by the experience of foreign countries, the economic costs of obtaining a state service and its maintenance can become a significant obstacle to access. This factor can also negatively affect citizens' trust in state institutions.

Therefore, it was established that the key to the availability of public services is their conversion into electronic form. The electronic platform must be inclusive and provide equal access opportunities for

all citizens. Therefore, the concept of accessibility in the context of web applications is related to the availability of information for all users, regardless of the technologies and platforms used, sensory and functional capabilities of the user. E-government services should provide mechanisms that will help to overcome traditional physical barriers, that is, to make the administrative services accessible to people with special needs as much as possible.

Key words: public authorities, public services, administrative services, e-government, accessibility.

Formulation of the problem. An important factor of state-legal processes in a democratic state is the influence of basic public goods and services. If we take a person separately, the spheres of education, health care and justice are important for him as a space for ensuring his basic rights and freedoms.

Among the issues of special state importance is, in particular, the issue of the introduction of electronic public services, as it is becoming more and more relevant. After all, Ukraine is entering the global information space, accordingly, new threats arise in the information sphere, which the government cannot always resolve on its own, at the same time, we are observing the growth of the importance of information for any sphere of life activity of a person, society or state, therefore, the regulatory influence is also important of the state in the information sphere. In addition, there is a need to increase «the level of validity of the formation and implementation of the state policy for the development of the information society and electronic governance», especially in view of the information war of Russia against Ukraine [1, c. 37].

Therefore, the relevance of the issue is determined by the need to update the functioning of the state apparatus within the limits of European standards in order to ensure democracy and the rule of law of the state.

Research status. The issue of updating the functioning of public authorities was the subject of analysis by scientists in various fields of jurisprudence, including Yu. Bysaga, D. Belov, N. Bortnyk, V. Kovalchuk, S. Slivka, N. Serdyuk and others. However, the field of electronic public services needs additional analysis, especially in the context of ensuring their proper legal standards, the key of which is accessibility.

The purpose of the article is the international level of analysis of problems of access to administrative services of public authorities.

Outline of the main provisions. First, let's analyze the conceptual and categorical apparatus of the declared problem. Therefore, according to the Concept of Development of the System of Provision of Administrative Services by Executive Power Bodies, approved by the Cabinet of Ministers

of Ukraine on February 15, 2006, the sphere of public services consists of services provided by state bodies authorities, local self-government bodies, enterprises, institutions, organizations under their management. Depending on the entity providing public services, state and municipal services are distinguished [2]

The basis of the legal nature of the provision of public services and the functioning of public authorities is justice and equality as key principles of the legal reality of modern states. As Italian scientists note, justice should be considered according to specific features. Yes, they distinguish horizontal justice (the degree of treatment of individuals within a class (for example, income, gender, ability, race)); vertical justice (degree of participation of representatives of different classes); social justice (refers to the distribution of impacts among strata of the population that differ in abilities and needs, for example: income, social class, age or ability to be active); spatial justice (belongs to the spatial distribution of influences, say, by regions or cities) [3, c. 2].

The availability of public services is a key criterion for the effective functioning of governments. This criterion reflects the government's ability to recognize the diversity and nature of individual and public legal needs, the need to create and adapt appropriate content, the need to provide their communication channel and create an enabling environment for fair and honest dissemination of public information.

In this context, we will cite the valid opinion of N. Maryniak. She notes that over the past few years, the topic of improving the activities of public authorities has been considered, so to speak, block by block - separately administrative reform, civil service reform, electronic government, judicial reform. However, these reforms are so interconnected that at the current stage, it does not seem possible to consider them as single transformations. Therefore, emphasizes N. Maryniak, «the object of general reform should be the public sector with all its components – the public service, finances, management system and information resources». Moreover, the main measures for the implementation of these transformations should be to improve the quality and availability of administrative services and reduce administrative barriers to their provision [4, c. 1].

As international experience proves, it is worth talking about accessibility in various forms: it concerns both geographical distance, and appropriate conditions for users who need special housing, and a sufficient number of delivery channels (Internet, telephone, etc.), and appropriate informativeness of texts, the use of simple clear wording, and convenient working hours and a well-thought-out and developed procedure for public service. After all,

all this collectively determines the quality of service provision, and therefore can provoke problems with the legitimacy of the entire apparatus of public authority.

The experience of a number of foreign countries (mainly countries with developed democracies) also indicates that the economic costs of obtaining an administrative service and its maintenance can be a considerable obstacle to access. Therefore, financial availability can also affect the formation of citizens' trust in state institutions.

Among the most important factors in determining the quality of life is, without a doubt, the availability of medical services. And from the point of view of social justice, every person should be provided with equal access to such services. However, in practice, it is not so easy to achieve such equality, one has to overcome many obstacles, including economic and geographical ones. And it is not only about distances to service points, but also travel time, available modes of transport and departure time. Therefore, it is important for local authorities to expand the possibilities of geospatial analysis and monitoring of their citizens' access to medical services. After all, only with the most recent and accurate information on the availability of medical services, the authorities can plan improvements: the expansion of the health care infrastructure, the effective distribution of the workforce, alternative options for regions with limited accessibility, as well as the development of new routes and schedules of public transport [5].

At the same time, according to the results of the International Monitoring Report [6], the field of health care can be significantly affected due to financial inaccessibility. On the one hand, in most EU member states universal services provided by health insurance are provided, and on the other – for some services or medicines citizens still have to pay. This is often the reason why some citizens refuse to undergo a medical examination or delay a visit to a doctor or treatment. And in the end, this can lead to more expensive hospitalization at a later stage. In addition, the amount of additional (not covered by insurance) amounts varies significantly between countries. It is, for example, about 1.5% of final household consumption in France, the Netherlands, Turkey and the UK, but 4% in Chile, Korea, Mexico and Portugal.

This also applies to court availability, in particular to legal representation. Access to justice can be facilitated by the provision of legal aid, regardless of whether a person has the financial means to do so. That is, it is about guaranteeing every person the opportunity to use their right to a fair trial. Thus, legal aid as a public service can take the form of free or subsidized legal representation or legal advice. For example, in Finland, France, the Netherlands and Norway, citizens received legal aid in more than 10% of first-instance cases. In the rest of the EU

countries, citizens received legal aid in 6% (or even less) of first-instance cases.

In general, access to administrative services and decisions of public authorities at the European level is considered in the context of e-government. Moreover, e-government is considered one of the pillars in the construction of Europe, which promotes the integration and inclusion of citizens. European institutions consider e-governance as an important component of policy, which will contribute to the stimulation of changes in the provision of public services, the expansion of relevant technologies, as well as the digital integration of citizens.

So we can say that the transfer of public services to electronic form is a guarantee of their availability. It is important that the e-government platform is inclusive and provides equal access opportunities for all citizens, including people with special needs (mechanisms are needed to help them overcome traditional physical barriers). So the concept of accessibility in the context of web applications is related to the availability of information for all users, regardless of the technologies and platforms used, the sensory and functional capabilities of the user.

Conclusions. The availability of public services can be considered as a key criterion for the effectiveness of governments, which reflects their ability to recognize the diversity and nature of individual and public legal needs, the need to create and adapt appropriate content, the need to ensure their communication channel and create a favorable environment for the fair and honest dissemination of public information .

Obstacles to access can be: geographical distance; inadequate conditions for users who need special housing; insufficient number of delivery channels; insufficient informativeness or use of complex wording; inconvenient working hours or organizational difficulties in serving the population. As a result, such barriers can provoke problems with the legitimacy of the entire apparatus of public authority.

The transfer of public services to electronic form is a guarantee of their availability. The e-government platform must be inclusive and provide equal access opportunities for all citizens.

REFERENCES:

1. Serenok A.O. Dovid publicnogo upravlinnya z rozvytkom informatsynoho suspil'stva ta elektronnoho uradyuvannya krayin YES Aktual'ni problemy derzhavnogo upravlinnya. 2016. 2(50). S. 36–42.
2. Shchodo nadannya roz'yasnennya terminiv, yaki zastosovuyut'sya u Zakoni Ukrayiny «Pro vnesennya zmin do deyakykh zakonodavchykh aktiv Ukrayiny shchodo vidpovidal'nosti za koruptsiyni pravoporushennya»: Lyst Ministerstva yustyt'siyi Ukrayiny 18.12.2009

- N 967-0-2-09-22 URL: <https://zakon.rada.gov.ua/laws/show/v967-323-09#Text>.
3. Accessibility, equity and efficiency Karst T. Geurs, Tomaz Ponce Dentinho and Roberto Patuelli C. 1–8. URL: elgaronline.com.
 4. Marynyak N.M. Administratyvno-pravova kharakterystyka diyal'nosti orhaniv publichnoyi vlady u sferi nadannya administratyvnykh posluh. Dys. na zdob. nauk.stupenya kand. yuryd. nauk za spets.12.00.07. PrAT «Vyshchyy navchal'nyy zaklad «Mizhrehional'na Akademiya upravlinnya personalom». Kyiv, 2021. P. 17.
 5. Kim Y., Byon Y.J., Yeo H. Correction: Enhancing healthcare accessibility measurements using GIS: A case study in Seoul, Korea. PLOS ONE. 2018. 13(3).
 6. Access to public services: Affordability. Government at a Glance 2013, OECD Publishing, Paris. DOI: https://doi.org/10.1787/gov_glance-2013-52-en.