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Administrative and legal regulation of public relations regarding the use of human resources in Ukraine

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Abstract

The article is devoted to the study of the current problems of administrative and legal regulation of public relations regarding the use of human resources in Ukraine. The problematic aspects of the functioning of the legal mechanism of the public administration in this area are identified and the main directions of its improvement are identified. The authors state that currently one of the key problems of the interaction between the individual and the State is the uncertainty and imbalance of certain components of the legal regulation of this area, the inadequate interaction of the elements of this system. In this regard, proposals have been made to improve the legal and organizational support for the interaction of the issues of administrative and legal regulation of public relations on the use of human resources in Ukraine. It concludes on the desirability of passing a law on general administrative procedure in the field of legal regulation of administrative services in Ukraine, in order to eliminate gaps in relations between public administration bodies (including municipalities) and individuals, highlighted the prospects of widespread application of the e-government practitioner.

Keywords: human resources; administrative and legal regulation; access to information; administrative services; e-government.

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Regulación administrativa y legal de las relaciones públicas con respecto al uso de recursos humanos en Ucrania

Resumen

El artículo está dedicado al estudio de los problemas actuales de la regulación administrativa y legal de las relaciones públicas con respecto al uso de recursos humanos en Ucrania. Se identifican los aspectos problemáticos del funcionamiento del mecanismo legal de la administración pública en esta área y se identifican las principales direcciones de su mejora. Los autores afirman que actualmente uno de los problemas clave de la interacción entre el individuo y el Estado es la incertidumbre y el desequilibrio de ciertos componentes de la regulación legal de esta área, la interacción inadecuada de los elementos de este sistema. En este sentido, se han formulado propuestas para mejorar el apoyo legal y organizativo de la interacción de los temas de regulación administrativa y legal de las relaciones públicas sobre el uso de recursos humanos en Ucrania. Se concluye en la conveniencia de aprobar una ley sobre el procedimiento administrativo general en el campo de la regulación legal de los servicios administrativos en Ucrania, con el fin de eliminar las brechas en las relaciones entre los organismos de la administración pública (incluidos los municipios) y las personas, destacó las perspectivas de una aplicación generalizada del practicante del gobierno electrónico.

Palabras clave: recursos humanos; regulación administrativa y legal; acceso a la información; servicios administrativos; gobierno electrónico.

Introduction

The end of the XX - beginning of the XXI century is marked by the processes of globalization of social and economic institutions, the significant scale and pace of innovative development, which determine the main directions of development of modern society. Besides, the COVID-19 pandemic has had a great impact on public relations, the economy, and the financial system of the countries of the world (Nusratullin *et al.*, 2021). The main source of innovative development of countries is human resources, which are formed primarily through social investment. The rapid development and introduction of information and computer technologies in the context of globalization, the intellectualization of labor, lead to the transformation of the structure and content of human resources, the nature of its impact on innovative development.

Ensuring sustainable rates of socio-economic development, attracting investment in both fixed assets and technology and human development in accordance with the proposed by the Government of Ukraine economic growth strategy (Strategy of economic growth), is impossible without effective cooperation of government, business, and society (man). According to the Strategy, “by 2024, Ukraine should move to the top group of the human capital index, and life expectancy will grow to 75 years”. In addition, today, at the level of official institutions, the system of state management of human development is represented by separate elements, such as management of education, health care, employment, social protection.

These elements are multi-level systems, built on a hierarchical principle, which determines: the scope of management at each level, the sequence and subordination of management levels, distributed functions vertically and horizontally, duties, rights and responsibilities. At each level of management, the placement of elements and the form of their connections implies a certain autonomy. This leads to the lack of: first, a comprehensive approach to the problem of human development management; secondly, responsibility for the available result (Pospelova, 2011).

The state and local governments also shape the sphere of labor, social, institutional, and other mobility for citizens and employers. In market conditions, the formation and competitiveness of human resources are one of the main functions of the state (Libanova, 2008), which should determine the prospects for the domestic economy to a qualitatively new level, the orbit of innovative development.

Solving the complex problem of human resource formation requires the cooperation of all stakeholders in a particular field (health, education and science, culture, environmental safety, public services, etc.), so the main scientific task is to develop organizational and legal measures to implement the principles of governance in the practice of government structures in three main areas: the development of public-private partnerships, the development of public service delivery and the creation of favorable conditions for effective interaction between different levels of public authority (central, regional, local), aimed at achieving a common goal - meeting public needs.

An important problem for the domestic system of government is the search for alternative concepts of public administration and their implementation in modern state-building practice. This issue is particularly relevant given that, having ratified the Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community, and their Member States, on the other, Ukraine has defined public policy as such that aimed at bringing the standard of living of Ukrainian citizens closer to European standards, rooting European values in all spheres of functioning of the Ukrainian state and society (Melnychenko, 2020).

In this context, the search for ways to reduce the negative impact of transformation processes on the formation and use of human resources, finding opportunities for its development, considering the relationship between the level of socio-economic development of regions and the degree of their differentiation, on the one hand, and human quality resource - on the other.

1. Methodology of the study

The methodological basis of the scientific article is a set of methods of scientific knowledge and general scientific principles of research, which are based on the fundamental principles of the science of public administration and related sciences.

The research is based on systemic and synergetic approaches, as well as a set of methods that ensure their implementation, in particular: logical and semantic - to deepen the conceptual apparatus and determine the essence and content of mechanisms of state regulation of human resource development in Ukraine; comparative analysis - to study the existing methodological approaches, concepts, developments and proposals and to identify patterns, differences, features and common characteristics of the mechanisms of state regulation of human resource development in different countries; system-analytical - for the analysis of legislative acts and other normative-legal documents on the peculiarities of state regulation of human resource development in Ukraine; historical - to study the genesis and development of methodological approaches.

The evolution of mechanisms of state regulation of human resource development in Ukraine in chronological order; analysis and synthesis - to assess the dynamics and effectiveness of mechanisms for state regulation of human resource development in Ukraine; observation and theoretical generalization - to reveal the reasons that destabilize the system of state regulation of human resource development in modern conditions; abstractly logical - for generalization of theoretical positions, establishment of causal relations and formation of conclusions and offers. The information base is legislative and normative acts on issues of state regulation of human potential development, namely: Laws of Ukraine, Decrees of the President of Ukraine, resolutions and orders of the Cabinet of Ministers of Ukraine, etc.

2. Analysis of recent research

In the period of changing the technological way of life, the rapid development of new methods of production, the leading role of innovative ways of development, researchers pay considerable attention to finding ways to form appropriate to modern conditions of human resources. Among them are the works of T. Pospelov (Pospelova, 2011), B. Melnychenko (Melnychenko, 2020), M. Inshin (Inshyn, 2013), E. Libanova (Libanova, 2008), D. Tereshchenko (Tereshchenko, 2019), A. Shahno (Shahno, 2019), S. Yehorycheva (Lakhyzha and Yehorycheva, 2021) and other scientists.

Without diminishing the scientific achievements of scientists, it is advisable to conduct a comprehensive analysis of factors influencing the formation of human resources at the state, regional and local levels, to determine the features of administrative and legal regulation of public relations with priority of human rights and freedoms. The functioning of the mechanisms of interaction between the system of government, business and society, their optimization in order to form and develop human resources in Ukraine, are insufficiently studied, which necessitates further research efforts in this direction.

The purpose of the scientific article is to substantiate the theoretical foundations and develop practical recommendations for improving the communicative support of state regulation of human resources in Ukraine based on modern concepts of public administration, as well as to formulate proposals aimed at implementing public policy of Ukraine in implementing new means of administrative regulation legal relations at the national and local levels.

3. Results and discussion

In recent years, the concept of human resources has become increasingly popular. Its study with the involvement of this category in scientific use is interdisciplinary in nature and takes place within sociology, economic theory, culturology and other sciences. We consider it important to clarify the relationship between the concept of “human resources” and related ones, such as “human capital”, “labor potential” and others. This is important for both theoretical and practical research.

Considered in relation to the individual labor potential corresponds to its workforce, which acts in a certain socio-economic quality (socio-economic form). At the level of society, labor potential should be understood as a social combination of those personal qualities, abilities, knowledge, and skills of people that they use or can use in social production at this stage of its development. Thus, labor potential is only one of the subsystems of a larger category of “human resources”.

Human capital means the stock of abilities, knowledge, skills and motivations embodied in the human personality, which arose as a result of purposeful investment in it (Inshyn, 2013), it is all that determines the productivity and quality of human labor, its contribution to socio-economic development (The importance of human capital development in the modern world. What should be the strategy of Ukraine, 2021). Today, the main types of investment in a person are education, industrial training, health care, migration, market information, birth, and upbringing of children. It is worth noting that the term “human capital” is an economic category used by scientists to clarify the role of social institutions, economic analysis of the impact of social factors on the market economy.

“Human resource” is a universal sociological category that can be used for comparative analysis, determining the level of social transformations (characteristics of the country’s social power based on its population), assessing the dynamics of social systems (individual societies, communities, regional and municipal society, social organizations, and organizational social groups). But social development must, first, be assessed by changes in the very human essence. The development of society is not only a continuous complication of the social organization of the system, but also the formation of a person with a certain set of physical, educational, social potential.

Thus, the concept of human resources in the scientific literature is ambiguous depending on the industry affiliation in the research field and the debatability of the definition. A broad interpretation of the concept allows it to be applied in different cognitive directions in different interpretations depending on the specifics of the field of scientific knowledge. However, common to all definitions is the understanding of “resource” as a certain potential, a set of accumulated meaningful qualities of the object, which can be purposefully implemented under certain conditions, as well as improved.

In our opinion, the term “human resource” is deeper than the concepts of “human capital” and “labor potential”, as it characterizes the socio-economic, cultural, environmental, and other aspects of human living conditions, it reveals ways to realize opportunities in the context of social development. Given the subject of the study, we consider it appropriate to operate in a scientific article with the term “human resource”, which is a universal sociological category, which is more characteristic of the sciences of the legal cycle.

The issue of administrative and legal regulation of public relations regarding the use of human resources in Ukraine is complex and needs to be clarified in at least two areas: legislative and law enforcement.

Ukraine has defined the state policy as one aimed at bringing the standard of living of Ukrainian citizens closer to European standards,

rooting European values in all spheres of functioning of the Ukrainian state and society. In this context, the normative regulation of the formation of the mechanism of administrative and legal support of public administration plays a significant role. Such normative consolidation must comply with European standards of public administration, which are based on the observance of the rights and protection of the interests of citizens, the rule of law, the provision of quality administrative services, and so on. At the same time, it is of fundamental importance to improve the activities of public institutions, the procedures they use, and to establish a dialogue between citizens and the authorities on governance mechanisms.

In this direction, starting from 2015, the Cabinet of Ministers of Ukraine and the Verkhovna Rada of Ukraine, with the active assistance of Ukrainian and European experts, laid the legal framework for public administration reform in Ukraine, adopting the new Law of Ukraine «On Civil Service» of 10 December 2015. № 889-VIII with the necessary bylaws (Law of Ukraine «On civil service»); Strategy for reforming the public financial management system for 2017–2020, approved by the order of the Cabinet of Ministers of Ukraine of February 8, 2017 № 142 (Strategy for reforming the public financial management system).

The concept of introduction of positions of specialists on reform issues, approved by the order of the Cabinet of Ministers of November 11, 2016 № 905 (Concept of introduction of positions of reform specialists); The concept of optimization of the system of central executive bodies, approved by the order of the Cabinet of Ministers of December 27, 2017 № 1013 (Concept of optimization of the system of central executive authorities); Concept of e-government development in Ukraine, approved by the order of the Cabinet of Ministers of Ukraine dated September 20, 2017 № 649 (Concept of e-government development in Ukraine), National Strategy for Civil Society Development in Ukraine approved on September 26 2021 № 487/2021 (On the national strategy for promotion of civil society development in Ukraine) etc.

In order to transform the system of public administration into a system of public administration and stimulate the participation of civil society in the implementation of state policy on the formation and development of human capital, it is advisable to prepare and adopt laws of Ukraine «On Public Administrations in Ukraine», «On Central Public Administrations» of territorial administration», «On local public administrations», «On social responsibility of business», «On local referendum», «On public budget».

The results of the study show that the current regulatory framework for public administration of human resources includes a number of legislative acts that regulate certain areas of socio-economic activity in Ukraine (education, health care, social protection, etc.). However, there is a lack of legislative acts aimed at the formation and development of human resources

in Ukraine and a central executive body that would coordinate the actions of subjects and objects of government and public relations in the system of «man-power society».

Their absence at this stage of transformation in the country slows down innovation processes, as well as the adaptation of social institutions to work in modern conditions, with the expectation of significant changes in the near future.

Today's tasks for the introduction of e-government in Ukraine are not to create new principles and approaches, but to develop a specific system of measures and sequence of their implementation, determining the size and forms of state legal, political, financial, and administrative support. Such a strategy should be developed not only at the central level, but also at the regional and local levels, considering their specifics.

At the same time, the basis of the relevant transformations in state and governmental structures is the willingness of citizens to use the opportunities of information technology, evaluate their benefits, find new applications directly for their lives, business, social and scientific activities, education and more. This process should be initiated jointly by three sectors - public, public, and business.

Today, e-democracy tools provide many new channels for community-to-government feedback. They also allow the justification of decisions from the authorities to the community. This new circumstance for Ukraine poses new challenges to communication between government and society (Shiyan, 2019). Electronic technologies allow the development of democratic procedures, their importance is that they can be communicative, not just informative. Therefore, the democratization of government institutions, the possibility of increasing the participation of citizens at every stage of government relation contributes to the democratization of the state.

In each country, democratic and human values, as well as ethical considerations, are integral parts of the technological aspects of e-democracy, driven by the demands of democracy, not technology. At the same time, e-democracy does not promote any specific type of democracy and soon will become an integral part of the public administration system, in connection with which the authorities must do everything possible to increase public confidence in government. E-democracy is a form of realization by citizens of their political and civil rights using digital or information and communication technologies.

As a form of realization of rights, e-democracy should be considered as an alternative (subsidiary) option to traditionally recognized ways and practices of law enforcement. Therefore, the purpose of implementation is to promote the expansion of opportunities for the realization of citizens' rights. A feature of e-democracy as a component of the social institution of

democracy in the modern information society is its bilateral usefulness for the subjects of the political-constitutional process. For citizens, it consists in the possibility of real participation in the activities of public authorities, and for the subjects of power relations - in the possibility of obtaining real public opinion.

Prospects for expanding the range of applications and, consequently, increasing the availability of direct democracy procedures through the use of information technology are determined primarily by: the need to create conditions for systematic public involvement in public administration and solve all pressing problems; the need to direct public initiatives in the plane of constructive interaction with the state; requirements for ensuring openness and transparency in the activities of the management staff. In addition, awareness of one's own involvement in state-building processes will certainly contribute to the development of an active civil position as one of the main conditions for the formation of a capable civil society.

In Ukraine the development of e-democracy and e-government is seen as one of the priorities of the Strategy of state policy for promoting the civil society in the context of optimization mechanisms of social dialogue and the institutions of direct democracy (Presidential Decree Ukraine "On strategy public policy development of civil society in Ukraine and priority measures for its implementations").

Agreeing with many scholars on the prospects of e-government, it is necessary to state the existence of the following systemic barriers to its spread in Ukraine: uncertainty of public policy in this area, promising ways to implement it; imperfection of the regulatory system; low level of involvement of civil society actors in the processes of improving public policy in the field of e-democracy, as well as in the implementation of its individual tools; insufficient level of information infrastructure development, inequality of access to the Internet and information computer technologies; low level of awareness about the content and peculiarities of using various tools of e-democracy, etc.

The main forms of interaction of civil society with public administration in the countries of the European Union are determined by scientists: the provision of social services; social entrepreneurship; exercising the right of access to public information; conducting public consultations; conducting public examination; conducting public monitoring; formation of advisory bodies, etc.

The main priorities of public administration and administration are: strengthening the foundations of local self-government in connection with the decentralization of public power, improving the effectiveness of management, which is directly related to updating the quality of government, improving the quality of public services, including administrative variety, ie

everything related to the satisfaction of the public interest (Melnychenko, 2020).

We share B. Melnychenko's point of view that the strategic approach to the formation of the communicative space of state regulation of human resources formation involves going beyond the traditional set of such categories as "target audiences", "information flows", "information product" and the transition to communicative influence on structures society, the processes of human resource quality, national security and national interests, taking into account the characteristics of subjects and objects of government (in particular, socio-political and cultural) (Melnychenko, 2020).

The specificity of the partnership is the preservation of each of the parties of relative independence in the main aspects of activity, equality, mutual responsibility. This requires the creation of conditions for mutual understanding and constructive interaction of public authorities, local governments, political parties, public associations and organizations and market institutions in the implementation of socially significant projects aimed at the formation and development of human resources.

This goal is achieved by regulating the processes of information exchange, improving communication channels and cooperation, the use of communication technologies, coordinated programs, plans, tasks, synchronized with the action of communication processes and tools at the national level.

In our opinion, among the main functions of the studied mechanism should be distinguished: analysis and regulation of social relations; development of strategy of communicative activity of public administration and local self-government bodies; organization of effective "feedback" of the authorities with business structures and society (person); public involvement in the discussion and decision-making process; monitoring and prompt response to individual needs, requests of target audiences; ensuring the effectiveness of communications between the authorities and the maximum satisfaction of the interests of all participants and society; coordination, control of public opinion, monitoring of the processes taking place in it, observation of the dynamics of public sentiment; establishment of public control over the activities of public administration bodies and local self-government bodies.

The activities of state executive bodies and other subjects of public administration are not limited to by-laws but are also expressed in the implementation of law enforcement, which is characterized by the issuance of individual acts, which do not create rules of administrative law, but act as legal facts the emergence, change and termination of administrative legal relations are connected.

Law enforcement activity (law enforcement) is usually considered as one of the forms of realization of the right (along with use, execution, and observance). Compared to other forms of law enforcement, it has a significant specificity since only authorized (competent) bodies can apply legal norms. The application of legal norms takes place where the addressees of legal norms cannot exercise their legal rights and obligations without the mediation of the competent authorities. We can say that at a certain stage of law enforcement is connected to the methods of direct implementation - compliance, implementation, use.

Thus, administrative law enforcement is an authoritative activity of public administration entities (state executive bodies and other entities). Applying legal norms, the authorized body exercises its powers in relation to specific life circumstances in relation to specific persons, which is embodied in the form of a law enforcement (individual) act. In other words, administrative law enforcement is a power-organizing activity of public administration entities, their officials, and officials, which consists in the individualization of legal norms in relation to specific subjects and specific life circumstances in an individual (law enforcement) legal act of management (Kartuzova and Osadchy, 2008).

Rulemaking and law enforcement as a result of the activities of public administration tools of public administration in the field of human resources in Ukraine are quite necessary. After all, this, first, makes it possible to interpret far from specific provisions of the laws in order to clarify their holistic meaning. And secondly, such activity results in the personalization of legal norms in relation to specific subjects and specific life circumstances, as a result of which the regulation of public relations in the field of human potential is carried out.

Administrative actions of public administration entities aimed at ensuring the public interest can take a variety of external forms and thus take the form of tools of public administration. The general features of the tools of public administration include by-laws, jurisdiction, proper design, the ability to appeal, and so on.

Creating convenient and affordable conditions for receiving administrative services is one of the main tasks to be addressed by local governments. After all, the main purpose of public administration is to provide services, and it is the quality of services that every citizen evaluates the competence and friendliness of the government.

Analyzing the development of modern administrative and legal science and foreign experience in the legal regulation of relations between administrative bodies and individuals, we can identify the basic requirements that must be met by the law on administrative procedure. This law should establish, on the one hand, the procedure for the adoption and operation

of individual administrative acts is mandatory for all administrative bodies and, on the other hand, procedural guarantees for the protection of the rights of individuals (Mandyuk, 2017).

In our opinion, the general law on administrative procedure should contain the following provisions: it should reflect the constitutional principles of human rights and the principles on which public authority should be exercised; it must determine the grounds and procedure for initiating an administrative case; the procedure for preparing the case for consideration; the procedure for resolving an administrative case, ie direct consideration of an administrative case, adoption of an individual administrative act and its execution; grounds and procedure for dismissal of officials of the administrative body who are considering the case and persons who facilitate its consideration; it is necessary to establish the order and determine the consequences of the introduction of individual administrative acts; the law should establish a list of requirements that an individual administrative act must meet in order to be considered lawful.

Given the subject of the study, special attention needs to be paid to the issue of administrative services, which is currently focused on issues: deregulation and administrative simplification; streamlining the payment of administrative services; decentralization, ie the transfer or delegation of powers to provide administrative services to local governments; e-government.

Article 17 of the Law of Ukraine «On Administrative Services» provides for the maintenance of the Unified State Portal of Administrative Services (hereinafter - the Portal). Its main functions are to ensure: access to information on administrative services; access to the necessary documents (application forms, etc.); possibilities of electronic application for administrative services (in the future), etc. (Law of Ukraine «On administrative services», 2012).

The Portal should be an official source of information on the provision of administrative services, which means that potential consumers of services - the subjects of the application can link directly to the pages of the Portal and the information contained in them when communicating with entities providing administrative services and Administrative Service Centers. In any case, nothing in Art. 17 of the Law should not be interpreted as a ban on the creation of alternative electronic resources dedicated to administrative services.

In order to better understand what a full-fledged national electronic resource for the provision of administrative services should be, it is possible to turn to the best practices of developed democracies. The electronic web resource (portal) for the provision of administrative services in Canada is called «Service Canada». Information about administrative services on the

Portal is grouped by typical life situations. In addition, a list of the 10 most popular questions in the field of public services is presented as a separate group of information.

In accordance with the Communication Policy of the Government of Canada, this Portal may use electronic media resources, social networks of various formats (microblogs, file sharing, blogs and discussion forums) - to provide potential consumers with information about services. In particular, the electronic resource Twitter (for operative distribution of actual and small-volume messages) and YouTube (for placement of video files and presentations) is used.

At the same time, all important messages (changes in legislation, audit results, etc.) are displayed on the portal and through official publications, press releases. The Portal provides protection of private information and personal data of consumers, and also contains detailed instructions on the operation of the Portal and its information policy (Tymoshchuk, 2015).

The French Portal as the official website of French public services is a very popular resource with over 4 million visitors per month. Its purpose is to facilitate communication with the administration for citizens, businesses and public organizations, provide them with convenient access to the regulatory framework and inform them about their responsibilities. That is why the site focuses primarily on the needs of consumers. The portal allows communication not only via the Internet, but also by telephone using a special service.

At the same time, consumers have the opportunity to provide comments and advice on the site and on certain services. The portal provides access to all information in the field of administrative services, structured clearly and simply by sections (groups). The main page lists three main groups of services for the subjects of application: services for citizens, for business, and for associations of citizens. The main page of the Portal also contains a more detailed rubrication of services in the spheres of public relations: issues of foreigners and citizenship; families; labor relations; justice; real estate; health care and social services, etc. (Tymoshchuk, 2015).

Summing up the results of this block of research, it can be noted that the topic of administrative services is clearly one of the most relevant for Ukraine. The government's activity should focus on the quality of services and maximum simplification and deregulation.

It is also necessary to enlist the support of local governments and society in this reform, and to do this we must demonstrate the will to decentralize the powers to provide administrative services. It is important to emphasize that without the adoption of the law on general administrative procedure, the sphere of legal regulation of administrative services in Ukraine will keep many gaps in the relations between public administration bodies (including municipal ones) and private individuals.

The practice of addressing the public not only as an instance of approval / disapproval of certain political decisions, but also as an equal partner of the state in the development of public policy is becoming more widespread. In the countries with the largest Internet audiences, examples of such skilled complicity by active citizens have been most successful: in New Zealand, a public police law revision of the new bill was introduced in 2007, to which any citizen could amend; as a result, 234 proposals were received and taken into account; according to experts, citizen participation has become one of the key aspects in the law preparation process; in the United Kingdom, the Greater Society initiative was launched in 2010 to increase the participation of citizens and non-governmental organizations in solving social problems, involving as many people as possible in making important social decisions; since the end of 2010, the official government website of the initiative has been operating, where anyone can leave comments, links and videos (Dorodeyko, 2011).

The most common e-government tools used in Ukraine today at both the national and local levels are e-consultations, e-petitions, e-appeals, participation budgets (public budgets). Resources have also been created for the publication of datasets in the form of open data, including through electronic platforms such as Civil Society and Government, Smart City or the Single System of Local Petitions, which combine several electronic participation tools (Law of Ukraine «On approval of the concept of the development of electronic democracy in Ukraine and the plan of measures for its implementation», 2017).

Different cities of Ukraine have started to implement various tools of e-democracy: e-appeals, e-petitions, e-discussions, e-procurement, e-budgets, e-public budgets (participation). Some cities create different services on their own, such as e-petitions, electronic queues for kindergartens or open data portals, while others use electronic platforms, such as the «Single Petition System» or «Smart City», which combine several e-petitions, participation tools. The choice of the model of e-democracy in cities is entrusted directly to local governments and active citizens (Loboyko and Nakhod, 2017).

A relatively new institution in the systematization of national forms of direct democracy, institutionalized in Ukraine, is the institution of electronic petitions. It was introduced by the Law of Ukraine «On Amendments to the Law of Ukraine «On Citizens' Appeals» Concerning Electronic Appeals and Electronic Petitions» of July 2, 2015. According to it, citizens can apply to the President of Ukraine, the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine, local governments with electronic petitions through the official website of the body to which it is addressed, or the website of a public association that collects signatures in support of electronic petitions («On amendments to the Law of Ukraine «On citizens appeals» regarding electronic appeals and electronic petitions». Law of Ukraine of 02.07.2015).

In fact, this law has provided ample opportunities for the introduction of e-democracy in Ukraine. However, it is not without some systemic shortcomings that complicate the implementation of this form of direct democracy. In particular, the Law gives the right to submit electronic petitions only to citizens of Ukraine, while according to Art. 40 of the Constitution of Ukraine, all (not only citizens of Ukraine) have the right to send individual or collective appeals to the relevant authorities.

At the same time, a significant shortcoming of the Law is the lack of a mechanism for verifying the signatures of citizens in support of the electronic petition and determining the legality of the vote cast in its support. In our opinion, the establishment of a high enough “threshold” for a special procedure for consideration of electronic petitions by higher authorities minimizes the influence of citizens on public policymaking, while all other petitions are considered according to the algorithm of ordinary citizens.

It should be emphasized that the main difficulty in implementing projects in the field of e-government and interdepartmental projects is to organize the process of adopting appropriate standards and harmonization of information technology architectures of various organizations and agencies.

In general, it can be concluded that the implementation of e-government tools provides an opportunity to dramatically improve the quality of public services to citizens. We see a new level of these services in the transformation and improvement of the system of integration of departmental information systems and state, regional and municipal information resources. Integration of interdepartmental cooperation and provision of integrated services through central government portals and portals of regional and local authorities will increase the efficiency of the state apparatus, reduce opportunities for financial fraud, law violations, tax evasion, etc.

Ensuring the competitive advantages of human resources in stimulating the European integration process should include several public policy measures in the fields of education, science, labor market, mobility and management of economic development. Such conclusions are widely confirmed by the experience of the European Union, where the main factor in the development of human resources is to increase productivity and employment, to establish relationships in public relations in the system of “man-government society”.

Conclusions

Summarizing the above, it can be argued that the state policy on the formation and development of human resources should focus on areas that

correspond to innovation processes in the economy, considering the needs of Ukraine's entry into the European and world space.

To implement this concept, the state must create an effective legal platform aimed at legislative regulation: reforms in education, health, economy, social security, environmental protection in order to improve the quality of health care, bringing education closer to the needs of the global market and the needs of specialists capable of creating, adapting and using technological innovations, overcoming socio-economic and environmental problems; development of multilevel public administration in Ukraine, which will encourage public administration to form effective communications with local governments, to provide conditions for participation of private and public stakeholders in the formation and implementation of public policy on the formation and development of human resources; introduction of public control, innovative models of public administration and stimulating the development of civil society, which will consist of highly educated enterprising people who are able to change and reform the country, to effectively defend their rights.

Regulatory legal support is needed to modernize the system of public administration and administration; procedures for conducting electronic consultations aimed at developing electronic participation of citizens in public policy making; activities of public and charitable organizations in such spheres of life as protection of human rights, health care, education, social protection of the population, ecology, culture, etc.

Non-governmental, extra-budgetary, non-profit organizations whose field of activity is education, culture, health care, social assistance, housing and communal services, sports, etc. can use resources such as volunteer work, initiative and activity of members, psychological support, alternative material resources in the form of donations, grants, membership fees and direct income from business activities to human resource development.

In the process of creation and gradual implementation of the e-government system in Ukraine, the tasks of information resources management should be solved, namely: creation of information resources necessary for public administration tasks and realization of constitutional rights of different categories of citizens to public information services; creation of an adequate regulatory framework; coordination of branch and regional state structures on formation and use of the state information resources, definition of the order and conditions of their use; ensuring the effective use of state information resources in the activities of public authorities and state institutions.

Ensuring free access of citizens and organizations to information resources in accordance with current legislation; establishment of powers and responsibilities of public authorities, enterprises and organizations,

departments and individual specialists in the formation, protection and use of state information resources; determining the composition of state information resources required at each level of public administration to ensure their formation, forms of submission, collection, introduction, storage, processing and use; monitoring and correction of information resources; organization of protection of state information resources, control of integrity and use.

Ensuring the rights and freedoms of man and citizen through the publicity of the administration is today perhaps the most important in terms of administrative and legal reform of Ukraine. Access to information, e-government of individual administrative acts, administrative agreements will make the analysis of legal facts transparent for regulation by state bodies and non-governmental institutions. At the same time, e-democracy at the state and local levels involves a gradual process of implementation, considering the interests of society and its individual citizens. Such technology should be tested at different levels, implemented gradually and with a reasoned analysis of specialists, experts.

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