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Use of information and communication technologies in democratic processes

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Abstract

The article reveals the essence of information and communication technologies, gives scientific positions on the definition of the mentioned concept and examines the place of information and communication technologies in modern democratic processes. It was determined that modern information and communication technologies are the basis for the functioning of e-government and e-voting and other forms of e-democracy. The influence of information and communication technologies on the effectiveness of state policy is revealed, attention is focused on the importance of effective cooperation between authorities and civil society thanks to state-of-the-art electronic resources and the Internet. In addition, the possibilities of direct participation of citizens in the management of state and non-state structures are identified. In the conclusions, the factors that hinder (make impossible) the implementation of information and communication technologies in the sphere of public administration or make it impossible at all are pointed out, on the basis of which the prospects of realizing the potential for modernization in a modern democratic society based on the principles of openness and feedback are analyzed.

Keywords: information and communication technologies; e-democracy; e-government; e-government; public administration; environmental impact assessment.

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Uso de las tecnologías de la información y la comunicación en los procesos democráticos

Resumen

El artículo revela la esencia de las tecnologías de la información y la comunicación, da posiciones científicas sobre la definición del mencionado concepto y examina el lugar de las tecnologías de la información y la comunicación en los procesos democráticos modernos. Se determinó que las modernas tecnologías de la información y la comunicación son la base del funcionamiento del gobierno electrónico y del voto electrónico y otras formas de democracia electrónica. Se revela la influencia de las tecnologías de la información y la comunicación en la efectividad de la política estatal, se centra la atención en la importancia de la cooperación efectiva entre autoridades y sociedad civil gracias a los recursos electrónicos de última generación e Internet. Además, se determinan las posibilidades de participación directa de los ciudadanos en la gestión de las estructuras estatales y no estatales. En las conclusiones, se señalan los factores que dificultan (hacen imposible) la implementación de las tecnologías de la información y la comunicación en el ámbito de la administración pública o, que la imposibilitan en absoluto, sobre cuya base se analizan las perspectivas de materializar el potencial de modernización en una sociedad democrática moderna basada en los principios de apertura y retroalimentación.

Palabras clave: tecnologías de la información y la comunicación; democracia electrónica; gobierno electrónico; administración pública; evaluación de impacto ambiental.

Introduction

Ukraine's transition to an information society requires the introduction of the latest information technologies in all spheres of life. An increasing role in the activities of government bodies is given to transparency, openness and accountability, which are achieved much faster and more efficiently thanks to information and communication technologies, the use of which is aimed at: maintaining communication between the authorities and citizens; ensuring openness by informing citizens about government activities; transferring the provision of administrative services online; ensuring the participation of citizens in the electoral process, community life and decision-making processes through the means of «electronic democracy».

The dynamics of life require the use of digital technologies in all spheres of human existence, in particular in the activities of state and local self-government bodies, to implement such projects as «electronic state», «state in a smartphone», «digitalization of society», «electronic public administration», «digitization of administrative services», etc. Without digitization and the tools of direct democracy in modern conditions, it is impossible to do without knowledge about real, not imaginary needs and requests, thoughts and feelings of the population, as well as the collective, solidarity mind of the people, which is obliged to express its elected representatives (Kalynovskyi *et al.*, 2022: 223).

In Ukraine, the development of e-democracy and e-governance is defined as one of the priority tasks of the State Policy Strategy for Promoting the Development of Civil Society in the Context of Optimizing Mechanisms of Public Dialogue and Institutions of Direct Democracy (Presidential Decree, No. 212/2012). At the same time, in the constitutional and legal field of Ukraine there are no fundamental obstacles to the comprehensive development and application of electronic mechanisms of democracy, and the existing regulatory framework creates the necessary basic conditions for the formation of a national system of e-democracy (Burdonosova, 2021).

Thanks to the digitalization of public administration and administrative services, accompanied by a competent and consistent policy and regulatory legal support, citizens can receive more and more services online and in specialized service centers, and local self-government bodies will have more and more tools for introducing e-government and connecting electronic services for business and citizens. Therefore, the systematization of knowledge about digital opportunities in modern democratic processes and the development of generalized recommendations will contribute to a wider and more effective use of information and communication technologies in the functioning of the state and its components. At the same time, it is important to study foreign experience in building models of e-democracy in order to use it in practice.

1. Methodology of the study

The methodological basis of a scientific article from the point of view of constitutional law should be the methodology of constitutional law, which in the doctrine is considered «as a teaching about the system of methods, principles, special means and methods of studying general regularities, the emergence, development, functioning and provision of constitutional-legal relations, constitutional-legal phenomena and institutes» (Skrypnyuk, 2013: 109).

Methodological approaches that determine the general research paradigm are as follows.

The synergistic approach of using which consists in elucidating non-linear processes, that is, in contrast to classical constitutional processes and phenomena, we should study e-democracy as a dynamic phenomenon taking into account its synergism.

A comprehensive research approach involves the analysis of the research subject within the framework of a combination of different scientific schools, concepts and methods and is implemented through the vision of the object from the most diverse positions, which consists in combining knowledge of the methods of various sciences, the need for the synthesis of multifaceted knowledge, its integration.

In particular, the Concept of the development of e-government in Ukraine defines that «the main tasks for ensuring the development of e-government in the basic sectors of Ukraine are the introduction of information and telecommunication systems to support management decision-making and the automation of administrative processes (in particular, with the use of promising geo-information technologies, the Internet of Things, technologies processing of large volumes of data (Big Data) and Blockchain), including: in the field of health care; in the field of education and science, in the field of social protection, in the field of financial and budgetary policy, in the field of protection of human rights and freedoms, in the field of transport and infrastructure, in the electoral field» (Concept of development of electronic governance in Ukraine, 2017).

The analysis of information and communication technologies requires a comprehensive approach with the aim of developing uniform standards, principles and general provisions of legal regulation, identifying systemic errors in the functioning of such technologies in the democratic processes of states.

The use of the humanistic method is mandatory in the formation of legal concepts in a democratic state, in which a person is the main legal value of society, and the protection of his rights and freedoms is the main activity of the state and its entire public apparatus. The use of the post-humanist approach is due to a much wider need than the study of the system of information and communication technologies in the democratic processes of the state - this is a global problem of the information society.

Posthumanism proves the irreversibility of the process: nowadays, both the state, society, and man are practically deprived of a choice regarding the use or non-use of digital technologies. This is a certain transformation without alternative, which has already taken root in the constitutional and legal reality.

A three-level structure of research methods of the use of information and communication technologies in modern democratic processes is distinguished - philosophical, general scientific and special scientific.

The dialectic of the research determines the need for a broad analysis of the phenomenon through its legal and legal genesis, provides an opportunity to reflect the modern features of the use of information and communication technologies in state policy and communication with civil society, to establish prospects for improvement, development and the necessary informational, technical and state-legal transformation electronic governance and the entire legal field of informatization of society.

The hermeneutic method made it possible to propose improvements to the conceptually categorical apparatus and carry out an analysis for the proper reflection of legal norms in the means used with the use of information and communication technologies.

Using the method of transcendental analysis, it was possible to establish the legal demand for certain forms of e-democracy, as a result of which a conclusion was drawn about the need for its normative and legal regulation.

The most popular general scientific methods are analysis and synthesis, which contributed to the study of electronic electoral law, social networks in legal and political life, and the electronic petition form. The synthesis makes it possible to combine the individual properties of information and communication technologies and to determine the main features that are characteristic for the proper development of electronic democracy. Induction is used to represent the features of using information and communication technologies.

Deduction makes it possible to position constitutional law as a single general legal structure that generally defines the dominant properties, principles, and standards that are key to the sectoral and institutional use of forms of electronic democracy in certain areas.

Special legal research methods make up the third level of its methodology. In particular, the potential of the method of constitutional comparativistics made it possible to highlight positive aspects and avoid mistakes made by other states when implementing models of the new management system. The method of legal forecasting is used to determine the prospects for the further development of the constitutional law of Ukraine in modern conditions, the modernization of constitutionalism, and the identification of directions for the introduction of information and communication technologies in modern democratic ones.

2. Analysis of recent research

The theoretical foundations of the concept of the use of information and communication technologies and their effectiveness in the structure of the information and communication space in the system of state authorities are actively considered by leading scientists from various industries, spheres and sciences (Dorodeyko, 2011; Dubov, 2010; Emelyanenko, 2008; Loboyko and Nakhod, 2017; Makhnachova, 2018; Moon, 2002; Shpak, 2012; Skrypnuk, 2013).

At the same time, the analysis of scientific literature proves that a significant number of scientific works reveal either purely theoretical aspects, are somewhat outdated, or point to the shortcomings of the introduction of electronic democracy.

From the above, it can be seen that the study of the mentioned issues is in the early stages, so many issues related to the creation and development of information and communication technologies and their introduction have not been fully studied. This determined the choice of the topic of the scientific article, its purpose, object and subject.

The purpose of this study is to analyze scientific approaches and practical cases of the implementation of information and communication technologies in modern democratic processes and to develop recommendations for the transition of state authorities and local self-government bodies of Ukraine to digital services, taking into account the best global experience.

3. Results and discussion

3.1. Information and communication technologies as a component of modern democracy

Information and communication technologies are the most important component of development in the modern world and a valuable basis of the information society. In developed countries, the use and implementation of information and communication technologies is based on an optimally arranged regulatory base and international standards that form a stable and predictable legal field with clearly formulated, transparent, non-discriminatory and technologically neutral laws.

By information technologies, scientists understand a set of modern electronic technological tools and software, as well as organizational forms and methods of their application in information work, which is aimed at the effective use of information resources (Shpak, 2012). Information and communication technologies and the Internet are a real opportunity for

every citizen not only to influence the decision-making process, but also to directly participate in it.

However, not everyone is able to take on such responsibility. Thus, society, despite the fact that it is enriched in the field of information, is limited in the field of knowledge, which leads to an impulsive «button democracy», when decisions are made by inexperienced experts and ignorant people.

New information and communication technologies have a number of advantages compared to traditional information technologies: transferring information exchange to a paperless level, speeding up the preparation of documents, improving the quality of registration, automation of most functions in information and communication processes in order to solve complex problems of society's life.

Using the advantages of information and communication technologies, state authorities have the opportunity to create qualitatively new ways of interaction between themselves and citizens, thus increasing the efficiency of management as a whole, to provide state services to the population and businesses via the Internet, to increase access to state information, to establish the transparency of adopted solutions through constant dialogue with the public.

We consider it unquestionable that the active introduction of information technologies into the system of socio-political relations significantly expands the opportunities of citizens regarding their participation in solving common issues, creates conditions for the formation of a qualitatively new level of activity of citizens who use modern electronic technologies not only for personal purposes, but also for the purpose of socio-political participation at all levels of public administration (Burdonosova, 2021).

Therefore, the main purpose of using information and communication technologies in state administration is to increase the efficiency of its mechanisms based on the creation of a general information and technology infrastructure, which includes state information systems, resources and means that ensure their functioning, interaction between themselves, the population and organizations within the framework of providing public services.

State policy in the field of the use of modern information and communication technologies is designed to ensure the coordination of the activities of state authorities on the creation of state information systems and increase the efficiency of budget expenditures in the specified area.

From a scientific and methodological point of view, electronic democracy is a unique legal phenomenon - *sui generis*, which can be studied with the help of a complex interdisciplinary toolkit - the theory of constitutional legal

relations, general legal hermeneutics, systems theory, cybernetic analysis, political engineering, etc. (Center for Modernization Decisions, n/y).

The complex, hybrid nature of this legal phenomenon requires an integrated scientific approach to mastering the specifics of the emergence and implementation of the constitutional rights of citizens arising from the use of information technologies in the political and legal reality.

Electronic democracy should be understood as the use of new information technologies for the protection and development of basic democratic values and, above all, for the participation of citizens in the process of decision-making by authorities, that is, with the aim of involving citizens in the political process.

The essence of e-democracy is that, thanks to an established system of electronic communications, all citizens of the country are involved in the process of government decision-making, and the process itself turns into a two-way dialogue between the government and citizens, where each side has complete trust in the other, the exchange of information between them is based on principles of accessibility and transparency.

Electronic democracy as a component of the social institution of democracy in the conditions of the modern information society contributes to the realization of its functions: the function of reproduction at a new level of social relations between the authorities and citizens; integrative function (reduction of the social distance between the authorities and citizens, consolidation and coordination of resources, efforts and actions of state authorities, citizens and businesses) (On Approval Of The Concept Of The Development Of Electronic Democracy In Ukraine And The Plan Of Measures For Its Implementation, 2017); regulatory function, which is expressed in providing citizens with resources and powers to participate in politics, overcoming «information inequality», bringing to justice for offenses committed in the field of using electronic democracy tools (Tomkova and Hutkii, 2017: 10).

It is characterized by two-way usefulness for the subjects of the political and constitutional process. For citizens, it consists in the possibility of real participation in the activities of public authorities, and for subjects of power relations - in the possibility of obtaining real public opinion (Kalynovskiy *et al.*, 2022).

In the Strategy for the Development of the Information Society in Ukraine, electronic democracy (e-democracy) is defined as «a form of social relations in which citizens and organizations are involved in state formation and state administration, as well as in local self-government through the widespread use of information and communication technologies» (On Approval Of The Information Society Development Strategy In Ukraine, 2013).

Today, technology allows the use of such new tools of e-democracy as e-mail, Internet conferences, e-consultations, video conferences, e-feedback, discussion forums on websites, e-polls, etc. The specified tools of e-democracy, both traditional and new under certain conditions, help to involve in the decision-making process the maximum number of people who can be directly affected by these decisions.

At the same time, the concepts of «e-democracy» and «e-government» should not be equated, since the latter acts as a tool of e-democracy. Among scientists, three aspects of electronic democracy are indicated: technological - electronic voting, the election procedure becomes simpler, faster and cheaper due to the use of information technologies; democratic - electronic participation, involvement of citizens in the process of making political decisions through online and offline tools - forums, polls, legislative initiatives, etc.; this dimension is the main one for electronic democracy; political - e-politics and e-campaigns, use of information technologies by political leaders to reduce the distance with citizens, to inform them more fully; e-politics has great potential for increasing the level of citizen participation in politics, however, since such tools are mainly used only during the election campaign, this is a significant limitation (Emelyanenko, 2008).

In general, it should be noted that e-democracy in comparison with e-governance in states with developed democracy is a relatively unformed concept, the meaning of which is not yet fully defined and which requires additional study and implementation.

At the same time, it is not necessary to overestimate the importance and role of modern telecommunication means in democratic processes, since information and communication technologies are not necessarily a tool of democracy. Moreover, as the government gains new opportunities to control society thanks to technology, it does not necessarily become more open itself.

It cannot be claimed that the unified government databases created in many countries of the world with a huge amount of confidential and personal information about each specific person will be used only to improve the quality of public services. In the conditions of authoritarian regimes, the creation of centralized databases about each person is dangerous for the inviolability of private life and civil liberties.

Not only the development of science and technology, but also democracy depends on the skillful integrated application of information and communication technologies, since one of the necessary prerequisites for sustainable democratic development is a transparent and open government, which is the key to the implementation of effective policies and is capable of ensuring proper public control, ensuring human rights and strengthening citizens' trust in the authorities.

3.2. General trends in the use of information and communication technologies in democratic processes

The use of information and communication technologies in democratic processes has a number of advantages. In particular, developed democracies have long understood that information and communication technologies can potentially improve the quality of government and empower citizens.

And by reorganizing administrative processes, improving the provision of public services and encouraging citizens to cooperate and participate in decision-making processes, as well as by digitizing administrative procedures and providing citizens and businesses with information and public services via the Internet, e-government makes government not only more efficient and effective, but also more transparent and open.

In addition, in order to receive the economic dividends of information and communication technologies and with the aim of transforming the public sector, many countries are actively implementing information and communication technologies both at the level of internal processes (the so-called «back office») and directly in the sphere of providing services to the population («front office»). That is why today more and more democratic countries offer citizens more and more administrative services online (OECD, 2003).

The evolution of e-government took place in several stages (Moon, 2002). At the early stage of online e-government, the interaction of the authorities with the population or business resembled one-way communication - most often through a website. Such e-government was limited and functioned exclusively as an electronic «brochure» that provided public information to citizens, civil servants and businesses. Subsequently, the authorities received tools for interaction and communication with citizens and other actors and began to provide citizens and businesses with various online services and services (e-taxes, e-procurement, e-licensing, etc.).

At the last stage, the vertical and horizontal integration of related online services and databases takes place, which is important both for optimizing the use of resources and for improving the experience of using services, not only by citizens and businesses, but also by the authorities themselves.

Information and communication technologies and related telecommunications and other digital networks are considered the main driving force of building an information society and economy and are increasingly recognized as a new factor for improving the existing principles of government activity (ICT for Local Government). For those countries that managed to build more or less stable democracies, in particular the member states of the European Union, the main advantage of e-government systems based on technologies is the formation of a full-fledged open information

society by providing a number of online public services, in obtaining visible economic gains, in strengthening the role of representative democracy, as well as, most importantly, in a fundamental change in the operating principles and model of government bodies.

In fact, e-governance is a tool of the information society in the form of principles, strategies, systems and tools for the exercise of power, which create an opportunity for the use of information and communication technologies in the interaction of key members of society (the state, citizens and business) with the aim of strengthening democracy and ensuring sustainable development.

Information and communication technologies can contribute to the achievement of more effective indicators in such key areas as: health care, security, education and the social sphere. After all, government and public bodies exist precisely to produce results, and information and communication technologies are an essential enabler in all key policy areas. Using the Internet to maximize results in these areas is a challenge for many countries.

Proper use of information and communication technologies can contribute to economic and social development, especially in the field of empowering representatives of state authorities and local self-government bodies, ensuring the connection of various components with each other, as well as the provision of timely, effective, transparent and understandable services (ICT for Local Government: handbook, 2007).

Thanks to the decentralization of competences, local self-government bodies receive more responsibility for their communities. All this requires significant efforts, and the use of modern information and communication technologies can and should help local authorities work more efficiently and provide better services to citizens. By improving information flows and encouraging active citizen participation, e-government is increasingly perceived as a valuable tool for building trust between government and citizens.

These goals may include trade-offs between efficiency and effectiveness, efficiency and openness, accountability and customer focus. If so, then you should set priorities correctly. But it should not be assumed by default that such trade-offs are inevitable. In a number of Scandinavian countries, for example, special ombudsman offices have been established to deal with citizen complaints about privacy and public trust (OECD, 2003). This, in turn, contributes to both protection and more effective use of personal data.

E-governance helps to improve the efficiency of government, and information and communication technologies are a necessary element for implementing reforms in the way public administration works. Improvements in internal operating systems (such as: financial systems,

procurement and payment infrastructure, internal communications and information exchange systems) and software processes can contribute to the operational efficiency of the government and improve its performance of its functions.

In the context of the investigated issues, special attention should be paid to the features of digitization of civil society institutes, public councils of evaluation of the activities of executive authorities (public examination of the activities of executive authorities), prospects for the introduction of information and communication technologies in the field of environmental protection.

In this direction, it is also important to create convenient tools for dialogue between the state and citizens and businesses, so that management decisions can be quickly adapted to the requirements of the time, not based on subjective data, but generated with the help of modern technologies and IT products.

According to Article 5 of the Law of Ukraine «On Information», access to information is ensured by: systematic and prompt publication of information: in official printed publications; on official websites on the Internet (Law Of Ukraine, 1992). In particular, the public examination of the activities of the executive authorities is a component of the mechanism of democratic state management, which provides for the assessment by institutions of civil society and public councils of the activities of the executive authorities, the effectiveness of decision-making and implementation by such authorities, and the preparation of proposals for solving socially significant problems for their consideration by executive authorities in their work (Decree of the Cabinet of Ministers of Ukraine, No. 976, 2008).

Public public discussion on issues related to the socio-economic development of the state, the implementation and protection of the rights and freedoms of citizens, the satisfaction of their political, economic, social, cultural and other interests, among other things, involves the organization and conduct of: Internet conferences, electronic consultations.

The government website «Civil Society and Government» and official websites of executive authorities are used to conduct public public discussion through electronic consultations with the public. The results of consultations with the public are taken into account by the executive authority when making a final decision or in its further work (Decree of the Cabinet of Ministers of Ukraine No. 996, 2010).

The task of ensuring economic growth in the conditions of the war against Ukraine poses a difficult task for the legislator - to create such a system of environmental impact assessment that, while fulfilling all the tasks of this procedure, would have as little negative impact on the economic development of Ukraine as possible. Recently, several attempts have been

made to reform the environmental impact assessment system (Tretyak, 2015).

In particular, the authors of the Draft Law of Ukraine «On Environmental Impact Assessment» No. 2009a (Draft Law of Ukraine No. 2009a, 2015), aiming to create a proper legal regulation of the environmental impact assessment procedure, among other things, proposed introducing a provision on a unified register of environmental impact assessment environment, the information included in which is open and accessible via the Internet.

Subsequently, such initiatives of the state found their continuation both in legislative initiatives and in practical actions of the government in the direction of digitalization of certain legal relations in this area. Thus, certain provisions of the Law of Ukraine «On Environmental Impact Assessment» adopted in 2017 contain certain provisions that indicate certain steps taken by the state in the direction of simplification, the use of information technology opportunities in communication with individuals and legal entities. In particular, in accordance with Art. 4 of this law, the authorized central body maintains the Unified Register of Environmental Impact Assessment, the information entered in which is open, and free access to it is provided via the Internet.

Such a register is created using software that ensures its compatibility and electronic information interaction in real time with other electronic information systems and networks that constitute the information resource of the state, including the urban cadastre and its constituent part - the Unified State Electronic System in the field of construction (On environmental impact assessment, Law of Ukraine, 2017).

Also, Article 5 of the mentioned law provides for the obligation of the business entity to inform the authorized territorial body about the intention to carry out the planned activity and to assess its impact on the environment by submitting a notification about the planned activity using electronic communications (including the electronic cabinet of the Unified Register for Impact Assessment on the environment, another electronic office or information system, the users of which are the authorized territorial body and business entity).

Notification of the planned activity, which is subject to an environmental impact assessment, in relation to objects that, according to the class of consequences (responsibility), belong to objects with medium and significant consequences, is sent exclusively in electronic form through the electronic cabinet of the user of the Unified State Electronic System in the field of construction or other state information system integrated with this electronic cabinet, the users of which are the business entity and the authorized territorial body. Article 5 of this Law.

In accordance with Article 7 of the law, public discussion of the planned activity after the submission of the environmental impact assessment report is conducted in the form of public hearings and in the form of written comments and suggestions (including in electronic form) (On environmental impact assessment, Law of Ukraine, 2017).

As of today, in Ukraine, the Ministry of Environment together with the Ministry of Digital Transformation are working on digital transformation under the following projects: state supervision in the field of environmental protection (e-Control); environmental monitoring (e-Environment); biological and landscape diversity (e-BLD); forestry (e-Forest); water management (e-Water); fisheries (e-Fishing); rational use of subsoil (e-Subsoil use); waste management (e-Waste); atmospheric air protection (e-Air); strategic environmental assessment (e-SEA); environmental impact assessment (e-EIA); handling of pesticides and agrochemicals (e-Pesticides) (12 projects in the field of environmental protection were included in the country's digital transformation plan, 2021).

In addition, in 2021, testing of the Unified Environmental Platform began in Ukraine, which in the future will allow citizens and entrepreneurs to receive all the necessary services in the industry online in a simplified manner, practically without the intervention of officials (Zavalnyuk, 2021).

Based on the results presented in the subsection, we can conclude that the biggest challenge in building an information society is not only the creation and implementation of information technologies and the availability of the necessary infrastructure. It is extremely important to put the organizational, regulatory and fiscal architecture of the government in order in order to support the development of e-government. The infrastructure should not be adjusted or built for services, which is often inefficient and requires significant expenditure of money, but services should be imposed on the existing infrastructure.

3.3. Prospects for the development of electronic democracy in Ukraine

Development of the information society is one of the important tasks of Ukraine on the way to the European community. In particular, the Government of Ukraine adopted the Ordinance «On the Approval of the Information Society Development Strategy in Ukraine», which provided for the main directions of e-democracy, namely: improvement of the regulatory framework, use of the latest technologies, formation of a culture of communication, creation of the «Electronic Parliament», implementation of new projects, etc. (On Approval Of The Information Society Development Strategy In Ukraine, 2013).

The main document that defines the directions for the development of e-democracy in Ukraine is the Concept of the Development of e-Governance in Ukraine, which defines the most common tools of e-democracy at the national and local levels - e-consultations, e-petitions, e-appeals, public budgets.

In addition, the following resources have been identified for the publication of open data sets using electronic platforms, for example: «Civil Society and Government», «Smart City» or «Unified System of Local Petitions» (On Approval Of The Concept Of The Development Of Electronic Democracy In Ukraine And The Plan Of Measures For Its Implementation. Law of Ukraine, 2017).

Different cities of Ukraine are actively implementing the most diverse tools of e-democracy: e-appeals, e-petitions, e-discussions, e-procurements, e-budgets, e-public budgets (participation). The choice of a model of e-democracy in cities depends directly on local self-government bodies and active citizens (Loboyko and Nakhod, 2017). The tool of electronic parliament, electronic justice, electronic consultations, electronic petitions, public participation budgets (ProZorro public procurement control system) is actively working in the country (Makhnachova, 2018; e-Democracy: for the first time in Ukraine, 2008).

However, it must be stated that the tools of real influence of the population on the formation and implementation of decisions of the government apparatus with the help of information and communication technologies still have prospects for development. First of all, it is about the introduction and legislative consolidation of the possibilities of holding electronic elections, referenda and voting.

We will conduct an overview of successful foreign practices of implementing such tools of electronic democracy as electronic governance and electronic voting in order to determine the possibility of their implementation in Ukraine.

The reformatting of public administration in an electronic format is currently attracting considerable interest throughout the world. Many countries are developing e-government and moving public services online.

According to the features of application, the following are distinguished:
– the American model of e-government (USA and Canada), which provides for: simplifying and reducing the cost of society's contacts with authorities; establishment of direct communication with state structures; – the European model (Western, Central, Eastern Europe), the characteristic features of which are functioning in the conditions of operation of supranational structures: the European Parliament, the European Commission, the European Court; – the Asian model is being implemented, based on the peculiarities of management in the countries

of the East (except South Korea) – strict hierarchy and compliance with corporate rules of communicative behavior with simultaneous wide access of the population to information resources in all spheres of life.

In the procedural approach to fixing changes in the life of society, the legislative system of the USA went further than all others. It was this state that became one of the first in the development of electronic government systems. In 1997, the American administration initiated the «Improving government activity through new technologies».

In 2000, the FirstGov project was launched, which united more than 20,000 sites of government bodies of various levels, and in 2002 a single e-government site was created, which allowed US citizens to communicate on the Internet with representatives of both the federal government and with local government bodies on state and city levels (Dubov, 2010).

The analysis of the American and European approaches to the introduction of information and communication technologies in the activities of the state and the development of the concept of electronic government allowed O. Yemelianenko to draw a conclusion: if the American approach is based on economic criteria, the European approach is based on social, as well as the level of human capital development (Emelyanenko, 2008).

We note that the European approach to the implementation of e-governance attaches great importance to the political potential of electronic democracy, which considers it a possible solution to problems associated with the withdrawal of citizens from politics and the degradation of democratic procedures.

In the USA, the states of Western Europe the idea of electronic governance and its implementation is inextricably linked with the general state of public administration in the country, which corresponds to the traditions of political participation, the role of bureaucracy and elites in society, the state of legal institutions, and the mentality of society. In general, it can be argued that the electronic state creates new opportunities for the development of democracy.

In Europe, one of the leaders of e-government is Great Britain, where the «E-citizen, e-business, e-government» program has been implemented since 2000 as part of the «Strategic structure for serving society in the information age» project.

The program provides for the development and use of all electronic types of public services - they can be provided via the Internet, mobile communications, digital television, service centers, etc. Citizens can receive certificates and documents on the Internet, submit complaints and applications, fill out tax returns, and receive responses to their requests online (Dubov, 2010).

The government program for the creation of e-democracy in Estonia envisages the following main areas: 1) creation of a national digitized library, introduction of online car registration, formation of a specialized portal of the national labor agency, expansion of the portal of the tender agency, provision of pension insurance services; 2) acceleration of online processing of citizens' requests by government institutions, certification of information technology protection according to the European standard; 3) introduction of a system of electronic citizen IDs, implementation of a cryptographic model for the protection of communications between citizens, businesses and administrative management bodies; 4) development of a protected Internet space for the functioning of the electronic government system, increasing the trust of citizens in information technologies of online communication (ICT for Local Government: handbook, 2007).

An important component of e-government in Western countries is electronic voting, the obvious advantages of which are the possibility of programming voting instructions and the electronic ballot itself, which is displayed on the computer screen in different languages; convenience and minimum time spent; saving the budget for the organization and conduct of elections; quick collection, transfer and processing of information reduce the likelihood of falsification; finally, a convenient method is created to provide will expression for persons with limited physical capabilities.

The disadvantages of electronic voting include: the problem of ensuring the anonymity of voting (and even with multi-level access to the voting server and the use of dynamic addressing); difficulties in establishing the authenticity of the voter's identity during registration - the so-called authentication and the related problem of the reliability of «keys» for accessing the voting server.

Thus, it can be a prerequisite for recognizing the legitimacy of elections, which in modern democracies is usually based on the obligation of secret voting, and distrust in the ability of computer technologies to resist various types of external interference in systems, in particular, hacker attacks and attempts to falsify results.

The essential advantages of electronic voting systems include the facilitation of access to the voting procedure for persons with disabilities and the promptness of obtaining its results. However, it should be emphasized that remote Internet voting causes problems with voter identification and the need to protect the secrecy of voting.

This led to the postponement of electronic voting implementation programs in such developed countries as Spain, Italy, and Germany. At the same time, such practices are widely used in Norway (Public Initiative) (Reinsalu, 2010); Great Britain («Big Society») (Dorodeyko, 2011); of New Zealand (E-Parliament Portal with the possibility of submission of public e-petitions) (Recommendation CM/REC, 2009).

As evidenced by advanced foreign experience, regulatory and legal regulation cannot be effective without comprehensive state support and systemic guarantees. The Venice Commission in its reports determines that electronic voting does not violate political human rights and can take place provided that the general constitutional requirements of democracy are observed (Verfassungsgerichtshof, Decision, 2011).

Recommendation 17 indicates the need to «make changes to the legislation that would allow the Central Election Commission to implement pilot projects and test new voting technologies both in a secure environment and during real elections; the government should ensure adequate funding for such activities. The introduction of new technologies into the election process should be preceded by extensive consultations and information campaigns, as well as independent technical and economic justifications» (Recommendations from the results of the national conference: «presidential and parliamentary elections of 2019 in Ukraine», 2020).

The possibility of electronic voting in Ukraine currently needs development and improvement from the point of view of regulatory legal support and organizational and technical capabilities. The organization of electronic elections requires the development of special software and technical support, which will guarantee protection against hacker attacks and the reliability of identification of citizens in order to prevent the interference of interested parties in the course of voting.

The development and introduction of electronic voting can become the most important tool of e-democracy, which will help ensure the accuracy and transparency of elections, free access to information about the course of voting, as well as free participation of citizens in the life of the state.

It is worth summarizing that systemic obstacles to the spread of e-democracy in Ukraine include: waging war on the territory of the country; the uncertainty of state policy regarding the prospects for implementing the use of information and communication technologies; imperfection of legal support in the field of electronic democracy; insufficient level of involvement of civil society subjects in the processes of improving state policy in the field of electronic democracy, as well as in the implementation of its individual tools; insufficient level of information infrastructure development; insufficient level of knowledge and skills of civil servants and officials regarding the possibilities of using information and communication technologies in management processes; weak awareness and low literacy of citizens regarding the content and features of using various electronic democracy tools, methods and auxiliary means of their application.

We believe that a necessary step for the activation of electronic democracy in most democratic countries should be to increase the technical and electronic literacy of citizens; support of the specified sphere

by state bodies; dissemination of new additional platforms (archives and information digests, online libraries, web rooms for expert discussions, etc.). Such changes should be accompanied not only by legislative initiatives in the field of e-democracy development, but also by the development of a reliable system for protecting the e-government mechanism from external influences, technical errors, cyber attacks, etc.

Conclusions

Information and communication technologies are the most important component of the development of the modern world and the valuable basis of the information society. In developed countries, the use and implementation of information and communication technologies is based on an optimally arranged regulatory base and international standards that form a stable and flexible legal framework with clearly formulated, transparent, non-discriminatory and technologically neutral laws.

Information and communication technologies can potentially improve the quality of government and empower citizens, and by reorganizing administrative processes, improving the provision of public services and encouraging citizens to cooperate and participate in decision-making processes, as well as by transferring administrative procedures to an electronic format and providing the population and business of public information and public services via the Internet, e-government makes government not only more efficient and effective, but also more transparent and open.

Electronic democracy, which is an alternative to traditionally recognized ways and practices of exercising citizens' rights, is a form of citizens' realization of their political and civil rights through the use of information and communication technologies. In the world's leading *déjà vu*, the idea of electronic democracy and its implementation are inextricably linked with the general state of public administration in the country, which corresponds to the traditions of political participation, the role of bureaucracy and elites in society, the state of legal institutions, and the mentality of society.

Information and communication technologies contribute to citizens' ability to influence decision-making and directly participate in this process, in particular, in the implementation of electronic voting.

In Ukraine, along with other democratic state entities, the implementation and modernization of information and communication technologies in the daily life of society continues with the aim of achieving the conceptual goal of promoting the expansion of opportunities for the realization of citizens' rights. Necessary measures aimed at activating e-democracy in Ukraine are:

increasing the technical and digital awareness of citizens; thorough state support for e-democracy and its individual tools (e-governance, e-voting, etc.); active implementation of innovative platforms. Such nationwide activity should be ensured by appropriate legislative initiatives and the development of a reliable system of protection of electronic democracy tools against external influences, cyber attacks, technical miscalculations, etc.

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