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Gromyko O., Postgraduate Student of the Educational-scientific-production center, National University of Civil Protection of Ukraine, Kharkiv

ANALYSIS OF EUROPEAN PRACTICE OF FORMATION OF STATE INFORMATION POLICY.

The article examines the experience of the European Union in the formation and implementation of state information policy. Particular attention is paid to issues related to ensuring the right of access to information about the activities of public authorities. The study is based on the study of regulatory, analytical and reporting documents, special scientific investigations on these issues.

Keywords: state information policy; European Union (EU); access to information; information relations.

Formulation of the problem. Ukraine has chosen the European path for its further socio-economic development. In its quest to become a full member of the European Community, the Ukrainian government has already taken several consistent, balanced steps. During 2014-2015, the state authorities of Ukraine adopted a number of legislative and by-laws aimed at establishing and implementing in our country the universally recognized world principles of state building and management.

These fundamental documents lay the foundations for building a new format of society in Ukraine, open and transparent state power, a completely new level of interaction between public authorities and the public.

They are aimed at qualitative restructuring of all spheres of life and further social development. In our study, we focus on the information sphere of the state, which in recent years has proved to be the most vulnerable and easily exposed to various external influences. In view of the above, the study of European approaches to

information policy of the state becomes especially important and of paramount importance.

Analysis of recent research and publications. The study of issues related to the social progress of the EU countries in the development of information and communication spheres, their impact on all spheres of society was initiated in scientific publications of domestic and foreign authors. The scientific investigations of I. Bogdanovska [6], N. Belousova [3], J.-K. Burgelman [11], E. Makarenko [4; 5], K. Powells [11], P. Shaara [13], L. Juhaz [8].

The aim of the article is to study the main trends, reveal the features and patterns of formation and implementation of EU information policy in modern social development on the basis of retrospective comparative analysis for further implementation of best foreign experience in the practice of public authorities of Ukraine.

Presenting main material. In modern society, according to democratic requirements, the necessary information order, ie the organization of the information space, which provides for the full realization of the rights of citizens to access, receive, disseminate and use information, according to their need to be optimally informed to make and implement the right decisions. in matters of government and in all other spheres of life. In ensuring such an information order, an important role is played by the state information policy, implemented in a number of areas. At the same time, the formation of state information policy is influenced by many factors, of which the most important for us is the state policy in the field of media and the diversity of the globalization process of modern society.

The signing of the EU Treaty in Maastricht between representatives of the Member States of the Community was accompanied by a declaration of the importance of improving access to administrative information. In this case, the principle of free access to information was to be recognized by all states that are

members of this association. According to the current basic EU law, the right of access to information is one of the state-guaranteed human rights.

On the European continent and in the relevant documents of the Council of Europe and the EU during the second half of the twentieth century. the right to information and the right of access to it have been further developed. Thus, EU regulations enshrine and regulate the principle of openness and access to documents of citizens, individuals and legal entities of Member States, the right of access to documents of public authorities. In addition, at the beginning of the XXI century. a number of countries have made appropriate constitutional amendments to ensure the exercise of the right to information. National constitutions of the second half of the twentieth century. consider the right to information in close connection with freedom of speech and expression [7]. At the same time, the foundations of modern European information policy were laid several decades ago. Already in 1979, the European Council established the preconditions for improving access to information, which was reflected in the following main provisions: - everyone has the right to receive information from public authorities (except for legislative and judicial bodies) in accordance with the submitted information request;

- for this purpose, appropriate effective means and methods are used;
- access to information cannot be restricted due to the fact that the requester of information has no personal interest in it;
- in the process of ensuring access to information, the principle of equality applies;
- various restrictions are allowed only when they are necessary to protect the statutory public and private interests in a democratic society, in particular, it concerns issues of national security and public order, economic well-being of the country, prevention of offenses, obstruction of confidential information, protection of privacy and other legitimate private interests of the person;
- a certain term is allotted to satisfy the information request;

- refusal to satisfy the information request must be justified taking into account the legal norms or practice of public administration;

- the refusal at the request of the interested parties should be reviewed, taking into account the relevant management decisions (in particular, on the full or partial satisfaction of the information request or the final refusal) [6]. *Bürgerrechte & Polizei / CILIP*, 54 (2): 20–28.

The current EU information policy is based on the doctrine of the European information society, which was proclaimed in 1994 in the report "Europe and the global information society. Recommendations to the European Council of the EU" (in the scientific literature it is known as the Report of Martin Bangemann). Its main idea is to change traditional approaches - to shift the emphasis from geopolitics to technopolitics (computer science). Policy in this area is implemented within the competence of international regional organizations that address the full range of political, economic and social problems of European countries. In turn, the information and communication environment influences the structure of the European community and the corresponding system of values, determines the political priorities of European countries, European information policy, forms the strategy of the common European information heritage [3]. It is worth noting that this report reflected the author's vision of the prospects of creating the foundations of the information society in the EU exclusively from an economic point of view, but was a significant impetus for further development of this area.

Information policy in the EU, like any policy in another area, is formed and implemented at different levels - local, regional, national and supranational, and all levels of government are integrated into a single entity. A united Europe has created a completely new, non-existent organizational form, the network state, which seeks to meet the current challenges of globalization and regionalization. EU information policy goals are defined at the supranational level, but they are implemented at lower levels through the implementation of national information strategies, which are often

reflected in regional and local (at the regional or district level) development programs [2]. The formation of a single information space, information integration of European states within the EU is carried out on the basis of the concept of a single common information policy, embodied in the ideology of European cooperation in the field of information and communication. Based on this, the so-called "European specificity" of the policy, laid down in the organizational form of the EU itself as a supranational state, built on the common interests of the Member States, taking into account the principle of subsidiarity. On 30 May 2001, the EU legislature adopted Directive 1049/2001 on public access to public authorities - the European Parliament, the European Council and the European Commission [5], regarding public access to the European Parliament, Council and Commission documents. Official Journal of the European Communities L 145, 2011, May: 43–48. according to which the public was guaranteed the right to get acquainted not only with the documents created in the course of their activities, but also with the documents obtained by them in the performance of official duties.

In general, all public documents in any field of activity should be available to the public, but a number of exceptions should be made to documents whose content threatens private (primarily personal data) or public interests (national issues), security, defense and military affairs, international relations, financial, monetary or economic policy), violation of the commercial interests of individuals and legal entities (including intellectual property), disclosure of issues related to court hearings, inspections, investigations and audits. At the same time, this right is enjoyed by all EU citizens, any natural or legal person who territorially belongs to the community. The request for access to the document must be made in any written form, including electronic, in any of the languages recognized as official in the EU. It is important that the request is as accurate as possible so that the public authority can clearly identify the required document; it is not necessary to indicate the reasons for the request. The

term for consideration of such a request is 15 working days from the moment of registration.

During this period, the public authority either provides the requested document or refuses to satisfy the request in full or in part, with a mandatory exhaustive justification of the reasons for the refusal.

In order to facilitate citizens' access to information, public authorities are obliged to maintain appropriate registers of documents, publish them through telecommunications networks (in particular, the Internet), official publications (for example, the Official Gazette of the European Economic Community). In addition, for the same purpose, relevant directories, guides and indexes can be published [1; 4]. Today, the EU normative documents in the field of information and communication define the main goals: raising awareness about the EU, supporting EU policy and its goals, ensuring public dialogue, further development of the EU public sphere, dissemination of public diplomacy and communication in other countries [9].

Conclusions. Already today, a clear awareness and understanding of the need to integrate its own information space into the European one has been formed in Ukrainian society. In this regard, it is important to review the basic approaches to state formation and public administration, change the principles of public administration, development and implementation of public policy. On its way to a united Europe, Ukraine must thoroughly study all the previous experience of the world's leading countries in order to avoid mistakes in the future, further implementing the best achievements and developments in the formation and implementation of public policy, this applies to issues related to information. sphere of the state.

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