

# Analysis of the International Experience in Providing Administrative Services to the Population: What Relevance for its Enforcement in Ukraine?

*Análisis de la experiencia internacional en la prestación de servicios administrativos a la población: ¿qué relevancia tiene su aplicación en Ucrania?*

*Análise da experiência internacional na prestação de serviços administrativos à população: Qual a relevância para sua aplicação na Ucrânia?*

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## Abstract

It is a common interest and understanding that providing the population with administrative services is an important aspect for the proper functioning of every given society. There is no society without the proper management of its local population. It is to this end that there is a need to examine the position of international law in seeing the administrative management of its population with emphasis in the Ukrainian government. The objective of this article is: 1) to study international experience in providing administrative services; 2) to elaborate propositions for improving the processes related to the provision of administrative services to the population.

The experience of foreign countries in the field of providing administrative services to the population (in particular, the United States, Canada and Western Europe) has been analyzed. It has been emphasized that Ukraine needs to build its own system of administrative services, taking into account effective models of carrying out public administration in developed Western countries. It has been noted that the quality of administrative services to the representatives of different segments of the population is one of those criteria, which assists in assessing the effectiveness of the entire state system of the country. It has been emphasized that the service state institution, whose activity is to provide both public and private administrative and legal services, the example of which can be the above-mentioned service institution of the Ministry of Internal Affairs, is only part of the large-scale reform of the existing state legal mechanism in Ukraine that has to change the essence of the functioning of state agencies in this area. The emphasis has been placed on the fact that Ukrainian society, despite some of its own successes, still needs to take many positive steps in the development of the public administration sphere and in the field of providing administrative services to the population.

**Keywords:** Administration area, provision of administrative services, public administration, public legal relations, transparent policy.

## Resumen

Es de interés común y se entiende que la prestación de servicios administrativos a la población es un aspecto importante para el buen funcionamiento de toda sociedad. No hay sociedad sin una gestión adecuada de su población local. Con este fin, es necesario examinar la posición del derecho internacional al ver la gestión administrativa de su población con énfasis en el gobierno ucraniano. El objetivo de este artículo es: 1) estudiar la experiencia internacional en la prestación de servicios administrativos; 2) elaborar propuestas para mejorar los procesos relacionados con la prestación de servicios administrativos a la población.

Se ha analizado la experiencia de países extranjeros en el ámbito de la prestación de servicios administrativos a la población (en particular, Estados Unidos, Canadá y Europa Occidental). Se ha subrayado que Ucrania necesita construir su propio sistema de servicios administrativos, teniendo en cuenta los modelos eficaces para llevar a cabo la administración pública en los países occidentales desarrollados. Se ha observado que la calidad de los servicios administrativos prestados a los representantes de los diferentes segmentos de la población es uno de esos criterios, que ayuda a evaluar la eficacia de todo el sistema estatal del país. Se ha hecho hincapié en que la institución estatal de servicios, cuya actividad consiste en prestar servicios administrativos y jurídicos tanto públicos como privados, y cuyo ejemplo puede ser la mencionada institución de servicios del Ministerio del Interior, es solo una parte de la reforma a gran escala del mecanismo jurídico estatal existente en Ucrania que tiene que cambiar la esencia del funcionamiento de los organismos estatales en este ámbito. Se ha hecho hincapié en el hecho de que la sociedad ucraniana, a pesar de algunos de sus propios éxitos, todavía tiene que dar muchos pasos positivos en el desarrollo de la esfera de la administración pública y en el ámbito de la prestación de servicios administrativos a la población.

**Palabras clave:** ámbito de la administración, prestación de servicios administrativos, administración pública, relaciones jurídicas públicas, política transparente.

## Resumo

É um interesse e entendimento comum que fornecer à população serviços administrativos é um aspecto importante para o bom funcionamento de cada sociedade. Não há sociedade sem uma gestão adequada de sua população local. É para este fim que existe a necessidade de examinar a posição do direito internacional ao ver a gestão administrativa de sua população com ênfase no governo ucraniano. O objetivo deste artigo é: 1) estudar a experiência internacional na prestação de serviços administrativos; 2) elaborar propostas para melhorar os processos relacionados com a prestação de serviços administrativos à população

Foi analisada a experiência de países estrangeiros no campo da prestação de serviços administrativos à população (em particular, os Estados Unidos, Canadá e Europa Ocidental). Tem sido enfatizado que a Ucrânia precisa construir seu próprio sistema de serviços administrativos, levando em conta modelos eficazes de realização da administração pública em países ocidentais desenvolvidos. Foi observado que a qualidade dos serviços administrativos para os representantes de diferentes segmentos da população é um desses critérios, o que ajuda a avaliar a eficácia de todo o sistema estatal do país. Tem sido enfatizado que a instituição estatal de serviço, cuja atividade é prestar serviços administrativos e jurídicos, tanto públicos quanto privados, e cujo exemplo pode ser a instituição de serviço acima mencionada do Ministério de Assuntos Internos, é apenas parte da reforma em larga escala do mecanismo jurídico estatal existente na Ucrânia que tem que mudar a essência do funcionamento das agências estatais nesta área. A ênfase tem sido colocada no fato de que a sociedade ucraniana, apesar de alguns de seus próprios sucessos, ainda precisa dar muitos passos positivos no desenvolvimento da esfera da administração pública e no campo da prestação de serviços administrativos para a população.

**Palavras-chave:** área de administração, prestação de serviços administrativos, administração pública, relações jurídicas públicas, política transparente.

## I. INTRODUCTION

In the context of solving current problems relevant to the administration area, it should be noted that Ukraine, as a country being in the process of its active development, needs to build its own system of providing administrative services, taking into account effective models of public administration in developed Western countries.

Administrative services are the leading means of realizing the rights of citizens, as the vast majority of cases solved by state agencies of public administration are initiated by citizens themselves and relate to their subjective rights. This is the reason why the issue of optimal legal regulation of the procedure for providing administrative services by state agencies, in order to prevent violations of the rights and freedoms of citizens, is extremely important. Successful improvement of this area of state activity is not possible without the implementation of the successful experience of a number of European and North American countries, and can be effective only if it is compared with the current state of affairs in the national administration system. In other words, all foreign innovations must prove their effectiveness in the realities of the Ukrainian socio-political space.

## II. STATING THE NEED OF AN ACCEPTABLE RESEARCH PLATFORM

It should be emphasized that given the relatively high demand for an effective model of public administration that has now emerged in Ukrainian society, the scientific community already has scientific publications that focus on a thorough study of the process of providing administrative services. As noted by Oleksandr Bukhanevych, scholars consider various aspects of organizational and legal activity for the provision of administrative services in the context of different problems of public administration, but researchers ignore a large number of problems. There is an objective need to create comprehensive research of this area in connection with the dynamic changes in modern state building. The quality of the provision of administrative services to the population and to organizations or institutions in this context is an indicator of the effectiveness of the mechanism of functioning of the public administration system as a whole. At the same time, this system is built on organizational and legal principles, on which depends the influence on the functional component of public administration mechanisms, which is the main factor of scientific conditionality for the study of this problem<sup>1</sup>.

The urgency of this issue is confirmed by the fact that, according to official data, there are more than 1.5 thousand administrative services in Ukraine. At the same time, we have almost no simple administrative services, i.e. those that are provided in 5-10 minutes abroad: This process in Ukraine takes a month of trips to various government agencies and the collection of certificates<sup>2</sup>. This issue becomes even more relevant not only because of the imbalance in the system of regulation of procedural elements in the relations of state and local authorities with citizens, but also because of the lack of coherent, clear and understandable ideology of such relations built on the principles of equality, transparency, and rule of law. The solution to this problem seems especially important, to our point of view, in the formation of civil society – the quality of administrative services and the qualification of their provision are evidence of the attitude of the whole mechanism of state power to individuals, the degree of respect for their rights and freedoms<sup>3</sup>.

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- 1 Oleksandr Bukhanevych. *Problems of Administrative Services by Local Authorities*. SCIENTIFIC BULLETIN OF THE INTERNATIONAL HUMANITIES UNIVERSITY. SERIES: JURISPRUDENCE 14. 2015. P. 71.
  - 2 Susanna Dembitska. *Administrative Services and their Implementation in Terms of Administrative Reform*. SCIENTIFIC BULLETIN OF THE DNIPROPETROVSK STATE UNIVERSITY OF INTERNAL AFFAIRS 2. 2007. P. 119.
  - 3 Andrii Lys. *The Challenges of Public Services of State and Local Authorities*. THEORY AND PRACTICE OF PUBLIC ADMINISTRATION 51. 2015. Pp. 162-169.

### III. FINDING AND ESTABLISHING THE DISCUSSION FOR AN EFFECTIVE POPULATION MANAGEMENT

Given the recent changes in Ukraine and in the world, it is worth noting that the level of how representatives of public authorities communicate and interact with their own citizens, as well as how they serve their basic social needs, determine how strong and productive a state system is.

The basic (fundamental) needs of citizens should be, first of all, understood as their ability to realize their rights in the field of education and medical care – as well as the implementation of certain functions for the registration of certain rights and claims of the people about their property, legal status and other actions of public law nature, with the help of the state, represented by the employees of state agencies and institutions. In particular, those political regimes whose representatives have been able to establish a proper relationship with the population are more likely to succeed than others.

According to Alina Topcha, one of the main reasons that some political regimes are able to maintain their power and significant influence on the society for a long time is how positive the image of the representatives of this regime is, as well as how their policies perceived are amongst their citizens. Of course, the reputation that this political regime has amongst the world community should also be recognized as important. However, the greatest role in the viability of a particular political system, in its protection and preservation for future generations, plays the attitude of citizens to the leadership of the state, as well as their assessment of the quality of state authoritative institutions<sup>4</sup>.

According to Ivan Dragan, the means by which the state leadership is able to function successfully for a long time deserve special attention. First of all, such means include timely and fair (inclusive) distribution of budget funds generated from taxpayers' money, which is aimed at overcoming the lag or underdevelopment of the state economy in a given sector. It will be successfully implemented only with a competent and well-thought-out economic policy of the state. That also should include the fact whether the country has an annual budget that would be sufficient to cover all state

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4 Alina Topcha. *Organization of the Provision of Administrative Services in Foreign Countries: Experience for Ukraine*. SCIENTIFIC JOURNAL CHRONICLES OF KUL 1. 2015. Pp. 350-353.

and regional costs associated with overcoming its backwardness in various spheres of public life<sup>5</sup>.

In turn, such factors as the country's population or the presence or absence of certain "extremely profitable" areas within the export part of its economic component are of great importance in this regard. These can be, for example, the oil or gas industry, or the field of high technology. The authors have stated that comparing these two factors with each other helps to better understand, for example, what part of the country's gross domestic product falls on one of its citizens.

Such conditions, formulas and calculations are often needed to determine whether a state has at least the minimum level of needed financial and material resources. Of course, it should be emphasized that the state does not always need huge sums of money in order to create and maintain a high standard of living. Sometimes, in order to achieve this purpose, the government leadership simply needs to pursue an objective, politically neutral and pragmatic economic policy.

It is indicated in the scientific literature that, although money is of great importance, however, it is also important for people to endow with the government and other managerial powers, in addition to the transparent and efficient use of financial instruments, in order to understand that the principles of the state system functioning must be fundamentally changed and reformed. Among other things, it is applied to the daily activities of state agencies and institutions in terms of providing citizens, as well as representatives of other segments of the population, with administrative and legal services<sup>6</sup>.

It can be stated on the example of Ukraine that it is necessary to change the very principle of state performance of its functions, in order to achieve the purpose of introducing a fundamentally new qualitative mechanism of interaction of the state system with the Ukrainian population. The point is that it is important to reorient the process of exercising managerial functions by the state leadership to one that serves the needs of each citizen, and not conversely, that oppresses them and restricts their natural rights and freedoms.

One of such positive steps that has recently taken place was the introduction of such a phenomenon into the Ukrainian state system as the service state. The key point

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5 Ivan Dragan. *The Foreign Practice Organization Providing Administrative Services to the Public Authorities*. ELECTRONIC SCIENTIFIC JOURNAL DERZHAVNE UPRAVLINNYA: UDOSKONALENNYA TA ROZVYTOTOK 4. 2014. Available at: <http://www.dy.nayka.com.ua/?op=1&z=703>

6 Yuliia Danshyna. *International Experience in Assessing the Quality of Providing Administrative Services*. THEORY AND PRACTICE OF PUBLIC ADMINISTRATION 4. 2011. Pp. 467-475.

related to this phenomenon is that the “service state” has become not only another conceptual category in the national scientific and theoretical environment, but has received its practical implementation in several areas. One of these should be the reform of the Ministry of Internal Affairs.

The creation of the so-called “Service Centers of the Ministry of Internal Affairs” on the basis of the formerly disbanded units of traffic police of the Ministry of Internal Affairs of Ukraine can be identified among the results of the above reform. Unlike its disbanded predecessor, the service centers of the Ministry of Internal Affairs ground their activities on the observance of such liberal and democratic principles as serving every citizen regardless of their status (inclusiveness), openness of the process of performing their direct duties (transparency), and conducting their activities in full compliance with the current legislation and international treaties of Ukraine.

Complementing the statements above, it should be noted that the state service institution, whose activity is to provide both public and private administrative and legal services, the example of which can be the above-mentioned service institution of the Ministry of Internal Affairs, is only part of the large-scale reform of the state and legal mechanism existing in Ukraine, which is designed to radically change the essence of the functioning of state agencies in this direction.

Considering the issues related to the creation and further successful operation of certain statutory institutions and agencies in the country, whose main task is to provide administrative services to the population, it is impossible not to mention such an important element as the use of high-tech equipment and scientific innovations. In particular, we are talking about the widespread use of computer databases, means of identification and scanning, as well as a number of storage devices by the employees of state and regional service institutions<sup>7</sup>.

It will not be superfluous to mention the experience of Estonia, analyzed by O. Turkova, in the field of transferring almost all components of the state system into the electronic dimension. The reform of the service sector in this country has been carried out in order to improve the lives of ordinary citizens. Thus, according to Oksana Turkova, the following changes were made in Estonia:

*E-police* – Receiving e-mail receipts for fines indicating traffic violations;

*E-school* – An electronic diary that allows to connect the school administration with parents of pupils, it includes a schedule of classes, grades received by pupils, as well as homework;

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7 Oleksandr Bukhanevych, *supra*, nota 5 Pp. 120-122.

*E-depository* – A centralized register of all joint-stock companies in the country and securities;

*E-pension* – An electronic service system for individuals on pensions, selection of pension funds, exchange of reports, etc.;

*ID-ticket* – A service of selling tickets for municipal transport, visiting cultural institutions, etc.

Experience shows that such innovations are being put into practice in Estonian state and local agencies, which are almost analogous to Ukrainian regional centers for the provision of administrative services or service centers, which are structural units of central executive agencies. In general, the analysis of the Estonian experience allows us to talk about a number of useful results of providing administrative services in the electronic form. This includes, first of all, free access of consumers to services at any time from any place where there is access to the Internet. It is especially useful for people that for objective reasons do not have the opportunity to personally visit the relevant public administration agency to receive the service<sup>8</sup>.

A significant saving of money and time occupies not the last place in the positive results of e-government. Gathering all the necessary information in one database creates conditions for the convenience of service activities. In particular, such a practice may be useful for Ukraine in part that it will adequately guarantee the safe operation of national electronic document management, almost completely reducing the likelihood of errors. Effective e-services will also improve communication between the authorities and the public.

The success of Poland is no less interesting than the experience of Estonian society. Over the last 30 years, many bright positive changes have taken place in this country, which have unanimously strengthened both the state mechanism of this country and its civil society. Of course, one of the key elements of such a large-scale reform has been the reorientation of Polish government agencies and institutions into institutions that are open to all citizens and perform their functions transparently. In other words, they have become service agencies in relation to the population.

The Polish experience of building a system of unified offices for the provision of administrative services is associated with the implementation of administrative and territorial reforms. It began to be held in Poland in the late 1990s and one of the

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8 Oksana Turkova. *Electronic Services Delivery in Estonia: The Administrative and Legal Aspect*. SCIENTIFIC BULLETIN OF THE INTERNATIONAL HUMANITIES UNIVERSITY. SERIES: JURISPRUDENCE 20. 2016. P. 60.



fundamental points was the redistribution of functions for the provision of administrative and other basic services to the territorial community<sup>9</sup>.

According to the statements made by Ivan Dragan, the assessment of the provision of administrative services in Poland is based on the implementation of a quality management system, which is expressed in the following principles: Staffing based on broad competence and a high level of qualification of performers; provision of administrative services to citizens in accordance with the principles of work of local authorities defined by law; development of effective mechanisms for managing information flows; building the system with flexible structural organization and distribution of functions.

From the experience of organizing the provision of administrative services in Poland, our country should borrow the practice of minimizing contacts between providers and consumers of administrative services. Widespread involvement of the private sector into the process of providing services is also perspective, since it will allow to get rid of the monopoly of the authorities. And of course, such changes are possible only in the absence of corruption in the government.

The world practice of implementing municipal services reform is the evidence for the need to choose a comprehensive approach to reforming the services provided by local self-governments. In particular, in Chile the indicated reform is based on five key elements:

- The central government should provide municipalities with financial resources for the effective implementation of a comprehensive system of municipal services management;
- Central authorities should also provide municipalities with the human resources and technical means to effectively implement a comprehensive municipal services management system;
- Municipalities should select professional staff to help them meet minimum standards and improve the overall efficiency of the municipality activity [...];
- The central government should take capacity-building measures to effectively improve the performance and provision of services [...];

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9 R. Fedushynska & M. Koval. GOVERNMENT FOR CITIZENS. INITIATIVES TO IMPROVE THE QUALITY OF SERVICES. OECD Publishing. (2000). P. 4.

- Improving the quality of service provision should be complemented by other activities, such as e-government, innovation or administrative simplification<sup>10</sup>.

It has been recently noted that, according to rating analytical studies conducted by a number of reputable agencies (Standard & Poor, McKinsey Company, etc.), experts in the field of public administration have concluded that the wide range of population of any country unanimously positively perceives such methods of assessing the quality of work of state and local executive institutions as mass surveys of citizens.

In addition, it should be noted that the high level of public confidence is caused not so much by opinion polls related to the attitude of citizens to government agencies, but by the reaction of the authorities to critical remarks about their activities. Such a reaction of representatives of state institutions, as well as the leadership of the developed countries, is quite fast and timely. And, what is considered to be the most important, such a reaction should be expressed not simply in politically biased statements or critical statements addressed to the citizens themselves. On the contrary, this reaction of state authorities' representatives should be contained in rapid and decisive actions aimed at overcoming the problems and shortcomings that occur in the daily work of the state system and that confuse a significant part of the citizens of this state by their existence<sup>11</sup>.

## IV. A CONFIRMATION AND AFFIRMATION AS TO POPULATION MANAGEMENT IN UKRAINE

According to Mykola Lakhyzha, whose thesis should be agreed with, there are a number of priority conditions necessary for the effective operation of state agencies, departments and institutions in the field of providing public services to the population. One should distinguish the following among them: The presence of political

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10 Yana Mykhailiuk. *Provision of Administrative Services by Local Self-Governments: Problematic Aspects and Ways to Improve*. ODESSA LEGAL READINGS: MATERIALS OF ALL-UKRAINIAN SCIENTIFIC AND PRACTICAL CONFERENCE. (ODESA CITY, NOVEMBER 10-11, 2017). Publishing House Helvetyka. (2017). Pp. 136-138; Organization for Economic Cooperation and Development (OECD). *OECD MAKING DECENTRALIZATION WORK IN CHILE. TOWARDS STRONGER MUNICIPALITIES*. OECD Publishing. (2017). Available at: <http://dx.doi.org/10.1787/9789264279049-en>. Title from the screen.

11 Pol Mihus. *Administrative Services and the Way for the Provision of Services under the "Single Window" Principle: Materials of the Research by the Project of PRISM*. CONFERENCE OF THE MINISTRY OF ECONOMICS OF UKRAINE BY THE ASSISTANCE OF THE PROJECT PRISM. Project PRISM. (2012). P. 4.

will of the country's leadership; identification of sources of funding and related costs; dissemination to the public of information on the need to develop a system of electronic services; organization of training qualified specialists for the proper functioning of e-government; involvement of professional specialists in the relevant field for the implementation of technical improvement<sup>12</sup>.

Accordingly, it was determined that representatives of public authorities, through active interaction with the public, have the opportunity to properly ensure wide access to administrative services through both standard means and new technologies that can help the public to fully receive these services. In turn, government agencies and their local representations, in order to properly stimulate the economic growth of the state, as well as the normalization of internal and external economic relations, should optimize the interaction of public administration and various economic entities. The problem of properly organized and high-quality daily interaction between various institutions, agencies and other public authorities remains extremely important as in all previous times. The priority of such agencies' activity is to provide citizens with administrative services. It has been indicated that it is necessary to constantly develop information technology at the state, regional and local levels for the effective interaction of institutions involved in the provision of administrative services<sup>13</sup>.

Many scholars prefer to support the above requirements for the organization of effective public authorities' activities with another important provision that any government agency or department is extremely needed in the so-called "interdepartmental interaction" to properly ensure the quality of work of all its employees, as a single integrated mechanism. The essence of this phenomenon lies in the establishment of favorable conditions necessary for the effective work of the employees, as well as providing a stable motivation for the flawless performance of their direct professional duties.

At the end of our research, we will pay attention to assessing the quality of providing administrative services<sup>14</sup>. It can be argued that the analysis of the practices of a number of developed foreign countries, namely their methods in the process of forming a mechanism for providing administrative services, suggests the possibility of applying some of these elements in the socio-political realities, where the national community is now, namely: conducting surveys and consultations with consumers

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12 Mykola Lakhyzha. *Improvement of the Provision of Administrative Services in the Republic of Bulgaria: Retrospective Analysis*. PUBLIC ADMINISTRATION: THEORY AND PRACTICE 4. 2013. Pp. 58-63.

13 *Id.*

14 Olha Lavrenova, Tetiana Bilous-Osin & Sergij Mogul. *ASSESSMENT OF THE QUALITY OF PROVIDING ADMINISTRATIVE SERVICES: MANUAL*. Odesa. (2019).

of services; establishing mutual exchange of information and systematic informing of the population on the issues of service activity of public administration agencies. The possibility of developing e-government in the field of administrative services should not be neglected in this issue<sup>15</sup>. International experience demonstrates that e-government technologies improve the efficiency and quality of administrative services, reduce corruption, administrative burdens on citizens and businesses, and strengthen democracy and competitiveness. At the same time, the unconditional introduction of the provision of administrative services, exclusively with the help of information and communication technologies, does not take into account the existing realities in Ukraine. Lack of established practice of electronic document management, contradictory legislation, imperfect judicial system, lack of protection of property rights, low level of public confidence in electronic services, insufficient prevalence and demand of citizens for electronic services, high level of fraud and ineffective measures of law enforcement agencies – all of them are negative factors that significantly affect the development in Ukraine of the system of providing administrative services with the help of information and communication technologies<sup>16</sup>.

## V. PERSPECTIVES AND CONCLUSIVE REMARKS

Ukrainian society, where the national authoritative and political elite is an integral part, despite some of its own successes, still needs to take many positive steps to catch up at least with some of the developed countries in the field of public administration and provision of administrative services. Those useful things that have already been done by the Ukrainian authorities over the past few years certainly deserve high praise by the citizens and international partners of Ukraine. An example of such things that have already been recently done in Ukraine is the start of the process of reorientation of the national state-bureaucratic mechanism to perform service functions in relation to the population of the country. This ensured the principle of true service of the powerful elite to the people.

Besides, it should not be forgotten that Ukraine still has a number of socially dangerous problems related to corruption and abuse of power, and compared to the developed countries of Western Europe and North America, the system of public

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15 O. V. Poliak & T. H. Sarchynska. *Formation of the Statistics of Management/ Administrative Services*. STATISTICS OF UKRAINE 4. 2004. P. 67.

16 Natalia Litvinova & Oleksiy Litvinov. *Providing Administrative Services to Citizens by Using Information and Communication Technologies in Ukraine: Topical Problems*. PUBLIC ADMINISTRATION: THEORY AND PRACTICE 2. 2013. Available at: [http://nbuv.gov.ua/UJRN/Patp\\_2013\\_2\\_9](http://nbuv.gov.ua/UJRN/Patp_2013_2_9).

administration is still weak (the process of providing citizens with administrative services is the part of this system). That is why the authors have emphasized that Ukraine should take into account the methods of development that were suggested in this article, and in its gradual reform to take the example from developed countries in the field of public administration.

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