E-Government Development Under the Decentralization Reform in Ukraine: The Experience of Poland and Slovakia

Vasyl MARCHUK

Doctor (Ph.D hab.) in History, Professor at Political Science Department, the Faculty of
Philosophy and Arts, Trnava University, Trnava, Slovakia
vmarchuk@ukr.net

Abstract

The aim of the study was to evaluate the features of the introduction of e-government in Poland, Slovakia and Ukraine. The scope of analysis covered national features of introduction of system of electronic public services. The study is aimed to show the differences of the implementation of e-government in EU and non-EU countries. In Ukraine, the development of the e-government system coincided with a long-therm decentralization reform, which introduced a new administrative-territorial system to strengthen the capacity of local governments. For Ukraine, the experience of Poland and Slovak Resrublic is important in terms of introducing affordable services for the population and improving living standards as well as meet the requirements of the Association Agreement with EU and fulfill international obligations.

Keywords: E-Government, Decentralization, United Territorial Community, Public Authotities, State Service.

Introduction

The development of the information society and democratization offers many opportunities for the use of new information and communication technologies in public authorities in order to increase the efficiency of public administration. The quality of providing administrative services to citizens by public authorities and local governments is determined by transparency, legality, accessibility, and maximum time savings when receiving the service. This principle in developed countries is provided by e-government. The main purpose of e-government is to raise the standard of living of society in terms of informatization and ensuring the competitiveness of the economy of a country. In recent years, e-government has been actively developing in all countries of the European Union. E-governance is currently on the way to implementation in Ukraine, and therefore it is important to study the experience of European countries and implement best practices in the context of decentralization reform in Ukraine. Poland is often indicated as a role model for Ukraine in terms of reforms implementation. Slovakia's experience is also interesting for Ukraine, as in the 1990s these countries were at a similar socio-economic level, but followed different paths of development. Study of features of successful experience of e-government implementation in Poland and Slovak Republic can give a new vision for reforming this sector in Ukraine.

The hypothesis of the study is that Poland and Slovakia can become a model for Ukraine in implementing e-governance mechanism according to European standarts. The results obtained by Poland in the course of this process are undoubtedly successful and significant. The political and economic situation in modern Poland prove this issue. The experience of the Polish state in the post-totalitarian space forms the political and social institutions of a democratic society, important for the imitation in Ukraine's young democracy. The combination of culture and traditions, a common border and history is not the only factor that unites Slovakia with Ukraine. There are also many common problems in economic development and the democratic development of society. This is the similarity of socio-political conditions that emerged after the formation of independent states, the slowdown of political and economic reforms due to the fact that the old social structure was collapsed, and the new did not have solid foundation for formation. Awareness of the civilizational self-identification of the Slovak people and its place in the Western European world was a key point in choosing the vector of development of the Slovak Republic. In 2002, after fulfilling the necessary conditions and creating a favorable political background for the republic's accession to NATO and the EU, the European Commission assessed Slovakia as a state governed by the rule of law and democracy. The experience of the Slovak Republic in preparing for and joining the EU and NATO is very valuable for carrying out such reforms in Ukraine. The Slovak experience can be an exellent example to learn and follow. For a closer comparison becomes apparent how similar situations were in Ukraine and Slovakia at the very beginning of their independent formation. Proper study of the neighborhood experience and development of steps based on it can help Ukraine to outline the next significant steps in the implementation of reforms. Nowadays the e-government system of Poland and Slovakia works perfectly and is integrated into the services of the EU and international organizations.

The paper researches the conceptual and legal issues of information and communication technologies introduction in all spheres of public life in European countries. The digital agenda became extremely important at the end of 1990th and the main documents were approved at the beginning of 2000s.

The second part of paper describes decentralisation and e-governance experience in Poland. The information society development program in Poland was adopted in 2001 and its most successful part Polska Cyfrova POPC, designed for 2014-2020, was funded by the European Union. This program implementation may be used in future reforms in Ukraine. The third part is dedicated to e-government implementation in Slovakia and it's main conceptual issues.

The fourth part is dedicated to e-government development in parallel with the decentralization reform in Ukraine. The decentralization reform in Ukraine started in 2014 and provided the formation of communities as a basic unit of self-government, increasing their resource and financial base and giving them new powers. Till the local elections on October, 25, 2020, 1469 new territorial communities were formed in Ukraine. Reforming the system of local self-government is an excellent opportunity to introduce a system of public services for communities and use the experience of European countries to introduce e-government. Local government reform has been supported by numerous programs by Western countries and international organizations and has helped to introduce access to public services for the population in the newly formed communities.

Related works

The implementation of technological solutions of e-government requires a certain adaptation of the public administration system to the new operating conditions. Analysis of research on the implementation of e-government shows that these issues are most often considered in the context of effective provision of services by government agencies to citizens and business structures and ensuring the transparency of government agencies. On the one hand, the role of the authorities should bring their activities closer to market conditions and provide service to citizens. The new concept of public management changes the role of the state and delegates the share of management functions to communities and citizens. On the other hand, leaves to public authorities the functions of protection of the rights and freedoms of citizens and control over the legislation. The most important area of communication is the interaction of public authorities with the use of electronic document management and digital signature (G to G), interaction of authorities with citizens (G to C) and business (G to B).

Scholars describe e-government as a way, form, concept, system and mechanism of cooperation between the state and public sectors. T. Riley (2001) believes that e-governance is a conceptual approach to issues around government functions, and e-government has a connection with specific practical structures of government that implement these concepts in practice. S.E. Finer in his classic work "Comparative Government" (1970) defined e-government as a long-term impact of the interaction between technological, social change and administrative measures. E-government, according to Finer, was used in the sense of day-to-day administration.

The methodological basis for the study of e-government introduction under decentralization reform is a number of philosophical, sociological and general theoretical and empirical methods, including the method of convergence from the abstract to the concrete, the unity of analysis and synthesis, the method of observation, comparison, and historical-discrete, structural-functional methods. The use of the method of extrapolation, analogy, structural-functional analysis and content analysis allowed to obtain the given scientific and practical results. Theoretical and methodological basis of the study are the concepts, approaches, theories, conclusions considered in the scientific work in the field of information technology, e-government and e-democracy; legal acts of state authorities and official documents of the EU institutions.

E-government in any country aims to address three interrelated key issues: providing citizens and businesses with effective means of obtaining a variety of e-services; providing the state apparatus with effective means of making managerial decisions and providing administrative services; organization of electronic interaction of government, citizens and business. In addition, the creation of e-government aimed at reducing the costs of both business and government authorities, and should make the public sector more open and transparent, increase citizens' trust and understanding of the government.

Research

E-government as a form of public administration is one of the tools for the development of the information society, which provides efficiency, openness and transparency of public authorities and local governments, the effectiveness of which is confirmed by the successful experience of leading countries in implementing e-government mechanisms. This way of organizing public administration allows citizens, businesses and non-profit organizations to contact public authorities remotely and in real time, therefore, significantly simplifies and increases the efficiency of the communication process between these entities. The development of e-government services becomes more relevant with the changing form of labor organization in connection with the Covid-19 pandemic all over the world. In Ukraine, the development of e-government coincided with a large-scale decentralization reform aimed at changing the administrative-territorial structure of the state.

E-government implementation projects have already been developed in international practice. The first such recommendation document are Recommendations tothe European Council "Europe and the global information society " (1994), which was devoted to the problems of the impact of information and communication technologies on all spheres of public life. The next document "eEurope" was approved in 2000 by the European Council aimed at creating a digital culture, open introduction of information and communication technologies, formation of information society. In 2005, a new eEurope 2005 program was introduced to support broad Internet access, network security, and the active implementation of e-Governance. In March 2010, a new "Europe 2020: a strategy for smart, sustainable and comprehensive growth" for the next 10 years was approved. Digital agenda for Europe is one of the flagship initiatives of the Europe 2020 Strategy, which aims to determine the main role of information and communication technologies.

Decentralization processes, which entered an active phase in Europe at the end of the twentieth century, are aimed at a radical reorientation of policy to the level of municipalities, where the possibility of forming horizontal interactions is much higher. The experience of European countries in reforming the institutions of local self-government in individual territories and in general is extremely valuable for Ukraine in terms of developing the legal framework and practical mechanisms for implementing the new principles of governance. The determining factor of such changes can be considered the unification and standardization of international principles of self-government through the development and adoption of agreements and treaties between countries with the assistance of intergovernmental organizations.

Decentralisation and e-governance in Poland

Decentralization in the European Union has become an integral feature of governance. It covers both the issue of decentralization within individual member states and the specifics of the division of responsibilities between countries and European institutions throughout the association. EU countries are constantly looking for an effective model of public administration. This search provides several options that have a higher or lower level of decentralization. One of the most effective examples of decentralization in recent years is the experience of Poland. After 1989, democratization processes took place in Poland aimed at forming a democratic system characterized by the protection of individual rights and civil liberties. This process was accompanied by the reform of the economic system, namely the formation of a market economy based on private property. At the same time, the system of public financial management was reformed. Decentralization has become not only a mechanism for solving the problems of the regions and the state budget, but, most importantly, a condition for ensuring the economic development of the country as a whole, although this conclusion is not supported by all scholars. The program for the development of the information society in Poland was adopted in 2001, and in 2004 the government introduced a new strategy, where one of the priority task was to create an integrated platform for electronic public services. The fundamental goals of the strategy are: to provide Internet access for all citizens and business organizations, the main criteria of which are speed, security and low price; development of services in electronic form; increase computer literacy. Since 2011 the introduction of e-government in Poland has been entrusted to the Ministry of Management and Digitization (Ministerstvo Administracji i Cifryzacji, MAC). The special program Polska Cyfrova POPC is designed for 2014-2020 and funded by the European Union. This program has three vectors, which most correspond to the important digitization areas: high-speed Internet access, provision of electronic services to the population, increasing competence in digital skills of citizens. The Digital Operational Program was presented by the Ministry of Management and Digitization and the Ministry of Regional Development of Poland. The main focus of the program is to use the digital potential to improve the living standards of citizens, introduction of information and communication technologies, increasing the efficiency of electronic services through ongoing interaction with citizens, non-governmental organizations, governments and investors. In addition to the Polska Cyfrova project, regional operational programs are also being implemented.

The development of e-government in Poland is at a fairly high level, which allows to perform most administrative services online: electronic tax calculation; electronic accounting of the customs service; electronic business registration; electronic elections; electronic courts; electronic procurement; vehicle registration and safety service traffic; emergency warning system; electronic patient information service etc. All these electronic services are provided to citizens various government sites that interact with each other, as they are united by the ePUAP platform.

We can distinguish the advantages of e-government in Poland, such as: openness and transparency of administrations; saving time for information processing; improving the quality of administrative services; the use of information and communication technologies in providing access to public information; possibility of stable receipt of administrative services, etc. The experience of the Republic of Poland is very useful for Ukraine because of the common historical past, the closeness of mentalities and the similarity of the management system before the beginning of the decentralization reform. Theorists of decentralization reform in Ukraine have widely used the experience of Poland and implemented some of its provisions.

E-government concept in Slovakia

Central government agencies are responsible for introduction of e-government in Slovakia. Ministry of Finance is responsible for the information society and infrastructure projects. Ministries and other central bodies are responsible for development and implementation of departmental projects.
Strategic Document for Growth and Next Generation Access Infrastructure defines the strategy for further development of digital services and access infrastructure subsequent generations in Slovakia in 2014–2020. One of the strategic directions is "expanding access and use of quality information and communication technologies". The development of e-government includes a number of measures to develop a functional information society and build an intelligent government. The strategic priorities were defined in National Concept of eGovernment 2015 – 2020 (eGovernment in Slovakia, 2016):

- Better customer-oriented e-services that interactively and proactively deal with life events,
- Approach to data as a valuable national resource and a strategic asset (data drivenstate) – data ownership, data sharing with creative communities and businesses and better usage of data in the policy-making and regulatory process,
- Central integration platform that will lead toward a common Data Layer of eGovernment,
- Cloud Security across all layers of the Enterprise Architecture (a Business, Application and Technology layer),
- Efficient IT operations in the eGovernment cloud.

E-government development in parallel with the decentralization reform in Ukraine

Decentralization of political power in Ukraine is a task of European integration.The Association Agreement has repeatedly referred to democracy as a common value that lays the foundation for Ukraine's association and integration into the EU. Moreover, the Agreement states that in the event of non-compliance with these principles, the Agreement may be terminated (Article 478). The provisions of the Association Agreement do not contain Ukraine's direct obligations to build democratic institutions, which is a sovereign right, but provides for "dialogue and cooperation on internal reforms". In particular, the Agreement (2014) states that «The Parties shall cooperate in order to ensure that their internal policies are based on principles common to the Parties, in particular stability and effectiveness of democratic institutions and the rule of law, and on respect for human rights and fundamental freedoms».

The implementation of the basic principles is discussed in more detail in the jointly agreed EU-Ukraine Association Agenda of March 16, 2015. This document makes decentralization a priority issue that needs to be addressed in the short term.

Thus, the general principle enshrined in the Association Agreement is that the transfer of power to the level of communities, districts and regions will lead to more responsible, accountable and effective governance in Ukraine.

The system of government in Ukraine was centralized since Soviet times. The administrative-territorial system had three levels: oblasts, rayons and towns / villages, at each of which their owned representative bodies (councils) are elected. The powers of these bodies were limited, as oblasts and rayons were administered by officials who are appointed directly by the central government. Public administrations had a limited but rather long list of powers in the management of local affairs.

This system of government in Ukraine is significantly revised in the framework of decentralization reform, which began in 2014 and which provided, in particular, the formation of communities as a basic unit of self-government, increasing their resource and financial base, giving them new powers and more.

Decentralization reform in Ukraine began in 2014 with the adoption of basic legislative documents. The decentralization reform in Ukraine aimed to solve number of important problems. In particular, the decline in the quality and accessibility of public services as a result of the lack of sufficient resources of a significant number of local governments and their inability to perform their own and delegated powers. Also the problems of icommunal services, namely the critical condition and lack of repair of heating, sewerage, water supply networks, as well as emergency housing, and the risks of man-made disasters due to lack of sufficient funding and small local budgets. A large number of territorial communities, especially those where there are no numerous cities, face the problems of nation aging, urbanization and the decline of rural areas. Another area of problems is the lack of coherence of local socio-economic development policy with the public interests and enhanced centralization of powers and financial resources by the executive branch.

The decentralization reform in Ukraine was planned in 2 stages, the first of which was preparatory and lasted in 2013-2015, providing organizational, analytical and research processes in studying the real state of local government, choosing the best ways to implement reform. The second stage includes the period 2015-2020 and was aimed at implementing the reform, with the task of completely renewing the administrative-territorial organization, completing the process of forming united territorial communities.

Key changes introduced under the reform are reduced to a few guidelines:

      1. Communities are the basic units of self-government that have financial and managerial autonomy. It was expected that instead of about 11 thousand villages, towns and cities, one and a half to two thousand communities would be created.

      2. Administrative-territorial units - districts and regions will be preserved, but they form executive bodies of local self-government. Local state administrations subordinate to the central government must be abolished.

      3. The division of powers in the system of local self-government and their executive bodies at different levels is carried out on the basis of subsidiarity. Social and political issues must be addressed at thelowest (or local) level.

In 2020, the Government approved a new administrative-territorial structure of Ukraine. According to the orders of the Cabinet of Ministers, after the local elections on October 25, 2020, 1469 territorial communities were formed in Ukraine, which cover the entire territory of the country. On July 17, 2020, the Verkhovna Rada of Ukraine adopted Resolution № 3650 "On the formation and liquidation of districts". According to the document, there are now 136 districts in Ukraine. The old 490 districts were abolished by the parliament.

On 11 February, 2021 the European Parliament approved the Report on implementation of the Association Agenda and the Association Agreement between the European Union and Ukraine. The document reports on the progress made in the field of reforms and implementation of the Agreement, as well as provides recommendations for further areas of cooperation. Emphasis is placed on the effectiveness of the implementation of decentralization reform, which the European Union identifies as one of the most successful in Ukraine and calls for its completion through an open dialogue between central and local authorities. (Report on implementation of the Association Agenda and the Association Agreement between the European Union and Ukraine, 2015)

In Ukraine, the implementation of e-government projects is carried out in cooperation with government agencies, local governments with the support of international partners. In 2020, Ukraine ranked 69th in the ranking of countries with the most developed e-government, which is 13 positions higher than in 2018. The ranking was created based on the United Nations study "E-Government Survey 2020". The study summarizes the indicators of countries for the development of e-government for the period from 2018 to 2020. (UN E-Government Survey, 2020)

Ukraine is actively implementing the idea of "state in a smartphone". In particular, the Ministry of Digital Transformation was established in September 2019 for this purpose. One of the main achievements of the Cabinet of Ministers of Ukraine and the Ministry of Digital Transformation is the creation of the application "Diya" ("State and I"-in Ukrainian language), which provides a number of administrative services online. Among the new initiatives, the introduction of which is being discussed at the state level, is the assignment of an official e-mail address to legal entities, individual entrepreneurs and individuals. The Ministry of Digital Transformation also plans to introduce financial assistance to citizens who cannot pay for basic Internet access on their own. Another initiative is to accelerate the full transition to ID-cards instead of paper passports.

However, the introduction of an e-government system is not always welcomed. Y. Abramenko and Chykarenko, I.A. (2009) emphasize on some ddisadvantages of implementing e-government in Ukraine:

- insufficient professionalism, and sometimes conservatism of civil servants in the use of modern information and technical, software and application systems;
- misunderstanding by civil servants of advantages of the introduction of information and communication technologies over traditional management tools;
- imperfection of the legal framework of state regulation of information activities, that should be the embodiment of common conceptual ideas regarding essence, content and form of state information policy, resulting in a legal field with many internal contradictions.

Conclusions

The creation of a network information infrastructure should be accompanied by reengineering of the entire system of management processes, which is appropriate in the process of modernization and reform of the public administration system. The analysis of program documents of Poland and Slovakia is aimed at determining the directions of development of the information society and the formation of an appropriate information space taking into account the zones of interests of the state and society, it requires development of appropriate communication channels. In particular, these may be: building relationships between the state, society and business through information and communication channels; development of a long-term state strategy for the development of the information society; development of relevant legislation; approval of information sovereignty; introduction of the newest information and communication technologies with the corresponding methods of influence, etc.

The experience of Poland and Slovakia in building e-government elements is important for Ukraine. Poland has formed an e-government and provides great use of its capabilities. In Poland, the e-government system was introduced in 2001 and now works for the benefit of the public. The introduction of e-government in Poland simplifies the procedure for citizens to receive administrative services, facilitates access to the necessary information and transparency of public authorities and local self-government, and is one of the necessary factors for the development of the information society and democracy building. Slovakia is an example of a positive public perception of the introduction of an e-government system. Poland and Slovakia have introduced e-government systems in parallel with integration into EU structures. The coincidence of these processes has allowed Poland and Slovakia to develop e-government systems that meet European standards and are integrated with EU services.

The decentralization reform is an important part of reforming government systems in Ukraine, which involves moving away from a centralized model of governance in the state, ensuring the capacity of local self-government. The introduction of decentralization reform will strengthen the capacity of local governments and give them new tools in improving the delivery of electronic public services.

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