ISSN 2723-9195

CERIDAP

Rivista Interdisciplinare sul Diritto delle Amministrazioni Pubbliche

Estratto

Fascicolo
2 / 2024

APRILE - GIUGNO

Adaptation of the Ukrainian Administrative Justice System to EU Requirements: Transparency, Efficiency and Accessibility in Public Law Disputes

Anzhelika Babych, Anatolii Berlach, Maksym Korniienko and Valeriy Kolyukh

DOI: 10.13130/2723-9195/2024-2-36

L'adeguamento del sistema di giustizia amministrativa ai requisiti dell'UE sta diventando un compito strategicamente importante per l'Ucraina nel contesto dell'avvicinamento agli standard di giustizia europei. La trasparenza è una caratteristica chiave del sistema giudiziario dell'UE che garantisce il controllo pubblico, la fiducia pubblica nei tribunali, mentre l'apertura delle procedure giudiziarie e l'efficienza dei procedimenti amministrativi assicurano una risoluzione rapida ed equa delle controversie di diritto pubblico. In generale, l'applicazione degli standard europei al sistema di giustizia amministrativa ucraino ha la sua rilevanza e le sue prospettive, tuttavia, è anche necessario tenere conto di alcuni problemi che sorgono durante l'adeguamento. Scopo di questo studio è quello di fornire argomenti scientifici e raccomandazioni per i legislatori e gli organi esecutivi ucraini al fine di ottenere una maggiore conformità agli standard europei nel campo della giustizia amministrativa.

The adaptation of the administrative justice system to EU requirements is becoming a strategically important task for Ukraine in the context of approximation to European justice standards. Transparency is a key feature of the EU judicial system that guarantees public control, public trust in the courts, openness of court procedures and the efficiency of administrative proceedings to ensure quick and fair resolution of public law disputes. In general, the application of European standards to the Ukrainian administrative justice system has its relevance and prospects, however, it is also necessary to take into account certain problems that arise during adaptation. The

purpose of this study is to provide scientific arguments and recommendations for Ukrainian legislators and executive bodies to achieve greater compliance with European standards in the field of administrative justice.

Summary: 1. Introduction.- 2. Methods.- 3. Results.- 3.1. Overview of the state of the Ukrainian administrative justice system and analysis of existing shortcomings.- 3.2. EU requirements for the adaptation of the Ukrainian administrative justice system.- 3.3. European Principles of Administrative Procedure and Their Implementation in Ukraine.- 4. Discussion.- 5. Conclusion.- 6. Bibliographical References.

1. Introduction

Ukraine's external integration into the global economic space is of great importance for the development of the domestic economy. Ukraine strives to create an enabling environment that facilitates access to foreign markets and ensures stable trade flows by continuously improving the competitiveness of domestic production[1]. Recently, the issue of the need to reform the judiciary in the context of integration with the European Union has become increasingly relevant in Ukraine. This reform is an integral part of further democratic transformation of the society, as the existing judicial system in its current form is becoming less and less effective and hinders the country's development[2].

The process of Ukraine's European integration requires updating the national administrative doctrine and puts on the agenda the adaptation of Ukraine's administrative legislation to the requirements of the European Union. This process is gradual and involves bringing Ukrainian laws and regulations in line with the EU *acquis*[3]. Analyzing the current state and prospects for the development of administrative justice in Ukraine is becoming an important task both in theory and practice. One of the key tasks at the current stage of Ukraine's development is to create an independent and fair judicial system, without which it is impossible to ensure a rule-of-law and democratic state, as well as to carry out the necessary legal, economic and social reforms.

Changing the administrative justice system is important for several reasons. First,

Ukraine, as a country seeking European integration, must comply with EU standards and principles in the field of administrative justice. This is necessary to maintain the rule of law, establish trust on the part of the international community, and facilitate business development and foreign investment[4]. Adapting Ukraine's administrative justice system to EU requirements helps bring the national system closer to European justice standards, which facilitates cooperation with other EU countries, increases international trust, and helps fulfill Ukraine's international obligations. The EU requires administrative court judges to be independent and impartial. This implies, in particular, procedures for selecting judges based on objective criteria, protecting them from external influences, and ensuring adequate status and guarantees for their work. In addition, the EU emphasizes the importance of access to court and ensuring the right to a fair and independent trial[5]. This includes the right to an effective legal defense, equality of arms before the court, the ability to represent oneself and the accessibility of court procedures. Court hearings should be accessible to the public, court decisions should be reasoned and understandable, and the judicial process should be open to public scrutiny.

In general, this is also important in the context of Ukraine's international commitments. Ukraine is a party to various international agreements and conventions that require the adaptation of its administrative justice system to EU standards. Secondly, this is a very important step in the context of human rights protection. This issue is extremely important for Ukraine, as of 2022, Ukraine ranks third in terms of the number of lawsuits filed with the European Court of Human Rights (hereinafter - the ECtHR) (Ukraine is in third place in terms of the number of complaints against it in the ECtHR, 2022). It is worth reminding that the ECtHR receives complaints about the state's failure to properly observe human rights under the European Convention on Human Rights (1950). Therefore, an effective administrative justice system guarantees the protection of citizens' rights and freedoms from unlawful actions of administrative bodies. It allows citizens to appeal against unlawful decisions and actions of the authorities, providing mechanisms for compensation and restoration of violated rights[6].

Third, reforming the administrative justice system helps to increase public confidence in the judicial system as a whole. If citizens feel that the judicial system is independent, fair and efficient, they are more willing to use judicial

mechanisms to protect their rights and interests.
Finally, fourth, it is important for sustainable economic development. Effective administrative justice is an important component of creating a favorable business environment. Clear, transparent, and fast administrative case review procedures help to reduce bureaucratic obstacles, protect the rights of entrepreneurs, and attract foreign investment[7].
The administrative justice system in Ukraine needs to be improved through reforms and transformation. At the same time, it is necessary to study and implement the best practices of leading countries, which will have a positive impact on administrative justice in Ukraine and help bring our system closer to international standards. Adapting Ukraine's administrative justice system to EU requirements involves amending relevant legislation, training judges and court staff, introducing new technologies and electronic systems, and ensuring the independence and effectiveness of the judiciary.

2. Methods

The leading method used for the study is the method of analyzing literary sources. Literature analysis is one of the main methods of research and preparation of scientific materials. In the context of writing an article on the principle in administrative proceedings, the analysis of literary sources involves the study, critical analysis and synthesis of existing research, publications, monographs, articles and other sources related to the topic of the article. The use of literature analysis allows the author of the article to familiarize himself with previous research on the chosen topic, to conduct a critical analysis and to contribute to the scientific discourse. Such an analysis helps to confirm your statements with substantiated data and back them up with authority in the scientific community.
Along with the method of literature analysis, the authors used the formal legal method. This is one of the key methods for researching and analyzing legal phenomena and the legal regulatory framework. The authors of the article analyzed and studied the legal acts regulating administrative proceedings in the EU and Ukraine. In addition, the authors studied the case law in the context of the research topic. This helped to understand what issues related to access to

justice have already been considered by the courts and what approaches have been used in decision-making. Based on the data obtained, the author formulated conclusions about the application of the principles in the administrative proceedings of Ukraine. The author also formulates recommendations for improving the situation and introducing appropriate legislative changes, which are reflected in the conclusions to the article. The application of the formal legal method allows systematizing and analyzing legislation, case law and international standards in the context of the principle of access to justice in administrative proceedings. This method helps to build a well-founded and scientifically based article aimed at developing human rights standards and improving legal protection of citizens.

In addition, the authors used the method of logical analysis. Logical analysis is a method of research and analysis based on the application of logical principles and laws to understand and explain various phenomena, data or problems. In the context of legal science, logical analysis is an integral part of solving legal issues, studying regulations and analyzing case law. In this article, this method is used to interpret the data collected and to establish links between different aspects of the principles of administrative justice. Logical analysis is an important tool in the study of legal issues, as it allows for a thorough analysis of various aspects of legal phenomena and for drawing objective and reasonable conclusions. The use of this method allows researchers to avoid mistakes in understanding and interpreting legal norms and processes, ensuring accuracy and reliability. In addition, using logical analysis, the researchers proposed recommendations for improving administrative proceedings, ensuring effective protection of citizens' rights and improving the performance of administrative bodies in the context of European integration.

Comparative analysis was also important in writing this article. It is a method of research that compares different elements or phenomena in order to identify similarities, differences, common trends and features between them. In the context of administrative justice principles, this method is used to compare laws, procedures, practices and principles applied in different countries or jurisdictions. Comparative analysis allows for a more complete and objective understanding of administrative justice, as it allows for an examination of how certain principles and practices work in different contexts. In the context of this

study, comparative analysis helped to understand which principles and practices are common to many countries and which may be unique due to the specifics of each jurisdiction. This method helps to clarify approaches based on international standards and best practices, which contributes to improving the efficiency and fairness of administrative justice in Ukraine.

Finally, we should pay attention to the systemic method. The systemic method is a scientific approach to research based on the representation of objects and phenomena as systems, complex integral entities, interconnected and interdependent elements. This method is used to analyze and understand various phenomena in their complexity, to study the relationships between the elements of the system, and to predict the behavior of the system in changing conditions. This method allows us to consider administrative justice as a system that includes various components - legislation, courts, litigants, procedures, practices, etc. The study of the interaction between these elements made it possible to understand how the principles function in the system.

3. Results

3.1. Overview of the state of the Ukrainian administrative justice system and analysis of existing shortcomings

In order to understand what exactly the Ukrainian system needs in the context of reform, it is advisable to analyze the current state of the administrative justice system. First of all, it should be noted that Ukraine has developed a system of legal acts that forms the system of administrative justice and contains the most general and important administrative and legal norms, including acts of the Verkhovna Rada, the President of Ukraine and the Cabinet of Ministers of Ukraine. It also includes legal acts of ministries and other central executive authorities that regulate the rights and obligations of citizens and are subject to registration in accordance with the procedures established by law. It is worth noting that the volume of departmental legislation regulating the rights and obligations of citizens should be gradually reduced, and in the future these issues should be resolved at the level of laws, except in cases of delegation of powers by executive authorities[8].

Administrative procedural law is crucial for protecting the rights and legitimate interests of citizens in the field of public administration. Its provisions regulate issues related to administrative proceedings, which gives the court the following rights: to declare unlawful decisions of public authorities or their individual provisions, actions or inactions; to cancel or invalidate decisions or individual provisions; to demand termination of execution of these decisions or individual provisions with indication of the method of their execution, etc. Thus, the rules of administrative procedural law provide an effective mechanism for protecting the rights and legitimate interests of citizens in the field of public administration[9].

The system of administrative courts in Ukraine consists of the Supreme Court, courts of appeal and district administrative courts. Citizens and legal entities have the right to apply to the court to protect their rights and interests. Appeal to the court may be made by filing a claim or application in accordance with established procedures. The trial is carried out by a judge alone in a court session with the participation of a prosecutor, the mandatory participation of an individual in respect of whom the application of coercive measures is being considered, his/her legal representative and the defense, in accordance with the Code of Administrative Procedure of Ukraine (2005)[10].

In Ukraine, the trial is organized in accordance with the administrative procedure established by law. The overall trial process includes the following steps. Before the trial, preparatory work is carried out, including the collection of evidence, interrogation of witnesses, examination. Subsequently, the party who considers himself/herself a victim (plaintiff or accuser), submits the relevant claim or indictment to the court. A court hearing is held during which the parties present their arguments and evidence, and the court considers all the circumstances of the case. After considering the case, the court makes a verdict or decision. The parties may appeal against a court decision in courts of higher instances, i.e., the court of appeal or cassation. If the decision becomes final and not subject to appeal, it is enforceable[11]. Parties to the administrative procedure have the right to legal protection, including the right to representation by legal entities or lawyers. The right to confidentiality is also guaranteed.

Prior to the district administrative courts, cases are heard in the local general courts according to the rules of the Code of Administrative Procedure of

Ukraine (2005). After that, administrative claims filed in the local general courts are transferred to the district administrative court if the proceedings have not yet been opened. The court of appeal may form judicial chambers to consider certain categories of cases[12].

Despite the existing system, some aspects of judicial proceedings in Ukraine may not meet European standards, in particular Article 19 of the Declaration of Human Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), which guarantee the right to a fair trial. Moreover, there are such problems as the corruption component, political influence on court decisions, the issue of independence of judges within the system of administrative legislation.

Thus, in order to solve these problems and bring the Ukrainian judicial system closer to European standards, it is possible to introduce such measures as strengthening the independence of judges, increasing the transparency of trials, reducing the time of trials, strengthening the fight against corruption in the judicial system and the introduction of the electronic judicial system.

In recent years, Ukraine has been implementing an electronic court system aimed at facilitating access to court procedures and ensuring fast and efficient case processing. However, there are certain challenges and limitations in its implementation. First of all, this is related to technical support. For example, it may be accompanied by technical problems, such as system malfunctions, problems with the storage and processing of electronic documents, insufficient infrastructure, etc. This can slow down court procedures and make them more difficult to access. In addition, the use of an electronic court system requires computer skills and knowledge of digital tools. Some litigants, such as parties and lawyers, may have limited skills in this area, which makes it difficult for them to participate in electronic procedures[13].

In addition, the issue of data privacy and security remains important. Ensuring these parameters is an important aspect of e-discovery. Deficiencies in the security system may cause potential threats to the confidentiality of personal data and information exchanged in the course of the judicial process.

The use of the electronic system requires access to the Internet and computer equipment. This can be a challenge for some litigants, especially those who live in remote or less developed regions, or who have limited physical access to

computers and the Internet. It also requires adequate training and education of judges, court staff, lawyers and other litigants. Insufficient training can lead to errors, inconveniences, and inefficient use of the system.

The COVID-19 pandemic has played a major role in accelerating judicial digitalization. During the quarantine, courts used Zoom, Skype, and Google Meet in their work. However, the problems with these programs are insecurity from external interference, time constraints, identification of participants, etc.[14].

Given the serious challenges facing the electronic judicial system in Ukraine, systemic measures are needed to ensure effective administrative and legal support, and this primarily means improving legislation. The development and implementation of relevant legislative acts regulating electronic court proceedings, its procedures and rules, providing a legal framework for its functioning. It is here that it is very appropriate to refer to the standards and requirements of the European Union.

It is also necessary to provide courts with adequate technical and information support, such as computers, software, networks and electronic communication tools, to ensure the effective functioning of e-justice. It is also important to develop and implement systems and measures to ensure information security, including cryptographic methods, access control, protection against unauthorized access and cybercrime. Implementation of measures to prevent cybercrime in electronic justice, including the use of protective technologies, monitoring and detection of potential threats, and promotion of cybersecurity.

Moreover, educational activities and professional development of specialists involved in this process are of great importance. Conducting training seminars and workshops for court employees and other system users, ensuring that they are properly trained and competent in using the electronic court system. Conducting large-scale public education on the benefits and procedures of e-justice, explaining the rights and obligations of litigants[15].

Due to the current situation in the country, unconventional solutions and new ideas need to be adopted to ensure access to the judicial system. Challenges faced by the judiciary in implementing e-justice should be resolved decisively and without delay. Excessive formalism in such circumstances may harm the credibility of the judiciary, which should protect the interests of citizens regardless of the circumstances[16].

Despite the fact that the administrative justice system of Ukraine requires implementing European standards, e-justice was already introduced. It facilitates the organization of mobile judicial posts that will work in rural areas. This will allow citizens to have access to judicial services without the need to travel long distances, taking into account the ongoing war in Ukraine. In addition, the development of mobile applications or online platforms where citizens can file complaints or applications in electronic format will provide convenient access to the judicial system without unnecessary formalism.

Thus, Ukraine has developed a system of administrative justice. Despite the fact that Ukraine is making great strides to improve its administrative justice system, it still has a long way to go in terms of implementing European standards. This is not only a requirement of the EU for accession, but also a necessity in order to overcome existing problems. Therefore, we can state that in any case, such changes to the legislation in the field of administrative justice will be a significant advantage for Ukraine.

3.2. EU requirements for the adaptation of the Ukrainian administrative justice system

According to the 2002 Concept of the National Program for the Adaptation of Ukrainian Legislation to the Legislation of the European Union, the adaptation of Ukrainian legislation to the legislation of the European Union is a step-by-step adoption and implementation of Ukrainian legal acts developed with due regard to the legislation of the European Union. Ukraine is developing a state policy on legislative approximation as part of a large-scale legal reform. This policy is aimed at ensuring a unified methodology of rulemaking, mandatory consideration of the requirements of the EU legislation when drafting regulations, training of qualified specialists, and creation of appropriate conditions for successful institutional, scientific, educational, rulemaking, technical and financial support of the process of adaptation of Ukrainian legislation[17].

Currently, relations between Ukraine and the European Union are governed by Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part. This Agreement was signed in 2014 and entered into force in 2017. It establishes political association, economic and

trade cooperation between Ukraine and the EU. The agreement covers a wide range of issues, such as political dialogue, human rights, internal market, trade, economic cooperation, agriculture, energy, transport, scientific and technical cooperation, environment and other aspects of interaction between the parties. The Association Agreement is of strategic importance for the further development of relations between Ukraine and the EU[18].

As part of its integration into the European legal area, Ukraine is implementing large-scale reforms in its legal system based on the principles and standards established at the European level. The processes of administrative and judicial reforms in Ukraine, the creation of a system of administrative courts and the development of a regulatory framework for administrative proceedings are carried out in accordance with international standards, theoretical principles and positive practical experience of foreign countries.

The purpose of introducing administrative proceedings and establishing administrative courts in Ukraine is to ensure the right of every citizen to appeal against decisions, actions or omissions of state bodies, local governments and officials in court. This contributes to the realization of the constitutional principle of the state's responsibility to its citizens for its actions. The rich experience of European countries shows that administrative courts are an accessible and effective means of protecting human rights, freedoms and interests from possible violations by state authorities and local self-government[19].

Taking into account the achievements of European countries in the field of administrative procedure, legal standards developed at the European level, as well as analyzing the case law of the European Court of Human Rights is necessary for the development and improvement of the theoretical and regulatory framework for the functioning of administrative courts in Ukraine[20].

As Boyaryntseva notes[21], the existence of administrative justice is one of the fundamental requirements for a society guided by the rule of law. It means adherence to the principle that the government and administrative bodies must act strictly within their powers. In addition, this requirement means that individuals have the right to seek compensation in court for any damage to their rights, freedoms or interests as a result of unlawful actions of administrative bodies or improper performance of their duties.

It is worth noting that Ukraine is moving forward in ensuring free access to

judicial protection within the administrative process. For example, the latest version of the Law of Ukraine "On Free Legal Aid" was adopted in 2023, which indicates a continuous improvement of this issue[22]. The EU requirements for the adaptation of the Ukrainian administrative justice system include a number of key aspects. One of the main requirements is to ensure the independence and non-discriminatory nature of the judicial process. The EU requires administrative courts to be independent of the government and to have appropriate legal institutional autonomy.

Additionally, the EU emphasizes the need to ensure that administrative proceedings are accessible to citizens and other stakeholders. This means that procedures should be clear, accessible and open, and court decisions should be reasoned and explained. In addition, the EU emphasizes the importance of resolving cases within a reasonable time, which contributes to speedy and effective justice[23].

The European Union also requires Ukraine to establish an effective system of control over the actions of administrative courts, in particular by providing appeal and supervisory mechanisms to ensure that court decisions are in accordance with the law and justice. In addition, the EU requirements provide for proper education and training of judges and other administrative justice personnel, including professional development, ethical standards and knowledge of European legal norms and practices.

In general, the EU requirements for the adaptation of the Ukrainian administrative justice system are aimed at ensuring transparency, independence, accessibility and efficiency of the judicial process, which meets European standards of justice. Below, we will take a closer look at the European principles of justice and their implementation in Ukraine.

3.3. European Principles of Administrative Procedure and Their Implementation in Ukraine

The European Parliament resolution of January 15, 2013 on a Law of Administrative Procedure of the European Union contains recommendations on the general principles that should guide the administration of the Union[24]. However, there are no authoritative documents or established acts of primary or

secondary EU law that would contain one generalized catalog of such principles. This absence is the result of different interpretations of the concept of general principles in the context of EU law. While there are various interpretations of the differences between principles and rules in the academic literature, these discussions are not always applicable to the specific context of EU positive law[25]. Therefore, for practical purposes, it is important to identify the sources of the general principles of EU administrative procedure law before specifying which principles should be taken into account[26].

Several norms and/or principles of EU law relating to administrative procedures are enshrined in the EU founding treaties. In the Charter of Fundamental Rights of the European Union, which gained such status after the Lisbon Treaty, EU procedural law is enshrined in Article 41 «*Right to Good Administration*», as well as in Articles 42 «*Right of Access to Documents*», Articles 43 «*European Ombudsman*». In addition, Articles 47 «*Right to an effective remedy and to a fair trial*» and Articles 48 «*Presumption of innocence and right to defense*» are also relevant to administrative procedures. However, it is important to note that some of these provisions may be applied in a broader context and not limited to administrative proceedings.

In addition, important principles in the field of administrative proceedings are formulated in the European Convention on Human Rights, 1950. Thus, according to Article 6(1) of the Convention, everyone in the determination of his civil rights and obligations is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced in public, except where the presence of the press and the public may be restricted in the interests of morals, public order or national security in a democratic society, or where necessary to protect minors or the privacy of the parties. Also, at the discretion of the court, the publicity of the proceedings may be restricted if strictly necessary in special circumstances that may prejudice the interests of justice. Pursuant to Article 13 of the Convention, everyone whose rights and freedoms as recognized in the Convention have been violated shall have an effective remedy before an appropriate national authority.

Thus, many principles can be distinguished. In the context of this article, we will focus on three of them: efficiency, transparency and accessibility. The principle of effective legal protection is one of the most important standards of

administrative justice aimed at ensuring and enhancing rights and freedoms in disputes with public authorities. This principle is recognized at the European level and is widely applied in the national legal systems of many European countries, playing a key role in the democratic accountability of the state. The concept of effective legal protection is implemented in the legislation of the European Union. This principle is mentioned in the Treaty on European Union of 1992 and detailed in Article 47 of the Charter of Fundamental Rights of the European Union.

The principle of effective legal protection includes the ability of the court not only to consider the merits of an administrative claim (complaint), but also to award compensation for damages if necessary. Usually, compensation is granted through a separate court decision[27]. The court should also have the right to exempt a party from court costs, if justified. It is important that the process of litigation is realistic and efficient, and that the costs of access to justice do not discourage people from going to court. In order to ensure access to the judicial process for individuals and legal entities that cannot pay the costs associated with justice, it is important to provide the right to legal aid. This allows to ensure that administrative plaintiffs can go to court, regardless of the jurisdiction of the body considering the case[28].

According to Recommendation Rec (2004) 20 of the Committee of Ministers to member states on judicial review of administrative acts[29], the cost of applying to the courts for review of administrative acts should not be so high as to discourage the number of complaints. People who lack the means to hire a lawyer should be provided with legal aid that will ensure the interests of justice. It is worth noting that in order to ensure access to justice in some countries of continental Europe, the requirements for the professional qualities of representatives in cases may be less stringent than those applicable to civil or commercial litigation. The lack of uniformity in the interpretation of legislation by different courts within the judicial system may also indicate a lack of effectiveness of legal protection (which violates the right of access to court). For this reason, Council of Europe member states are responsible for implementing effective systems of judicial review or other methods to eliminate inconsistencies in case law[30].

According to the European Parliament resolution of June 9, 2016 for an open, efficient and independent European Union administration, neither the EU nor

the Member States may make it practically impossible or excessively difficult to exercise the rights conferred by EU law. They are obliged to guarantee real and effective judicial protection and may not apply any rule or use any procedure that may impede, even temporarily, the full implementation and effect of EU rules[31].
Thus, the European principle of effective legal protection in administrative proceedings is considered to be a key principle of judicial review of administrative acts in European countries. This standard is aimed at ensuring that the court has the power and ability to take the necessary measures to correct situations that do not comply with the law. We are convinced that further reform of administrative justice in Ukraine should take into account the experience of the European Union, in particular, the implementation of the principle of effective legal protection. An important aspect is that this principle should be not only formal, but also effective in its actual application by its subjects. This approach contributes to strengthening the rule of law.
An interesting example of this principle is the case of *Hornsby v. Greece*, considered by the European Court of Human Rights (ECHR) on March 19, 1997[32]. In this case, the applicants argued that the refusal of administrative authorities to obey the decisions of the Council of State (the highest administrative justice body in Greece) violated their right to an effective judicial protection of their civil rights. In its judgment (para. 40), the ECtHR emphasized that, according to the established practice, Article 6(1) of the European Convention on Human Rights guarantees everyone the right to have disputes concerning his civil rights and obligations heard by a court, which ensures access to a court. However, he noted that this right would be useless if the court decision was not enforced and remained inactive, to the detriment of one of the parties.
The Court emphasized that it is impossible to imagine that Article 6, having elaborated in detail the procedural guarantees of the parties' rights, does not ensure the enforcement of court decisions. It is important to understand that Article 6 is not limited to access to justice and judicial proceedings; it also ensures the effective enforcement of judgments. Otherwise, it can lead to incompatible situations where people's rights are left without proper protection (*Hornsby v. Greece*, 1997).
This principle is also applied in administrative proceedings in Ukraine. It is

important in the process of administrative procedure. The law defines it as the organization of administrative case resolution with the least amount of time and money. The traditional explanation of the principle of efficiency is through simplicity and economy, i.e., the simplest means to achieve the result are used in resolving the case[33].

Ukrainian researcher Hrytsayenko[34] analyzed the problems of protection of individual rights in administrative proceedings in Ukraine and notes that this proceeding embodies the French doctrine of procedural remedies for the protection of the rights of individuals in public law relations. Such remedies include various types of claims: claims for illegality (extraordinary), which are aimed at canceling and invalidating decisions, including regulatory decisions, of public authorities; claims for full judicial jurisdiction (simple), which relate to the renewal, recovery of funds from the defendant to compensate for damages caused by his or her illegal decisions, actions or inaction; claims for the execution of a suspended or unperformed action. In addition, there are claims for reprisals, where public authorities, in cases provided for by law, apply to an administrative court to impose certain sanctions on participants in business relations, deprive them of the right to perform certain actions, restrict the freedoms of citizens, foreigners, etc. However, it is worth noting that administrative claims for interpretation of legal acts are not available in Ukraine.

The question remains as to the legal consequences of choosing the wrong method of judicial protection or filing an administrative claim to cancel an individual act of a person or authority that is not a party to the relevant public law relationship. Some judges dismiss the claim, explaining that the individual's rights have not been violated or that the wrong remedy has been chosen. On the other hand, other judges may refuse to open a case or close it, arguing that such a dispute is not subject to court consideration.

Each principle of judicial procedure plays its own, detailed role in the organization and operation of administrative courts. However, on the other hand, all the principles of administrative proceedings cannot be revised, despite their general unity and interdependence. However, the current system of principles of administrative proceedings does not list the principle of efficiency, which is currently a drawback of the general principles of administrative proceedings. After all, the principle of efficiency ensures the effectiveness of

administrative proceedings in general[35].

It should be noted that all the principles are closely interrelated and build a single system of clear administrative proceedings. When considering the principle of transparency, it is worth taking into account the case of *De Geouffre de la Pradelle v. France*, 1992[36], the Court noted that the principle of transparency also implies clarity of legislative provisions and transparency of the judicial review system. If the procedural rules are written in such a way as to create certain uncertainty (e.g., how to determine the jurisdiction of the court, how to calculate the time limits for filing a complaint against an administrative act), persons whose applications were rejected on the grounds of violation of procedural rules are considered to have no real, effective access to the court (*De Geouffre de la Pradelle v. France*, 1992).

The principle of transparency in administrative proceedings is defined as a basic principle aimed at ensuring openness, accessibility and publicity of court procedures and court decisions in the field of administrative law. This principle is intended to ensure: openness of the process; accessibility of information; publicity of decisions; informing the parties; and public control. The principle of transparency in administrative proceedings is an important element of democratic accountability of public authorities and demonstrates the responsibility of the judicial system to the public. It promotes public trust in judicial institutions and ensures the realization of human rights and the legality and fairness of administrative procedures.

This principle is enshrined in Articles 11 and 15 of the Treaty on the Functioning of the European Union, 1957[37]. As stated in the European Parliament resolution of June 9, 2016 for an open, efficient and independent European Union administration, the principle of transparency also applies in cases where a hearing is held to adopt acts of general application, including decisions affecting a wide range of persons. To ensure that such hearings are conducted successfully and efficiently, it is necessary to actively inform the public and establish structured mechanisms for feedback and response[38].

Many of the arguments made in favor of transparency are related to how transparency provisions contribute to better public administration. These provisions can be seen as means to achieve various administrative goals more effectively. The weight and nature of such provisions used in administration

depend on the values they are intended to support. It is worth noting that different governments and administrators of different types of organizations may favor some of these values, but not necessarily all of them. Nevertheless, as a general aspect of administration, many governments, both democratic and non-democratic, support some form of these values[39].

With regard to the application of this principle in Ukraine, it should be noted that some aspects of this problem, in particular, the role of the law in ensuring certainty and stabilization of the relevant legal relations, the need for the law to reflect both past practices and future needs, taking into account public requirements for democratic public administration procedures, and the distinction between the concepts of transparency and openness, have not yet been properly considered in the scientific literature. The regulation of transparency and openness in the activities of public administration institutions also restrains the lack of regulation of administrative procedures in general.

When assessing the state of legal regulation of transparency and openness of public administration, it is advisable to consider the constitutional principles of this regulation, since they determine the need, possibility and prospects for the adoption of the relevant Law of Ukraine. The provisions of the Constitution of Ukraine, 1996[40] enshrine the right of citizens «*to get acquainted with information about themselves in state authorities, local self-government bodies, institutions and organizations that is not a state or other secret protected by law*» (part 3 of Article 32 of the Constitution of Ukraine) and «*to freely collect, store, use and disseminate information orally, in writing or in any other way of their choice*» (may be restricted by law «*in the interests of national security, territorial integrity or public order in order to prevent disorder or crime, to protect public health, to protect the reputation or rights of others, to prevent the disclosure of information received in confidence, or to maintain the authority and impartiality of justice*») (Articles 2, 3, 34 of the Constitution of Ukraine).

Ensuring transparency and openness sometimes appears to be a vague concept. In particular, to ensure openness and transparency of the activities of persons authorized to perform state functions, it is proposed to develop and adopt a law on state financial control over the declaration of income and its expenditure by these persons. It is unlikely that such declarations will make their activities more open or transparent.

In order to ensure transparency, the authorities should provide free access to materials reflecting their activities, as well as prior notification of the preparation of regulatory acts. The obligation to inform the public about their day-to-day activities should become a component of transparency of public authorities, and an exhaustive list of exceptions to restrict access to information should be established by law.

To control the transparency of public authorities, it is necessary to introduce the practice of the government preparing annual summary reports based on the reports of central and local executive authorities to the President of Ukraine and the Verkhovna Rada of Ukraine. Relevant reports of local government executive bodies should also be sent to councils and published in local media.

The last principle to be considered in this article is the principle of accessibility. The principle of accessibility in administrative proceedings stipulates that the judicial system should be open and accessible to all persons who have a legitimate interest in protecting their rights and interests in the field of public administration. This principle guarantees the right of all citizens, individuals and legal entities, to apply to an administrative court and file lawsuits, complaints or other legal claims concerning their legal relations with state bodies or public authorities.

This principle also means that the administrative judicial process should be understandable and accessible to all participants, regardless of their social status, financial situation, education or other factor. Judicial procedures and legal acts should be written in plain language and presented in such a way that citizens can easily familiarize themselves with the rules and procedures of judicial protection.

Achieving the principle of accessibility also includes ensuring that access to court is not hindered and that access to justice is not discriminated against or restricted in any circumstances. This means that all persons have the right to equal access to administrative justice and cannot be deprived of this right without justified and legitimate reasons. The state is obliged to ensure that the administrative court is accessible to all citizens and to provide the necessary legal assistance to those who do not have sufficient financial resources to pursue legal defense.

Regarding the principle of accessibility in the system of administrative justice of Ukraine, various aspects are considered, such as the conditions for filing a lawsuit, the participants in the trial and the costs of judicial actions. According to

the legislation, an administrative claim may be filed by a person who believes that his/her rights or legitimate interests are violated by the actions (or inaction) of public bodies, local governments, their officials, and other subjects of public law. The addressee of the decision of the administrative court may be the person whose rights are violated, or the government body or official against whom the appeal is filed. If necessary, the administrative court may be joined by third parties who have an interest in the case and may be directly interested in its resolution. These may be non-profit and/or non-governmental organizations that have the right to represent the interests of their members or other interested parties in the trial.

Furthermore, the costs of court proceeding can be viewed from different perspectives. For example, the plaintiff may be exempted from court costs and expenses. At the same time, the defendant (the government body or the official) bears the cost of legal representation and other expenses associated with participation in the administrative trial. Moreover, third parties and NGOs may be required to pay for legal representation and evidence gathering costs. The costs of legal action can include costs of legal services, court fees, expert costs, the amount of which can vary significantly depending on the complexity of the case, the duration of the process, the participation of lawyers. It is also worth noting that some categories of citizens may have the right to free legal assistance or exemption from court fees.

Implementation of the principle of accessibility is an important step to ensure real protection of human rights and increase confidence in the judicial system in the administrative sphere. It also helps to maintain transparency and accountability of public authorities and promotes democratic principles in society.

The right to access case files is essential for the realization of the right to a fair trial. The right of access to case files is the right to receive full information on issues that may affect a person's position in an administrative procedure, especially when it comes to sanctions. It includes the right to receive the administration's response to complaints or applications, as well as to be notified of the results of procedures and decisions taken, including information related to the right to appeal[41].

The right of access to documents under Article 15(3) of the Treaty establishing

the European Union and Article 42 of the Charter is a fundamental right of EU law and a basic condition for an open, effective and independent European administration. Any restriction on this principle must be narrowly construed to meet the criteria of Article 52(1) of the Charter of Fundamental Rights of the European Union, and thus be based on law, respect the essence of the right and meet the criteria of proportionality. The relevant principle can also be found in Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents[42].

Aspects of ensuring access to justice in case of filing an administrative claim include the possibility of choosing a convenient way to file a claim with the court (in person, by mail, or through a representative). Effective legal protection also implies the establishment of acceptable prerequisites for the acceptance (admissibility) of applications that do not complicate the legal protection process with unnecessary formalism[43]. This means that the time limits for filing an administrative claim should be reasonable, and the requirements for the form of the claim should not be excessive. As a rule, the time limit for applying to an administrative court to protect the rights, freedoms and legitimate interests of a person is six months and is calculated from the day when the person learned or should have learned of the violation of his or her rights, freedoms or interests.

In Ukraine, there are significant problems with the principle of access to justice, which leads to a decrease in the level of public confidence in the judiciary. According to the scientific community, accessibility consists of two main aspects, namely: an understandable and accessible model of administrative proceedings; ensuring the possibility of real actions within the administrative court process (openness of the judiciary). Access to justice will also be ensured by the right to apply to a court to initiate proceedings in an administrative case and the procedure for exercising this right, the good territorial location of administrative courts, and the establishment of a procedure for judicial consideration of an administrative case that would ensure the possibility of direct exercise of procedural rights by the persons involved in the case in all instances (personal participation, language, interpreter). The solution to this problem requires a comprehensive approach, including the creation of an optimal model of administrative justice that operates on the basis of the rule of law in accordance

with European standards, ensures everyone the right to a fair trial and respect for other rights and freedoms guaranteed by the Constitution and laws of Ukraine[44].

In order for Ukraine to effectively integrate into the European space and move closer to the standards and values of the European Union, it is necessary to take all steps to ensure the principles of administrative justice.

4. Discussion

In the context of this study, it is important to pay attention to the work of Chaplyk[45], in which the author analyzes the need for judicial reform in Ukraine, including in the context of European integration. He emphasizes that the main goal of further reform of the judicial system in Ukraine is to create the necessary legislative and organizational conditions to ensure an independent, effective and responsible judiciary. Satisfying Ukraine's European integration aspirations requires the mandatory adaptation of our judicial system to the system of the Council of Europe and the European Union. The problem of improving the national justice system is of paramount importance for Ukraine as a state that has chosen democratic principles of development.

Particular attention should be paid to the research conducted by Puzyrynyi[46]. In his study, this scholar analyzed the most relevant aspects of the European standard on effective legal protection in administrative proceedings. He emphasizes that this standard establishes the basic regularities of the legal dispute resolution process in the public law sphere. According to the author, effective legal systems of developed European countries were adopted as the basis for the development of administrative justice in Ukraine. European standards in administrative justice are defined as norms, principles, criteria and recommendations contained in various acts related to justice. The principle of effective legal protection is an important component of the standards of administrative justice, as it is aimed at ensuring and enhancing rights and freedoms in the process of resolving disputes with public administration entities.

Important for this study are the conclusions drawn by the team of European researchers D.U. Galetta, H.C.H. Hofmann, O.M. Puigpelat They emphasize that there is no single approach to the identification of the principles of

European administrative justice. They rely on primary and secondary EU law, soft law, case law and doctrine to distinguish the principles and note their great value for administrative justice. In this article, the authors emphasize that the articulation of common European principles of good administration and justice is only part of the way to understanding this new administrative state, and that a better approach also focuses on the architecture of administrative justice[47].

In the context of the article, the authors also referred to the work of Nason[48]. She draws attention to the growing interest in the harmonization of European administrative law, which has arisen, in particular, due to the perception of the administrative states of a crisis of legitimacy and the need to develop administrative law to ensure their survival. The new administrative law does not see the state as a centralized leviathan, but instead sees it as a promoter, facilitator, regulator and driver of social and economic progress.

In her work, the author carefully analyzes the principles of EU administrative justice and compares them with similar principles in the UK. She emphasizes that British approaches to administrative justice help to find solutions to the challenges of the new administrative law, focusing on the incorporation of good administration and human rights principles into the structure of institutions and administrative law itself. At the same time, the author points out that there is potential for further development through a comparative analysis of European concepts of administrative justice which complement and overlap with the European principles of good administration[49].

Despite the fact that some scholars do have a scientific contribution to the issue of reforming the administrative justice system, this issue is still poorly understood, including in the context of the need to adapt the national system to the EU system.

One of the problems associated with the application of the principles of administrative justice arises in the context of the rule of law. Scholars note that the essence of this principle is that all state institutions should be subordinated to the realization and protection of human rights, as well as to prioritizing these rights over other values of a democratic, social and legal state[50]. However, practice shows that when considering disputes in the public law sphere, the principles of priority of realization and protection of human and civil rights may contradict the provisions of legal acts and general principles of law[51].

It is extremely important for Ukraine to address the issue of introducing effective and efficient sanctions and inevitable liability for public authorities and their officials, as currently, in our opinion, the legislation contains insufficient regulation of mechanisms for bringing to justice in such cases.
At the same time, the prospects for further research in this area require a more detailed elaboration of legal provisions that would orient public authorities not so much to the process of cooperation with the public as to the final result - the real consideration of public interests, needs and sentiments in their activities.

5. Conclusion

There is no single authoritative catalog of general principles of EU administrative procedure law that would be enshrined as a separate instrument of primary or secondary EU law. There is also no single consensus in the scholarship on such a list. Many of the rules and principles of EU law that relate to or are of particular relevance to administrative proceedings are enshrined in EU treaties and the EU Charter of Fundamental Rights. Most of these principles have the status of "general principles of European Union law", i.e., principles that have been expressly qualified as such by the EU courts. Some principles and rules of EU administrative procedures are established through soft law instruments, such as codes of conduct, guidelines, notifications, etc.
As a result of the study, it can be stated that Ukraine is making significant steps towards improving the principles of administrative justice and approximating them to European standards. However, there are still a number of issues that need to be further developed and improved. This necessitates the continued active implementation of European standards in Ukrainian legislation and further study of the qualitative changes taking place in the functioning of the administrative justice system.
For Ukraine's successful integration into the European space, it is necessary to take all necessary steps to ensure the principles of administrative justice. This means thorough legal harmonization, ensuring the independence of the courts, creating transparent mechanisms and access to information, and providing effective legal protection for citizens.
First, Ukraine's administrative justice system should be in line with European

standards and norms. Legislation needs to be reviewed and adapted to take into account human rights, transparency and equality before the law.
Second, ensuring the full independence of administrative courts is key. Judges should be independent from external influences and pressures.
Third, an effective system of transparency and access to information about the activities of government agencies is important. The public should be able to monitor and control the actions of government agencies.
Fourth, ensuring effective legal protection for citizens is no less important. Everyone should be able to defend their rights in administrative court procedures.
Fifth, proper training and education of judges and other professionals working in the field of administrative law will help implement reforms.
Sixth, international cooperation and the experience of European partners should also contribute to the improvement of administrative justice.
Ensuring these principles will allow Ukraine to become a more transparent, fair and efficient state, approaching European standards and values. This path will open up new opportunities for its integration and development in the international context.

6. Bibliographical References

S. Bondarenko, I. Liganenko, O. Kalaman, L. Niekrasova, *Comparison of methods for determining the competitiveness of enterprises to determine market strategy*, in *International Journal of Civil Engineering and Technology*, 9(13), 2018, pp. 890-898.
V. Boryakina, *The Principle of Promptness in the Aspect of Efficiency of Administrative Proceedings*, in *Bulletin of V. N. Karazin Kharkiv National University, Series Law, 26,* 2018, pp. 82-84.
M. Boyaryntseva, *Modern European Standards of Administrative Proceedings and Possibilities of Their Adoption by Ukraine (on the Example of the Norms of Certain Recommendations of the Committee of Ministers of the Council of Europe)*, in *Scientific Bulletin of the International Humanitarian University, 17*, 2015, pp. 123-126.
V. Chaplyk, *The Current State and Prospects for the Development of*

Administrative Proceedings in Ukraine. *European Choice of Ukraine, Development of Science and National Security in the Realities of Large-Scale Military Aggression and Global Challenges of the XXI Century*, 2, 2022, pp. 117-121.

O. Chornomaz, *Problems of Adaptation of Ukrainian Legislation to the Legislation of the European Union*, in *Bulletin of Lviv Polytechnic National University*, 845, 2016, pp. 188-192.

B. Derevyanko, M. Lohvynenko, V. Nezhevelo, L. Nikolenko, N. Zahrisheva, *Legal Foundations for Resolving Land Disputes Through Mediation as an Alternative Dispute Resolution Method*, in *European Energy and Environmental Law Review, 32*(5), 2023, pp. 248-256, in https://kluwerlawonline.com/journalarticle/European+Energy+and+Environmental+Law+Review/32.5%20[pre-publication]/EELR2023014.

D.U. Galetta, H.C.H. Hofmann, O.M. Puigpelat, *The General Principles of EU Administrative Procedural Law. In-depth Analysis*, Policies Policy Department C: Citizens' Rights and Constitutional Affairs, European Parliament, Brusseles, 2015, p. 22.

D. Golovin, Y. Nazymko, O. Koropatov, M. Korniienko, *Electronic evidence in proving crimes of drugs and psychotropic substances turnover*, in *Access to Justice in Eastern Europe, 5*(2), 2022, pp. 156-166, DOI 10.33327/ajee-18-5.2-n000217.

O. Hrytsayenko, *On the Issue of Effectiveness of Protection of Individual Rights in Administrative Proceedings*, in *Scientific notes of Vernadsky TNU. Series: Legal Sciences, 31*(70), 2020, pp. 53-58.

A. Khvorostyankina, *European Standards of Administrative Procedure. Ministry of Justice of Ukraine*, 2020, in https://minjust.gov.ua/m/str_6738

T. Kolomoyets, V. Kolpakov, *Administrative law of Ukraine*. In Yure. 2014

M. Korniienko, I. Petrunenko, I. Yena, K. Pankratova, K. Vozniakovska, *Negative effects of corruption offenses for the country's economy*, in *International journal of management,* 11(5), 2020, pp. 1072-1083, DOI: 10.34218/IJM.11.5.2020.098

M. Kovaliv, *Administrative justice*. Lviv State University of Internal Affairs, 2014

M. Kovaliv, B. Stakhura, *Principles of Administrative Proceedings: Concept, Content, System*, in *Scientific Bulletin of Lviv State University of Internal Affairs, 4*, 2014, pp. 174-184.

M. Kovaliv, M. Havryltsiv, B. Stakhura, *Administrative Justice*, Lviv State University of Internal Affairs, 2014

O. Kovalova, M. Korniienko, O. Postol, *Ensuring of child's dignity as a principle of modern education: Administrative and legal aspects*, in *Asia Life Sciences Supplement*, 21(2), 2019, pp. 341-359.

C. LaDoris, *Transparency in the Administration of Justice*, 2015, in https://www.scu.edu/government-ethics/resources/transparency-in-the-administration-of-justice/

O. Latysheva, V. Rovenska, I. Smyrnova, V. Nitsenko, T. Balezentis, D. Streimikiene, *Management of the sustainable development of machine-building enterprises: A sustainable development space approach*, in *Journal of Enterprise Information Management*, 34(1), 2020, pp. 328-342, DOI:10.1108/JEIM-12-2019-0419

D. Lunin, *Adaptation of the Administrative Legislation of Ukraine to the EU Legislation in the Field of E-Governance*, in *Scientific Bulletin of Public and Private Law*, 6, 2020, pp. 119-126.

S. Nason, *European Principles of Good Administration and UK Administrative Justice*, in *European Public Law*, 26, 2020, pp. 391-420.

C. Obrusna, I. Ivanova, V. Chuban, *Problems of Administrative and Legal Support of the Electronic Court in Ukraine in the Context of the COVID-19 Pandemic*, in *Legal Scientific Electronic Journal*, 4, 2020, pp. 196-199.

R. Ostapenko, Y. Herasymenko, V. Nitsenko, S. Koliadenko, T. Balezentis, D. Streimikiene, *Analysis of production and sales of organic products in Ukrainian agricultural enterprises*, in *Sustainability*, 12(8), 2020, DOI:10.3390/SU12083416

V. Puzyrynyi, *European Standard (Principle) of Effective Legal Protection in the Field of Administrative Proceedings: Experience for Ukraine*, in *New Ukrainian Law*, 6, 2022, pp. 127-131.

L. Savranchuk, *Problems of Providing Accessibility to Justice in Administrative Justice*, in *Actual Problems of Domestic Jurisprudence*, 1, 2019, pp. 150-153.

S. Shandruk, *Basic Principles of Administrative Procedure: Content and Classification*, in *Legal Scientific Electronic Journal*, 8, 2022, pp. 365-367.

E. Shevchenko, *Modern Problems of Application of the Principles of Administrative Procedure*, in *Legal Scientific Electronic Journal*, 8, 2021, pp.

337-380.
S. M. Smokov, V. V. Horoshko, M. V. Korniienko, S. V. Medvedenko, *Rule of Law as a Principle of Criminal Procedure (on materials of the European Court of Human Rights)*, in *Pakistan Journal of Criminology*, 14(3), 2022, pp. 37-46.
V.O. Timashov, O.V. Mykhed, *Administrative and legal support of the activity of customs entities in Ukraine*, in *Legal Horizons*, 21(34), 2020.
D. Vučetić, *Serbian judicial review of administrative acts and European standards for administration disputes*, in *Law and Politics*, 1, 2005, pp. 73-90.
O.Y Zvirko, O.O. Osipova, *On the issue of optimizing the activity of administrative courts in the light of judicial and legal reform in Ukraine*, in *Legal Horizons*, 22(35), 2020.

1. O. Chornomaz, *Problems of Adaptation of Ukrainian Legislation to the Legislation of the European Union*, in *Bulletin of Lviv Polytechnic National University*, 845, 2016, pp. 188-192.
2. V. Chaplyk, *The Current State and Prospects for the Development of Administrative Proceedings in Ukraine. European Choice of Ukraine, Development of Science and National Security in the Realities of Large-Scale Military Aggression and Global Challenges of the XXI Century*, 2, 2022, pp. 117-121.
3. D. Lunin, *Adaptation of the Administrative Legislation of Ukraine to the EU Legislation in the Field of E-Governance*, in *Scientific Bulletin of Public and Private Law,* 6, 2020, pp. 119-126.
4. M. Korniienko, I. Petrunenko, I. Yena, K. Pankratova, K. Vozniakovska, *Negative effects of corruption offenses for the country's economy*, in *International journal of management,* 11(5), 2020, pp. 1072-1083, DOI: 10.34218/IJM.11.5.2020.098.
5. S. M. Smokov, V. V. Horoshko, M. V. Korniienko, S. V. Medvedenko, *Rule of Law as a Principle of Criminal Procedure (on materials of the European Court of Human Rights)*, in *Pakistan Journal of Criminology*, 14(3), 2022, pp. 37-46.
6. S. Bondarenko, I. Liganenko, O. Kalaman, L. Niekrasova, *Comparison of methods for determining the competitiveness of enterprises to determine market strategy*, in *International Journal of Civil Engineering and Technology*, 9(13), 2018, pp. 890-898.
7. O. Latysheva, V. Rovenska, I. Smyrnova, V. Nitsenko, T. Balezentis, D. Streimikiene, *Management of the sustainable development of machine-building enterprises: A sustainable development space approach*, in *Journal of Enterprise Information Management*, 34(1), 2020
8. D. Lunin, *Adaptation of the Administrative Legislation of Ukraine to the EU Legislation in the Field of E-Governance*, cit.
9. M. Kovaliv, M. Havryltsiv, B. Stakhura, *Administrative Justice*, Lviv State University of Internal Affairs, 2014.

10. Code of Administrative Procedure of Ukraine (2005), in https://zakon.rada.gov.ua/laws/show/2747-15#Text.
11. V.O. Timashov, O.V. Mykhed, *Administrative and legal support of the activity of customs entities in Ukraine*, in *Legal Horizons*, 21(34), 2020.
12. O.Y Zvirko, O.O. Osipova, *On the issue of optimizing the activity of administrative courts in the light of judicial and legal reform in Ukraine*, in *Legal Horizons*, 22(35), 2020.
13. D. Golovin, Y. Nazymko, O. Koropatov, M. Korniienko, *Electronic evidence in proving crimes of drugs and psychotropic substances turnover*, in *Access to Justice in Eastern Europe, 5*(2), 2022, pp. 156-166, DOI 10.33327/ajee-18-5.2-n000217.
14. C. Obrusna, I. Ivanova, V. Chuban, *Problems of Administrative and Legal Support of the Electronic Court in Ukraine in the Context of the COVID-19 Pandemic*, in *Legal Scientific Electronic Journal*, 4, 2020, pp. 196-199.
15. O. Kovalova, M. Korniienko, O. Postol, *Ensuring of child's dignity as a principle of modern education: Administrative and legal aspects*, in *Asia Life Sciences Supplement*, 21(2), 2019, pp. 341-359.
16. C. Obrusna, I. Ivanova, V. Chuban, *Problems of Administrative and Legal Support of the Electronic Court in Ukraine in the Context of the COVID-19 Pandemic*, cit.
17. Concept of the National Program of Adaptation of Ukrainian Legislation to the Legislation of the European Union. (2002). Law of Ukraine No. 228-IV, in https://zakon.rada.gov.ua/laws/show/228-15#Text.
18. Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part. (2014). https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A22014A0529%2801%29.
19. R. Ostapenko, Y. Herasymenko, V. Nitsenko, S. Koliadenko, T. Balezentis, D. Streimikiene, *Analysis of production and sales of organic products in Ukrainian agricultural enterprises*, in *Sustainability*, 12(8), 2020, DOI:10.3390/SU12083416.
20. A. Khvorostyankina, *European Standards of Administrative Procedure. Ministry of Justice of Ukraine*, 2020, in https://minjust.gov.ua/m/str_6738.
21. M. Boyaryntseva, *Modern European Standards of Administrative Proceedings and Possibilities of Their Adoption by Ukraine (on the Example of the Norms of Certain Recommendations of the Committee of Ministers of the Council of Europe)*, in *Scientific Bulletin of the International Humanitarian University*, 17, 2015, pp. 123-126.
22. On Free Legal Aid. (2011). Law of Ukraine No. 3460-VI, in https://zakon.rada.gov.ua/laws/show/3460-17#Text.
23. T. Kolomoyets, V. Kolpakov, *Administrative law of Ukraine*. In Yure. 2014.
24. European Parliament resolution of 15 January 2013 with recommendations to the Commission on a Law of Administrative Procedure of the European Union (2012/2024(INL)), in https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52013IP0004.
25. S. Nason, *European Principles of Good Administration and UK Administrative Justice*, in

European Public Law, 26, 2020, pp. 391-420.
26. D.U. Galetta, H.C.H. Hofmann, O.M. Puigpelat, *The General Principles of EU Administrative Procedural Law. In-depth Analysis*, Policies Policy Department C: Citizens' Rights and Constitutional Affairs, European Parliament, Brusseles, 2015, p. 22.
27. D. Vučetić, *Serbian judicial review of administrative acts and European standards for administration disputes*, in *Law and Politics*, 1, 2005, pp. 73-90.
28. V. Puzyrynyi, *European Standard (Principle) of Effective Legal Protection in the Field of Administrative Proceedings: Experience for Ukraine*, in *New Ukrainian Law*, 6, 2022, pp. 127-131.
29. Recommendation Rec (2004) 20 of the Committee of Ministers to member states on judicial review of administrative acts, 2004, in https://rm.coe.int/09000016805db3f4.
30. Recommendation Rec (2004) 20, cit.
31. European Parliament resolution of 9 June 2016 for an open, efficient and independent European Union administration (2016/2610(RSP)), in https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52016IP0279
32. ECHR, judgment of 19 March 1997, Application no. 18357/91, *Hornsby v. Greece*, in https://hudoc.echr.coe.int/app/conversion/pdf/?library=ECHR&id=001-58020&filename=001-58020.pdf.
33. S. Shandruk, *Basic Principles of Administrative Procedure: Content and Classification*, in *Legal Scientific Electronic Journal*, 8, 2022, pp. 365-367.
34. O. Hrytsayenko, *On the Issue of Effectiveness of Protection of Individual Rights in Administrative Proceedings*, in *Scientific notes of Vernadsky TNU. Series: Legal Sciences, 31*(70), 2020, pp. 53-58.
35. V. Boryakina, *The Principle of Promptness in the Aspect of Efficiency of Administrative Proceedings*, in *Bulletin of V. N. Karazin Kharkiv National University, Series Law, 26,* 2018, pp. 82-84.
36. ECHR, judgment of 16 December 1992, Application no. 12964/87, *De Geouffre de la Pradelle v. France*, in https://hudoc.echr.coe.int/app/conversion/docx/pdf?library=ECHR&id=001-57778&filename=CASE%20OF%20DE%20GEOUFFRE%20DE%20LA%20PRADELLE%20v.%20FRANCE.pdf&logEvent=False.
37. Consolidated version of the Treaty on the Functioning of the European Union. (2012). https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT.
38. European Parliament resolution of 9 June 2016 for an open, efficient and independent European Union administration (2016/2610(RSP)).
39. C. LaDoris, *Transparency in the Administration of Justice*, 2015, in https://www.scu.edu/government-ethics/resources/transparency-in-the-administration-of-justice/.
40. Constitution of Ukraine, 1996, in https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80#Text.
41. D.U. Galetta, H.C.H. Hofmann, O.M. Puigpelat, *The General Principles of EU*

Administrative Procedural Law. In-depth Analysis, cit.

42. Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents. (2001). https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32001R1049.
43. L. Savranchuk, *Problems of Providing Accessibility to Justice in Administrative Justice*, in *Actual Problems of Domestic Jurisprudence, 1*, 2019, pp. 150-153.
44. M. Kovaliv, B. Stakhura, *Principles of Administrative Proceedings: Concept, Content, System*, in *Scientific Bulletin of Lviv State University of Internal Affairs, 4*, 2014, pp. 174-184.
45. V. Chaplyk, *The Current State and Prospects for the Development of Administrative Proceedings in Ukraine. European Choice of Ukraine*, cit.
46. V. Puzyrynyi, *European Standard (Principle) of Effective Legal Protection in the Field of Administrative Proceedings: Experience for Ukraine*, cit.
47. D.U. Galetta, H.C.H. Hofmann, O.M. Puigpelat, *The General Principles of EU Administrative Procedural Law. In-depth Analysis*, cit.
48. S. Nason, *European Principles of Good Administration and UK Administrative Justice*, cit.
49. S. Nason, *European Principles of Good Administration and UK Administrative Justice*, cit.
50. E. Shevchenko, *Modern Problems of Application of the Principles of Administrative Procedure*, in *Legal Scientific Electronic Journal*, 8, 2021, pp. 337-380; B. Derevyanko, M. Lohvynenko, V. Nezhevelo, L. Nikolenko, N. Zahrisheva, *Legal Foundations for Resolving Land Disputes Through Mediation as an Alternative Dispute Resolution Method*, in *European Energy and Environmental Law Review, 32*(5), 2023, pp. 248-256, in https://kluwerlawonline.com/journalarticle/European+Energy+and+Environmental+Law+Review/32.5%20[pre-publication]/EELR2023014.
51. M. Kovaliv, *Administrative justice*. Lviv State University of Internal Affairs, 2014.