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THE IMMANENCE OF THE INFORMATION FUNCTION IN THE SYSTEM OF ADMINISTRATIVE-LEGAL RELATIONS: MODERN APPROACHES TO UNDERSTANDING

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The article focuses on the implementation of information functions in the sphere of administrative and legal relations, the significance of which is highlighted in the provisions of the Act of proclamation of independence of Ukraine of August 24, 1991 and the fundamental law of Ukraine, which states that the creation of a national information policy requires the formation of an effective system of information and communication.

It is outlined that administrative law is one of the most important branches of law in the field of information relations. In the system of administrative and legal regulation, the branch of administrative law covers a large group of managerial relations in the field of information, determining the principles, forms and methods of the information support system, the essence of information counteraction to external and internal threats, means of punishment for violations of administrative and information legislation. Also, administrative law in the field of information performs an important function - managerial, which is manifested in decision-making of political, economic, military, socio-cultural and many other areas of overcoming large-scale Russian aggression.

It has been established that administrative law, in interaction with information and other branches of law, guarantees the provision of information functions in information and telecommunication systems, focused on meeting the information needs and interests of subjects. That is why one of the promising areas of scientific development is the study of the limits of the regulatory influence of information functions in the administrative relations of public authorities.

It is noted that the Russian-Ukrainian war, which is aggressively directed against Ukraine, is being carried out with mandatory information support, which is aimed at exerting a destructive influence on the collective consciousness, system of values, psychological attitudes of the population, military personnel, law enforcement agencies and other objects of targeted influence. The issue of countering information and psychological operations in the context of the commission of the crime of genocide against the Ukrainian people is a matter of preserving human lives and preserving the existence of the people themselves. The legal tools of administrative law used in the course of implementation of its information function, is subject to use in countering the destructive effects of information and psychological operations.

It is proven that today's factors require a new look at the information function of law, we are talking about artificial intelligence technologies, protecting the sphere of legal information from the destructive impact of information warfare, finding a balance between the right to access public information and requirements for restricting access to public information under the legal regime of martial law.

It has been determined that the current state of russian propaganda and information pressure against Ukraine requires the state leadership to coordinate the consolidation of public authorities with the public, aimed at forming positive trends in the implementation by citizens of the right to receive truthful information about events at the front and real logistical achievements of the domestic military-industrial complex in increasing its own weapons production. And it is in this direction that the information function should play a key role in the system of administrative and legal relations, determining effective information approaches to solving problematic issues.

Key words: immanence, information function, administrative law, administrative-legal relations, legal information, information relations, artificial intelligence, right of access to public information.

Formulation of the problem. The Constitution of Ukraine recognizes the person as the highest social value, which means an attitude towards human centrism as a defining principle of the construction and development of Ukraine. The fundamental law of Ukraine also provides that "Everyone has the right to freely collect, store, use and disseminate information orally, in writing or in any other way of their choice" [1].

In this case, the activities of all state authorities and local self-government bodies must guarantee the implementation of the right to information. To this end, within the framework of various branches of law, the aforementioned entities apply means of legal regulation of relations in the field of information.

One of the most important branches of law in the sphere of relations between a person and the state and in the field of information relations is administrative law. This branch of law regulates a large group of relations in the field of information, determines the legal status of subjects in the field of such relations, establishes administrative responsibility for violation of legislative requirements in the field of administrative legal relations. Since this branch of law regulates an extremely large volume of relations, its depth and rooting in social life fills it with legal information, which includes a wide layer functions aimed at clarifying legislation, providing advice on legal issues and assistance in drafting documents, protecting rights and interests, as well as representation in court.

Pointing to the importance of administrative law in regulating informational and legal relations, it guarantees the delivery of legal information to the widest range of persons and regarding the widest range of legal situations: from the rules for keeping pets to the legal status of a person and the powers of public authorities. Under such circumstances, administrative law is designed to fill the minds of all participants in social relations regulated by it with legal information and legal knowledge. However, today's realities require a new look at the information function of law, primarily regarding artificial intelligence technologies, protection from destructive influences information warfare, finding a balance between the right to access public information and the requirements of the legal regime of martial law.

The new challenges mentioned above require special attention to the issue of the immanence of the information function in the system of administrative and legal relations, the study of modern approaches to its understanding, which convincingly indicates the relevance of researching the relevant issue.

Analysis of the study problem. Certain aspects of the essence and uniqueness of the information function in the system of administrative and legal relations were studied in particular by such scientists as: I. V. Antoshyna, O. Yu. Dakhno, M. V. Dubnyak, O. S. Dniprov, E. M. Korzh, O. M. Makeeva, O. M. Mykolenko, Y. V. Pyrozhkova, L. I. Rudnyk, E. O. Shevchenko and other scientists. At the same time, the issue of modern approaches to understanding the immanence of the information function in the system of administrative and legal relations has not been studied sufficiently and requires separate research.

The purpose of the article is to determine the features of the study of the issue of modern approaches to understanding the immanence of the information function in the system of administrative-legal relations. To implement the specified goal, the tasks of the article provide for the study of the place and essence of the information function in administrative law, the outline of modern approaches and their implementation in the understanding of the immanence of the information function in the system of administrative and legal relations.

Presentation of the main material. Social relations are subject to regulatory influence from legal norms and it is in this case that they take the form of legal relations. Legal relations are usually defined as social relations regulated by legal norms. Legal relations are divided into a number of varieties according to the industry criterion, one of which is administrative-legal relations.

As noted by V. K. Kolpakov, legal relations belong to the most fundamental categories of administrative law. According to the scientist, it is in legal relations that it exists, acts, lives. The scientist outlines that they are the main object of scientific understanding regarding the formation of administrative-legal doctrine, the empirical basis for deriving and formulation of the theoretical core of the field – the subject of administrative law [2, p. 101].

O. S. Dniprov draws attention to the fact that administrative-legal relations belong to the fundamental institutions of administrative law, as they permeate all activities related to the implementation of public administration [3, p. 175].

According to V. B. Averyanov, administrative-legal relations are social relations regulated by the norms of administrative law, in which their parties (subjects) are interconnected and interact through the exercise of subjective rights and obligations established and guaranteed by the relevant administrative-legal norms [4, p. 177-178]. In turn, O. V. Kharitonova, studying the conceptual foundations and legal nature of administrative-legal relations, understands this concept as relations regulated by legal norms that arise and exist between subjects of public law and are aimed at regulating relations in society, guaranteeing them by means of state coercion law and order, welfare and security of citizens and society [5, p. 7].

From the point of view of S. G. Stetsenko, administrative-legal relations should be considered as the result of the influence of administrative-legal norms on the behavior of subjects of administrative law, as a result of which legal relations arise between them [6, p. 80].

From the point of view of E. O. Shevchenko, administrative legal relations are regulated by administrative legal norms on the principles of "power-subordination" relationships (interrelationships) that arise in the field of public (state and self-government) administration, between state administration bodies and other subjects of administrative law regarding the implementation of their subjective rights and legal obligations, which are carried out in a special legal regime guaranteeing their legality by the state [7, p. 1119]. However, such a definition today requires adjustment.

As noted by O. S. Dniprov, taking into account the human-centric approach, the subject of administrative law has expanded by including in it, in addition to executive- administrative activities and the corresponding legal relations that arise in connection with the provision of administrative services and public service activities of public administration entities. In this kind of situation, the content of the corresponding administrative and legal relations is transformed, which are now no longer defined exclusively as relations of power-subordination, and are also characterized by horizontal connections between their parties (participants) [3, p. 177]. The researcher adds that modern administrative law, and therefore administrative-legal relations, should be aimed at guaranteeing the rights and freedoms of man and citizen [3, p. 177].

As V. S. Kurylo notes, the main essence of administrative-legal relations is the formation and strengthening of a new doctrine of administrative law in Ukrainian society – the doctrine of public-service law, the main purpose of which is the service of the state to the interests of man [8, p. 16].

Administrative-legal relations express the implementation of a number of functions arising from the tasks of administrative law as a branch. At the same time, when analyzing the issue of the information function in the system of administrative-legal relations, it is worth first finding out what exactly are the functions of law as a regulator of social relations.

According to O. M. Makeeva, the functions of law are the main directions of the influence of law on the behavior of subjects of social relations, which are determined by the essence and social purpose of law. The researcher adds that the functions of law are divided into: general social, which include informational, orientational, educational, cultural and historical, stabilization, economic and others; and special-legal, which include regulatory (dynamic and static) and protective functions [9, p. 47-48].

As V. V. Isayeva points out, the role of law in the life of society is reflected in its functions. The function of law is the main directions of the outflow of law into social relations, which reflect its essence and purpose in society, as well as the methods of organization social relations [10, p. 45]. The scientist notes that the function of law is understood as either the social purpose of law, or the directions of legal influence on social relations, or both taken together [10, p. 45].

Science claims that the information function makes it possible to inform people about the requirements set by the state, to report on which actions and actions are recognized as socially beneficial, and which, on the contrary, contradict the interests of society [10, p. 46].

From the point of view of O. F. Skakun, the informational and cognitive function consists in informing citizens, in other words, informing addressees about the directions of regulation of social relations, about their rights, duties and responsibilities, and learning the essence of law (legal information) [11, pp. 240-241]. It is worth noting that the scientist uses the term informational and cognitive function in this case, but not informational function.

At the same time, O. M. Makeeva believes that the informational function of law consists in bringing legal information to citizens, influencing the legal consciousness of a person, and contributing to the formation of an individual's informational and legal culture [9, p. 48]. The author emphasizes that the information function of law consists in bringing legal information to citizens, influencing the legal consciousness of a person and the formation of the legal culture of society. At the same time, the mechanism for implementing the information function of law is a system of legal information, subjects, objects and legal means of legal information, which contributes to the maintenance of information integrity of the legal system. At the same time, the implementation of the information function of law is embodied in guaranteeing the regime of access of citizens and officials to legal information, manifesting itself in the following forms: informational-psychological, educational, and social [9, p. 50]. Thus, the information function of law is implemented in ensuring access to legal information for everyone.

As E. M. Korzh notes, the information function of law occupies a key position among other functions of law, is closely related to them. Since both the regulatory and protective functions of law cannot be carried out without prior legal information of citizens about the content of legal norms [12, p. 199]. One should agree with this opinion, since it is legal information that is the basis for understanding the legal state of the surrounding world.

Thus, the information function is one of the most important functions of law; today, in the system of legal relations, in particular administrative and legal relations, it acquires new features and properties associated with social changes caused by technological innovations. For example, it is worth talking about new views on the information function in understanding the legal regulation of artificial intelligence.

As M. V. Dubnyak notes in this regard, the law must guarantee the conditions for the transparency of algorithms and digital ecosystems. In a digital society, legal information, in addition to the traditional task of informing citizens about their rights and obligations, has a new one - guaranteeing awareness of the rules of functioning of digital systems, algorithms, digital platforms, as well as about the logic their construction, limitations and risks of use. In this case, the information function becomes a mechanism of technological transparency, which allows a person to navigate in the algorithmic environment and make an autonomous choice [13, p. 62]. The scientist adds that a separate aspect of the modern view of the information function of law is the formation of cognitive security against digital threats. In this case, it is meant that the information function is a means of forming legal culture and legal consciousness. In the period of development of artificial intelligence, such a function takes on a new meaning as a means of cognitive protection of the individual, where it is necessary not only to inform, but also to critically structure

knowledge about legal norms in a complex information environment. In other words, from a means of information, it is transformed into a means of adaptive support in digital reality, including the fight against manipulative practices, fake sources, the fight against the phenomena of hyper-connectivity, and de-anonymization through geospatial targeting [13, p. 62].

M. V. Dubnyak also emphasizes the need to rethink the sources of legal information: starting from the official text and moving on to user policies. The scientist notes that over the past 10 years, in conditions of legal generalized digests and other information that cannot be considered sources of law in the classical sense. At the same time, such ethical codes have had a significant impact on the formation of a new level of understanding of the problems of AI regulation. Taking into account the fact that most of the digital infrastructure belongs to the large technological giants of the "big five" BigTech in the USA (GAMAMT–Google (Alphabet), Amazon, Meta (Facebook), Apple, Microsoft, Tesla; and the "big four" Big Tech in East Asia BATX – Baidu, Alibaba, Tencent, Xiaomi), then they described the rules of their use in "website and application usage policies" (user policies). Such "digital instructions" regulated the behavior of social media users, they were about the rules for posting content and algorithms for its popularization at a level no worse than regulatory legal acts. In this case, M. V. Dubnyak emphasizes that there is an interesting paradox when users of social networks know the policies and rules for posting content better than official regulatory acts, at least the Basic Law of the state [13, pp. 62-63].

According to M. Dubnyak, the understanding of the information function of law under the conditions of AI development is shifting from the traditional role of informing to a multi-level mechanism for ensuring cognitive security, technological transparency and adaptation of the individual in an algorithmic environment. Legal information is expanding its forms and sources, including informal rules users of digital platforms and codes of ethics. These, in turn, have a greater impact on legal awareness, user behavior and regulatory practice, turning the information function into one of the key tools of legal orientation in the digital age [13, p. 63].

In general, the scientist believes that the reinterpretation of the information function of law under the conditions of the development and implementation of artificial intelligence should ensure the transparency of algorithms and digital ecosystems, form cognitive security against digital influences, and include new sources of legal information [13, p. 68].

So, in general, M. V. Dubnyak offers his understanding of the function of law in the age of artificial intelligence, speaking at the same time about structurally interconnected areas of influence of law, which ensure regulation, coordination, protection, transmission of values, as well as adaptation of the legal system to the conditions of digital transformation. They manifest themselves as a dynamic system of goals and mechanisms, capable of: modeling the interaction of man, the state and digital technologies; forming the cognitive security of society against digital influences; harmonizing legal differences in the conditions of a globalized environment; establishing moral and value boundaries for the development of artificial intelligence [13, p. 69].

There is no doubt that the issue of the impact of AI technology on modern social relations largely corrects the idea of the essence of the information function of law.

As I. V. Antoshyna notes, today the significance of the information function of law is being actualized and emphasized by the need of Ukrainian society for legal information. According to the scientist, the result of the implementation (the main goal) of the information function of law is the legal awareness of citizens and society as a whole, which is capable of influencing behavior patterns in society [14, p. 138].

It is worth noting that the functions of each branch of law are unique, which follows from the nature of social relations that regulate their norms, as well as from the peculiarities of the norms themselves.

O. M. Mykolenko notes that the functions of administrative law as a branch of law are the correspondence of the legal state that has developed in society as a result of administrative and legal regulation to the goals and means administrative-legal regulation [15, p. 40]. As noted by Yu. V. Pyrozhkova, the functions of administrative law are a vector (purposeful direction) of the influence of administrative law on social relations, which is aimed at achieving the desired, programmed result [16, p. 21]. The scientist believes that the function of administrative law is a formally defined, object-oriented, modern and promising direction

of influence, which is expressed in the active mode of activity of administrative law (formation, change and termination of administrative relations), aimed at achieving the goal, solving tasks, implementation of the social purpose of the industry at a certain historical stage of the development of society [16, p. 11].

In general, administrative law performs a number of functions, which include a regulatory function, a security function, a procedural function, as well as economic, political, military, environmental, socio-cultural and a number of other functions. A separate important function of administrative law is the information function, which, according to Yu. V. Pirozhkova, belongs to the socio-cultural functions of administrative law [16, p. 18].

The author notes that the information function of administrative law acts as a special “conductor” that not only ensures the relationship between the individual and the state through access to public information, but also creates conditions for the individual’s participation in state governance (through access to electronic declaration, electronic procurement, electronic governance, electronic petition, etc.). including local, a person has the opportunity to influence the processes of public administration) [16, p. 24].

That is, the scientist believes that the information function of administrative law concerns the simultaneous performance of two tasks: 1) guaranteeing the relationship between a person and the state in the form of access to public information; 2) creating conditions for the participation of a person in the governance of the state, in particular through petitions, when it comes to the ability to influence the processes of public administration.

The scientist adds that the renewal of the substantive load of the ideological and educational functions of administrative law, their optimal implementation, as well as permanent development would be impossible without the formation of an “image of administrative law” through legal awareness, that is, without the implementation of the information function [17, p. 91]. At the same time, the researcher notes that taking into account the transitive processes that take place in modern Ukrainian society and have a corresponding impact on the subject of administrative law, it is worth differentiating its general social functions, take into account the block of socio-cultural functions, the list of which should include ideological, educational and informational communicative functions [17, p. 88]. Therefore, the scientist believes that the informational function of administrative law is a component of its socio-cultural functions and general social functions. One should agree with this view, but it is worth adding that the belonging of the information function of administrative law to socio-cultural functions indicates the social importance of such a function even beyond the boundaries of administrative-legal relations themselves.

The information function of administrative law in the system of administrative-legal relations is gaining a new understanding not only from the point of view of the development of modern technologies, but also from the position of countering propaganda tools that serve as tools for creating conditions for committing the most serious crimes.

The full-scale Russian aggression against Ukraine is carried out with mandatory information support, aimed at exerting a destructive influence on the collective consciousness, value system, psychological attitudes of the population, military personnel, law enforcement agencies, and other objects of targeted influence. The issue of countering information and psychological operations (hereinafter referred to as IPSO) in the context of the commission of the crime of genocide against the Ukrainian people is a question of preserving human lives and preserving the existence of the people themselves. In this case, the legal tools of administrative law used in the implementation of its information functions, is subject to use in counteraction to the destructive action of IPSO.

As noted by O.Yu. Dakhno, IPSO acts as a modern and effective tool for undermining the information sovereignty of the state, creating a threat to national security, primarily its component, such as information security, and achieving a favorable emotional and psychological in order to implement relevant political, military or other measures aimed at achieving the goals of the IPSO subjects [18, p. 262].

The administrative and legal basis for countering IPSO in the conditions of the Russian-Ukrainian war is, in particular, the following: the Constitution of Ukraine, the Law of Ukraine “On National Security of Ukraine”, the Law of Ukraine “On the Basic Principles of Ensuring Cybersecurity of Ukraine”, Decree of the President of Ukraine “On the Issues of the Center for Countering Disinformation” and other regulatory legal acts.

It is worth noting that the provisions of the Decree of the President of Ukraine “On the Issues of the Center for Countering Disinformation” dated May 7, 2021 No. 187/2021 [19] (hereinafter referred to as the Decree) provide for the implementation of the information function of administrative law precisely in the context of countering disinformation, where it is not only about legal awareness of citizens, but also about removing obstacles to the formation of such awareness, when such obstacles arise as a result of the action of disinformation. An example of countering such disinformation, which took place on the Polish-German border when distributed among refugees by Russian disinformers, is “BBC News. Russian Service” false rumors about Germany’s alleged readiness to accept refugees and about the logistical decisions allegedly made for this: “That buses from Germany will come to them, and Poland will let them through.” However, representatives of the Polish authorities denied this information as being aimed at inciting migrants to storm the Polish border, and warned against ill-considered actions [20].

Given the above circumstances, in order to identify and counter disinformation, effectively counter propaganda, destructive information influences and campaigns, and prevent attempts to manipulate public opinion, in accordance with Part 1 of Article 1 of the Regulations on the Center for Countering Disinformation, the Center ensures the implementation of measures to counter current and projected threats to national security and national interests of Ukraine in the information sphere, ensuring information security of Ukraine. [19]. Along with the main tasks, the Center, in particular, promotes interaction between the state and civil society institutions in combating disinformation and destructive information influences and campaigns, organizing and participating in information and educational activities on improving the media literacy of society.

In addition, on March 11, 2021, on the basis of the National Security and Defense Council, as part of interaction with the international community, the International Center for Countering Disinformation was established, which coordinates and monitors the activities of executive authorities in the field of national security and defense. The goal of the center is to create a holistic state policy to counter information threats, counter destructive propaganda and disinformation, build a system of strategic communications, form a positive image of Ukraine in the world, etc. The International Center for Countering Disinformation will coordinate its work, in particular, with the European Centre of Excellence for Countering Hybrid Threats with headquarters in Finland (includes nine states).

Based on the analysis of the above-mentioned regulatory legal acts, it can be concluded that the information function of administrative law is also implemented in the form of protecting access to legal information from the destructive effects of disinformation. In addition, the information function of administrative law here involves not only guaranteeing everyone's access to legal information, but also the formation of institutions that directly provide such guarantees.

In general, legal information during the conduct of IPSO and hostile propaganda is subject to attempts to distort and restrict in order to form a distorted understanding of legal reality among consumers of disinformation. For example, information about the provisions of current administrative legislation in the field of administrative liability may be distorted, administrative services, powers of executive bodies, etc. In this case, the task of administrative law will be not only to convey truthful legal information, but also to eliminate obstacles to its delivery.

O.Yu. Dakhno notes that in order to improve the administrative and legal regulation of counteraction to IPSO, it is advisable in the Law of Ukraine “On National Security of Ukraine” determine the place of the Information Security Strategy and other acts of a strategic nature in the field of ensuring information security in the hierarchy of planning acts in the spheres of national security and defense of Ukraine [18, p. 264]. At the same time, under martial law, the information function of administrative law in terms of ensuring the relationship between the individual and the state through access to public information undergoes appropriate adjustments. In this case, we are talking about new manifestations of the information function in the system of administrative and legal relations, as well as about its new understanding, caused by the introduction of the legal regime of martial law.

In accordance with the content of the provisions of Part 2 of Article 34 of the Constitution of Ukraine, Everyone has the right to freely collect, store, use and disseminate information orally, in writing or in any other way of their choice. At the same time, in accordance with the provisions of Part 3 of Article 34 of the Constitution of Ukraine, the exercise of these rights may be limited by law in the interests of national security,

territorial integrity or public order for the purpose of prevention of disorder or crime, for the protection of public health, for the protection of the reputation or rights of others, for the prevention of the disclosure of information received in confidence, or for the maintenance of the authority and impartiality of justice [1].

As L.I. Rudnyk notes in agreement with the general rule, restrictions on human rights are permissible by international law (since our state recognizes the primacy of international law over the norms of Ukrainian legislation) and/or domestic law of interference with human rights and freedoms that meet the requirements of legality, necessity, expediency and proportionality of the pursued goal [21, p. 33].

The researcher notes that now the aggressor uses all possible methods and means, often prohibited by international law, to achieve its aggressive goals, one of which is disinformation. Information warfare is also being carried out, which is the coverage of information in such a way and by such means that it forms in society, in general, or a group of people need the aggressor's point of view, public opinion, a course of mutually complementary logical thoughts, a scrupulous system of views on individual issues in favor of the organizer of information propaganda. And as a result of such actions - the awareness of individual facts or events in the light necessary for the manipulator, the formation of an appropriate worldview or life position on issues where there were previously contradictions or misunderstandings [21, p. 34]. Thus, the scientist emphasizes that the right to access information is a constitutional human right, which is provided for and guaranteed by Article 34 of the Constitution of Ukraine, and is also provided for by the Laws of Ukraine "On Citizens' Appeals", "On Information", "On Access to Public Information" and other regulatory legal acts, that specify and supplement the provisions of the Constitution. In this case, Rudnyk L.I. notes that the right of citizens to appeal to the subjects of power and receive a response cannot be completely limited even under martial law [21, p. 34-35].

The researcher also draws attention to the fact that the administrator may refuse to provide information exclusively for the presence of grounds that are determined by the current legislation, but at the same time, the refusal to satisfy the request for information itself must indicate, in particular, the motivated grounds for the refusal [21, p. 35]. In this case, the issue of exercising the right to access information will be largely related to what exactly should be considered motivated ground for refusal. L.I. Rudnyk offers the author's understanding of the term "motivated ground for refusal", under which the scientist suggests understanding the legally justified presence of clearly defined circumstances, which, if present, make it lawful to refuse a request for access to public information (information managed by public administration bodies). At the same time, the researcher draws attention to the fact that examples of such restrictions are contained in Article 22 of the Law of Ukraine "On Access to Public Information". Then, a lawful restriction of rights is a restriction established by national legislation, operates both on a permanent basis and temporarily, complies with the principles of law: justice, proportionality, legality, and is determined by objective reasons, the purpose of such a restriction is to ensure the balance of interests of individuals and society as a whole. In this case, the essence of the restriction is that it is not a reduction or violation of human rights and freedoms, but rather a reduction in their scope. However, a mandatory condition for a lawful restriction is also that its content must be adjusted in accordance with the challenges and threats of today. L.I. Rudnyk notes that it is for this reason that it is logical to use the category of "lawful restriction of access", however, again, without violating the legislation [21, p. 35]. According to the researcher, the provisions of the Law "On Access to Public Information" under martial law (the text of which has been amended since the beginning of the introduction of martial law) no changes were made) must be implemented in full [21, p. 37].

In the context of the implementation of the provisions of the Law "On Access to Public Information" under martial law, the message of the National Agency of Ukraine for Civil Service is important, according to which, in accordance with the provisions of Part 2 of Article 64 of the Constitution of Ukraine under martial law, some constitutional rights and freedoms of citizens may be restricted, in particular the right to freely collect, store, use and disseminate information in any way. At the same time, it is noted that the right to access information under martial law may be subject to restrictions, primarily in order to protect the interests of national security and territorial integrity of the state. For example, as the National Agency of Ukraine for Civil Service Issues notes, there is a direct ban on the dissemination of information about the sending, movement of weapons, armaments and ammunition to Ukraine, the movement, relocation or deployment of the Armed Forces of Ukraine or other military formations formed in accordance with the laws of Ukraine, since criminal liability has been established for such actions [22].

At the same time, in accordance with the legal provisions of international norms, in particular Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms, the practice of the European Court of Human Rights, and the Constitution of Ukraine, in certain cases the state has the right to interfere with freedom of speech and restrict it. However, such interference must meet the following three criteria [23]:

- be provided for by law – that is, it is clearly defined in a higher regulatory act adopted by the Verkhovna Rada of Ukraine which actions are unacceptable and entail liability, so that any person can understand the consequences of their actions;

- must pursue a legitimate aim – that is, must be aimed exclusively at protecting the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of confidential information or to maintain the authority and impartiality of the court;

- not exceed the level necessary in a democratic society – that is, the level of state interference should be the minimum possible to achieve the protection of the public interest, and the state should cease further restrictions as soon as the purpose of the interference has been achieved.

That is, access to public information may be restricted under martial law in order to protect the interests of national security and territorial integrity of the state, however, such restriction must comply with the provisions of international legal acts, the Constitution of Ukraine, the Laws of Ukraine, and other domestic regulatory legal acts.

Conclusions. Thus, the information function in the system of administrative-legal relations occupies a key position among other functions and is closely related to them, since both the regulatory and protective functions of administrative law cannot be carried out without prior legal information of citizens regarding the content of administrative-legal norms.

The information function of law in the system of legal relations, in particular administrative-legal relations, today acquires new features and properties that are associated with social changes caused by technological innovations. Now it is worth talking about new views on the information function in the understanding of the legal regulation of artificial intelligence, where the acute the problem is the lack of regulatory legal acts that would regulate relations in the field of using AI technologies. Now the information function of administrative law must combine the reporting of legal information on relations in the field of using AI with an operational response to the development of such relations in the field of administrative lawmaking.

he information function in the system of administrative-legal relations acquires a new understanding not only from the point of view of the development of modern technologies, but also from the position of counteracting propaganda tools that act as tools for creating conditions for committing the most serious crimes. In this case, the information function of administrative law is realized in the form of protecting the right to access legal information from the destructive effects of disinformation. Moreover, the information function of administrative law in this case involves not only guaranteeing everyone's access to legal information, but also eliminating obstacles to such access, and it also finds its additional expression in the formation of institutions that directly provide such guarantees.

In general, legal information during information warfare is subject to attempts to distort and restrict it in order to form a distorted understanding of legal reality among consumers of disinformation. Information about the provisions of current administrative legislation may be distorted, and in this case, the task of administrative law will be not only to convey truthful legal information, but also to remove obstacles to its perception.

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ІМАНЕНТНІСТЬ ІНФОРМАЦІЙНОЇ ФУНКЦІЇ В СИСТЕМІ АДМІНІСТРАТИВНО-ПРАВОВИХ ВІДНОСИН: СУЧАСНІ ПІДХОДИ ДО РОЗУМІННЯ

В статті акцентується увага на реалізації у сфері адміністративно-правових відносинах інформаційних функцій, значення яких висвітлюються у положеннях Акту проголошення незалежності України від 24 серпня 1991 року та Основного закону України, де стверджено зазначається, що створення вітчизняної інформаційної політики вимагає формування дієвої системи інформації та комунікації.

Окреслено, що адміністративне право є однією із найбільш фундаментальною галуззю права в площині інформаційних відносин. В системі адміністративно-правового регулювання галузь адміністративного права охоплює велику групу управлінських відносин у сфері інформації, визначаючи принципи, форми та методи системи інформаційного забезпечення, сутність інформаційної протидії зовнішнім та внутрішнім загрозам, засоби стягнення за порушення адміністративного та інформаційного законодавства. Також адміністративне право у сфері інформації виконує важливу функцію – управлінську, яка проявляється у прийнятті рішень політичного, економічного, військового, соціально-культурного та багатьох інших напрямках подолання широкомасштабної російської агресії.

Встановлено, що адміністративне право у взаємодії з інформаційним та іншими галузями права, гарантує забезпечення інформаційних функцій в інформаційних та телекомунікаційних системах, зорієнтованих на задоволення інформаційних потреб та інтересів суб'єктів. Саме тому одним із перспективних напрямків наукових розробок є дослідження меж регулятивного впливу інформаційних функцій в адміністративних відносинах органів публічної влади.

Зазначено, що російсько-українська війна, яка агресивно спрямована проти України, здійснюється із обов'язковим інформаційним супроводом, що має на меті здійснення деструктивного впливу на колективну свідомість, систему цінностей, психологічні установки населення, військовослужбовців, правоохоронних органів та інших об'єктів цільового впливу. Питання протидії інформаційно-психологічним операціям за умов вчинення геноциду проти українського народу є питанням збереження людських життів та збереження існування самого народу. Правничий інструментарій адміністративного права, що використовується в ході реалізації його інформаційної функції, підлягає застосуванню у протидії деструктивної дії інформаційно-психологічних операцій.

Доведено, що чинники сьогодення потребують нового погляду на інформаційну функцію права, мова йде про технології штучного інтелекту, захисту сфери правової інформації від деструктивного впливу інформаційної війни, пошуку балансу між правом на доступ до публічної інформації та вимог щодо обмеження на доступ до публічної інформації в умовах дії правового режиму воєнного стану.

Визначено, що сучасний стан ведення російською пропагандою інформаційного тиску проти України, вимагає від керівництва держави злагодженої консолідації органів публічної влади з громадськістю, спрямованої на формування позитивних тенденцій щодо реалізації громадянами права на отримання правдивої інформації про події на фронті та реальні тиллові здобутки вітчизняного воєнно-промислового комплексу у нарощуванні власного виробництва зброї. І саме в цьому напрямку інформаційна функція повинна відігравати ключову значимість в системі адміністративно-правових відносин, визначаючи дієві інформаційні підходи до вирішення проблемних питань.

Ключові слова: іманентність, інформаційна функція, адміністративне право, адміністративно-правові відносини, правова інформація, інформаційні відносини, штучний інтелект, право на доступ до публічної інформації.