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## Defining “Information Resources” and Their Interpretation in the Domain of Ukrainian National Police

**Abstract:** The article focuses on studying the definitions of “information technologies” and aims to elaborate on the proposal concerning its legislative consolidation. The analysis of actual regulations in Ukraine, which determine the public relations in the sphere of information, as well as the state of research on this problem by other scholars, have shown the following: (1) currently, there is no unambiguous interpretation of this definition at the legislative level, which creates the preconditions for ambiguous interpretation and practical application of this concept in the legal field; (2) for several reasons, there exists a noticeable lack of a unanimous approach to unifying the definitions of “information resources.” This study offers to rely on an approach according to which the definition of “information resources” is considered in the context of a particular area of social activities. Based on this approach, it is offered to amend the basic normative legal document that defines public relations in the information sphere in Ukraine, i.e., the Law of Ukraine “On Information,” as well as the main legal instrument that regulates information activities in the National Police of Ukraine, that is the Law of Ukraine “On the National Police.”

**Key words:** information, information resources, information services, normative-legal regulation, National Police of Ukraine, public relations

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### Introduction

**B**ased on the definitions provided in the explanatory dictionary, the term “resource” originates from the French *ressource*, denoting such

aids as cash, valuables, certain supplies, opportunities, sources of income, etc. (Mastyanytsia, 2006, p. 28). In the early 1980s, the notion of information resources gained enormous social currency, even acquiring an autonomous sense, since they contain unique features and exert not only an important but an active and formative influence on social processes. Today, the development of information society and the growing computerization of all social spheres have led to the fact that information resources became essentially one of the most important – if not the most important – resources, as they are the ones that determine the intellectual capacity of their owner. Following this, information resources have become an indispensable component of any activities that enable their further formation, creation, transformation, and use.

Resulting from the adoption of legislation in spheres of information, administration, criminal and civil matters, the term “information resources” has actively been used in the elaboration of different bills, legal acts, and regulations of all levels. For instance, the Law of Ukraine “On National Police” devotes considerable attention to police use of information resources.

In particular, Articles 26–28 define forming and using information resources, and their illicit and unlawful use is thereby enshrined (*On the National Police*, 2015). However, the present-day Ukrainian legislation still lacks a normatively set definition of “information resources,” which hinders the full application of the legal norms in determining the responsibility for violating the rules in the sphere of information and their formation, transfer, use, etc.

In this line of reasoning, Article 28 of the Law of Ukraine “On National Police” showcases the norm regarding the liability for illegal use of information resources that cannot be fully implemented.

Considering these and other similar aspects, it is of utmost importance to develop the Ukrainian system of legal instruments to legislate the definition of “information resources,” which will ensure its unambiguous interpretation.

The present article aims to propose a set of solutions to this problem, specifically by presenting an insight into the definition of “information resources” and developing recommendations for its legislative consolidation.

### **Regulatory and scientific approaches to defining “information resources”**

In the process of our research, we have encountered a major problem, which lies in the fact that a multitude of definitions has been developed

to the notion of "information resources" in legal acts and regulations of various levels, monographs, and scholarly publications. The reason for such variation seems to be a lack of one jointly elaborated approach or a single framework among legislators and scholars toward this social phenomenon.

First and foremost, it is worth mentioning that introducing the notion of "information resources" into widespread use could not bypass the lawmakers in the first place. The latter defined this concept in Article 1 of the Law of Ukraine, "About the Concept of the National Program of Informatization." The mentioned normative document singles out information resources into a separate category, defining them as follows: "Information resource refers to a set of documents in information systems (libraries, archives, databanks, etc.)" (*On the National Program of Informatization*, 1998).

Another normative act, "The concepts of forming the system of national electronic information resources" indicates that electronic information resources comprise all "resources, regardless of their content, form, time and place of creation and forms of ownership, which are designed to meet the needs of a citizen, society and state" (*The Concept of the Formation of the System of National Electronic Information Resources*, 2003).

However, the framework document "Procedures for the Protection of State Information Resources as well as Information and Telecommunication Systems" provides the following definition of state information resources: "information is the property of the state, and the need of its protection is determined by law" (*The Procedure for Protecting State Information Resources and Systems of Information and Telecommunications*, 2001).

Under the Law of Ukraine "About the Concept of the National Program of Informatization," the national system of information resources is "a structured base of data and knowledge from various fields of industry, science, culture, education, trade et al." (*On the Concept of the National Program of Informatization*, 1998).

All the same, it is noteworthy that despite the use of the term "information resources," the Law of Ukraine "On information," a founding legal document in the regulatory system of information relations in Ukraine (*On Information*, 1992), does not define the term. This terminological absence in the major legal document, which serves as the ground for preparing and introducing other legal acts and bylaws, sets main preconditions for its various interpretations.

Therefore, our concise outline of the existent interpretations of “information resources” in normative legal documents gives us grounds to formulate such interim conclusions: 1) at the legal level, there is no unanimous understanding of the notion; 2) different lines of interpretation, evident in the definitions of “information resources,” create preconditions that complicate the development of laws and regulations; 3) ambiguity in the interpretation of the notion of “information resources” does not allow making unambiguous decisions at almost all levels of public relations.

Apart from the lawmakers, a great many Ukrainian scholars took an active part in researching and conceptual reconsidering of “information resources,” namely Rena Marutyán (2009, p. 97), Oleksandr Sosnin (2003, p. 16), Borys Kormych (pp. 155–157), Nataliya Lytvyn (2016, pp. 144–146) et al. Without citing their definitions for the sake of brevity, it is important to note that they have contributed significantly to advancing the conceptual framing of the term by offering a range of remarks and substantial commentaries. For instance, Viktoriya Bielevtseva states, “information resources primarily concern information, only then – they are to be treated as a set of documents in the sense of any carrier” (Bielevtseva, 2011, p. 42).

Although the general analysis of scholarship representing different areas, similarly to the provided analysis of the normative legal acts, points to the absence of a unified approach to solving the outlined problem in Ukraine, it also attests to the existence of distinct ways of thinking about the notion of “information resources.” This situation calls for addressing the experience of other European states and studying their scholarship. Having analyzed their research, we find it reasonable to highlight the approach to the notion “information resources,” elaborated by the German scholar G. Wolfram. Based on ten different ways of interpreting the notion “information resources,” provided by other scholars, he underlined that information resources cover not only information but also information technologies and human resources that undertakes information processing (IT specialists, documentation specialists, archivists, and others) (Sydorenko, 2018, p. 169).

Summarizing the definitions of “information resources,” presented in legal acts, which regulate the social relations in the sphere of information and the lines of reasoning, put forward by different scholars, it is possible to conclude the following: the legal interpretation of “information resources” as a depository of documented information does reflect an array of documents as their key aspect. However, it does not provide

a thorough legal interpretation of its constituents. As far as the aspect of documentation flow is concerned, it does not entirely represent the notion. It is expedient to include modern information systems, technologies, the digitalization processes,<sup>1</sup> and even the personnel responsible for information processing under the notion of information resources.

On the other hand, the analysis of approaches to the definition of "information resources," as well as the results of studies held by the scholars in various fields of social sciences, still do not make it possible to unify this multisided concept, formulate and enshrine a single universal definition of "information resources" in regulations, and thus elaborate their clear-cut, objectively substantiated classification.

The analysis held for the present paper brings to the fore that three main factors stipulate such a situation. First, the term "information resources" has been actively used in theory and practice within different spheres of human activities. Secondly, a broad spectrum of senses has been gradually added to the definition. And finally, a constituent of this definition, that is, the term "information," cannot be precisely explained (in its strict sense) following the theory of information (Podlevskyi, Rykaliuk, 2018, p. 9).

In other words, having generalized the cited statements from legal acts and scholarship, a set of factors has been observed that explain the inexistence of the unified definition of "information resources," which enables us to make a claim about the current relevance to search and elaborate new approaches to this problem.

The present study posits that one way forward would be to examine the definition of "information resources" in the framework of a certain sphere of human activities. Furthermore, there have been some developments in this line of reasoning.

For instance, such an approach has been applied to the definition of "library resources" in the Law of Ukraine "On Libraries and Library Services" regarding information resources of libraries. Under this regulation, as Article 10 states, the definition of "library resources" is determined as

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<sup>1</sup> Digitalization refers to the intensive reliance of the physical world on electronic-digital devices, means, systems and the establishment of electronic and communication exchanges between them, which actually allows the integrated interaction of virtual and physical, i.e. it creates cyberspace (*On approval of the Concept of Developing Digital Economy and Society of Ukraine for 2018–2020 and approval of the action plan for its implementation* (2018), Order of the Cabinet of Ministers of Ukraine, 17 January, <https://zakon.rada.gov.ua/laws/show/67-2018-%D1%80>).

an integral part of the definition of “information resources,” the former further identified as “organized library funds of documents on various media, databases, network information resources, reference and search engine, means of logistics, storage and transfer of information” (*On the Library and Library Services*, 1995).

A rather similar approach is used in another legal document. Recognizing the importance of defining the concept of “information resources” in the process of preparing bylaws, which govern the information activities of the National Police of Ukraine and the Ministry of Internal Affairs of Ukraine, “Information Portal of the National Police of Ukraine” (IPNP) attempted to provide a normative definition of the notion from the perspective of information services of National Police of Ukraine and presented it in the enforced Regulation on the information and telecommunications system. This document states that “information resources of the IPNP system refer to the information, generated in the process of police operations and used for the formation of the following: temporary data sets, created in the process of the police operation and used to fill and maintain up-to-date databases, or (banks) of data, integrated into the UIS MIA [Unified information system of the Ministry of Internal Affairs] and defined by Article 26 of the Law of Ukraine ‘On the National Police;’ databases in the field of management relations, necessary for the execution of the duties, assigned to the police; databases needed to ensure the daily activities of the police in the field of labor relations, financial support and document management” (*On the adoption of the Regulation on the Information and Telecommunication System “Information Portal of the National Police of Ukraine”*, 2017).

Even though such definition is, from our perspective, quite limiting and does not include a range of other important components of information resources that have been elicited, among them – information systems, technologies, etc., and thus needs further enhancement, it can be still considered sufficient for the normative formulation, given the formation and use of information data by a separate, departmental integrated information and telecommunications system. Moreover, this case of its use in the normative legal act repeatedly justifies the need and correctness of our statement about reconsidering the notion of “information resources” according to a certain area of human activities.

Analyses held on regulations governing information activities in many areas in Ukraine show that these documents often use the term “information resources” without including the interpretation of this definition.

Presently, the reason for this lies in two aspects. First of all, during the preparation of regulatory support for information activities in a particular area, its developers believe that the definition of “information resources” can take any interpretation (or one of the interpretations), which have already been normatively defined in other legal acts (some of them are listed above); secondly, our proposal to develop the definition of “information resources” following a certain area of public activity has not been enshrined in law yet.

Therefore, in order to correct the situation that has developed in the modern Ukrainian legislation regarding the raised issues, we propose to take the following steps:

1. To introduce changes to the basic legal act in the regulation of information relations in Ukraine, namely to the Law of Ukraine “On Information.” It is recommended to indicate in Article 1 (Definition of terms) the following: information resources represent information, information technologies, knowledge bases, etc., the specification of which is determined by regulations governing information relations in a particular field.
2. To integrate the definition of the notion of “information resources” to the normative legal acts that regulate information activities in a certain sphere of public activity (for example, to the Laws of Ukraine “On the National Police,” “On the Security Service of Ukraine,” “On the State Border Guard Service of Ukraine,” etc.).

Due to the limited size of our publication, the next part of the article explores the definition of “information resources” given the activities of the National Police of Ukraine and proposes its interpretation to amend the Law of Ukraine “On the National Police.”

### **Processing of information resources by the national police of Ukraine**

To present a full and comprehensive study of the definition of “information resources” given the information activities of the National Police of Ukraine, it is necessary to analyze in detail the legislation governing their operation and public relations in this area. It is assumed that the administrator of information resources, information and telecommunications systems (subsystems), technological and software tools for ensuring their functioning is an entity that has full responsibility and authority to

own, use and distribute them (in our case, the National Police). In contrast, a consumer is an entity that addresses the administrator through the relevant information system or an intermediary to obtain the information one needs for further use.

The main legal act that regulates the information services of the National Police of Ukraine is the Law of Ukraine “On the National Police.” It attaches great importance to the designation of the powers of the National Police in the field of information circulation, information and analytical support, formation, and use of information resources (Senyk, 2017b, pp. 243–244). Consequently, as stipulated in Article 25 of this Law, the police have the following responsibilities and rights within their information and analytical activities:

- to fill databases (banks of data), integral to the structure of Unified Information System (UIS) of the Ministry of Internal Affairs of Ukraine;
- to use databases (banks of data) of the Ministry of Internal Affairs of Ukraine and other state bodies;
- to conduct information-analytical and information-search activities;
- to cooperate and exchange information with state and executive authorities of Ukraine, law enforcement agencies of foreign countries, and international organizations.

In addition, it is underscored that “the police can create their own databases needed to ensure the daily operation of police institutions and agencies in the field of labor, financial, managerial and document management relations, as well as can set up interdepartmental information and analytical systems, which are necessary to perform their duties” (Section 2, Article 25).

It is worth noting that by the term “information system” here and further in the paper, we mean the organized system of data processing through accumulation, storage, updating, search, and display (Senyk, Kernytsky, 2008, p. 34), which is essential for the efficient functioning of the providers of information services during the creation, dissemination, receipt, storage, and processing of information (Tsymbaliuk, 2010, p. 32). Following this, key components of the information system are the following: information, required to perform management functions; staff, having the obligations to ensure the effective functioning of the information system; technical means; methods as well as procedures for collecting and processing information (Shorokhova, 2017a, p. 133).

On the whole, the information services of the National Police of Ukraine are aimed at managing social and public relations related to the

collection, formation, processing, storage, transmission and use of information resources, management of the processes of information creation and provision of services related to its use, development, and application of innovative technologies when dealing with information products, their transfer employing information and telecommunication systems, maintenance of information protection.

It is of vital importance to underline that information resources of the National Police consist of the objectively generated sets of data with direct relevance to individuals, legal violations, or other events that have been accumulated in the course of operational activities and provision of services of the police within the framework and procedure determined by the duties put on the police, under the current legislation.

In turn, Article 26 of the Law of Ukraine "On the National Police" specifies the powers of the police in the sphere of information resources. According to it, the police's responsibilities include filling and maintaining the information resources and databases (banks of data) up-to-date, which are included in the Unified Information System (UIS) of the Ministry of Internal Affairs of Ukraine. These data banks cover such categories as individuals, events, facts, and items of material value.

Besides, when entering materials into the databases (banks of data) on individuals detained under suspicion of committing offenses (in case of administrative detention, detention based on the instructions of other law enforcement agencies, detained individuals by pre-trial investigation bodies, or people under house arrest), the police are to provide collection and accumulation of multimedia data (photos, videos, sound recordings) and biometric information (fingerprints, DNA samples).

The formation of information resources is one of the main tasks in the activities of the National Police. The formation of information resources is usually understood as creating new types and forms of information resources based on the acquired knowledge, data, information, and results of analytical activities, etc. In order to form new information resources, it is necessary to conduct a complete and thorough analysis of data, knowledge, and information that will be used in the resource and determine the interrelations therein. This problem is one of the key ones while introducing automated information resource generation systems into the operations of the National Police.

The way the National Police forms their information resources is heavily influenced by the granted legal support, which must create effective working conditions and quality information support that will assist in solving both strategic and situational tasks in the service.

It is also imperative to understand that the present-day information processes have a great influence on the formation of information resources (Senyk, 2017a, p. 213), which has an impact on the development of modern information, technological and technical means of information transfer, processing, use and implementation in the operations and services of the National Police. The issues of ensuring the security of information resources are also of utmost importance.

Given the important role of information resources in ensuring that the police fulfill their responsibilities to society, the Ministry of Internal Affairs of Ukraine and other public authorities should create conditions and appropriate mechanisms for quality formation, development, and effective use of information resources, as well as ensure an effective system of their management.

When forming a management system of information resources, it is essential to attend to its integrity, consistency, hierarchical structure, stability of work and organization, and protection and provide the possibilities of its connection with other systems. Aside from that, it is advisable to consider the characteristics of information resources, the means of their processing and transmission as objects of management.

Information resources of the National Police belong to the state information resources (*On the adoption of the Regulation on the Information and Telecommunication System "Information Portal of the National Police of Ukraine"*, 2017). Such information is not subject to dissemination or transfer to other entities if it is not provided by law.

In addition to the formation, an important aspect of information services and information-analytical activities of the National Police of Ukraine is the use of information resources. This area is regulated by Article 27 of the Law of Ukraine "On the National Police," which accounts for the following:

1. The police are granted "...direct operational access to information and information resources of other public authorities in compliance with the Law of Ukraine 'On Personal Data Protection'" (*On the Protection of Personal Data*, 2010).
2. Information about the access to the databases (banks of data) must be registered and stored in the information processing system, including information on the individual who gained access and learned the content of the obtained information.
3. Every action of an individual concerning the obtaining of information from information resources, as provided in Article 26 and Article 27

of this Law, shall be registered in the corresponding electronic journal, and its maintenance is entrusted to the information technology department of the Ministry of Internal Affairs of Ukraine.

Thus, the legal access to the generated information resources and their use by the National Police is provided solely to perform official duties and in full compliance with the current legislation and public standards.

Under items 2 and 5, Section 1 of the Article 16 of the Law of Ukraine "On National Police" (*On the National Police*, 2015), the procedure for granting police units access to information resources and their admission to internal exchange of information, i.e., within the system of the Ministry of Internal Affairs, shall be determined by the orders of the Minister of Internal Affairs. For instance, under the Procedure for organizing the access to information resources during the information exchange between the Ministry of Internal Affairs of Ukraine, the State Migration Service of Ukraine and the State Border Guard Service of Ukraine, approved by the Order No. 920 of the Ministry of Internal Affairs of Ukraine as of September 26, 2013 (*On the approval of the Procedure for organizing the access to information resources during the information exchange between Ministry of Internal Affairs of Ukraine, the State Migration Service and the State Border Guard Service of Ukraine*, 2013), cooperation and exchange of information between the Ministry of Internal Affairs of Ukraine, the State Migration Service of Ukraine and the State Border Guard Service of Ukraine, aimed at providing the access to relevant information resources, takes place by forwarding requests from one institution to another or by registering authorized officials of the mentioned three state institutions as users of the existent information systems (Sokurenko et al. (eds.), 2016, p. 122).

The procedure for exchanging information resources between foreign state institutions and law enforcement agencies is based on relevant interdepartmental legal instruments, international agreements signed by Ukraine, and cooperation agreements between the Ministry of Internal Affairs of Ukraine and the authorities of these states (Shorokhova, 2017b, p. 171).

According to the current legislation, information resources are used by the National Police to exercise the following functions: to obtain data on accounting practices at all times (24/7); to retrieve integrated information; to ensure cooperation and exchange of information between separate institutions, divisions, and police services; to prepare information-analytical overviews and reports to the top officials of the Ministry of Internal

Affairs or police on the availability of a certain level of information in the integrated specialized information-search systems following the required format; to submit reference and statistical data to state authorities of Ukraine, law enforcement agencies of other states (Minka, 2017, p. 157).

One of the main objectives that can be reached while using information resources is to establish links, dependencies, patterns, and the interrelation between crime, criminal offenses, the operations of the National Police, and the factors that determine them. In doing so, the National Police create appropriate information systems and subsystems involving artificial intelligence. These information systems (and subsystems) of operational-search and centralized accounting are created in order to provide efficiency in the operational and service activities of the National Police.

All in all, it can be stated that the following aspects are to be taken into consideration in the framework of formulating the definition of “information resources” in the context of the services provided by the National Police of Ukraine:

- information processes that affect the development of modern information, technological and technical means of information processing and their introduction into the operations and services of the National Police;
- the processes of forming the management system of the information resources of the National Police;
- the status of information resources that undergo the processing by the units of the National Police;
- the issues of information exchange with other state and non-state institutions;
- the results of the normative-legal examination of the activities of the National Police of Ukraine in the sphere of information processing;
- the results obtained in the analysis of the existing normative-legal and scientific interpretations of the definition of “information resources,” as well as distinct standpoints of scientists regarding this phenomenon;
- our approach and statements about the need to develop the notion of “information resources” in the context of a particular area of public activity, etc.

Considering the mentioned aspects, we suggest interpreting the notion of “information resources” in the sector of the National Police in the following way: “information resources of the National Police refer to

individual documents and their arrays, the results of intellectual, creative, managerial, information and analytical activities of staff, banks and databases, information and telecommunications systems (and subsystems) as well as technologies, archives and other funds that contain data (information), recorded on appropriate information media, and which are regarded as the objects of property rights of the National Police of Ukraine, having the proper consumer value."

## Conclusions

Overall, it may be necessary to state that modern processes of social computerization have led to the need for legal interpretation of the definition of "information resources" to unambiguously apply it in the further development of social relations in the information sphere.

Summarizing the results of the studies devoted to this problem, held by scholars from different countries and experts in various fields of knowledge, we concluded that there had been no unanimous approach to unifying the definition of "information resources." What is more, this notion is actively used in the theory and practice of various spheres of social activities, and it is constantly conceptually extended in the process of knowledge enhancement, primarily due to the rapid development of information technologies. The key component of this notion, the term "information," cannot be strictly defined as well, as the information theory puts forward.

Such observation gave grounds to propose reconsidering the definition of "information resources" through the lens of a certain area of public activity. There is a need to amend legislative acts governing public relations in the information sphere to implement such an approach. It primarily applies to the fundamental normative document in this area, the Law of Ukraine "On Information." In particular, we suggest adding to Article 1, "Definition of terms," the following statement: "*information resources* are the information, information technologies, knowledge databases, etc., the specification of which is determined by regulations governing information relations in a particular field." Based on this interpretation, a need to amend some legislation governing public relations in the information sphere will arise. One of such acts would be the Law of Ukraine "On the National Police."

Considering the results of a detailed and comprehensive study of the regulatory and legal support of the National Police of Ukraine in the field

of information activities and public relations in this area, we propose to amend the Law of Ukraine “On the National Police.” It is recommended to introduce an Article under the title “Definition of Terms” or to add to Article 26 “The formation of information resources by the police” the definition of “information resources,” focusing on the scope of information services provided by the National Police. The following formulation is proposed: “information resources of the National Police refer to individual documents and their arrays, the results of intellectual, creative, managerial, information and analytical activities of staff, banks and databases, information and telecommunications systems (and subsystems) as well as technologies, archives and other funds that contain data (information), recorded on appropriate information media, and which are regarded as the objects of property rights of the National Police of Ukraine, having the proper consumer value.”

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## Definicja „zasobów informacji” i jej interpretacja w zakresie działania policji narodowej Ukrainy

### Streszczenie

Artykuł poświęcony jest badaniu definicji „zasobów informacyjnych” oraz opracowywaniu propozycji ich konsolidacji legislacyjnej. Analiza aktualnych przepisów Ukrainy regulujących public relations w sferze informacyjnej oraz wyniki badań na ten temat naukowców z różnych dziedzin wiedzy wykazały, że obecnie na poziomie legislacyjnym brak jest jednoznacznej interpretacji tej definicji, co stwarza przesłanki do niejasności interpretacyjnych i praktycznego zastosowania. Z wielu powodów brakuje jednomyślności w podejściu do sformułowania ujednoliconej definicji „zasobów informacyjnych” należy rozpatrywać w kontekście określonego obszaru działalności publicznej. W oparciu o to podejście proponuje się nowelizację podstawowego dokumentu normatywnego określającego public relations w sferze informacyjnej na Ukrainie – ustawy ukraińskiej „O informacji”, a także głównego dokumentu normatywnego regulującego działalność informacyjną w Policji Państwowej – ustawy Ukrainy „O policji narodowej”.

**Słowa kluczowe:** informacja, zasoby informacyjne, działalność informacyjna, regulacja prawna, Ukraińska Policja Państwowa, public relations