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STRUCTURE OF THE MECHANISM ENSURING THE RIGHTS OF INDIVIDUALS TO ACCESS INFORMATION THAT IS AT DISPOSAL OF COURT

This article discusses constituent elements of the mechanism to ensure implementation of rights of individuals to access information that is at disposal of court.

In the view of generalization of scientific positions regarding elements of the mechanism to ensure implementation of rights of man and the citizen, it has been concluded that there are two approaches to determination of the components of this mechanism: broadside and precise. Broadside approach sees almost all legal means without which citizens aren't able to exercise their legal right as elements of the mechanism of enforcement of implementation of rights of man and the citizen; precise approach systematizes the aforementioned legal instruments according to certain criteria.

It has been proven that provision of all existing legal means, application of which enables to create conditions for implementation by man and the citizen of legal rights granted to him, does not allow suggesting the mechanism for ensuring implementation of rights of man and the citizen as a coherent system. In connection with this, it was proposed to consider legal relationship between authorized state bodies and citizens pertaining to implementation of rights of man and the citizen as a criterion that allows

combining interrelated elements into a single mechanism.

Taking into consideration peculiarities of this legal relationship, it has been concluded on singling out the following elements of the mechanism of enforcement of implementation of rights of man and the citizen: normative material, institutional, procedural and processual.

It has been accentuated that these are such elements that constitute the mechanism of enforcement of implementation of rights of individuals to access information that is at disposal of court. In particular, normative material element involves existence of current legislation in the field of access to information that is at disposal of court, within the limits of which specified legal relationship is realized; institutional element is represented by court as an administrator of information that is at its disposal; the core of procedural element consists of administrative procedures, within the limits of which the court ensures implementation of rights of individuals to access information that is at its disposal; processual element involves bringing judges to justice for infringement of legislation on access to public information and appeal of decisions, actions and omission of judges in accordance with rules of administrative procedure.