CONSTITUTIONAL AND LEGAL GUARANTEES OF EQUAL ACCESS TO OFFICIAL INFORMATION PUBLISHED BY GOVERNMENT BODIES ON SOCIAL MEDIA

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Abstract. This article analyses the constitutional and legal guarantees of equal access to official information published by government bodies on social media. It focuses on the gap between the publication of information and citizens' ability to use it in practice. The article examines the effects of barriers related to internet access, digital literacy, language and disability on the right of access to information. The state's obligation to provide information is considered through the criteria of equality, non-discrimination and comprehensibility. The potential of artificial intelligence to generate translations, captions and alternative text is discussed alongside the legal consequences of errors in these outputs. The article proposes measures to present official communications in accessible formats, maintain alternative information channels and develop effective complaint mechanisms when rights are infringed.

Keywords: government bodies, social media, official information, right of access to information, constitutional guarantees, equal access, digital inequality, inclusion, artificial intelligence, digital justice.

The publication of an official communication by a government body on social media does not, in itself, ensure equal access to that information. A gap may exist between making a communication publicly available and enabling people to find, read, understand and use it to exercise their rights. This gap acquires particular legal significance when the information concerns citizens' safety, access to public services or deadlines for submitting applications or appeals. Accordingly, an assessment of government bodies' digital communication should examine both the dissemination of information and its usability for people with different needs and capabilities.

The constitutional basis of this issue lies in the guarantees of equality and freedom of information. Article 19 of the Constitution of the Republic of Uzbekistan establishes citizens' equal rights, while Article 20 provides that human rights and freedoms have direct effect and determine the substance of the activities of government bodies. Article 33 guarantees the right to seek, receive and disseminate information, whereas Article 34 requires government bodies and the relevant officials to provide access to documents, decisions and other materials affecting individuals' rights and legitimate interests. Interpreting these provisions together provides a basis for assessing practical barriers to official information from a constitutional and legal perspective.[1]

The format of information on social media may restrict access for some users. For example, an announcement presented as an image without a text alternative may create a barrier for a person using a screen reader, while a video communication without captions may create a barrier for a person with a hearing impairment. Internet quality, digital literacy and the ability to understand the language of a communication may also affect access to information. The key research issue is to identify the

[1] Constitution of the Republic of Uzbekistan. — Articles 19–20 and 33–34.

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circumstances in which these differences require a government body to take additional organisational or legal measures.

The use of artificial intelligence to prepare translations, captions and plain-language explanations introduces a further dimension to this analysis. A balance must be maintained between adapting information and preserving its legal meaning. In particular, an incorrect translation of an application deadline or a condition for accessing a service may influence a citizen's decision. The article therefore examines automated tools in relation to human oversight, error correction and the responsibility of government bodies.

The article aims to identify constitutional and legal criteria for ensuring equal access to official information published by government bodies on social media and to develop proposals for strengthening the relevant guarantees. Its central research question is: under what conditions can a government body's publication of an official communication on social media be regarded as fulfilment of its obligation to ensure the right of access to information on an equal basis? This question is examined against the criteria of technical access, comprehensibility, availability of alternative formats and access to remedies.

An examination of equal access to official information requires a combined analysis of approaches to government openness, digital inequality and information accessibility. These perspectives illuminate different aspects of information publication, the conditions governing its use and its practical significance for citizens.

In her study of government communication in the United States and the Netherlands, H. J. M. E. Ruijer examines proactive transparency, understood as the disclosure of information by a government body without waiting for a request, in relation to the communication process. The author shows that the extent to which information serves the public interest also depends on its comprehensibility, usability and opportunities for feedback. This approach is relevant to the present article: the fact that a government body has posted a communication does not mean that citizens can understand or use it. However, Ruijer's research centres on government communicators and organisational conditions; the guarantees of equal access to official information under Uzbek law require separate analysis.[2]

The study by A. van Deursen and J. van Dijk examines the material conditions of digital inequality. Based on a survey of the population of the Netherlands, it finds that, alongside internet connectivity, the variety and capabilities of devices and the costs of maintaining equipment and subscriptions affect digital inequality. These findings indicate that internet access alone cannot be regarded as sufficient evidence of equal access. This article applies that approach to assess the differences between presenting official information as data-intensive video or images and providing it as text that requires little data. The findings of this foreign study are not treated as direct evidence of conditions among the population of Uzbekistan.[3]

The W3C Web Content Accessibility Guidelines (WCAG) 2.2 are relevant to establishing practical criteria for inclusive communication. Unlike an academic study, this document provides technical criteria for assessing the accessibility of web content. These include text alternatives for non-text content, captions for prerecorded videos and compatibility with assistive technologies. The article uses these

[2] Ruijer H. J. M. E. Proactive Transparency and Government Communication in the USA and the Netherlands : PhD dissertation [Electronic resource]. — Virginia Commonwealth University, 2013. — URL: https://scholarscompass.vcu.edu/etd/3233/

[3] Van Deursen A. J. A. M., Van Dijk J. A. G. M. The first-level digital divide shifts from inequalities in physical access to inequalities in material access // New Media & Society. — 2019. — Vol. 21, No. 2. — P. 354–375. — DOI: 10.1177/1461444818797082

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criteria to assess the accessibility of official communications for users with different needs. In doing so, it distinguishes the content and format controlled by a government body from the technical capabilities of the platform itself. Compliance with WCAG is not interpreted as a measure that fully captures every aspect of legal equality.[4]

The sources reviewed complement one another: Ruijer addresses comprehensibility and communication quality; van Deursen and van Dijk examine the material conditions of access; and WCAG sets out verifiable accessibility criteria. This article's analytical approach connects these perspectives with the state's constitutional obligations. It focuses on when a barrier to information requires additional measures from a government body and the criteria that should guide those measures.

The research is based on doctrinal and comparative legal analysis. Doctrinal analysis is used to interpret the constitutional provisions on equality, the direct effect of human rights, access to information and access to materials affecting individual rights in their interrelationship. The analysis distinguishes the substance of the state's obligation to publish information from its obligation to remove barriers to its use. Comparative legal analysis enables a functional comparison of national constitutional guarantees with international accessibility criteria: it assesses which barrier each criterion reduces and how that criterion could be incorporated into the national legal framework.[5]

The unit of analysis is the relationship between the form in which an official communication is presented and a citizen's ability to use it. Hypothetical situations, such as an image-only announcement, a video without captions or an AI-translated communication, are used to assess technical access, comprehensibility, alternative formats and opportunities for error correction. These examples are not presented as findings from actual observation. As the research does not rely on an independent survey or large-scale monitoring, its conclusions seek to substantiate legal criteria and proposals rather than measure the prevalence of the problems discussed.

1. The Constitutional Meaning of Equal Access to Official Information

Equal access to official information means that the necessary conditions exist for citizens to find communications issued by government bodies, understand their content and use them to exercise their rights. Equality is not secured merely by presenting every user with a communication in the same format. Because individuals differ in their technical capabilities, health conditions and information access needs, the same format may produce different outcomes for different users. It is therefore necessary to distinguish public availability from effective equal access to information.

The provisions on equality in Article 19 and the direct effect of human rights in Article 20 of the Constitution of the Republic of Uzbekistan provide a basis for evaluating government communication from a rights-based perspective. Articles 33–34 establish guarantees of access to information and to materials affecting rights and legitimate interests. Article 57 is particularly relevant: it provides that the state shall ensure that persons with disabilities can obtain necessary information without hindrance. Ensuring information accessibility is therefore an issue linked to a constitutional obligation.[6]

This approach also has a statutory basis. Article 4 of the Law "On the Openness of the Activities of State Authorities and Administrative Bodies" establishes universal access to information, its timely

[4] W3C. Web Content Accessibility Guidelines (WCAG) 2.2 : W3C Recommendation, 12 December 2024 [Electronic resource]. — Success Criteria 1.1.1, 1.2.2 and 4.1.2. — URL: https://www.w3.org/TR/WCAG22/

[5] Constitution of the Republic of Uzbekistan [Electronic resource]. — Articles 19–20 and 33–34. — URL: https://constitution.uz/oz/clause/index

[6] Constitution of the Republic of Uzbekistan [Electronic resource]. — Articles 19–20, 33–34 and 57. — URL: https://constitution.uz/oz/clause/index

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provision and its reliability as fundamental principles of openness. Articles 11–13 regulate the methods of ensuring openness, the publication of information and official websites. The research task is thus to clarify how existing principles are implemented in official social media communication, rather than to introduce equal access as an entirely new concept.[7]

This article proposes four criteria for evaluating a government body's information obligations. The first is technical access: the absence of excessive technical requirements for finding and opening a communication. The second is comprehensibility: whether citizens can understand who needs to act, when and how. The third is an alternative format: the availability of a substantively equivalent version for a person unable to use the primary format. The fourth is access to a remedy: the existence of a procedure for reporting an error or an access barrier and securing its removal.

These criteria do not require a government body to guarantee that every citizen has read a communication. The proposed approach seeks to reduce barriers that the body controls and can identify in advance. For example, not every technical failure on a platform may be attributable to a government body; however, maintaining a publicly accessible text version of an important communication on its official website may be assessed in light of its organisational capabilities. The scope of responsibility should therefore be linked to the significance of the communication, the foreseeability of the barrier and the possibility of removing it.

2. Barriers to Accessing Official Information on Social Media

The first barrier to official information concerns technical and economic capabilities. Having an internet connection does not provide equal access to every type of content. The study by A. van Deursen and J. van Dijk shows that device capabilities, device diversity and the costs of maintaining access affect digital inequality. On this basis, it may be inferred that a government body's provision of important information solely through a data-intensive video can create an additional barrier for a person with a limited data allowance or a basic device.[8]

Consider a hypothetical situation in which the procedure for applying for social assistance is explained only in a video. A citizen unable to load the video may remain unaware of the required documents or the application deadline. The issue in such a case is whether the necessary information can be obtained independently of the video. Providing a brief written guide and a link to the complete official source alongside the communication reduces this barrier. This example is not a claim about an observed violation; it is a hypothetical scenario illustrating the potential legal consequences of an information format.

The second barrier is the failure to adapt information to visual, hearing and other individual needs. W3C's WCAG 2.2 includes criteria such as text alternatives for non-text content and captions for prerecorded audiovisual materials. For example, if an address and a deadline appear only within an image, assistive software may be unable to extract the necessary information. In a video without captions, an important spoken instruction may not reach a user with a hearing impairment. Adapting a communication should therefore prioritise preserving the content citizens need over its decorative presentation.[9]

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[7] Law of the Republic of Uzbekistan No. O'RQ-369 of 5 May 2014 "On the Openness of the Activities of State Authorities and Administrative Bodies" [Electronic resource]. — Articles 4 and 11–13. — URL: https://lex.uz/docs/-2381133

[8] Van Deursen A. J. A. M., Van Dijk J. A. G. M. The first-level digital divide shifts from inequalities in physical access to inequalities in material access // New Media & Society. — 2019. — Vol. 21, No. 2. — P. 354–375. — DOI: 10.1177/1461444818797082.

[9] W3C. Web Content Accessibility Guidelines (WCAG) 2.2 : W3C Recommendation, 12 December 2024 [Electronic resource]. — Success Criteria 1.1.1 and 1.2.2. — URL: https://www.w3.org/TR/WCAG22/

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The third barrier concerns language and complexity of expression. Using legal terms without explanation, presenting a multistage procedure in a single long sentence or failing to specify the required action may reduce comprehensibility. This does not justify a general conclusion that all official information must be translated into every language. The approach proposed in this article is to assess the need for a plain-language explanation, a necessary translation or further clarification in light of the communication's audience and significance. Plain language must not distort legal meaning through excessive simplification or conceal exceptions and conditions.

The fourth barrier concerns finding information and determining whether it is current. The recirculation of an old social media announcement, or the publication of changes in a separate post, may confuse users. From a research perspective, important communications should be assessed for the presence of a publication date, an update time and a link to the current version. View counts are insufficient to identify this problem: even a widely circulated communication may be outdated or inaccessible to certain groups.

These barriers do not all produce the same legal consequences. Assessment should take account of the information's significance for citizens, the availability of an alternative source, the time allowed for its use and the government body's ability to remove the barrier. The requirement for accessibility is particularly well justified for communications concerning safety or deadlines for exercising rights.

3. Expanding Access to Information through Artificial Intelligence and Legal Safeguards

Artificial intelligence may be used as an assistive tool to explain official texts in plain language, convert them into audio and prepare translations and captions. These capabilities can help government bodies present the same content in different formats. However, the process of creating an accessible format must preserve the legal meaning of the original information. A communication that is easy to read but gives incorrect deadlines or conditions does not advance equal access.

NIST's profile on generative artificial intelligence risks identifies the confident presentation of erroneous or false content as a distinct risk. The document recommends verifying sources and citations in AI outputs. In official communication, this risk may arise, for example, when a nonexistent requirement is added to a list of documents, an exception is omitted or an application deadline is misinterpreted. These are potential scenarios requiring examination within the research framework.[10]

Accordingly, the article proposes that the level of verification applied to AI-assisted communication should reflect its legal consequences. Automated translations and explanations concerning citizens' safety, payment obligations, entitlements or procedural deadlines should be checked against the original source by an authorised staff member. For routine informational materials, the feasibility of using pre-approved templates and selective checks may be considered. This approach directs verification resources towards communications in which errors could have more serious consequences.

A further element of legal safeguards is the connection between an automatically adapted communication and its primary source. Users should be able to move from a shortened explanation to the full official text and identify the date and the responsible body. Disclosing the involvement of artificial intelligence promotes transparency, but such a label cannot replace the duty to correct errors. Under the model proposed in this article, the staff member or unit responsible for approving, publishing and correcting information is designated in advance.

[10] NIST. Artificial Intelligence Risk Management Framework: Generative Artificial Intelligence Profile : NIST AI 600-1 [Electronic resource]. — July 2024. — Sect. 2.2; MS-2.5-003. — URL: https://nvlpubs.nist.gov/nistpubs/ai/NIST.AI.600-1.pdf

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The quality of automated translations or captions must also be assessed separately across languages and user groups. An average accuracy score may conceal errors that matter to a particular group. For example, the accurate rendering of dates, monetary amounts and legal terms should be assessed separately from the overall fluency of the text. To this end, the article proposes testing with samples in Uzbek Latin and Cyrillic scripts, audio featuring different pronunciations and texts containing legal conditions.

An appropriate outcome of using artificial intelligence is to facilitate access while preserving citizens' ability to report errors and obtain explanations from a human. The route from an automated service to communication with an authorised staff member should therefore be accessible and clearly indicated.

4. Proposals for Ensuring Equal Access to Official Information

Based on the preceding analysis, the article proposes clarifying requirements for official information published by government bodies on social media in terms of content, format, responsibility and legal protection. The following proposals are advanced as scholarly recommendations for implementing existing principles of openness, rather than as uniform requirements already binding on all government bodies.

First, it is advisable to establish minimum information requirements for official communications with legal significance. Such communications should identify the responsible body, publication date, intended audience, required action, deadline, primary source and means of contact. This would reduce the need for citizens to gather individual details from different posts. It is proposed that the requirement should apply primarily to communications directly concerning safety, public services, rights and obligations.

Second, a publicly accessible text version of important communications requiring little data should be provided. Announcements in video, audio or infographic form should be accompanied by text containing the essential legal information. Where social media functionality is insufficient, a link to an accessible version on the official website is proposed. The text version should do more than announce the existence of the material: it should include the deadlines, conditions and instructions citizens need.

Third, a procedure for preparing and checking alternative formats is proposed. The press office could prepare the content, a relevant subject specialist could verify its substance, and technical staff could assess its accessibility using assistive software. In small organisations, these duties could be distributed among existing staff without creating separate posts. Clear allocation of responsibility would make it possible to verify whether the task has been completed.

Fourth, a procedure should be developed for approving information adapted with artificial intelligence. For communications of high legal significance, the article proposes human verification of dates, amounts, lists of documents, legal conditions and exceptions. The original source used for verification and the approved version should be retained. This procedure would help identify the stage at which an error arose.

Fifth, a simple mechanism is needed for reporting access barriers or errors. Citizens should be able to identify an inaccessible format, request an alternative version or report a substantive error. It is advisable not to require excessive personal data when a user reports a technical deficiency. Such a rapid-response mechanism would not replace formal complaint procedures or judicial protection; its purpose would be to remove the barrier at an early stage.

Sixth, the article proposes linking the correction procedure to the error's effect on citizens' rights. The response should extend beyond deleting an erroneous communication: it should specify the

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substance and date of the correction and identify the current version. Where incorrect information has caused a deadline to be missed, the possibility of reinstating the deadline or applying other protective measures should be assessed under the relevant procedural rules. This does not entail automatically imposing liability or awarding compensation; it requires examining the connection between the error, the citizen's reliance on it and the resulting consequences.

The effectiveness of the proposed measures cannot be assessed solely through the number of publications or views. Monitoring should consider whether important communications have text versions, the accuracy of captions, working links to sources, the speed of correction and the removal of barriers reported by users. In this way, the quality of official communication is assessed in relation to citizens' effective access to information.

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