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National Security and Public Safety: Models of Legal Regulation in Comparative Perspective

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Abstract

The paper addresses some pressing national security and public safety issues in various jurisdictions, including Ukraine. The correlation between two main concepts is emphasized. It is shown that in the modern world risks related to national security and, therefore, also to public security are significant. The approaches to defining the two main components of the state are illustrated and the main elements are pointed out. It is emphasized that today security is one of the key values (rights) for any person and citizen and is generally prescribed in national Constitutions. The provisions of the draft Public Security and Civil Defense Strategy of Ukraine (2021), related to national security and public safety, have been discussed. Finally, the main threats to the security of the community and individual citizens have been outlined and the means to overcome them have been elaborated. In the conclusions, it has been established that the formulation of a security and defense sector

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perspective model for central executive authorities presents a number of opportunities as well as challenges. Moreover, it is difficult to give a clear and all-encompassing legal definition of the concept of “public security”.

Keywords: national security; public safety; law enforcement; police and community; rights and freedoms.

Seguridad Nacional y Seguridad Pública: Modelos de regulación jurídica en perspectiva comparada

Resumen

El documento aborda algunas cuestiones acuciantes de seguridad nacional y seguridad pública en varias jurisdicciones, incluida Ucrania. Se hace hincapié en la correlación entre dos conceptos principales. Se demuestra que en el mundo moderno son significativos los riesgos relacionados con la seguridad nacional y, por tanto, también con la seguridad pública. Se ilustran los enfoques para definir los dos componentes principales del Estado y se señalan los elementos principales. Se subraya que hoy en día la seguridad es uno de los valores (derechos) clave para cualquier persona y ciudadano y que generalmente está prescrita en las Constituciones nacionales. Se han debatido las disposiciones del proyecto de Estrategia de Seguridad Pública y Defensa Civil de Ucrania (2021), relacionadas con la seguridad nacional y la seguridad pública. Finalmente, se han esbozado las principales amenazas a la seguridad de la comunidad y de los ciudadanos individuales y se han elaborado los medios para superarlas. En las conclusiones se ha establecido que la formulación de un modelo de perspectiva del sector de la seguridad y la defensa para las autoridades ejecutivas centrales, presenta diversas oportunidades, así como desafíos. Además, es difícil dar una definición jurídica clara y omnicompreensiva del concepto de «seguridad pública».

Palabras clave: seguridad nacional; seguridad pública; fuerzas del orden; policía y comunidad; derechos y libertades.

Introduction

Ensuring constitutional rights and freedoms of a person is one of the key obligations of any state. In particular, a person, his or her life, health, honor, dignity, inviolability and security are recognized as the highest social value in Ukraine (Art. 3 of the national Constitution). As one might observe, security remains among such key values (or rights) for any person.

Community is an undeniably complex and diverse infrastructure, which is constantly evolving. The pace of our everyday life increases, events and activities involving a large number of citizens take place. High traffic intensity requires prompt monitoring and control in real time. Crimes become more spread and evolving. Residents of the community are at risk of encountering many dangers that accompany daily life under modern conditions. This means the issue of security in the current environment is more relevant than ever before.

National security can be defined (among various definitions available) as protection of the vital interests of a person and citizen, society and state, which ensures sustainable development of society, timely detection, prevention and neutralization of real and potential threats to national interests. This definition suits national security regimes in most of world jurisdictions (Pavlenko *et al.*, 2021).

Concurrently, public safety can be explained as the state of protection of civil society and at the same time the absence of danger to people's lives and health, to ensure their peace, free exercise of their rights and freedoms, protection of property rights, for the normal functioning of enterprises, institutions and organizations regardless of the forms of ownership, for the integrity and preservation of material values. Such approach to understanding the fundamental category for any modern legal state and civil society is being gradually introduced in Ukraine and other emerging democracies.

Thus, based on various interpretation approaches, national security and public safety have many common elements, including the key goal of providing security options to a certain group of people.

1. Objectives

The goal of our research is to critically review the current state of national security and public safety in Ukraine and beyond and to single out both certain positive points in the direction of strengthening these components of national security, as well as issues (challenges) on the path to creating a modern European model of public security, based on the principles of an integrated approach, operational response, human-centered philosophy and the rule of law.

2. Materials and methods

In the course of writing this paper, the following research methods have been used. The system-structural method has been used to describe

applicable statutes and their location within the structure of the national legal systems. Legislative approaches toward constructing relevant statutory frameworks also fall under this scientific method. Based on the basic laws of logic and reasoning, the system-structural method allows to establish new legislative material or propose legal amendments.

Based on a comparative method, a conclusion has been formulated that Ukrainian legal framework of national security and public safety is a modern one and it generally correlates with similar frameworks in other countries.

The sociological method has been used to gather relevant empirical materials which helped to identify problematic issues of national security and public safety as well as to analyze the dynamics of such phenomena.

Finally, the formal-legal method has enabled the authors to analyze in detail the legal meaning of provisions of various legal acts in the researched field, namely the Strategy of national security of Ukraine and the Strategy of public safety of Ukraine.

Overall, extensive use of methodological tools of legal science has enabled us to take a closer, in-depth and comparative look at the issues of national security and public safety in the modern globalized world, including various risks and challenges to these two fundamental legal regimes.

The essence of globalization as a process, which characterizes modern stage of human development is the formation of a common economic, political and cultural space, which functions on the basis of universally recognized legal values and principles and is manifested by common organizational forms. Such approach applies in full to academic research of various issues of national security and public safety within a global context.

The topic outlined in the title for this article is both relevant and timely.

In Ukraine, issues of national security and public safety have been researched by N. Yarmish, R. Movchan, Yu. Nebesky, O. Dulina, O. Reznikova, S. Yevdokimenko and some other authors.

Internationally, the same issues have been explored in the works by S. Colier, A. Lacroff, A. Chalfin, B. Friedman, C. Leuprecht, T. Feltes, other scholars.

Despite a rather extensive body of scholarship related to the research topic, the nexus between national security and public safety has not yet been researched at length. This paper aims at partially closing such analytical gap.

3. Results and discussion

Defining “public safety” may appear straightforward, almost self-evident, but in reality, it is a much more complex concept. Simultaneously, recent developments such as a global pandemic and the resulting economic upheaval, increasing homicide rates in major urban areas, and extensive protests against police violence, often linked with demands to reduce police funding, highlight the critical need to provide an accurate answer to this important question (Friedman, 2022).

It is worth emphasizing that the central element in the public security system of any country is “human security” – that is, the emphasis should be placed on a human-centered approach in the field of ensuring public security and civil protection of the population. In its turn, the complex concept of personal security includes various components of personal security: economic, food, medical, personal security (or personal security), community security, and political security. Such list is not normatively regulated, it has been developed through academic research. Therefore it should be perceived flexibly and include other legal elopements of personal safety framework.

Within the Law “On the National Security of Ukraine” (Clause 23, Article 1), the Public Security and Civil Defense Strategy of Ukraine is defined as a long-term planning document developed on the basis of the National Security Strategy of Ukraine based on the results of a review of public security and civil protection and defines directions of state policy regarding guaranteeing the protection of interests, rights and freedoms of a person and a citizen that are vital for the state, society, and the individual, goals and expected results of their achievement, while taking into account current threats (Law of Ukraine, 2018).

Thus, it is a program document of both a long-term and broad scope, which should regulate a number of parameters of safe life, well-being and development that are important for the state, society and the individual. The interaction, and even a certain subordination, between the National Security Strategy and the Public Security and Civil Defense Strategy itself, is noteworthy.

In accordance with the Clause 66 of the National Security Strategy of Ukraine of 2020 (by the way, the slogan of this document is “Human security – country security”, which is especially relevant in the context of “public” security persons) this Strategy is recognized as the basis for the development of a number of program documents on planning in the spheres of national security and defense, which will determine the ways and tools of its implementation. Such documents include: Strategy of human development; Military security strategy of Ukraine; Strategy of Public Safety and Civil Defense of Ukraine; Strategy for the development

of the defense and industrial complex of Ukraine; Strategy of economic security; Energy security strategy; Strategy for environmental security and adaptation to climate change; Biosafety and biological protection strategy; Information security strategy; Cybersecurity Strategy of Ukraine; Strategy of foreign policy activity; Strategy for ensuring state security; Integrated border management strategy; Food security strategy; National intelligence program (National Security Strategy of Ukraine, 2020).

Thus, the Public Safety and Civil Defense Strategy of Ukraine is conditionally “subordinated” to the National Security Strategy and at the same time it interacts “horizontally” with other strategic documents. This is an important point, since it clearly demonstrates the fact that thought the security component is important, it is still only a component of the extremely complex and multi-sectoral “social-political-economic-social” mechanism of the modern state.

In Ukraine, in 2021, the Ministry of Internal Affairs developed a project of the Public Safety and Civil Defense Strategy of Ukraine with the support of the European Union, which takes into account modern scientific approaches to national security (Draft Strategy, 2021). This strategy emphasizes the priorities of national interests in the field of public security and civil protection, including protection of the rights and lives of citizens, emphasizes the importance of the rule of law and the integration of Ukraine into the European and Euro-Atlantic security space.

According to the aforementioned draft Strategy, the following crime-related threats and other factors remain among the most dangerous for public safety:

- 1) disregard for the right to property, dignity and physical integrity of a person, which is a threatening phenomenon. At the same time, a significant part of encroachments against property remains latent. The widespread use of the Internet in the commission of self-interested criminal offenses, primarily fraud, is a matter of serious concern;
- 2) economic and tax criminal offenses in combination with factors of “shadowing” the spheres of entrepreneurial activity and employment, which cause large-scale losses. Shadow entrepreneurship (or black market) creates an additional factor of victimization of persons engaged in it, in terms of committing selfish and violent criminal offenses against them, primarily robberies and extortion;
- 3) intensity of the criminogenic situation, which significantly increases the presence in illegal circulation of significant volumes of firearms, ammunition, explosive devices and substances. A number of criminal offenses related to illegal arms trafficking remains consistently high. A large portion of the illicit traffic in firearms are firearms smuggled

out of the Joint Forces Area of Operation. The number of explosive devices in illegal circulation and the use of which for an illegal purpose or careless handling of which causes death or injury remains significant;

- 4) serious obstacles to the normal functioning of socially significant infrastructure, primarily transport, medical, educational and trade and entertainment, caused by knowingly false reports about threats to the safety of citizens, destruction or damage to property. Measures to evacuate people from the premises of objects of relevant types of infrastructure and long interruptions in their functioning also cause significant financial and material damage to their owners or management entities;
- 5) growth of organized crime activities, which poses a significant threat to public safety. The number of detected organized groups and criminal organizations largely reflects activity of law enforcement agencies in combating organized crime, and not the scale of its actual spread, when taking into account the traditionally high level of its latency. Certain segments of legal and vast majority of illegal activities, primarily human trafficking, drug trafficking and organization of illegal migration, are controlled by organized groups, criminal organizations and communities, including those, which are ethnically based or operate at the transnational level;
- 6) deterioration of the migration situation in the country – a migration crisis in the EU member states, which affects formation of channels of illegal migration in a number of regions of the world, an increase in the level of migration from politically unstable states, as well as mass labor migration of Ukrainian citizens to other countries. The lack of control over a significant section of the state border in the Donetsk and Luhansk regions, the armed aggression of the Russian Federation against Ukraine and related threats are also potent factors in the migration-related situation.

Additionally, threats to the national security, such as of criminal nature, hybrid warfare, cyber threats, biological threats and pandemics, social and manufactured threats, are identified in this framework document.

In particular, a dangerous combination between economic and corruption threats to national security (as well as public safety) can be witnessed on the example of contraband (smuggling) offenses. Currently under Ukrainian law smuggling is considered an administrative violation, which is appropriate given its primarily economic nature. Consequently, some authors argue that it is more practical to hold the offender accountable through administrative penalties, imposing fines proportionate to the severity of the smuggling involved.

The prior decriminalization of smuggling served to ease the burden on law enforcement agencies, which were struggling to manage the high volume of criminal cases related to smuggling (Pidgorodnytskyi *et al.*, 2021). On the other hand, smugglers may perceive administrative liability through the “nothing personal, just business” approach, that is they are not prevented from liability by means of administrative law. The stigma of criminal liability will have a totally different impact on offenders under such circumstances.

Currently, the main strategic direction for Ukraine in the field of ensuring national security is the creation of its own effective capabilities as a basis for ensuring its own security and stability. In this context, important elements of state policy to ensure the national security of Ukraine in the post-war period should be:

- 1) increasing the level of defense capability and readiness to respond to crisis situations – development and support of military and defense forces, modernization of the armed forces, education and training of military personnel, provision of necessary resources for effective defense of the country;
- 2) obtaining external security guarantees outside NATO – development and support of partnership relations with other countries and international organizations that contribute to ensuring security and stability in the region;
- 3) development of bilateral relations with strategic partners: establishment and support of cooperation with other states which are important for the national security of Ukraine;
- 4) post-war economic and human development of Ukraine: reforms in the economy, social sphere and education in order to raise the standards of living of the population and ensure stability of the country;
- 5) improving efficiency of public administration: improving the administration system, including fight against corruption and increasing transparency of state institutions.

In particular, corruption continues to pose a significant risk to Ukraine as well as other emerging democracies in the world. Its destructive potential is comparable to the ongoing war in Ukraine and beyond. With its pervasive influence across all aspects of public life, corruption undermines fundamental societal values for both nation as a whole and its citizens. Consequently, combating corruption is a top priority for both governmental authorities and members of civil society.

The above-mentioned areas perceive the goal of strengthening both national security and public stability of Ukraine under constantly changing conditions and within unpredictable geopolitical context of the XXI century.

When analyzing issues of national security and public safety, one should also pay close attention to the concept of safe environment.

A safe environment is a state of social and natural environment in which: 1) safe living, learning and working conditions exist; 2) there is comfortable interpersonal interaction that promotes emotional well-being and full-fledged development of the individual; 3) human rights and freedoms are respected; 4) sustainable and progressive development of society is carried out; and 5) state sovereignty and the ability of the state to perform its functions in a high-quality manner are also ensured. A safe environment is the goal and result of ensuring not only public safety, but other integrated components of national security as well.

Strategic analysis of the security environment aims to determine processes, phenomena, factors, conditions, circumstances, events, results of activities and interaction of subjects of social relations, as well as to forecast trends in their development. All this affects the level of protection of the state, society and the environment in a certain territory against current and foreseeable threats.

Changes in the security environment represent deviations from the normal state of equilibrium and may contain risks, which require further analysis. The risks identified after the initial analysis of the security environment can be divided into two major categories: those which can turn into threats, and those which create new opportunities for the development of the state and society.

As an integral part of the national security framework, in Ukraine in 2022 an academic course “Protection of Ukraine” has been elaborated and introduced by the Ministry of Education and Science of Ukraine (a government agency). The purpose of such course is to cultivate life-necessary knowledge, skills and abilities regarding protection of Ukraine and actions in emergency situations among Ukrainian students, as well as to promote a systematic view of military-patriotic education as an integral part of national-patriotic education. The course involves basics of normative and legal protection of Ukraine, functions of the Armed Forces of Ukraine and other formations, basics of the protection of Ukraine and civil protection of the population, and the basics of pre-medical training (Updating the practical component, 2023).

The fact that Ukraine takes its national security seriously is also reflected in the Criminal Code provisions. Thus, crimes in the field of general public security should be distinguished from crimes against the foundations of national security of Ukraine.

The major part of crimes against the foundations of national security of Ukraine, according to provisions of Art. 12 of the current Criminal Code of Ukraine, belongs to the category of particularly heinous crimes. Treason

(Article 111 of the Criminal Code of Ukraine), encroachment on the life of a state or public figure (Article 112 of the Criminal Code of Ukraine), sabotage (Article 113 of the Criminal Code of Ukraine), espionage (Article 114 of the Criminal Code of Ukraine), encroachment on the territorial integrity and inviolability of Ukraine (Part 3 of Article 110 of the Criminal Code of Ukraine), obstructing the lawful activities of the Armed Forces of Ukraine and other military formations (Part 2 of Article 114-1 of the Criminal Code of Ukraine) are among the most dangerous crimes in the Criminal Code of Ukraine. The inclusion of such crimes in the category of particularly serious crimes is a symmetrical act in relation to the danger that such crimes possess. After all, an intentional form of guilt describes especially serious crimes.

Since the beginning of the full-scale Russo-Ukrainian war in February of 2022, a number of significant amendments to these criminal statutes have been made to the Criminal Code of Ukraine (Kuznetsov and Siyploki, 2022).

As an example of crime which harms both national security and public safety (though in a limited way), we can refer to the statute of criminal liability for humanitarian aid embezzlement (Art. 201-2 of the Criminal Code of Ukraine). On the one hand, introduction of Art. 201-2 in the Criminal Code can be characterized as an example of excessive criminalization: in this case, we are talking about an act, which is inherent in the social harmfulness necessary for criminalization, but which did not require criminalization, since criminal liability for it has already existed. Criminal laws of some European countries, in which there are no similar to the analyzed criminal law prohibition statutes, additionally attest to the fact that there are reasons to regard Art. 201-2 of the Criminal Code as a manifestation of unjustified casuistry of the criminal law and excessive criminalization. Negative consequences of the latter include: violation of the principle of economy of criminal law repression; artificial creation of unwanted collision between criminal law norms; emergence of paradoxical situations in which the same act entails application of significantly different criminal law means.

However, on the other hand, it is obvious that during the war, when abuse of humanitarian aid is particularly unacceptable and causes significant public outcry, Ukrainian legislator is unlikely to take such a drastic and unpopular step as the exclusion of Art. 201-2 from the Criminal Code. Therefore, members of local legal community focus their efforts on solving debatable issues related to the interpretation, application and improvement of Art. 201-2 of the Criminal Code (Kamensky *et al.*, 2023).

Overall, the framework for offenses related to the security of a nation constitutes a lawful system composed of elements that are established and are operating in a manner which undermines the safeguarding of state

sovereignty, territorial integrity, democratic constitutional order, as well as other national interests, both from existing and potential threats (Yaremko *et al.*, 2021).

The concluding part of our paper will cover relevant foreign experience of ensuring national security and public safety by means of legal regulation. This is even more important for the Ukrainian security environment when taking into account active integration of our state into European as well as world legal and economic spaces.

1. Israel.

The Ministry of Public Security of Israel primarily takes care, based on the agency's name, of issues of creating a safe environment for Israelis.

The Israel National Police (INP) reports to the Ministry of Public Security (MOPS) and consists of approximately 30,000 sworn officers, supported by 50,000 volunteers. It bears sole responsibility for the work of the police and law enforcement agencies in Israel. In its course of action, the Israel National Police is guided by the values and principles of the democratic government of the State of Israel (Freilich, 2021).

The main areas on which the Israeli police are currently focused include:

public safety – prevention and countering of terror, response to calls from citizens, organization of security procedures and organization of volunteers (civil guard).

law enforcement – responding to riot calls, responding effectively to demonstrations and unlawful assemblies,

licensing – imposing restrictions and conditions on businesses, accountability for detainees and enforcement of court orders;

fighting crime – investigating crimes and apprehending offenders, identifying and exposing unreported crimes such as drug trafficking, extortion and educating citizens on how to protect themselves and their property;

traffic control – directing traffic and working to ensure smooth traffic, obeying traffic rules, investigating traffic accidents and arresting traffic violators. In addition, police provides public instruction on road safety issues and participation in the decision-making process on issues such as road planning and construction, placement of road signs and traffic lights.

Border Security – The Border Police is an operational unit of the Israel National Police. Multi-purpose forces deal with challenges related to public safety, terror, serious crime, riots, security of critical facilities and rural security (Ministry of Public Security of Israel, 2023).

2. Federal Republic of Germany (FRG).

Currently, this country has one of the safest public safety systems in the world. Nevertheless, analysis of the regulatory framework and general assessment of the public environment in this state indicate that public safety is not a stable phenomenon which should not be supported and developed. On the contrary, the state must constantly monitor the state of public security and take all necessary measures to fully ensure the regime of public safety and full use of all state services (services), security and security services in particular.

One of the most important and at the same time traditional tasks of the internal policy of the Federal Republic of Germany is to ensure public safety. This includes protecting society from violence, crime, terrorism and activities aimed at undermining the constitutional order in the state. The German approach in this field is as follows: only in a society free from threats can people live freely. The Constitution requires that government protects its citizens. The government has certain powers for this. Using these powers to protect one person may require violating another person's rights.

In order to maintain a high level of public safety, the competent authorities and officials in Germany pay close attention to the threats that the country faces today and in the coming years. These include the threat of Islamist terrorism, a possible increase in crimes committed by the right-wing and left-wing extremists, cybercrime and serious and organized crime. In a globally connected world, it is important to overcome such challenges by working closely with other actors at both national and international levels.

In Germany, the task for maintaining public safety and order is divided between the 16 federal states and the federation, with the federal states bearing the responsibility. Policing at the federal level is the responsibility of the Federal Police (Bundespolizei, BPOL) and the Federal Criminal Police Office (Bundeskriminalamt, BKA). In addition, two other federal agencies deal with security issues, the Federal Intelligence Service (Bundesnachrichtendienst, BND) and the Federal Office for the Protection of the Constitution (Bundesamt für Verfassungsschutz, BfV). The German Police University (Deutsche Hochschule der Polizei) is the main educational institution of law enforcement agencies in Germany (The BKA, 2023).

The Federal Police is mainly engaged in the protection and management of borders, railways and aviation. By carrying out its work through regional and special directorates, it is also responsible for the protection of the coastline.

In addition to the police and intelligence services mentioned above, the following agencies are responsible for counter-terrorism activities: the Joint Counter-Terrorism Center (Gemeinsames Terrorismusabwehrzentrum, GTAZ), the Joint Center for Combating Extremism and Terrorism (Gemeinsames Extremismus- und Terrorismusabwehrzentrum, GETZ), as well as the anti-terrorist unit GSG9.

The National Cyber Response Center (Nationales Cyber-Abwehrzentrum, NCAZ), founded in 2011, is a collaboration of several cyber defense resources: the Federal Office for Information Security (Bundesamt für Sicherheit in der Informationstechnik, BSI), the BND, the BfV, the Customs Office for Criminal Investigation (Zollkriminalamt, ZKA), the German Armed Forces, the Federal Office for Civil Protection and Disaster Relief (Bundesamt für Bevölkerungsschutz und Katastrophenhilfe, BBK), and the Federal Criminal Police Office (Bundeskriminalamt, BKA) (Ministry of Public Security of the Federal Republic of Germany, 2023).

The State Police Service prevents and prosecutes local crime and is usually split between a uniformed police force and an investigative division. Security forces patrol the streets 24 hours a day, respond to emergency calls, serve as a point of contact for citizens, as well as traffic police and petty crime police. Investigation departments are usually responsible for investigating criminal cases.

The State Security Police (ensures law and order during mass events) has an autonomous unit to respond to requests for general support during mass demonstrations, major sport events, natural disasters and state visits. In addition, the security police units of European countries are able to support each other in the case of cross-border police operations in the mentioned cases in Germany.

The Federal Police reports to the Ministry of the Interior and carries out wide and varied policing duties based on the modern Police Act (Federal Police Act) and many other laws. The BPOL works closely within existing security networks based on security cooperation and partnership with the police services of the federal states, other security authorities of the Federal Republic of Germany and the federal states, as well as with foreign border authorities (Germany Federal Policing Overview, 2023).

The Federal Police can also, if necessary, reinforce the State Police if requested by the Government of the Land (member of the Federation). They conduct criminal investigations only within their jurisdiction; otherwise, cases are referred to the relevant state police service or to the national criminal investigation agency – the Federal Criminal Police Office (Bundeskriminalamt).

3. Poland.

Taking into account common border, the friendliest relations and the unprecedented level of support for Ukrainians, Poland's security experience is both interesting and practically useful.

Law enforcement in Poland is usually carried out by the National Police (Policja) and the Municipal Guard (Straże Miejskie i Gminne).

Border Guard (Straż Graniczna, SG) is a state security service that protects Polish borders and immigration control.

According to the Anti-Terrorism Act of June 10, 2016, the head of the Department of Homeland Security is responsible for preventing terrorism, and the Minister of the Interior is responsible for preparedness, response to a terrorist incident, and recovery after an attack (Ministerstwo Spraw Wewnętrznych i Administracji, 2023).

There is a single national police agency in Poland – a unified law enforcement body. At the highest level is the Main Directorate of the National Police managed by the head of the National Police. In addition, there are 16 regional police departments and the head office of the Metropolitan Police in Warsaw. They are further divided into districts and district headquarters respectively. At the bottom of the structure are police stations in cities and police posts in villages. The police consists of:

- criminal police (służba kryminalna) – conducts investigation and prevention of serious and violent crimes. The criminal police may include specialized groups such as the anti-narcotics and financial crime prevention units;
- investigative police (służba śledcza) – investigation of complex cases and processing of referrals to the state prosecutor's office;
- police of internal affairs (służba spraw świątecznych) – investigation, prevention and countermeasures against crimes committed by police officers and economic crimes against police property;
- preventive police (służba prewencyjna) – general law enforcement and patrol service (includes anti-terrorist units and police units);
- logistics police (służba spomajająca policji) – provision of logistics support and technical skills;
- court police (Policja Sądowa) – protection of court premises and the state prosecutor's office, judges, prosecutors, victims and suspects, execution of court orders;
- anti-terrorist units – conduct anti-terrorist operations and assist other police units.

In comparison, the municipal security has fewer powers than police (for example, they do not have the power to arrest) and can only use the powers, which they can exercise within their municipality. They have jurisdiction over minor offenses (infractions), monitor and protect safety of citizens and property, and assist police in their public order duties (e.g. road safety). In case of a significant incident (conflict), municipal guard should seek help from a police officer. They can also perform security duties as well as transport valuables for the municipality (Poland Policing Overview, 2023).

Conclusions

Our analytical research allows formulating a number of generalizing conclusions-theses, which are important in the theoretical and applied aspect.

Formulating a perspective model of the security and defense sector for the central executive authorities presents various tasks and challenges. Specifically, the National Police of Ukraine, which is the central law enforcement body, performs an important role in the society by ensuring protection of human rights and freedoms, fighting crime, and ensuring public order and security.

In addition, the National Guard of Ukraine should increase its capacity in public security, including public order. The Ministry of Internal Affairs of Ukraine defines state policy, in particular in the field of public safety and order.

After all, the main task of the National Guard of Ukraine is to protect public order and to ensure public safety.

Currently, it is difficult to give a clear legal definition of the “public (public) safety and civil protection” concept. This issue is relevant from both a scientific and a practical point of view. Public security is an important component of the national security, and it must be properly reflected in official documents in order to create an effective system for ensuring such security.

A comprehensive review of the state of public safety should contribute to the implementation of a number of goals and programs in the state. This includes:

- 1) reviewing and update of the Public Safety and Civil Defense Strategy of Ukraine so that it meets current challenges and threats, in particular those related to the armed aggression of the Russian Federation against Ukraine;

- 2) ensuring reliable protection of life, health of citizens, legal rights and interests of organizations and public associations, as well as the safety of land, water and air spaces in the relevant territories and objects of industrial and social purpose, observing the established risk indicators taking into account national and international experience;
- 3) determining the optimal balance between public safety, the level of crime and restrictive measures, with a focus on the priority of preserving human life as the main value;
- 4) combining preventive and reactive methods of ensuring public safety, including combating crime, and involve all subjects of law enforcement activities responsible for ensuring public safety and other aspects of national security;
- 5) increasing citizens' awareness of the activities of military-civilian administrations, law enforcement and civil protection bodies, and develop mechanisms for addressing these bodies for the protection of rights;
- 6) strengthening public trust in law enforcement agencies, promote development of Ukraine as a safe European state, ensure a socially oriented orientation of the law enforcement system using the tools of facilitated dialogue;
- 7) directing efforts to manage security risks to achieve maximum security with limited resource provision;
- 8) ensuring the continuity of the process of responding to emerging threats and challenges, in particular, by identifying and implementing new opportunities.

The universal system, which ensures the safety of residents (community level) in modern conditions, has special requirements for reliability, stability, efficiency and continuity of work in a round-the-clock mode. There is a need for new means and methods of providing the safety of community residents, advanced technologies and measures for the centralized provision of video surveillance, technical security, control of important, strategic and dangerous objects, and the possibility of operational impact on emergency situations.

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