

Primary Objectives of the Activities of Actors Ensuring National Security

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Abstract

The article is devoted to clarifying the key tasks of the actors ensuring national security, taking into account modern understanding of national security and its provision. Based on the analysis of current scientific literature, the authors highlight the approaches of Ukrainian scientists to the understanding of the complex of tasks of ensuring national security, which are consistent with the modern doctrine of national security and its provision. Considering the scientific views on the structure of the tasks of ensuring national security, seven main groups of the objectives of the national security entities are outlined. It is concluded that these targets envisage planning, creation, improvement and monitoring (in particular, for clarity and legal certainty, consistency and adaptability, taking into account complex and dynamic features of modern risks and challenges faced by the national security actors) in national security law making, and the results of standard-setting.

Keywords: *Administrative and Legal Activities, National Security, National Security Actors, Public Administration, Primary Objectives*

INTRODUCTION

The national security of Ukraine, as a complex systemic phenomenon, encompasses various spheres of its objective expression (primarily military, as well as economic, food, informational, socio-political, environmental, cultural and moral, etc.). Therefore, in an ongoing full-scale war the focus in identifying key directions, tasks and functions of the activities of actors ensuring national security is on strengthening the military-strategic potential of the country, it is important to comprehend that common efforts of these subjects must fully correspond to the modern understanding of national security and its provision. In this context, modern understanding of national security and its provision summarizes that it is inappropriate to limit national security only to solving the issues of optimization of the military-strategic potential of the country, as well as the economic component of national security, allowing maximizing the State's defense capability; it is expected that the activities of national security entities will also be focused on the defense, protection, and restoration of a number of other important non-military components of national security. Therefore, the effectiveness of the national security actors in modern conditions depends not only on strengthening strategic military capabilities by these subjects or the acceleration of the socio-economic development of the country, but also on the timely and comprehensive solution of socio-economic, informational and security, cultural, political and other issues, ignoring which provides opportunities for the aggressor state to use these problems as tools to weaken Ukraine's national security, which is unacceptable. Thus, timely elimination of contradictions between society and the State, as well as the ability of the national security actors to dynamically respond to changes in the material and non-material needs of society, are of decisive importance in this matter. Solving these and a number of other tasks of ensuring national security forms the basis of sustainable development of society – the cornerstone of national security. Therefore, we can state the relevance of the need to define the current tasks

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of the actors of ensuring the national security of Ukraine in accordance with the modern understanding of national security and its provision.

Therefore, the purpose of the article is to clarify the main tasks of the national security entities. To achieve this goal, it is necessary to perform the following tasks: 1) outline the current positions of scientists to understand the structure of the tasks of ensuring national security, which are consistent with a broad interpretation of the content of the goal of ensuring national security; 2) to find out the main groups of tasks of the subjects of ensuring the national security of Ukraine, as well as distinguish the target tasks covered by such groups of tasks; 3) summarize the research results.

METHODOLOGY

The methodological basis for the research is a set of modern general and special scientific methods and techniques. Thus, with the help of the logical and semantic method, the concept of national security of the State as an object of administrative and legal defense and protection was defined, and its meaning was also revealed; the meaning of the category of tasks of ensuring national security was clarified.

The application of the analytical method made it possible to estimate the state of research on the issue of ensuring national security of the State, to outline the main tasks of its actors.

The methods of classification and systematization were used to systematize the tasks and functions of the subjects of ensuring national security of the state, to highlight the main groups of these entities, as well as to distinguish complex tasks implemented in the identified targets.

Modeling and forecasting methods were applied to conclude that national security tasks of Ukraine cover different ways in which the security potential of the State can be realized, the necessary state of safe living of society and individual can be achieved.

LITERATURE REVIEW

The tasks and functions of the actors ensuring national security of the State are an important element in the security sphere of Ukraine. They characterize the practical purpose of the activities of the authorized bodies in this direction. The main objective of the above-mentioned subjects is the organizational and practical provision of the national security of the country, which lies in the interaction of the State and the security and defense sector, as well as in the introduction of a certain set of actions that do not contradict the current legislation in the area of protection of national interests, and whose sole purpose is to protect State sovereignty, territorial integrity, democratic constitutional order and other national interests from real and potential threats. Successful implementation of the targets to ensure national security of Ukraine largely depends on, firstly, prevention and response to emergency situations of a military nature; secondly, prevention and response to emergencies of a socio-political nature (including those of a criminal and non-criminal nature); thirdly, prevention and response to man-made and natural emergencies (Kuznichenko 2010: 308).

In this context, Lavrenova (2014: 15) states that the task is a structural element of the administrative and legal status of these entities, divided into the following two types:

1) general tasks common to all State services, split, in turn, into the following two subtypes: a) basic: all state services, without exception, perform tasks of implementing State policy in a specified area and making proposals for establishing State policy in this sphere: b) additional: among the objectives assigned to a number of public services, there are the tasks of monitoring and supervising compliance with legal requirements and implementation of international legal cooperation in a certain area; 2) special tasks, which are generally inherent in a specific State service, depending on its subject matter.

Thus, to the general (basic) tasks of the national security actors Kobko (2023: 208) attributes the following:

1) ensuring the implementation of the Constitution of Ukraine, laws of Ukraine and other legal acts, in particular, in the national security area of the State;

- 2) defense and protecting the constitutional system of the State, its sovereignty, territorial integrity, as well as legal rights, freedoms and interests of an individual and society as a whole;
- 3) implementation of the unified State policy in the national security area of the State;
- 4) protecting the population from external and internal threats;
- 5) applying legally defined tools and means for countering hybrid threats;
- 6) counteracting attempts to incite national, racial disputes, as well as disputes arising on a religious basis, as well as other threats to the national security of the country.

As for special tasks, it is worth noting that they do not apply to all national security actors, but only to those performing their activities in a certain direction in the field of the research. Each individual subject of national security, taking into account its competence, performs certain tasks that are unique to it. All special (additional) tasks of these entities are determined by the relevant legislation of Ukraine; as a rule, fixed at the level of special normative legal acts aimed at regulating the activities of the relevant State authority in a certain direction of national security provision (Lemak 2016: 65).

RESULTS

Taking into account the modern understanding of ensuring national security, which is associated not only with the protection of national interests, but also with the comprehensive formation of a legal regime for the prevention of risks (threats) to national interests, the management of these risks (threats) and the creation of conditions for strengthening socio-economic, cultural, political and other kind of potential, the modern scientists currently connect the task of ensuring Ukraine's national security with a significantly expanded goal of this activity. Among such approaches to understanding the tasks of ensuring national security balanced with its modern goal, we can highlight, for example, the view by V.O. Kotliarov (2022: 226). In his opinion, the main tasks of ensuring national security are not only the elimination of the most significant dangers and threats, but also managing related risks strategically and over the long term.

At the same time, Kobko (2022: 194) approaches the task of ensuring national security more comprehensively. He believes that they are aimed at:

creation of an effective and efficient system of entities ensuring national security (delimiting their competence and powers), establishing interaction between them, as well as properly coordinating their activities;

setting up a system of measures aimed at ensuring national security at the external and internal levels, as well as plans for their implementation;

formation of State policy allowing proper implementation of measures in the relevant area;

development of an effective legal framework for regulating social relations in this sphere, as well as creating conditions for the practical implementation of legal rules;

modernization of the state security system, in particular continuation of the digital transformation of the regions;

creation of a clearly formed and understandable system of propaganda in the country, which will be aimed at increasing the level of patriotism, as well as the legal awareness of citizens;

strengthening the country's military and defense capabilities, in particular by improving foreign intelligence.

Nesterenko (2018: 208–209) adheres to the similar view regarding the structure of these tasks, pointing out that the provision of national security and defense lies in performing the following tasks:

formation, monitoring and improvement of a legal framework adequate to today's challenges, regulating the sphere of provision of national security and defense of Ukraine;

development and implementation of a systematic, consistent and well-founded policy of the State in the field of national security and defense, focused on the effective protection of national interests;

creation of an optimal infrastructure of public administration and a system of actors ensuring the national security and defense of Ukraine;

management, coordination and collaboration in the system of entities providing national security and defense of Ukraine;

development and reform of a complex of political, economic, social, military, scientific, scientific and technical, informational, legal, organizational and other means, measures, forms and methods of ensuring the national security and defense of Ukraine;

prevention, detection and termination of offenses that directly threaten the vital interests of Ukraine;

ensuring a decent foreign policy positioning of Ukraine in Europe and the world.

DISCUSSION

Considering the above, we conclude that the tasks of the national security actors could be divided as follows:

Tasks Regarding Regulatory and Legal Provision of The National Security of Ukraine.

Regulatory support for national security is an activity, which has received attention from a number of domestic scientists (Tkachenko & Yevtushenko, 2022; Yanchuk, 2016), and a special complex task of ensuring the national security of Ukraine, which can be specified in such tasks:

1) establishing a coherent regulatory and legal framework for the administrative and legal regime of ensuring national security. The implementation of this task involves the development and adoption of legal acts and by-laws governing and holistically directing (to achieve the goal) the activities of a complex of actors in the national security area, as well as in the field of ensuring it;

2) constant, continuous, scientifically based monitoring of the effectiveness of the legal framework for the administrative and legal regime for ensuring national security, as well as its compliance with the Constitution and international legal obligations of Ukraine and actual circumstances determining the state of national security. The realization of this task involves: firstly, the implementation of systematic and situational reviews of legislation in the field of ensuring national security and in related areas; secondly, monitoring of processes and relations in this area aimed at identifying gaps requiring legal regulation to ensure compliance with the requirements of legal certainty; thirdly, a comprehensive analysis of the scientific literature, which reveals the peculiarities and problems of ensuring national security in Ukraine, as well as the creation of a feedback mechanism for the national security actors (including civil society actors), in the framework of which the collection and analysis of feedback, comments on the state of ensuring national security is possible;

3) upgrading the legislative framework for the administrative and legal regime of ensuring the national security of Ukraine, within which occurs the following: firstly, improvement of the legal and regulatory framework of the administrative and legal regime of ensuring national security by supplementing such acts of legislation, changing or canceling them; secondly, the realization of a comprehensive analysis of the relevant scientific views of Ukrainian and foreign scientists (which reveal the issues of regulatory and legal support for national security and contain proposals for solving such problems), as well as their consideration in the process of law-making at the national, local and organizational levels; thirdly, ensuring adequacy and adaptability of the national security needs to the regulatory arrangements of the administrative and legal regime of its ensuring;

4) delimitation of special legal status at the regulatory level (primarily in terms of competence and powers) of entities with general administrative and legal status of the actors ensuring national security. The realization of this task is aimed at avoiding the duplication of powers of national security actors, as well as the status of such entities, the elements of which meet the requirements of the principle of legal certainty;

5) ensuring legal certainty as a key pillar of the rule of law, which is the most important condition for the proper provision of national security in a legal and democratic state moving in the European and Euro-Atlantic direction. To fulfill this task, legislative acts and by-laws with precise language and definitions are developed and adopted, the common categorical and conceptual apparatus is used (the introduction of new terms into the

categorical and conceptual use should be accompanied by their appropriate definition), situations where the law in this sphere is misinterpreted or may lead to ambiguous application of the relevant legislation are minimized.

Tasks Related to Establishing and Implementing the State Policy on Ensuring the National Security of Ukraine. Considering the views of scientists on the national security policy of Ukraine and its provision (Antonov, 2014; Ruban, 2019), we conclude that the overall objective identified is:

1) development of a systematic (consistent in its structure as well as in line with the principles of law and legal norms), sustained and sound public policy in the sphere of ensuring national security of Ukraine by: a) conducting a critical analysis of existing and potential risks in the field of national security, as well as performing a strategic analysis of national security priorities, modeling the key areas of their protection; b) designing the concept of ensuring national security, which outlines the basic principles of the security activity, its purpose and tasks, the duties of civil society actors, ways to improve administrative and legal regime of ensuring national security in the context of current and potential security challenges; c) the development and subsequent adoption of a complex conceptual and strategic act, which outlines the goals and strategies for achieving national security, taking into account the adopted concept of its ensuring national security;

2) creation of conditions for the implementation of the national security policy, as well as the realization of this public policy, primarily due to: firstly, the development and approval of action plans aimed at the gradual and full implementation of the national security strategy; secondly, the formation of the financial, personnel, material and technical, informational basis for enabling the implementation of the strategy of ensuring national security, as well as the targeted distribution of the relevant resources;

3) systematic monitoring of forming and exercising the national security policy, primarily aimed at: periodic and timely clarification of the current administrative and legal regime ability to ensure national security, as well as the processes of its improving; preventing (minimizing) various types of (in particular, social, technological and geopolitical) challenges and risks for the national security of Ukraine (within monitoring and oversight activities); receiving, analyzing, systematizing and further processing of data received from scientists, practicing lawyers, experts in the field of security, civil society actors (including international organizations), etc. on the adequacy of the existing administrative and legal security regime (within the information feedback mechanism);

4) justification of the national security policy, as well as its amending, which is achieved due to: firstly, clear (unambiguous) and reasoned definition of a set of motives on the basis of which the conditions for the functioning of the administrative and legal regime for ensuring national security are legitimately created, as well as political decisions in the relevant field are adopted; secondly, outlining the relationship between the national security policy and other national interests; thirdly, ensuring full (non-discriminatory; transparent; effective, rather than formal) participation of civil society actors in the planning and organization of the formation process, as well as further implementation of the national security policy;

5) reflection of directions, forms and means of effective protection of public interests in national security policy, as well as identifying the actors whose activities are linked to the responsible implementation of the national security objectives of Ukraine at the national and/or international levels.

Objectives Regarding the Institutional Support for The National Security of Ukraine. It should be noted that the scientific opinion on the institutional provision of national security is still in development.

Despite this, the analysis of scientific works, in which the special features of institutional support were revealed (Babichenko, 2019; Shvydkyi, 2020), allow us to conclude that the complex task identified by us is expressed in the following target goals:

1) creation and provision of an effective system of public administration in general and in the field of national security in particular. This task is quite broad and includes: assessment of the adequacy of the system of national security actors, their administrative and legal status and the conditions for its realization; modeling of an effective system of public administration to ensure national security; ensuring effective distribution of various types of resources aimed at ensuring national security;

- 2) establishment of national security and defense actors and systems, as well as the constant improvement of their administrative and legal status and directions, forms, methods and means of their total objectification;
- 3) creation and ensuring the functioning of interdepartmental coordination mechanisms of national security entities in particular by: establishment of appropriate mechanisms with parallel development of cooperation between public service bodies in the field of ensuring national security with civil society actors (to ensure the democratization of this area); modeling of inter-agency coordination interactions (and the protocols of interaction) of national security actors to improve the coordination skills of relevant public service bodies;
- 4) implementation of innovative technological integration of public administration in the sphere of ensuring national security of Ukraine, mainly: investment (also control of investments) in advanced technologies for effective collection and processing (in particular, decryption) of intelligence data, ensuring safe communication of actors in the field of national security, as well as for cyber security of systems for protecting confidential information and cyber defense of the state as a whole; balanced integration of artificial intelligence into decision-making mechanisms in this area while respecting the rights, freedoms and legitimate interests of citizens enshrined by the Constitution of Ukraine; systematic updating of existing technological assets to ensure progressive content and functioning of the administrative and legal mechanism for providing national security in Ukraine;
- 5) organization and implementation of effective personnel policy in public service bodies and in collective entities (organizational form) ensuring the national security of Ukraine.

Objectives Related to Implementation of Effective Public Administration in The Sphere of Ensuring National Security of Ukraine. A critical analysis of scientific works devoted to public administration (public management) in the field of national security and its provision (Bezzubov, 2018; Moseyko, 2019), helped to conclude that the identified complex task is expressed in the following objectives:

- 1) creating effective decision-making systems for ensuring national security (in particular, by promoting timely and well-founded decision-making processes in entities involved in ensuring national security), as well as accumulation, storage and optimal distribution and use of resources in accordance with strategic goals of ensuring national security;
- 2) establishing effective systems of coordination and collaboration among different actors of ensuring national security to strengthen the overall security potential;
- 3) formation and development of the ideological and cultural background of the implementation of effective public administration in the sphere of ensuring national security of Ukraine.

Tasks Related to The Creation, Organization of Application and Implementation Comprehensive Measures to Ensure the National Security of Ukraine. Analyzing different views (Melykh, 2013; Pavliutin, 2020) on measures to ensure national security, we summarize that the single complex task of ensuring national security is expressed in the following targets:

- 1) development and reform of political means of ensuring national security by harmonizing strategic policy in this area (ensuring compliance of national security policy with its goals and key tasks), as well as ensuring its proper adaptability (ensuring the ability to adapt to real and potential risks);
- 2) development and improvement of economic means of ensuring national security by mobilizing economic resources (to support programs, initiatives in this sphere) and ensuring stable (sustainable) and adaptive financing of various processes and programs in the said area;
- 3) development and promotion of social means of ensuring national security by informing the public about the state and problems of this process, as well as by promoting social solidarity (on the basis of collective commitment to the mission of ensuring national security);
- 4) promotion and enhancement of military means of ensuring national security by increasing the defense capability of the State (increasing the ability to respond to various types of military and related threats to national

security), as well as technological support for the military sphere (integration and use of technological achievements for the implementation of modern defense strategies);

5) developing and optimization of scientific and technical means of ensuring national security by supporting innovations in scientific and technical provision of national security, in particular cyber security (i.e., increasing the potential of the ability to resist modern cyber threats).

Objectives Concerning Prevention and Response (Detection, Termination, Or Minimization of Negative Effects) To Potential and Real Risks (Threats) To National Security. A critical analysis of the relevant positions of Ukrainian scientists (Varnaliy et al., 2016; Sokolska, 2011) allows us to conclude that a single complex task is expressed, among other things, in the following objectives:

1) prevention of potential and real risks (threats) to national security by organizing and implementing preventive measures and realization of preventive programs to reduce the likelihood of risks and threats to national security;

2) identification of potential and real risks (threats) to national security through early identification of these risks (threats) to prevent their escalation, as well as through the organization and operation of a monitoring system to identify deviations from the security norm (anomalies) in the field of ensuring national security in particular and in the national security area as a whole;

3) elimination (minimization of the negative effect) of potential and real risks (threats) to national security;

4) timely (prompt) and effective response to potential and real risks (threats) to national security by minimizing the impact of national security risks (threats) on the vital interests of the State, society and individual, as well as by using adaptive strategies to ensure national security, which take into account the specific nature of the risk (threat).

Tasks to Develop A Mature Social Consciousness, National Solidarity And Patriotism.

Considering the influence of this phenomenon in the state of national security (Kovnir, 2016; Tsiurupa, 2016), we conclude that the determined complex task is implemented in the following targets:

1) planning, organization and implementation of information and educational campaigns aimed at increasing public awareness of the real state of national security, threats to this area, as well as the possibility of involving civil society in the process of ensuring national security;

2) education of patriotism among citizens of Ukraine, as well as respect and full loyalty to the State by nationals of other States and stateless persons legally present on the territory of Ukraine;

3) establishment, approval and implementation of a legal awareness programme, which contributes to the reduction of legal nihilism among the population, increases the legal culture of Ukrainians and their belief in the ideals of law and the importance of the inviolability of the rule of law;

4) creating and ensuring the functioning of interactive platforms to involve citizens in the process of ensuring national security, namely by: encouraging their active participation in volunteering, in legal regulation of national security, etc.; establishment of full-fledged two-way communication between public service bodies implementing the tasks of ensuring national security, as well as the public that can be involved in such tasks;

5) organization and implementation of initiatives to foster national solidarity, mature public consciousness and patriotism among schoolchildren and students;

6) creating conditions for media partnership through the use of offline and online communication tools to ensure the conditions of a safe information space and the dissemination of reliable information about the efforts in the national security area, as well as risks (threats) to this sphere, etc.

CONCLUSIONS

Summarizing the above, we can conclude that the national security tasks of Ukraine cover different ways in which the security potential of the State can be realized, the necessary state of safe living of society and

individual can be achieved. That is why these tasks envisage planning, creation, improvement and monitoring (in particular, for its clarity and legal certainty, consistency and adaptability, taking into account complex and dynamic features of modern risks and challenges faced by the national security actors) in national security law making, and the results of standard-setting. Besides, the tasks of the national security actors provide for the promotion, realization and constant evaluation of public policy aimed at the defense, protection, restoration, and promotion of public interests of direct or indirect security nature. Performance of these tasks also involves careful planning, optimal allocation of resources and creation of systems capable of timely adaptation to dynamically changing risks (challenges) of national security.

Among the relevant tasks, the provision of the system of public administration by the security and defense sector of Ukraine based on the concept of good governance takes on special administrative and legal importance. The implementation of the tasks of the said actors also involves the use of a multifaceted approach to ensuring national security, which covers political, economic, social, military, scientific and technical dimensions of solving a wide range of national security problems. At the same time, the effectiveness of the specified task is possible when the subject of ensuring national security also takes precautions to prevent threats, to detect them in advance (for prompt intervention and implementation of effective and resolute action to curb continuing violations).

Besides, it should be emphasized that in the context of the ongoing democratization of Ukraine and the administrative and legal regime of ensuring national security, the task of developing a sense of collective responsibility, fostering patriotism, and ensuring that citizens are well informed and actively involved in supporting measures to ensure national security acquires special significance.

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