

THE ROLE AND PLACE OF THE ARMED FORCES OF UKRAINE IN THE SYSTEM OF ENTITIES ENSURING THE NATIONAL SECURITY OF THE STATE

Oleksandr Hryn,

getter, Western Ukrainian National University

Ternopil, Ukraine

ORCID ID: <https://orcid.org/0009-0004-7270-7918>

e-mail: moald17@ukr.net

Abstract. *The article reveals the role and place of the Armed Forces of Ukraine among the subjects of ensuring the national security of the state. The issue of military legislation in terms of increasing the country's defense capabilities and the effectiveness of countering russian aggression has been studied. Methodology. The methodological basis of the research was, first of all, the universal scientific principles of objectivity, systematicity, comprehensive study of the problem. During the research, a system of scientific methods was applied: a) general philosophical (dialectical, positivistic); b) general scientific (analysis, synthesis, generalization, modeling); c) special-scientific (special-judicial) methods (judicial-dogmatic, comparative-legal, normative-analytical). Results. The article defines that the system of subjects of ensuring national security is a set of state authorities, as well as non-state bodies, which are united by common goals and tasks regarding the protection, preservation and strengthening of national values and interests, countering internal and external threats, and which carry out their activities in a certain interaction, according to the current legislation. It was also found out that the Armed Forces of Ukraine are the basic force in ensuring the defense of the state, protection of its sovereignty, territorial integrity and inviolability. Especially during the period of russian aggression, Ukraine assessed the importance of the power component. The article states that the number of the Armed Forces in recent years has been changing in the progression of growth and as of 2022 is approximately 700,000 people. The role of foreign missions in the training of Ukrainian military personnel to strengthen their ability to protect the territorial integrity of the state and deter hostile actions of the aggressor is highlighted. The author's position that the process of improvement, systematization, possible codification of military legislation is a requirement of time is argued. After all, the presence of a large number of regulatory and legal acts in the field of defense can negatively affect the future vector of the state's defense capability. A conclusion was made about the priority of ensuring national security in the activities of the state, especially in the period when Ukraine is experiencing extremely difficult times associated with russian aggression, which poses a threat to the integrity of the country, its sovereignty, the destruction of national values, and the existence of Ukrainian society.*

Keywords: *national security, subjects of national security and defense, Armed Forces of Ukraine, national legislation, international training.*

1. Introduction

Ensuring the national security and defense of each country is the task of the relevant circle of subjects. By its content, such activity consists in the implementation of a number of organizational, law enforcement, legislative and other measures. In addition, the approach to the sphere of national security and defense of the country is extremely responsible, concrete, operational and promising, especially at a time when our country faced real threats to national security. Therefore, all subjects entrusted with the responsibility of ensuring national security and defense are obliged, within the limits of the specified powers, to steadfastly and impartially perform the tasks of identifying and overcoming real and potential internal and external threats to the national interests of Ukraine, countermeasures and neutralization of these threats, ensuring an adequate level of protection of the vital

interests of society, as well as contributing to the effective functioning and development of the national security system in general.

Under the system of subjects of ensuring national security, we understand the totality of state authorities, as well as non-state bodies, which are united by common goals and tasks regarding the protection, preservation and strengthening of national values and interests, countering internal and external threats, and which carry out their activity in a certain interaction, according to the current legislation.

The Armed Forces of Ukraine play an important role in the system of entities providing national security, as the main burden of protecting the state falls on them.

2. Research methodology

The methodological basis of the research was, first of all, the universal scientific principles of ob-

jectivity, systematicity, comprehensive study of the problem. During the research, a system of scientific methods was applied: a) general philosophical (dialectical, positivistic); b) general scientific (analysis, synthesis, generalization, modeling); c) special-scientific (special-judicial) methods (judicial-dogmatic, comparative-legal, normative-analytical). The dialectical method made it possible to characterize the Armed Forces in the system of subjects of national security. Special legal methods provided an opportunity to analyze current legal norms in the field of state defense. The normative-analytical method was used in those cases when it was necessary to substantiate, prove, refute certain theoretical provisions about the concept and legal content of the activities of the Armed Forces of Ukraine.

3. Results

According to the provisions of the Law of Ukraine «On the National Security of Ukraine», the Armed Forces of Ukraine are an integral part of the security and defense sector, in particular, as «... the system of state authorities, the Armed Forces of Ukraine, other military formations formed in accordance with the laws of Ukraine, law enforcement and intelligence bodies, state bodies of special purpose with law enforcement functions, civil defense forces, the defense-industrial complex of Ukraine, whose activities are under democratic civilian control and, in accordance with the Constitution and laws of Ukraine, are functionally aimed at protecting the national interests of Ukraine from threats, as well as citizens and public associations that voluntarily participate in ensuring the national security of Ukraine...» [1]. At the same time, the legislation clearly defines that the defense forces are the Armed Forces of Ukraine, as well as other military formations formed in accordance with the laws of Ukraine, law enforcement and intelligence agencies, special purpose bodies with law enforcement functions, which are entrusted with the functions of ensuring the defense of the state by the Constitution and laws of Ukraine [1]. From this follows the logical conclusion that currently the Armed Forces of Ukraine are the basic varnish in ensuring the defense of the state, protection of its sovereignty, territorial integrity and inviolability. None of the countries in the world can imagine its existence without the presence of an army. In the same way, Ukraine, especially during the russian-ukrainian war, assessed the importance of such a power component.

According to the Law of Ukraine «On the Armed Forces of Ukraine», the Armed Forces of Ukraine are a military formation that, according to the Constitution of Ukraine, is responsible for the defense of Ukraine, the protection of its sovereignty, territorial integrity and inviolability [2]. The Armed Forces of Ukraine conduct their activities on the basis of: fidelity to constitutional duty and military oath; the rule of law, legality and humanity, respect for a person, his constitutional rights and freedoms; openness, openness to democratic civil control; a combination of unity of leader-

ship and collegial development of the most important decisions; staffing by conscription of citizens for military service and acceptance for military service under contract; permanent combat and mobilization readiness; preservation of state secrets; education of servicemen in the patriotic, fighting traditions of the Ukrainian people, observance of military discipline; provision of state socio-economic and socio-legal protection of citizens serving in the Armed Forces of Ukraine, as well as their family members; bans on the creation and operation of organizational structures of political parties. The personnel of the Armed Forces of Ukraine consists of servicemen and employees of the Armed Forces of Ukraine. The number of the Armed Forces of Ukraine is approved by the Verkhovna Rada of Ukraine at the request of the President of Ukraine [2]. At the same time, it is worth noting that the number of the Armed Forces in recent years has changed in the progression of growth. So, before the war with russia, in 2013, there were 166,000 people in the ranks of the Armed Forces of Ukraine. After the annexation of Crimea and the start of hostilities in Donbas, the number of the Armed Forces increased to 250,000. It remained so until 2018 inclusive. In 2019, the number of the Ukrainian army decreased to 246 thousand. But already the following year, the armed forces once again numbered 250,000 soldiers. Last year, the number of the Armed Forces was again 246,000. In 2022, after the start of a full-scale invasion and taking into account the mobilization of approximately 700 thousand people in the ranks of the Armed Forces. Thus, compared to 2014-2021, the size of the Ukrainian army increased almost threefold [3]. Reservists with combat experience of ATO/OO and conscripts with officer ranks and relevant specializations returned to the Armed Forces. The rapid increase of the Ukrainian army allowed the military commander to form new units and units and prepare them for combat tasks much more effectively.

At the same time, in accordance with the Law of Ukraine «On the Number of the Armed Forces of Ukraine», the number of the Armed Forces of Ukraine has been approved in an amount that does not exceed 261,000 people, including 215,000 military personnel. And in a special period, the number of the Armed Forces of Ukraine increases by the number of personnel called up for military service to fulfill the decrees of the President of Ukraine on mobilization, approved by the laws of Ukraine [4].

Preparation of the Armed Forces of Ukraine to fulfill the tasks assigned to them by the Constitution of Ukraine, organization and ensuring their implementation, maintenance of combat and mobilization readiness and fighting capacity at an appropriate level, educational work, preservation of life and health of personnel, ensuring legality and military discipline in the Armed Forces of Ukraine are carried out by military administration bodies, commanders and chiefs of all levels in accordance with the requirements of the Constitution of Ukraine and the laws of Ukraine,

other normative legal acts regulating relations in the field of defense [2]. In addition, Ukraine is strengthening its military potential through international education and training of Armed Forces personnel. As the Minister of Defense of Ukraine, Oleksiy Reznikov, said, «...in order to create a comprehensive system of training and further effective use of professional personnel of the Armed Forces of Ukraine, a number of documents have been developed and approved this year that will allow military specialists to acquire new competencies. In particular, we are talking about the Concept of the military personnel policy of the Ministry of Defense of Ukraine for the period until 2025, the implementation of which will allow to create a comprehensive, effective, economically expedient and well-founded system of providing the troops (forces) with professionally trained servicemen with high moral and business qualities, capable of qualitatively solving complex military-professional tasks in peacetime and wartime...» [5].

After the full-scale russian invasion of Ukraine, almost all the countries of the European Union and NATO joined various educational programs. For example, we can talk about a unique operation to train the Ukrainian military under the code name Interflex, which is a continuation of the Orbital military operation.

It is worth noting a number of other foreign missions regarding the training of Ukrainian military personnel, all of them united by a common goal – strengthening the capabilities of the Armed Forces of Ukraine to protect the territorial integrity of Ukraine, as well as the ability to deter hostile actions of russia.

Currently, the Armed Forces of Ukraine are in the process of adopting NATO standards. Under these conditions, the transformation of the management system of the Ukrainian army is foreseen, as well as the introduction of appropriate changes to the national legislation.

The problem of legal regulation in the military sphere is characterized by the presence of a significant number of legislative acts that do not fully meet the needs of today. In addition, there is no coherent system of legal norms in the field of defense. This is confirmed by the presence in the military legislation of numerous duplication of legal norms, their inconsistency, inconsistency; occurrence of contradictions and collisions; formation of gaps in legal regulation. Thus, the system of acts of military legislation includes at least 30 laws, 800 normative legal acts at the level of the President, the Cabinet of Ministers of Ukraine, etc., related only to the vital activities of the Armed Forces of Ukraine [6, p. 211].

References

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According to Tyutyunnyk V. P. and Horovenko V. K., «...the state of legislation in the field of defense should be considered unsatisfactory, and the legislation itself is multiple, unsystematized, outdated, imperfect, insufficiently coordinated and largely contradictory, in which there are many legal gaps and a large number of serious problems. The main thing is that this legislation does not correspond to modern foreign and military-political, military, military-economic and other realities, and it also does not ensure the proper fulfillment of the tasks of increasing the state's defense capability, carrying out defense reform and implementing Ukraine's course to join NATO...» [7, p. 21]. To solve this urgent problem, scientists V.V. Topolnytskyi and V.D. Levchuk consider it necessary to create an authorized and specialized national body (institute, structure) in the state in order to develop a strategy for the development of military legislation (legislation in the field of defense of Ukraine) and its codification with staffing it with specialists of legal specialties in the field of national security and defense, as well as scientific and pedagogical personnel potential of leading universities and scientific institutions of Ukraine [8, pp. 29-30]. We fully agree with such proposals, because the presence of a large number of regulatory and legal acts in the field of defense can have a negative impact on the further vector of the state's defense capability, which cannot be allowed in any case, especially when the war is ongoing. Therefore, the process of improvement, systematization, possible codification of military legislation is a requirement of time.

4. Conclusions

Today, Ukraine is living in extremely difficult times associated with russian aggression, which poses a threat to the integrity of the state, its sovereignty, the destruction of national values, and the existence of Ukrainian society. That is why the issue of ensuring national security is a priority in the state's activities.

As of now, the Armed Forces of Ukraine have become a kind of nucleus of resistance to the russian invaders. With their courage, mobility, motivation, and discipline, the Ukrainian military demonstrates to the whole world how to fight for one's own state, how to protect the people living in it. For this, the entire Ukrainian people thank them every day. But, in turn, the state, represented by the relevant bodies, by making effective decisions and actions, must make maximum efforts to make the Ukrainian army modern, modernized, adequately staffed and well paid.

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