

The concept, content and system of principles of civil protection at the regional level

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Abstract. *It was concluded that the principles of providing civil protection at the regional level are a set of basic principles, basic ideas that determine the order of legal regulation, as well as the organization and practical implementation of civil protection measures on the territory of a certain region.*

It was noted that legality, as the fundamental idea of civil protection at the regional level, is expressed in: first, strict and unconditional compliance of the civil protection process within a specific region, based on the provisions of legislative, by-law and local regulatory acts; secondly, the activities of civil protection entities exclusively within the framework of the rights and obligations assigned to them by the norms of current legislation; thirdly, the responsibility of these subjects for violations and miscalculations in the implementation of relevant measures

It is argued that, in addition to legality, the principles of providing civil protection at the territorial level should also include the following: the principle of systematicity and continuity; the principle of equality and uniformity of providing civil protection within the territory of the region; the principle of partnership of subjects ensuring public safety and order; principle of evolution; the principle of scientificity.

Key words: *principles, principles of law, security, civil protection, regional level.*

Problem statement. One of the important areas of activity of any modern socially orientated state, which Ukraine certainly is, is the creation of an effective and efficient system of civil protection. The latter is a set of social and legal relations that arise between specially authorised bodies of state power, as well as other legal entities and individuals, on issues of counteraction, prevention of emergency situations and dangerous events, and overcoming their consequences, which involves the implementation of special organisational, engineering, and technical, sanitary-hygienic, anti-epidemic, and other measures provided for by law. The provision of civil protection simultaneously occurs at several levels, one of which is regional. This activity is complex in its essence and content, and it is based on a system of relevant principles.

State of the study. Some problematic aspects related to the provision of civil protection in Ukraine were considered in their scientific works by: A.A. Bileka, O.S. Zhidkova, O.A. Zinchenko, V.F. Korobkin, S.V. Maystro, V.O. Mykhailiuk, O.M. Nosikov, A.O. Sobakar, I.V. Shudrenko, and many others. However, despite significant theoretical developments, there is a lack of theoretical studies in the scientific literature devoted to the characteristics of the principles of civil protection at the regional level.

Purpose and objectives of the study. The purpose of the article is to outline and reveal the content of the key principles of civil protection at the regional level. In order to achieve this goal, the following tasks must be completed: generalise established theoretical approaches to the interpretation of the concept of principle from a legal point of view; to reveal theoretical approaches to the selection of the list of principles of civil protection.

Scientific novelty of the study. The scientific

novelty of the article lies in the fact that the theoretical approach regarding the list and content of the key principles of ensuring civil protection at the regional level was further elaborated in the work.

Presentation of the main material. When starting scientific research, it should be noted that the term "principle" in the scientific literature has different definitions due to interdisciplinarity. For example, the term "principles" is simultaneously revealed as the basic beginning on which any scientific theory, a certain methodological or normative setting, rule, or postulate is based; an epistemological phenomenon that does not exist in nature; a law that is used as an organiser of empirical material or as a function of a means of explaining any fact, etc. [1, p. 383]. So, in general, a principle is a certain initial, basic, fundamental position, the idea of the existence of an object, the implementation of some activity, the formation of a scientific concept, etc.

The concept of principles has been explored quite meaningfully from a legal point of view. In particular, as indicated by O.S. Pochanska, in legal literature, the principles of law are highlighted in several meanings: 1) as guiding ideas fixed in the norms of law, which determine the nature, basis, and scope of legal regulation of social relations; 2) as the main provisions, requirements, patterns of development, and directions of legal regulation of social relations; 3) as objectively determined principles of activity of the subjects of legal relations, according to which the human rights and freedoms of a citizen and the normal functioning of a citizen are ensured in society and the state [2, p. 42].

O.V. has a separate scientific position regarding the content of the principles of law. Zaychuk: "Principles encompass all legal matter – ideas, norms, and relations, and also give it logic, consistency, and balance. The

principles of law synthesise the world experience of the development of law and the experience of civilization. Principles play the role of guidelines in the formation of laws. In particular, the evolution of law comes from ideas to norms, then, through the implementation of norms, to social practice. Starting with the emergence of ideas, which are quite often formed in the form of a legal principle, the principle determines and directs the development of law. In particular, the personal inviolability of a person arose as a legal idea. Since this idea had a rather important, general character (it concerned not a private case but a general situation), it can be considered a legal principle. According to the historical conditions (in each country in a different way and at the same time), the legal principle was transformed into norms. Laws were passed on the prohibition of arbitrary deprivation of liberty, on the inviolability of housing, etc. Social practice was formed on the basis of these laws, and the legal principle served as its core. Therefore, the life of law begins with the formation of a legal idea" [3].

An equally interesting author's concept regarding the content of legal principles is offered by A.M. Kolodiy, who writes: "Any principles, including the principles of law, are the product of human activity, the result of which they act and the interests of which they satisfy. Principles are social phenomena, both in origin and content: their emergence is determined by the needs of social development, and they reflect the regularities of social life. The main sources of these principles are politics, economics, morality, ideology, and social life. Therefore, it can be argued that initially, the content of the principles of law is determined by life itself, spontaneously, in public social relations that develop in real life and later receive regulation and protection from the state in the complexes of subjective rights of participants in legal relations. The emergence of the principles of law as general social ones is a necessary condition for their subsequent consolidation in the form of legal principles and norms because it indicates their relevance for society and the need for their legal registration. This is how in the bowels of civil society, within the framework of law-making, with the help of legal practice, new legal principles are born, which evolutionarily cancel the effect of outdated, irrelevant principles" [4, p. 42].

I.P. Bakhnovska observes that the principles of law are characterised by normativity and the highest stability, a high level of generalisation and abstraction, and fundamentality, which allows them to perform regulatory, system-forming, informational, legal-educational, cognitive, and valuable functions. It should be noted that unlike legal norms, legal principles do not rigidly fix the content of behaviour; they are able to react more quickly to changes in social life. and therefore the application and interpretation of legal norms must be in accordance with the principles of law. In other words, the principles of law are a kind of coordinate system within which law develops, are the embodiment of the result of a rational scientific understanding of the laws of law development, and at the same time are a vector that determines the direction of its development [5, p. 21].

The conducted research makes it possible to conclude that the principles of providing civil protection at the regional level are a set of basic principles and basic ideas that determine the order of legal regulation as well as the organisation and practical implementation of civil protection measures on the territory of a certain region. We shall note that Article 7 of the Civil Protection Code of Ukraine states that civil protection is carried out according to such basic principles as: 1) guaranteeing and ensuring by the state the constitutional rights of citizens to protect life, health and property, as well as the implementation of international norms in wartime humanitarian law; 2) a comprehensive approach to solving civil protection tasks; 3) priorities of tasks aimed at saving lives and preserving the health of citizens; 4) to the maximum extent possible, an economically justified reduction of the risk of emergency situations; 5) centralization of management, unity of command, subordination, statutory discipline of the operational rescue service of civil protection, emergency rescue services; 6) publicity, transparency, free obtaining and distribution of public information about the state of civil protection, except for limitations established by law; 7) voluntariness - in the case of involving citizens in the implementation of civil protection measures related to the risk to their lives and health; 8) responsibility of officials of state authorities and local self-government bodies for compliance with the requirements of legislation on civil protection; 9) justified risk and responsibility of the heads of the civil defence forces for ensuring safety during emergency rescue and other emergency operations [6].

Undoubtedly, the provision of civil protection at the regional level is necessarily based on the general principles of its implementation enshrined in Article 7 of the Civil Code, but along with them there are additional, special fundamental ideas that should be taken into account. For the latter, in the author's opinion, it is most appropriate to include the following:

- the legality of providing civil protection at the regional level. Scientists prove that, in general, the content of the principle of legality is a system of specific requirements: 1) the binding nature of laws and other normative legal acts for all participants in social relations without exception; 2) strict compliance with the law by all subjects of legal relations; 3) the supremacy of the law in the system of normative legal acts; 4) actual fulfilment of the requirements laid down in legal norms by participants in legal relations; 5) ensuring equality of all before the law; the possibility of punishment only for violation of clearly defined provisions of the law; 7) the inevitability of punishments for violations of the law, etc. [7]. A similar opinion is also expressed by O.F. Skakun, who believes that the principle of legality is expressed in the following requirements: 1) the quality of normative legal acts, their non-contradiction to each other (there should be hierarchical subordination between them depending on the legal force); 2) strict observance and implementation of norms and legal prescriptions by all subjects - citizens, their public and non-commercial organisations, officials, and state bodies; 3) unavoidable responsibility for the fault

of citizens and officials [8, p. 225]. Therefore, legality, as the fundamental idea of civil protection at the regional level, is expressed in: first, strict and unconditional compliance of the civil protection process within a specific region, based on the provisions of legislative, by-law, and local regulatory acts; second, the activities of civil protection entities exclusively within the framework of the rights and obligations assigned to them by the norms of current legislation; third, the responsibility of these entities for violations and miscalculations in the implementation of relevant measures;

- the principle of systematicity and continuity. Civil protection measures are not limited by time and take place in parallel with the normal life activities of society. Due to this, it is possible to predict possible emergency situations and dangerous events, their prevention, and prompt response to their occurrence in the event that there is no objective possibility to prematurely establish the fact of their occurrence;

- the principle of equality and uniformity in providing civil protection within the territory of the region. Note that equality is an important constitutional principle that is described in detail in the provisions of the Basic Law. In the latter, it is noted that every person has the right to the free development of his personality if, at the same time, the rights and freedoms of other people are not violated and he or she has obligations to the society in which the free and comprehensive development of an individual's personality is ensured. Citizens have equal constitutional rights and freedoms and are equal before the law. There can be no privileges or restrictions based on race, colour, political, religious, or other beliefs; sex; ethnic and social origin; property status; place of residence; language; or other characteristics. The equality of the rights of women and men is ensured by: giving women equal opportunities with men in socio-political and cultural activities; in obtaining education and professional training; in work and remuneration for it; special measures regarding labour protection and women's health; the establishment of pension benefits; the creation of conditions that give women the opportunity to combine work with motherhood; legal protection; material and moral support for motherhood and childhood, including the provision of paid vacations and other benefits to pregnant women and mothers [9]. That is, the principle of equality in the provision of civil protection at the regional level means that

the corresponding protection is extended to everyone, not just individuals on the territory of Ukraine. There can be no differentiation on any subjective grounds in the provision of relevant public services or defence against the adverse effects of emergency situations or dangerous events;

- the principle of partnership among subjects, ensuring public safety and order. In the "Dictionary of Foreign Words," it is stated that a partnership is an organisation of cooperation under which two or more parties agree on joint actions in order to achieve a common goal [10]. Therefore, the provision of civil protection at the regional level involves the involvement of subjects with different legal statuses, powers, and overall social and state roles. However, when entering into social and legal relations on matters of civil protection, these subjects are assigned appropriate tasks that require coordinated joint work, coordination of actions, mutual assistance, and constant exchange of information, i.e., interaction on the basis of partnership;

- the principle of evolution. Evolution is a process of gradual quantitative changes in anything that provides qualitative changes. That is, it is an actual development, a relentless movement forward that leads to the transformation of something into a qualitatively new form [11]. According to this principle, the provision of civil protection at the regional level cannot be "stagnant" and must be constantly updated in terms of regulatory and legal material, technical means, personnel, processes of organising its activities, etc.;

- the principle of scientificity. This principle provides that the provision of civil protection at the regional level should take place in view of scientific achievements, progressive concepts, and theories developed by scientists and scientific institutions within the framework of various studies.

Conclusions. Summarising the presented scientific research, it should be concluded that the above principles are not only the ideological basis of the functioning of the institute considered in the article, they also form vectors for the further development of civil protection at the regional level. In view of this, we propose to expand Article 7 of the Code of Civil Protection of Ukraine, which will contribute not only to the development of scientific research in the indicated direction but also to improving law enforcement practice.

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