

Principles of professional training of personnel of the Security Service of Ukraine

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Abstract. The article reveals the essence and content of the principles of professional training of the personnel of the Security Service of Ukraine. It is proposed that the principles of professional training of the Security Service of Ukraine personnel be understood as a set of guiding principles fixed at the regulatory and legal level, on the basis of and in accordance with which the subjects authorised by the state carry out activities aimed at forming a certain category of persons and maintaining a set of knowledge, skills and abilities in an up-to-date state. It has been proved that individual tasks of professional training of the Security Service of Ukraine personnel, as well as the activities of persons authorised by the state in this direction, are based on a significant number of principles that are both the basis for the functioning of this sphere of public relations and a certain vector of its development. Groups of principles of professional training of Security Service of Ukraine personnel are identified and characterised by carrying out their scientific classification depending on such a criterion as the scope of their distribution: 1) general principles of professional training of personnel, which apply to all social relations without exception: the rule of law, legality, equality, publicity and openness of information defined by law; 2) cross-sectoral principles of professional training of Security Service of Ukraine personnel, which are inherent in the activities of all or most law enforcement agencies: political neutrality and non-partisanship, personal responsibility, professionalism, integrity and decency; 3) special principles of professional training of Security Service of Ukraine personnel, which find the greatest specificity of their implementation precisely within the framework of these social relations and are regulated by special legislation: independence, professionalism, patriotism, corporate culture, and professional ethics.

Key words: professional training, personnel, Security Service of Ukraine (SSU), principles, general principles, cross-sectoral principles, special principles.

Problem statement. In the context of the introduction of the legal regime of martial law caused by armed aggression against our state, there is a rethinking of the professional training of security and defence sector employees, in particular the personnel of the Security Service of Ukraine, which is entrusted with a primary role in ensuring the national security of the state, as well as conducting previously unseen in the world context sabotage, intelligence and counterintelligence operations. Such training should embody both the latest technologies and samples of the most modern weapons, as well as progressive approaches to administrative and legal support, because the construction of the educational process is an extremely complex management activity that requires constant improvement and active cooperation with all stakeholders. At the same time, the activity of professional training of Security Service of Ukraine personnel is based on certain unshakeable guiding principles, which in the pages of professional literature have been called principle.

In particular, exploring the essence of the concept and meaning of the principles of civil service, T.A. Puzanova quite rightly notes that the importance of the principles of the relevant activity lies in the fact that they determine the “legal fate”, practical organisation and its real functioning [1, p. 55]. In addition, V.B. Pchelin emphasises, in jurisprudence the category “principle” is used to denote the main aspects, the fundamentals of the functioning of the relevant legal institution [2, p. 89; 3, p. 80]. The importance of principles, S.V. Shmalenia emphasises, both general and specific to a particular field (institution), is difficult to overestimate since they are important both for theoretical activity related to the construction of a certain system and its development and improvement and for practical – for the transformation of the requirements of legal regulations into the real activity of legal subjects, into their lawful behaviour [4, p. 117]. Given

this, determining the essence of the principles of professional training of Security Service of Ukraine personnel and establishing the most important ones among them takes on special importance in the context of the issue under study.

State of the study. The foundations (principles) of the law enforcement sector of the state in general and the administrative and legal support of professional training for various law enforcement agencies in particular were studied in the scientific works of such scientists as: O.M. Bandurka, V.V. Galunko, Y.V. Garust, V.L. Grokholsky, T.K. Zavgorodnya, L.G. Kaydalova, T.A. Kobzeva, O.M. Kornilova, I.M. Koropatnik, I.O. Kravchenko, T.M. Kravtsova, A.M. Kulish, O.M. Muzychuk, V.O. Nevyadovsky, V.I. Palchykov, V.V. Pakhomov, O.G. Permyakova, V.B. Pchelin, O.M. Reznik, L.E. Sigaeva, M.V. Starinsky, M.F. Stepko, L.A. Spodin, I.L. Tatomyr, O.V. Chorna, A.V. Shevchuk, I.M. Shorobura and others. The above-mentioned scientists, thanks to their thorough research, have made a significant contribution to the improvement of the theoretical and practical principles of the functioning of the security and defence sector of Ukraine. However, insufficient attention was paid to the principles of professional training of the personnel of the Security Service of Ukraine, given that the purpose of this article is to determine the essence of the principles of professional training of the personnel of the Security Service of Ukraine and establish the most important ones among them.

Presentation of the main material. The author notes that the category under study is philosophical, and it is customary to denote that on the basis of which a true, noble person acts and what distinguishes him from a low person, a person of the crowd [5, p. 167]. Principles, according to the authors of the philosophical encyclopaedic dictionary, are the internal beliefs of a person, those practical, moral and

theoretical principles by which he is guided in life, in various spheres of activity [6, p. 519]. At the same time, as V.L. Petrushenko notes, in our time a principle is an initial theoretical and methodological position that underlies certain knowledge and determines the method of its structure. In this sense, the entire set of this knowledge appears as the disclosure and implementation of the principle. Also, a principle is a general proposition, concise theses or statements formulated on the basis of a person's beliefs, by which he is guided in his actions. In this sense, a principle is a form of connection between a person's inner world and his activities [5, p. 167]. The semantic analysis of this category also testifies to the importance of principles as the fundamental basis for the functioning of relevant social relations. In particular, on the pages of the large explanatory dictionary of the modern Ukrainian language, it is noted that the word "principle" should be used in the following meanings:

- belief, norm, rule, which is guided by someone in life, behaviour;
- the main starting point of any scientific system, theory, or ideological direction;
- a feature that is the basis for the creation or implementation of something, the method of creating or implementing something [7, p. 1125].

Speaking about understanding the essence of the studied category from the position of legal science, we note that, in general, legal scholars are unanimous in their positions, and certain differences may occur due to the sphere of social relations and the issues analysed in their works. As K.M. Rudoy quite rightly notes in this regard, the essential and substantive content always remains the same, namely, a principle is the basis, foundation, or starting point of any phenomenon (system, relations), which permeates it and ensures its existence [8, p. 173–174]. For example, as the authors of the encyclopaedic dictionary on public administration note, principles are the basic principles and initial ideas, characterised by universality, general significance, higher imperativeness and reflecting the essential provisions of theory, doctrine, science, the system of law, the state system, etc. [9, p. 560]. The authors of the six-volume legal encyclopaedia reveal the essence of principles from a broader position, indicating that in a general theoretical sense, they reveal as basic principles initial ideas characterised by universality, general significance, and higher imperativeness and reflect the essential provisions of theory, doctrine, science, systems of domestic and international law, and political, state or public organisations. Scientists note the fact that any principle is characterised by the property of abstract reflection of the laws of social reality, which determines their special role in the structure of a wide range of phenomena. The fact that the principle is the source of many phenomena or conclusions related to it, as an action to a cause or as a consequence to a reason, is emphasised. A principle is a person's internal conviction that determines his attitude to reality, social ideas and activities [10, pp. 110–111].

Regarding the above positions, we note that speaking about principles from the position of jurisprudence, it is necessary to point out their normative

and legal objectification in the provisions of the current national legislation. In view of this, the position of D.A. Shevchenko, who believes that principles are a system of normatively fixed, stable and permanent ideas that have an objective-subjective, fundamental and basic character, reflecting the essence of law [11, p. 1015], looks more correct. It is also appropriate to cite the position of the authors of the textbook "General Theory of State and Law", who point out the meaning of the principles of law, which, in their opinion, consists in the following:

- have the property of higher imperativeness, generality, universality, and significance; they are characterised by stability and stability for an indefinitely long time;
- direct the development and functioning of the entire legal system;
- determine the directions of law-making, law-enforcement and other forms of legal activity;
- contribute to filling gaps in the law;
- ensure an increase in the level of legal awareness in society;
- act as the most important criterion for the legality of the actions of citizens, officials and other subjects of law [12, p. 198].

Therefore, taking into account the above positions, we propose that the principles of professional training of the personnel of the Security Service of Ukraine (hereinafter SSU) be understood as a set of guiding principles fixed at the regulatory and legal level, on the basis of and in accordance with which subjects authorised by the state carry out activities aimed at forming a certain category of persons and maintaining a complex of knowledge, skills and abilities in an up-to-date state. Today, we can name a fairly significant number of such principles, since they will be related both to the direct implementation of professional training of SSU personnel and the implementation of individual areas of activity of this law enforcement agency and to the functioning of the security and defence sector of the state in general. In view of this, firstly, we will determine the most significant among such principles, the action of which determines the fundamental principles of the functioning of the studied sphere of social relations. Secondly, the analysis of the principles of professional training of SSU personnel was carried out taking into account their scientific classification depending on such a criterion as the scope of distribution of such principles. Scientists, choosing this criterion for classifying the principles of the relevant activity, rightly note that it is this classification criterion that indicates the main features of the relevant principle, in particular, in which branches of law it can be applied and its origin [13, p. 168].

So, first of all, it is necessary to point out a group of general principles of professional training of SSU personnel. Such principles are general since their effect, with certain features, extends to all social relations without exception. The leading one among such principles and the one that determines the effect of many other principles of professional training of SSU personnel is the rule of law. As the Supreme Court of Ukraine once noted, the rule of law is the rule of law in society. At the same time, the rule of law requires the state

to implement it in law-making and law-enforcement activities, in particular in laws, which in their content must be permeated primarily with the ideas of social justice, freedom, equality, etc. One of the manifestations of the rule of law is that law is not limited only to legislation as one of its forms but also includes other social regulators, in particular moral norms, traditions, customs, etc., which are legitimised by society and are determined by the historically achieved cultural level of society [14].

The principle of the rule of law has found its legislative reflection in the provisions of Article 5 of the Law of Ukraine "On the Security Service of Ukraine", according to which the activities of the SSU are carried out on the basis of respect for human rights and freedoms. The bodies and employees of the SSU must respect human dignity and show a humane attitude towards it and prevent the disclosure of information about a person's private life. In exceptional cases, in order to stop and uncover state crimes, certain rights and freedoms of a person may be temporarily restricted in the manner and within the limits determined by the Constitution and laws of Ukraine [15].

The principle of the rule of law determines the operation of the following principle of professional training of SSU personnel. In this case, we are talking about the principle of legality, which, among other things, found its objectification in the provisions of the Fundamental Law of Ukraine. Thus, according to Art. 19 of the Constitution of Ukraine, the legal order in Ukraine is based on the principles according to which no one can be forced to do what is not provided for by law. At the same time, state authorities and local self-government bodies, their officials are obliged to act only on the basis, within the limits of their powers and in the manner provided for by the Constitution and laws of Ukraine [16].

As another general principle of professional training of the SSU, the principle of equality should be considered. This principle, as well as the above, found its direct objectification in the provisions of the Fundamental Law of Ukraine, in accordance with Art. 24, which cannot have privileges or restrictions based on race, colour, political, religious or other beliefs, sex, ethnic or social origin, property, place of residence, language or other grounds [16]. This principle can also be referred to as the principle of gender equality.

The next general principle of professional training of SSU personnel is the principle of publicity and openness. This principle provides for the public's right to information about the activities of the SSU, which is directly provided for in Article 7 of the Law of Ukraine "On the Security Service of Ukraine", according to which the SSU informs about its activities through the media by providing responses to requests for access to public information and in other forms in accordance with the procedure established by law. At the same time, it is prohibited to establish restrictions on information regarding the general budget of the SSU, its competence and main areas of activity, as well as cases of illegal actions of the SSU bodies and employees.

The next group of principles of professional training of SSU personnel is represented by cross-sectoral

principles, the effect of which extends to the functioning of the entire security and defence sector of the state. Among such principles should be mentioned non-partisanship and political neutrality. According to Article 6 (non-partisanship of the SSU) of the Law of Ukraine "On the Security Service of Ukraine", the use of the SSU in party, group or personal interests is not allowed. The activities of parties, movements and other public associations with political goals are prohibited in the SSU. Membership of employees of the Security Service of Ukraine in such associations is suspended for the period of service or work under an employment contract [15].

In addition, among the interdisciplinary principles of professional training of SSU personnel, the principle of personal responsibility should be mentioned. According to Art. 35 of the Law of Ukraine "On the Security Service of Ukraine", SSU employees independently make decisions within the limits of their powers. They must refuse to execute any orders or instructions that contradict the current legislation. For illegal actions and inaction, they bear disciplinary, administrative and criminal liability [15]. At the same time, the principle of personal responsibility provides that SSU personnel must perform their official duties qualitatively and effectively; make timely and effective decisions; take necessary measures for their implementation; be responsible for them; rationally and carefully use state property, property of third parties, and the right to dispose of which is granted for the performance of official duties and only in the interests of the SSU and for the purpose.

Among the interdisciplinary principles of professional training of SSU personnel, the principle of professionalism should be mentioned. On the pages of the textbook "Axiology of Public Administration", V.M. Kozakov quite rightly notes that professionalism is the highest degree of perfection in a certain type of activity; it is the highest level of skill; it is also the implementation of work at the highest level. At the same time, professionalism is the objective principle of human activity since it (a person) is connected with the need to improve society itself, to contribute to the improvement of labour organisation, to increase its culture, etc. In practice, this means that a professional generally contributes to social progress and, at the same time, ensures higher productivity of his work [17, p. 202].

At the same time, studying the features of legal regulation of the competitiveness of employees of the internal affairs bodies of Ukraine, E.Yu. Podorozhny rightly notes that professionalism is not only a high level of knowledge, skills and results of human actions in professional activity but also a certain systemic organisation of consciousness, which includes:

- properties of a person as a subject of activity (attitude to oneself, the surrounding world, activity, etc.);
- professional experience, culture, knowledge (in particular, professional), goals of activity, conditions of professional development;
- understanding of issues of one's own dignity, compliance with the requirements of the profession

(professional self-identification) [18, p. 57].

The next interdisciplinary principle of professional training of SSU personnel is the principle of integrity and decency, which provides for the obligations of this category of persons to realise that service in the SSU is incompatible with corruption, obtaining unlawful benefits, abuse of official position, abuse of official authority, violation of established rules of honest behaviour, etc.

The next group of principles of professional training of SSU personnel is represented by special principles, the action of which acquires the greatest specificity of its implementation within the studied sphere of social relations. We have designated these principles as special also due to the fact that they have received their objectification in the provisions of the current national legislation, which regulates the activities exclusively of the SSU and not of other law enforcement agencies. In particular, among such principles should be mentioned the principle of independence. As follows from the analysis of Art. 11 of the Law of Ukraine "On the Security Service of Ukraine", in their operational and service activities, regional bodies of the Security Service of Ukraine are independent of local state administration and local self-government bodies, officials, parties and movements [15].

Another special principle of professional training of SSU personnel is the principle of patriotism. Scientists quite rightly note the fact that patriotism is one of the basic components of the national identity of the people, which is expressed in feelings of love, pride and devotion to their homeland, its history, culture, traditions and way of life, in a sense of moral obligation to protect it, as well as in recognition of the originality and intrinsic value of other communities, and in awareness of their right to exist without confrontation with each other [19, p. 174]. Patriotism, emphasises Yu. Ivchenko, is a system of knowledge of legal culture and compliance with the requirements of the law, the presence of skills to assess political and legal events and processes in society and the state, civic position, and constant readiness to serve one's people and fulfil constitutional duty [20, p. 223].

As another special principle of professional training of SSU personnel, the principle of corporate culture should be considered. At the same time, the pages of professional literature note that corporate culture is a set of leading provisions of the organisation's activities, determined by the mission and development strategy, which are reflected in social norms and values that are supported and adhered to by employees. Such culture, emphasise the authors of the textbook "Corporate Culture",

allows to distinguish one corporation from another, generates commitment to the goals of the corporation, creates an atmosphere of identity for its members, and is a certain controlling mechanism that directs and shapes the relationships and behaviour of employees [21, p. 16].

Closely related to the above-mentioned special principle of professional training of SSU personnel is the principle of professional ethics. As scientists note, a feature of professional ethics is that it concentrates those moral norms and requirements that determine the relations of persons of a certain profession while regulating the spiritual and moral aspects of communication that arise in their environment due to joint activities. Professional ethics are determined by the characteristics of individual professions, corporate interests, and professional culture. People who perform the same or similar professional functions develop specific traditions, unite on the basis of professional solidarity, and support the reputation of their social group. At the same time, A.M. Biryukova notes, professional ethics is a set of rules of behaviour of a certain social group that ensures the moral nature of relationships caused by or related to professional activities [22, pp. 309–310; 23, p. 58].

Conclusions. Thus, the analysis of the above material indicates that individual tasks of professional training of SSU personnel, as well as the activities of persons authorised by the state in this direction, are based on a significant number of principles, which are both the basis for the functioning of this sphere of public relations and a certain vector of its development. The principles of professional training of SSU personnel, given their significant number, by carrying out their scientific classification depending on such a criterion as the scope of their distribution, were divided by us into the corresponding specific groups:

1) general principles of professional training of personnel, which apply to all social relations without exception: the rule of law, legality, equality, publicity and openness of information specified by law;

2) cross-sectoral principles of professional training of SSU personnel, which are inherent in the activities of all or most law enforcement agencies: political neutrality and non-partisanship, personal responsibility, professionalism, integrity and decency;

3) special principles of professional training of SSU personnel, which find the greatest specificity of their implementation precisely within the framework of these social relations and are regulated by special legislation: independence, professionalism, patriotism, corporate culture, and professional ethics.

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