Purpose, principles, and tasks of cooperation among operational units of Ukraine's security and defence sector under martial law

Illia Stepanov,
private entrepreneur, Dnipro, Ukraine

Abstract. The article examines the purpose, principles, and tasks of interaction among operational units within Ukraine's security and defense sector under the legal regime of martial law. It substantiates the distinction between the strategic goal of interagency cooperation, functional tasks, and the expected outcomes of joint activities. The strategic goal is linked specifically to the coordinated use of legal, organizational, and informational capabilities to detect, prevent, and neutralize threats to national security. Functional tasks are defined in terms of information exchange, the coordination of operational measures, resource allocation, the establishment of the respective competencies of the participants, and the ensuring of the implementation of decisions. **Methodology.** The scientific research is based on both general and special methods of scientific knowledge. In particular, in the process of analyzing reference literature, provisions of individual regulatory legal acts, in particular the Constitution of Ukraine, the Law of Ukraine "On the National Security of Ukraine", "On Counterintelligence Activity", "On Operational-Search Activity", "On the Legal Regime of Martial Law", as well as works of domestic scientists who provide a comprehensive analysis of these provisions, structural-logical and system-functional methods were used. **Results.** The study substantiates why interagency interaction should not be equated with forms of cooperation within criminal proceedings, given the distinct legal bases for operational-search, counterintelligence, and organizational activities. It systematizes general legal principles - such as the rule of law, legality, respect for human rights, and proportionality – alongside specialized principles, including the clear delineation of competence, rapid response, information security, and personal accountability. A classification of tasks is proposed, categorized into information-preventive, operational-coordination, and organizational-support areas. Criteria for prioritizing tasks are established based on the nature, scale, and urgency of threats, potential consequences, the reliability of information, and available resources. The study argues that the effectiveness of such cooperation should be evaluated based on the timeliness of responses, the lawfulness of decisions, the elimination of threats, and the avoidance of overlapping mandates – rather than merely by the number of measures taken. It is proposed that the regulatory framework be refined to specifically address interagency planning, the designation of a coordinator, the formal documentation of mandates, procedures for information exchange, the resolution of jurisdictional disputes, and the oversight of joint task execution. Furthermore, the study outlines how to delineate the responsibilities of the initiator, the coordinator, the heads of participating units, and the personnel directly executing the tasks.

Key words: interagency cooperation, operational units, security and defence sector of Ukraine, principles of cooperation, tasks of cooperation, legal regime of martial law.

INTRODUCTION

Ensuring effective interaction among the operational units of Ukraine's security and defense sector under the legal regime of martial law is necessitated by the need for coordinated execution of tasks related to the detection, prevention, and suppression of threats to national security, countering unlawful activities, and upholding the state's defense capability. The Law of Ukraine "On National Security of Ukraine" defines the composition of the security and defense sector, the competencies of its constituent entities, and the organizational framework for coordinating their activities [1]. Furthermore, Articles 4 and 7 of the Law of Ukraine "On Operational-Investigative Activity" enshrine the principles of the rule of law, legality, and respect for human rights and freedoms, while mandating that operational units cooperate to prevent, detect, and suppress criminal offenses [2].

Consequently, the implementation of the goals and objectives of interagency cooperation is also governed by the Law of Ukraine "On Counterintelligence Activity", which establishes the legal framework for detecting, preventing, and suppressing intelligence and subversive activities directed against Ukraine [3]. It should be emphasized that under the legal regime of martial law, these tasks take on added significance, given the necessity of aligning the activities of operational units with the military command and other authorized bodies, in accordance with the Law of Ukraine "On the Legal Regime of Martial Law" [4]. At the same time, ensuring the efficiency of joint operations requires adherence to the principles of clearly defined competencies, organizational autonomy, mutual accountability, timely information exchange, and the prevention of unlawful interference with the powers of other entities.

Thus, the problem lies in the insufficient regulatory specification of the goals, principles, and tasks governing the interaction between operational units, as well as the absence of a unified approach to defining their functional interrelationships and the legal boundaries for conducting joint activities. In particular, further research is required regarding the distinction between the strategic goals and operational tasks of interagency cooperation, the systematization of general legal and specialized principles, the establishment of criteria for the coherence of management decisions, and the enforcement of accountability among authorized entities for the outcomes of joint measures. Consequently, this research is highly relevant, as it addresses the need to substantiate the goals, principles, and tasks of interaction among operational units within Ukraine's security and defense sector. This is essential for improving the administrative-legal mechanisms of interagency coordination, ensuring the legality of joint operations, and enhancing the effectiveness of countering threats to national security under the legal regime of martial law.

RESEARCH METHODOLOGY

The scientific research is based on both general and special methods of scientific knowledge. In particular, in the process of analyzing reference literature, provisions of individual regulatory legal acts, in particular

particular the Constitution of Ukraine, the Law of Ukraine "On the National Security of Ukraine", "On Counterintelligence Activity", "On Operational-Search Activity", "On the Legal Regime of Martial Law ", as well as works of domestic scientists who provide a comprehensive analysis of these provisions, structural-logical and system-functional methods were used.

Using the comparative legal method and the method of generalization, the study defines the strategic goal of interagency cooperation among operational units, distinguishing it from the functional tasks and expected outcomes of joint activities. Furthermore, these methods are employed to systematize general legal and specific principles of cooperation, establishing their content, interrelationships, and the particularities of their implementation under the legal regime of martial law.

The validity and reliability of the study are ensured through the use of a wide range of sources, including legal acts of varying legal force, dictionaries, and scholarly commentaries. Risks stemming from ambiguities in legal regulation and inconsistencies in its application are minimized by employing a conceptual framework well-established in legal scholarship.

Methodological limitations arise from restricted access to information regarding specific aspects of the activities of operational units within Ukraine's security and defense sector. This factor is mitigated by drawing upon data from diverse sources, verifying such data, cross-referencing it with generally accepted approaches, and conducting a critical analysis of the available information.

RESULTS

The issues surrounding the definition of the goals, principles, and tasks of interaction among operational units within Ukraine's security and defense sector have been addressed in scholarly literature, specifically within the scope of research on operational-search activities, organizational coherence, and the legal foundations of interagency cooperation. In particular, O. Makhlai, while analyzing the theoretical pillars of interaction among the operational-search units of the State Border Guard Service of Ukraine, examined the theoretical foundations of such activities, characterized their organizational principles, and identified factors influencing the effectiveness of executing joint operational tasks [5, pp. 340–341].

Furthermore, the purpose and objectives of interagency interaction have been explored in a number of studies focused on the administrative-legal framework supporting the functioning of Ukraine's security and defense sector. In this context, A. Borovyk, A. Varkhov, and N. Derevianko – examining the administrative-legal mechanism for interaction among entities within the security and defense sector regarding the assurance of national security – clarified the conceptual foundations, forms, and methods of such interaction; defined the components of the mechanism for its implementation; and substantiated the importance of organizational coordination and information support for the execution of joint tasks [6, pp. 128–145].

The organizational principles governing the interaction and coordination of law enforcement agencies have been investigated from the perspective of ensuring the coherence of management decisions, adequate staffing, and the rational use of available resources. A. Rusetskyi, having analyzed the organizational foundations for ensuring interaction and coordination among law enforcement agencies at the regional level, aptly identified issues such as insufficient financial support, inadequate professional training of personnel, and a lack of information support for joint operations; he emphasized the need to improve the organizational mechanisms for interagency coordination [7, pp. 90–91].

Related organizational problems are identified by V. Teremetskyi and co-authors in their study of the implementation of the state's law enforcement function in the taxation sphere. They associate weaknesses in cooperation with duplicated powers, deficiencies in legal regulation, and inadequate information exchange and feedback, while emphasizing the importance of coherent vertical and horizontal management relations [8, p. 6]. Although their analysis concerns taxation, these findings are relevant to examining the organizational requirements for cooperation among operational units, without determining their specific competence under martial law.

Research into the information and analytical support for the activities of authorized units has proven particularly significant for defining the objectives of operational interaction. Specifically, O. Farion developed a model of information flows, characterized internal and external sources of data acquisition, and established parameters for evaluating the information required to carry out operational-search tasks [9, pp. 82–84].

Furthermore, the specific nature of the tasks performed by operational units under the legal regime of martial law has been addressed in a number of studies focusing on verification activities, the assurance of border security, and responses to threats in combat zones. In particular, M. Hnietniev, S. Basalyk, and V. Voloshyn – through an analysis of the verification work conducted by the operational-search units of the State Border Guard Service of Ukraine under martial law – examined the purpose of verification measures, the specifics of their implementation in de-occupied territories, and factors that complicate operational activities. They highlighted the necessity of enhancing interaction with other entities within Ukraine's security and defense sector [10, pp. 418–419]. However, despite the existence of a body of work addressing this issue, several aspects remain insufficiently systematized: the delineation of strategic goals, functional tasks, and the immediate outcomes of interaction between operational units; the determination of the relationship between general legal principles and specialized principles; and the establishment of the limits for their application under martial law. In particular, further research is required regarding the criteria for prioritizing joint tasks, the principles of jurisdictional autonomy and the coordination of management decisions, the procedures for distributing responsibility among participants, and the mechanisms for ensuring the legality of operational cooperation. Furthermore, a distinct area of inquiry involves

developing a system of goals, principles, and tasks for interagency cooperation – including a rationale for their functional interconnections, their formalization within the legal framework, and the criteria for evaluating the effectiveness of joint activities under the legal regime of martial law.

DISCUSSION

The strategic objective of cooperation among the operational units of Ukraine's security and defense sector should be defined as ensuring the coordinated utilization of their legal, organizational, and informational capabilities for the timely detection, prevention, and neutralization of threats to national security under the legal regime of martial law. Specifically, L. Ryabovol, in examining the cooperation of state law enforcement agencies – particularly regarding the conceptual definition of such interaction – argued that joint law enforcement activity is inherently goal-oriented. She linked this to the integration of existing capabilities, the upholding of the rule of law and public order, and the enhancement of effectiveness in countering offenses [11, pp. 76–79]. However, in our view, limiting the strategic objective of cooperation solely to improving the efficiency of law enforcement is insufficiently justified; it fails to encompass the specific requirements of ensuring the state's defense capability, countering intelligence and subversive activities, and responding promptly to military threats.

Instead, the functional tasks of interagency cooperation should be viewed as specific avenues of joint activity aimed at achieving the strategic objective. This is realized through the exchange of operational information, the coordination of measures, the allocation of resources, the delineation of the participants' respective competencies, and the assurance that decisions taken are implemented in a timely manner. In particular, M. Borysenko, having examined the issue of interaction between an investigator and operational or other units within the National Police of Ukraine during pre-trial investigations, characterized this interaction as a necessity for the activities of authorized entities to complement one another while carrying out specific tasks aimed at achieving a common goal [12, pp. 174–190]. However, we consider it a mistake to extend this specific procedural approach to the entire system of operational units within the security and defense sector. This is because the functional tasks of interagency interaction also encompass operational-search, counterintelligence, and organizational-support activities – all of which possess their own distinct legal foundations and implementation mechanisms.

Thus, it is proposed that the expected outcomes of interagency interaction be distinguished from its strategic goal and functional tasks by establishing specific performance indicators for joint measures – such as the timeliness of threat detection, the comprehensiveness of information support, the avoidance of overlapping mandates, and adherence to legally prescribed procedures. In our view, evaluating effectiveness solely based on the number of measures taken or the volume of operational intelligence gathered distorts the functional purpose of such interaction; it fails to account for the lawfulness of decisions made, the actual elimination of threats, and the extent to which the results align with the objectives set. At the same time, the necessity is substantiated for a regulatory distinction between the strategic goal – serving as the ultimate benchmark for ensuring national security – functional tasks (as directions for implementing joint activities), and expected results (as objectively determinable consequences of executing interagency measures).

Therefore, it is proposed that the system of principles governing the interaction among operational units within Ukraine's security and defense sector be differentiated into two categories: general legal principles – encompassing the rule of law, legality, respect for human rights, legal equality, and the proportionality of measures applied – and special principles, which relate to the clear definition of competencies, functional coherence, responsiveness, information security, and the personal accountability of the participants. It should be noted that S. Ponomarov, in his research on the administrative-legal framework for the activities of Ukraine's security and defense sector, proposed a classification of the principles governing this sector based on their formal codification within legislation concerning national security, defense, and the operations of specific law enforcement agencies [13]. In our view, however, this approach – based on the source of legal norms – should be supplemented by a functional criterion; a formal categorization of principles based solely on their sectoral affiliation fails to reveal how they relate to one another during the joint execution of operational-search, counterintelligence, and other specialized tasks.

Instead, the specific principles of interagency cooperation should be viewed as organizational and legal requirements for coordinating mandates, identifying responsible entities, exchanging information, and making joint management decisions – all without infringing upon the statutory autonomy of operational units. In this context, N. Tsybulnyk, having analyzed the principles of administrative-legal regulation within the state security sector, examined the core tenets of such regulation; she substantiated the need to systematize these principles and incorporate European standards into the legal framework governing security-related activities [14, pp. 183–185]. However, we believe it is insufficient to merely apply general administrative-legal principles to interagency operational activities without specifying the limits of information exchange, the procedures for accessing restricted information, the grounds for involving other units, and the personal liability for violating established procedures.

Furthermore, under the legal regime of martial law, the balance between general legal principles and specific operational principles must prioritize the rule of law, the observance of human rights, and clearly defined competencies, while simultaneously ensuring a rapid response to threats against national security. In our view, justifying the urgency of joint measures by citing the exigencies of martial law cannot serve as an independent basis for expanding the powers of operational units, circumventing established procedures for obtaining

information, or replacing specific legal procedures with administrative decisions made by a coordinator. Therefore, it is proposed to provide a regulatory framework for the implementation of specific principles by defining mandatory procedures for coordinating joint tasks, documenting the limits of respective competencies, establishing timelines for information exchange, and ensuring oversight regarding the lawfulness of interagency decisions.

The requirement of proportionality is further clarified in V. Teremetskyi's study of the balance between public interests and human rights. The author examines the legal basis and legitimate aim of restrictions, their necessity, and the proportionality of interference [15, pp. 349–350]. Applied to interagency operational cooperation, this approach supports assessing the justification and impact of joint measures that restrict rights, alongside their timeliness and effectiveness. In our view, such assessment should form part of joint planning and subsequent review of the measures taken.

Accordingly, it is proposed that the system of tasks for interagency cooperation among operational units within Ukraine's security and defense sector be structured along three functional lines: information-preventive, operational-coordination, and organizational-support. The first category encompasses the timely detection and assessment of threats, the verification of received intelligence, and the exchange of operational information; the second involves coordinating joint measures, delineating competencies, and aligning response timelines; and the third entails documenting management decisions, providing necessary resources, and monitoring the execution of tasks. At the same time, it is considered ill-advised to create a single, undifferentiated list of tasks; the absence of such functional categorization leads to the duplication of powers, complicates interagency management, and dilutes accountability for the outcomes of joint activities.

Instead, it is proposed that the prioritization of interagency tasks be determined based on criteria such as the nature and scale of the threat, its degree of urgency, potential consequences for national security, the reliability of operational information, and the availability of necessary resources. In our view, priority must be given to tasks addressing immediate threats to human life, the state's defense capability, the functioning of critical infrastructure, and the activities of reconnaissance and sabotage groups – provided that the legal grounds for intervention are duly verified. Conversely, determining priorities based solely on the initiating agency or the number of units involved is unacceptable; such an approach violates the principle of rational resource allocation and creates conditions for a biased assessment of security threats.

To improve the administrative and legal framework for executing joint tasks, we propose establishing a unified procedure for interagency planning. This should include designating a responsible coordinator, documenting the division of authority, setting deadlines, and defining procedures for verifying outcomes. It is essential to clearly delineate responsibilities: the initiating body is responsible for the legal validity of the task; the coordinator for organizing coordinated actions; the heads of participating units for the proper execution of assigned functions; and the individual personnel carrying out the tasks for the lawfulness of their actions – with legal liability applied in accordance with the law. Specifically, separate regulatory provisions are required for documenting interagency decisions, resolving disputes over jurisdiction, controlling access to operational information, and evaluating the effectiveness of joint operations – all without the undue expansion of special powers during the legal regime of martial law.

CONCLUSIONS

Based on the study, the necessity of distinguishing between the strategic goal, functional tasks, and expected outcomes of the interaction among operational units within Ukraine's security and defense sector is substantiated, with a definition of their content and functional interrelation under the legal regime of martial law. General legal and specific principles of interagency interaction have been systematized, establishing the priority of legality, clearly defined competencies, respect for human rights, and rapid response within the scope of legally established powers. It is proposed to categorize the tasks of interagency interaction into three areas – information-preventive, operational-coordination, and organizational-support – with criteria for prioritizing them based on the nature, scale, and urgency of threats to national security. The study substantiates the need to improve the administrative-legal framework for joint operations by further specifying, through regulatory acts, the procedures for interagency planning, the allocation of competencies and responsibilities, the documentation of management decisions, and the oversight of the legality of operational task execution. Future research should focus on developing an organizational-legal model for implementing the goals, principles, and tasks of interagency interaction; refining mechanisms for resolving disputes regarding competencies; and establishing a system of criteria to evaluate the legality and effectiveness of joint operations conducted by operational units under the legal regime of martial law.

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