

UDC: 351

Kalievskaya Marina Aleksandrovna,
post-graduate student, Interregional Academy of Personnel Management, 03039, Kyiv,
Str. Frometivska, 2, tel.: (093) 871 00 48,
e-mail: info@erosi.org

ORCID: 0000-0002-8708-4010

Калієвська Марина Олександрівна,
аспірант, Міжрегіональна Академія управління персоналом, 03039, м. Київ,
вул. Фрометівська, 2, тел.: (093) 871 00 48,
e-mail: info@erosi.org

ORCID: 0000-0002-8708-4010

Калиевская Марина Александровна,
аспірант, Межрегіональная Академия управления персоналом, 03039, г. Киев,
ул. Фрометовская, 2, тел.: (093) 871 00 48,
e-mail: info@erosi.org

ORCID: 0000-0002-8708-4010

DOI <https://doi.org/10.31618/vadnd.v1i11.23>



DEFINITION OF THE PUBLIC SECURITY AND ORDERLINESS ENSURING MECHANISM IN UKRAINE

Abstract. In this article, a model of the mechanism of ensuring public security and orderliness in accordance with the principles and tasks of the relevant institutions in public administration, taking into account resources, technologies, measures for the state policy implementation in the spheres of ensuring the protection of human rights and freedoms, the interests of society and the state, combating crime, maintaining public security and order. It was found that ensuring public security and order in Ukraine is a mechanism for the implementation of national goals of state policy in the areas of ensuring the protection of human rights and freedoms, the interests of society and the state, combating crime, maintaining public security and order, by defining tasks according to certain principles. The idea is that if one considers the state policy in the spheres of ensuring the protection of human rights and freedoms, the interests of society and the state, combating crime, maintaining public security and order as a national priority (purpose, task), then the mechanism of ensuring public security and order in Ukraine needs coordination with the state development strategy. From the point of view of the implementation of the state policy in the areas of ensuring the protection of human rights and freedoms, the interests of society and the state, combating crime, maintaining public security and order, the mechanism of ensuring public security

and order in Ukraine can be considered as the main system providing interconnection such elements as institutions (implementing the specified state policy), resources (human resources, logistical, natural and so on, with the help of which it is possible to implement state policy), technologies (skills, knowledge, means and so on the implementation of state policy), measures (action plans), as well as external (internal) threats.

Keywords: public security and orderliness, mechanism of ensuring public security and orderliness, state policy, public administration.

ВИЗНАЧЕННЯ МЕХАНІЗМУ ЗАБЕЗПЕЧЕННЯ ПУБЛІЧНОЇ БЕЗПЕКИ І ПОРЯДКУ В УКРАЇНІ

Анотація. Визначено модель механізму забезпечення публічної безпеки і порядку за принципами і завданнями відповідних інституцій державного управління з урахуванням ресурсів, технологій, заходів щодо реалізації державної політики у сферах забезпечення охорони прав і свобод людини, інтересів суспільства і держави, протидії злочинності, підтримання публічної безпеки і порядку. Виявлено, що забезпечення публічної безпеки і порядку в Україні є певним механізмом щодо реалізації національних цілей державної політики у сферах забезпечення охорони прав і свобод людини, інтересів суспільства і держави, протидії злочинності, підтримання публічної безпеки і порядку шляхом визначення завдань за певними принципами. Обґрунтовано думку про те, що якщо розглядати державну політику у сферах забезпечення охорони прав і свобод людини, інтересів суспільства і держави, протидії злочинності, підтримання публічної безпеки і порядку як національний пріоритет (ціль, завдання), то механізм забезпечення публічної безпеки і порядку в Україні потребує координації з державною стратегією розвитку. З точки зору імплементації державної політики у сферах забезпечення охорони прав і свобод людини, інтересів суспільства і держави, протидії злочинності, підтримання публічної безпеки і порядку, то механізм забезпечення публічної безпеки і порядку в Україні можна розглядати, як основну систему, що забезпечує взаємозв'язок таких елементів, як інституцій (що реалізують зазначену державну політику), ресурсу (кадрового, матеріально-технічного, природного і так далі, за допомогою яких можлива реалізація державної політики), технологій (вміння, знання, засоби і так далі щодо реалізації державної політики), заходи (плани дій), а також впливи (загрози) зовнішні та внутрішні.

Ключові слова: публічна безпека і порядок, механізм забезпечення публічної безпеки і порядку, державна політика, публічне управління.

ОПРЕДЕЛЕНИЕ МЕХАНИЗМА ОБЕСПЕЧЕНИЯ ПУБЛИЧНОЙ БЕЗОПАСНОСТИ И ПОРЯДКА В УКРАИНЕ

Аннотация. Определена модель механизма обеспечения общественной безопасности и порядка на принципах и задачах соответствующих институций государственного управления с учетом ресурсов, технологий, мероприя-

тий по реализации государственной политики в сферах обеспечения охраны прав и свобод человека, интересов общества и государства, противодействия преступности, поддержание публичной безопасности и порядка. Выявлено, что обеспечение общественной безопасности и порядка в Украине является определенным механизмом по реализации национальных целей государственной политики в сферах обеспечения охраны прав и свобод человека, интересов общества и государства, противодействия преступности, поддержание публичной безопасности и порядка путем определения задач по определенным принципам. Обосновано мнение о том, что если рассматривать государственную политику в сферах обеспечения охраны прав и свобод человека, интересов общества и государства, противодействия преступности, поддержание публичной безопасности и порядка как национальный приоритет (цель, задачи), то механизм обеспечения публичной безопасности и порядка в Украине требует координации с государственной стратегией развития. С точки зрения имплементации государственной политики в сферах обеспечения охраны прав и свобод человека, интересов общества и государства, противодействия преступности, поддержание публичной безопасности и порядка, то механизм обеспечения публичной безопасности и порядка в Украине можно рассматривать как основную систему, обеспечивающую взаимосвязь таких элементов, как институтов (реализующих указанную государственную политику), ресурса (кадрового, материально-технического, природного и так далее, с помощью которых возможна реализация государственной политики), технологий (умение, знания, средства и т.д. по реализации государственной политики), мероприятия (планы действий), а также воздействия (угрозы) внешние и внутренние.

Ключевые слова: публичная безопасность и порядок, механизм обеспечения публичной безопасности и порядка, государственная политика, публичное управление.

Targetsetting. After the Revolution of Dignity in Ukraine, the reform of the security forces, in particular the law-enforcement system began. The first was the reform of the road car inspection, reorganized into the patrol police, the National Police Unit, which carries out round-the-clock patrols of the streets of cities, and also the first to respond to challenges 102, in order to ensure public order and safety, protection of citizens' rights, and road safety. Western partners, in particular the

United States, which sent their instructors from California and Ohio to Kyiv, were actively involved in the reform of the law-enforcement system. The first city in which the Patrol Police began to work became Kyiv on July 4, 2015. Then there were Lviv, Odessa, Kharkiv and other regional centers and big cities.

Today, the National Police of Ukraine, the central executive authority, which carries out its activities in accordance with the Law of Ukraine

“On National Police”, from the State Police of Ukraine, provides for the implementation of state policy in the spheres of ensuring the protection of human rights and freedoms, the interests of society and the state, combating crime, and supporting public safety and order. 07/02/2015, № 580-VIII.

Analysis of recent publications on issues. The source of information for writing the article was the normative acts and the results of scientific research [1–6].

The purpose of the article. Determination of the main aspects of constructing a model of the mechanism of ensuring public security and orderliness, regarding state policy implementation in the spheres of ensuring the protection of human rights and freedoms, the interests of society and the state, combating crime, maintaining public security and order.

The statement of basic materials. As we have noted in previous studies: the mechanism of ensuring public security and orderliness in Ukraine is the realization of national goals in the public security and order sphere, which is provided by certain public administration institutions in accordance with the tasks entrusted to them with the functions defined by the principles.

The organization of ensuring public security and orderliness in Ukraine is carried out by the National Police of Ukraine, as well as in cooperation between the National Guard of Ukraine and the National Police of Ukraine, which perform tasks in accordance with their functions according to the established principles within the legal framework (see Table).

At the same time, the National Police of Ukraine (in accordance with the Law of Ukraine “On National Police” [1]) is the central executive body that serves the society by ensuring protection of human rights and freedoms, combating crime, maintaining public security and order, and the National Guard of Ukraine (in accordance with the Law of Ukraine “On the National Guard of Ukraine” [2]) is a military formation with law enforcement functions, which is part of the system of the Ministry of Internal Affairs of Ukraine and is intended to fulfill the tasks entrusted to it.

In accordance with the Order of the Ministry of Internal Affairs of Ukraine (registered in the Ministry of Justice of Ukraine on September 7, 2016, № 1223/29353) “On Approval of the Procedure of interaction Ukraine National Guard and the National Police of Ukraine during security (protection) public (social) security and order” with the purpose of determining the procedure for joint involvement of the forces and means of the National Police and the National Guard of Ukraine in relation to ensuring security and orderliness provides [5]:

- joint patrols patrol streets, squares, parks, railway stations, airports, sea and river ports, other public (social) places;
- provision (protection) of public (social) security and order during meetings, rallies, street trips, demonstrations, other mass and sport events, as well as during public (social) events with the participation of persons for whom the state security is carried out;
- carrying out joint measures to stabilize the operational situation in case

**Interaction between the National Guard and the National Police Ukraine
in accordance with the tasks and principles of activity**

National Police of Ukraine		National Guard of Ukraine	
Tasks	Principles	Tasks	Principles
1. ensuring public security and order; 2. the protection of human rights and freedoms, as well as the interests of society and the state; 3. counteraction to crime; 4. providing, within the limits determined by law, services to help individuals who, for personal, economic, social reasons or due to emergencies, need such assistance	1. the rule of law; 2. observance of human rights and freedoms; 3. legality; 4. openness and transparency; 5. political neutrality; 6. interaction with the population on the basis of partnership; 7. continuity	1. protection and protection of life, rights, freedoms and legitimate interests of citizens, society and the state from criminal and other unlawful encroachments; 2. protection of public order and public security, as well as in co-operation with law-enforcement bodies – on ensuring state security and protection of the state border; 3. the cessation of terrorist activities, the activities of illegal paramilitary or armed formations (groups), terrorist organizations, organized groups and criminal organizations	1. the rule of law; 2. ensuring observance of human and civil rights and freedoms; 3. non-partisan; 4. continuity; 5. legality; 6. openness to democratic civilian control; 7. transparency; 8. the responsibility of centralized leadership and unity

of its aggravation within the territory of one or several administrative-territorial units.

The interaction of the National Guard of Ukraine and the National Police of Ukraine on the cessation of massive disturbances is carried out in accordance with the requirements of the legislation involving the forces and means of the National Guard of Ukraine to provide (protect) public (social) security and order [5]:

- for the performance of tasks, on the basis of the Plan for involving forces and means of the military unit to the public order service, which is being developed for a month, is approved by the commander of the military unit of the National Guard of Ukraine and

agrees with the head of the relevant police body within its jurisdiction.

- if necessary, amendments to the Plan for the involvement of the force and the means of the military unit for the protection of public order shall be adopted, which shall be approved and agreed in accordance with the established procedure.

Thus, it can be argued that the realization of national goals in the field of public security and order, provided in the interaction between the National Guard of Ukraine and the National Police of Ukraine, in accordance with the tasks and defined principles, has certain specific differences related to the system of work, organization, legal status, authority of employees.

However, it is possible to define general principles and tasks for interaction of the institution of public administration with regard to ensuring public security and order, in particular:

- the rule of law;
- the principle of observance of human rights and freedoms;
- the principle of legality;
- the principle of openness and transparency;
- the principle of political neutrality;
- the principle of continuity;
- the principle of the responsibility of centralized leadership and unity.

These principles are a necessary and fundamental element in terms of the systemic approach in defining the following general tasks for public security and order of the public administration institution, in particular:

- the protection and protection of human rights and freedoms, as well as the interests of society and the state;
- the protection of public order and public security;
- the provision of assistance within the limits determined by law to persons who, due to emergency situations, need such assistance.

As a result of the comparative analysis of the state bodies activities in the field of ensuring public security and orderliness in Ukraine, as well as on certain principles and tasks of interaction, we will construct a scheme defining the implementation of state policy in the areas of ensuring the protection of human rights and freedoms, the interests of society and the state, combating crime, maintaining public security and order, with an emphasis on public security and the order provided by certain

public administration institutions (see Fig. 1).

Thus, ensuring public security and order in Ukraine is a mechanism for the implementation of national goals of state policy in the areas of ensuring the protection of human rights and freedoms, the interests of society and the state, combating crime, maintaining public security and order, by defining tasks according to certain principles.

When considering state policy in the areas of ensuring the protection of human rights and freedoms, the interests of society and the state, combating crime, maintaining public security and order as a national priority (purpose, task), the mechanism of ensuring public safety and order in Ukraine needs to be coordinated with state development strategies. From the point of view of the state policy implementation in the areas of ensuring the protection of human rights and freedoms, the interests of society and the state, combating crime, maintaining public security and order, the mechanism of ensuring public security and order in Ukraine can be considered as the main system providing interconnection such elements as institutions (implementing the specified state policy), resources (human resources, logistical, natural and so on, with the help of which it is possible to implement state policy), technologies (skills, knowledge, means and so on the implementation of state policy), measures (action plans), as well as external (internal) threats.

Taking into account the above, one can build a model of the mechanism for ensuring public security and orderliness (see Fig. 2).

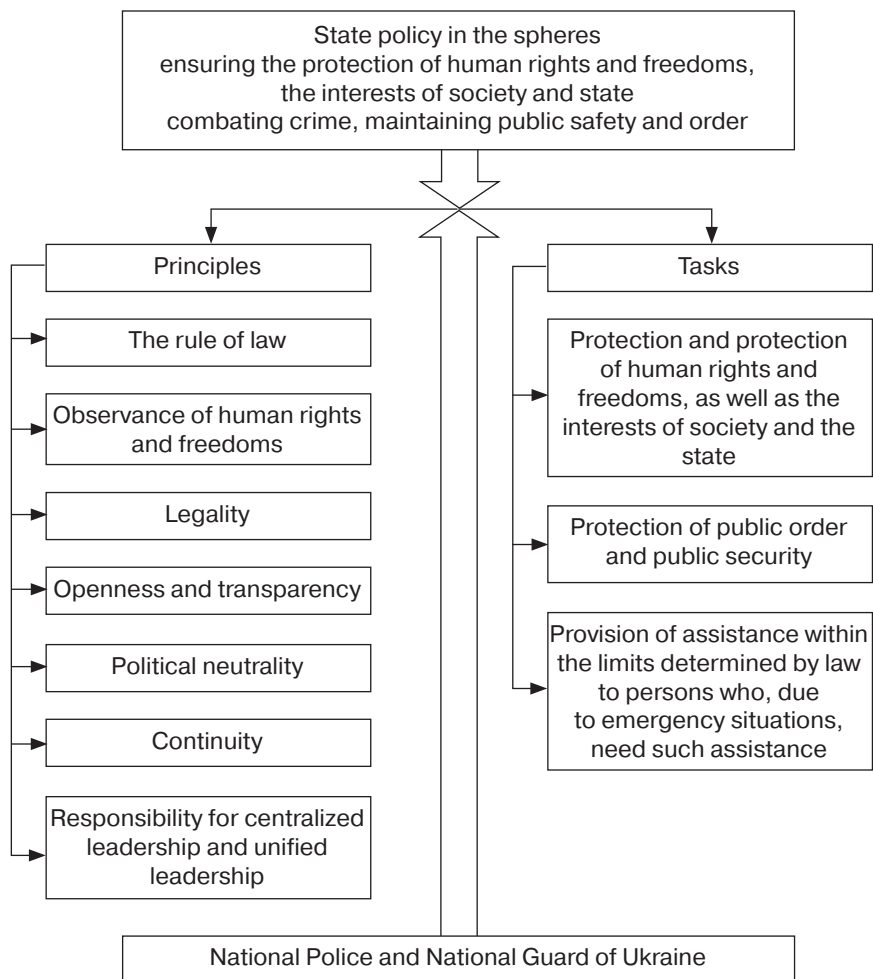


Fig. 1. The scheme of implementation of state policy, which is provided by certain institutions of public administration on certain principles and tasks

Conclusions. Thus, a model of the mechanism for ensuring public security and orderliness in accordance with the principles and tasks of the relevant institutions in public administration is determined, taking into account the resources, technologies, measures for the implementation of state policy in the spheres of ensuring the protection of human rights and freedoms, the interests of society and the state, combating crime, maintaining public security and order.

REFERENCES

1. *The Verkhovna Rada of Ukraine* (2015), The Law of Ukraine “On the National Police”, available at: <http://zakon2.rada.gov.ua/laws/show/580-19> (Accessed September 21, 2017).
2. *The Verkhovna Rada of Ukraine* (2014), The Law of Ukraine “On the National Guard of Ukraine”, available at: <http://zakon3.rada.gov.ua/laws/show/876-18> (Accessed September 20, 2017).
3. *Constitution of Ukraine* (1996), available at: <http://zakon2.rada.gov>.

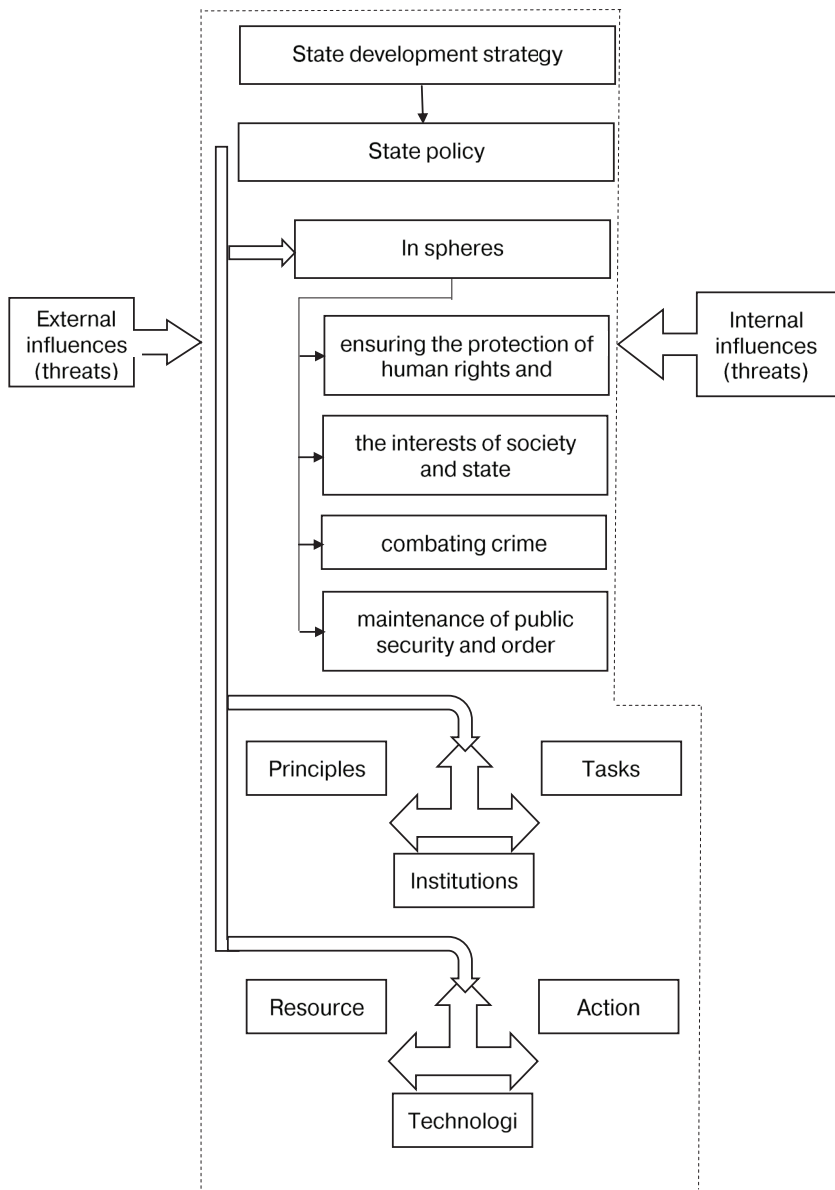


Fig. 2. The model of the mechanism for ensuring public security and orderliness

- ua/laws/show/254%D0%BA/96-%D0%B2%D1%80 (Accessed September 20, 2017).
4. Cabinet of Ministers of Ukraine (2015), "On approval of the National Police", available at: <http://zakon5.rada.gov.ua/laws/show/877-2015-%D0%BF> (Accessed September 21, 2017).
 5. Cabinet of Ministers of Ukraine (2016), "On Approval of the Procedure for the Organization of the Cooperation of the National Guard of Ukraine and the National Police of Ukraine during the provision (protection) of public (social) security and order", available at: <http://zakon3.rada.gov.ua/laws/>

show/z1223-16 (Accessed September 21, 2017).

6. *Cheruyakova O. V.* (2017) The new public administration paradigm directions // Public management. — № 1 (6). — P. 198–203.

СПИСОК ВИКОРИСТАНИХ ДЖЕРЕЛ

1. *Закон* України “Про Національну Поліцію” від 02.07.2015 р. № 580-VIII [Електронний ресурс]. — Режим доступу: <http://zakon2.rada.gov.ua/laws/show/580-19>
2. *Закон* України “Про Національну гвардію України” від 2014 № 17 [Електронний ресурс]. — Режим доступу: <http://zakon3.rada.gov.ua/laws/show/876-18>
3. *Конституція* України [Електронний ресурс]. — Режим доступу: <http://zakon2.rada.gov.ua/laws/show/>

254%D0%BA/96-%D0%B2%D1%80

4. *Постанова* КМУ “Про затвердження Положення про Національну поліцію” від 28 жовтня 2015 р. № 877. [Електронний ресурс]. — Режим доступу: <http://zakon5.rada.gov.ua/laws/show/877-2015-%D0%BF>
5. *Постанова* КМУ “Про затвердження Порядку організації взаємодії Національної гвардії України та Національної поліції України під час забезпечення (охорони) публічної (громадської) безпеки і порядку” від 7 вересня 2016 р. № 1223/29353 [Електронний ресурс]. — Режим доступу: <http://zakon3.rada.gov.ua/laws/show/z1223-16>
6. *Cheruyakova O. V.* The new public administration paradigm directions // Public management : collection. — № 1 (6) — march 2017. — Kyiv : ДП “Вид. дім “Персонал”, 2017. — 198–203 с.