

UDC 353.9



## STATE POSITION ON THE EXISTING CONTRADICTIONS OF OPERATIONAL STAFF AS GOVERNING BODY OF MODERN REGIONAL LAW ENFORCEMENT FORCES

**M. M. ORLOV,**

*Doctor in Public Administration, Associate Professor,  
National Academy of the National household troops of Ukraine,  
Ukraine, Kharkiv*

*e-mail: orlov.nickolai2012@yadex.ru*

*We consider the contradictions existing state position on the use of the operations staff as the governing body of modern regional law enforcement forces and trends in substance to overcome them are the following: a) the essence contradictions that arise in the case of forming the operational headquarters in the region of the state; b) shows the effects of the management of regional law enforcement forces in the event of the introduction of command; c) submitted proposals for the replacement of command to a single governing body at the regional level. Disclosed benefits of a single governing body of regional law enforcement forces in comparison with the operational headquarters.*

**Keywords:** operational headquarters, contradictions, regional law enforcement forces, the only governing body.

**Introduction.** Improving the quality and eliminate contradictions in systems of state and military control in modern Ukraine is one of the important issues that have been resolving to a certain extent as in the center and in the regions (oblasts). So at work [1] stated that Prime Minister A. Yatsenyuk has the idea to reduce system officials, while maintaining the existing payroll. He stated «The idea that I personally – to reduce unit officials, but leave the payroll in size, that is. Leave 50 % of people who will earn twice as many who will not take bribes because they will be give reason. This Parliament has decided to complete re-certification of civil servants. 250000 officials, of which I can say to you, half do nothing and sit pants».

In work [2] Defense Minister of Ukraine S. Poltorak decided to optimize the staff structure of the defense establishment and review of functional responsibilities of officers. How Minister said «I decided to optimize the staff structure of the

Ministry of Defense of Ukraine and reviewing the functional responsibilities of officers of the Ministry. I must admit that it is impossible to work effectively in such a state of meditation – only 770 posts in the ministry. We have many people in their ability simply can not make decisions, and these people are in positions of responsibility». According to the authors, the same situation exists with operational headquarters that unfold under different conditions in Ukraine or its regions. In particular, there are some contradictions operations staff use a regional governing body of the modern forces of law and order, which requires statesmanship by interventions to eliminate these differences of opinion on the legislative level.

**Analysis of the literature and formulation of research problems.** The problems of formation of government dealing with many scientists. So in public authorities I. Kolosovsky [3], I. Kolosok [4], O. Bandurka [5] and others. In the field of command and control I. Kirichenko [6], I. Ezhel [7], M. Lytvyn, [8] and others. However, the author is not known to work wherever considered approaches to the formation of a single governing body of regional law enforcement forces that would eliminate the flaws of command that are unfolding in the region of the state in case of complications of the situation.

Operational headquarters in Ukraine often expandable to address both serious and minor cases that can be resolved by local authorities [9-10].

**The purpose and objectives of the study.** Discover the essence of the contradictions in the case of command functioning as bodies of regional law enforcement powers and based on this offer need to form a single governing body indicated by the throat at the head of regional state administration.

In work deals contradictions that do not conform to the principles of centralization of complex organizational structures, which include regional law enforcement forces [11].

**Main part:** As known, the governing body creates under the commander (chief), and the main component of the body is the headquarters. In [12] stated that the headquarters is the main governing body, but the justification of the operations staff is not specified for which the commander (chief), this body was created. This is

the *first contradiction*.

Of course, that created operational headquarters and its operation should expand and equip point (s) management. As described in the work [13], to date no detailed methodological apparatus on formation as a single point of management and their systems to defined qualitative and quantitative indicators, in addition to developments on certain issues [14].

When implementing the operational headquarters, it manages the regional forces of law and order and thus without the presence of management structure commander (chief) that gives grounds for violation of the basic principles of management, such as unity of command, centralization and flexibility management [15]. This is the *second contradiction*.

*Unity of command* is the commander (chief) has endow with the fullness of power in relation to subordinate and takes full responsibility for all aspects of life and activities of forces (troops). Commander (Chief) manages on a legal basis affords by the laws of the state; the provisions of the Constitution; instructions, orders and directives of senior leaders. Failure to do so may result in case of: bringing regional law enforcement forces in readiness for the intends use to increase time arrangements related to management process; control when moving objects control the area of the job – the loss of centralizes management; management organization in the immediate task – to deploy every power structure of command and control and own their communication centers that has scattered officers and operations staff leads to increased cycle time management. This is the *third contradiction*.

Centralization of the provision of the initiative in determining the methods and ways to perform the tasks implemented by means of management. In centrally management objective service and military (combat) actions, means and ways to achieve it is determined commander (chief). In case of uncertainty officer – commander (chief) violates the principle of centralized management. Failure to comply with this principle could lead, in the loss of personal responsibility for committed orders and legal responsibility for the results of the task; to increase cycle time management, leading to the need to increase officials of government and the



number of facilities management in a dynamic operational environment variable in place of the special operation to curb unrest. This is the *fourth contradictions*.

*Flexible management* it is the ability of the commander (chief) promptly clarify the earlier decision, and if the situation has changed dramatically, abandon it and take a new decision and restructure management systems and methods of work under the new conditions of the situation. Flexibility of control is not only personally commander (chief), but the whole system of regional law enforcement forces. For this commander (chief) and the governing body should have reliable communication with subordinates (facilities management), always the situation, react to change it, go ahead of them and prevent possible complications. This control system must be automatic. Failure to do so may result in loss of control in terms of dynamically variable conditions in the place of the special operation to stop the unrest, and management of controls that are outside the venue. As described in the work [13], to date this control system is absent. This is the *fifth contradiction*.

So given above in the formation of command of the state in the region has obvious drawbacks, *which are as follows*: vacant manager in the region, which is subordinate to the operational headquarters; in practice, the only governments that shapes and executes the main burden is only the Ministry of Internal Affairs of Ukraine (if the challenges to stop riots); not defined functional relationship with the operational headquarters managing other law enforcement agencies and their staff, which includes regional law enforcement forces.

According to the authors, partial eliminating these contradictions is possible in case of establishing a single regional governing body, which will be subordinated to other organs, and capabilities are part of the regional law enforcement forces. For this region of the state body should lead the Head of the regional administration as senior officials of state authority in the region. It is necessary for this authority and status. Considering this, the operational headquarters in the regions (administrative territorial unit) can lead the head of the Ministry of Internal Forces of the region, who reports to the Chairman of the regional state administration, while his deputies will be senior officials of law enforcement agencies of the regional level.

If the deployment of operations staff in several regions of the state (set several areas) it may lead one of the deputy Minister of Internal Affairs of Ukraine.

In the case of a single governing body by the regional law enforcement objectives of the regional operational headquarters should be defined: monitoring the current operational situation in the region of the state; intelligence organization all available forces and means; management of regional law enforcement forces during rapid deployment; build a regional system of forces; management forces in their operational use; the interaction with the government, security forces deployed in the region of the state. Solving such problems requires pre-established regional system, components of which would be capable of providing efficient and sustainable management of regional law enforcement forces under any conditions of the situation.

Proposed approaches to the formation of the organizational structure of management of regional law enforcement forces will enable: a management system in the country referred to forces universally adaptable to similar systems from other law enforcement agencies, which simplifies the process of interaction; abandon common approaches to the formation of command and bring the organizational structures of management to real cases and problems that address regional law enforcement forces in the event of a complication of the situation; provide improved speed control because of the definition of commanders (chiefs) at the regional level.

So set up the organizational structure of the management of regional law enforcement forces should lead the oldest official executive in the region of the state (representatives of central executive power) and created and deployed regional management system should be sustainable and ensure effective implementation of their tasks.

*The stability control system* is estimated ability to maximize the amount of valuable and reliable information management that circulates between bodies and objects management during peak hours, while minimizing cycle time management. The stability control system achieved through sustainability of all its components, and management efficiency – through the management of the quality factor

management.

In general, the structure formed by the system of regional law enforcement, which is headed by a single governing body should ensure sustainable and efficient management of forces in any conditions of the situation in the case of dynamic movement in space and time facilities management (subordinate authorities) in the region state.

**Discussion of results.** In work presented the need to form a single governing body of regional law enforcement forces led throat Regional State Administration, which would replace a number of command that are unfolding in the region and the state have significant drawbacks as the governing body. These shortcomings revealed by as existing contradictions.

At work deals contradictions that do not conform to the principles of centralization of complex organizational structures, which include regional law enforcement forces. [11]

**Conclusions.** Affected by the formation of a single body on management by the regional law enforcement expands the concept of regional authorities in Ukraine. Allows a state-level body that can ensure sustainable and efficient management specified by the difficult conditions in the socio-political situation in the region of the state.

Directions for further research can be considered: legislative support transition from structural to functional and structural information and method of formation of any organ of state power and military control.

#### Список літератури:

1. *Петрук Марта*. А. Яценюк розказав про свою ідею щодо скорочення апарату чиновників [Електронний ресурс] / Марта Петрук. – Режим доступу : <http://www.unn.com.ua/uk/news/1370131-a-yatsenyuk-rozkazav-pro-svoyu-ideyu-schodo-skorochennya-aparatu-chinovnikiv>.

2. Полторак планує скоротити штат і віддати деякі свої повноваження заступникам міністра і начальникам департаментів [Електронний ресурс]. Режим доступу : [http://www.newsru.ua/ukraine/30mar2016/poltorak\\_ministerstvo.html](http://www.newsru.ua/ukraine/30mar2016/poltorak_ministerstvo.html).

3. *Колосовська, І. І.* Формування іміджу місцевих державних адміністрацій в Україні : автореф. дис. ... канд. держ. упр. 25.00.02 / І. І. Колосовська ; Національна академія державного управління при Президентові України. – Київ, 2004. – 20 с.

4. *Колосок, С. В.* Зв'язки з громадськістю у формуванні іміджу органів державного



управління : автореф. дис. ... канд. держ. упр. : 25.00.01 / С. В. Колосок ; Національна академія державного управління при Президентові України. – Київ, 2003. – 20 с.

5. Бандурка, О. М. Основи управління в органах внутрішніх справ України: теорія, досвід, шляхи удосконалення / О. М. Бандурка. – Харків : Основа, 1996. – 398 с.

6. Кириченко, С. О. Система управління Збройних Сил України: ретроспективний аналіз і перспективи розвитку / С. О. Кириченко // Наука і оборона. – 2007. – № 2. – С. 11–16.

7. Єжель, С. М. Особливості організації управління обороною держави / С. М. Єжель // Наука і оборона. – 2006. – № 3. – С. 9–11.

8. Литвин, М. М. Нові підходи до реформування державної прикордонної служби України / М. М. Литвин // Честь і закон : наук.-практ. журн. – Харків : Акад. ВВ МВС України, 2008. – № 4. – С. 43–47.

9. На доручення Прем'єр-Міністра в Україні створено оперативні штаби у разі виникнення стихійного лиха [Електронний ресурс]. – Режим доступу : <http://7dniv.info/politics/13660-na-doruchennya-prem-er-ministra-v-ukrajini-stvoreno-operativni-shtabi.html>.

10. В Україні створено оперативний штаб для боротьби з пожежами, та з метою недопущення потрапляння вогню з Росії на територію України [Електронний ресурс]. – Режим доступу : [http://24tv.ua/v\\_ukrayini\\_dlya\\_borotbi\\_z\\_pozhezhami\\_stvorili\\_operativni\\_shtabi\\_n40064](http://24tv.ua/v_ukrayini_dlya_borotbi_z_pozhezhami_stvorili_operativni_shtabi_n40064).

11. Корниенко, М. В. Деятельность органов внутренних дел по обеспечению правопорядка при сложной оперативной обстановке (по материалам МВД Украины) : монография / М. В. Корниенко. – Москва : Моск. ин-т МВД России, 2002. – 202 с.

12. Орлов, М. М. Напрями удосконалення служби штабів внутрішніх військ в сучасних умовах / М. М. Орлов, О. С. Надточий // Честь і закон : наук.-практ. журн. – Харків : Акад. ВВ МВС України, 2014. – № 1. – С. 19–22.

13. Орлов, М. М. Можливості системи управління Національної гвардії України / М. М. Орлов, О. Ю. Юхов // Тези доповідей на VII наук.-практ. конф. «Наукове забезпечення службово-бойової діяльності Національної гвардії України», 31 березня 2016 р. – Харків : Національна академія Національної гвардії України, 2016. – С. 24–26.

14. Orlov, N. M. State going near a necessity and directions of the centralized planning of points for the tactical link of management of the national household troops of Ukraine / N. M. Orlov // Власть и общество : науч. журн. открытой дипломатии (Грузия). – 2016. – № 1 (37). – С. 28–39.

15. Орлов, М. М. Теоретичні основи обґрунтування необхідності удосконалення системи управління регіональних сил охорони правопорядку (Теоретичні викладки до дисертаційної роботи) / М. М. Орлов. – Харків : Акад. ВВ МВС України, 2009. – 42 с.

#### References:

1. Petruk, Marta. (2016). A. Yatsenyuk rozkazav pro svoyu ideyu shchodo skorochennya aparatu chynovnykiv. [www.unn.com.ua](http://www.unn.com.ua). Retrived from: <http://www.unn.com.ua/uk/news/1370131-a-yatsenyuk-rozkazav-pro-svoyu-ideyu-schodo-skorochennya-aparatu-chinovnykiv> [In Ukrainian].

2. Poltorak planuye skorotyty shtat i viddaty deyaki svoyi povnovazhennya zastupnykam ministra i nachal'nykam departamentiv. (2016). [www.newsru.ua](http://www.newsru.ua). Retrived from: [http://www.newsru.ua/ukraine/30mar2016/poltorak\\_ministerstvo.html](http://www.newsru.ua/ukraine/30mar2016/poltorak_ministerstvo.html) [In Ukrainian].

3. Kolosov's'ka, I. I. (2004). Formuvannya imidzhu mistsevykh derzhavnykh administratsiy v Ukrayini. Extended abstract of candidate's thesis. Natsional'na akademiya derzhavnoho upravlinnya pry Prezydentovi Ukrayiny. Kyiv [In Ukrainian].

4. Kolosok, S. V. (2003). Zv'yazky z hromads'kisty u formuvanni imidzhu orhaniv derzhavnoho upravlinnya. Extended abstract of candidate's thesis. Natsional'na akademiya derzhavnoho upravlinnya pry Prezydentovi Ukrayiny. Kyiv [In Ukrainian].

5. Bandurka, O. M. (1996). Osnovy upravlinnya v orhanakh vnutrishnikh sprav Ukrayiny: teoriya. dosvid, shlyakhy udoskonalennya. Kharkiv: Osнова [In Ukrainian].

6. Kyrychenko, S. O. (2007). Systema upravlinnya Zbroynykh Syl Ukrayiny:

retrospektyvnyy analiz i perspektyvy rozvytku. Nauka i oborona, 2, 11–16 [In Ukrainian].

7. Yezhel', S. M. (2006). Osoblyvosti orhanizatsiyi upravlinnya oboronoyu derzhavy. Nauka i oborona, 3, 9–11 [In Ukrainian].

8. Lytvyn, M. M. (2008). Novi pidkhody do reformuvannya derzhavnoyi prykordonnoyi sluzhby Ukrayiny. Chest' i zakon: nauk.-prakt. zhurn. Kharkiv: Akad. VV MVS Ukrayiny, 4, 43–47 [In Ukrainian].

9. Na doruchennya Premyer-Ministra v Ukrayini stvoreno operatyvni shtaby u razi vynykennya stykhiynoho lykha. (2016). Retrived from: <http://7dniv.info/politics/13660-na-doruchennya-prem-er-ministra-v-ukrajini-stvoreno-operativni-shtabi.html> [In Ukrainian].

10. V Ukrayini stvoreno operatyvnyy shtab dlya borot'by z pozhezhamy, ta z metoyu nedopushchennya potraplyannya vohnyu z Rosiyi na terytoriyu Ukrayiny. (2016). 24tv.ua. Retrived from: [http://24tv.ua/v\\_ukrajini\\_dlya\\_borotbi\\_z\\_pozhezhami\\_stvorili\\_operativni\\_shtabi\\_n40064](http://24tv.ua/v_ukrajini_dlya_borotbi_z_pozhezhami_stvorili_operativni_shtabi_n40064) [In Ukrainian].

11. Korniyenko, M. V. (2002). Deyatel'nost' orhanov vnutrennykh del po obespechenyyu pravoporyadka pry slozhnoy operatyvnoy obstanovke (po materyalam MVD Ukrayny). Moskva: Mosk. un-t MVD Rossyy.

12. Orlov, M. M. (2014). Napryamy udoskonalennya sluzhby shtabiv vnutrishnikh viys'k v suchasnykh umovakh. Chest' i zakon: nauk.-prakt. zhurn. Kharkiv: Akad. VV MVS Ukrayiny, 1, 19–22 [In Ukrainian].

13. Orlov, M. M. (2016). Mozhlyvosti systemy upravlinnya Natsional'noyi hvardiyi Ukrayiny. Tezy dopovidey na VII nauk.-prakt. konf. «Naukove zabezpechennya sluzhbovoboyovoyi diyal'nosti Natsional'noyi hvardiyi Ukrayiny», 31 ber. Kharkiv: Natsional'na akademiya Natsional'noyi hvardiyi Ukrayiny, 24–26 [In Ukrainian].

14. Orlov, N. M. (2016). State going near a necessity and directions of the centralized planning of points for the tactical link of management of the national household troops of Ukraine. Vlast' y obshchestvo: nauch. zhurn. otkritoy dyplomatyy (Georgia), 1 (37), 28–39.

15. Orlov, M. M. (2009). Teoretychni osnovy obgruntuvannya neobkhidnosti udoskonalennya systemy upravlinnya rehional'nykh syl okhorony pravoporyadku (Teoretychni vykladky do dysertatsiyanoi roboty). Kharkiv: Akad. VV MVS Ukrayiny [In Ukrainian].

**Орлов М. М. Державницька позиція відносно існуючого протиріччя щодо застосування оперативного штабу як органу управління сучасними регіональними силами охорони правопорядку.**

*Розглянуто державницьку позицію відносно існуючого протиріччя щодо застосування оперативного штабу як органу управління сучасними регіональними силами охорони правопорядку та напрямки їх подолання, зокрема: розкрито сутність протиріч, які виникають у разі формування оперативних штабів в регіоні держави; показано наслідки з організації управління регіональними силами охорони правопорядку у разі запровадження оперативних штабів; запропоновано замінити оперативні штаби єдиним органом управління регіонального рівня. Розкрито переваги застосування єдиного органу управління регіональними силами охорони правопорядку порівняно з оперативними штабами.*

**Ключові слова:** оперативний штаб; протиріччя; регіональні сили охорони правопорядку; єдиний орган управління.

**Орлов Н. М. Государственная позиция относительно существующих противоречий по применению оперативного штаба как органа управления современными региональными силами охраны общественного порядка.**

*Рассмотрена государственная позиция относительно существующего противоречия по применению оперативного штаба как органа управления современных региональных сил охраны общественного порядка и направления их преодоления, а именно: раскрыта сущность противоречий, возникающих при формировании оперативных штабов в регионе страны; показаны возможные последствия при организации управления региональными*



*силами охраны общественного порядка в случае применения оперативных штабов; разработаны предложения по замене оперативных штабов единым органом управления регионального уровня. Раскрыты преимущества применения единого органа управления региональными силами охраны общественного порядка по сравнению с оперативными штабами.*

**Ключевые слова:** оперативный штаб; противоречия; региональные силы охраны общественного порядка; единый орган управления.

*Надійшла до редколегії 29.04.2016 р.*

