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## **CONCEPTUAL FOUNDATIONS OF THE DEVELOPMENT OF THE PUBLIC ADMINISTRATION SYSTEM IN THE FIELD OF NATIONAL SECURITY OF UKRAINE IN THE CONDITIONS OF DIGITALIZATION**

*The need to update the National Security Strategy of Ukraine (for the period until 2030) has been conceptually proven and the components of the implementation mechanism of this strategy have been clarified. Emphasis is placed on the importance of harmonizing the provisions of the updated National Security Strategy of Ukraine with the norms of, firstly, the Law of Ukraine "On National Security of Ukraine" in terms of national interests and threats to national security. And secondly, the Law of Ukraine "On stimulating the development of the digital economy in Ukraine", the resolution of the Government of Ukraine "On the approval of the National Economic Strategy for the period until 2030", etc. in terms of determining the specifics of the impact of digital technologies on national security. In contrast to the above mechanisms of public management in the field of national security under the influence of digital technologies, it was found that the resource mechanism of public management in this area is characterized by the necessary legal basis, in particular, in the part of determining financial support. However, it seems difficult to evaluate the personnel component of the resource mechanism of public administration due to the limited information in the specified area in the conditions of the introduced martial law on the territory of Ukraine.*

**Keywords:** *public administration, sphere of national security, digitalization, digitalization technologies, digital transformation, authorities.*

Formulation of the problem. The analysis of scientific developments regarding the formation and classification of mechanisms of public administration in the field of national security in the conditions of digital transformation gave reasons to single out organizational, legal, information and resource mechanisms in their

(mechanisms) composition. As mentioned above, they have a mutual influence on each other, so it is difficult not to consider them precisely from the standpoint of applying an integrated approach. Otherwise, latent problems may be overlooked, which may materialize under the influence of favorable conditions, transforming into threats. Therefore, we consider it expedient to focus on the current state of functioning of public management mechanisms in the field of national security under the influence of digital technologies, in particular, consideration using an integrated approach.

Analysis of recent research and publications. Publications of such scientists as Ya. Bazylyuk, A. Hrytsenko, M. Denysenko, S. Dombrovska, A. Karsrud, R.Klyut, P. Kolisnichenko, S. Lekar, V. Orlyk, N. Nyzhnyk, G. Pocheptsov, A. Pomaza-Ponomarenko, S. Poroka, G. Sytnyk, S. Chub. and others, are devoted to consideration of the peculiarities of the formation and implementation of state policy in the sphere of ensuring national security.

However, many issues related to the possibilities of implementing in Ukraine the existing best world experience in the formation and implementation of state policy in the field of ensuring national security remain insufficiently researched, and these aspects are related to the use of digital technologies.

Setting objectives. The purpose of the article is to determine the conceptual foundations of the development of the system and mechanisms of public management in the field of national security in the conditions of digitalization.

Presenting main material. A review of the scientific literature also allows us to emphasize the importance of distinguishing the types of modern digital technologies that are developing under the influence of those or are acquiring another form of them. Among the types of digital technologies, the following are distinguished: communication technologies; storage technologies; analytics technologies; manufacturing technologies; visualization technologies; interactive technologies; human-machine interface technologies; sensor technologies. They are used differently by public (state and private) institutions, because the purpose and method of implementing digital technologies are different. Considering the subject of the research, we consider it expedient to focus on the analysis of the specifics of the use of digital technologies in the public sector, as well as on the conditions necessary for this (organizational and legal, resource, etc.).

Many national security strategies have been developed and approved in Ukraine,

each of which is not characterized by comprehensiveness either in the definition of risks and threats affecting such security, or in the mechanisms of their prevention and response to them. Unfortunately, the complexity of the situation is compounded by the fact that the incompleteness of legal regulation has been observed since the beginning of the declaration of independence of Ukraine (Table 1).

Thus, if we talk about the first National Security Strategy of Ukraine (2007), then in this legal document, at first glance, it seems that the emphasis was correctly placed on defining Ukraine's place in the changing world, as well as on the ineffectiveness of its security guarantees. In addition, the strategy recognizes Ukraine's inability to withstand the latest challenges to national security associated with the use of information technologies in the context of globalization, primarily cyber threats [7]. For this purpose, the main tasks of the national security policy in the internal sphere are defined [ibid.], among which economic, social, informational and other spheres of security are distinguished.

It should be stated that the developers of the first Strategy in the field of national security still expressed the greatest concern about geopolitical transformations and about the transformation of our state into a "gray security zone" [ibid., Chapter 1 "General Provisions"]. The developers of Ukraine's national security strategy did not have to fear this, namely the impact of the spread of weapons of mass destruction, international terrorism, illegal migration, the escalation of interstate and civil conflicts, etc. All these threats have become intense, covering new regions and states, which (threats) are gaining global influence due to their negative consequences.

In addition, we cannot agree with the developers of the National Security Strategy of Ukraine (2007) [7] that at that time internal challenges to national security remained the most urgent. This once again emphasizes the one-sidedness in the definition of threats in the sphere of national security of Ukraine, which gradually led to a decrease in the level of its security, suitable for the implementation of external aggression of the Russian Federation.

Undoubtedly, at the time of approval of the analyzed strategy (2007), Ukraine had accumulated a lot of internal problems related to corruption, distortion of democratic procedures, inhibition of personnel renewal processes at all levels of state administration, failure of the state to fulfill its obligations to protect the rights and civil liberties, maintaining the level of public trust in state authorities, etc. It is important to emphasize that in this strategy, the developers anticipated the impact of

the above-mentioned problems, how they can form the basis for the strengthening of political radicalization, the growth of extremist attitudes and movements that threaten the national sovereignty and territorial integrity of Ukraine [7]. In 2007, within the framework of the analyzed strategy, emphasis was also placed on “the emergence of self-proclaimed quasi-state entities on the territories of sovereign states, the emergence of dangerous precedents of recognition by other states of some of these entities, which can become an incentive for the processes of regional separatism”[ibid.]. However, such warnings remained on paper, their warnings were not properly dealt with at all levels of state administration. We can, of course, say that the implementation of the first strategy in the field of national security was hindered by the next strategy developed in this field, which is “pro-Russian”. However, the gap between these national security strategies was 5 years, which is the minimum period for short-term strategic planning. Therefore, Ukraine had the necessary time to implement the “one-sided, hopeless” strategy of 2007, which was replaced by the no less imperfect National Security Strategy of 2012.

Table 1

Basic legal acts defining the principles of public administration in the sphere of national security of Ukraine [4; 7–10]

№	The name of the regulatory act in the field of national security of Ukraine
1	Declaration on State Sovereignty of Ukraine
2	Resolution of the Verkhovna Rada of the Ukrainian Soviet Socialist Republic “On the Proclamation of Ukraine’s Independence”
3	Statement on the nuclear-free status of Ukraine
4	Constitution of Ukraine (1996)
5	Decree of the President of Ukraine dated February 12, 2007 No. 105 “On the National Security Strategy of Ukraine”
6	Decree of the President of Ukraine dated June 8, 2012 No. 389/2012 “On the new version of the National Security Strategy of Ukraine”
7	Resolution of the Cabinet of Ministers of Ukraine dated November 26, 2014 No. 671 “Regulations on the Ministry of Defense of Ukraine”
8	Decree of the President of Ukraine dated May 26, 2015 No. 287/2015 “On the National Security Strategy of Ukraine”
9	Resolution of the Government of Ukraine dated October 28, 2015 No. 878 approving the “Regulations on the Ministry of Internal Affairs of Ukraine”
10	Resolution of the Cabinet of Ministers of Ukraine dated December 16, 2015 No. 1052 “On the approval of the Regulation on the State Service of Ukraine for Emergency Situations”
11	The Law of Ukraine “On the Basics of Internal and Foreign Policy”
12	Law of Ukraine “On Defense of Ukraine”

13	Law of Ukraine “On the Security Service of Ukraine”
14	Law of Ukraine “On National Security of Ukraine”
15	Presidential Decree dated September 14, 2020 No. 392/2020 “On the decision of the National Security and Defense Council of Ukraine dated September 14, 2020 “On the National Security Strategy of Ukraine”

Before proceeding to the analysis of its provisions, we should note that the unresolved internal problems outlined in the National Security Strategy of Ukraine (2007) and the neglect of external threats led to the emergence of new and crystallization of old problems. It should be noted that their timely and complex identification and response to them would be the basis for preventing tragic events for Ukraine, the organizer of which is the aggressor state, starting from 2014. Strictly speaking, it is necessary to talk about the need for a timely and effective reform of the state administration system, ensuring the development of a modern military and defense complex capable of resisting external armed aggression, as well as the development of an information and digital society that could resist informational influences, disinformation, etc. This is what the first National Security Strategy of Ukraine in 2007 should be focused on. In addition, today it is necessary to talk about the inclusion in the strategic foundations of legal regulation in this area, in particular, aspects of the impact of digital technologies on national security.

In continuation of the conditional research plan, we note that in 2012, a new strategy was developed and approved to replace the first strategy, from which all References: to the integration aspirations of Ukraine, in particular, European and Euro-Atlantic ones, were removed. It is interesting that in the National Security Strategy of Ukraine (2007) determined that one of the main tasks of the national security policy in the foreign policy sphere is to create conditions for the integration of our state into the single European political, economic, and legal space, including through the development of sectoral cooperation with EU [7]. However, in 2012, changes were made to this Strategy in p. 4.2.6, which recognized the importance of Ukraine’s non-alignment policy [ibid.]. On the basis of the above, we can assume that the developers of the first national security strategy of Ukraine tried to ensure its stable development primarily by economic means and to avoid aspects of international interaction within the limits of military and bloc vectors. So, we can draw the following interim conclusion: in the first and subsequent National Security Strategies of Ukraine, there were a number of provisions that contradicted each other, in particular, the ineffectiveness of security guarantees for it was recognized, and at the same time it was pointed out the need to

find ways and mechanisms to strengthen international security guarantees of Ukraine [ibid., p. 4.2.6, par. 5 of Chapter 1 “General Provisions”]. Unfortunately, the resolution of these problems of an organizational and legal nature was not destined to come true. Despite the fact that the National Security Strategy of Ukraine (2007) recognized the possibility of its implementation at the third stage (2016 and subsequent years), which is marked by the adjustment of this strategy based on the assessment of the effectiveness of its implementation.

We note once again that in the National Security Strategy of Ukraine of 2012 [8] it is no longer possible to find such provisions that would relate to the implementation of Euro-Atlantic integration aspirations by our state. The analyzed legal document recognizes the problem of the deterioration of the regional security environment around Ukraine, but not in its middle. Such veiling of large-scale problems is evidence of the reluctance of high-ranking officials at that time to apply a comprehensive approach to ensuring the security system in Ukraine.

The National Security Strategy of Ukraine, approved by the decree of the President of Ukraine dated May 26, 2015, should solve the above-mentioned problems of legal regulation in the field of national security, which is largely influenced by digitalization in general and its technologies in particular. No. 287/2015 [9]. Unlike the first strategy, this one did not have pathetic names, and was developed as a result of the realized revolution of dignity. It is with these words that the preamble to the National Security Strategy of Ukraine (2015) begins. In addition, the thesis of the analyzed strategy attracts attention, according to which the Russian Federation is recognized as a country that hinders the will of the Ukrainian people for a European future by occupying Ukrainian territories and revising the world order [ibid.]. As in the first strategies, the national security strategy of Ukraine (2015) also emphasizes the threats to the security environment – modern and internal. However, the logic of the domestic legislator’s formulation of these threats is not clear. In fact, it was established that “the Russian threat, which has a long-term nature, and other fundamental changes in the external and internal security environment of Ukraine necessitate the creation of a new system for ensuring its national security” [ibid.]. The question arises why the “Russian threat” is equated with “other fundamental changes in the security environment”. The threat cannot be considered in the context of fundamental changes; these are not synonyms, threats can lead to certain changes (legal, organizational-functional, structural, personnel,

etc.). At the same time, we see that the domestic legislator has once again followed the path of neglecting the principles of fundamental science in the formation of public management mechanisms in the field of national security. The negative experience of the development and implementation of the previous two strategies in the field of national security (2007 and 2012) was ignored [7; 8].

The analysis of scientific developments in the field of ensuring the national security of Ukraine and the impact of digital technologies and information on this gives reasons to assert the importance of detailing the conditions for the application of mechanisms for countering informational threats and threats associated with the use and development of digital technologies.

Therefore, since 2015, appropriate laws and regulatory acts regulating relations in cyberspace and guaranteeing information security have been adopted in Ukraine at the legislative level. According to the adopted legislation, information and cyber security policy in Ukraine is entrusted to a number of state authorities, namely: the State Service of Special Communications and Information Protection of Ukraine, the State Police of Ukraine, the Security Service of Ukraine, the Ministry of Defense and the General Staff of the Armed Forces of Ukraine. Each of these bodies has its own divisions. For example, in the structure of the criminal police, there is a Department of Cyber Police, which ensures the implementation of state policy in the field of countering cybercrime, organizes and conducts operative and investigative activities in accordance with the law.

It should be stated that in 2020, to replace the above-mentioned strategies, another National Security Strategy of Ukraine "Human Security – Country Security" [10] was developed and approved. The development of this strategy was preceded by the adoption of the Law of Ukraine "On the National Security of Ukraine" in 2018, which contains the definition of the concept of the national security strategy of Ukraine as a document that defines current threats to national security and the corresponding goals, objectives, mechanisms for the protection of national interests, and is also the basis for planning and implementation of state policy in the field of national security [4]. In the opinion of the domestic legislator, the strategy in the field of national security is a long-term planning document [4]. At the same time, the Law of Ukraine "On National Security of Ukraine" establishes that planning in the spheres of national security and defense is divided into long-term (over five years), medium-term (up to five years) and short-term (up to three years) [ibid.]. Unfortunately, the establishment of such terms

for the implementation of planning in the field of national security contradicts the fundamental principles of strategizing, according to which short-term planning takes place for a period of up to 5 years, medium-term – for a period of up to 10 years, and long-term – for a period of more than 10 years.

It is worth noting that what is determined by national interests in the National Security Strategy of Ukraine (2020) refers to the principles and goals of the national security policy in the National Security Strategies of Ukraine of 2007 and 2015. All this, in our opinion, testifies to the fact that there is no “institutional memory” during the development of strategic planning documents in the field of national security.

In addition, the national security strategy as a by-law should not contradict the Constitution of Ukraine and other laws. The Law of Ukraine “On the National Security of Ukraine” [4] defines that national interests are the vital interests of a person, society and the state, the implementation of which ensures the state sovereignty of Ukraine, its progressive democratic development, as well as safe living conditions and the well-being of its citizens. The consideration of the legislative definition of national interests gives reason to claim that it is to some extent contradicted by the definition of national interests in the National Security Strategy of Ukraine (2020). It is about the fact that the legislator declared the national interests as the basis, and the lawyers of the National Security Strategy of Ukraine deviated from the requirements of the special legislation, and at their own discretion interpreted what refers to the national interests. For example, there is no European and Euro-Atlantic integration among national interests in the Law of Ukraine “On National Security of Ukraine” [4]. This law also focuses on democratic development, as well as creating safe living conditions and ensuring the well-being of citizens. However, democratic development is not synonymous with social development, it is a science category of political science, sociology, economics. It is clear that representatives of these branches of science attach different meanings to these terms “democratic development” and “social development”. The above makes it possible to insist on the harmonization of the norms of the Law of Ukraine “On National Security of Ukraine” (2018) and the National Security Strategy of Ukraine (2020) [4]. The view of S. Poroka, which justifies the need to adopt the updated National Security Strategy of Ukraine precisely taking into account the balanced definition of national interests as the fundamental principles of ensuring national security [6]. In our opinion, the formulation of the provisions of the National Security Strategy of Ukraine (2020) should be carried out in a completely different



way, in particular, the mechanism for the implementation of this strategy should be defined and substantiated.

We believe that the statement regarding the implementation of the most important functions by the state is correct, it is designed to ensure the rational use of the “portfolio” of resources to ensure proper social life. However, compliance with this principle in practice turns out to be difficult. Regarding the implementation of digital transformation, the principle of “single window” is being implemented in Ukraine and quite successfully, but it is not possible to claim that significant positive results have been achieved in this area. For example, considering the reporting information of the Ministry of Digital Affairs regarding the state of improvement of the work of administrative service centers [2], it can be found that this improvement concerned a small number of areas that are not exactly related to the implementation of digital technologies. In particular, it is about the provision of ramps, but does not eliminate barrier-free use of digital technologies by persons with limited physical capabilities.

Therefore, we can insist that it is in this direction that we need to move in order to ensure the inclusiveness and inclusion of the population in the processes of state policy, which can be realized with the help of digital technologies. We agree with the statement that “safety for a person” is the basis “for the safety that comes from society” [1; 5; 6]. By the way, the current legal framework of Ukraine defines public (administrative) services and information security as sectors of critical infrastructure, because vital functions are ensured within these sectors (see the Law of Ukraine “On Administrative Services” (2012) and “On Critical Infrastructure » (2021) [4] In addition, a similar practice of public (state) management and information security critical infrastructure is implemented abroad [11; 12].

Based on the analysis of the state of functioning of public management mechanisms in the field of national security under the influence of digital technologies, we can note that Ukraine can counteract information threats, cyberwars and the negative impact of these technologies. This can be implemented in the following directions:

1. Improvement of one’s own regulatory and legal framework, taking into account international standards in the field of strategic planning and balanced use of technologies (in particular, artificial intelligence).

2. To develop the channel of bilateral and multilateral cooperation with foreign countries regarding the introduction of digital technologies.

3. Create appropriate organizational structures or expand the capabilities of existing public institutions in the field of national security in order to counter the negative impact of digital technologies.

As for the first item, we believe that it should provide for the definition within the updated National Security Strategy of Ukraine of the mechanism for its implementation, which includes the following:

1. Description of the problems that led to its adoption, and the normative legal acts operating in the relevant field.
2. Analysis of the current state of affairs, trends and justification for the need to solve the identified problems.
3. Strategic goals.
4. Tasks aimed at achieving the set goals, stages of their implementation, expected results.
5. Stages of strategy implementation.
6. The procedure for monitoring, evaluating the results of strategy implementation and reporting.
7. Resources necessary for the implementation of the strategy.
8. Operational plan for the implementation of the strategy.

Conclusions. In addition, it is advisable to harmonize the provisions of the updated National Security Strategy of Ukraine (for the period until 2030) with the norms of other legal acts, first of all, the Law of Ukraine "On National Security of Ukraine" in terms of defining national interests, as well as external and internal threats in this area.

Regarding digital technologies, it is also important to specify their impact on the sphere of national security within the updated National Security Strategy of Ukraine (for the period until 2030). In our opinion, taking into account the provisions of the current legislation in the field of digitalization can help in this context. Among the main legal acts, we can single out the Law of Ukraine "On Stimulating the Development of the Digital Economy in Ukraine" (2021), the Resolution of the Government of Ukraine "On Approval of the National Economic Strategy for the Period Until 2030" (2021), the Order of the Government of Ukraine " On the approval of the Concept of the development of digital competences and the approval of the plan of measures for its implementation" (2021), etc.

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