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**NATIONAL POLICE OF UKRAINE ACTIVITIES UNDER THE CONDITIONS  
OF THE RUSSO-UKRAINIAN WAR (2014 – 2024):  
ORGANIZATIONAL CHANGES, SECURITY CHALLENGES AND TASKS**

**Abstract.** *The purpose of the research* is to analyse the National Police of Ukraine activity as one of the key bodies of the law enforcement system. *The methodology of the research* is based on the modern general and special methods of knowledge, in particular, the historical legal method allowed to analyse the key areas of activity of law enforcement agencies in Ukraine, the comparative legal method has been used to study the legislation of Ukraine. *The scientific novelty of the research* consists in the fact that the normative and legal acts have been systematized and analysed, changes in the activities of law enforcement agencies have been outlined, their involvement in the administrative procedures of accompanying military operations under the conditions of the Anti-terrorist operation, the Operation of the Combined Joint Forces and under the conditions of the legal regime of the Martial Law, brought in after the full-scale invasion of the Russian Federation to Ukraine. The key areas of law enforcement of the National Police of Ukraine activities under the Martial Law conditions have also been elucidated comprehensively. **The Conclusions.** It has been determined that the National Police activities are aimed at fulfilling the powers related to law enforcement and preventing and solving the issues on the military threats under the conditions of the legal regime of the Martial Law. It includes, in particular ensuring law and order and public safety, countering crimes against the national security of Ukraine,

and preventive activities regarding crimes against the legal regime of the Martial Law. Having analysed the current innovations, which came into effect when the armed invasion was launched in 2014 and from the beginning of the full-scale invasion in 2022, it was stated that the National Police of Ukraine was entrusted with a number of new powers. The majority of the above-mentioned functional changes were implemented after 2022, in particular, in accordance with the Law “On Amendments to the Laws of Ukraine “On the National Police”, “On the Disciplinary Statute of the National Police of Ukraine” aimed at optimizing police activities, including during the Martial Law of March 15, 2022.

**Key words:** armed conflict, war, martial law, national security, National Police of Ukraine, criminal offenses, war crimes, countermeasures, operative investigative activity, pretrial investigation, investigative (detective) actions, undercover (investigative) investigative actions.

## **ДІЯЛЬНІСТЬ НАЦІОНАЛЬНОЇ ПОЛІЦІЇ УКРАЇНИ В УМОВАХ РОСІЙСЬКО-УКРАЇНСЬКОЇ ВІЙНИ (2014 – 2024): ОРГАНІЗАЦІЙНІ ЗМІНИ, БЕЗПЕКОВІ ВИКЛИКИ І ЗАВДАННЯ**

**Мета дослідження** – з’ясувати зміст діяльності Національної поліції України як одного із ключових органів правоохоронної системи у роки сучасної російсько-української війни. **Методологію дослідження** становлять сучасні загальні та спеціальні методи пізнання, зокрема історико-правовий уможливив провести аналіз ключових напрямів діяльності правоохоронних органів України, порівняльно-правовий метод використано для вивчення законодавства України. **Наукова новизна:** систематизовано та проаналізовано нормативно-правові акти й окреслено зміни у діяльності правоохоронних органів, їх залучення до адміністративних процедур супроводження воєнних дій в умовах Антитерористичної операції, Операції об’єднаних сил та в умовах правового режиму воєнного стану, запровадженого після повномасштабного вторгнення РФ в Україну. Також комплексно визначені ключові напрями правоохоронної діяльності Національної поліції України в умовах режиму воєнного стану. **Висновки.** Констатовано, що в умовах правового режиму воєнного стану діяльність Національної поліції спрямована на виконання повноважень, пов’язаних із правоохоронною діяльністю, а також попередження і розв’язання проблем воєнних загроз. Це зокрема, – забезпечення правопорядку та громадської безпеки, протидія злочинам проти національної безпеки України, превентивна діяльність щодо злочинів, спрямованих проти правового режиму воєнного стану. Аналізуючи нововведення, що вступили у дію з початком збройного вторгнення у 2014 р. та від початку повномасштабного вторгнення у 2022 р., стверджено, що на Національну поліцію Україну покладено низку нових повноважень. Більшість цих функціональних змін вступили в дію після 2022 р., зокрема, відповідно до Закону “Про внесення змін до законів України “Про Національну поліцію” та “Про Дисциплінарний статут Національної поліції України” з метою оптимізації діяльності поліції, особливо під час дії режиму воєнного стану від 15 березня 2022 р.

**Ключові слова:** збройний конфлікт, війна, воєнний стан, національна безпека, Національна поліція України, кримінальні правопорушення, воєнні злочини, протидія, оперативно-розшукова діяльність, досудове розслідування, слідчі (розшукові) дії, негласні (слідчі) розшукові дії.

**The Problem Statement.** Due to the events of the Euromaidan and the Revolution of Dignity that led to democratization of social relations; there is a drastic need for changes in government institutions at all levels, as the social pressure on the political processes in the state intensified (Sviatokum, Serdyuk & Duyne, 2020, p. 341). As a result, the European norms and practices were approved, as well as partial reform of legislation in Ukraine and its law enforcement system in particular. In December of 2014, the Ministry for Internal Affairs of Ukraine sent a draft law on the formation of the National Police of Ukraine to the Verkhovna Rada of Ukraine. The above-mentioned step was preceded by the adoption of the Strategy for the Development of Internal Affairs Bodies of Ukraine in October of 2014. In this document, the requirements and offers were developed based on the experience of other

states that were to be implemented by the police in Ukraine. First of all, it dealt with the effective public control introduction, a democratic system of accountability to society, and the establishment of partnership relations with population. In 2015, the “Law on the National Police” was adopted, according to which the National Police were defined as “a central body of the executive power that serves society by ensuring the protection of human rights and freedoms” (Vlasenko, 2017, p. 148).

**The Review of Recent Publications and Research.** There were numerous foreign scholars, who studied democratic transformations in Ukraine after the events of the Revolution of Dignity and subsequent reforms, in particular, the law enforcement system: I. Käihkö (Käihkö, 2023), P. van Duyne, K. von Lampe (Duyne, Serdyuk, Antonopoulos, Harvey & Lampe, 2023) and the others. There should be singled out the scholars, who studied the National Police of Ukraine activities, regulatory and legal changes and challenges under the conditions of the Russian aggression and, above all, a full-scale invasion, among them the studies by M. Kovaliv, V. Ivakha (Kovaliv & Ivakha, 2016), O. Bezpalova, K. Chyshko, A. Bakhaieva, V. Makarenko (Bezpalova, Chyshko, Bakhaieva & Makarenko, 2022), V. Ilnytskyi, V. Starka and M. Haliv (Ilnytskyi, Starka & Haliv, 2022), H. Muliar (Muliar, 2023), O. Kobzar, M. Romanov (Kobzar & Romanov, 2024).

**The purpose of the research** is to carry out a comprehensive analysis of changes in the activities of the National Police in Ukraine since the Russo-Ukrainian War broke out, in particular the regulatory and legal foundations, practical challenges.

**The Research Results.** The review on the aspects of the activities of law enforcement agencies was carried out when the armed invasion of the Russian Federation into Ukraine happened in February-March of 2014. The legal regime of the Anti-Terrorist Operation was introduced, as a result of the respond to the threats to the national security and sovereignty of the Ukrainian state. The National Security and Defense Council of Ukraine considered the possibility of introducing the Martial Law at the end of February of 2014, but due to a lack of votes, the above-mentioned decision was not adopted, instead – a legal mode of the Anti-terrorist operation was brought in, according to the Decree of the acting President of Ukraine issued on April 14 of 2014 No. 405/2014 (Pro rishennia Rady natsionalnoi bezpeky i oborony Ukrainy, 2014). In addition, there were adopted subsequently: the Law of Ukraine “On Temporary Measures for the Period of the Anti-Terrorist Operation” issued on September 2, 2014 No. 1669VII; Law of Ukraine “On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine” issued on April 15, 2014 No. 1207VII (Terekhov, 2023, p. 353). The scholar, lawyer V. Terekhov noted that these legislative acts were actually aimed at protecting only the civil rights of the individuals and legal entities, it was supplemented by the Law of Ukraine “On Ensuring the Rights and Freedoms of Citizens and the Legal Regime in the Temporarily Occupied Territory of Ukraine” issued on April 15 of 2014 No. 1207VII. However, it should be highlighted that the key provisions on defense, intelligence and counterintelligence measures were adopted only in 2022, after the full-scale invasion of the Russian Federation into Ukraine (Terekhov, 2023, p. 353).

On February 24, 2022, the President of Ukraine imposed the legal regime of the Martial Law, adopted by the Law of Ukraine issued on May 12, 2015 No. 389-VIII “On Legal Regime of Martial Law” in accordance with the Constitution of Ukraine and the Decree of the President of Ukraine on the introduction of the Martial Law in Ukraine. According to Article 1 of Part 1, the Martial Law is defined as a special legal regime that is introduced

in Ukraine or in certain localities “in the event of the armed aggression or threat of attack, danger to the state independence of Ukraine, its territorial integrity, and provides for the provision of relevant state authorities, military command, military administrations and local self-government bodies, powers necessary to avert the threat, repulse armed aggression and ensure national security, eliminate the threat of danger to the state independence of Ukraine, its territorial integrity, as well as a temporary restriction of the constitutional rights and freedoms of a person and citizen due to the threat, and rights and legitimate interests of legal entities with an indication of the period of validity of these restrictions” (Pro pravovyi rezhym voiennoho stanu, 2015).

Law enforcement agencies exercise their powers under the conditions of the Martial Law, in particular by priority means of protecting human rights and freedoms, but also act to preserve state sovereignty and territorial integrity of the state (Kobzar & Romanova, 2024, p. 108). One of the most important law enforcement agencies is the National Police of Ukraine, which during the Martial Law also exercises its powers to protect human rights and freedoms, at the same time, the full-scale invasion made numerous adjustments to the police officers work, who also began to be involved in the national security protection (Polyvaniuk, Zavistovskyi & Aslamov, 2024, p. 345).

The work of state authorities and law enforcement is determined in particular by the following normative legal acts under the conditions of the Martial Law: the Constitution of Ukraine, the Law of Ukraine “On Defense of Ukraine”, the Law of Ukraine “On National Security of Ukraine”, the Law of Ukraine “On Legal Regime of Martial Law”, the Law of Ukraine “On Approval of Decree of the President of Ukraine “On the Introduction of the Martial Law in Ukraine””, Decree of the President of Ukraine “On the Introduction of the Martial Law in Ukraine”, Decision of the National Security and Defense Council of Ukraine “Regarding Emergency Measures to Ensure the State Sovereignty and Independence of Ukraine and the Introduction of the Martial Law in of Ukraine” issued on 26.11.2018 No. 0012525-18, the procedure for involving able-bodied people in socially useful work under the conditions of the Martial Law was approved by the Resolution of the Cabinet of Ministers of Ukraine issued on 13.07.2011 No. 753, the procedure for implementing measures during the introduction of a curfew and establishing a special light masking regime in certain localities where the Martial Law was imposed, approved by the Cabinet of Ministers of Ukraine Resolution No. 573 of 07/08/2020 (Bezpalova, Chyshko, Bakhaieva & Makarenko, 2022, pp. 5–6).

Due to the introduction of the Martial Law, there were determined certain features of the work of law enforcement agencies and the police in particular. It mainly concerns the maintenance of law and order, in fact, its protection is regulated by current legislation and specified in the existing situation, the state of the operational situation (Kovaliv & Ivakha, 2016, pp. 65–70). Hence, in addition to the areas of activity that are characteristic of peacetime, new ones are added that formulate countermeasures against the “internal threats of the Martial Law”: countermeasures against crimes aimed at undermining the foundations of the national security; combating terrorist manifestations, crime and offenses aimed at violating the legal regime of the Martial Law; ensuring law and order and public safety. At the same time, it should be noted that under the conditions of the legal regime of the Martial Law, the following areas of activity became priorities: “a) prevention and countermeasures against the internal threats of the Martial Law; b) assistance and joint implementation of the tasks assigned to the Security and Defense Forces within the defined powers; c) ensuring

law and order; d) maintenance of public order at an appropriate level” (Druchek, Voluiko & Vakarov, 2024, p. 44). At the same time, the key powers of the National Police of Ukraine to ensure security and law and order carried on to be implemented (presented in Article 23 of the Law of Ukraine “On the National Police of Ukraine”) (Bezpalova, Chyshko, Bakhaieva & Makarenko, 2022, p. 21).

The main organizational directions of the National Police of Ukraine under the conditions of the Martial Law are preventive activities, service at checkpoints. In addition, a significant part of the activity is related to work in the de-occupied territories. According to the Law of Ukraine “On National Police”, preventive measures include checking documents, surface inspection, stopping a vehicle and demanding to leave a certain place, or restricting access to a certain territory, breaking into a person’s home or other property, checking compliance with the conditions of the permit system, checking whether the person complies with the restrictions established by law. It also includes preventive measures, in particular under the conditions of the Martial Law, such measures are carried out to a greater extent than in other regions of Ukraine (according to the amendments and clarifications of the Law of Ukraine “On National Police of Ukraine” (Bezpalova, Chyshko, Bakhaieva & Makarenko, 2022, pp. 26–27).

New powers and functions of the National Police of Ukraine are regulated in accordance with the Law “On Amendments to the Laws of Ukraine “On National Police” and “On Disciplinary Statute of the National Police of Ukraine” in order to optimize the police’s activities, including during the period of the Martial Law from March 15, 2022. The new, expanded powers of the National Police are the following: “to receive emergency calls using the abbreviated number 102”; obtaining, upon written request, from the state bodies, local self-government bodies, state-owned legal entities, information “necessary for the performance of the tasks and powers of the police, including and regarding prisoners of war, in the form indicated in such a request. The subjects to whom a corresponding request is addressed are obliged to provide relevant information or inform about the reasons preventing its provision within three days, and in case of impossibility no later than ten days from the date of receipt of the request”; detained persons’ escort and detention; and in “cases provided for by law, to keep persons detained for committing criminal or administrative offenses in temporary detention centers”; carry out demining that is “operational in nature”, identify and defuse explosive objects; to organize admission to conduct, “special explosive works; carry out technical and forensic support for inspection of the scene of the incident” (Bezpalova, Chyshko, Bakhaieva & Makarenko, 2022).

The police officers performing official duties in civilian clothes, under the conditions of the Martial Law, “are allowed to act without a badge, when their presence does not prevent the implementation of operational and investigative measures”. The same authority applies to the identification number on personal protective equipment, i.e. a police officer may not place it during the official duties performance (Bezpalova, Chyshko, Bakhaieva & Makarenko, 2022, pp. 22–23).

An important area of activity of the National Police of Ukraine under the conditions of the Martial Law is involvement in the performance of tasks to support public safety and order, in particular during curfew hours, or under the conditions of hostilities and during liberation of occupied territories; at checkpoints; detection and liquidation of sabotage and reconnaissance groups during cooperation with units of the National Guard of Ukraine and the voluntary formations of the territorial communities (Afonin & Bokshorn, 2022, p. 226).

This activity was carried out in accordance with the Procedure for the implementation of measures during the introduction of a curfew and the establishment of a special light masking regime in certain areas where the Martial Law was imposed, approved by the Resolution of the Cabinet of Ministers of Ukraine issued on July 8 of 2020 No. 573. According to it, the post of the Commandant was introduced – “an authorized person of the military administration body, who is appointed by order of military command or military administration (in the case of its formation) and who is given the authority to take and ensure measures during the introduction of curfew and establishment of a special light masking regime on the territory, where a curfew was introduced and/or a special light masking regime was established”. It included employees of the “Armed Forces, the State Special Transport Service, the National Guard, the State Border Service, the policemen of the National Police, the servicemen and employees of the Security Service of Ukraine, the employees of the Federal Security Service, State Security Service, State Emergency Service, military administrations (if they are formed)” (Postanova Kabinetu Ministriv Ukrainy, 2020).

In accordance with this normative legal document, the employees of the National Police of Ukraine were part of the Commandant’s office, were involved in the interaction with other law enforcement agencies and were given the right to: detain and deliver to the National Police bodies persons, who have committed or are committing offenses; to check identity cards and documents confirming identity; to take away the objects with the help of which the offenses are committed from persons; temporarily restrict or completely prohibit movement on streets and roads, or in certain areas; to enter the territory and premises of institutions, organizations, enterprises or housing stock “belonging to persons, during the termination of a criminal offense and in the case of prosecution of persons suspected of committing a crime”; use of means of communication and transport for official purposes, which belong to persons (with their consent), enterprises, institutions; in accordance with the law, use physical measures of influence, the weapons” (Postanova Kabinetu Ministriv Ukrainy, 2020)

There are other important spheres of the National Police of Ukraine activity, which are also carried out under the conditions of the Martial Law, in particular, – continuation of representation and cooperation in Interpol and Europol (by the European Police Office); and at the same time continuing to collect biometric data (in accordance with Part 42, 43, 45 of Article 23 of the Law “On the National Police”) (Bezpalova, Chyshko, Bakhaieva & Makarenko, 2022, p. 23).

It should be noted that under the conditions of the Martial Law in Ukraine, the police officers, in accordance with Article 42 of the Law “On the National Police,” could apply coercive measures against persons “who participate in armed aggression against Ukraine without taking into account the established requirements and prohibitions on the use of the physical forces, weapons, etc.” (Muliar, 2023, p. 131).

The issue on the service organizing at checkpoints should be considered as outlining the range of new tasks to which employees of the National Police of Ukraine are involved. A scholar O. Zlahoda noted that the purpose of forming a checkpoint is not only to control the movement of vehicles and people, but most importantly – “an external isolation of the area of operations of illegal armed formations, detection of their movement on time, ways of the militants’ exit from the areas of their concentration, isolation and deprivation of access to sources of supply; prohibiting inflow of supplies, supply of ammunition and weapons, and preventing a breakthrough through the checkpoint” (Zlahoda, 2022, pp. 45–46). There were several scholars – V. Yevtushok, R. Smola, who substantiated the need to use checkpoints

by controlling the movement of weapons, smuggled goods, pursuing criminals, people, who were involved in illegal gang formations instead (Zlahoda, 2022, p. 46).

Modern security challenges, which arose as a result of the full-scale invasion of the Russian Federation into Ukraine, actualized the issue on the partnership activities of the Armed Forces of Ukraine and the National Police of Ukraine (Zhbanchyk, 2023, pp. 421–422). The scholars T. Drakokhrust and V. Harasymiv outlined the prospects for improving the National Police of Ukraine under the conditions of the Martial Law, in particular establishing more efficient cooperation with the military, further improvement of the police officers, a greater involvement in the investigation of war crimes on the territory of Ukraine, even more intensive provision of the citizen safety, further establishing cooperation with the international partners, etc. (Drakokhrust & Harasymiv, 2023, p. 67). It should be also emphasized that the interaction between the National Police of Ukraine and municipal authorities and local population, especially in the de-occupied territories is vital. The system of complex interaction with the population, in particular the Community Policing strategy, began to be implemented in Ukraine even before the full-scale invasion, however, as scholars O. Alieksieieva and O. Kozhukhar emphasized, the very response to security challenges under the conditions of war became “a fundamental need of communities, which actualized the development of partner cooperation practices police and community” (Alieksieieva & Kozhukhar, 2023, p. 22). The strategy of Community Policing – “partnership for the sake of peace” had a new push for development, in particular the projects “The Community Police Officer”, “Susidska Varta (Neighbourhood Watch)”, or the opening of new police stations. For instance, the “Susidska Varta (Neighbourhood Watch)” project in the Tatarbuniar community of Odesa region had good results: a number of preventive measures regarding crimes were carried out, reporting them, and the groups of this project took care of shelters, adjusted the operation of notification systems, etc. (Alieksieieva & Kozhukhar, 2023, pp. 26–27).

In addition, an important direction of the state activity is the development of the concept of a safe community, which helps to overcome not only the security challenges of the Martial Law (enemy shelling, civilian casualties, destruction of the housing stock and critical infrastructure, man-made threats) and post-war reconstruction. Such a project at the national level, which is called “Safe Community”, is a priority for the National Police of Ukraine, as well as for the local community, because it involves the establishment of a high-quality warning system and shelters, safety of educational institutions and other public places (Novichenko, 2024, p. 14). The issues related to the circulation of weapons and explosive devices, demining, and domestic violence will require priority solutions during the post-war period. Provided further support by the local self-government bodies to police bodies, the development of various programmes within the framework of the Community Policing approach will also take place. A lawyer A. Novichenko outlined systemic measures and steps that would promote cooperation between the local self-government and the National Police of Ukraine: further improvement of the “Safe Community” concept and other specific targeted strategies and programmes; introduction of normative acts that will take into account the balance between security and freedom; implementation of a clear separation of powers of military and civil administration bodies; local monitoring of security threats; taking into account the needs of vulnerable groups of society when implementing civil security measures; development of all-Ukrainian and local demining programmes; further consideration of civil protection requirements in spatial planning (Novichenko, 2024, p. 15).

**The Conclusions.** The National Police of Ukraine employees serve in accordance with the requirements of the Martial Law in Ukraine. Since the beginning of the armed aggression of the Russian Federation in 2014 and even more so – after 2022 – the activities of the state apparatus and the law enforcement sector in particular have undergone significant changes. There were made amendments to the legal acts: the Law of Ukraine “On the National Police” was supplemented with a part stating that under the conditions of the Martial Law, police activities take into account the specifics of the period, restrictions and freedoms of citizens, which are determined by the Constitution of Ukraine and the Law “On Legal Martial Law Regime”. There was also adopted the Law of Ukraine “On Amendments to the Laws of Ukraine “On the National Police”” and “On the Disciplinary Statute of the National Police of Ukraine” in order to optimize police activities, including under the conditions of the Martial Law”; The Law of Ukraine “On Amendments to the Law of Ukraine “On the Legal Status of Missing Persons” and other legislative acts of Ukraine on improving the legal regulation of social relations related to the acquisition of the status of persons missing under special circumstances”; The Law of Ukraine “On Amendments to Certain Laws of Ukraine Regarding the Assignment of Special Police Ranks under the Conditions of the Martial Law”. In accordance with legal acts, mainly amendments to the Law of Ukraine “On the National Police”, new powers of the National Police of Ukraine were added, reflecting a range of new functions taking into account security challenges. The main functions remain the provision of law and order and public safety, while the new ones are combating crimes against the national security of Ukraine, preventive activities regarding crimes directed against the legal regime of the Martial Law. The functionality and priorities of the National Police underwent significant changes, at the same time, the issue of establishing effective communication with local self-government bodies, especially in the de-occupied territories, remains relevant; deepening of various levels of cooperation with units of the Armed Forces, development of strategic plans for the development and further implementation of civil security measures.

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