

DOI: <https://doi.org/10.34069/AI/2023.64.04.5>

How to Cite:

Shilin, M., Shmotkin, O., Chernysh, R., Chekhovska, M., & Konyk, T. (2023). Theoretical and legal basis for the implementation of state policy on national security of Ukraine. *Amazonia Investiga*, 12(64), 57-64. <https://doi.org/10.34069/AI/2023.64.04.5>

Theoretical and legal basis for the implementation of state policy on national security of Ukraine

Теоретико-правові основи реалізації державної політики із забезпечення національної безпеки України

Received: March 1, 2023

Accepted: April 23, 2023

Written by:

Mykola Shilin¹<https://orcid.org/0000-0001-8169-9324>**Oleksii Shmotkin²**<https://orcid.org/0000-0003-2803-271X>**Roman Chernysh³**<https://orcid.org/0000-0003-4176-7569>**Mariia Chekhovska⁴**<https://orcid.org/0000-0001-8135-7770>**Tetiana Konyk⁵**<https://orcid.org/0000-0002-5630-1190>

Abstract

The purpose of the article is to determine and substantiate the conceptual foundations of the implementation of the state policy for ensuring national security. The methodological basis of the study consists of a set of general scientific and specialized methods of scientific cognition, such as dialectical-phenomenological, systemic analysis and synthesis, structural-functional, deduction and induction, among others. As a result of the study, the essential features of the implementation of the state policy for ensuring national security, its subjects and objects, have been determined, the mandatory components, principles, main forms, methods, and means of implementation of the state policy have been characterized. A classification of the legislative activity of state authorities in the implementation of state policy has been proposed based on the nature of the activities of state bodies and the level of the legislative body. Attention is focused on the need to adhere to constitutional principles in the implementation of the state policy for ensuring national security. Suggestions are made for ways to improve its scientific and methodological support.

Keywords: law-making, legal forms, legal instruments, national security, state policy.

Анотація

Метою статті є визначення та обґрунтування концептуальних засад реалізації державної політики із забезпечення національної безпеки. Методологічну основу дослідження склали сукупність загальнонаукових та спеціальних методів наукового пізнання: діалектико-феноменологічного, системного аналізу та синтезу, структурно-функціонального, дедукції та індукції тощо. За результатами дослідження визначено істотні ознаки реалізації державної політики із забезпечення національної безпеки, її суб'єкти і об'єкти, охарактеризовано обов'язкові компоненти, принципи, основні форми, методи та засоби реалізації державної політики. Запропоновано класифікацію правотворчості органів державної влади з реалізації державної політики за характером діяльності державних органів та за рівнем правотворчого органу. Акцентовано увагу на необхідності дотримання конституційних основ при реалізації державної політики із забезпечення національної безпеки. Висловлюються пропозиції щодо шляхів удосконалення її науково-методичного забезпечення.

Ключові слова: державна політика, національна безпека, правові засоби, правові форми, правотворчість.

¹ Doctor of Science in Law, Professor, National Academy of the Security Service of Ukraine, Kyiv, Ukraine.

² Doctor of Science in Law, Professor, National Academy of the Security Service of Ukraine, Kyiv, Ukraine.

³ Ph.D (Law), Associate Professor Department of Science of Law, National Academy of the Security Service of Ukraine, Kyiv, Ukraine.

⁴ Doctor of Science in Economics, Professor, National Academy of the Security Service of Ukraine, Kyiv, Ukraine.

⁵ Rivne State university of humanities, Rivne, Ukraine.

Introduction

The state of ensuring the safe existence and sustainable development of Ukraine as a sovereign state depends on the development and implementation of an appropriate mechanism for the implementation of national security policy. The need for scientific research on the issues of defining and justifying the theoretical and legal foundations of Ukraine's state policy in the field of ensuring national security is due to the dynamic socio-political changes taking place in the world. It has acquired particular significance in the current period after the large-scale armed aggression of the Russian Federation against Ukraine. This scientific article will describe the essential features, principles, main forms, methods, and means of implementing state policy in the field of ensuring national security. A classification of the legislative activity of state authorities in the implementation of state policy will be proposed. Attention will be focused on the importance of adhering to constitutional principles in implementing state policy for ensuring national security. The ways of improving its scientific and methodological support will be outlined.

Methodology

For scientific research purposes, a combination of interrelated and complementary research methods is utilized.

The methodological basis of the research is a set of general scientific and special methods of scientific cognition: dialectical and phenomenological, systemic analysis and synthesis, structural-functional, deduction and induction. Thus, the use of dialectical and phenomenological methods, as well as systemic analysis and synthesis, allowed to identify essential features of the implementation of the state policy on ensuring national security and determine its essence. Thanks to the structural-functional approach, its component elements, forms, methods, and means were determined and characterized, and the legislation of the state authorities in this context was classified.

The article contains links to a number of scientific sources, including articles indexed on the scient metric basis of the Web of Science.

Theoretical Framework or Literature Review

Numerous approaches to analyzing the processes of public policy have been developed by scholars. Analyzing the works of foreign policy

scholars Michael Govlet and Mahadevan Ramesh, it is noted that many theorists aim to identify causal variables in the development of public policy, or in other words, political determinants, in order to answer the question of what determines public policy: macro-level socioeconomic factors or micro-level behavioral elements. Such research is largely empirical and often quantitative in orientation. Some analysts, in an attempt to understand the development of public policy, limit themselves to the organization of the state itself.

According to Michael Govlet and Mahadevan Ramesh, in general, one can agree with Peter de Leon's assertion that policy research has a long history but a short past. That is, the politics of power has been the focus of many studies over the past millennium, but its systematic study has only been around for a few decades. This can be explained by the existence of different approaches to this problem that come from different academic schools (Govlet, & Magadevan, 2004, p. 15-16).

The implementation of state policy in general has been the subject of research by various national scholars. The implementation of state policy in general is the subject of research by Ukrainian scientists. In particular, they have: defined the essence of legal principles for the implementation of the state's economic security; identified the subjects and forms of implementing state policy in the field of internal affairs (Avakian, 2015); studied mechanisms for implementing state policy in the mass media; examined the principles of implementing state policy by law enforcement agencies; formulated the concept and identified the main types of mechanisms for implementing state policy in the development of civil society; studied the theoretical, legal and methodological foundations for implementing state policy in the field of European integration; analyzed the components of the process of implementing state policy in managing social risks; studied legislative activity as a form of implementing state policy; studied the constitutional principles of implementing state policy (Dzevelyuk, 2016); proposed conceptual principles on which the mechanism for implementing modern state policy should be formed (Tertychka, 2002.).

Certain scientific interest in the context of our research is also represented by the works of the aforementioned and other foreign authors devoted to issues of state policy, theoretical and

legal foundations for ensuring national security. Some aspects of the outlined problem were discussed by the authors in previous scientific articles. (Vlasenko et al., 2020; Onyshchuk et al., 2020; Chernysh et al., 2020; Chernysh et al., 2022; Kostenko et al., 2021; Shilin et al., 2022).

Based on the analysis of available sources, it can be argued that little attention has been paid to the theoretical and legal foundations of implementing state policy on ensuring national security in Ukraine. Therefore, in today's conditions, there is an urgent need to justify and define the conceptual principles of implementing state policy on ensuring national security, including its essential features and constituent elements, legal forms and means.

Results and discussion

In order to carry out its functions, which are divided into internal and external, the state uses specific means (resources of state power) and relies on a complex of special bodies that together make up the relevant executive mechanism of the state. Ukraine implements its function of ensuring national security through the corresponding policy. From our perspective, state policy is a system of ideas, actions, and relationships of subjects of state policy regarding the formation, formulation, and implementation of state interests. State interests are the conscious state needs of subjects of state policy for the realization of national values (Shilin et al., 2022).

In our opinion, the essential features of state policy are as follows:

- it constitutes a purposeful action - activity / inactivity (in some cases it may be manifested in the form of abstention from actions, such as not participating in certain political blocs, international agreements, contracts, etc.) aimed at solving socially important problems in a certain sphere of the state's vital activity;
- its goal is to ensure sustainable development of society and the state as a whole or of individual spheres of their vital activity;
- it is formed and implemented by the state in the interests of the state and society;
- it has a mandatory nature;
- it is of a complex, systemic character;
- it is a legal category based on the provisions of the current legislation, primarily in accordance with constitutional principles;
- it is established through the adoption of corresponding program documents in the

form of separate normative legal acts (doctrines, strategies, concepts, laws);

- it involves influencing social relations through appropriate forces and means, forms and methods;
- it is based on the results of analysis of a specific situation in a certain sphere of the country's vital activity;
- it has a legitimate and legal character;
- its executive subjects are both state bodies and non-governmental organizations, public associations;
- it is implemented through certain forces and means, forms and methods based on constitutional principles.

Based on the above, we consider it possible to define *state policy as* a purposeful, systematic, legislatively regulated action aimed at solving socially important problems identified through analysis, by influencing other relevant entities through certain forces and means, forms and methods grounded on constitutional principles and social relations, with the aim of ensuring sustainable development of society and the state as a whole, or of individual areas of their life activities.

The essence of state policy in ensuring national security lies in the formation and implementation of a corresponding system of influence on certain areas of the state's life activities, aimed at guaranteeing its safe functioning and sustainable development (Shilin et al., 2022).

Various forms of state policy implementation are used to achieve the defined goal of the state policy. There is no unanimous opinion on them in the theory of security studies. In particular, in our opinion, the position of Avakian T. looks contradictory in this regard. Thus, in one case, he argues that "the state policy is implemented in two forms: state (since the relevant bodies are public authorities) and public (which consists in the participation of citizens in the implementation of local government)". At the same time, he believes that, depending on the legal status and legislative basis, the state policy can be implemented "in various forms, such as legislative, law enforcement, administration of justice and determination of the limits of legal responsibility for a committed offense, referendum, rallies, elections, etc.". Otherwise, according to him, it is advisable to distinguish legal (lawmaking, rulemaking, law enforcement) and democratic (participation of non-state actors, public control, the dominance of the interests of the people, etc.) forms of security policy implementation (Avakian, 2015). In addition, he

includes financial, logistical, educational, preventive, organizational and other non-legal forms. The so-called democratic forms of security policy implementation may include the participation of non-state actors, public (civil) control, the dominance of the people's interests, etc.

From our point of view, there are two main forms of implementing state policy: legal and organizational. Legal forms of implementing state policy are those forms that result in the issuance of a legal act - normative or individual. Organizational forms are those forms that are based on laws, primarily the Constitution, but do not result in the issuance of legal acts. Legal forms consist of two types: legal-forming and legal-implementing forms. There are such types of legal-forming forms of implementing state functions as international law-making and national law-making.

From our point of view, there are two main forms of implementing state policy: legal and organizational. Legal forms of implementing state policy are those forms that result in the adoption of a lawful act - normative or individual. Legal forms consist of two types: lawmaking form and law enforcement form. Such types of law-making forms of realization of state functions are international and national law-making. International lawmaking can take the following forms: lawmaking by global international organizations (e.g., the UN); lawmaking by regional international organizations (e.g., the European Parliament). National lawmaking, in our opinion, consists of lawmaking by the people and lawmaking by state bodies. The people's lawmaking may take the form of a national or local referendum.

Lawmaking by public authorities can be classified as follows:

1. By the nature of the activities of the state bodies: lawmaking by the Head of state; lawmaking by legislative bodies; lawmaking by judicial bodies; lawmaking by executive bodies; lawmaking by control and supervisory bodies.
2. By the level of lawmaking body: lawmaking by supreme bodies of the state; lawmaking by central bodies of the state; lawmaking by local authorities.

In addition to lawmaking forms of implementing state policy, there are also law enforcement forms, which are divided into the simple (direct)

implementation of the law and complex or application of the law.

There are the following forms of direct implementation of law in the exercise of state functions: use of the law, enforcement of the law, and observance of the law.

The application of law as a form of state policy implementation consists of constituent, regulatory, and protective activities, subdivided into other forms.

Establishment law enforcement is a form of state policy implementation aimed at creating organizational structures that implement state policy and at forming the composition of such structures, i.e., appointing officials and other persons of these structures.

Regulatory law enforcement activity is a form of state policy implementation, which consists of regulating the lawful behavior of legal entities based on regulatory legal norms. It, in turn, consists of the following forms of state activity: law-making, law-altering, and law-terminating.

Security law enforcement activity is a form of state policy implementation, which consists in influencing the unlawful behavior of legal entities in the field of national security based on security legal norms. It includes the following forms of activity: judicial, pre-trial investigation, operational and investigative, intelligence, counterintelligence, control and supervision, and administrative.

Summarizing the above, it can be stated that the state policy regarding ensuring the national security of Ukraine is closely linked to the law.

Organizational forms of state policy implementation are based on law, but due to their implementation, legal acts are not issued.

Organizational forms of implementation of state policy are divided into the following types: organizational and structural forms are forms of internal and external organization of structures that implement state policy; organizational and informational forms are forms of information support for the implementation of state policy; organizational and ideological forms are forms of ideological influence on social actors in the process of exercising their respective functions; organizational and material forms are forms of using material phenomena in the process of implementing state policy.

In addition to forms, there are methods of implementation of state policy - these are ways, techniques, and means by which state policy is implemented. They are the means of the purposeful organizational influence of the subjects implementing state functions on the objects under their jurisdiction.

Thus, the methods express the actual content of the activities to implement state policy. At the same time, they are inextricably linked to the forms of their implementation. If methods characterize the internal side of the activity of implementing the state policy, then forms characterize the external side. Methods are the activity's content; forms are this activity's external expression. Methods are a kind of content of the forms of state policy implementation. In this regard, the types of methods are closely related to the kinds of forms of implementation of public policy (Shmotkin, 2016).

Avakian T. believes that among the methods that are more or less inherent in all the above forms of security policy implementation, one can distinguish the methods of legality commitment, coercion, recommendation, encouragement, supervision, control, explanation and information (Avakian, 2015).

In our opinion, we can distinguish between general, unique and specific methods of implementing state policy. The general methods are persuasion and coercion.

Persuasion is a method of influencing the subjects of state policy implementation on other individuals, resulting in these individuals voluntarily performing actions to realize certain functions.

Coercion is a method of influencing state policymakers on other individuals. As a result, these individuals are forced to perform actions to realize certain functions. Coercion can be classified as a method of implementing state policy depending on: the subjects of coercion; the relationship with law; the branch of law that mediates coercion; the objects of coercion; the nature of legal situations; the nature of restrictions; the areas in which coercion is applied; and the means of influence.

Persuasion and coercion, as general methods of implementing state policy, are realized through unique methods. Because they are inextricably linked to the forms of their implementation, special methods of state policy implementation

can be classified according to the latter, i.e., into legal and organizational. Legal methods, in turn, are divided into lawmaking and law enforcement methods, and the last into direct implementation and law enforcement methods. Methods of law application have varieties: methods of constituent activity, methods of regulatory activity, and methods of security activity, which are divided into more specific methods according to the specialization of these three types of activity, for example, methods of counterintelligence activity, methods of judicial investigation, etc. (Shmotkin, 2016).

Tertychka V. argues that "the mechanism of implementation of modern state policy is based on the following conceptual principles: the formation of a legitimate subject and institutional hierarchy of state policy; development of a strategic course and adoption of state decisions; administrative and other means of implementing management decisions; a block of state control and arbitration, ensuring self-correction of the political regime and feedback from the objects of state leadership" (Tertychka, 2002).

Substantiating the appropriateness of understanding the phenomenon of public policy as a relatively stable, organized and purposeful activity/inactivity of state institutions, carried out by them directly or indirectly about a particular problem or set of issues that affect the life of society, Tertychka V. notes that the above definition of public policy implicitly implies that it is based on the law and must be legitimate (Tertychka, 2002). A universal way of fixing these rules and regulations is the method of constitutional definition. By making these rules and principles imperative, the state guarantees that all participants in socio-political relations will adhere to them. At the same time, as a mechanism of institutionalized coercion, it will act according to specific standards. Therefore, it is natural that in all democratic countries, without exception, state policy programs are constantly developed and implemented by the constitution (Gladunyak, 2007).

We support the position of scholars who believe that "the implementation of state policy by public authorities depends, first of all, on the model of the organization of the state power itself, its relations with society, which is constitutionally recognized in the country and implemented in the practice of state and public life. Therefore, the state policy of a legal, social state that recognizes civil society and fully promotes its development is always characterized by several mandatory properties. It is carried out based on certain

principles, such as observance and guarantee of human and civil rights and freedoms. After all, the highest value of the state policy of a legal, social state is human rights, and its central and primary goal is to ensure these rights, maintain an atmosphere of respect for them, and guarantee the principles of the rule of law and legality (Dzevelyuk, 2016).

Legal measures implement the state policy on ensuring national security within the framework of regulatory and legal program documents. At the same time, normative legal acts establishing permits, prohibitions and restrictions must comply with certain principles which are the fundamental basis on which rulemaking is based, namely:

1. Democracy consists of providing guarantees in the norms establishing prohibitions and restrictions to prevent violation of the rights and freedoms of citizens and the realization of the interests of the people and all social groups of the country.
2. Legality implies compliance with the established prohibitions and restrictions with the normative legal acts of higher force, their application only by authorized structures, within the limits of their powers defined by law.
3. Humanism implies compliance with the prohibitions and restrictions outlined in the adopted normative legal acts with public humanistic values and the absence of the possibility of violating universally recognized human rights for the sake of group interests and ensuring the realization of these rights.
4. Systematic approach means that legal acts that deal with permits, prohibitions and restrictions should be created on the principle of "from general to specific," should not contradict each other and should be adopted simultaneously with procedural ones.
5. Scientific basis is the scientific justification for establishing specific permits, prohibitions and restrictions.
6. Expediency means that a regulatory legal act, which prescribes permits, prohibitions and restrictions, is adopted only in cases due to public needs. These prescriptions are the most optimal means of ensuring sustainable and secure development of the state.
7. Objectivity, which means that social regularities should be reflected in legal acts in reality. In contrast, the frequencies of national society should be imperative

(primary), and those of world society should be dispositive (secondary).

8. Reasonableness means that normative legal acts that define permissions, prohibitions and restrictions are adopted only when social relations objectively determine them based on objective information. These legal provisions can best regulate those relations that need to be held.
9. Systematic nature, which implies the existence of an official strategy and tactics of lawmaking, the adoption of regulatory legal acts appropriate economic and other social conditions.
10. Transparency means that plans for legislative work on establishing permits, prohibitions and restrictions should be known to the people, and the process of preparing relevant normative legal acts should be clear.

In our *view, the subjects of implementing state policy on ensuring national security* are the executive authorities, intelligence, counterintelligence, law enforcement agencies, the Armed Forces and other military formations, institutions of civil society, and Ukrainian citizens.

The objects of implementing state policy on ensuring national security are the provisions of program-target and organizational-administrative documents adopted at the legislative level (laws, doctrines, strategies, concepts, and other legal acts approved by the Verkhovna Rada, decrees of the President of Ukraine, resolutions of the Verkhovna Rada and the Cabinet of Ministers of Ukraine), aimed at solving actual social problems of national security, ensuring safe functioning and sustainable development of the country or its individual spheres of life.

Based on the above, the essence of implementing state policy to ensure national security lies in the implementation of legislative decisions aimed at solving current social problems related to national security. This is done to ensure safe functioning and sustainable development of the country, through the application of relevant legal tools such as permits, obligations, prohibitions, and restrictions by designated entities for the proper regulation of social relations in specific areas of the country's activities.

In a sovereign, independent, democratic, social and legal state (as the Ukrainian state is proclaimed in the Basic Law) (Law 254к/96-BP, 1996), the basis for regulatory influence is the

system of means and methods of democracy, and the functional (regulatory) properties of law as a universal regulator of social relations. European countries' political and legal practice proves that democratic and lawful means and methods ensure the delimitation of powers of security subjects and determine the procedure for using unique means of regulating public relations (Shmotkin, 2016, p. 121-124).

The adoption and application of methods and means of influence (permits, obligations, prohibitions, and restrictions) on social relations with the aim of their proper regulation in the sphere of ensuring national security without corresponding legislative regulation should be recognized as illegitimate.

Attempts to implement the state policy deviating from the constitutional principles and values cause respective negative consequences, primarily threatening national security since the inability to adhere to its organizational principles does not allow the relevant entities to properly fulfill the constitutional tasks of guaranteeing state sovereignty, ensuring the rule of law and legality, human and civil rights and freedoms.

Conclusions

The implementation of the state policy on ensuring national security of Ukraine must be based on constitutional principles. The main forms of implementation are legal and organizational. Legal forms consist of two types: legislative forms and law enforcement forms, which in turn are divided into other varieties. Organizational forms are divided into: organizational structure forms; forms of information support; forms of ideological influence on social entities; forms of use of material phenomena.

The determination of forms, methods, and means of implementing the state policy on ensuring national security of Ukraine directly depends on existing and potentially possible dangers, threats, risks, and challenges to national interests, as well as the specifics of specific spheres of the country's life and peculiarities of social relations in them, which require urgent regulation due to the presence of existing problems that negatively affect the safe functioning and sustainable development of the state.

The essential features of the implementation of state policy to ensure national security as a legal category are:

- implementation by security sector entities of mandatory legislative decisions aimed at guaranteeing the safe and sustainable development of the state;
- the presence of a defined system of relevant executive subjects and a complex of tools capable of solving existing social problems in the field of national security, as stipulated by the legislation;
- legitimate influence by executive subjects of state policy on specific areas of the country's life and social relations, which is capable of countering existing and potentially possible dangers, threats, risks, and challenges to them and guaranteeing national security;
- application of appropriate legal means such as permits, prohibitions, obligations, and restrictions for legitimate influence on social relations, and the use of forms and methods that comply with constitutional principles;
- participation of civil society institutions and individual citizens in the implementation by security sector entities of mandatory legislative decisions aimed at guaranteeing the safe and sustainable development of the state (providing practical assistance in carrying out certain measures to implement state policy by security sector entities, exercising public control over the activities of state bodies and officials in this field).

The prerequisite for the implementation of state policy is the development and implementation of the necessary regulatory and legal framework required for this purpose, which is of particular importance in ensuring the principle of legality.

The implementation of state policy to ensure national security is carried out through lawful measures within the framework of regulatory and legal program documents. In this regard, regulatory and legal acts establishing permits, prohibitions, obligations, and restrictions must comply with certain principles that constitute fundamental foundations on which legislative activity is based.

In order to improve the implementation of Ukraine's state policy on national security, it is deemed appropriate to:

- conduct additional analysis of the current operational situation to determine the real state of implementation of existing legislative decisions aimed at addressing current national security issues, and develop measures to address any identified shortcomings;

- plan and conduct a series of studies to determine the most effective mechanism for influencing social relations that can solve the task of proper implementation of Ukraine's state policy on national security;
- identify and recommend the most acceptable complex - optimal set of methods and means for implementation by the subjects of the security sector of the state policy on national security as a whole, as well as in specific areas of the country's life;
- determine all possible forms and ways of participation of civil society institutions and citizens in the implementation of the state policy on national security in the current period;
- develop a reliable and effective mechanism for interaction and coordination of the subjects of the security sector among themselves and with civil society institutions for their proper implementation of the state policy on national security.

Bibliographic references

- Avakian, T. (2015). Subjects and forms of implementation of state policy in the field of internal affairs. *Scientific Bulletin of the National Academy of Internal Affairs*, 1, pp. 37-43. Url: <https://acortar.link/hgiVzN> (In Ukrainian).
- Chernysh, R., Pogrebnaya, V.L., Montrin, I.I., Koval, T.V., & Paramonova, O.S. (2020). Development of Internet communication and social networking in modern conditions: institutional and legal aspects. *Revista San Gregorio (special issues Nov)*. Url: <http://revista.sangregorio.edu.ec/index.php/REVISTASANGREGORIO/article/view/1572>
- Chernysh, R., Prozorov, A., Tytarenko, Y., Masiuk, V., & Lebedev, O. (2022). Legal and organizational aspects of destructive information impact counteracting: the experience of Ukraine and the European Union. *Amazonia Investiga*, 11(54), 169-177. <https://doi.org/10.34069/AI/2022.54.06.16>
- Dzevelyuk, M. (2016). State policy and functions of the modern state: to the problem of interconnection. *National legal journal: Theory and practice*, pp. 21-25. Url: <http://www.jurnaluljuridic.in.ua/archive/2016/4/5.pdf> (In Ukrainian).
- Gladunyak, I. (2007). The Constitution as a basis for the formation and implementation of state policy. *Viche*, 22. URL: <http://veche.kiev.ua/journal/733/> (In Ukrainian).
- Govlet, M., & Magadevan, R., (2004). Public Policy Research: Policy Cycles and Subsystems, 264, p. Kalvaria. Url: <https://acortar.link/UGGtE2> (In Ukrainian).
- Kostenko, S., Strilchu, V., Chernysh, R., & Buchynska, A. (2021). The threats to national security of Ukraine and Poland in assisting to the development of the crypto-asset market: LEGAL ASPECT. *Management Theory and Studies for Rural Business and Infrastructure Development*, 43(2), 225–236. Retrieved from <https://ejournals.vdu.lt/index.php/mtsrbid/article/view/1436>
- Law 254к/96-BP. «Constitution of Ukraine» Bulletin of the Verkhovna Rada of Ukraine, dated June 28, 1996, No. 30, Art. 141. Url: <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80#Text> (In Ukrainian).
- Onyshchuk, S.V., Onyshchuk, I.I., Petroye, O., & Chernysh, R. (2020). Financial Stability and its Impact on National Security State: Organizational and Legal Aspects. *International Journal of Economics and Business Administration*, VIII(1), 2020, pp. 353-365. DOI: <https://doi.org/10.35808/ijeba/429>
- Shilin, M., Shmotkin, O., Chernysh, R., Konyk, T., & Botvinkin, O. (2022). Formation and formulation of state policy to ensure national security: theoretical and legal aspects. *Amazonia Investiga*, 11(57), 152-161. <https://doi.org/10.34069/AI/2022.57.09.16>
- Shmotkin, O. (2016). Theory of state and law. Kiev: National. SBU Academy, 432 p. Url: <http://catalog.odnb.odessa.ua/opac/index.php?url=/notices/index/IdNotice:349422/> (In Ukrainian).
- Tertychka, V. (2002). State policy: analysis and implementation in Ukraine. *Foundations*, 750 p. Url: <https://acortar.link/GVRLtM> (In Ukrainian).
- Vlasenko, T.O., Chernysh, R.F., Dergach, A.V., Lobunets, T.V., & Kurylo, O.B. (2020). Investment Security Management in Transition Economies: Legal and Organizational Aspects. *International Journal of Economics and Business Administration*, VIII(2), 2020, pp. 200-209. DOI: <https://doi.org/10.35808/ijeba/452>

