**Legal Regulation of National Security in Ukraine: Strategies and Challenges**

**Vladyslav Honcharuk1\*, Mykola Karpenko2, Anatolii Prytula3, Natalia Fierieva4,  
Oleksandr Andrushko5**

1PhD in Law, Associate Professor of the Department of Financial and Economic Security Management, Associate Professor of the Department of National Security Institute of Security, Private Joint-Stock Company “Higher education institution “Interregional Academy of Personnel Management”, [xrixos@gmail.com](mailto:xrixos@gmail.com), ORCID: 0000-0002-9627-9530

2Doctor of Science in Law, Associate Professor, Leading Researcher, State Scientific Institution “Institute of Information, Security and Law of the National Academy of Legal Sciences of Ukraine”, Kyiv, Ukraine, [karpenko.mikola@ukr.net](mailto:karpenko.mikola@ukr.net), ORCID: 0000-0001-9088-0416

3Doctor of Science in Law, Professor, Professor of the Department of Criminal Law, Criminology, Civil and Commercial Law, National Academy of Management, Kyiv, Ukraine, [kafedra5@i.ua](mailto:kafedra5@i.ua), ORCID: 0000-0001-8478-4583

4PhD in Law, Associate Professor of the Department of Criminal Law, Criminology, Civil and Commercial Law, National Academy of Management, Kyiv, Ukraine, [natapack@ukr.net](mailto:natapack@ukr.net), ORCID: 0000-0002-9513-0435

5Doctor of Science in Law, Associate Professor, Associate Professor of the Department of Theory of Law and Criminal Procedure Activity, Bohdan Khmelnytskyi National Academy of the State Border Guard Service of Ukraine, [ovandr74@i.ua](mailto:ovandr74@i.ua), ORCID: 0000-0003-2345-3427

\*corresponding author

Received: 2021-October-15 (10-Calibri Light)

Rev. Req: 2022-January-09

Accepted: 2022-January-22

E:\DERGILER\ortak-kaynaklar-gorseller\Doi-1024x629 - Kopya.jpg 10.5758/ijls.2022.1

|  |
| --- |
| How to cite this paper: Honcharuk, V., Karpenko, M., Prytula, A., Fierieva, N., & Andrushko, O. (2025). Legal Regulation of National Security: Strategies and Challenges. *Journal of Culture and Values in Education*, *4*(2), 14-26. <https://doi.org/10.5758/ijls.2022.1>  This is an Open Access article distributed under the terms of the Creative Commons Attribution 4.0 International license [(https://creativecommons.org/licenses/by/4.0/)](https://creativecommons.org/licenses/by/4.0/) |

**ABSTRACT:** *This article aims to analyse the key challenges facing the legal regulation of Ukraine’s national security sector amidst Russian aggression, to identify current strategies for national security formation, and to develop key recommendations for optimising the regulatory and legal framework. This research is a qualitative study with a systematic approach.The PRISMA approach was utilised for the collection of academic literature. Applying inclusion and exclusion criteria, 44 relevant academic publications were retained. The collected material was processed using comparison, systematisation, and analysis methods.*

*The results demonstrate that Ukraine possesses a sufficient legal framework to ensure the fundamental protection of national security. The public-legal mechanism for ensuring national security norms operates according to the constitution of Ukraine, which also outlines the primary direction of Ukraine’s integration into the EU and NATO. A comparison with international legal norms revealed that certain regulatory acts in Ukraine are less detailed, creating potential threats to the nation’s security.*

*The originality of the papper lies in the analysis of modern challenges and prospects for the legal regulation of national security of Ukraine in the context of Euro-Atlantic integration and global transformations of the security environment. The limitations of the study are related to the dynamism of the regulatory framework and rapid changes in the field of cybersecurity, which requires further research to adapt the legal field to new threats.*

*Artikel ini bertujuan untuk menganalisis tantangan utama dalam regulasi hukum sektor keamanan nasional Ukraina di tengah agresi Rusia, mengidentifikasi strategi terkini dalam pembentukan keamanan nasional, serta mengembangkan rekomendasi utama untuk mengoptimalkan kerangka regulasi dan hukum.* *Penelitian ini merupakan studi kualitatif dengan pendekatan sistematis. Pendekatan PRISMA digunakan dalam pengumpulan literatur akademik. Dengan menerapkan kriteria inklusi dan eksklusi, sebanyak 44 publikasi akademik yang relevan dipilih. Materi yang dikumpulkan dianalisis menggunakan metode perbandingan, sistematisasi, dan analisis.*

*Orisinalitas makalah ini terletak pada analisis tantangan dan prospek modern untuk regulasi hukum keamanan nasional Ukraina dalam konteks integrasi Euro-Atlantik dan transformasi global lingkungan keamanan. Keterbatasan penelitian ini terkait dengan dinamisme kerangka regulasi dan perubahan cepat di bidang keamanan siber, yang memerlukan penelitian lebih lanjut untuk menyesuaikan bidang hukum dengan ancaman baru.*

**Keywords:** *National security system, Security strategies, Hybrid threats, Legal norms, Legislation.*

1. **INTRODUCTION**

The issue of ensuring national security is among the critical factors for the stable development of any state, as a well-structured national security policy guarantees sovereignty, territorial integrity, and the protection of citizens [1]. According to data from the Kyiv School of Economics, Ukraine suffered direct damages exceeding $150 billion by early 2024. This situation has heightened the demand for a coherent legal response that effectively safeguards sovereignty, territorial integrity, and civilian protection [2]. Moreover, considering current globalisation trends, geopolitical shifts, and military challenges, the legal regulation of this sphere has become particularly relevant and vital. Law serves as a mechanism for addressing internal and external threats and as a crucial tool for shaping national security strategies, enabling state institutions to adapt to uncertain and complex realities [1].

Amid the Russian armed aggression, the legal assurance of Ukraine’s national security has become a vital topic in contemporary academic discourse. In Ukraine, the need to update the regulatory framework by international law standards and to adapt the institutional structure of the security and defence sector to the Euro-Atlantic space has become evident. Additionally, it is essential to acknowledge that the national security system is multi-faceted, manifesting itself across various spheres of social life. Its foundation comprises a series of regulatory acts that, in synthesis, should effectively govern national security [3; 4].

Contemporary academic literature has analysed various trends in ensuring national security under current conditions. Defining the term itself is a key issue in shaping the fundamental legal principles of national security, which is inevitably correlated with its standardisation. According to scholarly research, the phenomenon of national security formally emerged with the establishment of the first states. Such a concept of national security is referred to by researchers as primitive or rudimentary [3]. This definition differs somewhat from the modern interpretation.

In academic discourse, it is generally accepted that national security corresponds to a specific state of protection of a country’s sovereignty, territorial integrity, democratic order, and environment from any internal or external threats [4; 5]. Consequently, it comprises various components aimed at preventing and neutralising contemporary challenges. Furthermore, Kostka et al. argue that national security also seeks to ensure the sustainable development of society and the state [6]. According to Pylypchuk et al., national security law is considered an independent branch of law that plays a direct societal role in the legal framework for national security [8].

Most contemporary scholars have highlighted the emergence of cyber threats within the national security system, focusing on adopting innovative solutions to address these challenges. For instance, Fatima et al. emphasised the application of artificial intelligence in the sustainable development of states and societies [9]. Gerke et al. identified specific ethical and legal aspects of artificial intelligence deployment [10]. Hubanova et al. highlighted the importance of using information technologies to ensure the effective functioning of the security sector [11]. Li and Liu recognised cybersecurity as a critical element of modern security [12]. With the rapid growth of digital technologies and hybrid warfare tactics, cybersecurity has become integral to contemporary national security. It encompasses a set of measures and technologies to protect computer networks and software data from attacks, destruction, or theft.

Pylypchuk et al. [8] indicated that the legal content of the national security phenomenon is articulated within national security law, serving as a cornerstone in the development of legal science under the challenging conditions shaped by Russian aggression against Ukraine and specific crisis processes in the international security framework. The authors also described the unique characteristics of national security law as a vital domain of the national legal system [8].

Alguliyev et al. demonstrated that information security is crucial to national security, ensuring protection from manipulation, cyber threats, and access to reliable information [13]. Contemporary scholars have established that social communications reflect national interests, typically considered the primary interests protected by law [14; 15]. Influenced by national security legislation, these communications acquire the characteristics of legal strategic communications [13]. At the same time, the integrative features of national security law are demonstrated through its interaction with military law and international security law. The introduction of specialised academic disciplines aligns with national security law development priorities, addressing both organisational measures and ideological struggles that are vital for securing Ukraine’s national security on the humanitarian front.

Cultural and humanitarian security contributes to preserving national identity in the face of current challenges. Other significant dimensions of national security include economic, social, and political factors. Political security fosters the stability of the political system and protects sovereignty and state institutions. Meanwhile, during crises, the stability of the economic system, protection of strategic resources, and establishment of financial resilience are crucial [16].

Considering these dimensions collectively promotes the stable functioning of the security sector. The legal framework for national security corresponds to the complex process of establishing and maintaining normative and functional aspects of the national security system within constructive organisations [`]. The multiplicity of systemic elements in national security underscores its multi-layered and complex nature, further highlighting the relevance of this topic.

As the literature review indicates, the legal regulation of the national security sector requires additional study. In particular, previous studies have not provided a comprehensive or consistent answer regarding the legal mechanisms necessary to ensure national security in the face of prolonged external aggression. Contemporary researchers focus on practical measures for ensuring national security, with legal regulation remaining peripheral in scholarly discourse. Moreover, given emerging challenges and technologies, it is essential to characterise the current issues influencing the regulatory process of Ukraine’s national security. This study aims to address these gaps, identifying key challenges and strategies within the regulatory framework for national security. The primary research problem lies in the lack of coherence among regulatory acts and institutional fragmentation within the security sector, observed in many states, including Ukraine. This situation generates additional risks for effectively responding to threats and generally lowers the state’s security level. Therefore, the research problem involves analysing the key strategies and challenges of legal regulation of Ukraine’s national security through the lens of current legal transformations and broader European trends. The study analyses challenges that threaten national security operations within the framework of local and global transformations. Furthermore, it examines existing legal mechanisms for regulating national security in Ukraine and other states. Ultimately, the research will present proposals for optimising the regulatory framework.

The study aims to identify and analyse the main issues in the legal regulation of Ukraine’s national security sector amidst Russian aggression, assess current strategies for national security formation, and formulate key recommendations for optimising the regulatory framework.

The research objectives are as follows:

1. To describe the main challenges within the current national security system.
2. To evaluate the effectiveness of the existing legal framework for regulating national security in Ukraine and conduct a comprehensive comparative analysis with the experiences of other leading countries.
3. To formulate specific recommendations for improving legal mechanisms and strategies for ensuring national security.

**Research Hypotheses**

This study will test the following hypotheses:

**H1**: The effectiveness of the legal regulation of the national security sector depends on adapting the current legal framework to contemporary challenges (cybercrime, hybrid threats, terrorism).

**H2**: Applying a systemic approach that combines preventive, reactive, and adaptive measures in legal regulation will contribute to optimising the state’s security level.

1. **METHOD**

This review study enables a detailed analysis of Ukraine’s current realities and the examination of specific cases of legal regulation aimed at strengthening national security. Ukraine is developing and implementing various strategies for regulating national security in response to contemporary challenges. This approach contributes to a comprehensive understanding of the complex and heterogeneous processes involved in legal security provisions, situating Ukraine within both local and global trends.

This study emphasises the formation of a sample comprising various sources addressing key aspects of national security. The selected materials include legislative acts, strategies, and doctrines related to Ukraine’s national security, monographs, articles, conference materials, book chapters, and analytical reports.

**Searching Strategy**

The focus was placed on studies addressing the legal aspects of security regulation, adaptation processes to current threats, and the impact of war on the legal and security sectors. Sources were required to meet specific criteria. Firstly, all sources had to be substantively related to legal regulation in the security sector and published after 2014, marking the onset of the war (with an emphasis on literature published post-2022). The primary analysis was based on sources examining the situation in Ukraine. Another criterion specified that the sources must include analyses and recommendations about the regulation of the national security sector. While the main focus remained on Ukraine’s realities, no strict geographical limitation was imposed. The research included works by various authors focusing on Ukraine, the EU, and the United States.

**Data Collection**

The PRISMA approach was employed to ensure a meticulous identification and collection of the most relevant materials (Figure 1). Initially, the search targeted academic databases such as Scopus, Web of Science, and Google Scholar. Key terms included national security, strategies, security provisions, security sector, legal acts, legal regulation, Ukraine, EU countries, USA, war, information warfare, hybrid warfare, and cybersecurity. This search resulted in 9,789 entries. Duplicate records (-4,523) and irrelevant materials identified through automation (-1,289) were removed. Further, non-relevant studies were excluded based on their titles and abstracts (1,745).

The inclusion criteria for the remaining sources were:

1. The study pertains to Ukrainian realities or national security in EU countries, the USA, or nations affected by military conflicts.
2. A substantive connection to issues of legal regulation in the security sector.
3. Publication date range: 2020–2024.
4. Language of publication: English (Ukrainian sources were included where English summaries were available).

Reports not retrieved

(n = 321)

Records identified from:

Databases (n = 9789)

Records removed *before screening*:

Duplicate removed

(n = 4523)

Marked as ineligible by automation tools (n = 1289)

Records screened

(n = 3977)

Records excluded by analysis abstracts

(n = 1745)

Reports sought for retrieval

(n = 2232)

Reports assessed for eligibility

(n = 1911)

Reports excluded:

С. 1 (n = 334)

С. 2 (n = 477)

С. 3 (n = 695)

С. 4.( n = 361)

Studies included

(n = 44)

**Identification of studies via databases and registers**

**Identification**

**Screening**

**Included**

***Figure 1.*** *PRISMA Flowchart*

*Source: Authors’ development.*

**Data Analysis**

The data were analysed using Excel software. The collected materials and conceptual content were organised into separate tables. The first table covered legislative acts, the year of adoption, and key provisions. The second table focused on identifying the main insights from the academic literature: author, year of publication, and key findings on national security. The third table was more conceptual, addressing factors such as country, mechanisms for ensuring national security, strategies, challenges, authors, and year of publication.

This systematic organisation facilitated thematic analysis and the characterisation of the strengths and weaknesses of current mechanisms for legal regulation in the national security sector. It also enabled a comparative study of Ukraine’s key legal acts against the perspectives of leading academic scholars. Thus, this research provides a comprehensive analysis of the legal regulation of national security in Ukraine through the lens of fundamental local and global trends.

**III. RESULTS**

The Russian aggression against Ukraine has emerged as a challenge to international security, necessitating a revision of both international collective security agreements and specific national strategies. The Russian aggression against Ukraine has exposed significant shortcomings in the international security system, in the effectiveness of the provisions of the UN Charter, OSCE mechanisms, and the Budapest Memorandum. As a result, Ukraine has been forced to review its national security strategies, including updating legislation on mobilization, civil defence, and integration with NATO standards. Beyond the immediate threat of military aggression, hybrid threats such as propaganda, terrorism, and espionage, alongside enforcing cybersecurity standards and legal frameworks for emergency response (including resource mobilisation), remain pressing challenges to the legal sphere. Scholars note that these issues have been exacerbated not only by the aggressive actions of the Russian regime but also by the involvement of Iranian and Chinese intelligence services [18]. Addressing these challenges within the legal framework will require the amendment of existing laws and regulations, including those at the international level.

In the context of Ukrainian legal realities, the legal basis for implementing national security and defence measures is enshrined in the Constitution of Ukraine, Ukrainian laws, subordinate regulatory acts, and ratified international agreements and treaties. The public-law mechanism for ensuring national security operates by the Constitution of Ukraine, which establishes the core principles of domestic and foreign policy concerning security and defence. Notably, the Constitution of Ukraine highlights the country's commitment to the European Union and NATO membership as a priority and fundamental foreign policy objective.

The legal framework supporting national security in Ukraine is strengthened by implementing Ukrainian laws and further specified through a system of subordinate regulatory acts. However, researchers describe this system as extensive but poorly coordinated [19]. This issue mainly addresses contemporary hybrid challenges such as cybercrime and the migrant crisis. Furthermore, another pressing challenge is the alignment with existing international standards for defence reforms (NATO interoperability standards and the EU’s Common Security and Defense Policy (CSDP)), which are crucial factors in legal cooperation, including the organisation of mass mobilisation efforts.

At the international level, no unified document outlines established standards for ensuring global and national security, creating specific challenges in addressing diverse threats and risks. National legal systems often differ significantly in practically implementing identical international requirements. Consequently, in the Ukrainian context, meeting the demands of international security platforms remains challenging, as global coordination efforts require additional legal solutions.

One example is ensuring food security, which is based on potential economic and legal solutions (see Table 1).

**Table 1.** **Regulation of Food Security**

|  |  |  |
| --- | --- | --- |
| **N** | **Problem** | **Regulatory measures** |
| 1 | Legal regulation of the development of the agricultural sector of Ukraine | Legislative regulation of state aid to organizations on reoccupied lands; use of state programs for the restoration of agricultural infrastructure; use of state loans. |
| 2 | Harmonization of Ukrainian law with the norms of the European Union countries | Harmonization of the Ukrainian legal field with EU requirements will allow to increase export opportunities in Europe. 40% of technical regulations in Europe concern the agricultural sector. Promising legal vectors are increasing operational efficiency, resorting to green policy, using alternative sources of fuel and energy, introducing product formulations with improved properties |
| 3 | Control over the implementation of state programs, product quality | Legislative consolidation of the Ukrainian manufacturer as a recipient of financial assistance; use of special state regulation programs; effective state control over the safety and quality of seed stock, raw materials, food products, etc. |

*Source: Authors’ development.*

Compliance with food security standards and the continued evolution of the relevant legislative framework will enable adherence to other dimensions of national security as well. In particular, the utilisation of existing legal mechanisms to ensure economic security is of significant importance (see Table 2).

**Table 2.** **Legal Dimensions of Economic Security**

|  |  |  |
| --- | --- | --- |
| **N** | **Problem** | **Regulatory measures** |
| 1 | Support for Ukrainian production facilities | Introduction of national support programs and the corresponding legislative framework for adjusting the volumes and areas of support. An important direction is innovation [19]. This refers to legislative support for innovative activities by the state, which will contribute to the revival of the competitiveness of Ukrainian industry in the global market. |
| 2 | Scientific and technical security | Legislative regulation of the use of innovations indicates the need to protect intellectual property. In particular, it refers to the application of national programs for the restoration of industry. An important aspect of this is the protection of the military-industrial complex (production of equipment, drones, missile systems). |
| 3 | Information security | Legislative regulation of information security in Ukraine is an important element of national security, especially in conditions of armed conflict, hybrid threats and the rapid development of information technologies [20]. The main provisions of the legislation in this area are based on the Constitution of Ukraine, the Law of Ukraine “On the Fundamentals of National Security of Ukraine”, the Law of Ukraine “On Information”. |

*Source: Authors’ development.*

The legislative regulation of the security sector in Ukraine is continuously improving, considering both internal challenges and external threats. At the same time, further development requires the integration of civil society and the engagement of international partners (human rights monitoring, legislative advocacy, NATO support) to effectively counter modern threats. It is essential to consider the legal norms of EU countries for their potential future implementation.

Incorporating European countries' experiences (EU member states and others) is a critical factor in advancing Ukraine's national security system. For instance, in 2023, the United Kingdom enacted a significantly updated National Security Act [22]. This legislation aimed to clarify and enhance measures against espionage and the growing threats to national security. Its implementation has made hostile actions against the UK substantially more difficult, particularly in areas such as sabotage, espionage, interference in democratic processes (elections and political life), blackmail, and targeted killings [23]. According to this law, continuous monitoring of harmful activities is carried out around sites officially designated as prohibited zones. These include locations and systems considered highly sensitive from a strategic perspective, as their compromise poses a potential national threat [21]. The police have been granted new powers to prevent subversive activities in these vulnerable areas. Special emphasis has been placed on ensuring the digital security of management systems and data. Critical websites are not publicly required to declare themselves prohibited zones [23]. This adherence to principles of anonymity, which avoids unnecessary attention, is considered an integral part of the security system.

Conversely, in certain situations, the opposite approach is employed. To hold perpetrators accountable, prohibited zones may be explicitly declared, granting law enforcement agencies the authority to conduct corresponding investigative actions [22]. Moreover, as law enforcement officers have been given broader powers, they must first ascertain that the crime targets a site deemed critical within the UK system [25]. Special service personnel are also authorised to mitigate threats, although not necessarily neutralise them entirely, to facilitate extended investigations into hostile intelligence agents.

The Law on National Security, in force since 2004, has undergone significant changes, especially after 2014, to align Ukraine's legislative framework with new threats and Euro-Atlantic standards. The existing legislative framework underwent substantial updates following adopting the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA). According to current paradigms, national security is ensured through various institutional structures. Representatives of the U.S. Department of Defense, the Intelligence Community (IC), the National Security Council, the Central Intelligence Agency (CIA), and the Director of National Intelligence (DNI)—who simultaneously serves as the head of the IC—oversee and implement the National Intelligence Program [26]. These representatives also influence the White House, as intelligence officials are consistently part of the U.S. President's advisory team.

Implementing the National Security Act and subsequent amendments for enhanced efficiency has led to significant changes in the organisation of the intelligence community. Specifically, establishing the Director of National Intelligence has facilitated the creation of an essential inter-agency centre. This approach enabled prompt analysis and integration of information related to terrorism, drug cartels, and threats to U.S. interests both domestically and internationally, as suggested in the reforms of the “9/11 Commission” [27; 28]. Opportunities for collaboration with foreign intelligence agencies, joint criminal investigations, and rapid information exchange were also introduced. Implementing such legislative initiatives has strengthened the existing system of countering national security threats.

National security system reforms are also relevant for Central and Eastern Europe. Researchers particularly note the effectiveness of Poland's approach in forming fundamentally new national security systems [29]. This extensive process began with Poland's withdrawal from one collective security treaty (participation in the Warsaw Pact) and its integration into another (NATO). This transition is considered a critical political milestone for contemporary Ukraine. Key stages along this path included adherence to a sustainable diplomatic and military-political course, which included integration into NATO and the EU while accounting for the dynamic transformations in the surrounding security environment [30]. The legislative framework in such conditions became a vital component supporting the rapid adaptation of the national security system to new security realities.

An analysis of legal documents such as the “Defence Concept of the Republic of Poland,” the “White Paper on National Security of Poland,” the Constitution of the Republic of Poland, and other acts influencing the formation of national security revealed that the establishment of such a security system is rooted in the theory of national security. Central considerations included adherence to national security norms, armed forces reform, sustainable development trajectory, understanding acceptable risks, justified risks, and strategic challenges.

The practical application of Poland's model has demonstrated that the political-legal design of its national security structure has resulted in a military-political system fully capable of fulfilling its alliance obligations to NATO member states [30]. Legal regulation in reforming military governance in Poland adhered to NATO standards, which also upheld the principle of separating the functions of deploying and training forces. However, this state of affairs at the operational level led to issues within the military command hierarchy [31]. Addressing such challenges will be imperative, especially in light of growing Russian aggression in the region.

Their NATO membership also influences strengthening national security positions in these states. In 2022, due to Russia's aggression in Ukraine, strategic views on power dynamics in Eastern Europe shifted. NATO’s new Strategic Concept replaced the previous principle of “deterrence through retaliation” with “deterrence by denial of aggression.” This shift resulted in fortifying NATO’s eastern flank (including Sweden and Finland's accession to the alliance) and increasing the size of military contingents in the Baltic States to brigade levels. Consequently, the Baltic Sea region has gradually become an area dominated by democratic nations, though the possibility of Russian provocations remains.

Efforts to enhance international cooperation within NATO also took place. In 2017, the Baltic States signed separate agreements with the United States to establish defence cooperation, enabling the purchase of American weapons, including missile systems and air defence equipment [33]. Multinational combat groups operate in the Baltic States under the leadership of the United Kingdom (in Estonia), Canada (in Latvia), and Germany (in Lithuania). Furthermore, national security strategies in the Baltic countries include the gradual (or partial) reintroduction of mandatory military service and preparing a reserve force in case of direct enemy aggression.

Based on this overview, the new principles of national security, partly updated due to Russia's aggression against Ukraine (Table 3), can be identified as having commonalities and differences.

**Table 3.** **National Security Strategy Compliance Matrix**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Assumption** | **USA** | **Great Britain** | **Poland** | **Baltic States** |
| Focus on strengthening cooperation within NATO | Adheres | Adheres | Adheres | Adheres |
| Identification of terrorism, espionage, countering migrants as key challenges | Adheres | Adheres | Partially adheres | Partially adheres |
| Identification of Russian aggression as key challenge | Does not adhere | Partially adheres | Adheres | Adheres |
| Establishing information exchange during international investigations | Adheres | Adheres | Does not adhere | Does not adhere |
| Transformation of the existing legal framework after 2022 (beginning of full-scale Russian invasion of Ukraine) | Partially adheres | Adheres | Adheres | Adheres |
| Return to compulsory military service (conscription) | Does not adhere | Does not adhere | Partially adheres | Adheres |

*Source: Authors’ development.*

The proposed review indicates that the security systems of the analysed countries hold a significant advantage over those of Ukraine—namely, their integration into NATO. Accordingly, the legal frameworks governing their operations can be subject to a degree of standardisation, thereby facilitating the harmonisation of legislation in this area. Although Ukraine’s political course towards NATO integration is enshrined in its Constitution, implementing specific provisions will require more radical amendments to the legislative framework.

An analysis of the legal frameworks of various countries reveals that Russian aggression poses a direct challenge to the security systems of European nations. In particular, the Kremlin regime's aggression has triggered changes to the defence doctrines of the United Kingdom and EU member states. While the UK’s legislative system focuses on countering espionage activities and hybrid threats, the Baltic and Eastern European countries prioritise military interoperability, accompanied by partial amendments to existing legislation regarding the reinstatement of conscription.

For the United States, beyond the challenge posed by Russia, countering Chinese influence, managing the migration crisis in the southern states, and combating drug trafficking remain more pressing issues. Notable innovations in addressing hybrid threats and cybercrimes include gradually simplifying information-sharing mechanisms among NATO allied states.

**IV. DISCUSSION**

Given the primary research problem—namely, the analysis of key strategies and challenges in the legal regulation of Ukraine’s national security through the lens of ongoing legislative changes and broader European trends—it has been established that modern national security systems face several significant challenges. The advancement of new technologies and globalisation processes typically influences these challenges.

The results of the study showed that the main threats to the harmonization of the legal system in the field of national security of Ukraine can be classified into three interrelated categories. In particular, the first category includes cybersecurity threats, which include cyberattacks on critical infrastructure, data leaks and disinformation campaigns in the digital environment. The second category includes geopolitical and humanitarian challenges, in particular the migration crisis, cross-border instability and pressure on state borders caused by war. The last group includes hybrid threats, which include propaganda, the activities of foreign intelligence networks, the use of proxy groups. These findings align with other studies, identifying cyber threats, global pandemics, and economic wars as the primary dangers to national security. Research by Lekunze [34] and Rottweiler and Gill [35] highlights that terrorism and emerging conflicts drive reforms in the legal framework of the national security sector. These authors suggest that current national security strategies must account for these multifactorial threats, as they may interact and compound one another [35]. The statements above are entirely consistent with the results of this study. Similar perspectives are presented in the works of other scholars, who emphasise the importance of countering hybrid warfare, which combines traditional military conflicts with disinformation and economic sanctions [36; 37].

However, the findings also demonstrate that new challenges are less predictable, significantly complicating the development of effective legal mechanisms. These results confirm the first hypothesis of this research, specifically identifying that the effectiveness of regulatory frameworks in the national security sector directly depends on the adaptation of current legislation to challenges such as cybercrimes, hybrid threats, and terrorism.

An analysis of the effectiveness of Ukraine’s national security legal framework revealed certain positive developments following the adoption of new legislative acts, including the Law on National Security and the National Security Regulation Strategy, which have been implemented since the onset of the full-scale invasion. These reforms envisage enhanced cooperation with international partners, introducing innovative approaches and focusing on cybersecurity capabilities, counterintelligence, and anti-terrorism measures.

Despite these steps towards harmonisation with EU criteria, there remain opportunities for optimisation. Other researchers have acknowledged existing gaps, for instance technical regulations, in Ukraine’s legislation concerning the establishment of a stable cybersecurity environment and the management of resources to combat emerging threats [38; 39]. Current studies point to the need for improved legislative mechanisms in alignment with internationally accepted standards, which corresponds with these findings [39; 40] Moreover, Ukraine views the EU and NATO membership as emancipatory and decolonising measures that enable the country to break free from Russian domination and obtain reliable security guarantees — not only in terms of hard security, but also retaining the freedom to develop as a separate nation [41].

As research from EU countries noted, the United Kingdom has developed new measures to address innovative threats. For instance, the UK adopted an updated National Security Act in 2023, introducing new measures for monitoring and controlling harmful activities in restricted areas [26]. These legislative decisions have strengthened the UK’s political and economic security while implementing new mechanisms to combat espionage and external threats.

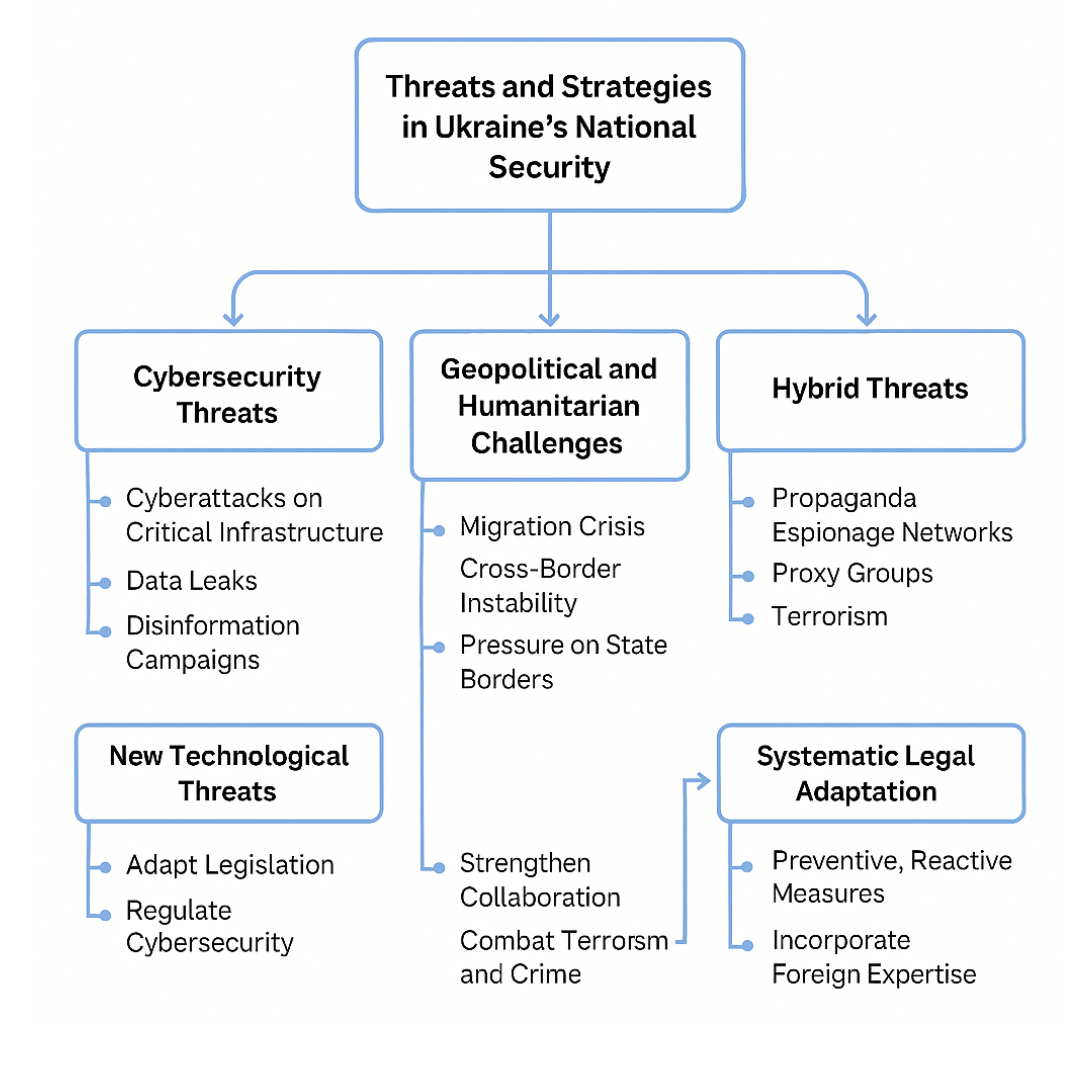
The subsequent task focused on comparing Ukraine's national security models with the experiences of other countries. The findings revealed a key difference in approaches to integrating legal mechanisms for addressing emerging threats. Notably, since 2023, the United Kingdom has emphasised enhanced cybersecurity regulation within its legal framework. The country introduced legislation that outlined new measures for monitoring and controlling malicious activities in restricted zones. In the United States, significant reforms in the intelligence system and the development of security programmes followed the adoption of the National Security Act [7]. These measures have significantly improved coordination among various agencies and government bodies, as Biden’s report noted [41].

A prolonged reform process is also evident in EU countries, particularly Poland and the Baltic States. This process began with Poland's shift from one collective security agreement (membership in the Warsaw Pact) to integration into another security system (NATO). The findings highlighted that this step is an essential political benchmark for contemporary Ukraine.

Meanwhile, the EU and the United States increasingly leverage innovative technologies, particularly artificial intelligence (AI). However, not all researchers agree on its application within the legal sector. Certain scholars have emphasised ethical concerns related to its use [42; 43].

The findings of this study also underscored the need to enhance specific legal mechanisms for ensuring national security in Ukraine. It was established that a more systematic adaptation of legislation to address new technological threats is a critical step. Given the rapid evolution of cyber threats, additional legislative initiatives should be introduced to regulate cybersecurity issues effectively. Furthermore, strengthening international cooperation should be a priority [44]. This aligns with the views of other scholars, who have highlighted the importance of bolstering collaboration with global organisations to harmonise standards and combat terrorism and organised crime [45-48].

These assertions also supported this research's final hypothesis, positing that employing a systematic approach combining preventive, reactive, and adaptive measures in legal regulation would enhance the state's security. Therefore, the process of legal regulation in the security sector should systematically adapt to evolving threats and emerging challenges while incorporating the experiences of other nations [49]. This will contribute to creating an effective and flexible system for ensuring security at both domestic and international levels (See Figure 2).



***Figure 2.*** *Summary threats and strategies to Ukraine's national security*

*Source: Authors’ development.*

**Limitations**

However, like any explanatory research, this study has certain limitations. For instance, publications written in non-English languages were excluded during the screening process. Consequently, the research did not account for specific non-English academic articles that might describe local nuances in ensuring national security within particular regions. Additionally, confidentiality concerns must be considered. Since national security issues may involve state or military secrets, some critical information may not be publicly available or suitable for discussion. Accordingly, this study relied solely on publicly accessible information and did not include materials from other restricted sources.

Despite these limitations, the research addresses a gap by providing a comprehensive analysis of legal regulation in the national security system, examining Ukraine's unique experience and the practices of other leading nations.

**V. CONCLUSION**

Russian aggression against Ukraine has become a significant factor in revising existing legal systems for ensuring national security. In addition to the direct challenge of armed aggression, hybrid threats (such as propaganda, terrorism, and espionage), digital challenges (including the protection of information and management systems), and legal frameworks for responding to emergencies (including issues of resource mobilisation) remain highly relevant within the legal field.

Ukraine has been established to have a sufficient legal framework to ensure the fundamental aspects of national security protection. This includes provisions from the Constitution of Ukraine, Ukrainian laws, subordinate legal acts, and international agreements and treaties that have been concluded and ratified. However, as national security challenges continue to evolve, there is a need for further improvement of the existing legal framework with the inclusion of international practices. The public-legal mechanism for ensuring national security norms operates according to the constitution of Ukraine, which also outlines the primary direction for Ukraine's integration into the EU and NATO. The legal implementation of Ukraine's national security is reinforced through enforcing Ukrainian laws and is further specified within a system of subordinate legal acts. At the same time, certain normative and subordinate acts lack specificity, opening the door for potential misuse and threatening Ukraine's national security. This is particularly relevant to the current hybrid challenges (such as cybercrime and the migrant crisis). Another critical challenge is the alignment of existing legal norms with international standards for defence sector reforms, which is essential for further integration into NATO.

As a result of the conducted research, it has been determined that the security systems of European states have a significant advantage over Ukraine, namely their integration into NATO. Therefore, legal norms can be harmonised or even unified. The Ukrainian legal system is still in the early stages of integration with NATO and the European legal environment. Thus, the implementation of specific provisions will require more substantial changes to the legislative framework. At the same time, the United States and the United Kingdom operate with a focus on global threats – countering espionage, the migrant crisis, digital attacks, and other hybrid threats. Eastern European and Baltic states, recognising the Russian danger, have directed their legal reforms in the national security system towards strengthening the armed forces, signing additional agreements with NATO countries, etc. Notable innovations in addressing hybrid threats and cybercrime include gradually simplifying information exchange between NATO member states, which has been formalised through relevant agreements and legislative acts.

**V. REFERENCES**

1. Hruzevskyi, O. (2023). A Systematic Analysis of the Impact of the Military Conflict on the Distance Education System in Ukraine. *E-Learning Innovations Journal, 1*(1), 71–87. <https://doi.org/10.57125/ELIJ.2023.03.25.04>
2. *Kyiv School of Economics*. (2024). <https://kse.ua/about-the-school/news/155-billion-the-total-amount-of-damages-caused-to-ukraine-s-infrastructure-due-to-the-war-as-of-january-2024/>
3. Kobko, Y. V. (2022). Legal regulation of national security in Ukraine: Today’s challenges. *Law and Safety*, *85*(2), 179–188. <https://doi.org/10.32631/pb.2022.2.17>
4. Yurko, I., & Riabtsev, D. (2024). The Role of Investment, Innovation and Efficient Use of Resources in Ensuring Long-Term Economic Sustainability. *Law, Business and Sustainability Herald, 4*(1), 4–20. Retrieved from <https://lbsherald.org/index.php/journal/article/view/62>
5. Kwilinski, A., Dielini, M., Mazuryk, O., Filippov, V., & Kitseliuk, V. (2020). System constructs for the investment security of a country. *Journal of Security and Sustainability Issues*, *10*(1), 345–358. <https://doi.org/10.9770/jssi.2020.10.1(25)>
6. Tovpyha, L. M., Pastukh, I. D., Tarasevych, T. Y., Bondar, S. V., & Ilina, O. V. (2021). Legal regulation of practices of the police as an entity in charge of preventing and combating corruption in Ukraine. *Cuestiones Políticas*, *39*(69), 735–755. <https://doi.org/10.46398/cuestpol.3969.46>
7. Kostka, G., Steinacker, L., & Meckel, M. (2021). Between security and convenience: Facial recognition technology in the eyes of citizens in China, Germany, the United Kingdom, and the United States. *Public Understanding of Science*, *30*(6), 671–690. <https://doi.org/10.1177/09636625211001555>
8. Pylypchuk, V. G., Bohutskyi, P. P., & Doronin, I. M. (2021). Theoretical foundations and development priorities of national security rights. *Journal of the National Academy of Legal Sciences of Ukraine*, *28*(2), 66–75. <https://visnyk.kh.ua/en/journals/visnik-naprnu-2-2021-r/teoretichni-osnovi-ta-prioriteti-rozvitku-prava-natsionalnoyi-bezpeki>
9. Fatima, S., Desouza, K. C., & Dawson, G. S. (2020). National strategic artificial intelligence plans: A multi-dimensional analysis. *Economic Analysis and Policy*, *67*, 178–194. <https://doi.org/10.1016/j.eap.2020.07.008>
10. Gerke, S., Minssen, T., & Cohen, G. (2020). Ethical and legal challenges of artificial intelligence-driven healthcare. In *Artificial Intelligence in Healthcare*(pp. 295–336). Elsevier. <https://doi.org/10.1016/b978-0-12-818438-7.00012-5>
11. Hubanova, T., Shchokin, R., Hubanov, O., Antonov, V., Slobodianiuk, P., Podolyaka, S. (2021). Information technologies in improving crime prevention mechanisms in the border regions of southern Ukraine. *Journal of Information Technology Management, 13,* 75–90. <https://doi.org/10.22059/JITM.2021.80738>
12. Li, Y., & Liu, Q. (2021). A comprehensive review study of cyber-attacks and cyber security; Emerging trends and recent developments. *Energy Reports*, *7*, 8176–8186. <https://doi.org/10.1016/j.egyr.2021.08.126>
13. Alguliyev, R. M., Imamverdiyev, Y., Mahmudov, R., & Alguliyev, R. M. (2021). Information security as a national security component. *Information Security Journal: A Global Perspective*, *30*(1), 1–18. <https://doi.org/10.1080/19393555.2020.1795323>
14. Belkin, L., Iurynets, J., Sopilko, I., & Belkin, M. (2022). Culture and the use of information understanding in the field of national security (a case study of Ukraine). *Journal of International Legal Communication*, *5*, 36–58. <https://doi.org/10.32612/uw.27201643.2022.5.pp.36-58>
15. Kubiv, S. I., Bobro, N. S., Lopushnyak, G. S., Lenher, Y. I., & Kozhyna, A. (2020). Innovative Potential in European Countries: Analytical and Legal Aspects. *International Journal of Economics and Business Administration*, *8*(2), 250–264. <https://doi.org/10.35808/ijeba/457>
16. Kliuchnyk, A., & Husenko, A. (2024). Legal regulation of corruption prevention in public authorities. *Law and Public Administration*, (1), 182–189. <https://doi.org/10.32782/pdu.2024.1.25>
17. Kozlovskyi, S., Kulinich, T., Varshavska, N., Khadzhynov, I., Kozlovskyi, S., & Mazur, H. (2023). Forecasting the competitiveness of the agrarian sector of Ukraine in the conditions of War and European integration. *Bulgarian Journal of Agricultural Science*, *29*(5), 774–783.
18. Yagunov, D., Kuryliuk, Y., Chernousov, A., & Haverkamp, R. (2023). Human trafficking in Ukraine and satellite crimes: Transformation of criminological indicators (January 2006 – April 2023). *European Political and Law Discourse*, *10*(2), 5–38. <https://doi.org/10.46340/eppd.2023.10.3.1>
19. Krap, A., Bataiev, S., Bobro, N., Kozub, V., & Hlevatska, N. (2024). Examination of digital advancements: Their influence on contemporary corporate management methods and approaches. *Multidisciplinary Reviews*, *7*, Article 2024spe026. <https://doi.org/10.31893/multirev.2024spe026>
20. Kormych, A., Zavalniuk, V., Todoshchak, O., & Ulianov, O. (2024). Ukraine’s Europeanization of Public Administration and Harmonizing Customs Legislation – Exploring a Pluralistic Approach. *Lex Portus*, *10*(4), 20–30. <https://doi.org/10.62821/lp10402>
21. Mia, M. M., Rizwan, S., Zayed, N. M., Nitsenko, V., Miroshnyk, O., Kryshtal, H., & Ostapenko, R. (2022). The Impact of Green Entrepreneurship on Social Change and Factors Influencing AMO Theory. *Systems*, *10*(5), Article 132. <https://doi.org/10.3390/systems10050132>
22. Bureau of Justice Assistance. (n.d.). *National Security Act* <https://bja.ojp.gov/program/it/privacy-civil-liberties/authorities/statutes/1280>
23. Oerlemans, J.-J., & Langenhuijzen, S. (2024). Balancing National Security and Privacy: Examining the Use of Commercially Available Information in OSINT Practices. *International Journal of Intelligence and CounterIntelligence*, 1–19. <https://doi.org/10.1080/08850607.2024.2387850>
24. Saumantri, T., Muslim, F. P., & Zulkifli. (2024). Interpretative Analysis of Religious Tolerance Practices in Urban Communities an Existentialist Philosophy’s Perspective. *Futurity Philosophy, 3*(4), 78–97. <https://doi.org/10.57125/FP.2024.12.30.06>
25. Yusifov, A. (2024). Practices in the Field of Disciplinary Liability of Convicts While Serving a Sentence of Imprisonment: Analysis of International Experience. *Futurity Economics & Law, 4*(3), 47–61. <https://doi.org/10.57125/FEL.2024.09.25.04>
26. National Protective Security Authority. (2024, December 3). *National Security Act 2023 and Prohibited Places.* <https://www.npsa.gov.uk/national-security-act-2023-and-prohibited-places>
27. Bulavko, G. V., Davidenko, N. A., Ishchenko, A. A., Studzinsky, S. L., & Shkavro, A. G. (2015). Peculiarities of the photovoltaic properties of films based on photoconducting polymer and organic dye in samples with free surfaces and between electric contacts. *Technical Physics Letters*, *41*(2), 191–194. <https://doi.org/10.1134/s1063785015020182>
28. Saleh, A. J., Alazzam, F. A. F., Khalaf, K., Aldrou, A. R., & Zavalna, Z. (2020). Legal aspects of the management of cryptocurrency assets in the national security system. *Journal of Security and Sustainability Issues*, *10*(1), 235–247. <https://doi.org/10.9770/jssi.2020.10.1(17)>
29. Pech, L., Wachowiec, P., & Mazur, D. (2021). Poland’s Rule of Law Breakdown: A Five-Year Assessment of EU’s (In)Action. *Hague Journal on the Rule of Law*, *13*(1), 1–43. <https://doi.org/10.1007/s40803-021-00151-9>
30. Zahariev, M. (2024). The applicability of the EU data protection rules in the area of national security in the republic of Bulgaria. *Environment. Technologies. Resources. Proceedings Of The International Scientific And Practical Conference*, *4*, 317–321. <https://doi.org/10.17770/etr2024vol4.8234>
31. Łubiński, P. (2021). Hybrid Warfare or Hybrid Threat – The Weaponization of Migration as an Example of the Use of Lawfare – Case Study of Poland. *Polish Political Science Yearbook*, *51*, 1–13. <https://doi.org/10.15804/ppsy202209>
32. Drinóczi, T., & Bień-Kacała, A. (2020). COVID-19 in Hungary and Poland: Extraordinary situation and illiberal constitutionalism. *The Theory and Practice of Legislation*, *8*(1-2), 171–192. <https://doi.org/10.1080/20508840.2020.1782109>
33. Safarli, C., Kolach, S., Zhyvko, M., Volskyi, O., & Bobro, N. (2024). Considering Globalisation Risks in the Formation and Implementation of International Investment Strategies. *Pakistan Journal of Life and Social Sciences (PJLSS)*, *22*(2). <https://doi.org/10.57239/pjlss-2024-22.2.00776>
34. Lekunze, M. (2023). Insurgency and national security: a perspective from Cameroon’s separatist conflict. *Third World Quarterly, 44*(6), 1155–1173. <https://doi.org/10.1080/01436597.2023.2177149>
35. Rottweiler, B., & Gill, P. (2020). Conspiracy Beliefs and Violent Extremist Intentions: The Contingent Effects of Self-efficacy, Self-control and Law-related Morality. *Terrorism and Political Violence*, *34*(7), 1485–1504. <https://doi.org/10.1080/09546553.2020.1803288>
36. Kostrubiec, J. (2021). The Role of Public Order Regulations as Acts of Local Law in the Performance of Tasks in the Field of Public Security by Local Self-government in Poland. *Lex Localis – Journal of Local Self-Government*, *19*(1), 111–129. <https://doi.org/10.4335/19.1.111-129(2021)>
37. Kuhlmann, S., Hellström, M., Ramberg, U., & Reiter, R. (2021). Tracing divergence in crisis governance: responses to the COVID-19 pandemic in France, Germany and Sweden compared. *International Review of Administrative Sciences*, *87*(3), 556–575. <https://doi.org/10.1177/0020852320979359>
38. Demianchuk, Y., & Semeniuk, O. (2023). Regulatory and legal aspects of corruption prevention in Ukraine in accordance with the requirements of the European Union. In *Adaptation of Ukrainian legislation to EU requirements* (pp. 85–108). International Science Group. <https://doi.org/10.46299/979-8-88992-698-6.4>
39. Kozak, N. D., Rudynskyi, O. V., Verba, A. V., Asaulenko, A. A., & Kozak, D. O. (2024). Potential and real dangers of the chemical warfare agents use during the full-scale invasion into Ukraine. *Wiadomości Lekarskie*, *77*(11), 2186–2192. <https://doi.org/10.36740/wlek/197094>
40. Shevchuk, O., Samoshchenko I., Davydenko S., Babaieva O., Verkhoglyad-Gerasymenko O., Marochkin O. (2024). European Arrest Warrant and Protection of Нuman Rights: Problem Questions of Application in Context Practice of the CJEU. *Pakistan Journal of Life and Social Sciences (PJLSS)*, *22*(2), 8895–8906. <https://doi.org/10.57239/pjlss-2024-22.2.00672>
41. Khylko, O., & Khylko, M. (2024). Explanatory potential of the postcolonial approach for understanding the russia–ukraine war. *Topos*, (2024-2), 18–41. <https://doi.org/10.61095/815-0047-2024-2-18-41>
42. Marchenko, V., & Protsevsky, V. (2020). Constitutional and legal regulation of the status of the head of government in the mixed-type republics. *Public Administration and Law Review*, (2), 28–35. <https://doi.org/10.36690/2674-5216-2020-2-28>
43. Biden, P. J. R. (2021). *Interim National Security Strategic Guidance: Renewing America's Advantages*. Cosimo, Inc. <https://apps.dtic.mil/sti/citations/AD1157244>
44. Rodrigues, R. (2020). Legal and human rights issues of AI: Gaps, challenges and vulnerabilities. *Journal of Responsible Technology*, *4*, Article 100005. <https://doi.org/10.1016/j.jrt.2020.100005>
45. Thomas-Evans, M. (2022). A Critical Analysis into the Beneficial and Malicious Utilisations of Artificial Intelligence. In R. Montasari (Ed.), *Artificial Intelligence and National Security* (pp. 81–99). Springer International Publishing. <https://doi.org/10.1007/978-3-031-06709-9_5>
46. Asaju, K., & Munya, P. (2024). Digital Democracy and Elections in Nigeria: An Assessment of the 2023 Governorship Election in Taraba State. *Futurity of Social Sciences, 2*(4), 4–23. <https://doi.org/10.57125/FS.2024.12.20.01>
47. Shevchuk, O., Protsiuk, I., Mokhonchuk, S., Papusha, I. (2019). Adaptation of Ukrainian legislation on drug trafficking control to the European Union legislation (separate aspects). *Juridical Tribune/Tribuna Juridică*, *9*, 117–126. <https://ideas.repec.org/a/asr/journl/v9y2019ispecialp117-126.html>
48. Shevchuk, O., Protsiuk, I,. Samoshchenko, V., Panova, A., & Shaposhnyk A. (2023). The Rights to access to Information and National Security in the Ukraine in the System of Human Rights. *Revista Jurídica Portucalense*, (34), 257–282. <https://doi.org/10.34625/issn.2183-2705(34)2023.ic-13>
49. Kravtsov, S., Orobets, K., Shyshpanova, N., Vovchenko, O., & Berezovska-Chmil, O. (2024). Progress and Challenges in Combating Corruption in Ukraine: Pathways Forward. *Journal of Strategic Security*, *17*(2), 28–43. <https://doi.org/10.5038/1944-0472.17.2.2223>