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PUBLIC GOVERNANCE IN THE FIELD OF DEFENSE AND NATIONAL SECURITY: ADMINISTRATIVE AND LEGAL CHARACTERISTICS

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The article provides a comprehensive analysis of the administrative and legal foundations of public governance in the field of defense and national security of Ukraine. It is established that national security and defense are key prerequisites for the formation of a democratic state governed by the rule of law, which is based on the principles of legality, respect for human rights and freedoms, as well as the mutual responsibility for the individual, society, and the state. Public governance in the sphere of defense and national security is defined as a systematic, legally regulated activity of state authorities and civil society institutions, encompassing state influence on social relations related to the protection of national interests, territorial integrity, and state sovereignty. The sphere of defense and national security is defined as a multifaceted system of social relations aimed at protecting statehood, the democratic constitutional order, and the vital interests of the individual, society, and the state from existing and potential threats. It encompasses political, military, economic, legal, informational, and other measures carried out by the state and society, ensures the mobilization of their potential for both armed and non-military resistance to aggression, and guarantees the sustainable development of Ukraine based on adherence to the principles and norms of international law. The article examines various approaches to defining the concept of “threat” and identifies the main threats to Ukraine’s national security in the context of full-scale war. The content and key features of public governance in the field of defense and security are outlined, with particular attention to its objects, subjects, and administrative-legal implementation mechanisms. The activities of state authorities, local self-government bodies, the Armed Forces of Ukraine, and other components of the security and defense sector are analyzed separately. The study emphasizes the special role of civic institutions in the exercise of governance and identifies the main forms of their participation. It is highlighted that establishing effective dialogue between civic institutions and state authorities enhances the awareness of governmental structures regarding current challenges in various spheres of public life.

Keywords: public governance, defense, national security, threat, civil society.

Formulation of the problem. The sphere of defense and national security is among the highest priorities within the public governance system, as it is directly linked to safeguarding the vital interests of the state and society. Public governance in the field of defense and national security is a key factor in mobilizing state and

societal potential and in coordinating the activities of public authorities, local self-government, and civil society institutions to achieve the strategic goal of preserving Ukrainian statehood and ensuring its sustainable development. At the same time, transformational processes associated with wartime challenges and with the course toward European and Euro-Atlantic integration necessitate an examination of the administrative and legal characteristics of public governance in this sphere as a basis for enhancing its effectiveness.

Analysis of the study of the problem. Issues of public governance in the administrative-political sphere, and specifically in the field of defense and national security, have been explored by a number of Ukrainian scholars, including V. Averyanov, Yu. Bytiak, V. Kuibida, V. Lipkan, B. Melnychenko, A. Manzhula, R. Melnyk, and others.

The purpose of the article – to provide an administrative and legal characterization of public governance in the field of defense and national security.

Presenting main material. Under the current conditions of the full-scale military aggression of the Russian Federation against Ukraine - when the statehood, territorial integrity, and sovereignty of our country face an unprecedented threat - the organization and effectiveness of public governance in the field of defense and national security acquire crucial significance. As Andrii Manzhula notes, national security is a key condition for the formation of a democratic rule-of-law state based on the principles of legality, respect for human rights and freedoms, and the mutual responsibility of the individual, society, and the state. Its assurance is possible only with the effective functioning of the national security system, in which administrative and legal mechanisms occupy a central place [1].

Concurrently with ongoing hostilities, Ukraine is undergoing a large-scale transformation of its political, socio-economic, and legal systems aimed at adapting public governance to the conditions of martial law and at further integration into the European and Euro-Atlantic space.

What is meant by the concept of “public governance in the field of defense and national security”? According to the Terminological Dictionary of Public Governance, it is a category of strategic public governance oriented toward the future; a conceptual design for improving the management system [2].

I. Shopina considers public governance in the field of security and defense as a set of administrative and legal instruments that ensure the transformation of social relations in order to enhance the protection of citizens rights and freedoms, strengthen the states defense potential, and minimize the impact of threats to national security [3].

According to P. P. Bohutskyi, public governance in the field of defense encompasses the activities of all state institutions aimed at the development and implementation of economic, political, social, informational, scientific, scientific-technical, legal, and military measures that ensure the states preparedness for defense and its protection against armed aggression or military conflict [4].

K. Bondarenko observes that public governance in the field of defense and national security constitutes a multidimensional system encompassing social relations and legal regimes that arise in the process of ensuring the existence and proper functioning of the state, which are subject to organizational influence from society and the state through specially authorized actors [5].

Adapting our authorial definition of public governance in the administrative-political sphere to the sphere of security and national defense, we may conclude that it is a systemic, legally regulated activity of state authorities and civil society institutions that encompasses the states influence on social relations connected with the protection of national interests, territorial integrity, and state sovereignty.

Further analysis of this issue is advisable through the prism of the system of public governance in the field of security and national defense. V. Yatsuk defines such a system as a complex of state authorities and local self-government bodies that exert organizational influence on social relations by performing managerial functions within their competence pursuant to law, as well as the interaction among these bodies [2].

To begin with, it is necessary to identify the objects of this system - namely, the social relations that arise in the field of defense and national security. According to the Law of Ukraine “On Defense of Ukraine” of 6

December 1991, No.1932-XII, the defense of the state is regarded as a set of political, economic, social, military, scientific, scientific-technical, informational, legal, organizational, and other measures aimed at preparing for and ensuring the armed defense of Ukraine in the event of armed aggression or armed conflict [6].

S. Nechukhaiev defines the comprehensive defense of Ukraine as a set of measures directed at preventive actions and resilient resistance to an aggressor on land, at sea, in the air, and in cyberspace, as well as at asserting Ukraines position in the information environment. It presupposes the mobilization of the entire potential of the state and society (military, political, economic, international-legal, spiritual, cultural, etc.) and the use of all forms and methods of armed struggle – including asymmetric ones – while observing the principles and norms of international law [7].

The Law of Ukraine “On National Security of Ukraine” of 21 June 2018, No. 2469-VIII defines national security as the state of protection of the sovereignty, territorial integrity, democratic constitutional order, and other national interests of Ukraine from real and potential threats [8].

B. Melnychenko and N. Fihel define national security as a complex, multi-level, and multi-component phenomenon that reflects the degree of protection of the vital interests of the individual, society, and the state from actual and potential threats. It is inextricably linked to all spheres of the life of the person, society, and the state, and serves as a necessary condition for their existence and development [9].

According to G. Brown, former U.S. Secretary of Defense, national security refers to the states ability to preserve its territorial integrity, maintain economic relations with other countries, protect its institutions and system of governance from external adverse influence, as well as ensure control over its own borders [10]. V. Selivanov considered that national security primarily reflects an assessment of the qualitative state of social relations. In his view, it is “such a state of social relations which, in terms of its qualitative and quantitative parameters, is characterized by the ability to withstand possible internal and external threats and their sources that pose a danger to vital national interests” [11].

Accordingly, the sphere of defense and national security may be defined as a complex system of social relations aimed at protecting sovereignty, territorial integrity, the democratic constitutional order, and the vital interests of the individual, society, and the state from real and potential threats. It encompasses political, military, economic, legal, informational, and other measures undertaken by the state and society, ensures the mobilization of their potential for armed and non-military resistance to aggression, and guarantees the sustainable development of Ukraine on the basis of adherence to the principles and norms of international law. This definition requires a more detailed analysis of the term “threat”. Threats to national security are understood as potential and actually existing dangerous phenomena and actions – of both natural and social origin – that may endanger national values or hinder the realization of the states vital interests [12].

V. Lipkan defines threats as a multitude of internal and external, objective and subjective contradictions of social development in the state and on the international stage across various spheres of human activity, which complicate the activities of national security actors – regulated by administrative law – aimed at creating favorable conditions for preserving and strengthening Ukrainian civilization [13].

O. Sosnin argues that a threat constitutes a specified form of danger that arises from the transition of a potential possibility into reality and reflects the intention or readiness of certain actors to inflict harm on others [14].

According to the National Security Strategy of Ukraine, approved by Presidential Decree of 14 September 2020, No. 392/2020, the principal threats to national security are: armed aggression and conflicts, including the temporary occupation of part of the states territory; hybrid influences, including information operations, cyber-attacks, and economic pressure; cyber threats capable of disrupting the functioning of critical infrastructure and state systems; information threats in the form of disinformation and propaganda aimed at undermining trust in state institutions; economic pressure through restricted market access and sanctions; environmental and natural factors that may lead to disasters and losses; terrorist acts capable of destabilizing the situation in the state; as well as international threats related to violations of international law and shifts in the global balance of power. All these factors are identified as real and potential drivers that complicate or may preclude the realization of national interests and the preservation of Ukraines national values [15].

Given the specificity of social relations in the field of defense and national security, public governance here is realized primarily through the activities of state authorities. This is logical, since these bodies possess the necessary powers and resources to ensure security and territorial integrity [16].

The defense of Ukraine must rest on the capacity and readiness of state authorities, all components of the security and defense sector, local self-government bodies, and the unified state civil protection system to promptly transition from peacetime to a state of war when necessary, to organize the repulsion of armed aggression, to eliminate the consequences of armed conflict, and to ensure appropriate defense preparedness of the population and the territory of the state [6].

The security and defense sector of Ukraine includes the Ministry of Defense of Ukraine and the Armed Forces of Ukraine, as well as the State Special Transport Service; the Ministry of Internal Affairs of Ukraine together with the National Police and the National Guard; the State Border Guard Service; the State Migration Service; the State Emergency Service of Ukraine; the Security Service of Ukraine; intelligence agencies; the State Guard Directorate of Ukraine; the State Service for Special Communications and Information Protection of Ukraine; the Secretariat of the National Security and Defense Council of Ukraine; and the central executive body responsible for shaping and implementing state military-industrial policy [8].

As the highest body in the system of executive power, the Cabinet of Ministers of Ukraine in the sphere of defense and national security develops state programs, undertakes measures to protect the state border, and ensures the combat readiness of the Armed Forces of Ukraine. In addition, it performs functions in the field of state governance and service. In the administrative-political sphere, the government takes measures to protect the rights and freedoms of citizens, to combat crime and corruption, to ensure public order, and it coordinates official international visits and other diplomatic activities [17].

Next in the executive hierarchy are the central executive bodies, such as ministries and other central executive authorities. Under the Law of Ukraine "On Central Executive Bodies," a ministry is a central executive body that ensures the formulation and implementation of state policy in one or more spheres defined by the Cabinet of Ministers of Ukraine, the conduct of which is entrusted to the Cabinet by the Constitution and laws of Ukraine. Pursuant to Article 10 of the Law of Ukraine "On Defense of Ukraine" of 06.12.1991, No.1932-XII, the Ministry of Defense of Ukraine performs a number of key tasks. It implements state policy in the sphere of defense and national security; participates in the formation and preparation of draft legal acts; coordinates the activities of state bodies and local self-government regarding the states preparation for defense; carries out intelligence and information-analytical activities in the interests of national security; and is responsible for the combat readiness, staffing, and mobilization preparedness of the Armed Forces of Ukraine. The Ministry also participates in shaping the defense budget and oversees its execution, thereby ensuring the effective organization and functioning of the states defense system [6].

One of the main actors in the field of defense and national security is the Armed Forces of Ukraine. Under the legislation, the Armed Forces constitute a military formation which, pursuant to the Constitution of Ukraine, is charged with ensuring the defense of the state and protecting its sovereignty, territorial integrity, and inviolability. It performs the functions of deterring and repelling armed aggression against Ukraine, protecting the airspace and the underwater space within the limits of the territorial sea, and participating in counterterrorism measures in cases defined by law [18].

According to Yu. Bytiak, the Armed Forces of Ukraine is a state military structure created to carry out the armed defense of the sovereignty, independence, territorial integrity, and inviolability of Ukraine against external military aggression [19].

Pursuant to the Law of Ukraine "On the Armed Forces of Ukraine" of 06.12.1991, No. 1934-XII, the main tasks of the Armed Forces of Ukraine are: ensuring the deterrence and repulsion of armed aggression against the state; guarding the airspace and the underwater space; participating in counterterrorism; ensuring the legal regimes of martial law and a state of emergency; reinforcing the protection of the state border and safeguarding sovereign rights in the exclusive economic zone and on the continental shelf; ensuring the safety of national maritime navigation; and participating in international peace and security operations. The activities of the Armed Forces are based on the principles of loyalty to the Constitution of Ukraine and the military oath; the rule of law, legality, and humaneness; respect for human rights and freedoms; publicity and openness to democratic civilian control; the combination of unity of command with collegial decision-making; staffing through conscription and through voluntary contract service; constant combat and mobilization readiness; and the protection of state secrets. These tasks and principles form the legal and organizational foundation for the functioning of the Armed Forces of Ukraine and ensure their effective activity in the sphere of national security and state defense [18].

Public governance in the sphere of defense and national security also includes local self-government bodies. H. Honcharenko notes that the powers of local self-government in managing the security sector are divided into two groups: own and delegated. Delegated powers are transferred by executive authorities to the local level pursuant to legal requirements. Their purpose is to maintain legality and public order and to protect the rights, freedoms, and lawful interests of citizens in the sphere of security. Meanwhile, own powers are defined by the relevant legal norms, which grant local self-government bodies the capacity to carry out specific actions in this domain [20].

Thus, local self-government bodies organize the conscription of citizens for military service, maintain military registration, inform the population about mobilization measures, participate in territorial defense, and provide support to military units. They also coordinate actions during mobilization, plan demobilization measures, and interact with the border guard service. In the sphere of civil protection, they exercise both own and delegated powers: develop local protection programs, establish civil protection formations, ensure evacuation measures, inform the population, train personnel, and create material reserves; among delegated functions are ensuring fire and technological safety, organizing drills, and participating in the formation of the unified state civil protection system. In the sphere of ensuring legality and public order, local self-government bodies assist law-enforcement agencies, may initiate the creation of municipal police, may apply to court to protect the rights of the community, regulate mass events, participate in the consideration of administrative offenses, ensure safety during emergencies, and protect critical infrastructure. In this way, local self-government bodies play an important coordinating and organizational role in implementing state policy in the field of defense, territorial defense, and civil protection at the local level [21].

It is also important to note the participation of civil society institutions and individual citizens in public governance. Ye. Pavlichenko, O. Biloshenko, and Yu. Chabanenko observe that establishing a constructive dialogue between civil society institutions and public authorities helps increase the awareness of state structures regarding current challenges in various spheres of public life and simultaneously forms partnerships that enable public governance bodies to better understand the needs and problems of civil society [22].

Accordingly, the National Strategy for the Promotion of Civil Society Development in Ukraine for 2021–2026 establishes that state activity in this sphere is based on respect for the autonomy of civil society. Public authorities and local self-government bodies, without interfering in the establishment and activities of its institutions, must ensure favorable conditions for the development of civic initiatives, employ transparent mechanisms for supporting public organizations, and implement instruments of public participation in the process of adopting and implementing public decisions [23].

The Law of Ukraine “On Public Associations” of 22 March 2012, No.4572-VI outlines a list of rights that ensure the genuine participation of public associations in public governance processes. The legislature grants public associations the possibility to pursue their goals through a set of instruments for influencing public policy and administrative decisions. In particular, associations have the right to address public authorities, local self-government bodies, and their officials with proposals, complaints, and applications, which formalizes the communication of civil society with public authorities and gives it an institutionally recognized character. The right of access to public information, enshrined in this law, is likewise a key element of public participation in governance, as it ensures the openness and transparency of governmental actions. Public associations may also participate in the drafting of legal acts related to their field of activity and to matters of general public significance. This norm expresses the principle of public involvement in policy-making and aligns with democratic standards of governance [24].

Under the Law of Ukraine “On the Participation of Citizens in the Protection of Public Order and the State Border,” citizens of Ukraine have the right to establish public associations to participate in the protection of public order and the state border, and to assist local self-government bodies, law-enforcement agencies, the State Border Guard Service of Ukraine, and other executive authorities and officials in preventing and stopping administrative and criminal offenses; protecting the life and health of citizens and the interests of society and the state against unlawful encroachments; as well as rescuing people and property during natural disasters and other emergencies [25].

Conclusions. Public governance in the field of defense and national security is a legally regulated, systemic activity of state authorities and civil society institutions aimed at influencing social relations in order to protect national interests, sovereignty, and the territorial integrity of the state. It is a key factor in preserving the statehood of Ukraine under present-day challenges and threats and encompasses the activities of public authorities, local self-government, civil society institutions, and individual citizens directed toward ensuring defense capability, protecting national interests, and bolstering societal resilience. The public governance system in this sphere is multi-level and complex; it combines political, legal, military, informational, and social mechanisms, ensuring the mobilization of all resources of the state and society. Its effectiveness determines not only Ukraine's ability to counter armed aggression but also the prospects for democratic development and integration into the European and Euro-Atlantic space.

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REFERENCES

1. Manzhula, A. (2024). *Administrativno-pravovi zasady zabezpechennia natsionalnoi bezpeky orhanamy publichnoi vlady*. [Administrative and legal principles of ensuring national security by public authorities]. *Naukovi zapysky. Serii: Pravo*. Vyp. 16. pp. 88–91. [In Ukrainian].
2. Korolchuk, O. L. (2018). *Publichne upravlinnia: Terminologichnyi slovnyk*. [Public governance: Terminological dictionary]. Uklad.: O. L. Korolchuk, V. S. Kuibida, M. M. Bilynska, O. M. Petroe ta in.; za zah. red. V. S. Kuibidy, M. M. Bilynskoï, O. M. Petroe. Kyiv: NADU. [In Ukrainian].
3. Shopina, I. M. (2021). *Poniattia ta tsili publichnoho administruvannia v sektori bezpeky i oborony*. [The Concept and Objectives of Public Governance in the Security and Defense Sector]. *Analitychno-porivnialne pravoznavstvo*. No. 3. pp. 133–136. [In Ukrainian].
4. Bohutskyi, P. P. (2024). *Publichne administruvannia u sferi oborony Ukrainy*. [Public Governance in the Sphere of Ukraine's Defense]. *Pravo Ukrainy*. No 8. pp. 71–82. [In Ukrainian].
5. Bondarenko, K. V. (2020). *Pravovi osnovy publichnoho administruvannia natsionalno-bezpekovoïu sferoïu v Ukraini*: dys. ... dokt. yuryd. nauk. [Legal foundations of public governance in the sphere of national security in Ukraine]. Kyiv. [In Ukrainian].
6. *Pro oboronu Ukrainy* : Zakon Ukrainy vid 06 hrudnia 1991 r. №1932-XII. [On Defense of Ukraine: Law of Ukraine]. *Vidomosti Verkhovnoi Rady Ukrainy*. 1992. No 9. St. 106. [In Ukrainian].
7. Nechkhaiev, S. M. (2022). *Oborona Ukrainy*. [Defense of Ukraine]. *Entsyklopediia Suchasnoi Ukrainy*. Redkol.: I. M. Dziuba, A. I. Zhukovskiy, M. H. Zhelezniak. NAN Ukrainy, NTSh. Kyiv: Instytut entsyklopedychnykh doslidzhen NAN Ukrainy. [In Ukrainian].
8. *Pro natsionalnu bezpeku Ukrainy* : Zakon Ukrainy vid 21 chervnia 2018 r. No 2469-VIII. [On the National Security of Ukraine: Law of Ukraine]. *Vidomosti Verkhovnoi Rady Ukrainy*. 2018. No 31. St. 241. [In Ukrainian].
9. Melnychenko, B., Fihel, N. (2021). *Osnovni pidkhody do rozuminnia poniattia «natsionalna bezpeka»*. [Basic approaches to understanding the concept of “national security”]. *Visnyk Natsionalnoho universytetu «Lvivska politehnika»*. Serii «Yurydychni nauky». No 2 (30). pp. 68–72. [In Ukrainian].
10. Brown, H. (1983). *Thinking About National Security. Defense and Foreign Policy in a Dangerous World*. Colorado, 1983. [In English].
11. Selivanov, V. (1992). *Natsionalna bezpeka Ukrainy ta yï zabezpechennia (kontseptualnyi pidkhid)*. [National security of Ukraine and its provision (conceptual approach)]. *Pravo Ukrainy*. No 7. [In Ukrainian].

12. Vlasiuk, O. S. (2016). *Natsionalna bezpeka Ukrainy: evoliutsiia problem vnutrishnoi polityky*: vybr. nauk. pr. [National security of Ukraine: Evolution of domestic policy issues: Selected scientific works]. Kyiv: NISD. [In Ukrainian].
13. Lipkan, V. A. (2008). *Administratyvno-pravovi osnovy zabezpechennia natsionalnoi bezpeky Ukrainy*: dys. ... dokt. yuryd. nauk. [Administrative and legal foundations of ensuring the national security of Ukraine]. Kyiv, [In Ukrainian].
14. 14. Sosnin, O. Rozuminnia sutnosti natsionalnoi bezpeky: svitohliadno-poniattiini i naukovo-teoretychni zasady. [Understanding the Essence of National Security: Worldview-Conceptual and Scientific-Theoretical Foundations]. Retrieved from: <https://lexinform.com.ua/dumka-eksperta/rozuminnya-sutnosti-natsionalnoyi-bezpeky-svitoglyadno-ponyatiini-j-naukovo-teoretychni-zasady-chastyna-2>. (Accessed 13.08.2025) [In Ukrainian].
15. 15. Pro rishennia Rady natsionalnoi bezpeky i oborony Ukrainy vid 14 veresnia 2020 roku "Pro Stratehiiu natsionalnoi bezpeky Ukrainy" : Ukaz Prezydenta Ukrainy vid 14 veresnia 2020 roku №392/2020. [On the decision of the National Security and Defense Council of Ukraine "On the National Security Strategy of Ukraine"] Retrieved from: <https://zakon.rada.gov.ua/laws/show/392/2020#Text> (Accessed 13.08.2025) [In Ukrainian].
16. Melnychenko, B. B. (2019). Zmist ta osoblyvosti publichnoho upravlinnia v administratyvno-politychnii sferi v Ukraini v umovakh yevropeiskoi ta yevroatlantychnoi intehtatsii. [The content and features of public governance in the administrative-political sphere in Ukraine under conditions of European and Euro-Atlantic integration]. Aktualni problemy vitchyzniano yurysprudentsii. No 1. pp. 134–137. [In Ukrainian].
17. Pro Kabinet Ministriv Ukrainy: Zakon Ukrainy vid 27 liutoho 2014 r. No 794-VII. [On the Cabinet of Ministers of Ukraine: Law of Ukraine]. Vidomosti Verkhovnoi Rady Ukrainy. 2014. No 13. St. 222. [In Ukrainian].
18. Pro Zbroini Syly Ukrainy: Zakon Ukrainy vid 06 hrudnia 1991 r. No 1934-XII. [On the Armed Forces of Ukraine: Law of Ukraine]. Vidomosti Verkhovnoi Rady Ukrainy 1992. No 9. St. 108. [In Ukrainian].
19. Administratyvne pravo Ukrainy : pidruchnyk. [Administrative law of Ukraine]. Yu. P. Bytiak, V. M. Harashchuk, O. V. D'iachenko ta in. Za red. Yu. P. Bytiaka. Kyiv: Yurinkom Inter, 2007. 544 p. [In Ukrainian].
20. Honcharenko, H. (2020). Povnovazhennia orhaniv mistsevoho samovriaduvannia yak subiektiv upravlinnia sektoru bezpeky Ukrainy. [Powers of local self-government bodies as subjects of governance in the security sector of Ukraine]. Pidpriemnytstvo, hospodarstvo i pravo. No 5. pp. 127–131. [In Ukrainian].
21. Pro mistseve samovriaduvannia v Ukraini: Zakon Ukrainy vid 21 travnia 1997 r. №280/97-VR. [On local self-government in Ukraine: Law of Ukraine]. Vidomosti Verkhovnoi Rady Ukrainy. 1997. No 24. St. 170. [In Ukrainian].
22. Pavlichenko, Ye. V., Biloshenko, O. Yu., Chabanenko, Yu. S. (2021). Zakonodavchi zasady mekhanizmu uchasti hromadskosti u zdiisnenni derzhavnoho upravlinnia v Ukraini. [Legislative principles of the mechanism of public participation in state governance in Ukraine]. Naukovyi visnyk Uzhhorodskoho natsionalnoho universytetu. Serii: Pravo.. No 64. pp. 250–254. [In Ukrainian].
23. Pro Natsionalnu stratehiiu spryannia rozvytku hromadianskoho suspilstva v Ukraini na 2021–2026 roky : Ukaz Prezydenta Ukrainy vid 27 veresnia 2021 r. No 487/2021. [On the National Strategy for Promoting the Development of Civil Society in Ukraine for 2021–2026]. Retrieved from: <https://zakon.rada.gov.ua/laws/show/487/2021#Text> (Accessed 13.08.2025) [In Ukrainian].
24. Pro hromadski obiednannia : Zakon Ukrainy vid 22 bereznia 2012 roku No 4572-VI. [On civic associations: Law of Ukraine]. Vidomosti Verkhovnoi Rady Ukrainy. 2013. No 1. St. 1. [In Ukrainian].
25. Pro uchast hromadian v okhoroni hromadskoho poriadku i derzhavnoho kordonu : Zakon Ukrainy vid 22 chervnia 2000 r. №1835-III. [On the participation of citizens in the protection of public order and the state border: Law of Ukraine]. Vidomosti Verkhovnoi Rady Ukrainy. 2000. No 40. St. 338. [In Ukrainian].

СПИСОК ВИКОРИСТАНИХ ДЖЕРЕЛ

1. Манжула А. Адміністративно-правові засади забезпечення національної безпеки органами публічної влади. *Наукові записки. Серія : Право*. 2024. Вип. 16. С. 88–91.
2. Корольчук О. Л. Публічне управління : термінологічний словник / уклад. О. Л. Корольчук, В. С. Куйбіда, М. М. Білинська, О. М. Петроє та ін. ; за заг. ред. В. С. Куйбіди, М. М. Білинської, О. М. Петроє. Київ : НАДУ, 2018. 224 с.
3. Шопіна І. М. Поняття та цілі публічного адміністрування в секторі безпеки і оборони. *Аналітично-порівняльне правознавство*. 2021. № 3. С. 133–136.
4. Богуцький П. П. Публічне адміністрування у сфері оборони України. *Право України*. 2024. № 8. С. 71–82.

5. Бондаренко К. В. Правові основи публічного адміністрування національно-безпековою сферою в Україні : дис. ... докт. юрид. наук : 12.00.07. Київ, 2020. 512 с.
6. Про оборону України : Закон України від 06 грудня 1991 р. № 1932-XII. *Відомості Верховної Ради України*. 1992. № 9. Ст. 106.
7. Нечхаєв С. М. Оборона України. Енциклопедія Сучасної України. Редкол.: І. М. Дзюба, А. І. Жуковський, М. Г. Железняк. НАН України, НТШ. Київ : Інститут енциклопедичних досліджень НАН України, 2022. 944 с.
8. Про національну безпеку України : Закон України від 21 червня 2018 р. №2469-VIII. *Відомості Верховної Ради України*. 2018. № 31. Ст. 241.
9. Мельниченко Б., Фігель Н. Основні підходи до розуміння поняття «національна безпека». *Вісник Національного університету «Львівська політехніка». Серія «Юридичні науки»*. 2021. № 2 (30). С. 68–72.
10. Brown H. Thinking About National Security. Defense and Foreign Policy in a Dangerous World. Colorado, 1983. 184 p.
11. Селіванов В. Національна безпека України та її забезпечення (концептуальний підхід). *Право України*. 1992. № 7. С. 7–11.
12. Власюк О. С. Національна безпека України: еволюція проблем внутрішньої політики : вибр. наук. пр. Київ : НІСД, 2016. 528 с.
13. Ліпкан В. А. Адміністративно-правові основи забезпечення національної безпеки України : дис....докт. юрид. наук : 12.00.07. Київ, 2008. 643 с.
14. Соснін О. Розуміння сутності національної безпеки: світоглядно-понятійні й науково-теоретичні засади. URL: <https://lexinform.com.ua/dumka-eksperta/rozuminnya-sutnosti-natsionalnoyi-bezpeky-svitoglyadno-ponyatijni-j-naukovo-teoretychni-zasady-chastyna-2> (Дата звернення: 13.08.2025).
15. Про рішення Ради національної безпеки і оборони України від 14 вересня 2020 року «Про Стратегію національної безпеки України»: Указ Президента України від 14 вересня 2020 року №392/2020. URL: <https://zakon.rada.gov.ua/laws/show/392/2020#Text> (Дата звернення: 13.08.2025).
16. Мельниченко Б. Б. Зміст та особливості публічного управління в адміністративно-політичній сфері в Україні в умовах європейської та євроатлантичної інтеграції. *Актуальні проблеми вітчизняної юриспруденції*. 2019. № 1. С. 134–137.
17. Про Кабінет Міністрів України : Закон України від 27 лютого 2014 р. № 794-VII. *Відомості Верховної Ради України*. 2014. № 13. Ст. 222.
18. Про Збройні Сили України : Закон України від 06 грудня 1991 р. №1934-XII. *Відомості Верховної Ради України*. 1992. № 9. Ст. 108.
19. Адміністративне право України : підручник / Ю. П. Битяк, В. М. Гаращук, О. В. Дьяченко та ін. ; за ред. Ю. П. Битяка. Київ : Юрінком Інтер, 2007. 544 с.
20. Гончаренко Г. Повноваження органів місцевого самоврядування як суб'єктів управління сектору безпеки України. *Підприємництво, господарство і право*. 2020. № 5. С. 127–131.
21. Про місцеве самоврядування в Україні : Закон України від 21 травня 1997 р. №280/97-ВР. *Відомості Верховної Ради України*. 1997. № 24. Ст. 170.
22. Павліченко Є. В., Білошенко О. Ю., Чабаненко Ю. С. Законодавчі засади механізму участі громадян у здійсненні державного управління в Україні. *Науковий вісник Ужгородського національного університету. Серія: Право*. 2021. Вип. 64. С. 250–254.
23. Про Національну стратегію сприяння розвитку громадянського суспільства в Україні на 2021-2026 роки : Указ Президента України від 27 вересня 2021 р. № 487/2021. URL: <https://zakon.rada.gov.ua/laws/show/487/2021#Text> (Дата звернення: 13.08.2025).
24. Про громадські об'єднання : Закон України від 22 березня 2012 року № 4572-VI. *Відомості Верховної Ради України*. 2013. № 1. Ст. 1.
25. Про участь громадян в охороні громадського порядку і державного кордону : Закон України від 22 червня 2000 р. № 1835-III. *Відомості Верховної Ради України*. 2000. № 40. Ст. 338.

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АДМІНІСТРАТИВНО-ПРАВОВА ХАРАКТЕРИСТИКА ПУБЛІЧНОГО УПРАВЛІННЯ У СФЕРІ ОБОРОНИ ТА НАЦІОНАЛЬНОЇ БЕЗПЕКИ

У статті здійснено комплексний аналіз адміністративно-правових засад публічного управління у сфері оборони та національної безпеки України. З'ясовано, що національна безпека та оборона виступають ключовими передумовами формування демократичної правової держави, яка базується на принципах законності, дотримання прав і свобод людини, а також взаємної відповідальності особи, суспільства та держави. Констатовано, що публічне управління в сфері оборони та національної безпеки – це системна, регламентована законом діяльність органів державної влади та інституцій громадянського суспільства, яка охоплює вплив держави на суспільні відносини, пов'язані із захистом національних інтересів, територіальної цілісності та державного суверенітету. Сферу оборони та національної безпеки визначено як багатокomпонентну систему суспільних відносин, що спрямована на захист державності, демократичного конституційного ладу та ключових інтересів особи, суспільства й держави від наявних і можливих загроз. Вона включає політичні, воєнні, економічні, правові, інформаційні та інші заходи, здійснювані державою і суспільством, забезпечує мобілізацію їхнього потенціалу для збройного й мирного протистояння агресії та гарантує сталий розвиток України на основі дотримання принципів і норм міжнародного права. Проаналізовано підходи до визначення поняття загрози, визначені основні загрози національній безпеці України в умовах повномасштабної війни. Визначено зміст та основні риси публічного управління у сфері оборони і безпеки, охарактеризовано його об'єкти, суб'єкти та адміністративно-правові механізми реалізації. Окремо розглянуто діяльність органів державної влади, місцевого самоврядування, Збройних Сил України та інших складових сектору безпеки й оборони.

Підкреслено особливе значення участі інститутів громадянського суспільства у здійсненні управлінської діяльності та визначено основні форми такої участі.

Акцентовано, що встановлення ефективного діалогу між громадськими інституціями та органами державної влади підвищує поінформованість державних структур про актуальні виклики в різних сферах суспільного життя.

Ключові слова: публічне управління, оборона, національна безпека, загроза, громадянське суспільство.