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INTERNATIONAL EXPERIENCE IN ENSURING NATIONAL SECURITY

Abstract. *Purpose.* The purpose of the article is to study the current trends in ensuring national security of European countries and the USA. To make proposals for improving the system of ensuring the national security of the Ukrainian State. ***Results.*** The article analyses the experience in ensuring national security in Europe and the USA. The essence and system of national security of European countries and the USA are considered. International standards of legal framework for national security are established. The legal status of actors in the field of national security of European countries and the United States is characterised. The role and place of actors in the field of national security of European countries and the United States are determined. The international experience in improving the system of national security is analysed for its further use in the Ukrainian realities of today. It is advisable to consider the experience of building national security systems in Europe and the USA and to amend the current legislation in this field. ***Conclusions.*** It is concluded that the system of ensuring national security of Ukraine needs to be improved by amending the Law of Ukraine "On National Security" and establishing the term "national idea", thereby enabling proper and effective national security. Therefore, nowadays, the United States dominates the world in terms of the effectiveness of coordination of various state and non-state agencies in the field of national security. The US National Security Strategy provides for separate chapters on different regions of the world to ensure its national interests in Europe and Eurasia. The US National Security Strategy for Ukraine is an example for further development and improvement of the national security system. In the European Union, the security model of these states is increasing. The policy of European countries is based on the model of collegiality, considering the institutional features of their European security programmes.

Key words: European security, national security, state security, national interests, ensuring national security, actors of ensuring national security, civil society.

1. Introduction

Nowadays, the problematic issues of forming an effective national security of the Ukrainian State are very acute and are gaining relevance. This is primarily due to the aggravation of both external and internal threats, such as Russia's aggression. Relevant legal acts should incorporate the experience of building national security systems of European countries and the United States. In order to create an effective and efficient national security of the Ukrainian state, it is necessary to intensify the issue of systematisation of international experience. After all, Ukraine is to become a member of the European Union, so it is advisable to analyse the experience of European countries and the United States in making public policy on national security.

The issue of studying foreign experience in ensuring national security is also covered in the scientific works by domestic scholars: V.B. Averianov, S.M. Alforov, Yu.P. Bytiak, D.D. Burkaltseva, Z.S. Varnaliia, S.B. Havrysh, V.P. Horbulin, N.P. Matiukhina, A. H. Moseiko, O. M. Pidkhomnyi, Yu.I. Rymarenko, L.A. Savchenko, V.Ya. Tatsii, V.P. Tykhyi, V.I. Shakun, M. V. Chumak and others. This issue remains not fully covered, which makes this study relevant.

The purpose of the article is to study the current trends in ensuring national security of European countries and the USA. To make proposals for improving the system of ensuring the national security of the Ukrainian State.

2. National security in the USA

The main goal of the modern world is to ensure national security and preserve national values, the constitutional order, territorial integrity and sovereignty of the state. For the proper functioning of the modern world, national security is ensured through a system of legal relations, namely between a citizen and the state, between society and the state and between different states.

Therefore, national security is a state of internal and interstate relations that determines the effectiveness of the system of public, legal and social guarantees of human and civil rights and freedoms, basic values and interests of society and the sovereign state against internal and external threats (Hetmanchuk, Hryshchuk, Turchyn, 2010, p. 301).

The term "national security" was first used in the United States, with the concept of "national security" being enshrined in law in 1947 with the adoption of the US National Security Act (Pavliutin, 2020, p. 85).

The term national security in the modern world is derived from international security. The main task of the international community is to create an environment that prevents the violation of universal peace or the emergence of any form of threat to the security of peoples. The national security of any state, due to its multicomponent nature, requires a special system of its provision, the main purpose of which is to perform certain actions aimed primarily at protecting national values and realising national interests (Hadzhyev, 2016, p. 223). The international community considers national security as a system of state and non-state institutions and other entities that are called upon to solve problems in the implementation of measures to ensure national security in the manner prescribed by law (Reznikova, Tsiukalo, Palyvoda, 2015, p. 6).

The main world leader in the field of national security is the United States. Here is a closer look at the US experience in creating national security systems. The US national security system began to be created in 1947 on the basis of the National Security Act.

The US National Security Act is based on the principles of implementing tools to protect US interests in the world. The national security system solved offensive rather than defensive tasks (Kyrychenko, 2011, p. 318). The US national security system includes: The President of the United States, Advisers to the President of the United States, the Executive Branch, Ministries and Departments, and the Congress.

The US National Security Act defines the main tasks of the Department of Defence ('the Department of Defence'), and the Joint Chiefs of Staff of all the armed forces of the country in the structure of the armed forces.

The President of the United States makes all decisions in the field of national security, whose powers are defined in the US Constitution. The Assistant to the President for National Security Affairs has a special status in the implementation of national security policy, acting as a coordinator and main adviser to the President. The Executive Office of the President of the United States consists of 14-16 structures, including certain bureaus and councils, including the National Security Council and the Central Intelligence Agency to assist the President in implementing national security policy (Dudko, 2006, p. 325).

In the US national security system, the National Security Council (NSC), which is a subdivision of the Executive Office (Administration) of the President of the United States, plays a key role. It operates under the coordination of the President of the United States and the leadership of the National Security Advisor (Secretary of the NSC) and acts as a coordinating and controlling body, which includes representatives of all responsible agencies and institutions. The NSC offers the president options for decisions that later form the basis of national security policy (Mosey ko, Nehodchenko, 2019).

The functions of the National Security Council are to advise the president on domestic, international and military policies relating to national security and to promote effective co-operation between the military services and departments of the government on national security issues. The US National Security Act specifies the structure of the National Security Council, the functions and responsibilities of each of the departments, and provides quite specific definitions (Bidenko, 2006).

The main priorities for strengthening the US national security include:

1. Take measures to preserve the territorial integrity, democracy and peace in Europe;

2. Create a strong and stable Pacific Community;

3. Support the United States as a leader in the implementation of measures to strengthen peace on a global scale;

4. Strengthen cooperation in countering new security threats that cannot be addressed unilaterally (Hetmanchuk, Hryshchuk, Turchyn, 2010, p. 224).

The US National Security Strategy envisages protecting the nation's territorial integrity and way of life, as well as implementing a wide range of measures: expanding military alliances, international cooperation, strengthening arms control rules, creating multinational coalitions to fight terrorism, corruption, crime and drug trafficking, etc. B The US National Security Strategy outlines methods of coordination, unity and agreement on the most effective use of diplomatic and military instruments to shape the international situation, and a clear distinction between intelligence, counterintelligence and operational activities (Lipkan, 2009, p. 223).

We should agree with A.H. Moseiko's who identifies the main features of the US national security system and compares the US National Security Council with the Security Service of Ukraine, as well as highlights the following differences of the United States:

1) Focus on solving the internal problems of the United States;

2) Importance of national values and the national idea;

3) Information of the US intelligence agencies is communicated to all authorised decision-making bodies and is targeted;

4) Provisions of the US National Security Strategy are specifically focused on certain regions of the world and the preference for securing its national interests in Europe and Eurasia;

5) Effective coordination of various agencies in the field of national security has been implemented;

6) Use of the scientific potential of think tanks in shaping national security policy and training highly professional staff to work in the Presidential Administration and the Congressional apparatus (Moseу́ko, 2019, p. 150).

M. Bielieskov considers the US national security priorities to be:

1) Protection of the security of American citizens in the broadest sense;

2) Expansion of economic prosperity and opportunities;

3) Implementation and protection of democratic values.

The key goals of foreign policy, the implementation of which will ensure the interests of the United States, include: 1) to protect and develop the sources of US power (people, economy, national security and defence sector, democracy); 2) to promote a favourable balance of power in key regions, preventing enemies from threatening the US and its allies or dominating key regions; 3) to ensure the leading role and development of a stable open international system built on strong alliances, partnerships, multilateral institutions and rules (Bielieskov, 2021).

Therefore, the literature review on the US national security experience reveals that the focus is on the National Security Act, the US National Security Strategy, the main priorities of alliances, diplomacy, and the military factor.

In the US national security legislation, the legislator emphasises investment in military power and defence, to protect and defend the core national interests. The armed forces of the United States are on alert, armed and prepared to deal with challenges, first of all, from China and then from Russia. The US National Security Strategy defines priorities in the field of defence: defence of the United States, deterrence of strategic attacks on the United States and its allies/partners, development of capable armed forces and defence ecosystem.

Compared to the Ukrainian legislation in the field of national security, namely the Law of Ukraine "On National Security", the National Security Strategy of Ukraine is the main regulatory document that defines the main trends in public policy on national security.

The National Security Strategy of Ukraine is developed on the instructions of the President of Ukraine within six months after he takes office. The National Security Strategy of Ukraine defines: 1) priorities of national interests of Ukraine and ensuring national security, goals, main directions of public policy on national security2) current and projected threats to the national security and national interests of Ukraine, taking into account foreign and domestic conditions; 3) main trends in the foreign policy activities of the state to ensure its national interests and security; 4) trends and tasks of reforming and developing the security and defence sector; 5) resources necessary for its implementation (Law of Ukraine On National Security of Ukraine, 2018).

According to the National Security Strategy of Ukraine, the main priorities of national security will be ensured in the following areas: 1) restoration of peace, territorial integrity and state sovereignty in the temporarily occupied territories in Donetsk and Luhansk regions of Ukraine on the basis of international law; 2) implementation of international legal, political, diplomatic, security, humanitarian and economic measures aimed at ending the illegal occupation of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation; 3) continuation of defence and deterrence measures, active use of negotiation formats and consolidation of international pressure on the Russian Federation as a guarantee of preventing the escalation of the conflict by Russia, reducing tension and ending the armed aggression by the Russian Federation; 4) using all available mechanisms of the UN, the Council of Europe, the OSCE and other international organisations to consolidate international support for Ukraine in countering Russian aggression, restoring the territorial integrity and state sovereignty of Ukraine; 5) developing relations with the United States of America, the United Kingdom of Great Britain and Northern Ireland, Canada, the Federal Republic of Germany, the French Republic, neighbouring and other states, as well as with international organisations to ensure international security;

6) full implementation of the Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their Member States, on the other hand, and modernisation of its parameters, where necessary, based on the results of a comprehensive review of the achievement of the objectives of the Agreement in accordance with Article 481, with a view to Ukraine's full membership in the European Union; 7) development of a special partnership with the North Atlantic Treaty Organisation with a view to Ukraine's full membership in NATO; 8) strengthening the capabilities of the Armed Forces of Ukraine and other security and defence institutions; 9) sustainable development of the national economy and its integration into the European economic space; 10) development of Ukraine's human capital, in particular through the modernisation of education and science, healthcare, culture, and social protection; 11) protection of an individual, society and the state from offences, including corruption, ensuring restoration of violated rights, compensation for damage; 12) environmental safety, creation of safe conditions for human life, in particular in the territories affected by hostilities, development of an effective civil protection system; 13) strengthening the capabilities of the national cybersecurity system to effectively counter cyber threats in the modern security environment; 14) development of public-private partnerships (Decree of the President of Ukraine On the decision of the National Defense Security Council of Ukraine, 2020).

Therefore, the US National Security Strategy is the main legal instrument in the field of national security. The main goal for the United States is to protect national values, domestic and foreign policy. For Ukraine, the US National Security Strategy is an example of further development and improvement of the national security system. The analysis of the national security strategy of Ukraine reveals some positive changes in the improvement and development of the national security system by the President of Ukraine, with some gaps in the legislation that does not meet the standards and requirements of European countries.

3. National security in European countries

According to T.P. Lebedeva, European countries' national security strategy is almost indistinguishable from the international security strategy, since they all form a single system of collective security, whereby military force does not play any active role in relations between states that are elements of this system (Lebedeva, 2008).

The national security of European countries is primarily related to the protection of human rights and the interests of society and the individual. The European National Security Strategy "A secure Europe in a better world", adopted in 2003, states that the overall goal of the European Union's security and foreign policy is to:

– Protect the fundamental interests, common values and independence of the EU;

– Increase the level of protection of the EU member states by all possible means;

– Preserve peace and strengthen the system of human rights protection in the field of international and national security;

– Promote international cooperation in the field of human rights protection;

– Strengthen and develop the principles of democracy, respect for fundamental human rights and freedoms (Chyzhov, 2022).

Therefore, European countries have created several special international institutions to support national security, such as the League of Nations, the UN, and the OSCE. European countries are convinced that EU and NATO membership can be effective only if they are complementary. The foreign policy of Poland, France and Germany, especially in the European context, is a good example of this, as it is clearly seen in the process of transformation (Horbatova, 2000). The current dynamic geopolitical transformations in Europe clearly demonstrate the importance of Polish, French and German factors in determining the future of the European security system (Guyomarch, Machin, Ritchie, 1998).

France initiated the development of the military capabilities of European countries, while proposing its own models of continental security institutions (in particular, François Mitterrand's concept of a European confederation). France was focused on implementing the policy of a great power, for which it had sufficient leverage both within international institutions and through its own resource components of national power. However, it was not able to conduct global world politics, so it focused its efforts on promoting the idea of creating Europe as a powerful centre of the future multi-vector world with the expectation of taking its rightful place in it (Mytrofanova, 2002).

France faced a number of problems, namely the process of European integration, the development of the EU's military components, and its attitude to NATO and EU enlargement. The chosen tactics for solving them, based on the priorities of the "special position", showed the need to constantly adjust it in accordance with changing circumstances

and consider the national interests of other participants in the process (Mitrofanova, 1999). French President E. Macron said, "We need to take new initiatives, build new alliances. France wants Europe to defend itself, especially when extremism has increased and nationalism has awakened" (Makron, 2018).

Foreign scholars S. Biscop, A. Gromyko, and I. Kier have highlighted the role of the United Kingdom in the European security system in their works (Biscop, 2012). The British approach to the formation of the European security system is focused on the UK's foreign policy course after the Second World War, which was aimed at finding its place in the new security system and gaining a stable status in the new, post-war world (Kolomiiets, 2012).

The main conceptual provisions of the UK National Security Strategy reveal the content and focus of the state's foreign policy and domestic policy to maintain and strengthen its dominant position in the world arena. The state was characterised by full alignment with the US security doctrine, as well as by its focus on maintaining the dominant position of the state in the Euro-Atlantic area and beyond. Later, British interests were to some extent reflected in the European Security and Defence Policy of the European Union (Iakovenko, 2003).

Germany plays a significant role in European politics in the process of shaping the EU's common foreign and security policy. The German National Security Strategy states that multilateral and bilateral cooperation in international relations is based on common interests and values. European policy has traditionally remained the main focus of German diplomacy, despite rapid changes in the international environment and the emergence of new challenges (Kryvonos, 2002).

In the field of national security, Poland claims to be a democratic sovereign state. Poland seeks to promote the preservation of common values and the development of mechanisms of cooperation within the European Union, the North Atlantic Alliance and international security (Chyzhov, 2022).

4. Conclusions

To sum up, the system of ensuring national security of Ukraine needs to be improved by amending the Law of Ukraine "On National Security" and establishing the term "national idea", thereby enabling proper and effective national security.

Therefore, nowadays, the United States dominates the world in terms of the effectiveness of coordination of various state and non-state agencies in the field of national security.

The US National Security Strategy provides for separate chapters on different regions of the world to ensure its national interests in Europe and Eurasia. The US National Security Strategy for Ukraine is an example for further development and improvement of the national security system.

In the European Union, the security model of these states is increasing. The policy of European countries is based on the model of collegiality, considering the institutional features of their European security programmes.

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МІЖНАРОДНИЙ ДОСВІД У СФЕРІ ЗАБЕЗПЕЧЕННЯ НАЦІОНАЛЬНОЇ БЕЗПЕКИ

Анотація. *Мета.* Метою статті є дослідити сучасні напрями забезпечення національної безпеки європейських країн та США. Вироблення пропозицій щодо удосконалення системи забезпечення національної безпеки Української держави. *Результати.* Стаття присвячена аналізу досвіду забезпечення національної безпеки у країнах Європи та США. Розглянуто сутність та систему забезпечення національної безпеки європейських країн та США. Встановлено міжнародні стандарти правового забезпечення національної безпеки. Охарактеризовано правовий статус суб'єктів в сфері забезпечення національної безпеки європейських країн та США. Визначено роль та місце суб'єктів в сфері забезпечення національної безпеки європейських країн та США. Проаналізовано міжнародний досвід щодо удосконалення системи забезпечення національної безпеки для подальшого використання її в українських реаліях сьогодення. Доцільно врахувати досвід побудови систем

забезпечення національної безпеки країнах Європи та США і внести зміни до чинного законодавства в даній сфері. ***Висновки.*** Зроблено висновок, що система забезпечення національної безпеки України потребує вдосконалення шляхом внесення змін до Закону України «Про національну безпеку» та закріпити термін «національна ідея», що дасть можливість належно та ефективно здійснювати забезпеченню національної безпеки. Отже, сучасному світі США обіймає домінуюче місце щодо ефективності координації різних державних та недержавних відомств у сфері забезпечення національної безпеки. В стратегії національної безпеки США, передбачаються окремі розділи, що присвячені різним регіонам світу для забезпечення своїх національних інтересів в Європі і Євразії. Стратегія національної безпеки США для України є прикладом для подальшого розвитку та вдосконалення систему забезпечення національної безпеки. В Європейському Союзі постерігається збільшення моделі безпеки цих держав. Політика європейських країн побудована на моделі колективності, враховуючи інституційні особливості їхніх програм щодо європейської безпеки.

Ключові слова: європейська безпека, національна безпека, державна безпека, національні інтереси, забезпечення національної безпеки, суб'єкти забезпечення національної безпеки, громадське суспільство.