

Отже, підсумовуючи все вищенаведене та з урахуванням наведеної ситуації, актуалізується потреба дієвих механізмів покарання за порушення норм національного законодавства та норм міжнародного права з урахуванням історичного досвіду.

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ROLE OF NATIONAL SECURITY FOR THE RIGHTS AND FREEDOM OF CITIZENS

National Security of Ukraine – a set of legislative and organizational measures aimed at permanent protection of vital interests of man and citizen, society and the state, which ensures sustainable development of society, timely detection, prevention and neutralization of real and potential threats to national interests in law enforcement, on corruption, border activities and defense, migration policy, health care, education and science, science and technology and innovation policy, cultural development, freedom of speech and information security, social policy and pensions, housing and communal services, market financial services, protection of property rights, stock markets and securities, fiscal and customs policy, trade and business, banking services, investment policy, auditing, monetary and monetary policy, information protection, licensing, industry and agriculture, transport and communications, information technology, energy and energy conservation, the functioning of natural monopolies, subsoil use, land and water resources, minerals, environmental protection and other areas of public administration in the face of negative trends to create potential or real threats to national interests.

- National interests – vital material, intellectual and spiritual values of the people of Ukraine as the bearer of sovereignty and the only source of power in Ukraine, determining the needs of society and the state, the implementation of which guarantees state sovereignty of Ukraine and its progressive development;
- Threats to national security – existing and potentially possible phenomena and factors that endanger the vital national interests of Ukraine;
- Military organization of the state – a set of public authorities, military formations formed in accordance with the laws of Ukraine, whose activities are under democratic civilian control by society and directly aimed at protecting Ukraine’s national interests from external and internal threats;
- Law enforcement agencies – public authorities, which are entrusted by the Constitution and laws of Ukraine to perform law enforcement functions.

According to Article 3 of the Law of Ukraine «On Fundamentals of National Security of Ukraine» of June 19, 2003, the objects of national security are:

- man and citizen – their constitutional rights and freedoms;
- society – its spiritual, moral and ethical, cultural, historical, intellectual and material values, information and environmental environment and natural resources;
- the state – its constitutional order, sovereignty, territorial integrity and inviolability.

The main principles of national security are:

- Priority of human and civil rights and freedoms;
- Rule of Law;
- Priority of contractual (peaceful) means in resolving conflicts;

- Timeliness and adequacy of measures to protect national interests to real and potential threats;
- Clear division of powers and cooperation of public authorities in ensuring national security;
- Democratic civilian control over the military organization of the state and other structures in the national security system;
- Use of interstate systems and mechanisms of international collective security in the interests of Ukraine [1].

Ukraine's national security is ensured by conducting a balanced state policy in accordance with duly adopted doctrines, concepts, strategies and programs in the political, economic, social, military, environmental, scientific and technological, information and other spheres. The choice of specific means and ways to ensure the national security of Ukraine is determined by the need for timely action, adequate to the nature and scale of threats to national interests.

The priorities of Ukraine's national interests are:

- guaranteeing the constitutional rights and freedoms of man and citizen;
- development of civil society, its democratic institutions;
- protection of state sovereignty, territorial integrity and inviolability of state borders, prevention of interference in the internal affairs of Ukraine;
- strengthening political and social stability in society;
- ensuring the development and functioning of the Ukrainian language as the state language in all spheres of public life throughout Ukraine, guaranteeing the free development, use and protection of Russian and other languages of national minorities of Ukraine;
- creation of a competitive, socially oriented market economy and ensuring constant growth of living standards and welfare of the population;
- preservation and strengthening of scientific and technological potential, approval of innovative development model; ensuring ecologically and technogenically safe living conditions of citizens and society, preserving the environment and rational use of natural resources;
- development of spirituality, moral principles, intellectual potential of the Ukrainian people, strengthening the physical health of the nation, creating conditions for expanded reproduction of the population;
- integration of Ukraine into the European political, economic, legal space, the development of equal mutually beneficial relations with other countries in the interests of Ukraine [2].

So, summing up all the above, national security and the rights and interests of citizens are interrelated.

1. Different approaches to the definition of the Rule of Law. URL : <http://www.revision-notes.co.uk>.

2. Report on the Rule of Law: Adopted by the Venice Commission at its 86th plenary session, Venice, 25–26 March, 2011. Study №512/2009. 212 p.